

1977-78

HOUSE HEALTH EDUCATION AND SOCIAL SERVICES COMMITTEE

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MINUTES OF HOUSE

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

January 20, 1977

Present: Parr, Ose, Chatterton, Beirne, Nakak, Phillips.
Bradley and Cotten came in about 15 minutes later.

The meeting was called to order by Chairman Parr at 3:00 pm. Mr. Parr announced that HB 12 was on the agenda for today, sponsored by Miller and Duncan. Representative Miller spoke on the bill. Mr. Miller thanked the Chairman for the opportunity to talk about HB 12, stating that this bill is identical to a bill that he believed passed unanimously in the House last year, the reason was it was a fair play provision, but that the bill did not make it through the Senate. The bill, a recipient (that is one of the old timers, receiving what is now the \$125), a recipient who upon the direction of a physician receives medical attention or hospitalization outside the state shall continue to receive bonuses during his absence up to 90 days. The rationale for that is simple, sometimes the medical attention required by the old timers cannot be given in the state. It seems a cruel rule for us to say that during the times those people are hospitalized and in the greatest need of buoying up that that \$125 is taken away from them so he believes this bill just does what is fair.

Mr. Miller further went on to say that Section II is a retroactive clause which was not in the bill he introduced last year, he believed it to have been added in the Finance Committee and he sees no particular reason for it. He felt it might make it very difficult to get a fiscal note on it.

Mr. Ose spoke out against the bill, stating that he felt the way it was set up for returning the stubs for their checks--the people now had 60 days and further that there was no need to go outside of the state for medical treatment. Mr. Miller disagreed.

Discussion was had on the actual number of days that could lapse with the return of the stubs for the bonus checks.

Mr. Vern Perry, Director of Pioneers' Benefit Division spoke on the bill. He stated that it is the Division's position on this bill to delete the retroactive clause and asking for an amendment that an absence from the state for medical reasons

MINUTES OF HOUSE

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

January 24, 1977

Present: Parr, Chatterton, Cotten, Beirne, Nakak,
Phillips, Bradley and Bennett.

Absent: Mr. Ose.

The meeting was called to order by Chairman Parr at 3:04 p.m. and he announced that HB 16 was on the agenda.

Mr. Miller, sponsor of the bill testified. He stated that this bill passed both houses last year but was vetoed by the Governor primarily because of a misunderstanding as to what the cost would be. He stated the key to the bill was in Sec. 2 (b) "Supplemental funds shall be used as matching grants for programs to prevent and correct student deficiencies in basic skill areas including but not limited to reading, computation, and writing." He also explained some on the fiscal note on the bill.

Questions were asked of Mr. Miller by the Committee such as: Do you think by adding more money it will help the children to get a better education?

Next to testify was Mr. Nat Cole, Deputy Commissioner of the Department of Education who said he felt in supporting this bill it might primarily provide a direction.

Questions were asked of Mr. Cole by the Committee such as: What is the dollar value of an instructional unit that is used in this particular contract? Is it used for student education rather than supplemental programs? Is the school board responsible for the deterioration, or who is supposed to be in charge in your estimation from the political science or specific structure sort of thing? What about the right to read program?

Mr. Parr requested from the Department a compilation of results state-wide on the Iowa Basic Skills test and ACT or SAT, whichever one they use. In order to see how our own communities are stacking up against other communities in the State.

Questions were asked Mr. Cole on the fiscal note that the Department furnished.

Mr. Cole was excused and Jane Gustafson a former education teacher testified. She stated federally, special education funding doesn't take up the care of reading. In the State the

child has to be behind grade level in 2 areas before he can qualify. She represents a Delta Kappa Gamma International Society for educators in Alaska, a State-wide venture, and also the Alaska Reading Council which is part of the international reading council.

Questions were asked of Ms. Gustafson by the committee such as: Basically is it psychological step backward to give a test to prove how terrible you are doing in education? Then the student is brought through a whole bunch of hassle to certify that he isn't at the right level? It also was brought out that 95% of the time it isn't the teacher that isn't qualified to teach the children, she just has too many students in her class. Wouldn't that be a waste of this specialists time? Is it possible that the thrust of education is going in the wrong direction? What are the reasons for the deficiency in reading?

Next to testify was John Coffee, Superintendent of Schools in Juneau. He stated he believed this bill would encourage districts to plan programs for remedial help where otherwise they might not plan them. Said they had one program in the schools in Juneau. He stated that last year the school board cut out certain programs such as hot lunch, swimming, etc. and at the same time added 3 reading specialists to help out.

Questions were asked of Mr. Coffee, How does the Juneau school system stack up with the North Star Borough system? Do you have any idea how the Juneau high school graduates stack up with ACT? Wondered how the children can compete wherever they go such as living outside of the state.

Laverne Bruce a class room teacher in Juneau testified urging the support of this bill. She stated that a child has to be 2 years behind in 2 grad levels in order to get a specialist help now. The specialist would serve as a consultant to the teachers also.

Questions were asked of Mrs. Bruce such as: Where does a child get the help he needs now? How do they determine whether a child is behind? Do students have to be certified that they are behind before they can be helped?

Action Mrs. Bruce was thanked and excused. Mr. Nakak moved to pass HB 16 out. After some discussion and no objections, the bill was passed out of committee.

Mr. Parr asked that all committee members sign the Committee Substitute for HB 12 which was passed out of the committee last week. The meeting adjourned at 4:25. p.m.

MINUTES OF HOUSE

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

January 25, 1977

PRESENT: Parr, Ose, Bennett, Nakak, Phillips,
Chatterton, Beirne, Bradley, Cotten

The meeting was called to order by Chairman Parr at 3:04 p.m. and it was announced that HB 78 sponsored by Representative Specking was on the agenda.

Chairman Parr asked Mr. Specking to speak on his bill. Mr. Specking expressed his appreciation for the timely manner in taking up this bill and also his appreciation for the opportunity to speak. He stated he had asked some of the staff from the Department of Education to prepare a hand-out which relates to the background of the skill center. He explained how the skill center began. He stated that initially the skill center was funded by various agency "buy-ins". It has been delivering vocational type programs to originally disadvantaged students or students who have been unable to make it in other academic endeavors but found that they could accomplish considerable in the way of obtaining skills. He explained some of the over-view which was handed out and which is attached to these minutes. He went on to say that he had personally inspected the center and he assured the committee that all building code standards have been met. The first phase was to house ~~to house~~ 40 students and the second phase will house another 40 students and it is for this reason that this bill was introduced, which will in effect provide material and money for skill center students in undertaking the building of the second unit.

The following questions were asked Mr. Specking by the Committee Members: Who decided how much this is going to cost? How many people live there now?

After some more discussion Mr. Gerry Hiley, Coordinator of Adult and Continuing Programs for the Department of Education and Mr. Bill Carter from the Skill Center, Fiscal Officer for the Skill Center's Operations (Administrative Officer for the physical section of the operation) testified jointly.

Mr. Hiley first discussed the dormitory area. Attention was directed to the chart (FY 77) 65 percent complete, is the unit which is being built with the \$220,000 which was appropriated last year and is being built as a training project. It is a pre-cut type facility.. He further hi-lighted on the construction,

an

Said they are proposing this year to add additional building which would house 40 more and which would be Phase II of the dormitory construction program. It would be the same type of construction, explained one of the problems they have with the existing modular units. They are 7 years old which is the life use of that type of building. They want to get into permanent type dormitories. Mr. Carter stated they anticipated having the present unit under construction finished by early April.

Questions were asked by the Committee Members of Mr. Hiley and Mr. Carter as to: What is an EDA fund? Why this unique way of trying to get funds? Did you request your Department to include it in the 1978 budget? What is the physical size of the campus? What is the purpose of having your shops 2 miles off? On the drawing you have here, you show a 60 man dorm you are working on now, you propose 40 more and then on the left hand corner shows Phase III shows 40. Is the dotted line portion where you could put another 40?

The on-campus necessity for dormitories, is that because there isn't any available facilities for housing in the Seward area? Are girls included? What are the ages of the students? Will you be able to put most of the students in the dorms if you get these 2 units built? Do you have women attending the skill center now? How many students are living there now? How many to a room? Do you anticipate a savings in maintenance cost when the new dorms are completed? What will be done with the mobile units when the dorms are completed?

Questions were asked as to the length of time students attended the school, how long it took to complete a course, how many drop outs, etc. What about follow-up records for people who have completed the courses.

Mr. Parr asked Mr. Hiley for copies of correspondence from the Department of Revenue where they declined to give out information to the Dept. of Education regarding the the incomes of students that had graduated. That wouldn't be depriving anyone of their privacy.

Questions were asked regarding referrals, training for jobs where there are no jobs available in the towns they return to, what about the students that return year after year for different training each time, what the cost is to train a student, what about court referrals,

Questions were asked regarding disciplinary matters.

ion
Mr. Beirne moved that the bill be passed out of committee. There being no objection, the motion carried.

Mr. Phillips announced that he was going to attend a task force meeting in Anchorage and asked the members if they could formulate some questions that he could ask-- anything on education.

The meeting adjourned at 4:40 p.m.

TO: Mr. Jerry Hiley, Coordinator
Adult & Manpower Programs

THRU: *ROB* Robert Booher, Director

DATE : January 15, 1976

FROM: *Joe* Joe Carter
Admin. Assist. III

SUBJECT: Fiscal Reports due Jan. 19, 1976
FY 76

Attached are the program plan (Form A) and program accomplishment plan (Form D). The measures for the program accomplishment plan have been revised to include those students referred to service.

As you are aware, many problems have developed in the area of follow-up. The Department of Labor no longer has the responsibility for 30 and 60 day follow-up. The Manpower Division CETA has assumed that responsibility, however, has not implemented a system of gathering such data covering the second quarter of FY 76.

This office is conducting a follow-up on all students completing training during the second quarter (FY 76) who were not placed into direct employment upon graduation.

This information may result in a much higher placement percentile; therefore I am requesting an extension to February 20, 1976 for submission of the quarterly progress report (Form E).

PROGRAM PLAN FY 76

I. Statement of objectives

The Alaska Skill Center will provide pre-apprentice, and/or vocational opportunities as well as related education for approximately 550-650 of the unemployed, under-employed citizens of Alaska. Related objectives are:

1. Provide supportive services of counseling, and medical referrals.
2. Provide basic educational skill development and GED program testing.
3. Fully utilizing resources from CETA, BIA, OVR, and health services to remove barriers for employment.
4. Developing skill training programs commensurate with demands from industry, organized labor, rural agencies, and native corporations.

II. Program Plan

The Alaska Skill Center in conjunction with the Department of Labor, Bureau of Indian Affairs, and Office of Vocational Rehabilitation, will recruit approximately 550-650 unemployed and/or under-employed Alaska citizens for pre-apprentice and/or vocational training.

Individualized training will be provided in the following service type skills: mechanics, food service, office occupations, and basic building trades. These will be complemented by related education as well as driver's education. The student will be offered counseling services which include academic, vocational, financial, medical referral, and social adjustment. The length of training will vary from 10 to 26 weeks, and be dependent upon the student's individual ability and knowledge upon entry into the program.

Job development and placement service will be provided in conjunction with the Employment Security Division, Alaska Department of Labor.

Extensive follow-up activities will be necessary in order to provide measures of program objectives. Additionally, the gathering of data on/from former students and employers will provide necessary factual information for use in determining program direction.

02-320

PROGRAM PERFORMANCE REPORT FY 76

A. PROGRAM PLAN

Program Manager: Gerald Hiley, Coordinator

(Name)

(Title)

(Signature)

AGENCY

Alaska Skill Center

BRU

Adult and Manpower Programs

BRU CODE

05-25-5-06-03-00

MEASURE	FIRST QUARTER	SECOND QUARTER	THIRD QUARTER	FOURTH QUARTER	TOTAL
I. Students enrolled	250	100	100	100	550
II. Student completers maintained	70%	70%	70%	70%	70%
Student placement maintained or referred to service	70%	70%	70%	70%	70%
III. Proposal developed for Federal funds	3	0	1	0	4
Federal programs developed	1	1	2	1	5
IV. Staff seminars conducted	0	2	1	1	4
Opportunities provided for staff development	1	1	1	1	4
V. Industry in program	4	4	4	4	16
Native corporations involved	2	2	2	0	6

02 324

PROGRAM PERFORMANCE REPORT FY 76

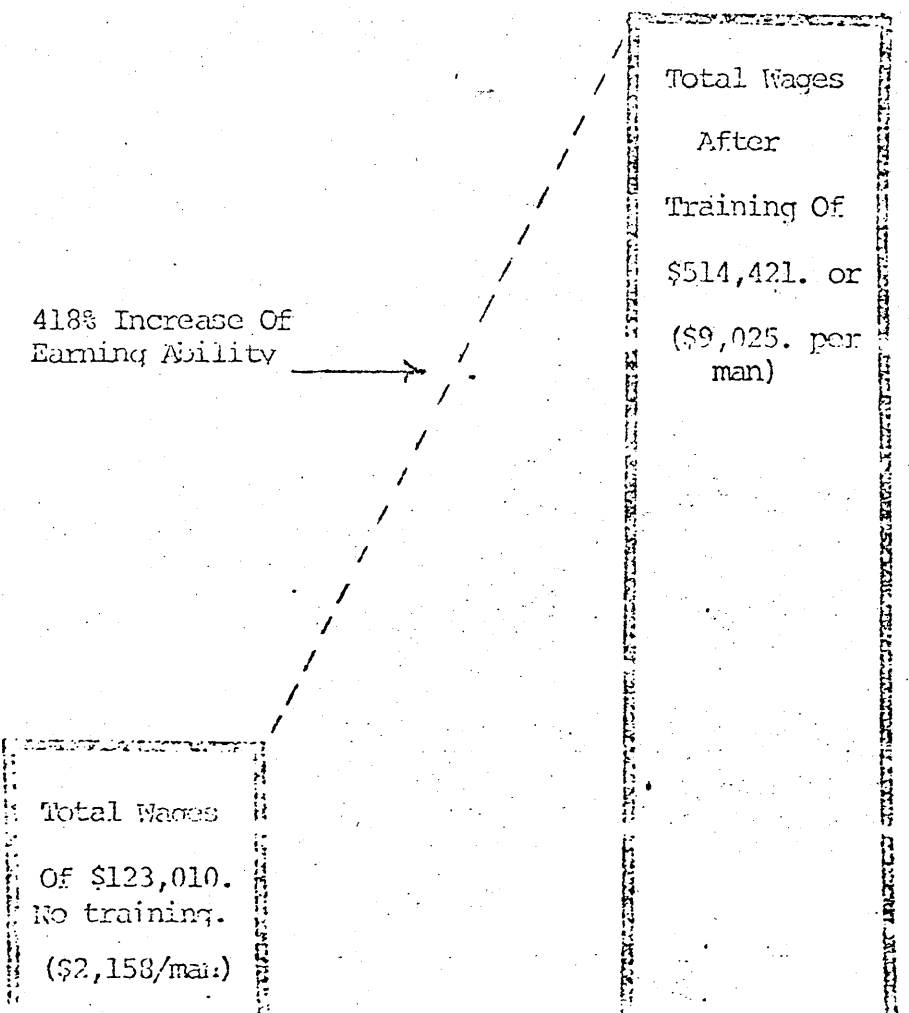
D. PROGRAM ACCOMPLISHMENTS PLAN

AGENCY Alaska Skill Center BRU Adult and Manpower Programs BRU CODE 05-25-5-06-03-00

FY 75

RECORD OF BEFORE AND AFTER TRAINING WAGES

From a Selection of 57 Ex-Skill Center Trainees



Of the trainees surveyed, 62 were from urban areas of approximately 2,000 or more population, and 37 were from rural areas, =

37.5% are Rural
62.5% are Urban.

Scale: 1 Inch = \$100,000.

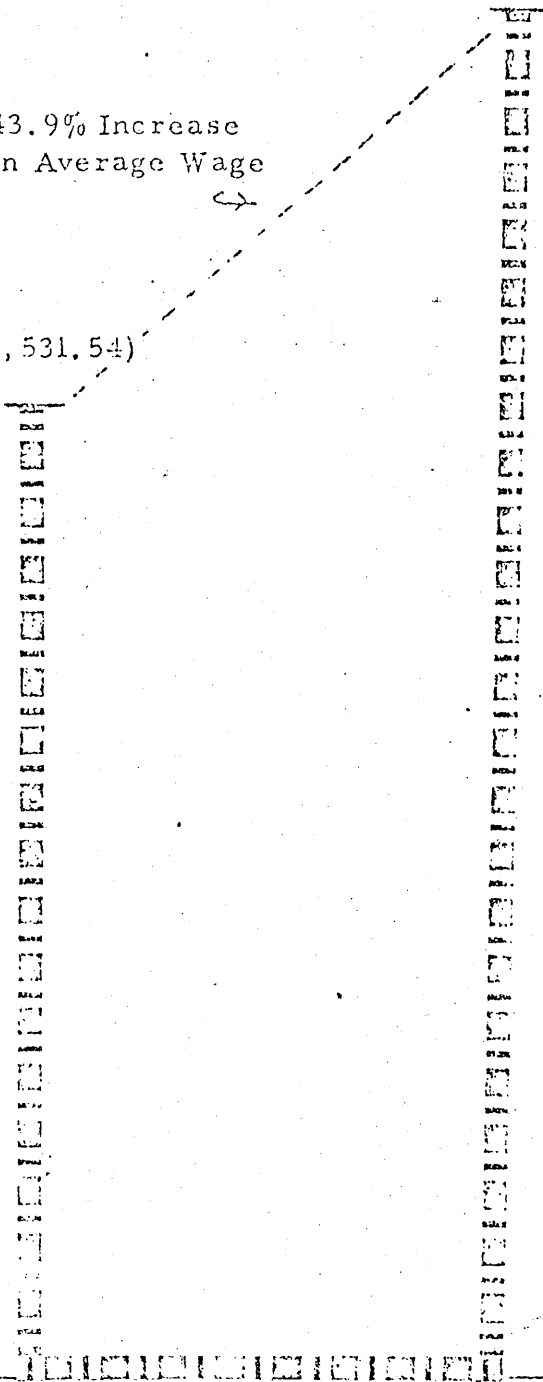
1969 Average Wage
(94 Trainees Surveyed)

1971 Average Wage
(82 Trainees Surveyed)

3700
3600
3500
3400
3300
3200
3100
3000
2900
2800
2700
2600
2500
2400
2300
2200
2100
2000
1900
1800
1700
1600
1500
1400
1300
1200
1100
1000
900
800
700
600
500
400
300
200
100
-0-

43.9% Increase
In Average Wage
↔
(\$2,531.54)

(\$3,642.46)



ALASKA SKILL CENTER
SEWARD ALASKA

Program Background

The Alaska Skill Center is a residential Manpower Training Center serving Alaskans in need of entry level training, upgrading of skills, and employability development. The facility was established in 1970 and is located at Seward, Alaska. It is administered and operated by the State Department of Education. The center currently operates 4 cluster training areas which are Mechanics, Food Service, Office Occupations, and Basic Building Trades. These are complemented by Related Education including limited Driver's Education. In addition, special short term class projects are operated for Rural School Cooks, Village Power Plant Operators, Union pre-apprentice, and apprentice. The cluster are designed to operate on an open entry/open exit educational concept with students allowed to enter at any point of the program, progressing at his/her own rate and leaving when he/she is ready for employment or further education in another institution. As the student leaves a training slot, another student is recruited and programmed into the vacancy. Additionally supportive services such as counseling, medical referrals, job development/placement, and recreational services are provided.

Tuition Structure

Prior to October 1976, students served at the center had to be eligible for some form of financial assistance, such as BIA, OVR, and CETA. The agency would pay the students tuition and provide transportation and a weekly stipend for the student. Students living on campus would pay his/her room and board cost from this stipend.

Effective October 1976 the center began operating on a program tuition lab fee basis, thus allowing any individual the opportunity to receive vocational training without leaving the state. Those students living on campus would pay his/her room and board cost as before in addition to the tuition and lab fees.

FY 78 CAPITAL PROGRAM IMPROVEMENTS

I. \$240,000 - One 40 man dormitory (Phase II)

The above proposed funds would allow the construction of a second permanent dormitory. When completed this would provide on campus housing for 140 trainees with 100 students residing in permanent doms and 40 students in the remaining four portable units. It is necessary to reduce occupancy in the portable units by one-half in order to meet minimum state health and sanitation codes.

Additionally it would allow for the following improvements:

- A. Removal of the existing five mobile units which served as the food service facility.
- B. Remodeling of the former food storage area next to the new food service facility for use as a student waiting room or lounge.
 - 1. Wall in the south end (Presently the ends of mobile units serve as this wall)
 - 2. Upgrade and expand rest room facilities.
 - 3. Install windows and exits.
- C. Landscaping around new food service and permanent dormitory facilities including retaining walls where needed.

SUMMARY

- A. It is important to keep in mind that these projects are being accomplished by trainees of the building trades cluster, along with operators and equipment from the mechanical program. This allows students more hands on technical training by the methodical progression through modern construction projects, which exposes the student to various building codes and compliance inspections.
- B. Project cost factors by phase:

<u>Phase</u>	Cost per square ft.	Total Cost
1. FY77-1 60 man unit (phase I)	\$23.00	\$220,000
2. FY78-1 40 man unit (phase II)	29.00	200,800
3. FY78-1 Rev. 40 man unit plus lounge	33.00	240,000

Presently state school construction is averaging \$200.00 per square foot (budgeting purposes) and ranging from \$100.00 to \$150.00 for actual construction.

EDA Grant

Completed
12.8.76
Food Service

Student
Lounge

40 MAN DORM
78-1

Phase II

FOOD SERVICE
BUILDING
F. EL. 62.0
PROJECT

FY 77 65% Complete

60
MAN
DORM

40 MAN DORM
79-1

Phase III

MOBILE
DORM

MOBILE
DORM

MOBILE
DORM

MOBILE
DORM

MOBILE
DORM

MAIN BUILDING

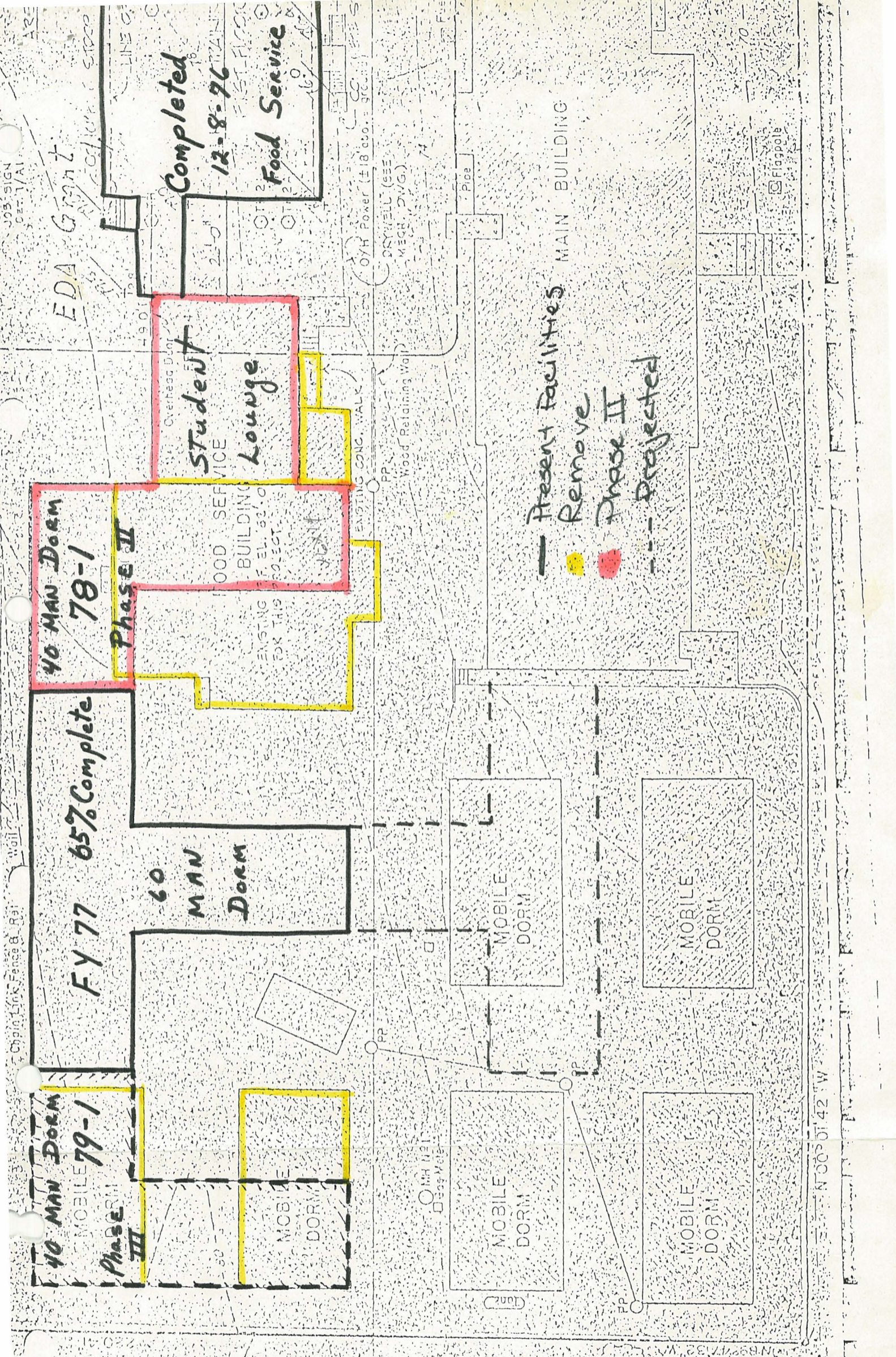
- Present Facilities
- Remove
- Phase II
- Projected

Chain Link Fence & Gate

220.41

N 00° 01' 42" W

Flagpoles



MINUTES OF HOUSE

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

January 26, 1977

Present: Parr, Ose, Nakak, Bradley, Cotten with
Phillips, Bennett, Chatterton & Beirne arriving
15 minutes later.

Chairman Parr called the meeting to order at 3:20 p.m. He announced there was a slight change in the schedule, that first we would hear from some of the parents who have children in correspondence study programs. He informed the parents the committee was here for the purpose of being informed as to how the parents feel about the correspondence study program, whether it is good, bad, indifferent, what changes the legislature might need to make, etc.

Samantha Castle was the first to talk. She said the group represented the Parents Advisory Committee to correspondence study which is a big step in itself in the right direction. Internal problems and problems with parents fussing about communication etc., has been the main concern in the past but now it seems they are heading in the right direction. She gave a little background on herself, stating she has 3 children, 2 of whom are in the correspondence study program; that the centralized correspondence program under the direction of Wanda Cooksey has been a very professional and a very excellent program. Everyone seems to be pleased with the centralized program. She said she understands that the district program has not been working as well. She mentioned HB 28, Mr. Swanson's bill, and stated they had not formed an opinion and she would like to talk to Mr. Swanson more about that bill.

Questions were asked of Mrs. Castle as to whether either phase went from K-12. She was asked if they were having any problems and she said there is a potential problem with districts but it was something she hoped they could work out through Dr. Lind's office.

Mr. Parr asked if Mr. Jones would speak next since he understood Mr. Jones preferred the correspondence study program to the public schools and also understood some people in Fairbanks were doing the same and he would like to know why they prefer the correspondence study to the school system.

Mr. Jones stated there were presently 125 students in the Anchorage area alone on correspondence. His real

reason for getting involved in the correspondence system was his son was in the public school system in Anchorage and his son's teacher advised Mr. Jones to get correspondence courses for him--said his son has been on the program for 2 years now and it is an excellent program. He stated he had 4 on the program. Mr. Parr asked if he felt his children were getting more academically out of the program than they were the public schools. Mr. Jones said yes he did, that the correspondence program has more of a challenge than the public school offers.

Mr. Bradley asked if his objection to the school system was that they couldn't fully employ his skills. Mr. Jones stated that that wasn't the case, only partial, it seems that there is a lot of violence in the school systems and that his children did have hassles in the school, with all the smoking, etc. - couldn't use the restrooms because of the gangs that hung out there, but the main reason was because the teacher told them the child should have something that would be more of a challenge to him. Stated that there were 80 families that have found the same situation in Anchorage.

Next to take the stand was Nadine Smith who has had children on correspondence^{ve} for 13 years but she has no other choice and stated she preferred centralized to district.

Mr. Dave Kull spoke regarding the correspondence study program also. Stated he had taught in public schools down in the lower 48 and Parochial schools and he has taught under various correspondence courses and this is far superior to anything he has taught under. Stated the children he has taught under this program are further ahead than the children in the public schools and he said they are so pleased with this correspondence study they are afraid something will happen to it.

Chairman Parr announced we would take HCR 7 as the next order of business. Mr. Bradley, sponsor of the bill spoke on it. He said it came to pass that he spoke with Michael Rubenstein to discuss what the Judicial Council was doing in determining sentencing. He said the members who had served on Judiciary--this was an enlightened piece of legislation. He stated they are just trying to decide how best to pursue this and it looked liked it might not cost any money. No fiscal note has been produced. Made mention of the position paper from the Dept. of Health & Social Services. Did appear to him that it might be helpful to the Committee if there was a clearly articulated position for or against it.

Mr. Rubenstein, Director of the Judicial Council spoke next on the Resolution. He said the council was willing to do this, they were interested in doing it and he didn't believe it would cost any more money. He stated the Constitution said

they are supposed to conduct studies on the administration of justice and report to the legislature and this is certainly such a study and he doesn't think it will require any additional staff--just gives the council a little more guidance in what the legislature is interested in their doing. He asked if the Committee could give them a little more direction in terms of getting specific. They will have a preliminary report on sentence studies within a couple of weeks. The follow-up of getting into the prisons would be right in line where they are now, and shouldn't cost any extra money.

Mr. Rubenstein said in one sense he does welcome the breadth of the resolution because it does give the council very much of a free hand. He did stress that if there was anything in specific that the Committee would like the Judicial Council to look into he would like to know so he could cover that. He said their present sentence study is not directed so much as recidivism rate as it is to length of sentencing.

Mr. Cotten said one of the questions he has heard people ask is what is the difference where he goes, whether he goes to Eagle River or to Palmer, or some other type of facility, does that have any effect, has that effect been able to be measured yet?

Mr. Nakak said he had basic problems with the prison system and perhaps they may be answered by the study which may be forthcoming. He felt that it could be that our prison systems are so nice and comfortable that they will break the law again just to get back.

Mr. Ose asked just what the Judicial Council really is. Mr. Chatterton asked who is on the Judicial Council now.

Mr. Rubenstein explained how the council works and who the members were.

Next to take the stand was Bill Huston, Director of Corrections. He stated he was here on behalf of the Dept. of Health & Social Services. He spoke on the necessity of investigating prisons, suggested an over-all look at the system to see how to improve it.

Mr. Parr said he thought one advantage of a thing of this sort might be something which he believed Mr. Bradley said in the beginning, which would be in a non-political sort of atmosphere.-- I think most of us would believe that the Governor's Task Force was operating under an atmosphere of public hysteria and he personally felt that a number of the recommendations reflected that and he didn't think the Judicial Council would be subject to the same kind of political pressure and might do a more effective job.

Mr. Huston said he felt the majority of the findings the Task Force brought in were very good.

Mr. Huston spoke briefly on the security problems in the prisons.

Action
Mr. Ose moved to pass HCR 7 out of committee. There being no objections, the motion carried.

Mr. Parr announced that the next order of business is HB 65. Mr. Parr announced in the committee member's packets they do have copy of the statute of the present compact for Western Interstate which has been marked up to show the differences between it and the proposed one. ONLY minor wording changes.

Mr. Huston asked to make one more statement that might be important to the previous bill. It might be interesting to note that in arbitration they have had several disciplinary cases in the annex reversed already which indicates it is very difficult to hold someone responsible in the system and he isn't sure if the legislature can do anything about it.

Mr. Huston next spoke on HB 65. What it does, we are already members of the Western Interstate Compact on corrections and all this does is expand it to nation-wide--to any other state that are members of the nation-wide compact. It allows us under certain circumstances, *to* contract with other facilities to send prisoners. Also has to do with supervision. The only place where there would be fees--if contracted with another state to let a person serve a lot of time there.

Discussion was had and questions asked as to who would initiate the proposal to send a prisoner to another state, withdrawal from the Western State Compact, how many states belong to the Western Interstate Compact, *etc.*

Mr. Parr asked to clarify his understanding--that if the legislature passes this bill then we pretty much automatically become a member of the Interstate Corrections Compact. By passing the bill, Section 2 would come into effect which would rescind our membership in the Western Interstate Corrections Compact. If we pass the bill we become a member of the national one, Sect. II takes us out of the Western Interstate and Sec. III simply says that the Commissioner of Health & Social Services does make the formal notification of a 2 year period to let this thing die out. In these compacts, there is not such a thing as amending the language and therefore if we go into this compact, we have to pass this bill. Sec. I as it stands. Sec. II & III are simply mechanical but Sec. I is the compact itself.

Mr. Bradley asked now we are restricted to 13 Western States? If we buy the Interstate then we are in the expanded club of 50. Will that increase our liability.

Questions were asked as to whether we could belong to both, what type of individuals are being sent out.

Mr. David Freer from the Dept. of Health & Social Services spoke from the side lines as to the efficiency task force review study, submitted last fall, one of the recommendations was to defer the return of the patients or the criminally insane

to Alaska. It would save us a considerable amount of money to house them here in Alaska.

Questions were asked by the committee members as to whether the Western Interstate Compact is compatible with the Interstate Compact. If house Bill 65 passes, is there any way we could lose financially?

Action
It was moved that we delay action on the bill. The bill was held in committee.

Mr. Parr asked Mr. Huston about using some of the rocks on the Chain for prison facilities. Discussion followed regarding various places that could be used for prison facilities with better security.

The meeting adjourned at 4:40 p.m.

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MINUTES OF HOUSE

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

January 27, 1977

Present: Parr, Bennett, Nakak, Chatterton, Phillips, Ose, Beirne, Cotten & Mr. Bradley came in late.

The meeting was called to order by Chairman Parr at 3:06. Mr. Parr stated it was announced on the floor this morning that there were some members of the Anchorage Assembly here and they will not be here when HB 89 comes up so they will be given a chance to speak on it for a few minutes today. He announced the bill is due for consideration a week from Monday.

Mr. Dave Rose, who is currently serving as Chairman of the Anchorage Assembly was the first to speak. He introduced the other members present with him. Mr. Rose said they would commend the bill for consideration and adoption for 2 reasons, (1) with respect to the first part of the bill which deals with an increase of 50% which they now receive to 100%. The measure has been long supported by the Alaska Municipal League and it represents the desires and general position of some 3 unified municipalities, 8 boroughs and 4 cities, that belong to that organization. (2) We feel it provides some equity to organized units of government and taxpayers therein. Felt they were additionally faced with the problem which is compounded by the bond issue which the state voters approved. He stated he felt it was better to address the equity problems that face us by debating and dicussing them in the context of the bill. This bill does provide that kind of equity as far as meeting the capital needs of the schools. He stated the second part of the bill that provides for the 80 percent payment in terms of future payments for new school construction is also a very good piece of work. The Anchorage municipality, as a municipality, has not considered this bill and formally proceeded with it as far as a recommendation to the committee. They have scheduled for next Monday night a joint meeting with the Anchorage Borough Assembly and the School Board and it is anticipated at that point and time that they will discuss this bill and bring before the Committee by correspondence how both bodies feel towards the bill. They feel it will receive a ^{high} ~~very~~ degree of support by the Anchorage municipality but they will transmit to the committee the text of any motions or actions with regard to it.

Mr. Ose asked if there shouldn't be some kind of ceiling on this? He also spoke in favor of the bill.

Chairman Parr thanked Mr. Rose, stating the committee appreciated their being present and asked the Assembly to get the committee their official position before next Monday.

Mr. Parr announced that HB 74 was next order of business. Mr. Duncan not being present then, Mr. Lee, Director of Community and Rural Development in the Dept. of Regional Affairs spoke on the bill. Said he had the opportunity to discuss this bill with the 2 sponsors previously. They were requested originally to submit a fiscal note on this piece of legislation, however, beginning the investigation on this, he felt there were many questions which they needed to have clarified before they could prepare a fiscal note and that the sponsors did concur that there were problems with that portion of it. He stated some of their concerns as the bill is - the bill is currently constituted and would ask for some clarification as to what the intent and direction of this is. He felt a lot of it is primarily language as the bill is presently written, assumes that in the 1st portion where it eludes to the Department it means the Dept. of Community and Regional Affairs. Section I(a) & (b) where portions of this is handled by the Dept. of Public Works instead of Community and Regional Affairs. He felt it would be appropriate for the Dept. of Community Affairs to conduct a need^d survey. They would then have questions as to what determines a need in a particular area? The needs of State Employees or the needs within the entire community?

Mr. Parr stated at this point he felt it said quite specifically a survey of the child care needs and geographic area of the proposed new building. He doesn't understand the Depts. problem.

Mr. Lee said they also had question as to should the facility be exclusive to state employees or in a public building and open to public use as well. He said he would let Mr. Duncan address that. Also felt they needed guidance on the geographic area. What criteria determines need? Sec. (d)--what types of local agencies are they referring to? Section (e)--Current law now provides that any individual in the state who has a low enough income to fall within other state programs is eligible for a child assistance subsidy under other current programs by the State. Felt like it wasn't the intention to exclude these people if they were in that lower income bracket. Brought up the questions of what constitutes major renovation. Is it the intent of the bill to subsidize child care for state employees or is it the intent to make it convenient for state employees?

It was Mr. Parr's feeling at this point that his observations in the last couple of years that Community and Regional Affairs enjoys possibly the best reputation of any State Department among legislators as one of the really best departments. He felt that because this bill was not drafted any more tightly than it is probably reflects some of that confidence in C&RA. Said he was rather disappointed in what appears to be questions which are sometimes rather picayune and that the Department could have handled by regulation. He said we will always find this questions as to whether we should always nail everything down into law and give the Departments no leeway or make the bill loose and maybe have the Departments misinterpret it in the regulation which he felt that hadn't worried about C&RA doing very much but now felt from Mr. Lee's testimony they did want the legislature to nail everything down pretty tightly by law.

Mr. Lee felt that some of the language could be corrected to indicate the actual intent of the sponsors and he felt the sponsors agreed on that. Simply looking for some guidance to establish a fiscal note to this bill instead of playing a guessing game.

Questions were asked of Mr. Lee by the Committee such as: What is the position of your department on the present bill? Do you favor it or not? Mr. Lee said as it is written they do not favor the bill. One of the most pertinent observations and probably one of the most controversial on line 26 where it talks about who is going to pay. If that were changed to bring the first part in conformance with present law and brought it to include payments in the amortization costs, do you think there would be any further problems about what you described as unfair trade advantages as well as an actual subsidation of state employees?

Is there anywhere where this indicates who would stand the child's liability?

Mr. Duncan, sponsor of the bill spoke on his bill and stated his appreciation on the opportunity to speak on the bill and he very briefly ran through the bill. Said he recognized that it would be subject to a certain amount of change before the bill could proceed on to legislative process but felt it was important to get the concept on for discussion. He doesn't view this bill as getting into competition with already existing facilities or private industry. Believe that State employees or those utilizing the facilities should be paying on the same basis others are paying so that we are not having a lower rate in public building than out in private field. She be available for assistance payments. Have had some real problems in getting adequate day care services.

Mr. Duncan stated that under present tax law it becomes very attractive for people to put their children in day care facilities. You get a credit for the amount of money you spend for having your child in one of these facilities. As to major renovation should rely on Dept. of Public Works. Space should be made available in a present structure. Mr. Duncan called the committee's attention to a telegram which had come in and which a copy of is attached to these minutes.

Mr. Parr announced that there was a communication from the The American Association of/Women in Juneau available.

University

Questions were asked by the members regarding the costs.

Mr. Ose spoke against the bill.

Mrs. Rudd, co-sponsor spoke next on the bill. She emphasized that many many couples or singles don't have any choice as to whether their child should be in day care or not. She called the committee's attention to the telegram from the Anchorage League of Women voters. She felt it was incredible the number of children in Anchorage alone who are surviving without any supervision.

Both Mr. Duncan and Mrs. Rudd were asked if either supported the bill? Duncan supported the concept of the legislation but suggested there be a committee substitute on the bill. Mrs. Rudd agreed.

Mr. Bennett spoke in favor of child care however he wasn't sure that the State is responsible for this problem. He felt there are other concepts that should be tried. Felt the engineering and structure of office buildings isn't suitable for day care facilities. He would rather see money spent in designing facilities and front-end private enterprise to set up good facilities.

Mr. Chatterton asked Mr. Duncan if the child care revolving loan fund was enacted? Would what you are looking for be accomplished by maybe this year trying to up that \$10,000 limit so that private enterprise can get into the business?

Mr. Bennett asked what the interest rate was that was tied to that \$10,000.

Mr. Parr asked if there is any place in the state that Mr. Duncan is aware of where there are sufficient day care facilities? Asked if this bill was similar to a bill that was entered last year? Felt we should have been able to get a fiscal note then if it was similar to the bill last year.

Mr. Parr asked Mr. Duncan which route he would prefer to go with the bill, a sponsor substitute, a committee substitute, or what?

Mr. Duncan said whatever the committee would see fit he would agree to.

Mr. Cotten suggested a sponsor substitute. Mr. Cotten also agreed that day care centers are needed. He didn't feel the State would be getting into any unfair competition but would be providing the answer to a need.

Dr. Beirne asked if he ever knew a time when there were enough day care centers? Are we talking about something different than just home care? Are the rules governing the day care centers so severe they were creating the shortages? Is it economically feasible for people to get into the day care business?

Mr. Beirne spoke against the bill stating he would like to see day care centers created but only through private facilities and he was opposed to have them in public buildings.

Discussion was had on whether it would mean more state officials would be needed to run these facilities. The cost of renovating, etc.

Mr. Bennett said he hoped the state Government doesn't have anything close to this amount of surplus building space. He stated he would find it very difficult to vote for this bill if it is in a State building.

Mr. Chatterton said maybe there is ~~maybe~~ an economic threshold that no one can afford. Maybe consideration should be given in making it attractive to private enterprise for them to enter into business. Possibly from some subsidy.

Mr. Bradley feels that Mr. Duncan and Mrs. Rudd address themselves to a real critical social problem that the state has and it seems burdensome on the committee. Some places the centers are expanding, why isn't that happening other places? Feels the state has a lot of business that kids from a family unit aren't messed up that they have a social and economic burden on society. He doesn't mind going with the economic thing--feels something should be done with the kids.

At this time Mr. Lee made a few more comments. With regard to restrictive regulations, last year this problem was addressed in SB 73 which was finally adopted. There are 2 types of day care, the family type and the larger types which are licensed. Economically the larger centers do seem to be making it and expanding and the smaller ones are not. The Dept. does concur wholeheartedly that there is a need for day care facilities. He said the Department will be more than happy to provide information as it is available. There is very little hard base data available and this hampers the programs.

Questions were asked of Mr. Lee as to how much it costs to build a center and staff it?

Janet Bradley, representing the State Organization of the National Organization for Women, stated they are in support of the bill in concept. Had some percentages given her by the League of Women voters that she asked be considered.

Next to testify was Diane Bergstrom representing the Alaska Public Employee's Association, who, like Janet Bradley, stated they wanted to view the bill as employer involvement with day care centers and voiced support of it.

After questions and discussion by the committee as to the need for outside facilities, (play areas, etc) and reports of certain surveys taken, Mr. Parr suggested to the Committee that they postpone action on the bill until it is brought before the committee again as a sponsor substitute.

Mr. Duncan was informed that it could be put on the calendar for Wednesday or Thursday of any week.

Meeting adjourned at 4:35 p.m.

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PMS REP CHARLES PARR CHAIRPERSON HOUSE EDUCATION AND SOCIAL SVC COMMITTEE
JUN 1988

THE ANCHORAGE LEAGUE OF WOMEN VOTERS SUPPORTS
HB74. A RECENT STUDY CONDUCTED BY THE MUNICIPALITY
OF ANCHORAGE INDICATED THAT THERE ARE OVER
19,000 CHILDREN UNDER THE AGE OF SIXTEEN WHO
HAVE MOTHERS THAT ARE WORKING. YET, IN THE
ANCHORAGE AREA THERE ARE A LITTLE OVER 1500
DAY CARE SLOTS THAT ARE LICENSED. OBVIOUSLY
THERE IS NOT ENOUGH ADEQUATELY SUPERVISED DAY CARE
IN ANCHORAGE LET ALONE THROUGHOUT THE STATE.
REMEMBER THAT THIS LEGISLATION PROVIDES ONLY FOR THE
PHYSICAL SPACE IN WHICH TO PROVIDE THE DAY CARE SERVICES.
THESE SERVICES ARE TO BE CONTRACTED OUT TO SOME AGENCY
WHO IS IN THE BUSINESS OF PROVIDING CHILD CARE.
WE SUGGEST THAT YOU AMEND THE BILL TO ALLOW FOR USE

MINUTES OF HOUSE

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

January 28, 1977

Present: Parr, Ose, Bennett, Nakak, Phillips, Chatterton,
Beirne & Cotten.

Absent: Bradley

The meeting was called to order by Chairman Parr at 3:15. He announced that the first order of business would be HB 63. Also that the Senate Hess Committee will come over at 4:00 along with the State School Board.

Mr. Robert Gregovich, Program Administrator for the Division of Mental Health and Developmental Disabilities testified as to the bill. He said the letter from the Governor (a copy of which is enclosed) would summarize the matter. Dick Peters stated the reasons for some of the changes also. Mr. Gregovich suggested the amendment as brought out on the position paper be included.

After brief discussion Mr. Chatterton moved to pass the bill out of committee as amended, with a do pass recommendation.

The amendment would be:

Line 11 - after the word "deficiency" add ", mental retardation" and change the word "development" to "developmental".

Line 21 to begin with the word "significant" and changing "or" to "and".

The motion carried.

Chairman Parr announced the State Board of Education will be meeting with us with the Senate HESS committee and all members are welcome to stay if they wish. He thought it would be informative especially for the new legislators.

The meeting adjourned at 3:35.

POSITION PAPER

HB # 63

Title: "An Act relating to guardians of incapacitated persons."

Effect of Bill: Fiscal effect is nil. Language on page 1 line 11 and 12 should read: "mental deficiency, mental retardation or other developmental disability" instead of "mental deficiency, or other development (sic) disability."

Language on page 1, line 21 should read: "significant impairment of general intellectual functioning and adaptive behavior" instead of "impairment of general intellectual functioning or adaptive behavior."

Recommended Position: Support with minor amendments indicated above.

Recommended: Robert P. Gregovich
Robert P. Gregovich, Ph.D.
Program Administrator
Division of Mental Health and
Developmental Disabilities

1/26/77
Date

Approved: Francis S. L. Williamson
Francis S. L. Williamson
Commissioner
Department of Health and
Social Services

1/28/1977
Date

11363

January 14, 1977

The Honorable Hugh Malone
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18, of the Alaska Constitution, and in accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill relating to the appointment of guardians for incapacitated persons. It combines several of the provisions of House Bills No. 645 and 734 of the Ninth Alaska Legislature.

The principal effect of this measure would be to provide specifically for two types of guardian for incapacitated persons. A plenary guardian with full responsibility could be appointed, as is done now, for totally incapacitated persons. This bill would also provide for a partial guardian with limited guardianship powers to be appointed for persons whose incapacity is less than total. That authority is implicit in the present statutes (see AS 13.26.110 and 13.26.150), but the bill would set it out explicitly because the courts seem reluctant to act in this way without further direction from the legislature.

It is hoped that the effect of such a change would be to encourage the appointment of guardians for those who are not totally incapacitated to provide assistance not now available, and to give the incapacitated person the opportunity to exercise legally all the functions of which he is capable. The bill would also permit the scope of the guardianship to be reduced or expanded in proportion to the changing capacity of the person. And it would assure that a guardian, whether plenary or partial, and whether court appointed or otherwise, gives notice to the court of his placement of the ward in any out-of-home living situation, if it has not been ordered by the court. This is intended to protect the

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MINUTES OF HOUSE

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

February 4, 1977

Present: Nakak, Cotten, Seversen, Beirne, Phillips and Ose.

Absent: Parr, Bennett, & Chatterton

The meeting was called to order at 3:20 by Vice-chairman Ose. He announced that HB 99 and HB 65 were on the agenda together with HJR 9.

HB 65

HB 65 was the first order of business and Walt Jones, Assistant Director of Corrections spoke on the bill. He stated he was there representing Bill Huston and Commissioner Williamson. He stated that the Department supported the intent of House Bill No. 65, however they felt strongly that HB 65 should not repeal the Western Interstate Corrections' Compact as outlined in Sect 2 of the Bill. He felt that by keeping both compacts, the State of Alaska would be able to work with more individual states. He didn't see any serious implications involved.

Questions were asked as to whether there were any major differences that the committee ought to know about between the Interstate Corrections and the Western Interstate Corrections. What # of states belong to the compacts? Mr. Jones stated 22 belonged to Interstate, 20 to Western and 5 belonged to both compacts. Some discussion was had as to the differences between the two compacts.

Questions were asked as to what would happen if we had prisoners in our facility from out-of-state and it became too full to house our own prisoners.

Next to testify was Lois Jund, Deputy Commissioner for Program Management in the Dept. of Health & Social Services. She stated they had worked actively in the preparation of this bill and had cleared with the Governor's office.. Also felt that we should belong to both compacts.

Action

Mr. Cotten made a motion to delete lines 7 & 8 on page 1, and on page 8 to delete line 29. On page 9, delete lines 1 through 5 and the first two words "Art. VIII" on line 6. Add "Sec. 3" and delete the word "also" on line 6. He felt this went along with the Department's wishes. Dr. Beirnes seconded the motion. A committee substitute will be made out of the bill and it was passed out of committee.

HJR 9

HJR 9 was next on the agenda. Mr. Bradley, sponsor of the bill spoke on it. He stated that the resolution was before the committee once before, research was requested which he believed had been complied with and called the committee's attention to the memorandum in their files from the Legislative Affairs Agency. He did feel that in the second resolve, page 2, line 2, the words "promptly signed" should be taken out. In general he gave his support of his own resolution.

Mr. Cotten asked if the memorandum from the research analysis supported the Whereas clause that was questioned at the earlier meeting. Mr. Bradley stated he felt it did.

Questions were asked as to whether it was just health care costs that were rising or if other things were too. Dr. Beirne felt that not only health costs had gone up but various other things have too, such as postal costs. He stated as one example, in 1960 a post card cost a penny, and now it is 10 cents which is 1000 per cent increase. He didn't feel the cost of health care is as bad as it is pointed out. After some discussion on the second Whereas, Mr. Cotten suggested that Mr. Bradley take the bill and rewrite the second whereas and bring it up in a later meeting.

Mr. Bradley said he would do that and perhaps he could get back before our meeting adjourned today.

Dr. Beirne further suggested that the # 5 Whereas needed a little attention. He felt the U.S. had the best health care and this clause suggested we didn't. Also he questioned the infant mortality rate and the life expectancy. He wondered where the material came from and if Mr. Bradley had some back-up material for this. Some discussion was had on the accessibility of our health services.

Mr. Bradley left with his resolution but did not return before we adjourned.

HB 99

HB 99 was the next bill acted upon. Dr. Jerry L. Schrader, Director of the Division of Mental Health and Dick Branton, Assistant Director, testified in favor of the bill. They stressed under current legislation the State is cut off from substantial third party payment sources for care given in cases hospitalized under AS 47.30 and this bill gives adequate protection against extraordinary charges being made for care of developmental disability cases yet allows the State to claim up to full care costs for acute psychiatric care. They did propose amendments, a copy of which is attached to these minutes.

At this point, all but 3 or 4 of the members had left the meeting due to airplanes or other commitments and Mr. Ose suggested that this bill be held over until another time.

The meeting adjourned at 4:10 p.m.

HOUSE BILL 99

"An Act relating to liability for expense of hospitalization of mentally ill individuals; and providing for an effective date."

This bill is at the request of the Department. Under current legislation the State is cut off from substantial third party payment sources for care given in cases hospitalized under AS 47.30. This bill gives adequate protection against extraordinary changes being made for care of developmental disability cases yet allows the State to claim up to full care costs for acute psychiatric care.

We would propose that House Bill 99 be amended to read:

PAGE 1 Line 16 insert after. . .the department if the patient is hospitalized in a state hospital, or by the hospital, if a patient is hospitalized in a private hospital.

Line 17 insert after. . .department if the patient is hospitalized in a state hospital, or the hospital, if the patient is hospitalized in a private hospital, . . .

Line 20 insert after. . .The department or private hospital. . .

Line 25 insert after. . .and treatment in a state hospital. . .

Line 28 insert at front of line. . .or the private hospital. . .

PAGE 2 Line 1 insert new sentence after. . .department order. A private hospital may be reimbursed by the department or its designee for the cost of care and treatment of a patient hospitalized under sections 10-340 of this chapter, only when it shows that it has determined ability to provide for payment by procedures approved by the department or its designee, that it has issued an order of payment to the patient or the person responsible for payment within six months after the date on which the charge was incurred, and that it has exhausted other sources of payment. . . .

Line 12 insert after. . .department or a private hospital, . . .

Line 13 insert after. . .department or a private hospital . . .

Line 18-19 insert between paragraph. . .Sec. 2. AS 47.30.270 (c) is repealed.

This proposed amendment places the burden of determination of ability to pay on the hospital where the service is provided as a prerequisite to billing the State for service.

The fiscal impact of this bill is not totally predictable. Under the present law where patient liability is limited and the spouse is not required to pay,

insurance recovery is limited. During the first six months of Fiscal Year 1977 when 52 cases were billed, a total of \$91,236 was collected, however, only 18 of the 52 cases paid more than \$50/month, determined to be the limit of their liability or the liability of their insurance carrier. Without the amended change we predict more patients will limit their payment to \$50/month and third party payments will further be reduced.

We recommend the passage of this bill when amended as proposed.

Recommended by:

Thomas R. Brune 1/31/77
Jerry L. Schrader, M.D. DATE
Division of Mental Health
and Developmental Disabilities

Approved by:

Louis M. Jurek 2/3/1977
Francis S.L. Williamson DATE
Department of Health & Social Services

MINUTES OF HOUSE

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

February 7, 1977

Present: Parr, Bennett, Seversen, Beirne, Ose, Nakak,
Cotten and Chatterton came in about 4:10.

Absent: Phillips

Chairman Parr called the meeting to order at 3:05. H.B. 89 was the first order of business and asked Mr. Cotten to speak on his bill. Mr. Cotten explained the mechanics of the bill and stated that Dave Rose had spoken earlier on the bill. He stated a fiscal note was included with the bill.

There was quite a discussion on paragraph (1) of the bill as to the length of time before payments are made.. Questions were asked as to what affect if any this makes in the Bush,

Next to testify was Mrs. Karen Parr who spoke in favor of HB 89. She stated she was speaking on behalf of the North Star Borough Assembly who is very much in favor of this bill because they feel it is a more equitable distribution of the taxpayers money. She gave figures from the current budget which are:

Current Budget	- \$17,000,000 +
Local Education Eff.	6,000,000
Bonded indebtedness	- 4,000,000

She stated all of the bonded indebtedness is for schools and of that they will receive approximately \$1,000,000 under the current statutes towards retirement of the indebtedness. She further said that 59.4% of the borough budget is for schools. If you remove from that the \$1,000,000 it is still 53.5%. She said \$295,000 comes from the tobacco tax, all the rest comes from sales tax and property tax. The percent of local effort of the school budget is 21.8% which isn't counting the on-base schools which are 100% state funded. She pointed out that whereas the state is funding virtually 100% of both buildings and operational costs in many areas, the borough tax payers are being taxed double because they are taxed for their share of the state-wide schools as well as their own school system.

Questions were then asked of Mrs. Parr by various members of the committee as to: Do you think the passing of the bill would be more of an incentive for the communities to build? Do the Fairbank's schools have swimming pools? Mrs. Parr replied that none of the schools in Fairbanks had swimming pools. Mr. Nakak felt that the 80 % figure should be changed to 100% in the bill. Said he was surprised at the conservatism of the prime sponsors.

Dr. Beirne asked why would the state control the funding for the newly constituted REA's and of course not the organized borough--under the new program won't the monies go directly to the REAA to do their thing?--the same as it does the borough.

Mr. Parr answered that the amount of money they get is determined by a bill passed by the legislature put onto a bond issue and then passed by the voters of the state. (the REAA's)

Next to testify was Bill Overstreet, Executive Secretary of the Alaska School Board Association. Said the association was appreciative and supportive of the thrust of the bill. He felt though that it doesn't totally solve the problems that some of the districts in the state face. Said he doesn't feel it solves the problems for the small districts. Much discussion was had as to raising the 80% to 90 or 95 or even 100%. Dr. Beirne asked if the association included the unorganized districts. Mr. Overstreet stated it included the 21 REAA, and 31 city and borough districts, a total of 52. Dr. Beirne asked if the association was satisfied with the \$60,000,000 bond issue last year? And then asked what they had in mind for this year. and if there would be bond issues before the voters this year. Is there a projection for the next 2 years as to the amounts of bonding that will be required.

Mr. Bennett called the committee's attention to the State Constitution's Art. 7, Sec. 1. Asked if this was in conflict with the association's policy. the 100% funding. Mr. Bennett felt he would go along with Mr. Nakak in that 80% isn't enough. He felt we should comply with the Constitution or make changes in it.

Next to testify was Don Berry, Executive Director of the Alaska Municipal League who stated the League endorsed the bill 100% if only because it is one step closer to accomplishing a constitutionally mandated the state shall take over the educational function. He stated the League had said 75% and the legislature has gone beyond that.

Mr. Nakak asked Mr. Berry what impact would this have in reference to provisions of other services and obligations which the municipality has besides carrying their load?

Next to testify was Bill Thompson, Department of Education. He explained the fiscal note that the department had prepared for the bill. Discussion was had on the 2-year delay basis for paying back. Mr. Thompson explained the current law as to what it provides. Mr. Ose asked after being bonded, how soon do the communities start paying back.. Discussion was had as to who the payments are made for paying the bonds off. Mr. Thompson questioned the repealing of Sec. (f). Mr. Parr informed him this referred to dates.

Mr. Cotten requested that the Department come back with another fiscal note.

Discussion was had on the richer communities as to their bonding procedures.

Next to testify was Commissioner Gallagher from the Department of Revenue and also Vice-chairman of the Municipal bond bank. Spoke to the concept of the bill. Stated there are about four hundred sixty million dollars of local debt outstanding in the state. About 70% of that number is school debt. He felt they required the boroughs to go into debt in order to get state aid. The bonds are sold on the credit of the municipalities and not the credit of the state. He also pointed out that the average town in this state is in debt about \$1500 per person and in the "Lower 48" it averages to about \$250 per person.

Mr. Cotten felt it sounded like the state is going to be awful close in making the decision for the local government as to what kind of schools they want. He said that's what people fear when they talk about increased state funding it also means decreased local control.

Discussion was had on the assessed evaluation of property in particular boroughs to look at the wealth of the communities. Discussion was had on the Governor's proposed bill.

Mr. Parr asked Mr. Gallagher if the proposed Governor's bill envisioned that in the areas of the unorganized borough that does have a tax base, they will also get less than 100%. They now get 100%. How will they be assessed, such as Tok and property along the highways which are worth quite a bit of money. All in all Gallagher spoke against the bill.

Mr. Van Houte, Executive Secretary of NEA Alaska spoke next in favor of the bill. Felt it was imperative to do something to relieve the loads in many of the communities and felt this bill would do that. Thinks a front-loading concept would not be contradictory. The two should go together but he wouldn't take one in place of the other.

After Mr. Nakak made comments about the legislation, he moved to amend the 80% to 87.5%, page 1, line 17. After discussion, a vote was taken and the motion failed.

action.

Mr. Cotten suggested that the committee hold the bill for 1 day in order to have time to check with the attorneys to see if what the bill is saying is right and also check on a revised fiscal note.

HB 136
Mr. Parr announced that HB 136 was next on the agenda. Mr. Kerry Romesburg, Executive Director of Postsecondary Education Commission. He stated it was a bill to add 2 fields to the WICHE exchange program. Asking to add architecture and graduate nursing. Explained what the WICHE program is. Stated a fiscal note was attached.

Mr. Cotten asked what the budget was, currently.

Mr. Chatterton questioned the fact that they have included dental hygiene in the bill. He felt this schooling was available in Alaska already. Mr. Romesburg said they would check that out. since it is the intent of this program to offer schooling that is not already available in Alaska. Mr. Bennett asked about offering Petroleum engineering since he felt Alaska would need this type of person.

After some more discussion on the bill, Chairman Parr asked the committee if they would have objections to holding the bill over until Mr. Romesburg could check on the questions asked him. There being no objection, the bill was held over.

The meeting adjourned at 5:07.

MINUTES OF HOUSE

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

February 8, 1977

Present: Parr, Nakak, Seversen, Cotten, Chatterton,
Ose, Bennett, Beirne

Absent: Phillips

Chairman Parr called the meeting to order at 3:05 p.m. He announced that the first bill to be considered would be HB 136 which was carried over from yesterday. He announced

HB 136

that we had two questions we had asked Mr. Romesburg to look up for us and hoped he had the answers. Mr. Romesburg said one question dealt with dental hygiene and whether we had a program in Anchorage-- they checked with the registrar in the admissions office and also with the Dean and they have a program in the community college only. He stated when they check the applicants, if it is a lower division, they don't allow it anyway. So there is a Bachelor's degree out-of-state and that's the only one they send to so it appears there isn't any conflict anyhow. The second question dealt with petroleum engineering. He pointed out that they have a second program of WICHE Graduate Fellows that they are involved in. It's a cooperative agreement between the states that a student from Alaska can attend in the select programs and not have to pay any out-of-state tuition. There is one program in petroleum engineering that is included if a student from Alaska wants to go to Mexico Institute of Mining and Technology. It's a Master's degree. There is a technical lower division/program offered at Kenai, a two year program.

Action

Mr. Bennett asked if we inserted petroleum engineering into the bill if it would hamper or enhance the program in any way. There seeming to be no objection, Mr. Bennett moved to amend the bill by adding on line 16 after the word "nursing," adding "petroleum engineering".

Discussion was had as to the possibility of enlarging the program in Alaska from 2 years to 4 years. A vote was taken and the amendment carried.

Mr. Nakak moved to pass the bill out as amended with a do pass recommendation and the motion carried.

HB 125
& 126

Chairman Parr announced that HB 125 & 126 would be taken up together next, and that Jim Duncan, the prime sponsor, would speak on his bill. First Mr. Parr explained the reason for taking the 2 together since they both pertain to the same thing.

Mr. Duncan gave a brief overview of the bill and the purpose behind it. The purpose of the legislation is to increase the number of native people who are involved in the administration end of education throughout the state of Alaska. Will allow those people to gain experience in education administration by establishing some statewide standards as well as providing some financial assistance so that they can become trained. Nationwide, somewhere in the neighborhood of 3% of our school administrators based on the native population of the U.S. should be of native origin. He stated the legislation sets up the criteria someone has to meet in this program to be eligible for participation he has to possess a bachelor's degree in any field, and has to be accepted in a graduate program leading to a degree in education and also has to be a native Alaskan. The grants would go to the postsecondary education. The study and employment is to be done under the direction of the instructional staff of the institution that agrees to participate in this program. While the student is in the internship program, he will be paid at least at the minimum wage. Really providing a method where they can earn money and continued to work and at the same time take their graduate program in administration and work towards the day they can go into the educational system as an administrator. HB 126 appropriates \$130,000 for the operation of the program. Grants and other money will be available through the federal government.

Questions were asked as to whether this was a matching fund. Attention was called to the fiscal note that accompanied the bill. Also the question was asked whether there is in existence a companion native internship program for people with 1/8 indian blood and whether there is anything comparable for a person with no native blood. Question was had as to whether or not it was a discriminatory piece of legislation.

Mr. Parr announced that there was an internship bill that didn't pass the Senate last year that he felt would be reintroduced this year for people that had no native blood.

Mr. Nakak gave his support for the bill.

Discussion was had as to the wording on page 2, line 23, the bachelor's degree, whether or not every bachelor's degree should qualify someone to participate.

Next to testify on the two bills was Jim Beima who works for the Commission on Post Secondary Education. He felt Mr. Bennett's question regarding the bachelor's degree was well taken. Explained the schedule which the students would be involved in (backup material provided in the folders). This seemed to answer the question regarding the degree. Stated last year the same bill was submitted as HB 904 and 905. Got through the HESS committee and got to the House Finance. Mr. Beima explained the fiscal note. Mr. Beima felt it is a very unique program in that it is the first time BIA and all the corporations and Dept. of Education and the Commission were able to get together on that type of bill.

Questions and discussion followed regarding the amount of money the average student would receive a year to go to school; what assurance there is that the student will go into administration; whether or not it is a discriminatory bill, what the goal is in the program and what turns it off; whether or not they actually have people interested in taking the courses; whether or not a person who is eligible for this program will be allowed to study out of the state.

Action) Mr. Bennett moved that in HB 125, page 5, between lines 3 and 4 insert the words "this act will expire July 1, 1982 unless extended by the legislature". The motion passed.

Discussion was had as to the paying back of the money. Mr. Nakak felt if it is a grant he didn't think they could force the student to pay it back.

Action) Mr. Bennett moved for an amendment on page 2, line 23, delete the word "any" and insert after "in" the words "an appropriate" and then continue with the wording "field of study;".

Discussion was had as to who was to decide what was appropriate.

Action) There being no objection to the amendment, the motion carried and the amendment was adopted.

Action) Mr. Chatterton moved that we hold the bill over until we can get a legal opinion as to the constitutionality of the bill. The motion carried and the bill was held over until we receive from the Legislative Affairs Agency the answer to the constitutionality problem.

Mr. Parr announced that next on the agenda was HB 146. Mr. Parr explained the reason for his bill, in that it allows a student to study outside the state when there is no program

available within the state.

Kerry Romesburg, Director of Postsecondary Education, testified on the bill next. Mr. Romesburg asked the members to look at the charts he had prepared and explained them. Copies are attached to these minutes. He stated on the number of loans you would find that 40% of the students receiving loans over this 5 year period have used the loans to attend institutions in state; 60% have used the loans out of state. The graduate level shows that 80.7% of the loans were given to students to attend out of state.

Table 2 - the percent of students utilizing this loan to go out of state has generally been an increasing in percentage.

Table 3 - for graduate students, the number if more fixed, a continuing increase in the percentage of students wishing to attend out-of-state as opposed to those staying within the state

Table 4 - summary.

Table 5 - amount of money given to instate as opposed to out.

Graph #1 - shows the percentage of students within state and those going out.

Graph #2 - Is the absolute number of students going in and out of state.

Mr. Romesburg next explained the two charts, the State Student loan Program, which gives a summarization of what the program looks like for January, 1977. Mr. Romesburg pointed out in 1974 an audit was conducted and it showed that 80% of the loans were delinquent and 53% showed no payment had been made of any kind. This was prior to the time the loan program was transferred to the Commission.

Mr. Romesburg explained the graph that was attached, which shows the amount of money they receive in thousands of dollars monthly. He explained the drop towards the end is because they don't have enough staff to keep up with the money that is coming in.

Questions were asked of Mr. Romesburg such as what steps do they take in attempting to collect the money; whether they publish in the local paper for the people they can't find or are delinquent; whether there is a forgiveness; whether or not there is a fiscal note; It was brought out there is a 40% forgiveness. Mr. Cotten raised the question that if the 40% forgiveness is described as a grant, whether or not they have had any legal problems with this, instead of classifying this as a loan.

Further discussion took place as to what steps the student takes to apply for the program, how long does it take for the application to be processed, does the student have to be full time; etc.

Next to testify was Mike Bradner who apologized for the fact that he had to speak against the bill. He felt that the student should have every right to go outside of the state for schooling. Felt that we should try to induce the student to remain in the state but could not prohibit him from going out of state if that was what he wanted.

Discussion was had as to the amount of money it cost for a student to study in the state vs. outside the state., tuition fees, etc.

Next to testify was Rep. Mike Miller who also apologized for the fact that he had to speak against the bill. He discussed the philosophy as he sees it on the program. He felt since it is a loan program, we don't have the right to tell them where to spend it. If it were a grant program it would be different. He suggested that the committee and Mr. Parr might consider his own bill as an alternative. He explained the bill says if a student attends a University outside of Alaska, the situation just keeps on going, no change whatsoever. If he attends a University or trade school within the State of Alaska, then when the time comes for repayment, instead of cancelling up to 40% we cancel up to 100%. Depending on the length of residence afterwards. He felt more students all in all would opt to attend a state university.

Discussion followed Mr. Miller's testimony regarding whether or not a fiscal note had been prepared.

Mr. Parr advised the committee if they wanted to go this route, Mr. Miller's bill could be adopted as a committee substitute.

Mr. Parr asked Mr. Miller ^{if he} felt the purpose of his ^{was} bill the same as Mr. Parr's, that we do need to encourage a higher percentage of the high school graduates to study in the state, or what is the purpose of your bill?

Mr. Miller felt the overriding purpose of his bill was the acceptance by the State of Alaska of the responsibility for educating students beyond what he considered now days to be an inadequate level of learning. He thinks it would accomplish what Mr. Parr is also striving for. Felt the 100% cancellation would be a good enticement for students to stay in Alaska.

Further discussion followed as to what if jobs were not available in the state for these students; Mr. Bennett felt it wasn't the people in the State of Alaska's responsibility.

Mr. Bennett further felt we shouldn't hand the child something on a silver platter. He feels there should be some incentive for the child to want to go to school. Objected to the 100%.

It was moved the bill be held over until the following day.

The meeting adjourned at 5:20.

SUMMARY DATA ON
 ALASKA STUDENT LOAN PROGRAM
 (1971-72 through 1975-76)

TABLE I
 FIVE-YEAR SUMMARIZATION
 (1971-72 through 1975-76)

STUDENT LEVEL	STUDENTS ATTENDING IN-STATE				STUDENT ATTENDING OUT-OF-STATE				TOTAL	
	Loan Recipient	Percent of Total	Loan Amount	Percent of Total	Loan Recipient	Percent of Total	Loan Amount	Percent of Total	Loan Recipient	Loan Amount
Undergraduate	3,060	42.7	\$4,180,682	37.8	4,108	57.3	\$6,889,698	62.2	7,168	\$11,070,380
Graduate	181	19.3	455,736	16.2	759	80.7	2,357,849	83.8	940	2,813,585
TOTAL	3,241	40.0	\$4,636,418	33.4	4,867	60.0	\$9,247,547	66.6	8,108	\$13,883,965

TABLE 2
YEARLY SUMMARIZATION OF
UNDERGRADUATE STUDENT LOANS

ACADEMIC YEAR	STUDENTS ATTENDING IN-STATE				STUDENTS ATTENDING OUT-OF-STATE				TOTAL	
	Loan Recipient	Percent of Total	Loan Amount	Percent of Total	Loan Recipient	Percent of Total	Loan Amount	Percent of Total	Loan Recipient	Loan Amount
1971-72	570	57.6	\$ 680,351	50.1	420	42.4	\$ 666,536	49.5	990	\$ 1,346,887
1972-73	761	48.7	971,404	42.1	801	51.3	1,337,854	57.9	1,562	2,309,258
1973-74	585	40.1	895,567	38.9	874	59.9	1,408,978	61.1	1,459	2,304,545
1974-75	688	41.5	883,761	36.5	972	58.5	1,540,765	63.5	1,660	2,424,526
1975-76	456	30.5	749,599	27.9	1,041	69.5	1,935,565	72.1	1,497	2,685,164
TOTAL	3,060	42.7	\$4,180,682	37.8	4,108	57.3	\$6,889,698	62.2	7,168	\$11,070,380

TABLE 3
YEARLY SUMMARIZATION OF
GRADUATE STUDENT LOANS

ACADEMIC YEAR	STUDENTS ATTENDING IN-STATE				STUDENTS ATTENDING OUT-OF-STATE				TOTAL	
	Loan Recipient	Percent of Total	Loan Amount	Percent of Total	Loan Recipient	Percent of Total	Loan Amount	Percent of Total	Loan Recipient	Loan Amount
1971-72	31	34.1	\$ 74,613	29.1	60	65.9	\$ 181,658	70.9	91	\$ 256,271
1972-73	48	25.8	114,475	19.7	138	74.2	467,950	80.3	186	582,425
1973-74	37	18.0	106,095	17.1	169	82.0	514,945	82.9	206	621,040
1974-75	40	17.0	99,053	15.4	195	83.0	543,406	84.6	235	642,459
1975-76	25	11.3	61,500	8.6	197	88.7	649,890	91.4	222	711,390
TOTAL	181	19.3	\$455,736	16.2	759	80.7	\$2,357,849	83.8	940	\$2,813,585

TABLE 4
YEARLY SUMMARIZATION OF
ALL STUDENT LOANS

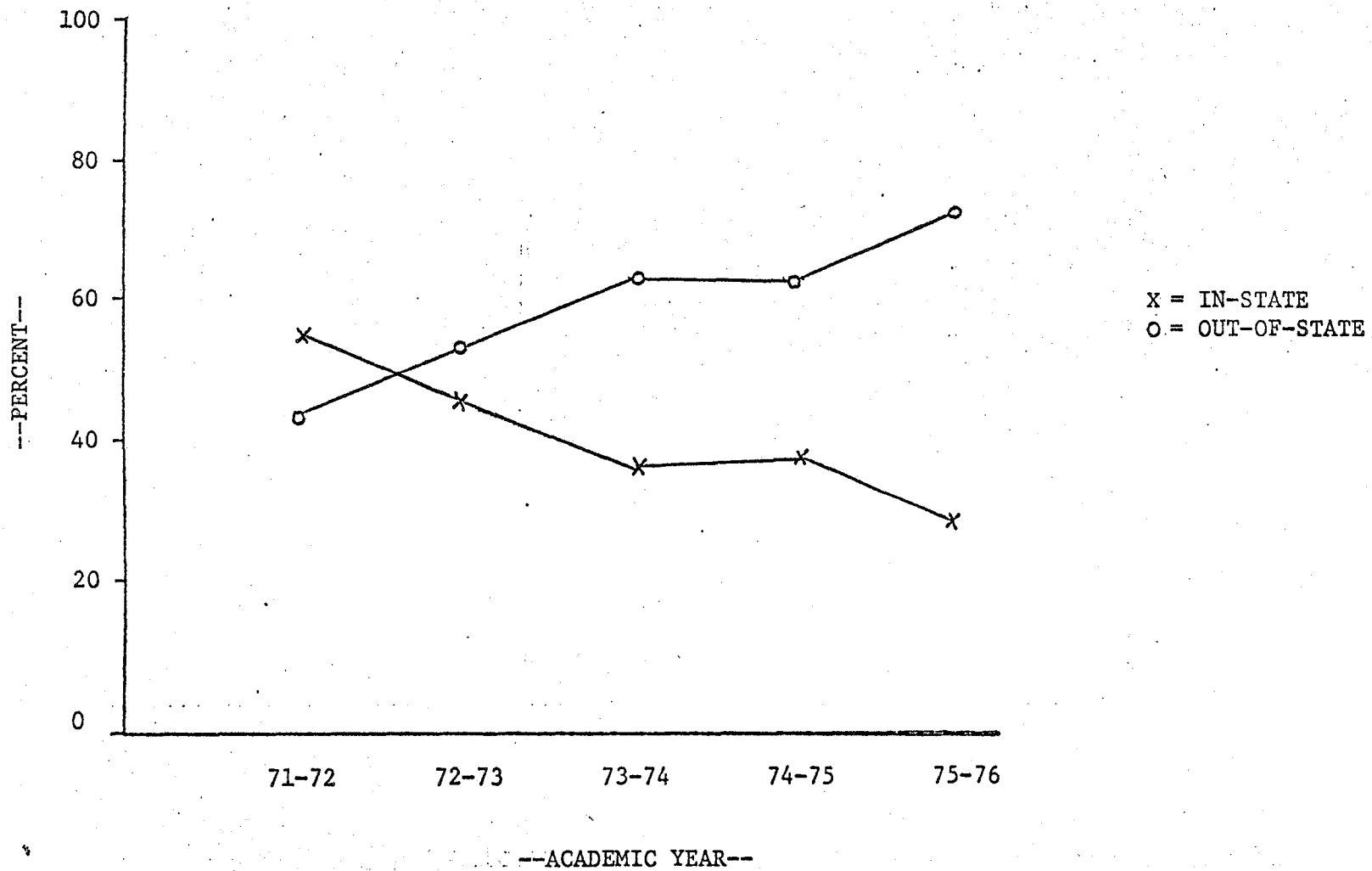
ACADEMIC YEAR	STUDENTS ATTENDING IN-STATE				STUDENTS ATTENDING OUT-OF-STATE				TOTAL	
	Loan Recipient	Percent of Total	Loan Amount	Percent of Total	Loan Recipient	Percent of Total	Loan Amount	Percent of Total	Loan Recipient	Loan Amount
.971-72	601	55.6	\$ 754,964	47.1	480	44.4	\$ 848,194	52.9	1,081	\$ 1,603,158
.972-73	809	46.3	1,085,879	37.6	939	53.7	1,805,804	62.4	1,748	2,891,683
.973-74	622	37.4	1,001,662	34.2	1,043	62.6	1,923,923	65.8	1,665	2,925,585
.974-75	728	38.4	982,814	32.0	1,167	61.6	2,084,171	68.0	1,895	3,066,985
.975-76	481	28.0	811,099	23.9	1,238	72.0	2,585,455	76.1	1,719	3,396,554
TOTAL	2,341	40.0	\$4,636,418	33.4	4,867	60.0	\$9,247,547	66.6	8,108	\$13,883,965

TABLE 5

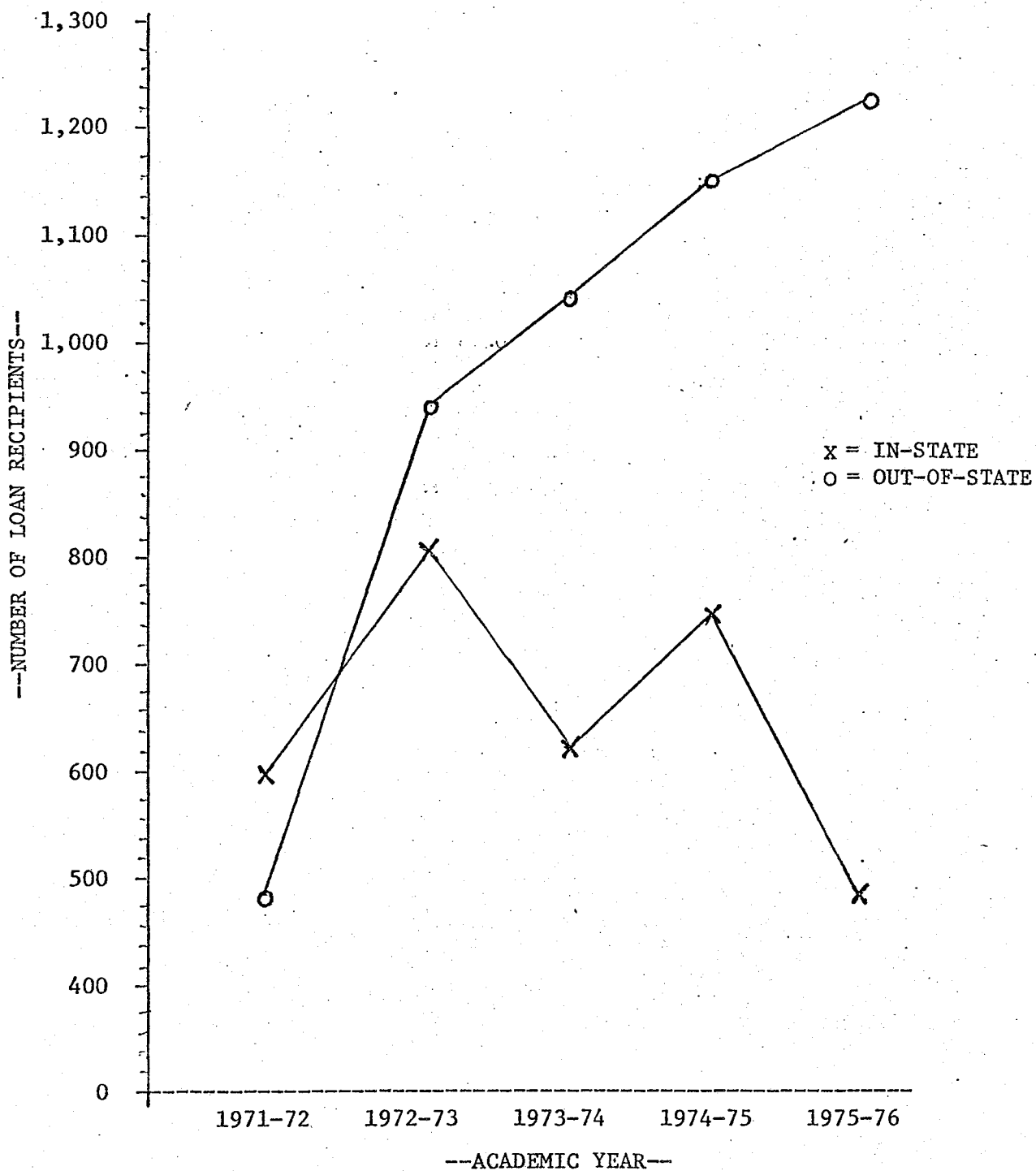
MEAN LOAN AMOUNT PER RECIPIENT BY
 .IN-STATE/OUT-OF-STATE INSTITUTIONAL ATTENDANCE

ACADEMIC YEAR	STUDENTS ATTENDING IN-STATE			STUDENTS ATTENDING OUT-OF-STATE			TOTAL		
	Number of Loan Recipients	Total Amount Loaned	Mean Loan per Recipients	Number of Loan Recipients	Total Amount Loaned	Mean Loan per Recipient	Number Of Loan Recipients	Total Amount Loaned	Mea Loa per Recipi
1971-72	601	\$ 754,964	\$1,256	480	\$ 848,194	\$1,767	1,081	\$ 1,603,158	\$1,4
1972-73	809	1,085,879	1,342	939	1,805,804	1,923	1,748	2,891,683	1,6.
1973-74	622	1,001,662	1,610	1,043	1,923,923	1,845	1,665	2,925,585	1,7.
1974-75	728	982,814	1,350	1,167	2,084,171	1,786	1,895	3,066,985	1,6.
1975-76	481	811,099	1,686	1,238	2,585,455	2,088	1,719	3,396,554	1,9.
TOTAL	3,241	\$4,636,418	\$1,431	4,867	\$ 9,247,547	\$1,900	8,108	\$13,883,965	\$1,7.

GRAPH I. FIVE YEAR SUMMARY, 1971-72 TO 1975-76;
PERCENTAGES OF ALASKA STATE STUDENT LOAN RECIPIENTS ATTENDING
IN-STATE INSTITUTIONS VERSUS OUT-OF-STATE INSTITUTIONS



GRAPH 2. FIVE YEAR SUMMARY, 1971-72 TO 1975-76;
NUMBER OF ALASKA STATE STUDENT LOAN RECIPIENTS ATTENDING
IN-STATE INSTITUTIONS VERSUS OUT-OF-STATE INSTITUTIONS



Mr. Ose questioned Mrs. Rudd as to how the figures were derived at. Mr. Parr called the committee member's attention to the material in their packets relating to this subject.

Questions were brought up regarding the fiscal impact analysis.

Next to testify was Reed Stoops, Program Coordinator for the Department of Community and Regional Affairs. He stated the fiscal impact he had prepared was based on the original bill and a few assumptions of what changes would be made. He felt that many of the previous concerns of the committee seemed to be taken care of in the new bill.

Discussion was had as to whether or not costs would be higher in this type of facility than in a private facility.

Mr. Parr asked if the Department of Community and Regional Affairs took a position on the bill. It seemed that they did not.

There was much discussion as to the \$5.00 wage per adult to work in the facility.

Mr. Duncan asked to clarify the fiscal note. Said it was based on the full cost of the child care. Said this was not the intention of the legislation. Further felt there was a misunderstanding about contracting the facility out. Mr. Duncan said there was no "if" about it, that the state will not be in the day care business, only the supplying of the facility which will be advertised for lease or rental.

Next to testify was John Hartle who is a licensed, private center operator in Fairbanks. He had some questions regarding this bill, such as: Are State facilities the best possible places for centers? How would the contract to operate the center be awarded? How would you get qualified people to bid for the award? He stated in his own facilities that 80% of the costs is for staff salaries. Stated the idea of trying to provide for child care is real good but wasn't sure if the State facilities was the best place.

Mr. Chatterton asked Mr. Hartle if he felt the bill was discriminatory since the facilities would be available only to state employees. It was felt it was.

Mr. Ose asked Mr. Hartle about his maintenance costs and what he charged per day. Discussion followed as to the need of these facilities in all cities where state offices are located, what wages were paid to employees in Mr. Hartle's facilities, the necessity of outside space, the fact that the state doesn't have enough space now for their offices.

MINUTES OF HOUSE

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

February 9, 1977

Present: Parr, Ose, Bennett, Chatterton, Cotten, Nakak,
Phillips and Seversen.

Absent: Dr. Beirne

HB 74

The meeting was called to order by Chairman Parr at 3:05 p.m. Chairman Parr announced that Sponsor Substitute for HB 74 would be taken up first and asked Mr. Duncan, the prime sponsor, to speak. Mr. Duncan explained the changes in the bill that were drawn up for the committee.

Section 1, paragraph (a) - Made it clear where the responsibility lies as to the various departments. With line 14 and 15 expanding somewhat the statement about the survey of child care needs.

Paragraph (b) is basically the same but points out that the Department of Public Works will be involved with the plans.

Paragraph (d) was changed by adding "local agencies or private persons".

Paragraph (e) was changed to include that those taking advantage of the state office building will pay the full cost of the child care.

Paragraphs (g) and (h) were added to make it clear the centers will be operated on the same basis as other places. And also that the person using the facility isn't disqualified from receiving other state or federal assistance.

Next to testify for the Bill was Representative Rudd who read from several publications she had with her. The various articles pretty much summed up the same points, mainly that other states operating such a facility all felt it helped in recruiting employees as well as retaining them and there was much less absenteeism. Also felt that the quality and quantity of the employee's work was raised.

Mrs. Rudd also pointed out that in Anchorage alone a survey shows that there are approximately 11,000 children under the age of 13 who are unsupervised while their parents work. She felt that day care centers should be encouraged, in people's homes as well as other places. Felt there was a real crisis in the need for the centers.

Next to testify for the bill was Betsy McGuire, Director of the Office of Child Advocacy. She spoke in favor of the concept of the bill.

Mr. Nakak felt it is the parent's concern to take care of their children and not the states. Mr. Bennett felt he wasn't sure if he could go back home and live with the program, since it wasn't much of a concern in his area.

Next to testify was Linda Bergstrom from Alaska Public Employee's Association. She stated that she felt people would be willing to pay more for these facilities. Felt that more single people would be able to work and would not need to depend on their families and other places for help when there was a facility available for the child. She stated in a survey they had done, that 40% of the respondents were sole supporters..

Discussion followed as to whether or not if a state employee had to pay more for child care, if they might not ask for a raise next year. The question also arose as to the children that go to other schools, such as out the road.

Mr. Parr moved to amend the bill as follows:

- ACTION
- Page 1, line 14 - delete the words "of state"
 - line 15 - delete the word "employee"
 - line 20 - delete the words "state employees"
 - Page 2, line 1 - delete the words "State employees" and substitute the word "persons".
 - line 10 - delete the words "state employee" and substitute the word "person".

Mr. Phillips seconded the motion. There being no objection the amendment was adopted.

ACTION

Mr. Phillips moved to pass the bill out of committee. Mr. Chatterton objected. A vote on the motion showed the motion failed.

ACTION

Mr. Chatterton moved to hold the bill in committee. The motion passed.

Mr. Bennett moved to adjourn. The meeting adjourned at 4:30.

MINUTES OF HOUSE

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

February 10, 1977

Present: Parr, Phillips, Seversen, Chatterton, Nakak
Bennett and Cotten.

Absent: Beirne and Ose

The meeting was called to order by Chairman Parr
at 3:05 p.m.

Mr. Cotten moved to pass HB 74 out of the committee
with individual recommendations. There being no objection,
the bill was passed out of committee.

Chairman Parr announced the next order of business
was HB 135. Mr. Parr, sponsor of the bill, explained the
intent of the bill and the material in the committee
member's packet. He stated he had visited the present
place where they serve lunches last year and talked to the
people there and the one thing the people wanted was their
own place.

Mr. Bennett also spoke for the bill stating he felt
the bill was really necessary, that the place the people
are presently going he didn't feel was suitable towards
the dignity of the people and felt they needed a place of
their own.

Next to testify was Danny Plotnick, Coordinator from
the Office of the Aging who introduced Mr. Sacks and Mrs.
Billings from his office. Mr. Plotnick ^{explained} the function of the
Office of the Aging and called attention to the position
paper in the individual folders. Stated his office whole
heartedly supported the bill.

Mr. Parr asked Mr. Plotnick what chances he thought there
might be of finding another meeting place other than building
they are presently using.

Mrs. Billings testified she had talked at length with
the staff about finding other facilities and they follow
all leads. She said they did mention the old library building

might become available however other people have also been looking at the building. She didn't know if any location was in mind and Mr. Parr said they had several possibilities.

Mr. Chatterton asked if Fairbanks was the only community in the State that could use aid of this type. Mr. Plotnick felt Fairbanks has the greatest need for the size of its community. Mr. Chatterton asked if it might conflict with the Home Helper Program. Mr. Plotnick felt they would be compatible.

Mr. Cotten and Mr. Phillips both felt their community could use the same kind of aid.

Mr. Parr suggested Mr. Plotnick could furnish a list of communities where need exists and bills could be drawn accordingly.

Discussion was had as to the program in Nome. Mrs. Billings felt Nome had one of the best meals in any of the cities but they still have to fight the sanitary regulations there.

Mr. Bennett moved to pass the bill out with a do pass recommendation. There being no objection, the bill was passed out.

Mr. Parr announced to the committee that regarding the Governor's appointees for the various boards, etc., it is the committees responsibility to let the house know whether we will confirm or non-confirm the ones nominated. He said in the last 2 years they have asked the nominees for the Bd. of Regents and the State Board of Education to come for an interview before the committee. He stated the committee could think about it, they didn't have to answer right now.

Mr. Cotten and Mr. Phillips both felt they would like to have the Board of Regents come before the committee.

The meeting adjourned at 3:40 p.m.

MINUTES OF HOUSE

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

February 11, 1977

Present: Parr, Chatterton, Seversen, Phillips, Cotten & Nakak.

Absent: OSE, Bennett & Beirne

The meeting was called to order by Chairman Parr at 3:06. Mr. Parr announced that HB 152 would be the first order of business.

First to testify was Mr. James Price, Program Administrator for Mental Health Services. He testified on behalf of the Commissioner of Department of Health & Social Services and the Governor's office. A copy of the position paper is attached to these minutes, together with a copy of the fiscal note. Questions were asked of Mr. Price regarding the amount of matching money received from the Federal Government and Mr. Naknak was concerned with the number of people serving on the Advisory Council. Other questions were asked and discussion followed as to the existing council, whether it was temporary and about to expire, how was the figure of the budget arrived at, how many members presently serve on the State-wide Health Coordinating Council and whether any members serving on this council are already serving on the State-wide council, how many council or advisory boards does the Dept. of Health & Social Services presently have, the number of meetings held a year, etc.

Next to testify was Max Gruenberg, Chairman of the Council who is an attorney in Anchorage and Vic Dirksen, Administrator of Bartlett Memorial Hospital. Mr. Gruenberg explained how the council works, that they were just appointed last year and explained that basically what the bill does is re-establish the council on a permanent basis. He explained the council is made up of volunteers, with no pay but do receive per diem for travel, and work on a part-time basis. Mr. Nakak questioned the effectiveness of councils, seemed the people on them worked hard but their advice is seldom taken. Mr. Gruenberg did not feel this was the case with this council, and elaborated on his reasons for thinking this way. He did feel that a lot of this first year with the council had been taken up with learning.

Discussion was held on the workings of API as to who is responsible in evaluating whether API is treating a patient properly, etc.

ACTION

Mr. Nakak said that he was convinced this was a working advisory council and moved and asked unanimous consent that the bill be passed out of committee. Mr. Phillips objected to the motion. Upon a vote of the motion, the bill was passed out of committee.

Mr. Phillips; concern was what happens when you make your report and there is a conflict? Mr. Gruenberg stated this had not come up yet but assumed that it would be referred to the legislature and the governor.

Mr. Chatterton congratulated the Board on their operation.

Dr. Morris, a private psychiatrist from Anchorage asked to testify, and to give his views on the bill. In general he seemed to be in support of this kind of a bill and need for a council but felt it important to investigate the people that serve on such a council. Felt they needed more qualified people to serve. Felt that the whole Dept. of Health and Social Services needed to be re-vamped. Felt that they should have a separate Dept. of Health. SAid that the Divission of Mental Health is not functioning the way it should in the Bush areas and other places as well. That they have no emergency services on weekends and so on, that it is up to private physicians to handle patients on emergency basis. Feels that private psychiatrists should be encouraged to establish private clinics and be subsidized by the state for handling patients. Doesn't feel that the state has qualified people working in Mental Health.

There was discussion as to the various types of mentally ill patients.

Mr. Parr said he was concerned about the fact that there has been talk about bringing together Mental Health, Alcoholism and Drug Abuse. He felt he would certainly be opposed to having some of the mentally ill budget used towards the alcoholic and wondered how the budgets could be kept separate so this would not happen.

Mr. Gruenberg said the council has gone on record of favoring the combining of the 3 divisions but that they haven't taken up the method of handling the money. Said this was somthing they will have to consider.

Mr. Morris also felt that they should give psychological screen tests to children in the lower grades of schools. It would show up the different types of problems the children would have and could be caught at an early age.

The meeting adjourned at 4:35 p.m.

"An Act relating to a mental health advisory council; and providing for an effective date."

We endorse this legislation and believe that it is required to meet the mandated council requirements of Public Law 94-63. Public Law 94-63 results in \$700,000 in federal funding for the community mental health programs in Anchorage, Kodiak, and Ketchikan and has the potential for federal funding of community mental health programs in Juneau and Fairbanks in the next few years.

The legislation also guarantees adequate mental health representation on the State Health Coordinating Council established by Public Law 93-641. Under the present guidelines of selection of State Health Coordinating Council membership, the general membership of the State Health Coordinating Council would not meet the requirements of Public Law 94-63.

Aside from statutorily providing a funding base for this council, this legislation is also important to provide the necessary citizen manpower and energy to provide a check and balance on the development of mental health programs in this state. They now have advisory input into the community mental health services granting process which would be less meaningful if they were not statutorily designated. They also input into the state plan, state regulations and are actively involved in providing input into a revised mental health statute, a task that is made urgent by the present cloud of unconstitutionality overhanging those statutes.

The Division of Mental Health and Developmental Disabilities respects and values this council's advice and believes its services are well worth the investment. Although we are concerned about the proliferation of councils, this council will serve multiple purposes and, consequently, avoids duplication and in that sense is cost efficient.

Recommended by:

Jerry L. Schrader
Jerry L. Schrader, M.D. 2/8/77
Division of Mental Health & DATE
Developmental Disabilities

Approved by:

Francis S. L. Williamson 2/10/77
Francis S. L. Williamson DATE
Department of Health & Social Services

TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HOUSE BILL No. 152

Title MENTAL HEALTH ADVISORY COUNCIL

Requested by BUDGET & MANAGEMENT

Date 12/15/76

II. FISCAL DETAIL

Agency Affected HEALTH & SOCIAL SERVICES

Program Category Affected HEALTH

Budget Request Unit(s) Affected COMMUNITY OPERATED MENTAL HEALTH CENTERS

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES						
200 TRAVEL		17.3	17.5	17.5	18.0	18.0
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		17.3	17.5	17.5	18.0	18.0

FUNDING (Thousands of Dollars)

GENERAL FUND		17.3	17.5	17.5	18.0	18.0
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

MINUTES OF HOUSE

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

February 14, 1977

Present: Parr, Bennett, Chatterton, Naka, Ose, Cotten, Phillips, Seversen and Beirne came in at 3:20.

The meeting was called to order by Chairman Parr at 3:05 p.m. Mr. Parr announced to the committee that a data base has been set up for the different communities and the files for these communities is in the filing cabinet. He also called their attention to the map on the wall in the committee room which consists of a geographical distribution of facilities and employees of the Department of Health & Social Services.

HB 132

Mr. Parr announced the first bill to be taken up would be HB 132 which was introduced at the request of the Postsecondary Commission last year and asked Mr. Kerry Romesburg, Director of the Commission of Post Secondary Education to speak on the bill. He stated the bill establishes a state student incentive grant program with a grant to be awarded with 50% federal funds and 50% state funds and up to an amount of each grant of \$1500. He said to date, Alaska has chosen not to participate in this program, but that it exists on a national level and all states but Alaska participate. This is different from the student loan program in that this is strictly on a grant basis. He further stated if the program is established we will ask for \$60,000 from the state to go with the \$60,000 received from the federal government. He also pointed out the changes he felt would be necessary in amending the bill, A copy of the memo setting out these changes is attached to these minutes.

Mr. Bennett questioned the language on page 3, beginning with line 17. He didn't feel the amount of money the parents earn should be a factor.

Mr. Phillips asked why Alaska hasn't taken advantage of this program in the past. Mr Romesburg explained that the bill got to Senate Finance last year and stopped.

Mr. Ose felt the program should be open to all students, he felt everything that is being done is always for the low income. Mr. Romesburg pointed out that maybe the committee felt the state should administer such a program on their own but it is the intent of the present bill to strictly aid the needy student.

Mr. Nakak said this should be used by all students, such as the ones that are separated from their parents and who can't put a program together financially themselves, would qualify for this program.

Mr. Cotten questioned the need for additional staff for the Commission to handle this program. Mr. Romesburg felt they would need one more staff member.

Discussion was had on the method of choosing students to qualify for the program.

Mr. Chatterton asked what programs are already available to the students.

Discussion followed as to the number of other programs a student could apply to for aid and the difference between grants and loans. The residency requirement for the program.

Mr. Bennett felt that the Alaska hire law is 1 year and most of the major programs throughout the state are based on a 1 year requirement, felt this should conform to that.

Next to testify was Joe LaRocca who testified on his own behalf. He offered an amendment to delete all material on page 2, beginning with line 28 through line 4 on page 3. He proposed to add after the word "OF" on line 28, "CERTAIN INFORMATION, Allinformation submitted in support of a determination of substantial financial need as provided in Sec. 960(3) isconfidential."

Dr. Beirne felt perhaps the whole section could be taken out and not replaced.

Mr. Parr asked if the federal regulations required this wording in there in any way.

Mr. Mark Maddox, Director, Division of Student Financial Aid passed around a copy of a college financial aid form for the members to look over as to how specific the questions are. and explained some of the methods used in determining need. Discussion was entered into again as to whether or not it is necessary for the parents to disclose their financial income and whether or not a student is actually still considered dependent on the parent. Also the workings of scholarship funds was discussed.

Mr. Bennett moved to amend the bill on page 2, line 7 to add "for at least one year" and on page 3, line 14 after the word "Alaska" add "for at least one year;". After some discussion, the motion carried.

Action

Mr. Chatterton moved to hold HB 132 in committee

pending his preparing an amendment to make this a Scholarship Incentive Grant Program. Mr. Cotten said he would support the motion in order to see what Mr. Chatterton comes up with.

Action Mr. Bennett asked to offer another amendment. Mr. Chatterton then withdrew his motion in view of Mr. Bennett's amendment. Mr. Bennett then moved that Mr. LaRoca's offered amendment be adopted. The amendment is on page 2, beginning with line 28 after the word "OF" delete all material through line 4 on page 3 and insert "CERTAIN INFORMATION , All information submitted in support of/determination of substantial financial need as provided in Sec. 960(3) is confidential." The motion carried and the amendment was adopted.

Action Mr. Chatterton then resubmitted his motion to hold HB 132 in committee until he prepares an amendment to make this a Scholarship Incentive Grant Program. The motion carried and the bill was held in committee.

HB/61 Chairman Parr announced that HB 161 was next on the agenda and Mr. Cooksey, Deputy Executive Secretary for NEA would speak first since he had to catch a plane. Mr. Cooksey stated he had no idea how many people this bill would affect but didn't feel it would be very many. He felt a fiscal impact should be very little. Mr. Parr gave his views on the bill.

Mr. Cotten asked how many people are still teaching after 31 years. Mr. Parr stated NEA may have an estimate but he personally knew of only 2 people.

Next to testify on the bill was Bob Gates, Director of Retirement Benefits for the State. He stated his staff has been trying to find out how many might be eligible but had been unsuccessful. He stated the way the bill is drafted would exclude anyone who is currently on retirement.

There was discussion as to whether they are actually classified as part of the army, navy, marines, etc. and the problems involved in verifying the years of service. Various members of the committee felt the Merchant Marine had been well paid with bonuses and the like during their time of service and questioned the need for a pension.

Action The bill was passed out of committee with individual recommendations, by motion of Mr. Phillips.

The meeting adjourned at 4:25 p.m.

STATE OF ALASKA

ALASKA COMMISSION ON POSTSECONDARY EDUCATION

JAY S. HAMMOND, GOVERNOR

907-465-2855

Pouch F — State Office Building
Juneau 99811

MEMORANDUM

TO: Members, Health, Education & Social Services Committee
Alaska House of Representatives

Charles Parr, Chairman	Samuel Cotten
M. F. Beirne	Alfred Nakak
Don Bennett	Randy Phillips
Bob Bradley	Al Ose
C. V. Chatterton	

FROM: Kerry D. Romesburg, Executive Director
Alaska Commission on Postsecondary Education

DATE: February 7, 1977

HB 132: State educational incentive grant program.

The following editorial additions are required:

- (a) Page 3, line 4: application [.] , or authorize release of such application or records to designated individuals or organizations.
- (b) Page 3, line 8: . . . cost of education and where relevant, the amount which. . .
- (c) Page 3, line 25: [4] 5

MINUTES OF HOUSE

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

February 15, 1977

Present: Parr, Ose, Bennett, Nakak, Beirne and Phillips
and Cotten came in later.

Absent: Chatterton & Seversen.

The meeting was called to order by Chairman Parr at 3:10 and he stated Dr. Naylor from the University of Alaska was present and would like to speak to the committee.

HB 179 After Dr. Naylor spoke, Mr. Parr announced that HB 179 was on the agenda for the meeting. While waiting for Mr. Duncan to arrive to testify on his bill, Mr. Parr announced that the Post Secondary Education Commission is meeting at the Hilton Hotel on Friday and Saturday and the committee has been invited to attend. He also announced the Advisory Council on the Aging is meeting in the Governor's Conference Room at 1:30 tomorrow afternoon and both the House and Senate Hess Committees have been asked to attend.

Mr. Duncan testified for his bill and gave a brief history of the community school legislation and what it provides for.

Mr. Jerry Hiley from the Department of Education testified next on behalf of the Department. He went over the list of schools funded in FY76 for planning Grants, the list projected for FY77 and the list projected for FY77 for Operational Grants. These lists were furnished to the committee members. He cautioned against confusing the formula grants with the planning grants.

Mr. Parr asked why Juneau would get more than one planning grant? Mr. Hylee explained that they only planned for maybe 2 schools at one time in a community. Since this was a new concept of the planning grant program he felt they were cautious in starting out to see how effective it would be.

Discussion was had on the full funding of the 1 1/2% formula. It was brought out that this is a grant for schools, not for administrative costs.

There was discussion as to the possibility of duplication and as to whether or not there was some kind of coordination with the community colleges to prevent this.

Mr. Ose moved that the bill be passed out of committee. There being no objection, the bill was passed out.

Action

Before the meeting adjourned Mr. Phillips announced that he had asked Mary Lou Madden to speak before the committee. Mrs. Madden spoke on the meeting which was held in Anchorage last week where the Dept. of Education brought a group of people together from around the state of both educators and non-educators to discuss in broad detail some of the major problems that are faced in education. She complimented Mr. Phillips (who attended as a delegate from the Hess Committee) on his staying through the whole time of the meeting, his punctuality and being a very beneficial member. She stated the purpose of the meeting was to get urban perspective, rural perspective, perspective from the school boards and teachers, the Dept. of Education, etc.,

Mr. Parr asked if we would get a copy of the results of the meeting. Mrs. Madden stated the committee would get a copy of the full report.

The meeting adjourned at 4:10 p.m.

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MINUTES OF HOUSE
HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

February 17, 1977

Present: Parr, Bennett, Nakak, Beirne, Seversen,
& Phillips.

Absent: Ose, Cotten, Chatterton

The meeting was called to order at 3:00 by Chairman Parr. He called attention to the committee members of the analysis of the bill that will be before them tomorrow which was on their folder.

HB 13

On the agenda for today was HB 13. Mr. Phillips announced that there was a letter in the files from Legislative Research dated January 18 which he had received regarding the bill.

First to testify in favor of the bill was Rose Palmquist, Chairman of the Municipal Commission for Senior Citizens in Anchorage. She stated the commission consisted of 15 senior citizens and during the last 2 months they had studied the bills which had been introduced up to that time. She stated she had distributed to all the representatives a list of the bills and the commission's position on them. She stated that the list did not include HB 13 which should have been included but the commission had voted to endorse HB 13. She also asked if the list could be put with other bills that would be coming up to show that the Commission was in favor of them since she might not be present when they were taken up. She was the 1st administrator of the Longevity Bonus Program and spoke very much in favor of the bill.

Next to testify in favor of the bill was Charles Jones, a Douglas resident who is a registered lobbyist for the Association of American Retired People. He did make it clear that he was not authorized to speak on the bill in that capacity and was speaking on his own behalf. A copy of his position was given to each committee member.

Next to testify in favor of the bill was Vera Siders who spoke for herself and the people in Fairbanks who are in favor of the bill.

Mr. Vern Perry, Director of the Division of Pioneers Benefits spoke next on the bill and offered an amendment. After the word "years" on line 11, delete the proposed language and add the following: ",or who has maintained a non-continuous domicile in the territory or State for at least 30 periods of 12 consecutive months each," and on line 19 in place of the word "intermittently" add "non-continuously". Said this amendment had been discussed with the Attorney General's Office. After some discussion as to the amendment., Mr. Nakak said he would have to vote against the amendment in the event a motion was made to accept it. Mr. Phillips felt that the problem could be taken care of without the amendment. Mr. Bennett spoke in favor of the basic bill. No motion was made to accept the amendment.

Carol D. Young from Ketchikan spoke next in favor of the bill.

Action

Mr. Bennett moved that the bill be passed out of committee with a do pass recommendation. There being no objection, the bill was passed out.

The meeting adjourned at 3:30 p.m.

MINUTES OF HOUSE
HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

February 21, 1977

Present: Parr, Ose, Phillips, Seversen, Chatterton,
Nakak, Bennett, Cotten & Beirne

The meeting was called to order by Vice-Chairman Ose at 3:10 (Chairman Parr was called out on a phone call).

HB 89
Mr. Ose announced that HB 89 was on the agenda and asked Mr. Cotten if he would speak on his bill. Mr. Cotten said the bill was up before the committee before. Said a third fiscal note had now been prepared and he felt the Dept of Education now understood what the intent of the bill was. Said the fiscal note they had prepared before was for 7 million dollars and now the estimate is for 11 million dollars for FY 1978 and thereafter.

The meeting was turned back to Mr. Parr at 3:20 p.m.. Discussion was had as to why not make it 100% instead of the 80% for the state's participation. Mr. Cotten felt if they went to 100% it would be too far removed from local control.

Dr. Beirne asked about front^{end} financing and also asked about the Governor's bill that Mr. Gallagher had told us previously was going to be forthcoming? Mr. Parr said the governor's bill was introduced in the senate and explained how it would function.

Mr. Nakak spoke in favor of the 100% funding. Mr. Chatterton also spoke in favor of the \$100%. Discussion then took place as to who would have control over what was needed and how it would be decided as to what was needed in the schools if it went to 100%. Mr. Bennett spoke in favor of the 100% funding.

Mr. Ose was against the 100% and Mr. Seversen asked whether the 90% couldn't be used and still maintain control with the 10%.

Action
Mr. Chatterton moved to amend the bill to read on line 17 to change the 80 per cent to 90 per cent. Mr. Bennett said he would go along with the 90% for now in order to give time for legislation to be prepared for 100 per cent.

Mr. Nakak still felt it should be 100%.

Action
A vote on the motion was in favor of changing the 80 per cent to 90 per cent.

Action
Mr. Nakak moved to amend the figure to 100 per cent. After discussion a vote on the motion showed it to fail.

Mr. Cotten said he would like to add a new section (1)(a)(3) and would like to get some conceptual approval from the committee before an amendment was drafted. He said he would like to have section (3) read the state will pay 90% of the total construction cost of the school after a local guarantee of 10% which means either by a bond issue or cash to begin for FY 1980.

Chairman Parr asked the committee if they felt it would be worth having the committee substitute drafted. There being no objection, a committee substitute will be drafted, and action will be taken at a later date when it is brought before the committee again.

Mr. Cotten announced he had received a resolution from the Anchorage assembly in favor of HB 89 and that the Anchorage School Board also urged support of HB 89.

Chairman Parr announced that the Association of Alaska School Boards will be in town and there will be a joint meeting tomorrow afternoon with the Senate Hess Committee in the Senate Hess Committee room at 3:00 for approximately 1/2 hour and then come back to our room to act on the bills at approximately 3:30.

The meeting adjourned at 3:55 p.m.

MINUTES OF JOINT HOUSE AND SENATE HESS MEETING

AND

HOUSE HESS MEETING

February 22, 1977

The joint meeting was called to order by the Senate Hess Chairman, Senator Hackney. Those present at the joint meeting were:

Senate Members: Senator Sumner
Senator Willis
Chairman Hackney

House Members: Mr. Parr, Chairman
Mr. Chatterton
Mr. Bennett
Mr. Phillips
Mr. Nakak
Mr. Cotten
Dr. Beirne

Senator Hackney welcomed the Association of Alaska School Board members who were present.

Mr. Bill Overstreet introduced Mrs. Alaire Stanton who is President of the Ketchikan School Board and President of the Association of Alaska School Boards.

Mrs. Stanton thanked the members of the two committees for taking the time for this meeting and introduced the other representatives of the Association present consisting of the executive committee:

Mary Kay Barstate - Fairbanks
Joerene Hout - Bethel
Marie Ujioka - Cordova
Sharon Young - Tok
Carolyn Cannava-Kenai
Sam Kito - Fairbanks
Norma Peterson - Juneau
Doris Wilke - Nome
Vincent Casey - Anchorage
Caroline Wohlforth - Anchorage
Fremont Hotchkiss - Matsu Borough

Mrs. Stanton said they had various concerns about educational matters and the first one everyone thinks about is the item of money. She said they really do appreciate the idea of knowing what kinds of money they can count on a year in advance. They appreciate knowing for the next fiscal

year they can count on the \$27,500 for foundation on unit instructional purposes. She said for the next fiscal year they would like to see \$29,000 for the instructional unit. She hoped some adjustments could be made in the items they figure. Felt the ADM problem could be helped by dropping the classroom figure from 23 to 19 and this would provide a great deal of additional money for the Anchorage area. Said it would help Fairbanks also although not to quite as large a sum.

She stated they had some other concerns and one was HB 109 dealing with school board and borough relationships. Mr. Hotchkiss from the Matsu borough and Mrs. Cannava from Kenai spoke to those areas and both spoke in favor of HB 109.

Mr. Parr said that HB 109 is presently in the House Hess committee and that he had written to every assembly and every school board and so far he has heard from 2 assemblies and no school boards.

The next subject of discussion was HB 228 on which Joerene Hout and Mary Kay Barstate spoke and both spoke against HB 228. They said that by law the school boards must negotiate with the staff for salary and fringe benefits and they felt this was an area that should properly be negotiated and not legislated by districts.

It was brought up that the Alaskan teachers are in a good position. The real income of teachers nationally has increased 1.25 per cent and Alaskan teachers has increased 26.3 per cent for the same period of time which indicates we have the largest increase in the nation.

Mr. Cotten asked for an explanation of "real income" and Mr. Phillips asked about the time frame.

Mrs. Stanton next said another area they had talked about is SB 44 and asked Mr. Vincent Casey to talk on this. He explained the purpose of the professional teaching practices commission and said they supported the expansion of that commission.

Mr. Sumner said at the time the hearings in the Senate Hess Committee were had on this bill, the question was asked whether there was any complaints as to whether they were acting as charged but nothing could be substantiated. He said it left the committee with the feeling that they should leave the commission as is. He said he had no problem with expanding the commission if there was something presented that shows the commission has complied with the charge set out for them.

Next to be discussed was HB 179. - appropriations for community schools. Asked Norma Peterson and Mrs. Wilke to speak. Mrs. Petersen said they would like to commend the House for passing HB 179. She and Mrs. Wilke and Mr. Casey felt the community participation in the schools was a good thing.

Mrs. Stanton said the commission feels that the retention of the local decision making for school boards is extremely important. Particularly important regarding school constructions as well as the policy making, etc. She said several of the bills which have been presented dealing with school construction funds they feel takes away local decision from the school boards and asked the two committees to view those bills with the understanding the school boards would like the maximum amount of the decisions on the local level.

Mr. Parr stated he would like to give the school boards something to think about. In talking about local control, he felt there were 2 areas where ^{perhaps} the school boards haven't given proper attention to.

1. There is a growing tendency among parents to put their children on correspondence studies or private schools. He felt this indicates the schools maybe should take a look at themselves and see if they are missing something.

2. According to some of the information he has received, some of the school districts aren't doing a good job on the policy of their truancy. They are getting paid for having the children in school when the children are staying home and not attending school.. If that would continue the legislature might be forced to fund on an ADA basis instead of an ADM basis.

Mr. Hackney thanked the members of the association for coming and the joint meeting adjourned at 3:35.

The House Hess meeting was called to order in room 112 of the Capitol Building at 4:00 by Chairman Parr.

Those present were: Mr. Parr, Mr. Chatterton, Mr. Ose, Mr. Phillips, Dr. Beirne, Mr. Nakak, Mr. Bennett, Mr. Cotten.

Absent: Mr. Seversen.

Chairman Parr announced that HB 132 was first on the agenda.

Mr. Chatterton thanked the committee for allowing him the time to look into the bill and stated that he nothing further to offer on the bill. However he said the amendment on the bill specifying the residency requirement for at least one year was inconsistent with other funds wherein it required only "Alaskan Residents". He thought the committee should reconsider the amendment.

Mr. Chatterton moved to rescind the amendment made on page 2, line 7, after the word "Alaska" delete for at least one year", and on page 3, line 14 after word Alaska , delete "for at least one year". Mr. Cotten supported the motion to delete this amendment and there being no object. The amendment was deleted.

Action
Mr. Chatterton then moved to pass HB 132 out of committee as a committee substitute and incorporating the amendments that were previously made. The amendments previously made were:

Page 2, line 28, delete all material after word "OF" and add "CERTAIN INFORMATION. All information submitted in support of a determination of substantial financial need as provided in Sec. 960(3) is confidential."

Page 3, line 1 to be deleted and the first 4 words in line 2 to be deleted but leaving in the sentence beginning with "However". Line 4, page 3, after the word "application" change "." to "," and add "or authorize release of such application or records to designated individuals or organizations."

Line 8, page 3, after the word "and" add "where relevant".

There being no objection to the motion the bill was passed out of committee as a CS and ^{to be} brought back before the committee for signatures.

HB 146
Next on the agenda was HB 146.

First to testify was Rick Davidge, a graduate student in public administration, full time in the University of Alaska, Southeast. He offered an amendment to the bill which he felt was a compromise between Rep. Miller's suggested Committee Substitute. He stated that the Associated Students of the University of Alaska, Fairbanks, the recognized student government of Fairbanks has voted to support the bill as written. A group of Anchorage student consistent of 2 groups, 1 group supports it and one does not. The offered amendment would read as follows as an additional paragraph. "Loans made to a student whoe attends the University of Alaska will receive 10% foregiveness upon graduation from the University of Alaska. This foregiveness shall apply to both undergraduate students and graduate students at the University." He felt this would offer a good incentive.

Said he had a problem understanding the definition of the term "adequately being met" which is on line 16. Said he had no amendment to offer on the problem.

Chairman Parr told the committee the bill was before them and called their attention to Mr. Miller's bill which was in the files. Discussion was had on the forgiveness clause in both Mr. Parr's bill and Mr. Miller's bill.

Mr. Chatterton spoke against the bill.

Mr. Bennett spoke in favor of the bill.

Mr. Phillips spoke against the bill.

Mr. Cotten said he would agree with Mr. Chatterton and would have to vote "no" on the bill but would vote to move it out of committee.

Mr. Ose spoke in favor of the bill.

Discussion was had on whether the 10% forgiveness was an adequate amount.

Mr. Cotten moved to pass the bill out but then withdrew his motion.

Mr. Bennett proposed an amendment to read "A 40%^{of the} loan shall be considered a grant upon completion of the course of study at a college or university in the state for which the loan was granted". After discussion of the proposed amendment a vote was taken and the amendment failed.

Mr. Chatterton then moved to pass the bill out of committee with individual recommendations. There being no objections, the bill was passed out of committee with individual recommendations.

Mr. Parr asked the committee how many saw the article in the paper on the Bering Strait matter regarding the financial difficulties they are having. He felt the Dept. of Education should have informed the committee as to the problems they are having in the REAA's.

Mr. Nakak said he was attempting to work with the people in the Department in order to resolve some of the problems.

The meeting was adjourned at 4:35 p.m.

action

action

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MINTUES OF MEETING OF
HOUSE, HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

February 23, 1977

The meeting was called to order at 3:00 p.m. by Chairman Parr. Members present were:

Mr. Parr, Mr. Bennett, Mr. Chatterton, Mr. Seversen,
Mr. Phillips, Dr. Beirne, Mr. Nakak, Mr. Cotten
and Mr. Ose came in later.

Chairman Parr announced to the committee that he had received a telephone call from the Public Health Officer in Fairbanks who had heard that this committee was going to meet in Tok. Mr. Parr said he knew nothing of such a meeting but if any members were planning to attend he would pass the phone number on to them.

Mr. Parr said the first bill on the agenda would be HB 206 which is a Governor's bill and asked Dr. Lois Jund, Deputy Commissioner for Program Management for the Department of Health and Social Services to testify. Dr. Jund stated she had worked on this bill for the last 2 years and gave some background on the 2 bills which were introduced as one bill last year (HB 596). She stated there has been a great deal of clamor throughout Alaska for local control of health services. Felt there should be a provision purely voluntary for those regions and municipalities that wish to assume responsibility for their own local health services that we have a mechanism whereby this can be accomplished. HB 206 deals only with health services and municipalities and provides that upon application in accordance with the approved health plan for that area, the state would provide 90% of what it had spent the preceding fiscal year in that area for the provisions of health services. The municipality would have to put up 10% of the cost so that the level of services would be the same, there is a maintenance of effort provision. She stated the advantages of both bills is that there would be local control and it would reduce the state payroll.

Mr. Cotten asked what size the board would be. Said he had noticed it was a Governor's bill and he recalls another bill that the Governor was against because it calls for an elected board.

Dr. Jund further stated she had received one phone call with regard to HB 207 indicating that they liked the present form, and has received one letter from the North Slope Borough on HB 206 which she read into the record and which supported the bill.

There was discussion as to what the additional cost will be to the tax payer, whether or not there will be sufficient expertise in the municipalities to administer the program, what decisions do the locals make once the authority is transferred and how much money are we talking about.

Mr. Chatterton asked what the exact figure was of the 1977 fiscal budget for public health services and was told 8 million dollars.

Mr. Chatterton called attention to page 2, starting on line 16 "year preceding application, the department shall provide an initial grant to the municipality in an amount equal to 90 per cent of the state budget for public health services furnished in the municipality". He asked what municipalities would qualify, what the line item budget would be for that municipality and asked how this would affect Anchorage and Fairbanks.

Dr. Jund said that in Anchorage right now, there is no formula but after statehood somewhere along the line, the legislature appropriated a certain amount of money for the Anchorage health department which is now up to \$500,000 per annum. Not all of this money goes to health, some is reserved for ARCO and ACCA. If Fairbanks elects to choose this bill, they will get 90% of \$140,000.

Mr. Chatterton then asked to make a statement which was "I came into this committee meeting hoping that I could, for the first time, vote for one of the administration's bills and after this lousy presentation, I don't believe I can."

Mr. Bennett asked about the effect the malpractice lawsuits might have.

Mr. Parr asked whether Anchorage is now getting money under the proposed formula in #206 or only getting a lump sum which the legislature appropriates. He also said the cost of the REAA's as opposed to the cost of the SOS is almost an identical figure and he didn't understand why it should cost any more, it might cost the same, but questions the need for extra staff in the office in Juneau. He said extra staff was not added in the Dept. of Education for the REAA's.

There was much discussion on the decentralization aspect and the fact that a non-elected body will have to approve the plans which are submitted.

Mr. Bennett asked which area the impetus of the bill came from. He said if this is a petition from 800 or 900 people he looks at the legislation in one light but it if is a

departmental thing, or municipality, he looks at it completely different.

Next to testify was Mr. Sam Coxson representing the Anchorage Municipality. He called attention to page 2, line 16 through 19. He felt the language should be reviewed and would like to see it read "the department shall provide a grant to the municipality in an amount equal to 90% of the existing local budget for public health services furnished in the municipality for that fiscal year."

Mrs. Jund called his attention to the language on page 4, Mr. Coxson then asked about the language on page 3, paragraph 4,. He wanted to know if they were essentially talking about combining service areas?

Mrs. Jund said this would apply to very small areas.

Mr. Coxson stated he would be glad to supply the committee with any written information the committee might want from Anchorage.

Mr. Parr asked if the Municipality of Anchorage was in favor of or against the bill. Mr. Coxson said he was not in a position to say.

Mr. Cotten asked if they would be interested in coming up with a position on the bill and commenting on what sort of increase they feel the state ought to give to them under the same provisions of this bill. Mr. Coxson said the bill is presently being reviewed and felt they should have a position on it in a week. Mr. Coxson said they would like to look at the possible add-on programs, what new programs they might consider, what the impact of that might be.

Mr. Parr asked Mr. Coxson to come back with some kind of position on it.

Mr. Parr informed the committee the bills were before them. Mr. Nakak said that he wasn't prepared to act on either piece of legislation at the time and asked to withhold action on them until further testimony comes in. There being no objection, both bills were held in committee.

Mr. Parr called the committee's attention to the memorandum regarding the meeting with members of the Dept. of Education on Friday evening at 7:30 in our meeting room.

The meeting adjourned at 4:40 p.m.

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MINUTES OF
HOUSE, HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

February 24, 1977

The meeting was called to order by Chairman Parr at 3:05 p.m.

Those present: Mr. Parr, Mr. Chatterton, Mr. Severson, Mr. Phillips, Mr. Cotten, Dr. Beirne and Mr. Ose came in later.

Absent: Mr. Nakak & Mr. Bennett.

HCR 26

Chairman Parr announced HCR 26 was the first order of business and he explained the intent of the resolution.

Mr. Rod Betit and ERic Hanson, both from the Department of Health and Social Services were present and available to answer questions regarding the position paper and fiscal note presented by the Department.

Discussion was had as to how many offices presently are making decisions as to the eligibility qualifications for receiving food stamps. It was the impression of the members of the committee that the final decision was made in the Juneau Office but Mr. Hanson said there are 10 decision making offices throughout the State.

There was discussion on the personnel that handled the program. Mr. Hanson said presently the ones responsible for handling the money and handing out the food stamps are clerical type people and he felt it should be handled by someone more qualified. The reason they don't have more qualified people is they cannot get approval from the Division of Personnel to upgrade the positions.

The time element involved as to when a person applies for the stamps to the time they actually receive assistance was discussed. It seems the time frame average is 14 days.

Mr. Malone testified on his bill. He felt that persons collecting the information regarding the eligibility requirements from the individuals should be able to make the decision themselves as to whether the people are qualified. He said it wasn't clear to him why the Department felt it would take 93 additional persons to handle the program. Felt that they become more involved in serving themselves instead of the people. He stated the idea of the resolution was to ask the Department to cut through some of their "red tape" if

they are willing to do it. Mr. Malone felt that the Department could have provided some information that would have been more useful if they would show what percentage of the money is for administrative costs and what percentage goes to the people themselves. He said he felt in public assistance programs the emphasis ought to be on providing to the people as quickly as possible the basics such as food, clothing, etc., and this should be the first aim of the program.

The question was asked as to how the need for 93 new positions, as shown in the fiscal note, was arrived at.

Mr. Parr told Mr. Hanson and Mr. Betit he would like more information regarding the fiscal note as to the need for 93 additional personnel and the justification for it.

Mr. Malone said it was hard to judge the validity of a position paper when you weren't doing it statewide and he questioned the fact that when they don't have management information from certain areas how they know the amount they had down (2.2 million) was going to cover it. He asked why, since in the problem of management on the North Slope for the caribou herd, that on the spot sales were being made there, that system couldn't be extended to other areas. Mr. Hanson said the main reason was they received a \$70,000 commitment from Governor Hammond's office to permit that program and also some federal regulations to expedite the processing of food stamps in that area. He said the main reason they aren't doing it statewide is lack of funds.

Mr. Parr said he would appreciate it if the Dept. would furnish the information asked for on the fiscal note and the Dept.'s best guess on the turn-around times on the applications in the Interior and Northwest.

Mr. Malone said he would like this breakdown by 50% since it was easier for him to work with.

Mr. Parr then announced the resolution would be held in Committee until we received further information from the Department.

Mr. Parr announced the next order of business was HJR 17. Mr. Malone testified on this bill and said it was directed to Federal Congress asking them to require, as a matter of law, that public hearings be required in a state to develop a plan under Title 20. The idea is so that people throughout the state should have an opportunity to comment on how those funds are to be expended.

Mr. Sam Granato, Director of the Division of Social Services testified on behalf of the Department and explained their position paper in which the Department feels this resolve is not advisable.

Mr. Malone asked Mr. Granato why, since the position paper indicates the department has been holding public hearings they are objecting to the requirement that public hearings be held? Mr. Granato felt this was asking for a rigid regulation which was unnecessary. Mr. Granato then went on to say that they were dropping the public hearings for the present time and trying to get the same results through advertising for comments of the people.

Mr. Malone felt this method did not serve the public's interest. Mr. Cotten shared Mr. Malone's feelings.

Mr. Parr informed Mr. Granato of a meeting he attended in Fairbanks in 1975 in which only one person from the Department participated and only took 2 or 3 hours of that person's time. He also said he questioned the instrument or evaluation measure used in evaluating the cases.

Granato said the primary thing they were trying to say was they were not really opposed to the hearings, just that they are opposed to the Federal Government having another rigid regulation.

There was much discussion as to what percentage of departmental costs is coming off the top indirectly.

Mr. Parr announced that since most of the members of the committee had had to leave and there was no quorum, the bill would be held over in committee.

Mr. John Garth, Director of Alaska Children's Services spoke before the committee. He stated he was here to ask the committee's help and direction. They are primary providers of residential child care treatment. About 90% of their clientele is provided by the Division of Social Services and the Division of Corrections. There is a statute, Chapter 47.40, pertaining to full cost of services, reimbursement by the Department for children placed in their care. The way the Department has been interpreting it it leaves the provider agency with a deficit of 20% a year. He said their committee has determined that after 8 years in subsidizing child care in the State of Alaska, probably by several million, that it is past time for the Department to implement AS 47.40 as it was intended and they have an Attorney General's opinion on that. There are 3 things they have problems with. 1. The need for a mandate for the department to cost settle with them rather than to say it is permissible and the Dept. has never cost settled with them.

2. The law specifically deletes from the reimbursement formula depreciation repairs and replacement to their facilities and equipment. He said this is unjust under the law, medicare

and medicaid provides for depreciation and they cannot charge depreciation or repairs in excess of \$500 a year.

3. The law refers to levels of care and the reference there is to a book that doesn't exist. They need to have the concept or the term "levels of care" removed from the statute.

Mr. Parr said Mr. Kindall had given him a hand-written sheet and one thing on it was the timing of the annual rate hearing, that it should be at a time that would permit putting an input into the budget request of Health and Social Services. Another thing Mr. Kenwood mentioned but doesn't feel we can make promises on is adequate appropriation be made in the annual state budget for full reimbursement of costs of services. He said he didn't feel the legislature could guarantee that. Said he felt the other matters brought before the committee could be addressed. He said the committee, should they wish to do so, could put in a committee bill on this subject and have the hearings on the bill and get the whole question aired and see what happens on that point.

There was discussion on the types of care they provided.

Mr. Parr asked if 050 should be deleted and if there are any standards that should be used or whether it should be left up to the Department.

Garth felt if the statute was changed to speak of types of care and amend this to refer to the correct publication, would be an acceptable substitution.

Mr. Parr said the committee would take a look at this and asked if someone could furnish written information if the committee needed it.

The meeting adjourned at 4:45 p.m.

MINUTES OF HOUSE
HEALTH, EDUCATION & SOCIAL SERVICE COMMITTEE

February 25, 1977

The meeting was called to order at 3:04 by Chairman Parr.

Those present were: Mr. Parr, Mr. Bennett, Mr. Nakak,
Mr. Chatterton, Mr. Ose, Mr.
Phillips, Mr. Seversen and Dr. Beirne.

Absent: Mr. Cotten

Chairman Parr announced that CSHJR9 was the first order of business. Dr. Beirne moved to pass it out of committee with individual recommendations. There being no objection, the resolution was passed out.

Chairman Parr then announced that HB99 was next. There was a letter from the Governor in support of this bill and Mrs. Jund from the Department of Health & Social Services, being present stated the Dept. was in support of the bill.

Mr. Chatterton asked what the exposure was now, today, and what it would be if the bill passed.

The answer was that the spouse is liable even *in after* divorce. The first year the patient is mentally hospitalized he pays according to his income. After the first year, he pays only \$50 per month. In the case of the severely mentally ill the spouse pays \$50 per month.

Mr. Ose moved that the bill be passed out of committee with individual recommendations. There being no objection, the motion carried.

Mr. Parr informed the committee that packets would be ready for the meeting tonight. Said the main object of the meeting was to find out what is going on in the problem areas of the REAA and to see if there will be other problems that will be coming up, try to get ahead of the game.

The meeting adjourned at 3:15.

CSHB 132 was passed around for signatures.

SPECIAL MEETING OF HOUSE, HESS
SENATE HESS & EDUCATION SUBCOMMITTEE FOR HOUSE FINANCE

February 25, 1977

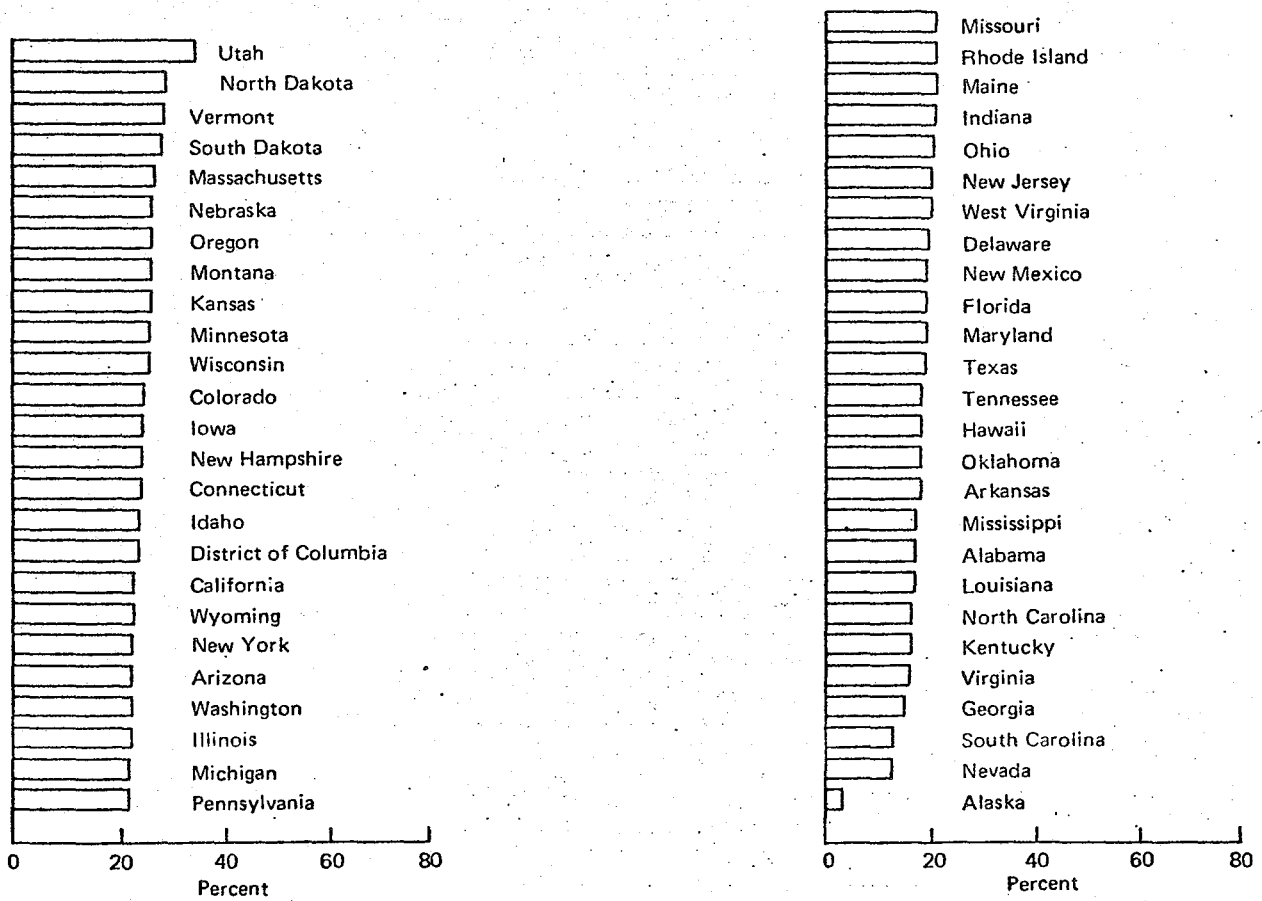
The meeting was called to order by House HESS Chairman Parr. Those present were: Mr. Parr, Mr. Nakak, Mr. Seversen, Mr. Ose, Mr. Cotten, Mr. Bennett, Senator Ferguson, Mrs. Buccholdt, Mrs. Smith and Mr. Gruening. The meeting was called to order at 7:40 p.m.

Chairman Parr called attention to the members of the packets that had been made up in front of them. The meeting was called for the purpose of clarifying some of the problems existing in the REAA's with the Department of Education.

Senator Ferguson spoke first since Mr. Parr said he had another meeting to go to at 8:00 p.m.

Senator Ferguson said he had written down a half-way prepared statement and the primary reason he had written it down was it was an emotional matter to him. Said he has dealings with Dept. of Education for 7 years and hadn't gotten the point across to them yet. He said that Mr. Parr and Mr. Ose were the only 2 members that served on the Education Committee in 1975 when SB 35 was passed and said he would like to speak briefly to the history of SB 35 which pertains to the problems faced by Bering Straits REAA. He said he chaired the Free Conference Committee on Senate Bill 35 as a Senate Free Conference Committee Chairman with Senator Willis and Senator Sacket. Rep. Swanson chaired the House Free Conference Committee with Rep. Beirnes and Rep. Davis. The Legislature adopted the Free Conference Committee report and the Governor's signature enacted SB 35 which decentralized State Operated School systems and created REAA's, and also placed the military schools in the borough school districts. The bill also gave them a one year plan for decentralization of the State Operated school system which was a transitional period and one of the primary functions of the Department of Education was to evaluate and devise the funding formula that would be equitable to the REAA's and submit a budget request to the legislature last session. Mr. Ferguson said the Department did not request an equitable budget for the REAA's from the legislature last session primarily because they did not have a recommended formula ready. As a consequence the Senate HESS Committee and the Senate Finance Committee last session entered into a compromise with the Dept. of Education to not tamper with the present foundation formula which absolved the budget request for the REAA's but over-budgeted the large per capita school districts such as Anchorage. The compromised breached was two-fold. The Dept. of Education, through a legislative resolution, would study and make its recommendations to the legislature a funding formula consistent with the equal education opportunities to all school districts. The Dept. of Education would draft a legislative intent that would be affixed to the 1977 fiscal budget that the Department of Education could

Figure A-10. Undergraduate Degree-Credit Enrollment of Persons Aged 18 to 24 as a Percentage of Their Age Group, 1970, by State



Note: Students attending college in states other than their state of residence are classified as living in the state in which they are attending college.

Source: Computed from 1970 census data.

SOURCE: The States and Higher Education, Carnegie Foundation, 1976

INTRODUCTION

Table 1-I

UNIVERSITY OF ALASKA PROGRAM CENTERS (Dates refer to dates of initiation)

COMPREHENSIVE CAMPUS			
Fairbanks	1917	Nome	1957
		Southeastern	1937
		Tanana Valley	1941
COMMUNITY & SENIOR COLLEGES			
Anchorage Comm. Coll.	1954	EXTENSION COURSES OFFERED	
Anchorage Senior Coll.	1970	Haines	1963
Juneau-Douglas Comm. Coll.	1956	Hoonah	1971
Southeastern Senior Coll.	1972	Mt. McKinley	1973
Kenai Penin. Comm. Coll.	1964	Mt. Village	1970
Ketchikan Comm. Coll.	1954	Skagway	1968
Kodiak Comm. Coll.	1956		
Kuskokwim Comm. Coll.	1972	RESEARCH INSTITUTES, CENTERS	
Matanuska-Susitna CC	1957	AND STATIONS	
Northwestern CC (Nome)	1975	Inst. of Arctic Biology	1963
Sitka Comm. Coll.	1962	Inst. of Agric. Sciences	1895
Tanana-Valley Comm. Coll.	1974	Cent. for North.Educ.Res.	1971
		Geophysical Institute	1949
EXTENSION CENTERS		Inst. of Marine Science	1960
Adak	1962	Inst. of Social, Economic	
Barrow	1970	& Government Research	1963
Clear	1962	Tundra Biome Center	1970
Cordova	1968	Inst. of Water Resources	1965
Dillingham	1970	Sea Grant Program	1970
Eielson	1956	Arctic Envir. Information	
Elmendorf	1956	& Data Center	1971
Ft. Greely	1957	Cold Bay Stat.	1973
Ft. Richardson	1965	Alaska Coop. Wildlife	
Ft. Wainwright	1956	Research Unit	1950
Glennallen	1967	Forest-Soils Lab	1965
Homer	1964	Kenai Penin. Red Meat	
Kotzebue	1970	Res. Center--Homer	1972
Petersburg	1960	Kodiak Red Meat Res. Cent.	1973
Seward	1964	Mineral Ind. Research Lab	1963
Shermya	1969	Musk Ox Program	1964
Valdez	1969	Palmer Experimental Farm	1967
Wrangell	1965	Pt. Barrow Naval Arctic	
		Research Laboratory	1947
COOPERATIVE EXTENSION SERVICE		Seward Marine Station	1968
Anchorage	1941	Gambell Biological Station	1970
Aniak	1965	Homer Station	1969
Bethel	1971	Halibut Cove Shore Stat.	1971
Fairbanks	1930	Cantwell Reindeer Station	1967
Kenai Peninsula	1951	Aka. Coop. Park Stud. Unit	1972
Matanuska Valley	1936		

SOURCE:

The CHRONICLE of Higher Education
October 25, 1976

as, 49 per cent; North Dakota, ... materials commonly used in the operation of the institutions.

Index
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were up 8.7 per cent from a year ago, when the per-capita figure was \$59.97.
Per-capita appropriations this year range from \$184.17 in Alaska to \$27.94 in New Hampshire.
After Alaska, the next 10 states making the largest per-person contributions to the support of higher edu-

\$11.05 per person, compared with \$10.92 a year ago. The increase in this measure of support for higher education was only 1.2 per cent.
To offset inflation, the appropriation per \$1,000 of personal income would have to have risen to about \$12.63.

Analysis of Appropriations

	1976-77 Appropriations (a)		Appropriations per capita (b)		Approp. per \$1,000 of personal income (c)		2-year change (d)		10-year change (e)		2-year change minus inflation (f)		10-year change minus inflation (g)	
	Amount (add 000)	Rank	Amount	Rank	Amount	Rank	Pct.	Rank	Pct.	Rank	Pct.	Rank	Pct.	Rank
Alabama	\$ 268,919	16	\$ 74.41	21	\$16.03	7	+39%	9	+391%	11	+20%	9	+163%	11
Alaska	64,829	40	184.17	1	19.50	1	+80%	1	+786%	1	+55%	1	+375%	1
Arizona	184,786	27	83.09	8	15.52	8	+21%	29	+356%	13	+5%	29	+145%	13
Kansas	114,936	34	54.32	39	11.76	26	+39%	8	+300%	25	+20%	8	+115%	25
California	1,825,400	1	86.38	5	13.10	19	+34%	18	+273%	30	+15%	18	+100%	30
Colorado	206,226	24	81.38	10	13.60	15	+23%	26	+297%	27	+7%	26	+113%	27
Connecticut	145,888	32	47.14	44	6.76	47	+8%	46	+318%	20	-7%	46	+124%	20
Delaware	44,928	44	77.60	13	11.50	29	+21%	30	+414%	8	+4%	30	+176%	8
Florida	434,857	8	52.10	41	9.24	41	+5%	48	+355%	14	-9%	48	+144%	14
Georgia	265,562	17	53.91	40	10.60	35	+12%	43	+349%	16	-3%	43	+141%	16
Idaho	97,884	37	114.89	2	17.25	3	+38%	11	+310%	24	+20%	11	+120%	24
Illinois	70,150	39	85.45	6	16.57	4	+40%	7	+353%	15	+21%	7	+143%	15
Indiana	680,971	4	61.10	32	9.00	43	+9%	44	+233%	36	-6%	44	+79%	36
Iowa	322,224	12	60.67	33	10.73	33	+30%	23	+209%	45	+13%	23	+66%	45
Kentucky	222,671	21	77.59	14	12.77	22	+35%	16	+263%	32	+16%	16	+95%	32
Louisiana	173,777	29	76.66	17	12.73	23	+37%	13	+217%	41	+19%	13	+70%	41
Maine	200,503	26	59.04	34	12.12	24	+30%	22	+217%	40	+13%	22	+70%	40
Maryland	214,998	22	56.71	35	11.56	28	+16%	37	+147%	50	+0%	37	+32%	50
Massachusetts	42,260	46	39.91	49	8.33	45	-4%	50	+214%	44	-17%	50	+68%	44
Michigan	256,777	18	62.66	31	9.68	39	+23%	28	+317%	21	+6%	28	+124%	21
Minnesota	240,034	19	41.26	48	6.75	48	+20%	31	+446%	5	+4%	31	+193%	5
Mississippi	593,930	6	64.86	27	10.51	37	+13%	40	+169%	49	-2%	40	+44%	49
Missouri	323,554	11	82.43	9	14.20	12	+32%	20	+347%	17	+14%	20	+139%	17
Montana	154,036	30	65.66	26	16.21	5	+18%	35	+319%	19	+2%	35	+125%	19
Nebraska	236,782	20	49.71	42	9.02	42	+20%	33	+216%	42	+3%	33	+70%	42
Nevada	47,099	43	62.97	30	11.62	27	+32%	19	+181%	47	+14%	19	+50%	47
New Hampshire	121,980	33	79.11	11	13.00	20	+43%	5	+457%	4	+23%	5	+199%	4
New Jersey	42,357	45	71.55	22	10.76	32	+43%	6	+425%	7	+23%	6	+181%	7
New Mexico	22,859	49	27.94	50	5.26	50	+20%	32	+218%	38	+3%	32	+71%	38
New York	315,338	14	43.10	46	6.41	49	+9%	45	+317%	22	-6%	45	+123%	22
North Carolina	82,047	38	71.53	23	14.98	10	+34%	17	+215%	43	+15%	17	+69%	43
North Dakota	1,251,096	2	69.04	25	10.52	36	+8%	47	+254%	34	-7%	47	+90%	34
Ohio	407,977	9	74.84	19	15.11	9	+17%	36	+402%	9	+1%	36	+169%	9
Oklahoma	48,865	42	76.71	16	13.38	17	+54%	3	+249%	35	+33%	3	+87%	35
Oregon	502,225	7	46.68	45	8.03	46	+30%	24	+438%	6	+12%	24	+189%	6
Pennsylvania	152,263	31	56.14	37	10.69	34	+44%	4	+264%	31	+24%	4	+95%	31
Rhode Island	176,653	28	77.21	15	13.38	16	+36%	14	+218%	39	+18%	14	+70%	39
South Carolina	659,781	5	55.78	38	9.39	40	+15%	39	+380%	12	-1%	39	+157%	12
South Dakota	64,771	41	69.87	24	11.97	25	+38%	12	+321%	18	+19%	12	+126%	18
Tennessee	210,239	23	74.61	20	16.15	6	+13%	41	+666%	2	-2%	41	+310%	2
Texas	38,382	47	56.20	36	11.41	30	+19%	34	+169%	48	+3%	34	+44%	48
Utah	200,889	25	47.97	43	9.80	38	+15%	38	+300%	26	+0%	38	+114%	26
Vermont	918,589	3	75.07	18	13.33	18	+72%	2	+458%	3	+49%	2	+199%	3
Virginia	102,937	36	85.35	7	17.34	2	+36%	15	+314%	23	+17%	15	+122%	23
Washington	20,138	50	42.76	47	8.62	44	+0%	49	+188%	46	-14%	49	+54%	46
West Virginia	316,042	13	63.63	28	11.00	31	+30%	21	+393%	10	+13%	21	+164%	10
Wisconsin	310,131	15	87.43	4	14.00	13	+23%	27	+227%	37	+6%	27	+75%	37
Wyoming	114,460	35	63.48	29	12.91	21	+29%	25	+254%	33	+11%	25	+90%	33
Total U.S.	364,056	10	79.04	12	13.94	14	+12%	42	+283%	29	-3%	42	+105%	29
	33,821	48	90.43	3	14.74	11	+39%	10	+286%	28	+20%	10	+107%	28
Total U.S.	\$13,911,885		\$ 65.21		\$11.05		+24%		+292%		+7%		+111%	

* Estimated.
 (a) Reported by M. M. Chambers of Illinois State University as state tax funds appropriated for operating expenses and scholarship programs for higher education.
 (b) State appropriations divided by the latest published state population figures, estimated by the U. S. Census Bureau for 1975.
 (c) State appropriations divided by state personal income, in thousands, reported by the U. S.

(d) Increase in appropriations for 1976-77 over those for 1974-75, as reported by M. M. Chambers.
 (e) Increase in appropriations for 1976-77 over those for 1966-67, as reported by M. M. Chambers.
 (f) Two-year increase in appropriations adjusted for inflation of 15.7 per cent during the two years ending last June, as measured by D. Kent Halstead's Higher Education Price Index of the cost of goods and services commonly purchased by colleges and universities.
 (g) Ten-year increase in appropriations adjusted for inflation of 86.5 per cent during the ten years ending last June, as measured by the Higher Education Price Index.

be certified by a physician, or a copy of hospital records or receipted bill, but they do need supportive evidence to be used for housekeeping purposes. Also requested that the words "medical attention" be taken out as it is so broad.

Discussion took place as to striking out "medical attention" and also how the department policed this situation.

Mr. Perry was thanked and excused and Mrs. Marie Swanson from the same Department testified. She stated that when a person goes outside, the department ask them to let them know. Then when they return they inform the Department they are back in the State. She said they do not take any information until they are back in the State.

Again there was discussion on whether a person could be gone for 60 days without the department knowing for sure. Mrs. Swanson explained how the stub system works and why they are on a 30 day basis.

Action Mr. Cotten moved to delete Section II. The motion carried.

Action Mr. Ose moved to delete the words in line 13, "medical attention or ". Phillips and Bradley did not agree. Mr. Cotten asked to leave Section 1(b) as is and opposed Mr. Ose's motion. A vote on the motion showed 4 - 4 and the motion failed.

Action Mr. Ose moved to postpone the hearing on this bill until the following day. Mr. Cotten opposed the motion. Mr. Chatterton supported the motion. A vote was taken and the motion failed.

Action Mr. Beirne moved that line 12 should be amended to read "A recipient who, upon the direction of a licensed Alaskan physician receives hospitalization or hospital out-patient care outside the state shall continue to receive bonuses during his absence, up to 90 days.

Action Mr. Chatterton proposed an amendment to the amendment to read "licensed Alaskan physician holding an M.D. or DDS degree". After discussion and looking up the definition of physician, Mr. Chatterton withdrew his wording of DDS which would make the amendment read "holding an MD degree". The motion failed.

Action The motion of Dr. Beirne's amendment "A recipient who upon the direction of a licensed Alaskan physician receives hospitalization or hospital out-patient care outside the state shall continue to receive bonuses during his absence up to 90 days" was voted on. The motion carried.

Action

A motion was made to pass the bill out. Dr. Beirne had a question regarding the 90 days. Discussion was held. The motion carried to pass the bill out as a Committee Substitute.

Mr. Parr announced that the Alaska ^{Center for} ~~Senatorial~~ Staff Development is having a task force for problem delineation on the 7th & 8th of February in Anchorage and someone from the committee is invited as a representative with travel expenses being paid. Mr. Parr will not be able to go and asked if someone would like to attend to let him know so that he can give them an answer.

The meeting adjourned at 4:00 p.m.

MINUTES OF HOUSE

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

January 19, 1977

Present: Parr, Ose, Chatterton, Phillips, Nakak,
Cotten, Bradley, Beirne. Mr. Bennett came
in later.

The meeting was called to order by Chairman Parr at 4:00 p.m.
and it was announced that H.B. 13 was on the agenda.

Mr. Vern Perry, Director of Pioneers' Benefit Division spoke on HB
13. Mr. Perry said that the Division had no objection to HB
13 as long as there was a stipulation in it that at least one
year of continued residency should elapse immediately prior
to the application, so they are definitely living back in
Alaska and that the service credits for meeting the residency
requirement should be in 12 month increments.

Questions were asked of Mr. Perry by members of the committee
such as:

It appears that there have been projections made up to
FY 82. How does the Division arrive at those figures unless they
already know how many people are going to qualify and get benefits?

The people now presently eligible to receive the benefits,
is it a requirement that they be in the State at present?

Mr. Perry was asked whether he would care to speak to
the point as to whether any amendments should be made on the
bill. Mr. Perry declined to speak, explaining that the Division
doesn't have a policy that he could support but that he could
speak personally on the bill.

Mr. Ose stated that he was opposed to the Bill.

More questions were asked regarding someone who had lived
in Alaska living here for 30 years, moving to the lower 48 for
3 years and then returning to Alaska and being unable to qualify
for this program. Mr. Phillips spoke in favor of the bill.

Further questions were asked such as, additional administrative
costs, additional funding for more people? Are there many
instances of fraud? How many recipients are there now? What
efforts have been made to find out how many people we are talking
about: Has the office made any attempt to find out how many
people would fall under this?

Discussion was had trying to clarify the 12 month increment. Such as if someone fished 8 months in Ketchikan, paid taxes, owned their own home there and then moved to California for 4 months, but not changing their residence, would they be eligible. Also there appears to be problems in verifying the length of residency of some applicants.

It was asked as to how many more recipients would be added to the program. Mr. Perry felt about 200 would be eligible.

Mr. Perry was thanked and excused.

Mrs. Marie Swanson also with the Division testified that she believes there will be more than 200 people that would qualify. Probably almost double that. 400.

Action Mr. Phillips stated that he would like to move that this hearing be postponed until another time. There being no objections, the Bill was held in committee.

Chairman Parr announced that the Finance Committees have subcommittees and need people to work with them.

Mr. Nakak offered to help on the Health and Social Services sub committee and Mr. Cotten will work on the Education subcommittee.

The meeting adjourned at 4:35.

file 25

MINUTES OF THE HOUSE

HEALTH, EDUCATION, AND SOCIAL SERVICES COMMITTEE

January 18, 1977

Present: Parr, Ose, Beirne, Phillips, Cotten, Chatterton,
Bradley, Nakak and Bennett

Chairman Parr called the meeting to order at 3:05 PM. The first bill considered was HB 59, An Act relating to handicapped individuals; and providing for an effective date.

Testifying on this bill was Mike Morgan, Director of the Division of Vocational Rehabilitation. Chairman Parr asked Mr. Morgan to give a brief outline as to why the bill was necessary and to go through it and describe what these changes are doing. Mr. Morgan stated that the legislation was submitted at the Division's request to bring the State statutes into conformity with the Federal Law, Public Law 93.12, as amended by 93.516, and Federal Regulations and guidelines. Essentially, the term "housekeeping bill" is correct. He further stated that the legislation has no impact on the program at this time. He stated that in Section 1, the only addition was to add Title 16. He stated Section II is repealed and reenacted to provide consideration for similar benefits and to take out the reference to the economic needs tests that was in the old law. The Federal Law and the Federal Regulations do not require an economic needs test even though we make a financial determination of the resources available to the individual and try to get him to participate in his own vocational rehabilitation plan to the extent that it is possible.

Many questions were asked by the committee and discussion had as to, who is really eligible, are veterans? Mr. Morgan answered that a person must have a mental or physical disability which prevents them from working and also that if services are provided, the individual will go back to work and retain his job, so there's a feasibility question that's answered on every application. Mr. Morgan stated that Section 3 of HB 59 is amended to redefine handicapped individuals in a manner that is inconsistent with the Federal Law and Regulations and that is where this definition was taken from. Section 4 was also taken from the laws and regs as well as Section 5 and Section 6. Mr. Parr said that in section 6 it looked like the definition was a little broader. Mr. Morgan stated the reason that it was broader was because they have gone to rehabilitation facilities for such things as evaluative kinds of services. Such as Hope Center in Fairbanks, Archa Industries in Anchorage, and Alaska Treatment Center would come under this definition also.

Mr. Bradley asked whether on Line 27, page 2, where it says "gainful" means getting paid. Mr. Morgan said he believed that was the case. He said their emphasis was to get people back into competitive employment.

Section 7 amends Article 2 which is the legislation governing the Governor's Committee on the employment of the handicapped. There are 2 essential changes, (1) that the word "physically" be deleted from the title and section 23.15 to 70 which would extend the coverage to the mentally handicapped. The second one is that the first full week in May be designated as Alaska's Handicap Week for the reason that in May the employment starts to broaden. In October, when the National Handicap Week is held, we are in a depressed situation here.

Other questions were asked by the committee such as, does the program cover API and Harborview. Mr. Morgan answered that they had a counsellor who, on an itinerant basis, visits API to take any referrals or cases. He stated as to Harborview, they have not been involved with it to the extent they should have primarily because of the reputation Harborview had. Where you sent people when there was nothing else available to them. They are becoming more involved now, especially since they are mandated by Congress to help the severely disabled.

Much discussion was had as to who is eligible and how they determine someone is eligible.

Further questions asked by the committee as to how many employees are employed by Vocational Rehabilitation, has the dollar amount gone up, how much of the dollar amount actually goes into Vocational Rehabilitation, how much of the funding is federal. Does the school system let the Department know when a child is no longer in school and how much of a time lapse before the child is picked up by the Department. What rate of success is there, etc.

Action After much discussion regarding the wording of the bill, Mr. Chatterton moved that on line 21, the word "need" be changed to "will". The motion carried.

Action Mr. Cotten moved that on line 23, a period be inserted after "individual", and a new sentence beginning "The division need not take other benefits into consideration", deleting the word "or" and adding the rest of line 23. The motion carried.

Action Mr. Cotten moved that H.B. 59 be passed out of committee as amended with a ~~due~~ pass recommendation. The motion carried.

Mr. Morgan was thanked for his participation and excused.

H.B. 60 was the next order of business. Mr. Kenneth Greiser, Deputy Director of Law Management and Finance Division testified that HB 60 is a clean-up clarification of the compulsory attendance law and involves a list of reasons why compulsory attendance wouldn't apply to certain students. That the new wording is by action of the school board.

Action And that since State Operated Schools are no longer in existence, that was deleted. After discussion regarding the grammar, etc, Mr. Bradley moved that the bill be passed out of committee with a ^{do} pass recommendation. The motion carried.

The meeting adjourned at 4:35.

MINUTES OF HOUSE

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

January 21, 1977

Present: Parr, Ose, Chatterton, Cotten, Beirne, Nakak, Phillips, Bradley and Mr. Bennett came in late.

The meeting was called to order by Chairman Parr at 3:10 p.m. and announced that HJR 9 was the first order of business.

Chairman Parr asked Mr. Bradley to speak on his bill. Representative Bradley stated he would like to comment on the merits of the bill--it was simply his intention to propose a question of whether in fact Alaska supported the concept of National Health Insurance, this didn't favor any of the 4 or 5 proposals that have been before the Federal Government. Relevant material on the bill is on file. He felt that something must be done for the poor disadvantaged and the elderly and those people who find health care and severe illnesses a burden on them. It was with that in mind that Mr. Bradley submitted the Resolution.

The Second Whereas was discussed as to the wording as was the 4th Whereas. Dr. Beirne asked Mr. Bradley if a comparative study could be done. He suggested that after the Comparative Analysis was done, may be some of the wording could be re-written.

Mr. Dan Slabey, Director of the Tanana Chief's Health Authority made comments concerning national health insurance based upon their experience in providing regionalized services and coordinating between the state and Indian Health Service.

After Mr. Slabey's presentation questions were asked by the Committee as to where the funding was received from, the Federal Government?

Action Dr. Beirne moved that any action on the Resolution be postponed until they get the information that Mr. Bradley thought he could bring forth and which would give them the opportunity to prepare some amendments. The motion carried. Mr. Bradley will advise when to bring the Resolution up again.

HB 58 was next on the agenda.

Mr. John Scribner, Director of Water Programs, Division for the Department of Environmental Conservation stated he was here to answer any questions on the bill and tell why they introduced it. He presented a summary of the entire village safe water program. A copy is on file.

He stated the particular bill deals with making a minor modification in the definition of a village. There were two reasons they felt it was necessary. One, the original legislation provided for servicing communities between 25 and 600 persons within a two-mile radius and a second class city. Wanted to narrow down the scope of the legislation. Secondly, there are some villages that are first class cities, some may warrant and may be in need of the village safe water facility and they didn't want to preclude that option. That these villages should be considered equally with the others. To enable the first class village to have an opportunity to the safe water program and delete some of the larger communities that they felt it didn't apply to in the first place.

Questions were asked by the Committee members as to what came out of the bond issue, how much is spent on facilities in the village, why are they including incorporated communities, what is the reason for being incorporated, is this program at St. Marys, who is responsible for the operation and maintenance? of the program.

It was stated that this particular bill does not cost any money, simply a change in the wording.

Action Mr. Cotten moved that the bill be passed out of committee
The motion carried.

Chairman Parr announced that Mr. Dan Slabey would like to bring to the committee's attention some information about some emergency medical services which the Tanana Chiefs have operated in the past and some of the problems they have run into. Some of the points Mr. Slabey talked on were: Federal' Grant Administration Problems, Contracting process with the State of Alaska, Program Aspects and its relationship to HB 596 (introduced last year). The purpose and intention of the emergency medical services act and a legislative risk that might be involved and lastly to propose some recommendations that may be considered. After elaborating on the foregoing points, Mr. Slabey made the following recommendations:

1. In conjunction with the local health service district bill that this committee invite public review and testimony on the incorporation of EMS activities.

2. That there be an evaluation for the transfer of the emergency medical program to the Division of Public Health to more accurately monitor program development.

3. That the State program of EMS be directed by an emergency medical physician with a medical review board to evaluate the specific categories that the EMS system is intended to improve services.

Mr. Parr summarized what Mr. Slabey had said: That the State adds its own regulations to the CRFs and causes a double administrative burden or increase in administrative burden. The State has no single contracting authority. The State doesn't include all of the statutory requirements in the contract which is found out only at the time of audit. The State doesn't give any cash advance and non-profit corporations don't have the money to put out themselves in advance. A lack of coordination among agencies.

Next to speak was Mr. Charles Ramage, State Coordinator for Emergency Medical Services. He gave a brief outline of the program which only started a year ago. After questions and discussion of Mr. Ramage, Mr. Gene Smith, Deputy Director of Administrative Services of Health and Social Services spoke. Mr. Smith said he has worked directly with Mr. Slabey and spoke to some of the problems Mr. Slabey brought up.

Next to testify was Mr. Conrad Baines, Jr., Executive Director of Southeast Alaska Regional Health Corporation--one of the contractors of the EMS office. Mr. Baines presented the committee with a packet of material which is on file. He disputed Mr. Ramage's impression that the contractor's and state's relationships are good.

Next to testify was Ms. Clara Peters, Health Director for the Copper River Health Department for the Glennallen area. She stated as one concern that the budget sheet shows they were funded for \$27,776 for training and yet she said at the present time she has an EMT going in Glennallen and in order to offer this training they had to charge each person taking the training \$50. The money was collected by Mr. Polley like a bill collector. They also furnish the person that is giving the training his lodging and transportation and she wanted to know what the \$27,000 is being spent for.

After some questions of Clara Peters by the committee, the meeting adjourned at 5:00 p.m.

and would live^{with} Mr. Ferguson said the legislature lived up to the commitments of its compromise although the Dept. of Education contracted out the study to the University of Alaska the Dept. has yet to give the legislature a recommendation on that study which alleviate the funding inequities to the REAA's nor have they submitted a supplemental appropriation for the REAA's for which there is no adequate funding formula such as operation of small elementary and secondary schools. He stated he submitted to the committee a zero fiscal note for SB 35 which was given by the Dept. of Education for 1975 through 1980. This fiscal note indicates that the decentralization of State Operated School system and creating the REAA's would cost the State the same amount of money and operational costs as the prior system. Yet, the Bering Straits REAA received \$700,000 less money this year than they received in the State Operated School System. Not only has Bering Straits REAA received less money, their enrollment has increased by 136 students and they have 2 more 4-year high school programs to operate. Mr. Ferguson felt that this late in the session waiting for the Dept. to get its act together would be cruel and inhumane punishment to children residing in the REAA's. He felt the only recourse was that the legislature introduce and pass supplemental appropriations for the REAA's with lean budgets to enable them to properly function, not only because of the mandates of our federal and state constitution but for providing the children of our state with an equal education opportunity.

Mr. Cotten asked if Mr. Ferguson could fill the committee in with more detail as to what kind of problems they REAA's are having. Mr. Parr said we would be coming to that later in detail so Mr. Ferguson won't have to go into that fully. Mr. Ferguson said he had copies of the fiscal note for SB 35 made up and also the legislative intent that was put into the budget last year that the members can have. Stated one of the problems (which he had mentioned in the text of his statement) was that the REAA (he presumed they were talking about Bering Straits) has a problem which is why they have a small base and some of the REAA's don't have this problem because they are much larger. The N.W. REAA doesn't have as much of a deficit as Nome because they have a lot more BIA schools. Said the N.W. has taken over all the BIA schools so the number of students there creates under the foundation formula a larger amount of money.

Mr. Cotten asked when they took over the BIA schools. Mr. Ferguson answered last year.

Mr. Parr asked about the \$700,000 less money that the Bering Straits had gotten than when they were State Operated School. This is the same school? Mr. Ferguson said it was but the population had been increased. Mr. Parr asked if the increase in enrollment was from taking over the BIA schools. Mr. Ferguson said he would rather have the Supt. of Schools answer that, he had the information in his office but not with him.

Mr. Parr than asked Mr. Ferguson if he had any other general observations about the REAA's problems state-wide.

Mr. Ferguson said he had one which would be on the BIA school system. One of the things the State of Alaska and the Dept. of Ed. has been looking forward to is one school system in the State. Take over the BIA schools and negotiations are going on between the Dept. of Ed and BIA for capitol improvements to be sure the buildings are in good shape before the State takes them over. Ferguson felt this was one of the problem areas that he saw, that has always been mentioned that none of the REAA's would have any difficulty in the operations of their schools, in fact they would be operated similarly or even better than the BIA schools have been operating. Found this not to be true when they took over the Kotzebue school and Kiana BIA school. One thing they found, is if they don't get a supplemental appropriation is the fact that the budget would have to be cut--the same circumstances that the Bering Straits is in right now. The Bering Straits has a number of BIA schools, in fact the Bethel area has a lot of BIA schools and they will not turn over to the state knowing the inequities of the funding out there.

Mr. Parr, asked if the Federal government is funding BIA schools with more money than the State will do it. Mr. Ferguson said in a sense, yes. Mr. Parr said, under our current funding that we have with the foundation plan and the extra amount that is given plus the other monies that the schools get, they are going to lose money? Mr. Ferguson said he felt they would because they will have to cut down on the programs they have and the State is telling the REAA's what they have to do--are creating more of a problem now with the BIA as he understands it. There probably isn't a BIA village that would turn over at this time hearing about the problems in Bering Straits and other places. Felt it could have been made easier had they funded adequately in his statement earlier. In order to correctly fund the REAA's under the system they have now, they would in effect, and this is nothing between the rural areas and the large districts but this is a common fact between the Dept. of Ed. and many legislators the fact that if we start through the system they have now, Anchorage would suddenly receive a lot more unless the units are changed for a small school. (3 - 4 units for a small school). Have been waiting for 2 years for an equitable formula to be provided by the Dept. of Ed. This has not come down and doesn't believe it will come down in time for next session.

Mr. Parr said the 1977-78 school year on the foundation program shows Anchorage getting \$1555 per adm, shows the REAA's as getting somewhere from \$3156 up to \$5,700. He said it shows the lowest getting double or a little better more than Anchorage and the most is getting roughly 3 3/4 times more than Anchorage. Do you feel that is not adequate?

Mr. Ferguson said it wasn't because of the high cost of other measures and passed out some other information listing this.

Mr. Ferguson said the legislative intent that went into the budget last year was drawn up by the Dept. of Ed. at the REAA's request so they could understand it. Mr. Parr asked for an average guess as to a multiplier that would take care fo the REAA's since they run now to at least double to 3 3/4 times as much as Anchorage, what kind of a multiplier he felt would be necessary. Mr. Ferguson said he had no idea that was why they didn't have a formula. The Dept. of Ed was to have the study done and given to the legislature. Stated he had introduced a number of bills in the Senate to try to equate this out. One of the ways he had gone was on the high cost of transportation, tried to increase the unit allotments for the small school districts and still maintains that they cannot come into an equitable solution until the Dept. of Ed comes down and lets them know what is equitable.

Mr. Ose asked when they were notified of receiving \$700,000 less, was there any action taken by the Dept. of Ed? Was the Dept. of Ed notified of this? Mr. Ferguson said he was sure they understood that very well and Bill Thomson could answer it.

Mr. Ose asked if it was a BIA school? Mr. Ferguson said he didn't think they took over any of the BIA schools. Only the N.W. area took the BIA schools.

Dr. Marshall Lind then testified. Mr. Parr informed Commissioner Lind that he had given him a list of questions that were in the order they ocured to him and was sure other committee members would have questions too so he didn't need to stick to the order of the questions.

Dr. Lind said before Senator Ferguson had to leave for his other meeting he and Mr. Cole would like to respond to some of his allegations. Dr. Lind said it appears that the Dept. of Ed. hasn't been doing much for a period of time trying to figure out a formula that's appropriate to the funding of the school. Dr. Lind said he didn't believe this was the case and they were prepared to prove it. Said also what should be taken into consideration is they are not solely talking about 1 particular region of the state. Talking about a financial support program that is equitable to every district in the State. There is not, at the present time, a piece of legislation that addresses the concerns that have been raised by Senator Ferguson. He believes a bill will be introduced by Governor Hammond within the next week, speaking to several of the areas which must be addressed. "His point on the area differential and the unique cost of some of the small schools is very much in order." The proposed legislation will speak to those 2 areas. He stated for the first time in the state, they will be proposing data for the funding of schools in the unorganized borough that is based on hard facts. Reference was made to the fact that the Bering Straits school district received

more money under the old SOS system than they have under the present system. Doesn't feel that is the case. If it is taken into consideration, the entire school district which was a part of AUBSD, because at the time the Bering Straits district received more money under SOS, and a number of district receiving far less. Somewhere along the line -- what was received additionally in the Bering Straits region was made up for in some of the other districts. In addition to that, this is the first year that the Dept. of Ed. has the data on a district by district, school by school basis. He felt this could serve as a basis for a suitable funding program. Said they were extremely pleased with the funding that now exists as they look across it in meeting the needs of 52 school districts. Keeping in mind that there are 31 city and borough school districts, 21 REAA districts, and they are aware of 3 that are having difficulty. One is a very acute situation which is in the Bering Straits. 2 others have indicated they may have difficulties but have not come to the Dept. as the Bering Straits did several months ago saying we will probably be out of cash by the end of the month. Don't feel that the other potential difficulties are serious and don't see major deficits resulting in the other school districts with the exception of the Bering Straits district.

Mr. Parr asked if they did not anticipate any serious troubles in the other 2 districts then. Dr. Lind said only in the Bering Straits District.

Dr. Lind said reference was made to the Arctic School District and they have a unique situation because of the fact that approximately 50% of their students were absorbed this year by the take-over of 2 of the BIA schools, Kotzebue and Kiana. There are some conditions that go along with the BIA school that do not necessarily fit into the funding formula that they are using. The important question that must be asked, did the BIA schools receive the same amount or more or less for instructional purposes? The BIA schools are not funded at as high a rate for instructional purposes as the schools funded by the REAA or city and borough formulas.

Mr. Parr asked what he meant by "instructional purposes"?

Dr. Lind stated basically he was talking about the things that went into the teacher's salaries, the things paid for the teachers--materials, textbooks, this sort of thing. What needs to be separated are hot lunch programs, teacher aide programs that may be covered under special supplemental federal assistance and plant management operations.

Mr. Parr asked if BIA schools were funded better under those areas? Dr. Lind said that was correct. That has been the problem in taking over the BIA schools. It is not the pupil-teacher ratio ^{that} is worse under the REAA program,

its not that they are paying or buying less materials, it is related directly to the fact that the formula will not sustain the type of hot lunch program that has been offered in those schools nor will it take care of the teacher aide program and in some cases the plant management.

Mr. Parr asked if plant management included utilities, maintenance. Dr. Lind said that was correct.

Rep. Gruening asked if they have tried to compare the total dollar input from the BIA schools compared to the total dollar under the formula. Dr. Lind said they had. The formula provides considerably more money than they are able to pick out of the BIA budget.

Mr. Parr said village X that goes from BIA to the state gets more money under the state? Dr. Lind said they get more money under the formula than what BIA pays. Said there is one basic difference which takes up a certain amount of that financial support. The certificated salaries generally are higher under REAA operated schools than you will find with BIA. Do have pretty good data that they would be happy to make available for those schools that have come in showing what they get under the BIA and what they get under the formula. Kotzebue has done everything (the N.W. Arctic District) they can to sustain the level so that there can be a gradual leveling off in these areas. There was indications that they would receive monies from the BIA for those programs during the transitional period so there would be no major decrease in those services in those 2 schools in that district. That funding has not materialized. If there is no relief for them in this area, they will have some money problems but do not feel they will be serious and are very optimistic that the federal assistance will come forth, they are working with the Congressional delegation and BIA now to correct that and are optimistic that that money will come in.

Rep. Gruening asked what happens after the transitional period? Do you phase out the hot lunch program? Dr. Lind said one of the things they did was they had to ask people to pay for the lunches. These steps were taken in that district to help off-set some of those costs. They have made every effort to reduce the staff to a very cost efficient level. They are in the process of moving to other forms or sources of money in order to maintain some of the teacher aides. Sometimes there is a lag period. The BIA schools are not eligible for Indian Education, or Johnson O'Malley. The REAA's are, so they will make application to those 2 sources and hopefully utilize that money to maintain the same level of teacher aids or extra programs but it is during the transition period with those schools that the problem exists and once a number of the communities that have been served by the BIA program realize that they may lose their hot lunch program or some of their teacher aid services, they are not going to want to transfer into an REAA and there is no way the Dept. can guarantee them they can have a hot lunch program or the teacher aides.

Dr. Lind felt when all of the pieces are put together and some effort is made to make some of the hot lunch programs run on a little more cost efficient basis and institute some policies of local participation as far as paying for those lunches the things can be taken care. This is why there is reluctance to move from BIA into REAA's.

Mr. Nakak asked what a school district can expect with reference to assistance for maintenance? Dr. Lind replied only what their foundation support money will allow them to utilize for operations and maintenance except for those things which exceed \$10,000 which are major maintenance efforts that must be borne by the owner of those buildings which is the State and this major maintenance money should not be coming out of their foundation support money. This is one of the area that can be serious and needs to be addressed. This is the way it presently is. There is no additional money for operation and maintenance except in those cases where the operation includes such things as utilities, such as the AVEC Contract which may be quite high, then there is a provisions supplemental assistance to those costs. Other than that there isn't.

Mr. Parr asked then if the Commissioner was saying that the districts pay their maintenance up to this \$10,000 figure out of their total budget just as a regular city or borough school district would. Commissioner Lind agreed.

Mr. Parr then said it was mentioned that the N.W. district started paying for their lunches. What's the picture in the organized borough and school district across the state? He stated in his own district (Fairbanks District) they dropped the hot lunch program but they always were charging as far as he knew. He asked if the N.W. District was giving free hot lunches? And what about other REAA across the state.

Dr. Lind said up until this year. Previously with SOS ABUSD, as he understood it all lunches were free. Beginning July 1 some of the new districts took steps to put it on a pay basis when people could afford to do it. Some have eliminated their hot lunch program, some have gone to a variety of payment programs and others have tried to sustain them on a free basis. Mr. Parr asked if BIA schools are all free. Dr. Lind said they were.

Mr. Ose asked if they didn't know the amount of money they would have for the school year? In any of the districts.

Dr. Lind said, they knew the amounts of money they would be receiving. The area differentials were changed last year to take into account some of the increases that appeared appropriate at that time, the foundation amount was set, the

basic parts in lieu of taxation was there. What wasn't there is the specific reference to the supplemental language that Senator Ferguson referred to which the Dept. was very much involved with. These are the areas the districts were not sure of, the Dept. could not tell them exactly how much they would be receiving under the supplemental language early in the year and the only very specific thing that has been identified now which is under this supplemental provision is the money for the utilities, specifically AVEC.

Senator Ferguson said nothing was done to take care of the small schools to his knowledge. Kobuk, they have a small attendance with very few children. Isn't the district losing money under the formula that is set up right now? Dr. Lind said he would have to ask Mr. White. Chairman Parr said we would ask Mr. White a little later when he testified.

Mr. Nakak asked if we were to get down to the very basics and to respond to the problem which has been in our focus and say here is a school district which is having financial difficulties for whatever reason they may be and felt that this problem they are having is because they are reacting to their mandate as a school board and as a school system to take care of problems within their district and then next year the other school districts take on a maintenance program so that the following year they will be able to have classes in buildings safely with heat, without roofs leaking, this type of thing. If we were to say we were going to resolve this issue for Bering Straits but prepare for the other schools districts which are going to have some problems with maintenance,, what would we do, make a supplemental appropriation for Bering Straits and plan for more maintenance money for the other districts, or what?

Dr. Lind said we probably will get into that in more detail later on but he feels the maintenance problems in many of the schools in unorganized boroughs are pretty serious matters and he felt if we were asked to bring all those facilities up to some kind of fire safety code standard, we would be looking at a very large amount of money. Felt that the question he raised speaks specifically to some concerns the Dept. might have had regarding the financial situation of the Bering Straits district and the amount of money that they spent this past summer in maintenance in that district. Felt a good deal of that maintenance was justified. He doesn't believe the answer is a supplemental to that school district. Felt this was a short-term solution and an inappropriate solution in his mind--what is more appropriate is to figure out some way that school stays open in that district, that those pupils now out on boycott are back in school and that we address the bigger problem on how to cope with these major issues in the unorganized borough apart from what we are trying to fund through foundation support money. Felt as we get into that will be able to see this better.

Mr. Parr announced ^{that} later on he intends to get into the maintenance problem.

Mr. Cotten asked about the fact that some of the REAA's were able to continue the free hot lunch programs, other were able to do it on a part-time basis, etc., Said Senator Ferguson mentioned that the Bering Strait REAA had a recent population increase and their costs have gone up whereas other REAA's have been able to maintain for one reason or another because their operation costs haven't gone up sounds like they all operate under the same formula and some started out a little more equal than others and that's basically the problem, right.

Dr. Lind said that was correct. Said they do have a student increase as a result of starting secondary programs within the Bering Strait District and felt the student increase also brings with it sufficient amounts of money for the operation of those schools. Felt there was sufficient dollars there for them to do the job.

Mr. Cotten asked if they were spending the money on something else?

Dr. Lind said they were spending the money on other things such as central office administration, other areas of plan management.

Mr. Cotten said then the other REAA's aren't having similar problems, the monies they are receiving have to be satisfying their needs.

Dr. Lind said if they are getting along and have not changed their student-teacher ratio in a way the Dept. feels is detrimental to education, and are maintaining many of the same programs they had last year, he said there is no question that some more money is necessary in the rural area. But you don't just pick up one district and attempt to build a formula around some problems that district may be having because every district needs to be considered in this equation and that is the difficult part. He stated also that reference was made to the fact that data has been asked for from the Dept. in the way of a financial study. He said they contracted with the University of Alaska to provide some data for them in trying to do a better job with their formula, recognizing some problems. That study has been delayed several months. He said the Dept. accepts the responsibility for that. They contracted with the University to get it done. It was not completed in time. Now has the most basic data they feel is important which is the data on which to build a sound area differential scale. That information is the basis for the bill that the Governor will be submitting which will correct what the Dept. feels are the inequities in the area differential. Said they had been late in getting the information together. The Center for Northern Education Research

has done part of it they, in turn, involved the Institute for Social and Governmental REsearch to take care of a part of it.

Mr. Ose asked Dr. Lind to explain what he had expected the foundation money to be spent for. Dr. Lind said teachers, salaries, text books, supplies, heat, light, all of the general things that go into an education program, excluding community services, debt service and major capital improvement.

Mr. Ose asked if any of the money from the foundation program being spent for capitol improvment? Dr. Lind said not where he was aware. Felt what could be happening was where something should be charged off as major maintenance, such as a generator going out or a heating plant going out--major expenditures. Said he knew this was happening in the N.W. Arctic. The only money they had available to them to do that job was money out of the operating budget which is basically this foundation money. Felt somehow or other this has to be corrected.

Mr. Ose then asked if there was any way or means for making up this deficit. Dr. Lind said there are some ways that can be done and felt Mr. Cole and Mr. Thomson could suggest these later on.

Mr. Parr said when Mr. Ose asked him whether the people knew what their budgets were going to be and you answered him "yes, as far as the foundation plan but you didn't know the amount of the supplemental". Does that supplemental include the amount which is equal to the average amount of local contribution in the 31 districts. Was that one of the supplmental's you were talking about?

Dr. Lind said that supplemental was known. The one that wasn't known up until probably NOV. or Dec. was the amount of supplemental assistance for AVEC.

Mr. Parr said in some districts that could be a serious problem but asked how many districts would that have been a significant factor in their budget planning out of the 21 REAA's. Mr. Cole spoke to this and felt about a half dozen. Said the language is very broad and general. If you look carefully at that language it also gives latitude for asking for supplemental for Anchorage to reduce their ADM from 23 to 19. You also find that it asks for small secondary schools, for bailing out school districts who have had secondary students and moved back to the village for local programs. There probably isn't much you could put in there besides the sink and you could probably put that in there too. Have definitive data on AVEC costs and pretty definitive data on area differential costs which is why the language was written in the first place. Felt it was very likely that any supplemental aside from the AVEC will be determined through some approach picking up the area differential

that was not there to begin with.

Mr. Parr said in essence then 15 of the REAA's should have known what their budgets were going to be and the other 6 would have known except for the AVEC money which may or may not have been significant.

Mr. Ferguson asked then if the State of Alaska has a contract with AVEC to provide electricity, the State of Alaska through Dept. of Admin. and Governor's office signed the contract with AVEC knowing full well that the State had an obligation to pay for supplementing village electricity. He felt it should be very easy to decide how much it is going to cost. They have a contract with AVEC that says how much it will cost for each school regardless of whether AVEC is charging too much, they know exactly what it will cost and this should be turned over to the school district and they pay it off or else Community and Regional Affairs should do it. The Dept. of Ed. is now just going in with the Dept. of Rev. in a \$280,000 study to study AVEC. They knew about this problem years ago.

Dr. Lind. Said they could perpetuate the way AVEC was subsidized very simply by saying X number of dollars and the State pay for it and you know who will get charged for it, it will be in the Education budget. What took the time to determine that was to clearly design a formula which says the schools use so much of that electricity, they should pay for their share of it. Whatever they are not paying for should be singled out and clearly identified for the subsidy that it is. Education has been saddled with that subsidy program for too long. Stated they weren't opposed to it but should charge the schools for their share so we know how much they should be deducting from their foundation support program. The study that was made reference to, is addressing the over-all electrification concerns that we have. A proposal has been submitted for Federal assistance to take a look at this whole matter of rural electrification. Felt it would have been easier, maybe, to take a look at what the contract said and pay that amount but that will never give them the kind of clear picture that they need if they want a formula and area differential to do a job accurately.

Mr. Ferguson stated the Dept. of Education was one of the beneficiaries to the \$280,000 study that is going to be asked for in the supplemental appropriation. If they really wanted to look into it they would have had a study done. Another thing as he mentioned before the Governor signed a contract with AVEC, now they have a Dept. head that's running his department taking the contract and twisting it around in making school districts hurt. Said he didn't care if it was the Dept. of Ed. or Dept. of Admin. or the Governor's Office that pays for that contract they signed but why should we sit around and jeopardize our school districts and have them suffer through it. Ferguson said he would love to have the AVEC thing and have Marshall Lind sit back and wait for a supplemental on it.

Mr. Parr asked if the school districts were informed in November as to how much of a supplemental they could get for AVEC purposes? Dr. Lind answered they were notified by communication from Mr. Thomson how much they would be requesting from the Governor for the supplemental for AVEC.

Mr. Parr stated it was his impression we were talking about how much extra a school district would get over and above its foundation plan money and its local contribution equivalent out of money already budgeted for the fiscal year. Do you mean there was no money budgeted to take care of this AVEC supplemental in this fiscal year and only after November you were going to go to the Governor and ask for a supplemental appropriation?

Dr. Lind felt we were getting supplemental money for a district on top of its basic and the other one is a supplemental appropriation and said he would like Mr. Thomson to speak to that. Said he would like to make one other comment - felt that the impression here is that districts are being penalized because of the way the Dept. is handling their electrification or AVEC matters as Senator Ferguson has indicated. He felt this could best be answered by asking the districts whether or not the Dept.'s handling of the whole AVEC question has been satisfactory to them.

Mr. Ferguson said Dr. Lind knows full well the thing has been going along because almost everyone realized that the AVEC thing is the easiest thing to get a supplemental for. The other things that you talk about, the Dept. of Education has held back and made it unknown to any district except saying you have to cut your budget, etc., he said he didn't see the legislature sitting here saying they had to cut the "hell" out of the State Board of Education and saw that the Governor came down and expanded that board and doesn't see why the new REAA's have to go through with it.

At this point Mr. Thomson spoke to the AVEC matter. He said in briefly reviewing the history of AVEC, either the federal government or state government have certain methodology of doing business that is different than the local municipalities. Back in 1969 the state entered into an agreement with the Alaska Village Electrical Cooperative who provide rural electrification in Alaska. This was determined at that time to be the best vehicle. The schools were used as the vehicle other than putting in electrical plants and so on, was not cost efficient or the residential user would be unable to take the benefits of electrical power because of high cost. Because schools are in every community, they were used as the vehicle to subsidize rural electrification and therefore was entered into on a flat contract basis. Therefore as long as the State operated the schools in the unorganized or AVEC communities and with the method of funding of direct appropriation either agency asked for the appropriation to cover the cost of this contract and was appropriated by the legislature as a line item in the budget. This was a problem that the school officials have recognized for a long time because what they have been saying, nobody in the school communities have ever liked it because

they feel it is taking from some of the educational dollars that are available to them that could be used for instructional purposes. Once the REAA were established and the schools were then placed on a formula basis, what happens is you have an inordinate amount of that educational dollar that goes for one specific purpose--providing of electrical power. The SB 35 provided that the contracts that were in existence with the State would be in fact inherited by the REAA therefore they inherit those contracts until March 3, 1979 when the 10 year contract runs out. He said Senator Ferguson brought up the \$280,000 study. The Dept.'s concern and their part in bringing it to his attention that there is a problem because he believes the schools have the easiest methodology of solving their problem. First of all there was a \$60,000 bond passed last November that provides money and schools could put in back-up generators, or maybe in some cases the generators already exist as back-up for the school but what happens if the REAA do not contract with the Village Electrical cooperative. Therefore, we know AVEC cannot get loans from the rural electrification administration, in effect the utilities go bankrupt and there is no power for the rest of the community. He believes the schools would solve their problem, basically by providing their own power generation. What the Dept. did was getting everyone's attention that there was a problem. When it comes to formula funding and everyone knows what it does cost to do business, that they're not satisfied that they want to put that volume of dollars into one single item of electrical power. Therefore the Dept. made a recommendation based on the amount of power used by schools and what they paid for that power. Whereas a residential user or other commercial consumer paid 17 cents a kilowatt the schools varied from 34 up to 83 cents depending upon location. There was no incentive to conserve because whether or not you use 5,000 kilowatts a month or 20,000 kilowatts a month you still pay \$2,835 a month plus fuel escalation charge amounts to about \$3300 a month. He felt in light of energy conservation a lot of schools left the lights on. What the Dept. proposes as far as the supplemental is the schools be treated the same as any other consumer. That they would pay from their foundation 17 cents a kilowatt adjusted by the area differential of what they actually used and the supplemental will make up the difference between that amount and what is the cost of the state contract of that particular site. Breaks out to about a 50 - 50 share of the cost.

Mr. Parr asked if this money was budgeted for the school year we are in now? Mr. Thomson said it was not.

Mr. Nakak asked Mr. Thomson if there was a subtle hint alluding to the fact of rather than the school districts paying these power bills they get into a municipal power utility? Mr. Thomson said there was not. Said when a state contract runs out he feels the schools will be able to solve their need for a source of supply for electricity because they could start up the generators they have on standby in some of the AVEC sites,

or they can put in generators.

Mr. Ferguson said the state would lose money this way. AVEC gets 2% from the federal government. The last bond issue that passed for \$60 million dollars the administration attached the Hootch case on to it saying that you have to build certain secondary schools which wasn't the intent of the bond bill. They stipulated to the REAA's when they apply as to what percent is the Hootch case, what percentage is the building, they have gone along with most of the plans, usually a classroom or gymnasium. He asked what it would cost the Dept. right now if they started up their plants and provide electricity to every school that is out in the REAA's. Mr. Thomson said there are currently 27 sites. Possibility of 31 AVEC sites in the REAA. This does not include AVEC in the BIA. Statewide there is approximately 47 or 51. What that would cost, he wasn't sure said he could get the answer but didn't know.

Mr. Cotten asked if the point he was trying to make was since the schools are paying a disproportionately higher amount for their electricity that in fact the Dept. of Ed. is subsidizing the entire electrification for the villages and that is what you would like to get out of. Would like to separate it out of the budget. Mr. Thomson agreed.

Mr. Gruening said he took it that the Governor doesn't have any amount to cover the difference in 1978 if so is he going to send a revised request to the Dept. for 1978?

Mr. Thomson said they do not plan on sharing in the \$280,000 study that was mentioned before. Said the Dept. is not requesting an AVEC amount in their 1978 budget for the reason that the Dept. would hope that the problem of rural electrification as brought out in the study--whatever the results are, and they are more or less out of their involvement for the utility part it now, they would probably request another supplemental next year on the same circumstances. But the problem is in another year, March 3, 1979, the contract is null and void. They have no authority to contract, nor does the state, for the REAA's for electrical power. That's the REAA's arrangement. The REAA's refused to contract with AVEC and when the state contract runs out then what happens to Rural electrification? That's the bigger problem and he feels that's what the study in part will attempt to address.

Mr. Gruening asked what the study will show so they won't have to learn to draw up the supplemental. Thomson said first of all what the study is calling for is a rate study by Alaska Public Utilities Commission of AVEC and a management study of how AVEC does business. Said he was sure there wasn't a school superintendent in the state who has a school supplied by AVEC power doesn't know or could attest to the problems that it involves. The utility has no liability for one thing. The generators go out for a month, the school absorbs the cost of broken pipes, etc. The maintenance, the reliability that

the service is going to be there is not. That's a big concern. They have school districts that buy power from private utilities that pay 25 or more cents a kilowatt but pay on an actual basis and the utility has a reliability.

Mr. Gruening asked by not planning for it in 1978 if they created a cash flow problem for the REAA's. Mr. Thomson answered "no".

Mr. Parr asked if you come in with a supplemental which the legislature meets in January and the bill does trail on through and comes out in March and as he understands it the district won't get this money until the end of the school year instead of getting it when the school year begins. You said there was no money for it in the 1978 budget. We aren't talking about Sept. 1979 when the contract runs out will not be part of fiscal year 1978. So, why the decision not to put any money into the fiscal year 1978 budget so the district could have it in September when it starts instead of at the end of the year. Mr. Thomson said, first of all, it would be anticipated in the study as he understands it, the study is to be completed by next Oct. or November to be included in the next budget.

Mr. Parr said the Finance Committee is working on a budget now which will begin in 1977. That money should be in the FY 78 budget so they can have it in Sept. when they start. Why isn't the money going to be available to them when the school year begins instead of waiting until March? Mr. Thomson said, other than the authority that was granted to them by legislative intent, they would have no authority to seek a supplemental for AVEC this year.

Mr. Parr asked if the legislature didn't have the lawful authority to appropriate the money. Mr. Thomson said they did.

Mr. Ose, said re AVEC this has been going along for a good many years and asked how the State Operated Schools managed this problem.

Mr. Thomson said the state operated schools received appropriation from the legislature by line item, so much regular instruction, so much operation etc. and AVEC was included.

Mr. Ose asked why this couldn't have been carried on with the Dept. of Education. Mr. Thomson said because the Dept. requested the foundation formula and plan and the school districts make the determination as to how the line item expenditure should be, not the Dept. The school district wants to spend \$10 out of every \$100 they get for instruction and \$80 for operation and maintenance. That's their business and that determined by the school board.

Mr. Ose said he didn't understand this because if you are building up their budget for them should help them with the foundation. Mr. Thomson said they don't build the budget for them, if they request assistance but the determination as to how it will be and what it will be is done by the elected school boards. The Dept. reviews the budget. The reason they review the budget is to make sure it conforms with the uniform accounting and auditing requirements.

Mr. Ferguson said in other words the legislature could enact legislation to make AVEC payments or educational payments a lot better than it is now. Was there a bill introduced to take care of the AVEC situation last year? Mr. Thomson said there was. Mr. Ferguson asked if it wasn't part of the agreement made through the Senate Finance Committee that we would not take care of that problem if you would come up with the study and make a recommendation to the legislature on this? Now you are coming in saying you will have a study done a year from now, will miss the next legislative session and still won't have a solution to this problem and yet it's the district's fault.

Mr. Parr asked if there wasn't a bill in last year covering AVEC costs of some sort that didn't get through or something?

Dr. Lind said there probably was a bill that spoke to the AVEC costs and probably several other things tied in with the foundation formula. Senator Ferguson is correct in that the Dept. did oppose that bill. Did say they would gather the data to submit some recommendations as to how to bed their handle on the whole AVEC question. We don't have a piece of legislation at this point to do that. Part of the reason is that AVEC is one aspect of the rural electrification problem and he felt it is broader than that, Said he thought the point has been made very clearly and thinks the legislature recognizes this on the basis of Mr. Ose' question that AVEC is now very much out in the open and is not a part of the general appropriation for education. He doesn't know if the Dept. is the best agency to submit to the legislature a specific piece of legislation to handle rural electrification.

Mr. Parr said it would appear to him that until the contract runs out that the Dept. would be the one to do something along the lines of picking up the extra non-education costs of AVEC. Was the Governor's big economy drive the reason no request was made for this or any supplemental? Was there a ceiling put on by the Governor? Dr. Lind said he couldn't honestly answer that? Mr. Parr said he does agree with Dr. Lind and Mr. Thomson that the school system should not be subsidizing residential electricity users. If the state wants to subsidize it as a policy matter it should be in a separate budget. It could quite largely be C&RA. He said the reason he was asking about the Governor is because there are 2 department involved. He said it appeared to him that one of those 2 departments should have had a budget request in.

Mr. Gruening said the part that bothered him was that if it was known the Governor would leave it to the legislators to increase his fiscally conservative budget why it wasn't brought up in the budget review committee.

Mr. Parr asked to move on to other things from AVEC.

Mr. Parr asked Dr. Lind if in his judgment any of the REAA's were underfunded? or which one's have adequate funds but didn't manage the money adequately? Said he was putting him on the spot which was deliberate.

Dr. Lind said he didn't think any of them were underfunded. Said he was saying it on the basis of the figures cited before for the rural areas and the cities and boroughs. They are not underfunded on the basis of statewide. All 52 school districts. Felt the ones that appear to have financial problems are underfunded. He said he would clarify it by saying there has never been a superintendent or school district probably in the history of the state that didn't think they were underfunded. And any educator worth anything is constantly going to be seeking additional dollars. Have a tremendous job to do and can see need after need. But as far as the mechanics of the way we allocate dollars now they are not underfunded with the exception that several regions of the state he feels are getting the short-end of the stick in the area differential. Two of those districts have been talked about, Bering Straits and N.W. Arctic and probably one or 2 others. Doesn't believe that the existing area differential is probably adequate to speak to their needs. Based on the information they have just recently been able to get. Says also that the Governor's legislation will speak to that inadequacy and will correct that particular problem. The second part of your question, which have adequate funding but didn't manage money adequately is a tough one to answer. It could imply mismanagement or a variety of things and believes they need to have a common understanding of what is "managing adequately" so know what talking about. Thinks decisions as to how money is to be used has to be made at the local level. If the district wants to spend 10 percent for salaries of the teachers and the rest on a variety of other things they think will get the job done, so be it. However, if a district does not balance their budget within the dollars they know they have coming to them, then he questions whether or not they are managing the money adequately. Feels that everyone who had anything to do with SB 35 recalls the many hours spent over the years listening to the concerns in the rural part of the state regarding their school system and all the testimony that was taken and discussion. A part of this whole transition process and a part of turning this over to local decision makers goes a condition which is part of an education process. Feels the intent of every school board elected in the state was to manage the money as adequately as possible. They have done everything they can to do the job right and he supports them for that

and at the same time feels that unless they fully understand how the money is derived and what's involved in the whole money management question they might very well have problems. There is one school district right now that says they are in bad shape and that's 2% of the total school districts in that state spending probably hundreds of millions of dollars. He said he wasn't saying that was improper money approach--think that some decisions that were made early in their process could have had some better planning and perhaps could have handled some things in a different way until they were more definite in their resources. Said they have tried to do a couple of things for the districts, one, to provide as much assistance as they can at their request, and they recognize if they don't request something and they are heading down a wrong path, they better make sure they are there to bring things up in providing whatever assistance they can. At the same time they don't want to direct them or make their decisions for them. If they make a bad mistake somewhere along the line they should have to live with it to the extent they can without penalizing the youngsters that had nothing to do with that decision. This is why they have taken the position if there is a deficit, that they should not be given a supplemental, that they should do the same thing that the city and borough schools districts would do and that is to off-set their deficit over a particular period of time, that's part of the whole process involved. On the whole, he felt based on the information they have seen talking in terms of all the districts, particularly all the new ones, they have done a very good job. Probably some internal types of things they may question regarding one of the districts regarding the use of funds in a certain area.

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Mr. Parr said then the legislature/to solve many of these problems you will be coming in with.

Mr. Ferguson asked about the categorical grants that are given to districts around the State of Alaska. In certain areas it seems to him they have a certain amount of dollars they don't want to use yet in another area they are short. Do you have any solution for that?

Like bilingual education, some districts don't want it but it's available. Community schools -- some districts want it and some don't money is available in certain areas that you can say would help in some of the deficits but yet they are categorical grants. Why can't they be funded in certain areas?

Dr. Lind said he had raised 2. First trying to get a specific handle on one that is very important and that is bilingual education. That is one that is probably going to require considerably more money than is presently in the budget. Don't know for sure because some fairly sophisticated assessments have to be made of the numbers of youngsters and quite a bit of the planning and so forth to

do a good job with that issue has to take place. Community schools is one that the Dept. has not sought anything more than amaintenance level budget recognizing the fiscal constraints of the state and recognizing the other peice of legislation which is in their view most important.

Mr. Ferguson asked if they could co-mingle that fund, the money in categorical grants. Mr. Lind said no. Ferguson said it seemed they were jeopardizing some schools in certain areas they either don't want to qualify for it or else no need for it, or else there is a want for it and there isn't enough money there. Is there any plans of making it so the school districts can set down and X amount of dollars for their elected officials, all the school districts. Why can't they be trusted to decide how they will use categorical grants?

Dr. Lind said it's the way the legislative bodies previously decided to write the legislation and they are only-- if you moved into the categorical aspects of vocational education, you can extend this at some length. The other categorical areas that are solely separate are the community education and bilingual and he felt would probably have to ask the legislature what kind of restrictions they wished to have or not to have in whatever laws they want to write.

Mr. Ferguson said one of the problems he has is anything dealing with certain things--understand the fiscal restraints, would your recommendation to the Governor be not to veto something that was passed by the legislature saying that categorical grants could be co-mingled. Dr. Lind said he would have to take a look at it.

At this point Mr. Parr suggested we get on to another subject and give Commissioner Lind a break and perhaps hear from some of the superintendents present.

Mr. Ferguson said he would like to apologize to the Commissioner for questioning him the way he had but his mainquestion was that any of the 3 that are in trouble, do they have any problems with categorical grants?

Dr. Lind said he couldn't answer that and would like to respond to the other comment which he felt needed to be addressed with regard to passing judgment on categorical grants with no strings attached. As long as the Dept. has the responsibility to make sure that every child gets a good education, doesn't feel woudl ever relinquish the strings that will make sure that is going to happen. This is one of the problems that they see with the Federal government, always asking for money without any strings. He stated the members know him well enough to know that he doesn't question the educational decisions the boards make.

Next to testify was Mr. Hohman. Said the Bering Straits School District as operated under State operated School System, appears to have received more money than what is now being received under the foundation formual. He said this fact coupled with the expansion of programs scheduled for next year seems to create difficulty for them with fiscal matters. They are planning to start 2 additional high schools this fall, so they are planning the addition of those facilities and programs for next year. Don't have students at those locations so cannot receive revenues for those activities. He said last year when the newly elected Bering Strait Board met and worked on the budget, much discussion was made from the Board members regarding what had existed in the past. Said they have 10 other communitis in the district that are currently operating under the BIA and at that time the understanding and direction was that in the very near future, possibly some time this year, transfer of those remianing communities under the newly elected board would take place so part of the decisions that were made at the time were made with that in the front part of most everyone's mind. They wanted to put together a school district of 16 different communities, 10 at that time were under BIA, in somewhat of a harmonious way. They also understood that they did not believe there would be a reduction of programs or services. During the past 4 months, the administration has been working with the revenues generated from the student counts what the Board had directed as expenditures and trying to wrestle with the hard decisions of what to do since there was the feeling that there would be support or consideration for supplementals or compensation in the area differential.

Mr. Ferguson said it was mentioned that some of the school districts were heavy in administration, and asked if he could tell us how many people they have there and how many people would normally be there.

Mr. Hohman said the only addition in their central office has been the addition of a business manager. The other positions that are there existed in the past. Possibly that cost per student reflected as a district office expenditure can be reduced with the support of some federal monies for those positions. Said that was one of the things they had been working with the Department on in the past few months.

Mr. Ferguson asked if his area is paying a lot more for teachers salaries than the rest of the State.

Mr. Hohman stated last year the teachers presented themselves to the Board and it was a verbal type of negotiations, the attitude of the Board at that time was that they would allow competitive salary for all employees, that they didn't want to lead the market but they didn't want to lowest. At the present time the teachers are receiving a competitive salary with

neighboring REAA school districts. They are under what the closest school district is by about \$900 a teacher, which is the Nome school district.

Mr. Ose asked what the enrollment was in the individual schools. Mr. Hohman said the smallest is 11, just elementary and Jr. High. Then they have 22 in an elementary and Jr. High. The board did change the level of programs this year, from the State Operated school days, each of the communities they have expanded it to the 9th grade. Then they wanted to develop the Jr. High Program, grades 7, 8 & 9. Then in another location there are 23 and then 43. Mr. Ose asked where the high school was and Mr. Hohman said Shishmaref and they had 164 total students currently. Gambell has about 30 students and that's grades 9 through 12.

Mr. Ose asked what the teacher ratio was. Mr. Hohman said there is 1 teacher at the 11 student school. Mr. Ose asked about teacher's aides. Mr. Ose said they had one teacher aide at each location, regardless of the number of students.

Mr. Ose asked if they had changed their curriculum since it was an SOS school. Mr. Hohman said they have introduced new subjects in some areas and some they did not. Said they revised the curriculum last spring and did make some purchases directly related to that revision.

Mr. Gruening asked if he had said that part of the problems was planning for some new schools to be built under the rural school bond issue and asked if that was part of the advanced planning of the planning and budgetary problem for the new schools? Mr. Hohman said it was. In fact last summer they had forecasted for this fall 3 new high school programs with grades 9 through 12 where the BIA was operating elementary schools.

Mr. Gruening asked if this had to do anything with construction and Mr. Hohman said it did not.

Mr. Gruening asked if when the money comes in, if some of that money will be available bond issue money for planning that you are concerned with now or is that strictly operational. Is there anything that you are now doing that should be covered by planning monies in the bond issue. Mr. Hohman said most of the planning that would be completed this fall for those programs has already been done. The planning for the programming, the planning for the design work. The previous bond issue allowed for that. But there wasn't enough money for those locations to get the base bid as well as the added of alternates. So that was their first priority and they satisfied Gambell and Savoonga high schools with that money. They have recently asked for a planning allocation for the facilities with the remaining part of that future construction.

Mr. Gruening said then the planning problem is one that isn't reimbursable from the bond planning monies, and wondered what portion is not?

Mr. Hohman said all of it would not be reimbursable at this point. Said they have money allocated in the equipment budget for those new locations \$450,000 worth of equipment and they would have to support that with normal administrative functions in their office so it would be there this fall but they could not at this time charge it against the original project.

Mr. Parr asked if he understood it that they were using operational funds for capital projects. Mr. Hohman said that was not the case. Mr. Hohman said in order to utilize \$450,000 of capital money that has been set aside for particular equipment to operate the program, they have to support that with some kind of business operation function in their office. They are using their operational money to support that.

Mr. Parr said one thing they have heard is that they spend a lot of money on maintenance that had been deferred for a long time and this was part of the financial problem and asked him to comment on this. Mr. Hohman said last year they were trying to be prepared for July 1, they surveyed their facilities, had pretty well determined in a priority manner what they would do last summer so as of July 1 they spent \$183,000 in many of their locations (a total amount) and addressed the critical items in some sense not so critical items but tried to utilize the personnel that were there.

Mr. Parr asked how much money they got for ADM in his district. Mr. Hohman said they are looking at \$4,794. Mr. Parr asked if this was foundation money, supplementals, federals, Johnson O'Malley act. What is the total per child in the district? Mr. Hohman said he would just ^{add} \$550,000 to their entitlement and divide that by 322. Roughtly \$6500 or a little better per child.

Mr. Nakak asked for a clarification. In the instructional unit allotment, is this at the level that you are proposing to the the Governor presently or is it the existing level? Mr. Nakak was referring to Chart 1215, 76.

Dr. Lind said that is projected for next year on the basis of what the existing law is and calls for an increase in the foundation support for the next school year going up approximately 10% over what it is this school year.

Mr. Nakak said then the point he is trying to make is that the \$5,188 is not a figure which reflects today's. Mr. Parr explained this year's figure to him which he said came out to about \$6500 per child.

Mr. Parr asked Mr. Hohman what he thought it should be per child. He said what you really come down to is a budget which you have to work out across the state in all the districts and all the REAA's and eventually have to come down to some kind of a figure per adm. How much do you think your district really needs to operate as it should.

Mr. Hohman said there was one danger in identifying per child. You have the economy of scale, their cost this year in terms of their expenditure as we see them would be \$7600 per student. Last year they were \$7800 per student. Because they have added students that has been reduced per student. Said he would indicate that if they had the same type of increase for next year they are looking at again probably another reduction for students. So in answering his question he would have to say \$7,000 per student but it is a factor of the number of students you have in the programs you offer.

Mr. Ferguson said when you mention transportation you never really think about the schools, you look at the map and within the Anchorage school districts have 10 secondary schools but they are located within a 10-mile radius. You take the outlying areas, they spread at least 150 miles apart from 1 school to the other and you can have 1 maintenance man to take care of all

the buildings and you have to travel to all of them, usually something happens in 2 communities at the same time. Said it is one of the problems they have with state buildings regardless of whether they are schools or not, they are not maintained in rural areas and although try to use the formula to set up what is the best system it takes each individual area to determine how much the cost should be and possibly after scrutinizing each area, then take the population and divide it and you would get what the rural area should have.

Mr. Seversen asked what if you put it per unit instead of per child, what would it cost to operate a school? The answer seemd to come out \$36,455 per unit.

Mr. Parr asked Mr. Hohman what he thought the area differential should be for Bering Straits? Mr. Hohman said they have not had the horsepower to do a detailed analysis of that but just with round figures he thought close to 160% with also a minimum number of instructional units for small programs.

Mr. Parr asked about the \$183,000 maintenance which he felt needed to be done which hadn't been done. Was it the feeling of the school board at that time that the \$183,000 could be afforded and you would still stay in the budget?

Mr. Hohman said no. In the recent years they have been a part of 3 major fires in the district. At that time the maintenance programs were suffering because of lack of attention during the summer time. The money that was generated from the students that they had within the school district at that time when the \$183,000 question was discussed would have warranted that type of maintenance expenditure. But the district board felt there had been a program established and that there was activities on going and they needed to finish those activities to insure some of the reliability of their generation, power plants, heating systems and prevent some possible legal reaction with the sewer and water project.

Mrs. Bucholdt asked Mr. Hohman about what he said earlier that the \$183,000 was something that wasn't really authorized and that you weren't supposed to spend that money however you did spend it. Did the legislative intent that was put in the budget last year make some sort of difference in your outlook in fact that you really didn't have any need to tighten your belt and you could go ahead and proceed with what you felt was necessary to be spent because the legislature would pick up a supplemental funds anyway? Mr. Hohman said there was a definite opinion of the Board that that was the case.

Mr. Ferguson asked if the Dept. of Ed had actually come out to see what was done with the \$183,000? Mr. Hohman said one of their employees was up last Sept. and was at a location where he had a chance to see some of the work. His mission wasn't specifically for that.

Mr. Ferguson said that Mr. Hohman had mentioned that his board felt that something needed to be done since there had been fires there before and asked if anyone came in and estimated what it would have cost to do this? Mr. Hohman said it was his recommendation to the board that they would be able to reduce their staff so that part of personnel costs would not be reflected if adequate work was done in the summer time. Up to this time, they have only had a couple of emergencies so the work that had been done has proved itself.

Mr. Parr asked Mr. Hohman when they were reducing their expenditures as he understood he had done at the suggestion of the State Board of Education, one thing Mr. Parr noticed that was being cut was \$30,000 for video taping the community school committees. Asked him to explain the reason for spending the \$30,000 for video taping the meetings.

Mr. Hohman said the Board felt that SB 35 addressed the development of community school committees and so they asked to have an item in the budget that would allow for that development. They defined that development to be with the video taping, to go around and video tape the community school committees in action, having them state what their philosophy was, what their goals were in a priority way so that their regional philosophy and some regional goals could be developed. That \$30,000 was intended to be that. There had been \$20,000 spent in that effort up to that point. In other words, the total amount budgeted was \$50,000.

Mr. Parr asked about the cut they had made in their insurance by \$20,000 and asked if it was due to the improved maintenance? Mr. Hohman said this was a forecast in their budget and wasn't really a cut but an adjustment. Mr. Parr asked him if he remembered what he had estimated it would be. Mr. Hohman said \$35,000.

Mrs. Bucholdt asked him how extensive he used the services of his regional resource center. Mr. Hohman said they are the major supporter of the regional resource center in that district.

Mr. Nakak asked Mr. Hohman what would the maintenance work that was done this past summer have cost the district next year if it hadn't been done last year and what affect would there have been specifically negative had some of this work not been done?

Mr. Hohman didn't know the answer to the first part of his question and the second part- furnace failure create a snowball effect, freezing pipes and the degree in how quickly you catch it.

Mr. Parr asked regarding the problem areas in underfunding, what specific things are the extremely costly things in your view? Mr. Hohman said every area--the operation or the care of the facilities is the no. 1 concern and that is because of the nature of the district, the geographical separations. Maintenance costs--you wouldn't consider from a budget standpoint, but the cost of fuel at each location, the cost of operating a hot lunch program. The unique cost of supporting small enrollment programs.

Mrs. Bucholdt asked him when his Board decided to provide free hot lunch program, would it cause extreme hardship in families in his district if they started charging for the hot lunch program?

Mr. Hohman said they do charge for the hot lunch program. Those who qualify get a free lunch but those who do not qualify pay.

Next to testify was Mr. White. He stated when July 1 arrived they attempted to maintain the existing programs in the State Schools and BIA schools which the board had control over. He said they were unable to do this. In order to maintain the same programs, they would have had a deficit of \$800,000. Part of this was due to the take over of the BIA schools that had various programs that had not existed in State Schools. Also they had free lunches, a considerable number of teacher aides, maintenance and custodial people. Said it was also do to a very great increase in shipping costs from Seattle to Kotzebue plus increase in the literage rates from 50% to 200%. They had additional costs for establishing a district office, maintaining an 11 member board. They had various maintenance problems that could not be addressed in the past under the state school system. Had to reduce program and will have to reduce program further unless they get the \$400,000 that the BIA was going to give them until negotiations broke down between the Bureau and the Dept. of Education. He said if the supplemental comes through for the AVEK costs it will give them an additional \$147,000 which means they have had to reduce programs by approximately \$250,000. If BIA funds do not come through or the supplemental doesn't pass, there will be a disaster. In terms of money this would mean approximately \$570,000. Mr. White said part of the problem they encountered was when the Board assumed control of the BIA schools, many commitments were made on the part of the Bureau and the State as to programs not being reduced. However, faced with the shortage of funds, the Board had to reduce these programs. Had to begin charging for the lunches in the BIA schools, had to reduce teacher aides, custodians, etc. The Board assumed control over these schools feeling safe that the money was there because this is what officials had told them

the money would be there to continue the programs. Therefore, the Board making a commitment to the people who they were elected to represent, have had to turn around and say we cannot carry out the promises we made when we assumed control of the school districts.

Mr. Parr asked if the Board didn't know what the budget was going to be. Mr. White said no, at the time the Board voted to take over the BIA schools, they did not know what there funds would be until after July when it was worked out what the funds would be.

Mr. Parr asked then if the school board was relying on assurances from officials of BIA and the State the the program would continue and they were then given to understand that the money would be available. Mr. Hohman said this was their understanding.

Mr. Parr asked about the maintenance probelem. He said we have had testimony and heard this indirectly that the S.O.S. schools have not been properly maintained. Mr. Parr asked Mr. White to comment on this.

Mr. White said approximately 2-3 years before the demise of the State Operated School System, the state (both the Governor's Office and Legislature) brought in some high-powered budget analysists who went through the budget very carefully which was a line item budget. They determined that too much money was being spent on maintenance and as a result forced the state school system to reduce the maintenance program considerabley and they did this through personnel. At first there was a maintenance man working 1/2 day and they cut it down to 1 1/2 hours a day which caused 2 problems, it did not allow the maintenance man who also did custodial work who also hauled the water and emptied the honey buckets and hauled the freight from the airport--he could not do the job and then it is difficult to find people who are willing to stick with a job 9 months or 10 months, getting wages on 1 1/2 hours a day when during that period of time he could go to construction, fire fighting, or probably do better fishing. So at times they did not have maintenance people or they were continuing training maintenance people or they simply did not have time to maintain the buildings. He said if you looked at rural Alaska and looked at all state buildings you would see the direct result of the State having decreased the funds being spent on maintenance. Said it will cost the state much more in the long run over the years.

Mr. Parr asked which was the first full year of SOS existence. Mr. White said FY 72.'

Mr. Parr called attention to the information he had in his folder on budget maintenance and in FY 72 it was a milion .128 and the next year one million .488 and then in 74 it was 1.336 so it doesn't seem to decrease but has stayed level pretty much. Mr. White said you had to take into consider^{ation} the amounts of money under the bond bills that were spent in 1970 and the large number of new buildings there were built from 1970 on.

Nr, Parr asked if Mr. White knew whether more money was asked for in maintenance then was turned down. Mr. White said there was.

Mr. Parr said then in Mr. White's view, maintenance wasn't done that should have been done. He then asked what that meant in his own district, if anything. Mr. White gave as an example of Ambler which is a school where they finally had to suspend school in the building to put in a completely new heating system and the kids went for a month to classes in some older buildings until they were almost frozen out. He said besides the heating system the building was falling apart, the heating system had blown up so many times that the tiles in the ceiling were black. Then he said in Norvik which was once a BIA school and very well maintained and 5 years later the BIA goes in and looks at it and shake their head and cannot believe it is in the condition it is in. He said they have the Health Department down their necks, they don't have the funds to take care of the health and fire hazard problems.

Mr. Gruening asked how much was spent on deferred maintenance during this fiscal year? Mr. White said anywhere from 5 to 10 per cent of the budget until they had to halt it because they didn't have the funds to continue.

Mr. Gruening asked if he had a total figure for deferred maintenance in his district. Mr. White answered approximately \$5,000,000.

Mr. Parr asked Mr. White if he could give some figures in what he thought would be needed for area differential in terms of ADM budget or any ways at all that he could come up with

Mr. White said because various organizations were moving fairly slow last fall, they put together what they called thier position paper and outlined what they felt was necessary in the revision of the foundation program and rather than looking at it from changing the area differential they looked at it in changing the isolation factor and put it on a sliding scale and guaranteed and number of foundation units for elementary and small secondary schools. Said per child they estimate , excluding the federal funds, it would take approximately \$6,000 per child. Said some of their greatest problems would be the small secondary high schools. With the foundation formula the way it is and even if they are getting enough money to maintain the existing program, the small secondary schools will not provide an education to these children. He said it is hard to find teachers who have an expertise in the many areas let alone work with the children on an effective basis plus the small elementary schools like Kobuk where they have 10 children there and are generating about \$30,000 for the school and yet is costing them about \$100,000 to maintain the school.

Mr. Parr asked then how the REAA;s intend to insure an adequate high school education where there is only a handful of students. Mr. White said they can't unless they have some money to hire some teachers to provide a broader background for the kids in vocational and academic areas.

Mr. Parr asked if you have 20 children in a school how many teachers would you need. Mr. White answered a minimum of 4 teachers for any size of secondary school. Wouldn't make much difference how many children. Mr. Parr asked if that was the way they would expect it to be handled by just hiring 4 teachers. Mr. White said they were doing other things also. He said with the limited budget they are doing experimenting and they are having exchange of teachers who have expertise in non-academic and some academic courses where the teachers can go back and forth giving these many courses to give a broader background in areas and these are done between communities that are fairly close together. He said there is the possibility of using some of the money in providing some kind of delivery system through the satellite, television. Said they don't have the money to develop programs.

Mr. Gruening wondered whether some of the highschools couldn't be combined. Mr. White said there isn't much chance.

Mr. Gruening asked if there was a possibility that the people might decide it would be better to have a larger school in Kotzebue. Mr. White said there were many different conflicts when you get into this area. Didn't feel that either parents or children would go for a large regional high school. Said many of the children would love to go to Anchorage or some other place until they got homesick and you get into some really emotional and conflicting ideas between parents and children. But he couldn't see it happening.

Mr. Parr asked about the funding problem. Mr. Lind had said that the reason the Bering Straits district had been funded so well when it was under SOS was because it was really at the expense of other districts. He asked if some districts were underfunded and others overfunded? Mr. White said instead of saying "at the expense of" he would say the Bering Strait region received more funds per child than some other districts. Said some districts didn't take as much money to operate as it does the Bering Strait district. Mr. Parr then asked Mr. White if he felt the proportions of money that were going to the various districts under the SOS system was appropriate. Mr. White said he did.

Mr. Parr asked then if Mr. White had come in with a position paper on the revised method of funding which is changing the isolation factor. Mr. White said he had and Mr. Parr asked him to send the committee a copy when he got back.

Mr. Holden testified next. He said the first thing he would like to say was Mr. White's bill for Ambler (\$29,000) was sent to the Department of Public Works and he agreed with Mr. White that the Ambler school had been badly maintained but the DPW had that responsibility in FY 71. Said he didn't know if the bill was sent to him because White and Thomson thought it was funny but it had puzzled him for quite a while so he suggested he send it to the former superintendent of AUVSD. He said the

state hasn't developed a formal maintenance policy. It didn't have to in the early days because there wasn't that much to maintain. You could do it by having good competent people. He said you keep coming back to the year 1970-71 when the state budget doubled and you can't dump that kind of money in one year in any bureaucracy and expect it to function well. He said they are now attempting to develop procedures and practices to show people what kind of goals and standards and objectives you need to provide decent preventive maintenance. He said it was fortunate they were doing it at a time when 21 brand new school districts that inevitably have a tendency to want to do their own thing and that's understandable. He said the number he has heard tossed around of what it would bring schools up to standard is about \$30 million dollars. He said about 1/3 are worth fixing up and 1/3 worth throwing away. He said he hoped by the beginning of the next fiscal year to have a model plan with which people could start to work to decide how many hours you want to spend on certain maintenance tasks, how often you want to service the boiler, how often you want to clean the walls, etc., He said they would have a model worth looking at for State Buildings and if the REAA's want to use it by the beginning of July.

Mr. Parr asked if DPW maintains the other state buildings? Mr. Holden said for most of them. Mr. Parr asked if there was any formula used as to how much money is spent on maintenance, such as a square foot formula, or as to the original cost of the building or how do you decide at present how much should go towards maintenance. Mr. Holden said it is being done on an ad hoc basis rather based on the experience of the people who have been there for a while. Said they haven't had policy which generates numbers. Said in an urban area like Fairbanks they could expect to pay about 3.25 square foot a year on heating, lighting, and cleaning and minor maintenance and repair. In Anchorage about \$2.90 to \$3.10 and in Juneau about \$3.00. Said they don't have good numbers for rural areas because no one has attempted to develop a formulaic approach. That is what they are attempting to do now.

Mr. Ferguson asked him prior to the time he was here, how many of the architects who built buildings for the state took into consideration some of the factors that out in the rural areas? Mr. Holden said he just hired a good sound practicing architect in Anchorage to go to work for the state as Director for General Design Division. He said "you guys are always blaming architects and in my lifetime I'll do about a hundred million dollars worth of work in my practice and you do that in every two years and you ought to be writing down my mistakes so I can learn from them because we don't pay architects to go and learn from their mistakes, and everybody makes mistakes" Said what they are attempting to do now is develop from the owner's viewpoint maintenance policy-- design policy which will effect itself from maintenance standards over the years. We haven't been doing too much of that. Have been too much worried about short-term front end cost and not enough about the long-term cost impact of those decisions.

Mr. Ferguson asked him if he had some examples of some of the deficiencies in buildings in rural Alaska? Mr. Holden said

he did, when Commissioner Harris asked him to go to work for him he told Mr. Holden he was to start at the Delta with the Kuskokwim and work his way down to the product and when he got to Bethel he was sick. He said it is the owner's fault. Said the owner gets what he pays for.

Mr. Ferguson asked for an example of some of the problems such as in Bethel. Mr. Holden said Tooksook was a good school, it was designed by the architect they just hired. It wasn't designed against any notion that the owner proposed as to the availability of maintenance forces or maintenance personnel to deal with a problem and what they get is a uniform building code and the national fire protection association pamphlets and the various codes which require certain kinds of facilities in a school which are far more sophisticated than the ability of anybody who is presently existing in an area to deal with them. If the fire alarm malfunctions and they do, at Tooksook there is no one to fix them so the maintenance man, if there is one, shuts it off. He said one example was a school in the Delta which the maintenance man called into Bethel and said the pump stopped working in broken English. The girl on the radio asked what the problem was and the fellow said the pump. They telegraphed to Chicago to buy another pump and came back from Chicago and wanted the number of the pump. In two days they got the number and sent that to Chicago. Two weeks later the pump arrived and 2 days later sent it out on a plane and when they got it there it wasn't the right pump and the school was shut down for 3 weeks and froze. Said this is a problem that requires if the school districts would like the state of help and the school districts formulate a program to make the changes. Holden said now they are going through a series of conversations about the grant program unfortunately that Education proposed which is causing them nothing but pain, to set the school districts up to where they could start to do their own design and construction. He said that is tending to fragment the effort and there tends to be a lot of problems developing which they feel will smooth out in the next couple of years as DPW develops their programs properly and they develop a sense of the difficulties.

Mr. Parr said with regard to the fire alarms, they do have to have some kind of fire alarm which presumably will ring when there is a short in the wire or it overheats, or whatever. Mr. Parr asked if Holden's department was working on alternate less sophisticated devices which could be repaired by someone in the area and yet which will be just as reliable? Holden said they are doing that now, they are developing design standards. He said unfortunately they are about 2 years late giving the grant program because now when they develop their design standards which deals with things like the relative sophistication of the equipment that goes in a building depending upon the availability of maintenance forces. He said their problem is they now have 21 REAA's and of dozen or so that have submitted and received approval from the Dept. of Education for their building program, 4 of them have decided to use the Dept. of Public Works as their contracting agent, and he thought 9 of them wanted to go their own grant route.

Mr. Holden said they are already in arguments with some of them about whether or not DPW is imposing too big a bureaucracy on them and will ask them to follow their design guidelines or at least address them and he doesn't know how successful that will be. He said if they would have been able to do that in 1974 to precede the grant program, they would have a way to go but unfortunately they have a political problem there.

Mr. Parr said then they hope within 2 or 3 years this might work out to where the maintenance can be done so they won't have this situation. Mr. Holden said it will either be that or much worse. He said it largely depends on the legislature.

Mr. Ferguson said it was not only on the legislature it is on the administration because they have to give some proposals that we know will go through.

Mr. Holden said he would like to point out. Granted they had made lots of mistakes in the past -- there were things done that would have been better not to have been done. The REAA's had a relatively substantial bond issue passed on the 1976 ballot. More than half of that money will be spent at the discretion of each REAA. They can spend it on major maintenance and new buildings, within certain limits in accordance with the Governor because he wants them to address the Hootch case, but they can spend it on a variety of things at their discretion. He said granted that past practice has led to problems with maintenance. But the REAA's have the chance to start to correct that problem because now they are largely in charge of their own destiny. Mr. Holden said 5,92 million dollars was in the N.W. REAA's.

Mr. Holden said they have been ball-parking the maintenance problem with rural school buildings and felt it was something like 30 million plus or minus 5 million. Haven't really done a lot of work on it.

Mr. Metcalf asked to speak. He said since 1970 there hasn't been any maintenance. He said from what Mr. Holden had said in the program they are putting together and the one Metcalf is putting together is the answer and has been all along but just hasn't gone together between the Dept. of Ed. and DPW and the local school boards and school districts. He said if you use Commissioner Lind's figures you will be about 50% short of meeting their requirements and that's not including bringing the buildings up to some kind of standard right now. If you use the figure used by the superintendents you will be about 25 % short plus bringing buildings up to standards. If you were to give them 25% more than what they have asked for you will it would be eaten up in just trying to get the buildings up to the standards of safety and health code.

Mr. Parr asked how many schools there were in the SOS. Mr. Metcalf said about 180 that he knew about, which he was personally involved in.

Mr. Parr said there was about somewhere in the neighborhood of one and a quarter million dollars a year and if no maintenance was done wondered where the money went. Said when the heating system or equipment broke down it cost a lot more because of neglect of what would have been a \$70 part. In other words there was never any preventive maintenance done. Holden said they had worked on preventive maintenance but it was never done. Could never get the agencies pulling together to do it. There was a tendency particularly in Education to neglect the maintenance. They don't put the emphasis on maintenance that they should. He said the only reason there hasn't been a disaster this winter is because of the warm weather.

Mr. Parr said then what Mr. Metcalf was saying, if he understood him correctly, was instead of the 25 or 30 million dollars that Mr. Holden spoke of in bringing the schools up to standard, you are talking about how much. Mr. Metcalf said, no, that would probably bring them up to standard but then you would have to start talking about maintenance.

Mr. Parr thanked everyone for coming and for the testimony presented and if anyone had any other information they would like to furnish the committee that would help them, they would be happy to receive it.

The meeting adjourned at 11:45. p.m.

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MINUTES OF HOUSE

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

February 28, 1977

The meeting was called to order at 3:05 p.m. by Chairman Parr.

Members present: Mr. Parr, Mr. Chatterton, Mr. Ose, Mr. Phillips, Mr. Cotten, Mr. Seversen, Mr. Bennett

Absent: Dr. Beirne and Mr. Nakak

CSHB 89

Chairman Parr announced the first order of business was CSHB 89. There was discussion on the bill as to the time lag involved, the qualifications for receiving the loan. Mr. Parr told the members there was no change in any part of the law other than the percentage that the state pays. The guidelines remain the same. Mr. Phillips asked as to the possibility of changing the percentage back to 80.

Mr. Cotten felt that since it goes to Finance Committee next that possibly it could be suggested that they amend the figure to 80 per cent.

Action

Mr. Phillips moved to change the percentage figure back to 80 per cent. A vote on the motion showed it to fail.

Mr. Cotten stated for the record that he would prefer to have the percentage figure at 80 per cent but for the sake of expediency would like to send it on to Finance.

Action

Mr. Cotten then moved to have it pass out of committee with individual recommendations. There being no objections, the motion carried.

HB 224

Mr. Parr announced that HB 224 would be taken up next. Mr. Kerry Romesburg, Director of the Postsecondary Commission testified. He stated this is a housekeeping bill which incorporated a number of areas that the Commission would like to see implemented. On line 11, page 1, it changes the name from Department of Education to Commission. Line 15 changes the language to deferment of payments. Line 20 extended the repayment period to 10 years. The reason for this he stated was under the current law the repayment period is 6 years and they have a situation where a student is eligible to receive a cancellation on a loan if they return to the state. They have a 1 year period of grace and then begin working. After 2 years, receive 1 cancellation and it goes on every two years until 4 cancellations. Under this current schedule if they remain current in payment, when they make their last payment they become eligible for their last

cancellation and the Commission has to send their check back because they have overpaid their account. So the commission is asking that the repayment period be extended to where all of the cancellations can be taken care of within the repayment period and eliminates handling the money twice.

Mr. Ose asked what the total amount is that students can borrow now. Mr. Romesburg said \$10,000. Mr. Ose asked what the average loan amount is but Mr. Romesburg said they did not have that figure.

Mr. Romesburg went on to say on page 2, they have added (4) which is 50% or greater disability of the student as certified by competent authority. They are asking for discretion of the agency to allow for someone that is disabled to receive a deferment of the payments.

Mr. Phillips asked for a definition of competent. Mr. Romesburg said they took the language from the Voc. Rehabilitation language and assumed it meant someone licensed to practice in the State.

Mr. Cotten questioned (3), "performance by the student of required military or alternative service". Said obviously no draft now so why say "required"? Mr. Romesburg said they say it because they have no idea if the draft will come back and the law is written to accommodate the draft. The only deferments they give for military is "required medical".

Mr. Romesburg said that in (e)--regarding the loans being noninterest bearing--in the past the loans were interest bearing even while a student received certain kinds of deferments. If you were a full time student it was non-interest bearing but if you were in what was called the grace year, your loan accrued interest but you were deferred from making payments.

There was discussion as to what actually the grace period means. Mr. Cotten questioned as to why, in line 17, they had (k)(2) - (4). Mr. Romesburg said that was an error, that the (2) - (4) should not be there, it should read just (k).

Action Mr. Phillips moved that an amendment be made, on line 17, page 1 after "(k)" delete "(2) - (4)". There being no objection to the amendment the motion carried.

Mr. Romesburg went on to explain the changes on page 2, line 10, defining a full-time student and line 24 and 25 defining part-time student.

Mr. Phillips asked what happens if a student took a loan out and then dropped some credits in college and was not ending up with enough credits to be a full-time student. Mr. Romesburg said the institution notifies the commission that there is a change in status. Part-time students are not eligible for this program.

Students are no longer eligible for this loan if they go to schools in foreign countries. He said they had had too many problems in the past.

There was discussion as to how many members are presently on the commission and the answer was 13 but they are asking to add another member.

Mr. Parr asked what the present composition was and whether it was specified by federal law. Mr. Romesburg said they have 13 members now and it is specified by state law. 2 from the Board of Regents, 1 from private higher education, 1 from Voc. Ed., 1 from Dept. of Education, 5 from general public, 2 from legislature, 1 representative of Advisory Council on Community Colleges.

Mr. Parr asked why the Dept. of Education was on this. Mr. Romesburg said it was a built in liaison and felt it was a good thing.

Action

Mr. Cotten moved that they change the number of the commission to 13 and drop one of the members of the public. There being no objection, the motion carried.

Mr. Romesburg went on to say that the last section was added from the Attorney General's Office. As he understands it, the commission now has an additional basis for granting deferment, the disabled and also that interest is deferred. If someone is already in the program and just coming out of school the deferment can be retroactive so they aren't charged interest.

Mr. Cotten questioned the wording "upon request of the loan recipient" in that section. Romesburg said as he understood it they had signed a note and had entered into a contract where they charge interest so in order to waive the interest they have to have something from the person in writing requesting that action.

Action

Mr. Chatterton moved that on page 2, line 2, delete "required" after "of" and add "required" after the word "or". There being no objection, the motion carried.

Action

Mr. Cotten moved that the bill be passed out of committee as a committee substitute. There being no objection, the motion carried.

Mr. Romesburg told the committee he understood that today on the floor of the Senate this loan program took quite a beating with regard to the \$10,000 indebtedness limit that is now imposed and has never existed before. This program has been operating with no regulations for 6 years. In preparing the regulations they did address the indebtedness problem and they have quite a problem with people who are in default. The committee felt that by allowing them to have no limit the Commission was really allowing people to go to far and get too much in debt to the Commission. He said it currently says that the committee can make a loan not to exceed \$2500 in any one school year to an undergraduate student. Fro a graduate student the committee can make a loan not to exceed \$5,000 in any one year. It also says that scholarship loans may not be made to a student for more than 6 years. Felt the Commission had no sound interpretation at the time they were putting this together. Did this mean that a person could go 6 years at \$5,000 and end up \$30,000 in debt or does it mean (as some people contended in the Senate today) that they should have 4 years at \$2500, 2 years at \$5000 for a maximum indebtedness of \$20,000? There was some confusion on it and he admits the Advisory Council is a pretty conservative group with regard to this, they recommended a \$10,000 maximum indebtedness. They wrote that in the regulations--went through the public hearings and sent it out to everyone. Now, as of January, that is part of the program. He said he anticipated that if the particular bill gets into the Senate there may be some amendments tacked on to it saying that the maximum indebtndness shall be such and such an amount. Said it seems to be Senator Kerttula's intent that if the Commission won't do it administratively, they will legislatively establish a maximum indebtedness and he thought Kerttula leaned towards a \$20,000.

There was discussion on the method now used in getting the old loans paid back and the suits that are being filed each month. Mr. Romesburg said of the suits that have been filed, they have had 2 people pay up substantial loans.

Mr. Bennett asked how many people are presently in arrears and if the names were public information. He requested Mr. Romesburg to provide him with a list of the names which Mr. Romesburg agreed to do.

The meeting adjourned at 4:06.

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MINUTES OF HOUSE

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

March 1, 1977

The meeting was called to order by Vice-Chairman Ose at 3:06 p.m.

Members present were: Ose, Chatterton, Phillips, Severson, Beirne, Cotten, Bennett & Nakak

Absent: Parr

Mr. Ose announced that the first order of business would be to interview the nominees for the Board of Regents. Asked as to what the committee's wishes were for public testimony. The committee felt that the testimony from the public should be after the nominees are interviewed.

Dr. Fate

First to testify was Dr. Hugh Berry Fate, Jr. Dr. Fate stated he had lived 27 years in Fairbanks, that he is a dentist is married and has 3 children. Is presently Vice-President of the Board of Regents and has served on the Board since 1969. A copy of his resume' is attached to these minutes.

Mr. Cotten asked how many years a member can serve on the Board. Mr. Fate said there was no limit, only that the President of the Board can succeed himself once on a 2 year term, which would allow him to be president for a total of 4 years.

Mr. Bennett asked if he had read the article in the Anchorage Times which implied that Fergusson will be considered as a full time permanent president of the University. He asked Mr. Fate if he believed that would be the case. Mr. Fate said that an interim president is in itself a full-time job. But he did not feel that he would be an applicant for the full-time permanent president. Mr. Bennett read the article to Mr. Fate and it is on the tape.

Mr. Cotten asked Mr. Fate if he could comment on his feelings regarding the different policies questions discussed over the past couple of years regarding central administration versus some other ideas as far as separated administrations and separated community colleges. Said he was a member of the Post-secondary commission and was privileged with being on the team that went around the state looking at the problems with the community colleges. Said the U of A statewide system has been trying to decentralize in some areas and give more autonomy to regional areas. Feels that he can foresee that there will be more autonomy to those local units. As far as central administration

is concerned feels there has to be some type of central administration to bring some of these things together but there are several functions at that community level that can be done autonomously. As Vice-President has made it known among the Board of Regents that that he would like to consider a standing committee on community colleges which they haven't had. Said they are looking towards more self-determination of the community colleges.

Mr. Cotten then asked if he felt a move towards more autonomy for some of the community colleges will be an aid to some of the present problems. Mr. Fate felt within certain limits this would help.

Mr. Cotten asked if he felt there should be changes in the present system or if the present system could be made more workable. Mr. Fate agreed with Mr. Cotten's latter statement.

Mr. Cotten asked how much time he felt he spent as a member of the Board. Fated said he could go only on those days he had requested for per diem. This would not include all the social functions, meetins in the evenings, study time, etc. Merely days away from his practice. Throughout the 8 years, some years he was away as much as 40 or 50 days and not less than 30 days. Felt a good average would be 30 days.

Mr. Nakak stated as a citizen and legislator he was concerned about the problems which had surfaced recently --whether they were an indication of things to come or basically does the Board react only to information spoon fed them from the office of the President and higher ups of the University. Asked what assurance Mr. Fate could give him that this type of thing wouldn't happen. Mr. Fate said you have to rely upon the people that are running the University. The Board of Regents is only a policy making body and have to rely on the information that is given them. Felt the only assurance they might have that they get the proper information is to continue with the staff they presently have and enhance that staff. Said this was one of the things they have tried to do to insure that the information they get is accurate.

Mr. Nakak then stated he felt the Board should have had some inclination of the problems that arose. Mr. Fate said there was no "inclination" that they knew. Said they had had a review of the minutes a week ago with the Executive Secretary in determining what the Board had been trying to do over the last 2 years.

Mr. Nakak asked then with regard to the problems that have surfaced if perhaps the administration was not receptive to the Board's suggestions. Mr. Fate said without putting the blame

on the administration (at which time Nakak interrupted and said no one wants to put blame on the administration which got a chuckle from everyone) but had certain circumstances come to people's attention that didn't, it might have been handled a little differently.

Mr. Phillips asked if the students themselves came to the Board with problems. Mr. Fate said they did occasionally but not on a formal basis. But now that they have a Director who is available this is getting better.

Phillips then asked what his feelings were regarding private higher education. Dr. Fate stated he would like to see higher education in the state of Alaska. Further stated the Regent's have spent many years in trying to help AMU.

Mr. Chatterton said he noticed Mr. Fate indicated that he felt community colleges have a different mission than the 4-year college. Mr. Fate stated the community college meets the needs of the people more than just granting a social degree. A person starts out on a career by finding he has an ability towards a particular academic which they wouldn't have been able to find if they had started out in a 4-year college. Like the community colleges are a feeder for 4-year colleges.

Mr. Bennett announced to the committee and for the record that he wanted to commend Dr. Fate for his many many hours and days and days of good hard work as a Regent. He stated in the Fairbanks Area Dr. Fate is noted for his dedication and for really doing the best thing he possibly can for the University. Secondly, he asked if Dr. Fate if he felt the Interim-President, Dr. Fergusson would be a candidate for the on-going presidency position. Dr. Fate said at the present time he did not.

Mr. Chatterton brought up the inequity between the community college teachers and senior college teachers as to salaries and wondered if he condoned this practice. Dr. Fate said this is trying to be resolved and he did not condone it.

Mr. Nakak said for the record he also had for many years heard good things about Dr. Fate, and that his questions were directed at the general Board of Regents and not him personally.

Next to be interviewed was Jeffrey J. Cook. He stated he was born and raised in Fairbanks, attended college at the University of Pennsylvania and the University of Oregon, getting a bachelor and masters degree in business administration at the University of Oregon and is employed as a real estate broker and consultant in a firm with his father in Fairbanks and active in the real estate industry. A copy of his resume' is attached to these minutes.

Cook

Mr. Cotten asked Mr. Cook how he felt about the proposal to separate the community colleges into 2 systems. Mr. Cook said he was opposed to the system and explained his views on it.

Mr. Chatterton asked how long he had been on the Board of Regents and Mr. Cook said since January.

Mr. Bennett then asked if he considered the Interim-President, Dr. Ferguson as a candidate for the on-going presidency. Mr. Cook answered absolutely not. Felt it was a big mistake if he considered himself as a candidate.

Mr. Chatterton then asked him what he thought of Anchorage. Mr. Cook stated he thought it was a nice place to visit. He stated the entire state education to economics and everything else needs to work together for a common good and when everyone starts looking that way, things will be better.

Mr. Ose asked if he felt the Board of Regents should take a more active role in developing policy. Mr. Cook said he definitely did. Felt they should be more available to make a greater decision making role.

Mr. Ose then asked if he felt he had the time to donate to the Board of Regents. Mr. Cook felt he would have the time since he is in a business that is not necessarily 8 - 5. Works on a flexible basis.

Mr. Ose asked him what his goals were. Mr. Cook said better communication with the students, faculty and general public. Would like to see a complete system of goals for the University from programs to courses, to financial activities and a system of accountability. Said he looked at the Fairbanks Community College's (FVCC) goals and practices which he found very laudable but in practice found they aren't meeting the goals and objectives and feels they should look system wide, academics, services and finance and develop the goals in operating criteria they will have and then develop a system of judging whether they are accomplishing what they want to and develop accountability all the way through the system.

Mr. Ose then asked whether he felt the community colleges were really qualified to give out masters degree. Mr. Cook felt that in principal he would say no, there is a function for the community college and a function for a 4-year college.

Mr. Nakak asked who nominated him for the position on the Board of Regents. Mr. Cook said he had been asked by a number of different people if he would consider the job. After thinking it over and deciding that he would he then solicited support himself on a statewide basis.

Mr. Bennett asked to go on record that Mr. Cook enjoys a very fine reputation in the Community of Fairbanks. He comes from a well thought of family and has done business in an honorable manner there for many many years. Felt that Jeff had many champions go out on behalf of his appointment. Almost everyone that he knows that knows Jeff would vouch for him, he's a good sharp businessman, very capable and very conscientious. Then he asked with reference to the difference in salaries of the Community colleges and senior colleges, what is your goals or thoughts down the road in this regard? Cook said he felt strongly there were inequities. Said he would like to see some of these inequities corrected and said it was a complex issue. Hope that one system of eliminating the inequities, there has to be some bringing down of salaries but will be difficult to do, perhaps even have to eliminate some functions in the departments and refund them on a line-item basis there has to be an inquiry brought and there are bitter feelings in the community about the one situation and others that exist.

Mr. Phillips asked what his attitude was towards higher private education. Mr. Cook felt a private higher education could come in and function well and has no objection whatsoever.

Mr. Chatterton showed Mr. Cook the form his resume' was on and asked if he would consider leaving some of the "garbage" off such as shirt/blour size, suit size, etc. Mr. Cook said this was on for a reason that they do participate in the graduation exercises and have to be fit for the robes, etc.

Next to be interviewed was Mr. Gerard LaParle. Came to Alaska in early 1972 with the army. Started attending the University of Alaska at Fairbanks, part-time, attended part-time until early 1974 when he got out of the army and began his full-time study at the University. Last October he was elected to nomination to the Board of Regents, a position from the student body and on November 19 was appointed by the Governor. to that position. A copy of his resume' is attached to these minutes.

Mr. Ose asked him what his feelings were towards community colleges, whether he thought they should be separated. Mr. LaParle stated he didn't. Felt the state had a lot of things they could use the money for. Felt the University should use the community colleges as a feeder system.

Mr. Ose then asked if he had the time to fill this job. He stated it was tight but that he is required to be a full-time student in order to retain his seat and so far it hasn't affected his grades any.

Mr. Nakak asked him if he felt his work experience with the Internal Revenue Service would help him. Mr. LaParle replied it had not helped him to understand the past budget.

LaParle

Mr. Ose said he wanted to compliment Mr. LaParle on his military service. It is very outstanding his accomplishments and awards, etc.

Mr. Phillips asked about the tuition waiver, 1974/1975. Mr. LaParle stated it was a refund on tuition for that academic year. Based on previous performance and potential for future performance. A device the the University uses to attract and keep students that show potential. Mr. Phillips asked what kind of performance. Mr. LaParle stated it was hard to define what a potential is but the award for him was based on the part-time studies that he had performed up to that time, 1972-1974. He had completed a year of college going nights and based on the level he had achieved during that period they gave him the award. A \$325 scholarship.

Mr. Bennett asked if he saw President Ferguson as being a valid candidate for the con-going Presidency. Mr. LaParle said no, at the Board meeting they had dealt with the 2 conditions that were applied to the position. The first condition was that whoever was Interim-President would not be a candidate for the permanent and (2) whoever the Interim-President was could not hold 2 positions.

Mr. Bennett asked him what he was majoring in. LaParle said public administration, economics and police administration. Mr. Bennett said serving on the board would be good experience for him. Mr. LaParle replied "Oh yes, sir, it has been an awful lot of experience, particular in the last couple of months."

Mr. Bennett then asked if his wife and youngster were real happy in Alaska and Mr. LaParle answered they were.

Mr. Chatterton said Mr. LaParle had done outstanding service in Vietnam and wanted to know what his feelings were regarding that conflict. (He told him he did not need to answer if he didn't want to). Mr. LaParle said it was something he had to do, functions he had to perform and doesn't want to stand in judgment of right or wrong for anybody or any nation, that he is satisfied personally for what he did. He had a job assignment and he did the best he could.

This was the conclusion of the intereviews and it was decided by Mr. Ose that we would have the personal interviews on the next day.

Mr. Ose then announced that HB 130 would be the first bill to be considered since there were people from Fairbanks present who wanted to testify.

First to testify was Mark Rippey, President of the student body of the Fairbanks campus. Felt the bill itself was very useful. Stated that during the last strike, it was difficult for the student government to relate to any students

HB 130

Rippey

any kind of information. Felt the bill would provide for a student to be an observer. Felt by allowing students to have access to some output would relieve some pressures on them. Stated a few changes he would like to see made. On 2nd page, line 13, change word "for" to "from". He further felt on page 2, line 15 the wording should be changed to read "members must be students"

Mr. Phillips asked how the students felt about this, how he had arrived at this. Mr. Rippey stated there was input on the bill itself. Also from the Senate, which is their own legislative body on the campus. Mr. Phillips asked if there was a formal resolution from the student Senate regarding this bill. Rippey said they had several students that came to Juneau last week that lobbied for them and questioned the Senate regarding the bill specifically. and said it was Section D which they wanted changed. Said there was a motion made approving the intent in trying to have that part changed.

Mr. Chatterton asked about the position paper that has the two changes and wanted to know about the third change. A copy of the proposed changes is attached to these minutes. Felt it was a little redundant but has no objection to including it.

Mr. Ose said if he understood it correctly they wouldn't be able to disclose any information regarding collective bargaining so what would be the advantage. Page 1, line 25. Mr. Rippey said going back to the last strike it was almost a matter of credibility. As he understood it, some people are saying that the Union was releasing what was going on in the meetings, etc. and the union said the university said it first, etc. At that point many students know who to trust because of the conflicting stories. Felt that a student sitting in observing in the matters of confidentiality, naturally couldn't say anything but felt that a person in that position could relate to the students simple things, such as classes aren't going to be shut down, etc.

Mr. Phillips asked if they couldn't register their concern with the Board of Regents. Mr. Rippey said the Regents do not play a direct part in the bargaining..

Next to testify was Mr. Gerry Kouzes, Presiding Officer of the Advisory Board and Member of Executive Council of the University in Anchorage, Alaska. Said that a lady by the name of Christine Duley came down about a week ago in support of HB 130. Said she came back to Anchorage and suggested that they include an amendment to add under section 1, after (d) add a section to read "the members of the Postsecondary Education student committee may be recalled at any time from their perspective regions. This would be on page 2, line 15. Section (e).

Kouzes

There was discussion as to why they would want to recall, to what extent would they interfere with the collective bargaining, etc.

Mr. Phillips asked if the UAA had a formal petition or resolution before this body recommending this bill. Mr. Rippey said when he left they were in the process of finishing one.

Mr. Ose questioned what the value would be if you are going to be sitting in the back room if you can't give out the information.

DeRoux

Next to testify was Diane DeRoux, President of the Student body in Juneau. She stated they have been in contact with Ketchikan and Sitka students. Main problems with the bill is Section (d) on back, line 15 and 16 so they are proposing they must be students. Also on Page 2, line 13, change "for" to "from". Said Acting Chancellor Fields found for her. She said she would like to have them present student view point, it is redundant but felt it was necessary.

Mr. Chatterton asked if you took a proprietary private school (one that is non-profit but being run for a profit) 4-year course and you were a student on that campus, would you also want to have this bill here. She felt probably, yes. Chatterton then asked her if she was aware that that group was under the National Labor Relations Act.

Mr. Phillips said that she knows the school will always be there. Maybe there is a way to amend this line 26, the substance. Maybe we could define substance, although he felt this would be opening a can of worms.

Diane stated she had gone through 2 teachers strikes and has lost 9 credits.

Phillips said if the bill is passed and if the employer representative or representative of the bargaining tell you you cannot release that information the very people you are trying to help are not being helped. Diane asked if you could put an amendment in where they can counsel?

Mr. Phillips said after all the testimony he would like to take it upstairs and see if they can get an amendment.

Diane asked that the next time they have a hearing it be scheduled for some time when all the students could attend.

Next to testify was Rick Davidge, presently a graduate student at the University of Alaska t Juneau in public Adminstration, Graduate of the University of Alaska Fairbanks, past Chairman of the Legislative Affairs Committee. Stated there has been attempts across the nation and this report addresses those attempts to involve students in a variety of negotiations between faculties and administrators.

Davidge

He stated on the question of confidentiality, this bill was drawn up by the Attorney General's Office at their request in the last session. The problem in confidentiality, the students need to have a third opinion when the faculty releases context of negotiations. Said he does not understand how a faculty union who is held by a confidentiality clause in negotiations is able to release on a weekly basis the substance of those negotiations. This is the thing that cause the anxiety among the students. The faculty negotiators for the Alaska Federation of Teachers on a weekly basis released substantive comments on negotiations that are in progress. U of A Administration attempts to maintain that same publishing date in releasing their side of the point. In other states, students have been able to report to the students after these publications have been made on what their perspective of the particular questions was. The student body becomes a battleground between faculty and management. This clause would provide students an opportunity that when those comments were made by the faculty union or administration, the students would have an opportunity to offer a 1/3 perspective on these particular points.

Another problem is student representatives. The question is always,--is this student representative of this campus. His experience the majority of the students do not want to be involved in student government in any way but are represented by those elected by whatever votes are cast. He stated also that faculty members are also students. They are negotiating contracts and taking credits in the university. The same with administrators Eighty-five percent of the students in Juneau are part-time students. Said as far as the amendment that was offered from Anchorage, he had talked to Chris Duly and was unaware of this. Said he could understand the concern for asking a recall at any time but would be in opposition to putting this in the bill.. Said he had some amendments to make but wanted to wait until next time it was brought up before the committee.

Mr. Chatterton said he is aware the student body has a problem and will agree with the varying and degree of the problem and believes he is suggesting passage of somewhat modified HB 130 which really is treating the effect rather than cause. Wouldn't have any problem if public employees were not permitted to collective bargaining.

Mr. Davidge said he had a lot of research from other areas of the U.S. and would make this material available and would be glad to meet individually if they would like.

There being no quorum by this time, no action could be taken on the bill anyhow. The meeting adjourned at 5:05 p.m.

University of Alaska Biographical Information
Members of Board of Regents

Date Prepared 1/28/72

Name: Dr. Hugh Berry Fate, Jr.

Date Appointed to Board of Regents _____

Address: 2807 Riverview Drive

Date & Place of Birth: 12 4 29
Mt. View, California

Home: Fairbanks, Alaska 99701
Suite #6 Rampart Building
Business: 529 5th Avenue
Fairbanks, Alaska 99701

Home Telephone: 456 6861
Business Telephone: ~~456 7923~~ 456 5600

Mailing: P.O. Box 1111
Fairbanks, Alaska 99701 or above home address

Education

High School: La Grande High School High School Location: La Grande, Oregon

University of Washington 48/49

College:	University of Alaska 54/57	Year Graduated	1958	Degree	B.S.
	University of Oregon 57/58		1962		D.M.D.
	University of Oregon Dental School		1962		

Other:

Work Experience:

Position	Employer	Year
General Practitioner	self	1962 to present
Practice of Dentistry		

Professional and Civic Memberships (include offices held):

Alaska State Dental Society Newsletter Editor 66/67; Alaska State Dental Society Board of Directors 66/ ; President-elect Alaska State Dental Society 68/69; President North Central District Dental Society 66/68; Alaska State Board of Dental Examiners 67/ ; Secretary Governor Hickel's Alaska State Labor Task Force 68/; Chairman, Fairbanks Advisory Board of Health 66 ; Fairbanks Chapter Cancer Society Board 66/ ; U of Alaska Alumni Association Board of Directors 65/; President of same 66/68. Member, U. of Alaska University Assembly 68/; President, Fairbanks Chapter University of Alaska Alumni 64/66.

Biographical Information

2.

Honors and Awards:

Senior Student, Univ of Oregon
U of Oregon Dental School, Outstanding awards-Oral Surgery
Oral Roentgenology

Family Information:

Name of Spouse: Mary Jane Evans Fate Date Married October 29, 1954

Children:

Name	Janine Marie Fate	Birthdate	March 18, 1958
	Jennifer Lee Fate		March 21, 1961
	Julie Yvonne Fate		July 4, 1965'

Military Service:

1951-1953, U.S. Army, Overseas Duty, Alaska

Additional information you would like to add:

- ALASKA STATE DENTAL SOCIETY: Board of Directors 1966-
- ALASKA STATE DENTAL SOCIETY; President 68/89
- NORTH CENTRAL DISTRICT DENTAL SOCIETY, President 66/68
- ALASKA STATE BOARD OF DENTAL EXAMINERS 67/72 ; Secretary 1969; President 70/71
- Governor Hickel's Alaska State Native Labor Task Force 68/
- Fairbanks Advisory Board of Health; Chairman 66/
- Fairbanks Chapter Cancer Society Board; 66/
- U of Alaska Alumni Association; Board of Directors 65
- U of Alaska Alumni Association " " President 66/68
- Member U of Alaska Assembly; 1968
- Fairbanks Chapter U of Alaska Alumni; President 64/66
- Fairbanks Native Association Board of Directors 62/69
- Fairbanks Native Assoc Education Committee Chairman 64/69
- Fairbanks Native Assoc Health Committee 69-
- FNA consultant "
- WESTERN CONFERENCE OF DENTAL EXAMINERS & DENTAL SCHOOL DEANS
- Fairbanks Regional Comprehensive Health Planning Council 71-72
- YUKON TRANSPORTATION, INC. ; Vice Pres 70-72
- Alaska Dog Mushers Assoc, Board of Directors 70-72
- American Association Dental Examiners 67-
- U of Alaska Regents, Treas.

1/1

Omicron Delta Epsilon International Honor Society

Archie Shields Writing Award (May 1974)

Dean's List - All Semesters

Tuition Waiver - 1974/1975

ACTIVITIES

Member, Academic Council, Northern Region - January 1975 - May 1976

Vice-President, Associated Students of Business - 1975/1976

Member, Chancellor's Housing Policy Committee - January 1975 - April 1976

Vice-President, Fairbanks Chapter, Phi Kappa Phi

Member, Alpha Chapter, ODE

Member, Academic Credibility Committee

Member, Student Retention Committee

Member, Curriculum Committee

Member, ASUA President's Council

WORK EXPERIENCE

Manager, Married Student Housing, University of Alaska, Fairbanks

June 1974 - Present

Reserve Supervisor, Security Patrol, University of Alaska, Fair-

banks - September 1973 - January 1975

Accounting Intern, Internal Revenue Service, Fairbanks - January 1975 -

May 1975

NAME: Gerard Roland LaParle
BORN: January 7, 1945
AGE: 32
BIRTHPLACE: Putnam, Connecticut
WIFE: Elaine
DAUGHTERS: Laura (8)
 Melanie (5)

MILITARY SERVICE

Conn Army National Guard - May 1962 - July 1966; Honorable Discharge
U.S. Army - July 1966 - March 1974; Honorable Discharge
Alaska Army National Guard - March 1974 - September 1974; Honorable
Discharge

Bronze Star 14 Air Medals
2 Army Commendation Medals
2 Vietnam Cross of Gallantry with Gold Star
3 Vietnam Cross of Gallantry with Palm
Good Conduct Medal (2 Awards)

EDUCATION

High School

H. H. Ellis Tech - Danielson, Ct.
Program: Industrial Electronics

College

University of Alaska - Fairbanks; June 1972 - Present
Degree: Associate of Arts in Police Administration (December 1976)
 Bachelor of Arts in Public Administration (May 1977)
 Bachelor of Arts in Economics (May 1977)

HONORS AND AWARDS

Phi Kappa Phi National Honor Society

UNIVERSITY OF ALASKA BIOGRAPHICAL INFORMATION

Date Prepared February 7, 1977

Name: Jeffrey J. Cook

Employment Date _____

Address:

Date and Place of Birth: Fairbanks, Alaska.
November 25, 1943.

Home: SR 50079, Fairbanks, Alaska 99701.

Home Telephone: (907) 456-6066

Business: P.O. Box 2134
Fairbanks, Alaska

Business Telephone: (907) 456-5070 or 452-1646.

Mailing: P.O. Box 2134
Fairbanks, Alaska 99707.

Height: 6'2" Weight: 195 Hat Size:
Never wear one.

Shirt/Blouse Size: Extra Large Neck: 16½"

Education

Suit Size: 42L Sleeve Length: 34"

High School: Lathrop High School

High School Location: Fairbanks, Alaska.

College: University of Pennsylvania
University of Oregon
University of Oregon

Year Graduated: 1966 Degree: BBA
1968 MBA

Other: Note: I attended University of Pennsylvania my Freshman year only.

Work Experience

<u>Position</u>	<u>Employer</u>	<u>Year</u>
General Assistant & Mechanic Inspector	Compeaus State of Alaska	1959-60-61 Summers 1962, Summer
Laborer	Peter Kiewitt Co.	1963-64-65-66, Summers.
Management Trainee	Seattle 1st National Bank	1967
Teaching Assistant	University of Oregon	1967-68.
Real Estate Salesman	Earl E. Cook, Real Estate	1968
Real Estate Broker & Appraiser	Earl E. Cook, Real Estate	1969 to present time.

Professional and Civic Memberships (include offices held):

Member Fairbanks Rotary Club Since 1971. Treasurer in 1975-76.
Member Advisory Board, Salvation Army since 1972, Presently Chairman.
Alaska Real Estate Commission, just completed 4 year term. Was Secretary the last 2 years.
Past Member of United Way Board in Fairbanks.
Past Member of Planning & Zoning Commission for Fairbanks North Star Borough; Chairman 1971.
Member of Fairbanks Board of Realtors since 1968. Past Sec.-Treas., Vice Pres., and Pres.
Member of Alaska Association of Realtors since 1968. Past Sec.-Treas., Vice. Pres. & Pres. 1971.
Member National Association of Realtors since 1968. 1976 Regional VP. Currently a National Director of the National Association of Realtors & vice-chairman of Education Committee.
Past Member of Multi-Use Land Advisory Committee for Fairbanks & State for BLM. Fairbanks Chairman of this advisory committee in 1976.
Member of the LDS Church, Past & Present Financial Clerk.

Biographical Information

Honors and Awards:

Realtor of the Year for Fairbanks in 1970 and 1971.

Realtor of the Year for Alaska in 1971.

Member of Beta Gamma Sigma, an Honorary Business Fraternity for Scholarship achievement.

Family Information:

Name of Spouse: Susan K. Cook
(Reynolds)

Date Married: December 17, 1967.

Children:

Birthdates:

Jon Cook

May 23, 1968.

Melissa Ann Cook

June 17, 1970.

Lynne Marie Cook

May 12, 1975.

Military Service:

None.

Additional Information You Would Like to Add:

I have taught a class in Introduction to Real Estate and Land Economics for the University of Alaska once a year since 1970.

HB 130

Proposed changes by U of A, students.

Page 1, line 20 delete "and" and add a new section after line 20 to be (3) "present student view point; and" and change what is now "(3)" to "(4)".

Page 2, Line 13, change "for" to "from"

Page 2, Line 16, delete "need not" add "will be"

MINUTES OF HOUSE

HEALTH, EDUCATION AND SOCIAL SERVICE COMMITTEE

March 2, 1977

The meeting was called to order by Vice-Chairman Ose at 3:50 p.m.

Those present: Mr. Ose, Mr. Nakak, Mr. Chatterton, Mr. Phillips and Mr. Seversen

Absent: Mr. Parr, Dr. Beirne, Mr. Bennett Mr. Cotten.

Mr. Ose announced that HB 251 was the only thing that would be taken up today. Mr. Seversen spoke on his bill and explained the cost of replacing the building, a copy of which is attached to these minutes. He stated the original school burned down.

HB 251

Mr. Thomson from the Department of Education. He stated the school that burned down on Dec. 31 was an elementary school with teachers quarters. The school district requested that the teacher's quarters be dropped and substitute a small combined elementary and secondary school. He said the Dept. concurred with their proposal. He stated the insurance policy would cover the bulk of the cost and the \$266,000 is the difference between what the insurance will pay and the additional space. He said they hadn't done a fiscal note but would be happy to supply the committee with one. He stated they had a balance of about 175,000 in Chapter 250 from 1970 in which the original school was funded from that chapter. SAid all of the projects that were included in that chapter were completed and this money would apply to Twin Hills.

Mr. Chatterton asked Mr. Thomson if he would feel better with a cushion on the bill but Mr. Thomson said no, he felt there was enough money.

Action

Mr. Chatterton then moved to pass the bill out with unanimous consent.

Mr. Phillips said he would like to see the fiscal note any how. There was discussion on what the fiscal note would show.

Action

A vote on Mr. Chatterton's motion showed Mr. Phillips against it. After more discussion, Mr. Chatterton moved to pass it out with a do pass recommendation and there being no objection the motion carried. The bill is being held until in the morning when the fiscal note is received.

Meeting adjourned at 4:05 p.m.



HB 251

Southwest Region Schools
P. O. Box 196
Dillingham, Alaska 99576

February 3, 1977

Chris Roust, Facilities Coordinator
Alaska Dept. of Education
Juneau, Alaska 99811

Dear Chris,

Enclosed is a resolution from the Southwest Region School Board requesting a small appropriation to supplement the insurance funds in the rebuilding of the Twin Hills School.

The Board did not allocate any of the 76 bond funds that were undesignated to the reconstruction of the Twin Hills School. The reason being that the original listing of priorities completed by the Board in September for the Department of Education did not list Twin Hills as a priority in the district. At that time the school facility in Twin Hills met the educational needs of the village better than did the facilities in the eight villages that were listed on the priority of the district. The Twin Hills School was only five years old, basically well-built, quite luxurious, and had been well maintained.

It was felt by the Board that to utilize 76 bond funds that had been approved by the voters in November for the construction of new facilities and the remodeling or addition of the existing ones would have been a diversion of the funds from their intended purpose. In fact the available funds of \$2,112,000 district-wide is insufficient to accomplish the purposes of providing local secondary programs and otherwise meet the intent of the bond. It was also felt strongly that to take funds from the undesignated \$2,112,000 would have seriously jeopardized construction plans for several sites within the district and result in accomplishing little of the work that is needed.

Your assistance in securing favorable action on the Board's resolution for the supplemental appropriation of \$175,962 would be appreciated. If additional information is needed to explain our needs or our rationale please let me know.

Sincerely yours,

David Dickerson

David I. Dickerson, Supt.

cc: Martin Severson
John Sackett
Frank Ferguson ✓

SOUTHWEST REGION SCHOOLS

RESOLUTION# 77-9

WHEREAS, the Twin Hills school and apartment with 3744 sq.ft. of space was destroyed in a fire December 31, 1976.

AND WHEREAS, we are temporarily holding school in the Twin Hills Community church.

AND WHEREAS, during the coming year a functional high school is necessary in Twin Hills in addition to the replacement of the elementary school.

AND WHEREAS, the additional classroom should function as the High School room, shop, home economics, multiple purpose room and have a high side walls and ceiling to permit limited physical education classes.

AND WHEREAS, the insurance coverage on the loss was (\$553,860.00) and is not sufficient to rebuild a replacement school and apartment, which will now cost approximately (\$729,792.00).

AND WHEREAS, the Twin Hills village corporation will build a rental apartment for future teachers.

AND WHEREAS, a three room school without an apartment having a total of 4200 sq.ft. of area in the design, would take care of the space needs of the elementary and secondary programs necessary in Twin Hills for next year.

THEREFORE BE IT RESOLVED THAT, the Southwest Region School Board request from the state legislature a special or emergency appropriation of (\$175,932.00) to cover the cost difference between the insurance coverage and the present actual construction estimates for rebuilding the school.

AND BE IT FURTHER RESOLVED THAT, the Southwest Region School Board duly assembled in Dillingham, Alaska on the 21st day of January 1977 hereby authorize the district superintendent to make and sign as its representative such application and form as may be necessary to secure funds from the state government.

Signed:

Robert J. Cook
president

1/21/77
date

Witness:

Joe Hiratsuka
secretary-treasurer

1/21/77
date

Twin Hills Fire

I. Insurance Proceeds

A. Building (3744 sq. ft. @ \$140.00 sq. ft.)		\$524,760.00
B. Contents		<u>29,100.00</u>
	Total Proceeds	<u>553,860.00</u>

II. Cost To Replace

A. Building (3744 sq. ft. @ \$160.00 sq. ft.) <i>4200.</i>	<i>672,000.</i>	\$599,040.00
B. Contents (10%)	<i>67,200.</i>	59,904.00
C. Plan Aterations to Code (4%)	<i>26,880.</i>	23,616.00
D. Administrative Costs (8%)	<u><i>53,780.</i></u>	<u>47,232.00</u>
	<i>819,860.</i> Total	<u>\$729,792.00</u>
	<u><i>553,860</i></u> Less:	<u>553,860.00</u>
	<i>266,000.</i>	<u>\$175,932.00</u>

SOUTHWEST REGION SCHOOLS

RESOLUTION # 77-10

WHEREAS, AS. 35.15 is amended by adding a new section to read:
Sec. 35.15.080 provides local control of State Public Works Project;

AND WHEREAS, Local control will improve communication between
involved parties, establish a closer relationship with the Community
and result in more appropriate school facilities;

AND WHEREAS, the Southwest Region School Board voted unanimously
to do their new construction of educational facilities under a Grant
Procedure as previously set up by the Alaskan Legislatures;

AND WHEREAS, the Southwest Region School Board in accordance with
the procedure for the acceptance of these bond monies understands the
responsibilities placed upon the school district and the school board
and is willing to assume the performance of these tasks;

AND WHEREAS, the Southwest Region School District has given full
consideration to those firms who submitted proposals;

THEREFORE BE IT RESOLVED THAT, the Southwest Region School Board duly
assembled in Dillingham on the 20th day of January, 1977, elects to assume
responsibilities under the grant procedure.

BE IT FURTHER RESOLVED THAT, the Southwest Region School Board
selects Mower and Associates to serve as their Architecture/Engineer
and contract management firm.

Signed:

Robert J. Clark
President

1/21/77

Date

Witness:

Joe A. ...
Secretary-Treasurer

1/21/77

Date

SOUTHWEST REGION SCHOOLS.
ALLOCATION OF CONSTRUCTION FUNDS (1/21/77)

SITE	TYPE OF SPACE OR WORK	APPROX. SQ. FT.	'74 BOND	'76 BOND	INSURANCE	TOTAL
BEKNAGIK	Purchase & Repair B. B. Mission	25,000	0	\$400,000	0	\$400,000.
MARKS POINT	Repair and Upgrade	0	0	\$ 15,000	0	\$ 15,000.
WOK	Repair and Upgrade	0	0	\$ 20,000	0	\$ 20,000.
WILGANEK	New Generator & Indoor Toilets	0	0	\$ 35,000	0	\$ 35,000.
WELOCK	New High School & Community Bldg plus Remodeling	3,200	\$270,000	\$100,000	0	\$370,000.
WOKOTAK	High School Classrooms Media, Voc.Ed. & Multi-purpose	7,000	\$400,000	1) \$304,000 357,000	0	\$1,061,000.
W STUYAHOK	High School Classrooms Voc. Ed. Areas--showers	5,000	\$200,000	\$550,000	0	\$750,000.
WRTAGE CREEK	P. E. Rec Room	600	0	\$ 20,000	0	\$ 20,000.
WIAK	MAJOR CONSTRUCTION WORK DONE IN 1976					
W IN HILLS	New Elem. School & H. S. Multi-purpose	4,200	0	0	2) \$553,860.	2) \$553,860.
W STRICT OFFICE	Storage/Shop	1,000	0	\$ 15,000	0	\$ 15,000.
WNTINGENCY	---			\$300,000	0	\$300,000.
W DESIGNATED STRICT WIDE	Repair, remodeling & upgrading			\$300,000	0	\$300,000.
W TALS			\$870,000.	\$2,416,000.	\$553,860.	\$3,839,860.

MINUTES OF HOUSE

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

March 3, 1977

The meeting was called to order by Vice-Chairman Ose at 3:00 p.m.

Those present: Ose, Nakak, Phillips, Seversen, Bennett, Chatterton & Dr. Beirne

Absent: Parr and Cotten

Chairman Ose said the first bill to be taken up would be SB 54

SB 54

Mr. Sam Granato with the Department of Health & Social Services (Director of the Division of Social Services) spoke first on the bill. He called attention to the members of the position paper. He stated the bill changes the wording in the law to take out physically handicapped and replace it with "hard to place". Also adds the definition of "hard to place child". He explained the substance of the bill. He said this bill would cover other children who are hard to place. Such as native children who are older or a group of children. Felt the subsidy would help provide these children with a permanent home in that lots of places are willing to take these children but aren't financially able to care for them completely. Children involved would be ones whose natural parental rights had been terminated by the court and had already been in foster care for a year. He said the subsidy would not exceed what would be the foster care rate. He stated the money will either be spent for foster care or subsidy.

Mr. Ose asked how many children are involved with the hard-to-place child? Granato said they really didn't know yet. Under the present statute only 1 child in subsidy and 2 pending so far only talking about 3 under the program. Estimates probably next year maybe 15 but that is a rough estimate.

Mr. Ose then asked where the children came from. Mr. Granato said they are presently in foster homes. They have about 468 in foster homes now and around 300 in institutions. All of these are not legally free for adoption. Said they are constantly trying to find homes for these children.

Mr. Phillips asked the definition of an older child.

Mr. Granato said the further away from infancy they got the harder it was to find homes for them. Probably 3 and older. Said the subsidy terminates when the income of the family get high enough or when the child reaches 19 years of age. He said the families are required to submit financial reports to show they cannot assume the costs involved. He stated in some cases where the child requires certain kinds of medical and psychological treatment the Dept. knows the costs of this. Usually subsidize them to \$100 to help pay the bills. If a child is in a foster care home would be paying sometimes from 200 - 300 dollars, depending on the age of the child.

There was discussion on the zero fiscal note.

Next to testify was Joy Jamison who spoke in behalf of the Alaska League of Women Voters and spoke in support of the bill. Said she would like to committee to consider changing SB 54 to read along the lines of SB 106. This would apply to any adoptable children, not just those who have been in foster homes for a year.

Mr. Phillips asked Mr. Granato if there were any conflicts with state or federal regulations. It appears there were none.

Mr. Chatterton questioned about the age of 19 to be sure that was correct. He then asked why it was limited to minor child if he is disabled? Granato said he assumed it was based on the adoption aspect.

Next to testify was Betsy McGuire, Director of the Office of Child Advocacy. She stated the Child Advocacy Board and her office supported this bill.

Action Mr. Bennett moved to pass the bill out with a do pass recommendation. There being no objection the motion carried.

HB 51 Mr. Ose announced the next bill to be taken up would be HB 51.

First to testify on this bill was Ann Wenzell, Chief of Licensing from the Division of Health & Social Services. She stated this bill corrected the definition of a hospital which was apparently a typographical error. Changing it to 24 hours a day instead of 24 hours a week.

There was discussion as to why a hospital had to have a special license when restaurants and hotels could operate on a business license.

Mr. Phillips asked how the Alaska Hospital Association stood on this bill. Mrs. wenzell said she had received no comments from them.

Action

Mr. Bennett moved to hold the bill in committee until further information is received regarding the hospitals thoughts. Mr. Phillips said he always like to hear what the other side had to say. There being no objection to the motion, it so carried.

Schaeffer
By now Mr. Schaeffer of the Board of Regents had arrived to be interviewed. Mr. Ferguson introduced Mr. Schaeffer to the committee explaining that he had a plane to catch before too long but if today did not permit enough time to complete the interview he would come back again.

Mr. Schaeffer said he was a high school drop out which seemed to automatically qualify him as a candidate for the Board of Regents. He was born and raised in Kotzebue, married and has 9 children, 5 of his own and 4 through legal custody. President of Nana Regional Corporation and has held that position since the corporation was formed 5 years ago. Prior to that was with the Alaska National Guard and was full-time Commander of 1st Scout Battalion. Back in the Guard now and is part-time commander of 3rd Scout Battalion.

Mr. Ose asked if he was appointed this year. Said so far he had attended 2 meetings. Mr. Ose asked him if it had inconvenienced him at all. Mr. Schaeffer said it is an inconvenience but feels it is an important job and from what he has seen he feels with his management background that he has gained in the last few years he felt the Board needed him. Feels he can be off assistance to the University. Wants to look at the long range program as people see it. Feels their system is a little arcade now and would like to up-date some of the goals.

Mr. Ose asked him if he would be able to attend all of the meetings. Mr. Scheaffer said for the next 4 or 5 months it will be hard for him to attend but after June should be able to find sufficient time.

Mr. Nakak said he would like to speak in behalf of Mr. Schaeffer. Said he had high personal regard for him and his capabilities. Said he has been involved in activities over the past which gives him tremendous managerial type experience. Feels he will bring a fresh outlook and input to the Board. Feels he won't be spoon fed information from the administration of the University. Said he can take a difficult situation and turn it around to where it is a going concern and no management difficulties. He urged the committee's support for him.

Mr. Chatterton said that although they didn't know one another personally, they have a close acquaintence that is mutual who is a very honorable long-time Alaskan who has

business dealings with Mr. Schaeffer and who speaks very highly of him as being an honorable man. He concluded by telling Mr. Schaeffer he hoped this doesn't interfere with his corporation.

Mr. Phillips asked what his views were towards higher private education in the State of Alaska. Mr. Schaeffer said he hasn't had a chance to speak to anyone that has been close to it and wouldn't like to make assumption without knowing the facts. Said he supported any kind of higher education. Just doesn't know if Alaska can afford more than one system.

Mr. Bennett felt someone with 9 children would have an interest and feels he would do an outstanding job on the Board of Regents.

Mr. Bennett asked him if he saw Ferguson as a full-time president and Mr. Schaeffer shared the other nominees' views.

Mr. Ose asked him what his goals were. Mr. Schaeffer said he liked the approach of decentralizing the university's system but isn't sure we can afford it and still have quality education. Said he didn't want to make any statements until he has had a chance to get into it more.

Mr. Ose informed the members they had heard all of the nominees and if anyone has any objection they should speak up now.

The meeting adjourned at 3:45 p.m.

MINUTES OF HOUSE

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

March 4, 1977

The meeting was called to order by Vice-Chairman Ose at 3:08 p.m.

Present: Ose, Bennett, Nakak, Phillips, Seversen, Beirne and Mr. Chatterton came in just a few minutes before we adjourned.

Absent: Parr & Cotten

Mr. Ose announced the first order of business would be HB 205.

HB 205 Representative Miles spoke on his bill. He stated it simply does one thing--permits the Department to license dependent adult facilities. He stated last year he had gone through 2 facilities that would be covered by this act and he was quite shocked. He then got together with some other concerned people in Anchorage and came up with this bill. The bill does provide for licensure by the state for dependent adult health care providers.

Mr. Ose asked what is meant by "dependent adult". Mr. Miles said it was a person who although had reached adulthood is for one reason or another incapable of caring for himself and therefore lives with other adults generally under the supervision of an independent adult.

Mr. Bennett asked for some comments on the fiscal note, regarding sanitation. Mr. Miles stated the facility would be inspected by the health department, not the Division of Social Services.

Mr. Ose asked if this pertained to the handicapped adults and if they knew about how many would be involved.

Rep. Miles said there are a total of 16 facilities that would be covered, ranging up to about 25 persons. The definition by statute right now states that an institution cares for 11 or more persons. A group home cares for 10 or less and foster homes 1 to 5 persons. There are approximately

7 institutions, 5 group homes and 2 foster homes, - total of 16 facilities.

Mr. Miles stated he had drawn up a sponsor substitute to the bill because of a problem with definition. On line 11 of the existing bill, this would not cover group homes or foster homes. He passed out copies of the sponsor substitute to the committee members.

Mr. Phillips called attention to page 2, lines 15 and 16 and felt the same language should be carried over there as on page 1, lines 12 and 13. It was felt it would need to be amended to include dependant adults.

Mr. Miles informed the committee the language for the draft was taken from the statute regarding child care facilities. He felt the main objection to the bill would be the fact of the homes having to be licensed, some of them would have to make changes to up-grade them. He believed in the child care section there is a revolving loan fund with a limitation to the facilities where the facilities can take out a loan to do the upgrading and perhaps this could be applied to these homes also. He said this could be added or new legislation could be prepared.

Questions were asked as to how this would affect already established homes such as the Salvation Army one in Palmer, the Senior Citizen Facilities 23 miles on the highway south of Fairbanks.

Next to testify on behalf of the Department of Health and Social Services was Mr. Sam Granato. He stated the department was in favor of the concept of the bill but would not be able to support it because it exceeds the Governor's budget.

There was much discussion as to the licensing standards the department used and the procedures and the fiscal note that was prepared by the Department, the need for additional staff. It was the consensus of the committee members and Mr. Miles that additional staff would not need to be made available and the existing staff of the department should be able to be utilized.

Mr. Granato felt they would need a task force survey done on this and there was discussion on this.

The members of the committee felt that any time the Dept. of Health and Social Services was against a bill it was their habit to put the financial note out of sight. Mr. Granton didn't feel this was the case at all. The committee felt that the Department must already have a group that inspected the child care facilities and they felt the same people could be used and probably the same standards used.

Mrs. Cecelia Kleinkaut, representing Alaska Chapter of the National Association of Social Workers testified next. She said it was their association that had asked Mr. Miles to introduce this bill. She stated in the past, none of the facilities which care for dependent adults in the state of Alaska have had to meet, by law, any kind of requirements for operation. She stated it has been this lack over a period of years that has prompted their organization to express their concern. She said the idea of this bill is to protect the dependant adults. She said they do not feel that extensive programming needs to go on but just that the people living in these homes have some protection under law.

A few copies of the Legislative Affair's Report was passed around to some of the members which was a study done on Residential Care Facilities for Dependent Adults, evaluating the need for State regulation.

Mrs. Margaret Wolfe who works for the Health Department in Anchorage testified next. She stated they have debated off and on on this matter for the last 4 or 5 years because it has not been a happy experience to put something with the Dept. of Health and Social Services and the regulations comes out--you thought you were asking for a fly swatter and you get a tank. The problem is that they have a concern for the health and safety of some of the people. She said receives complaint periodically about the meals, the heat, etc. She said they have been trying to think of another way to do this for several years and finally they decided to ask for some kind of a licensing and in the body of license spell out that the concerns are for health, safety, comfort, supervision. She said they weren't totally happy with this and didn't feel anyone in their organization was and she told the committee if they could come up with some kind of certification or registration or a select committee of the legislature which studies the issue during the summer putting a spot light on the people and forcing them to upgrade in that way. Said they had gotten committed to the licensing as a last result. Said they have complained to the Commissioner of Health & Social Services on many levels and had received no response. Have tried to deal with the issue at the local level but can't because of all of the political ramifications. Said they have not been successful in making an impact through their professional organization. Said she is very disappointed with social workers who call themselves professional social workers who place people in homes where they don't get enough warmth. She said if the Committee could come up with some other idea and explore it among the various agencies that are open to them, and come up with some other way of doing it, maybe the office of ageing who would want to take this on as a project to help find a way for the people to up-grade their facilities.

Mrs. Kleinkaut said her organization very strongly supported the revision of a revolving loan fund to enable existing facilities to upgrade their standards in the necessary way to meet the health and safety standards.

Mr. Ose asked if they would support a study if they could come up with one, that would meet their needs, that would be simpler and easier. Mrs. White said they would support it and help in any way they could.

Mrs. Kleinkaut said they hoped, however, that it would be a study with a built-in requirement for report within, for ~~the~~ instance, the first week of the Second Session of the Alaska State Legislature. She felt these people have been at risk for many years already. They can't afford to stay at risk forever.

Mrs White said she would like to leave them with the point that they are talking about helpless people. Theoretically they do get into the disabled and they are helpless, at the mercy of these child carers, and several years ago an individual who is no longer operating one of these kinds of programs now, had a number of women at his mercy and they had illegitimate children coming out of these facilities.

Mr. Phillips said he can testify on the rules and regulations and that these ladies know what they ~~have~~ to go through this past fall and he had been involved with it.

Next to testify was Danny Plotnick, from the Office on Aging who gave a quick testimony because he had to marry a couple at 4:30. Said they don't go in for licensing at all. Said he had not prepared a position paper and if he had it would have been opposite of what Mr. Granato had prepared. He does not think licensure is the best way to go. He said there is no question that the Alaska State Legislature in conjunction with the executive needs to address themselves in this whole area of adult protective services. He said what they are apparently hearing is that they have zeroed in on children but in terms of protecting that frail elderly they haven't done it. He said he didn't feel they needed a task force to do this, they have a Governor's Advisory Committee on Aging, they have enough groups that they don't need to enlarge the bureaucracy.

Mr. Ose asked for a list of the places that are known now so that they can be given to the members also. Said he would also like to have some data on the facilities where they are having problems.

Sharman Haley from the Legislative Affairs Agency testified, said she was the author of the report from the Agency. Identifying where these facilities are is a difficult process. The problem with going through business licenses is that not only will all of them not be licensed, but they fall within the category usually of boarding homes and not all boarding homes serve dependent adults. She said you run into a difficult problem of defining who are dependent adults. That is something the present bill hasn't defined yet. She said the adults who are still clear headed and can make their own decisions are not the ones who this bill is addressed to. She said the method she used when working on the bill was through Social Workers, primarily, through the field offices of the Div. of Social Services and other social workers in the Anchorage Area.

She said because they are dependent adults most of them have been placed in the residences they live in by somebody else, either by a social worker, or a family member. She said the reason they are being placed in homes with inadequate standards is because there is no information available on what kind of care is being given in these homes. No inspections. The social workers don't have time to inspect the facilities on a comprehensive basis to know exactly what goes on there. There are not enough facilities available for people making placements to have a choice. They have to be put somewhere. She felt that she really got 99% of the facilities currently in existence. (99% that have 6 people or more) The foster homes are harder to tell.

Mr. Ose told about visiting Charlies Home and felt they were doing a good job there.

Sharman said she felt most of the homes really intend to take good care. Said they were very open to her visting and discussing with her.

Mr. Nakak at this time moved that the members who were here for hearings on the Board of Regents be unanimously confirmed.

Mr. Ose announced they won't do anything with this bill right now. Mr. Phillips felt we should have some direction from the committee regarding the bill.

Mr. Ose appointed a committee to work on the bill, Mr. Bennett, Mr. Nakak, and Mr. Phillips (who will act as Chairman) to look into all the aspects and report back to the committee a week from Monday, (February 14, 1977).

At this time Mrs. Kleinkaut and Mrs. White gave testimony on 2 bills that will be coming before the committee later. A copy of these testimonies are in the files, HB 242 and H&R 17.

The meeting adjourned at 5:00 p.m.

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MINUTES OF HOUSE

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

March 7, 1977

The meeting was called to order by Chairman Parr at 3:00 p.m.

Those present: Parr, Nakak, Chatterton, Phillips, Seversen, Cotten, Ose & Dr. Beirne came in late.

Absent: Bennett

HB 228

Chairman Parr announced the first order of business would be HB 228 and asked Mr. Duncan to speak on his bill.

Mr. Duncan stated he gave his full support and endorsement on the bill. The purpose of the bill would be to provide those employees who are selected to represent the bargaining organization would be entitled to administrative leave for the purpose of attending the meetings as well as furnishing transportation when the only way of participating these meetings is by air. He did suggest that there should be a change in the piece of legislation that would make it clear that this was only for a school day and suggested on line 13 to add the word "school" before the word "day". He concluded by again giving his support and wanted the committee to know of his interest in seeing it moved as quickly as possible.

Mr. Chatterton asked if this was just for Monday through Fridays and Duncan said no weekends were to be involved.

Mr. Nakak said he would have problems with this piece of legislation in his district where the teachers are getting more pay than anyone in the area and when there is a lot of unemployment also in his area. Felt the teachers could pay their own way on what they make. He also said the fact remains everyone will be aware that the newly formed REAA's are having extensive financial difficulties and putting on top of this paid administrative leave, travel and per diem, he didn't know how long people negotiating can hold out for a better deal if they know that all these costs aren't going to be absorbed by themselves. How long do you envision you can force a broke school district to pay for this?

Mr. Cotten said he thought Mr. Nakak had a good point but if they aren't getting paid they will want to get out of there as quick as they can. It was brought up that in some places they hire negotiators.

Mr. Ose said he was co-sponsor and believed if we pass this type of legislation then we should pass some means of funding also.

Mr. Seversen asked what other organizations do this now, teamsters, electrical union does this affect them in any way. Mr. Duncan said this would not affect anyone other than the teachers.

Mr. Chatterton asked if there was anything in this title and chapter that permits the taking legally of leave by teachers? Anything other than the school board itself that permits the teachers to take leave? Mr. Duncan said there was nothing he was aware of.

Next to testify was Mr. Bill Overstreet, who spoke on behalf of the Association of Alaska School Boards in opposition to the bill. Said this association represents 315 locally elected members of school boards around the State. They feel it is bad public policy, bad for education and bad for collective bargaining and he elaborated on these. Said the board is not negotiating for itself, it is negotiating for the public. Said it was bad for education for the reasons Mr. Nakak brought up. He urged that the Committee defeat the legislation.

Mr. Cotten asked Mr. Overstreet if he didn't just present one side and asked if most schools presently give administrative leave? Mr. Overstreet felt in most districts the bargaining is done at night or over the weekends and to the best of his knowledge there is nowhere where administrative leave is being given in city and borough schools districts.

Mr. Cotten asked if they considered it the norm to have the teachers go? Said the teachers have a staff of professionals that are available on a continuing basis and the teachers are better at bargaining than the board.

Mr. Phillips said he knew NEA supported this bill and asked if Mr. Overstreet or his association had contacted any of the teachers? Mr. Overstreet said they would be looking at an unfair labor charge if they were to contact teachers direct. Mr. Phillips asked if they had seminars that taught the teachers how to negotiate. Mr. Overstreet said NEA does that.

Mr. Overstreet said they had seminars where they teach the Board members how to negotiate but he said most of the negotiating is not done by professionals, it is done by the Board members and administrators.

Mr. Chatterton asked if Mr. Overstreet considered legislation of this type an invasion of the right of local school boards to conduct their own business? Mr Overstreet said he did.

Dr. Beirne asked if the local school boards, all of the time or sometimes hire professional negotiators? Mr. Overstreet said periodically they employed professionals. Said the school boards and administrators end up doing this most commonly themselves. Dr. Beirne asked if this was particularly in Rural areas and he assumed the new REAA's are totaly without professional help. Mr. Overstreet said that was correct and the Association itself attempts to make available some advice and 1 or 2 of the REAA's has employed a negotiator to come in and help them.

Mr. Cotten asked if the school board members received compensation. Mr. Overstreet said out of 52 school boards, 2 pay a salary, and 11 pay so much for a meeting. He did say most of them when they have to travel get paid per diem and travel expenses.

Mr. Parr asked when they have their training sessions where are they conducted? Mr. Overstreet said they can meet most anywhere but they do try to meet within the State as much as they can.

Mr. Parr asked Mr. Overstreet about the table he had with him, asked about the money received by the North Star Borough, Anchorage, Fairbanks and Juneau. Mr. Overstreet said the Juneau school board members do not receive any payment. Fairbanks the board members receive \$150 per month and when the travel they are paid \$25 for per diem plus hotel bills. North Slope school board and assembly are compensated \$350 per meeting. Said the meetings often last several days. Said the teachers in the North Slope Borough start at about \$18,000 and go up to \$30,000. Anchorage school board members receive \$300 per month and get assistance when they are required to travel.

Mr. Parr said this whole thing is a can of worms-- collective bargaining. Said they don't seem to get a meeting of the minds between the teachers and school boards speaking in state-wide terms. He asked Mr. Overstreet how he would feel about the legislature mandating something similar to what the Associated General Contractors and AFL/CIO now have in the state--one negotiating team from each side and they

establish the teacher contract materials in the whole state. Mr. Overstreet said they felt this would be wrong in that they feel that local decision should be made by local people and they think that attempts to mandate something like this wouldn't be good. Said there was a possibility that it could be explored but Overstreet said he thought what was important that the legislators not leave themselves where on the one hand say bargain at this local level and then on the other hand anything the teachers do not receive on the local level they are asking the legislature to provide for them.

Mr. Parr said he thought the legislature would like to see collective bargaining between equals and then carry it on in a manner which resolves the thing and then we get agreements, instead of hearing the continual complaints from both sides, what is essentially public employment.

Mr. Overstreet said he could suggest that there seems to be no way the public can entirely satisfy the union.

Mr. Parr asked on line 14 through 16. If this bill were to be passed out of this committee, would you feel it desirable to make this parallel with the existing isolation factor they have in the formula funding law which is not connected by road or ferry to Anchorage, Fairbanks, & Ketchikan.

Mr. Overstreet said he would rather see it actual transportation costs.

Dr. Beirne asked in the collective bargaining law, has there ever been an attempt to get into there where it would be prohibitive for the teachers union to lobby or promoting bill introduction. Mr. Overstreet said he didn't believe so but would seem a desirable good piece of legislation.

Mr. Ose asked if the meetings are called at the convenience of the school boards. Mr. Overstreet said they are set at mutually agreed times and places. Mr. Ose asked if the school boards were reimbursed for money spent if his objections would be still as strenuous. Mr. Overstreet said they really would be. He said it would be a little more reasonable but what they really can't see is the necessity of a public policy that says that those are going to negotiate against the public should be paid by public funds.

Mr. Parr asked Mr. Overstreet if he would be in favor of a law which required negotiations to go in the summer or non-school periods? Mr. Overstreet said he didn't know if you would want to require that because in many instances they can go on successfully during the year.

Mr. Chatterton then asked if Mr. Overstreet had sat in on some of the teacher's negotiations, and there was discussion as to who sits at the table, if union officials are present, etc.

Mr. Cotten said this bill says they are entitled to pay the administrator's leave. But is this the only place you know by law where they are entitled to leave? Where does it say the school board has to let any teacher negotiate. Overstreet said each district had its own policy regarding leave. Cotten then asked if this law would require each district to not only pay but require them to give the leave itself.

Next to testify was Mr. Bob Van Houte, of NEA Alaska. He said the intent as they see it is to provide equity and the opportunity for negotiations in order that both side can arrive at the spot where negotiations will take place without one side or the other being penalized. Said they were mainly concerned about the small districts where it is difficult for them to get the resources to meet with the local school board. He said he felt negotiations lead to better working conditions and teachers' morale.

Van Houte

Mr. Ose asked if this bill was passed if it would encourage those who are meeting nights and weekends to meet during the day? Said he felt the school boards would say to continue meeting as they have in the past.

Mr. Ose said what if we amended this to say for only in rural areas where they have to travel to attend the meetings. He then asked about subsidizing the teachers. Mr. Van Houte said with one or 2 exceptions, the districts do have sufficient funds to pay for this.

Mr. Chatterton asked if the NEA represented all of the teachers in the State. Mr. Van Houte said about 85 per cent.

Mr. Chatterton asked under the Public Employee's act of 1974 you are the legal representative of the people. Mr. Van Houte said only if the people in the district vote to have them be their legal representative.

Mr. Chatterton asked if there are many school districts where they are not the 3rd party bargaining agent for them? Mr. Van Houte said there are 2 districts where they do not bargain, one Cold Bay and the other Bristol Bay.

Mr. Chatterton then asked under the Public Employees Act if he would consider this as a matter of collective bargaining that we had before us? Mr. Van Houte said this was a revision of the current collective bargaining law.

Chatterton then asked if the State Act provides for them on behalf of their membership to collectively bargain on wages and working conditions solely and singularly? Van Houte said their current law allows for the teachers to negotiate and bargain on wages and hours and conditions of their employment.

Mr. Chatterton then asked if this particular bill and what it proposes to do if Mr. Van Houte wouldn't consider this an item for collective bargaining. Mr. Van Houte said in some cases you might but in the cases of the rural people it's a condition to make it possible for negotiations to occur.

Mr. Cotten asked if this language has ever been proposed in negotiating sessions by the teachers. Van Houte said it has. Said in 1 or 2 cases in the SOS system it was a part of the agreement.

Mr. Phillips asked if the teachers have been surveyed as to their feelings on this matter. Van Houte said this was an item discussed at their assembly and he assured that the rural locals would vote for this virtually unanimously.

Mr. Nakak asked if they (NEA) has received feed back from the locals and asked him if he could tell him that the teachers in the Bering Straits district would go for this? Mr. Van Houte said he was sure they would say this was correct. Mr. Nakak said he had question in his mind as to the authority Mr. Van Houte spoke that this was what the people wanted. Mr. Van Houte said he could assure him this was valid.

Mr. Chatterton questioned the wording in the bill as to being interpreted as paying over time.

Mr. Seversen said in the district in negotiating with the teachers, were there any negotiating outside of their area or districts? Van Houte said in some cases its a convenience of travel.

Mr. Nakak said school board members are usually a community leader or public spirited citizen who might have children in school. Usually works somewhere else, also. Being a public spirited citizen goes to a meeting and might be one that gets paid, and then again he may not get paid. Is there strong objection from NEA because these people are policy making body, is there strong undercurrent regarding having these people's way paid. Van Houte said they had no quarrel with the school board members being paid for their travel or trips. Mr. Nakak then asked if he felt these citizens ever suffered because they spent a lot of time at school board meetings. Mr. Van Houte said school board members are never paid for the time and amount of energy they put in for public service. Usually underpaid, underappreciated and usually end by being abused.

Mr. Parr asked if we are going to have this continual problem, depending on whose side you listen to, the teachers or school board, would it be better for the legislature to mandate some sort of blanket thing similar to what Associated General Contracto~~s~~s and AFL/CIO have where each group could send in its professional negotiat~~o~~r~~s~~ and sit down for a couple of weeks and negotiate something state-wide?

Mr. Van Houte said they would probably be more inclined to support this than others. Would want to see that provisions were mentioned for local differences and local variations because of housing problems or special problems.

Mr. Chatterton asked again whether Van Houte was the official third party bargaining agent for all the teachers except in two districts? Mr. Van Houte said they were. Chatterton then explained what he meant by 3rd party. Mr. Van Houte said they represent the local chapters. and each local school district has a local chapter and each chapter does its own negotiations. They are a 3-party, they have a local association, a state association and a national association.. Most of the members belong to all 3. Most of the negotiations are done at the local level. Representation is at the local level.

Mr. Chatterton then asked if they represented any teachers with relation to collective bargaining. Mr. Van Houte said they are not the official bargaining agent in any school district.

Mr. Van Houte said he would like to point out that they had been accused of by-passing the negotiations process and coming to the legislature for things they couldn't get at the negotiating table but wanted to point out that they haven't been in asking for salaries, health insurance, school calendar, haven't come in and asked for curriculum. Have left all these things for local negotiations. Have tried to make it possible for the collective bargaining bill ~~wo~~ work. They are interested in having good collective bargaining take place.

Mr. Nakak said that as a continuing observation he had a difficult time of even trying to conceive of himself supporting this, has a hard time with financing and the philospphy and hopes that the Committee won't pass it out.

Mr. Chatterton asked if there was a possibility of finding someone that would be willing to testify on the teacher's side of this argument?

Mr. Parr said he was going to suggest that the bill be held over because they need some more work on it and probably can get someone like that to testify.

Mr. Ose said he would like to make an amendment that we would like to work on.

Mr. Parr asked if there was any objection to holding the bill over? Said anyone who did want to propose amendments to draft up something and get together with him to try and work out something and arrange to get someone like Mr. Chatterton asked for to listen to and perhaps even a school board member.

Mr. Phillips said he had received communication from his school board member opposing this.

Mr. Cotten complimented the Chairman in his pointing out the continuing difficulty between the teachers and school boards.

There being no objection to holding the bill over, it was so done.

CSSB 46

The Chairman announced that CSSB 46 would be taken up next. Mr. Rich Davidge testified on the bill. He said he is a graduate student at the U of A, Juneau, in Public Administration. Twice have been nominated by students on two different campuses for appointment by Governor to the Student Regents of the Uof A. He said 2 years ago there were strong concerns among the students as to the selection appointing process by the Governor. He said they have tried in one previous legislation to try to rectify those problems. Said they have introduced a piece of legislation through Senator Croft which Jerry LaParle and himself have worked with Senator Hackney's committee in drafting a Committee Substitute to clean up a number of problems within the Regent legislation that selects students. Said he would like to direct a couple of specific comments on this bill. The bill directs that the Governor must appoint someone from the nominee list within 60 days. This is a new provisions. It also points out that the nominee must be a full-time student. And that the regent must remain a full-time student while serving. It also changes the election process.

Mr. Cotten asked if there are substantial changes between this and the original bill. He asked if everyone in the Senate voted for it and Davidge said it was unanimous.

Mr. Phillips asked what a full-time student was.

Mr. Nakak asked about the elections being established under the office of the Governor. Wondered why this couldn't be under the office of elections. Mr. Davidge said the students do not directly elect their representative only elect the nominees.

Mr. Parr said last year had HB 713 which passed the house and died in the Senate. This bill is essentially the same one except for changing the number of credits for full-time student and the regulations being handled in the office of the Governor. Has anything else been changed? Davidge said the appointment must be made within 60 days and that upon vacancy reappointment must be made within 60 days from the original list of the nominees.

Mr. Parr said on line 17 through 19 they had discussion last year on this. Said they had a provision in there last year when a student stopped being a full-time student there would be a certification by the registrar which terminated his tenure as a regent. Said in this bill it is worded that if a student goes 9 months of the year and takes off in the summer to work would forfeit his office. Davidge said the point has been brought up And explained that the Governor's Office and Board of Regents could interpret this so it would not affect students during the summer and when someone was not a full-time student the Governor's office could take action. Said they were trying to bring this appointment process more in line with other commissions where you don't have an election process and nomination process and all other things involved.

There was then discussion as to whether to amend the bill as to making the student in good standing a qualification.

Action

Mr. Ose moved that it read full time student in good standing on line 18. There was then discussion as to whether a grade average should be included such as 2.0 average. Mr. Nakak questioned this as being one of the qualifications for the board of regents. He felt a person could be a good candidate and still not have a high grade average.

A vote on the motion showed it to fail.

Action

Mr. Phillips then moved to pass the bill out of committee with individual recommendations. There being no objection, the bill passed out.

HB 130

Mr. Parr then asked the committee what their pleasure was as to HB 130. Mr. Phillips said he had talked to students after our previous meeting on the bill and felt more time should be put in on the bill before a decision is made.

The meeting adjourned at 4:50 p.m.

MINUTES OF HOUSE

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

March 8, 1977

The meeting was called to order by Chairman Parr at 3:05 p.m.

Those present: Parr, Bennett, Nakak, Chatterton, Phillips, Seversen and Mr. Cotten came in later.

Absent: Dr. Beirne and Mr. Ose

HB 287
Chairman Parr announced the first order of business would be HB 287 and asked Mrs. Rudd to speak on her bill.

Mrs. Rudd stated this bill is an outgrowth that goes back a number of years. She said she first became aware of the discrimination problem in the schools, as a parent, when the textbooks studied showed boys being active and girls watching or doing things in the house, etc. She called attention to the study that was distributed to the legislature in late January 1, entitled "Preliminary Study: Status of Women in Alaska". She said this study does document to a certain extent inequitable treatment of girls and boys in the schools and colleges in Alaska. She said she had become familiar with the Federal Law, Title IX of the 1964 Civil Rights Act which was amended in 1972 to include Title IX. She said the regulations promulgated as a result of this Act cover much of the same regulations she has covered in this bill. She felt it was important that we enact this legislation in Alaska because she said the Federal Government thinks Alaska is pretty low priority on the enforcement of any federal provisions. She also feels by enacting a law on the state level we make access to redress grievances much more available to people in Alaska. This bill provides that people can either file a complaint through the Commissioner of Education or through the State Commission of Human Rights or has a right to go direct to Superior Court. She stated she had a great deal of materials from other states that she would be happy to share.

Mr. Cotten asked how this bill would remedy the problem in the school systems where there is a small percentage of women performing the administrative jobs. Mrs. Rudd said the woman would now have the right to file a complaint with the Commissioner of Education.

Mr. Chatterton questioned as to whether the complaints in Anchorage regarding the fact that the girls teams in basketball didn't get uniforms and so on, were brought to the attention of the local school board. Mrs. Rudd said they had and had gotten some results.

There was then discussion as to whether a lot of the discriminatory problem doesn't in fact begin in the home before the child reaches the school age.

Mr. Nakak explained how the problem is being handled in the 3 districts he represents. He said he also recognized in anticipation of federal and state funds being cut from programs because of this type of activity, there are districts who are attempting to handle this on a more equitable basis and gave examples of this. He said he personally would have a hard time within educational circles as a legislator which freed feminine bondage from actual control.

Mrs. Rudd said she wouldn't use as strong a language as feminine bondage. She said she was very careful to draft the bill so it didn't talk about men or women because she felt there were cases where men were discriminated against also in the education system.

Mr. Nakak said he noted in the proposed piece of legislation promulgation of regulations. Are there presently in state law, perhaps via Human Right Commission are there no regulations they have or laws they operate by for prevention of sex discrimination or does that just cover outside of education system. Mrs. Rudd said as she understands it, the state law covers employment. She said it is debatable whether state law covers counseling programs, athletic programs, and such.

Mr. Parr questioned on page 2, line 17 he wondered what was envisioned when you say must provide an equal opportunity for both sexes in athletics and recreation. He said in this statement you have a pretty flat requirement but the rest of the sentence seems to have toned it down. Mr. Parr asked if the intent was that 2/3 of the girls come and want ice hockey, then provisions would have to be made for that. Mr. Parr asked about the ability for it. He told Mrs. Rudd she had just spoken to the interest for it. Mrs. Rudd referred him to line 20. Mrs. Rudd seemed content with the language although Mr. Parr felt it was watering down what she was shooting for.

Mr. Parr then asked about page 3, line 17, 18 and 19, wondered if this language was practical, felt at the university level would be using textbooks which are published nationally, and perhaps the textbooks won't meet the guidelines and criteria of being non-sex discriminatory. He felt in the elementary level there would be no problem, high school perhaps somewhat of a problem but definitely one in the university level.

Mrs. Rudd felt there are more and more textbooks that are non-discriminatory on all levels. However, she did feel there was a problem on the university level. She said this perhaps could be approached by amending the next sentence (line 20) by adding something such as "or those chosen for use because there are non biased materials available."

Mr. Parr said the study they had received, Status of Women in Alaska, he didn't believe it was a very good study and wasn't impressed by the reference to it in the testimony.

Mr. Parr called attention to page 4, line 13 and 14. Felt that since the whole bill applies to public education, they needed another section as far as postsecondary was concerned in that the Commissioner of Education had no authority of postsecondary.

Mrs. Rudd called attention to Section (3), line 7. She said the people that helped with the draft felt that since they were asking the board of regents to be the group that draws up the regulations and guidelines to be followed, that it doesn't make much sense to also make a group to which the person appeals in the university for redress grievances. Said they had thought about making the Regents draw up the guidelines and regs and making the appeal go through President of the University or vis versa but thought this wasn't too workable so felt the person on the postsecondary level could go right to the Human Rights Commission or to the court. She said if the committee could think of a way to bring the university somehow into a grievance procedure it would be agreeable to her.

Mr. Parr felt on lines 13 and 14 might have to insert something that says " as to primary and secondary education".

Mr. Nakak said he was concerned with quality education for everyone. Quality education as per the Constitution of the state that there will be quality and equality of education in all areas and his concern is that this does not exist. He feels the State is derelict in their responsibility and before he would work on sexual equality in education he would work for quality education in rural areas before he went off on a target. Said he didn't mean this was a target but that for his area they needed quality education.

Mrs. Rudd felt he wasn't going to get quality education until they got rid of sex discrimination in education.

Mr. Phillips asked about the fiscal note and said he would like to see one.

Mr. Chatterton asked if the only area Mrs. Rudd felt there wasn't equality in was sports? Then he asked which ones she knew for sure other than sports there was discrimination in.

Mr. Cotten brought up the question as to who picks the textbooks now.

Next to testify was Mr. Bob Van Houte from NEA Alaska. He stated NEA Alaska is in support of the legislation basically because there is a lot of **insidious** discrimination which is not apparent but which is there and lot of it is attitudinal and felt that the passage of the legislation would indicate they are supportive of the idea not only of the practice of equality but the belief of equality. He said he was sure there would have to be fiscal note because they will need some kind of enforcement. Felt the Dept. of Ed would need staff. Felt it would be fruitless to pass legislation without recognizing that you do need some machinery to implement it.

At this point Mr. Nakak questioned Mr. Van Houte about the Association, how many members are there, how many women, how many on the executive committee? who he got his authority from to back this bill.

Next to testify was Lynn Woods, Human Relations Officer from the Anchorage School District. Said she personally saw a great need for this bill. She said she was the person responsible for implementing Title IX law in the Anchorage School. She said many states have enacted "Mini Title IX" bills following the federal legislation. She said the benefit of state legislation is that it reaffirms local and state control in education. She felt this bill does ensure the citizen to a right to speedy relief which if the state mechanism and federal mechanism both fail the person willing to pay can receive it in the courts. She said the Washington State Department of Education under the state law upon which our legislation is based developed a book entitled "Models for the Evaluation of Biased Content and Instructional Materials". She said this book has helped them a great deal in the Anchorage area.

Mrs. Wood said on page 4 she would put (3) as (1) and would add to what would then be (1) " after word "abate" add "and remediate". Mr. Parr asked if she would leave written amendments with us and she said her were all handwritten but that she would mail them to us.

Mr. Phillips asked if she was representing the school district or herself and she said she would be more comfortable in saying herself.

Mr. Chatterton asked her if her greatest interest on the Mini Title IX program was that it addresses itself to the area of textbooks and curricular. She stated that plus the assistance to teachers are addressed together.

Mr. Chatterton then wondered why we single out one out of 5 golden rules "thou shalt not discriminate" which here means sex, why don't we put race, creed, religion, etc. Mrs. Wood said the reason this happened at the federal level was because race had been addressed in earlier legislation and sex was added at a later time.

Mr. Parr asked if right now in Anchorage students are having trouble getting particular classes they want because they are a girl or boy. The answer was no.

Mr. Parr asked about in athletics. She stated she had just recently had a problem where a boy was not able to take a gymnastics class.

Mr. Parr asked why we couldn't ignore Title IX and use our own guidelines. After considerable more discussion regarding Title IX and the discrimination of children in athletics Mrs. Woods was excused and thanked for coming.

Rosalee Walker testified next and represented herself. She told of a personal experience she had 4 years ago in Juneau and felt this wouldn't have happened had this bill been in affect at the time. She concluded her experience by saying "when you are black and a female, you have double trouble".

Mr. Phillips asked her if she knew she didn't get the particular job she had applied for because she was a female or if it could have been her race. She felt it was because she was female.

Next to testify was LuAnn Maxwell and read her statement. She testified in support of HB 287 as a member of the State NOW Chapter on a position taken at the State Convention held at Fairbanks September, 1976. Said she was also testifying as a mother of 5 sons currently enrolled in grades 3 - 11 in the Juneau Public School System.

Next to testify was Mrs. Janet Bradley, representing the Alaska Commission for Human Rights. She said at the last Human Rights Quarterly meeting which was conducted in Juneau in February, they voted unanimously to support the concept of this bill.

Mr. Parr asked if she had some idea of how many complaints the Commission is presently working on involving sex-discrimination in education.

Mr. Parr called attention to a paper that was just passed around that appeared to have come from the J-Bird. He said it stated there wasn't any discrimination in the terms of money or budget.

Mr. Parr said what we are talking about in this bill is mandating at a state level and putting in certain things the Commissioner of Education can enforce. He wondered why there hasn't been an ability to achieve remedy at a local level between the school boards and superintendents. He said in Title IX the thing is laid out word for word simple regulations, you have a well-paid superintendent, you have a local elected school board, and yet it appears it is very difficult except in Anchorage to get this carried out and doesn't understand why.

Mr. Parr asked if there were objections of the committee to hold the bill over. There being no objections it was so done.

The meeting adjourned at 5:05 p.m.

MINUTES OF HOUSE

HEALTH, EDUCATION, & SOCIAL SERVICE COMMITTEE

March 9, 1977

The meeting was called to order at 3:00 p.m. by Chairman Parr

Those present: Parr, Bennett, Nakak, Chatterton, Seversen, Beirne, Cotten & Phillips. Mr. Ose came in later.

HB 206
+ 207

Chairman Parr announced two bills before the committee today. HB 207 and HB 206. Mr. Bennett stated he would have to leave early and would appreciate it if the committee would hold off on action on the bills until a later date.

First to testify was Mr. Burt Hall, Director of the Department of Health and Environmental Protection for the municipality of Anchorage. He said they have been studying very carefully of both bills and have accomplished some analysis of the potential impact, both positive and negative of the legislation on the municipality and the people in the area. He stated their prime concern was with HB 206 since by definition they would not be considered under the other bill. He said the testimony he was going to offer today, especially the statistics would be preliminary in nature with any dollar figures used primarily for illustrative purposes. He began that they believe there needs to be established a formal and equitable system for the orderly delegation of state authority to municipalities and for the authorization of grants to local government to assist in providing basic health services. His testimony was read and he advised the committee that he would get us a copy of his testimony the next day and a copy of this will be placed in the two bill files.

Mr. Hall showed two charts he had made up showing the basic services of public health that are provided by the Dept. in Anchorage over the years and shows the state's investment or share of the services. He stated copies would be made of the charts for distribution after the meeting. Mr. Hall stated the true cost for distributing public health services for the present year is 2.9 million dollars. The municipality receives \$335,000 in other revenue and the state is still contributing \$360,000 which means that it's share is now 13.9 per cent.

He stated by way of summary they are questioning whether or not the base figure which would be used to calculate a 90 per cent support for 1980 with or without the hold harmless clause and could go on for a long time. Whether it bears any true relationship to the true cost as would be considered elsewhere in the State,

He said a final concern related to the lack of a clear mechanism for providing for state support of recognized needs which might come into being over a short period of time. He felt the 90% clause limitations could be extremely devastating.

Mr. Nakak asked Mr. Hall when he related to costs in Anchorage if he were making an illusion that costs other than in Anchorage are not real costs. Mr. Hall said, No, it was their understanding that in HB 206 the state now provides a percentage support not by percentage, but provides a modest amount of the true cost. The true costs in Anchorage are roughly 2.9 million dollars for the services we are talking about and the local government pays 82 or 83 percent and the state picks up the rest. In HB 207 it provides for the state to pick up 90 percent of the true costs. It's just a matter of making a comparison about how much state support goes into a different area. He personally felt anyone who assumes health powers ought to assume health responsibility. With that ought to go a willingness to pick up some additional load for the privilege and responsibility of doing that.

Mr. Parr asked about section 031 in the bill where it says 90 per cent of the state budget for public health services furnished in the municipality in that fiscal year; and felt it would be more than the \$500,000 they were talking about. Mr. Hall said he felt that was open to some interpretation and would like to agree with him. He said they do have a laboratory and do opt under their contract to do inspections in environmental health. Mr. Parr asked what the costs to operate the laboratory would be. Said its services are not exclusively for the municipality. Mr. Parr said the bill doesn't say that, anything about whether the services are furnished.

There was discussion as to the municipalities putting in money in order to get local control of their own health services and what an appropriate amount would be. Mr. Hall said if he were pressed he would say not less than 25 per cent. Parr asked if the budget were 2.9 million for the health service cost in the Anchorage municipality for this year, how much would the state come in with and how much from the local municipality. Mr. Hall said it doesn't add to 100. He is suggesting that the state should not be less than 25 per cent and the responsibility of the municipality to come up with the rest, some of which would be local tax, others by third-party payments, etc. There was quite a bit of discussion on this matter.

Mr. Parr said we now have an adjustment in our education program based on an essence on real property values, and asked if he thought an adjustment in the formula was needed to allow for the wealth of the municipality concern? Hall said he agreed that a consideration should be worked in some way.

Mr. Hall said Anchorage has benefited from revenue sharing . Funds which can be worked into the kinds of programs that they are counting on their side of the ledger of an investment. Said they were not unaware of that contribution of the state but Anchorage is the only municipality that has had this kind of system established over a period of time and felt they have just really begun to dig. Said they wanted to alert the committee to the fact that they would be going home and doing their homework and trying to dig into some of the questions that are being asked.

Mr. Parr informed Mr. Hall they would appreciate anything he could furnish the committee later in writing.

Mr. Chatterton asked about line 15 on page 4 on the section covering regulations. Item 4, said (he presumed) they were going to set up the regulation for a basic public health program. Then he said on page 2, line 19, says the same level of basic grants support. Mr. Chatterton asked what was basic and what was not basic? And what's going to be 90% of what's basic. Mr. Chatterton said Mr. Hall had said we were getting \$500,000 of which \$140,000 travels on through state funds for basic health services. Do we get any more funds from the state for the general arena of health services? Mr. Hall said they got a considerable amount of additional dollars. And explained the sources where they got these additional money but said what they are talking about in the bill are the basic services as defined here by interpretation and regulations—the basic services described in the bill itself and asked about the definition section. There was discussion as to what the state actually furnishes for public health services in Anchorage.

Mr. Phillips said his notes on the bill showed on line 18 he has "existing local budget" written in.

Mr. Parr asked Mr. Hall if he felt we really gained anything by going through this routine of 206 and 207? Are we really going to furnish better health protection, or having the same health protection with less money, or what are we really going to gain? Mr. Hall said the major gain we would achieve is have a formal system for state shared responsibility in a definite list of certain services. Mr Parr felt this could be done through revenue sharing.

Mr. Hall said they must be in fault in Anchorage, whether it be the legislators or the government, he doesn't know how they allowed the figure of \$500,000 to remain so low over the years when the costs keep going up and the responsibility keep going up. Mr. Hall thought the mechanism and equity that would have to be established in the process of the hearings and legislative debates of who gets what in the process, there would be required the establishment of a plan. Felt this was significant.

Felt there should be a plan to have goals and have objectives that budgets can be built toward and that can be measured and evaluate the effectiveness of what they are doing. He didn't feel this could be provided without this type of legislation.

Mr. Parr stated the only ones they are concerned about are the recipients of the bill and if they are going to profit from it fine, but if they aren't he can't see why they go through the drill.

Mr. Hall felt there was a protection that is inherent if the bill passes. Said if they saw that the bill was going to pass they would move as strongly as they can to see whatever base is established is brought to an appropriate amount which is up and in that context it would be more state money for Anchorage and then they could provide more services.

Mr. Nakak thought the figure could be cut because the figure was so inflated to begin with, and felt Mr. Hall's assumption that it would be raised could be a wrong one.

Next to testify was Mr. Charles Oxereok, Divisional Director, Human Services Division, Alaska Federation of Natives Inc. Spoke to some of the current health problems of the Alaska natives in the rural level in the development of health services and its inter-relationship to HB 207. He too read his testimony and informed the committee that he would mail a copy of it to them. It was his feeling that the people are being neglected by the Health & Social Services program. He felt many of the problems they are having can be alleviated by placing an emphasis of preventative health care at the state level. He said in ~~HB~~ HB 207 does not call for indirect costs to be recognized by state government, does not call for advanced payments for the contract of regulations. Said in some instances the rural areas do not get a chance to get a grant. He said the population area is too high and said there are only 2 cities in Alaska where the population is 6,000. Said this should be reduced to at least 1,000. Said HB 207 is designed to deteriorate the current unity of the Regional Health organizations already providing health services in the rural areas. Said he hoped the committee would prevent some of the mistakes made by prior legislatures. Said one of the recommendations was to give advance notice of the Association of Regional Health directors to hold 3 hearings within the HSA bonding lines. He asked that this piece of legislation have a regional hearing conducted in those areas because he felt the notice was too far short to conduct a comprehensive testimony and indepth study of this piece of legislation.

Mr. Parr informed Mr. Oxereok that these bills had been up before and that both the Anchorage and Fairbanks legislative offices had been notified. Oxereok said the Alaska Federation of Natives should be notified because most of the communities do not utilize the legislative offices and most of them do not know they even exist.

Mr. Parr asked where he got the figure of 85,000 natives that he had used, because the one he usually heard was 60,000. Oxereok said the 60,000 is the state estimated figure and 85,000 comes from the Alaska Native enrollment office of BIA.

Mr. Parr then asked about his statement of being neglected by the State and yet did say the Indian Health Service is furnishing the medical services. He said they wouldn't want the state to duplicate the services already being received so he assumed he wanted the state to do something else. Wondered what.

Oxereok said what he was trying to point out was that the State has always relied on the Indian Health Service to provide the health services, now is the time for the State of Alaska to get involved in some of the native health services.

Mr. Parr asked about his statement that the State doesn't contract with the Regional health organizations. He said there was a contract between the State and Tanana Chiefs.

Mr. Parr asked if he said also that the health system agency boundaries don't match the native corporation boundaries. Mr. Parr thought they were going to match these up.

Mr. Parr then asked if he felt the 6,000 figure was too high, what he thought an appropriate figure would be. Mr. Oxereok felt 1,000 would be more appropriate.

Next to testify was Conrad Baines, Jr., Executive Director of Southeast Alaska Health Corporation. He said his comments are directed only to HB 207. He said he felt the concept within 207 is a good concept to authorize contract agreements for public health services. Said he has attended several meetings since the idea started and met with some of the state staff on this bill several times but still there are many things unclear to him. It is unclear as to who can apply for contracts. He thought the law excluded native organizations, in rural areas especially. Said the 6,000 population figure is clearly discriminatory to rural areas. Thinks the idea is good but the state contracting process has many weak areas. Thought it should be revamped to reorganize so that the state can have one central procurement arm. Said the question Mr. Parr brought up about Tanana Chiefs was a contract for federal funds, EMS but the same idea was objectionable by Tanana Chiefs in that there was no cash advance and indirect costs were not an allowable item. Another concern is in regard to REAA boundaries. Felt they were drawn for education purposes.

Another concern was that it was unclear as to financial and over-all impact of the law. Can't figure out who will apply for contracts. Felt it would be shifting around of the personnel already existing. Said he had 2 points for suggestion in re-writing the bill. Said he felt there should be some amounts put in for rural areas. Felt someone is trying to make a simple process complicated in this bill. Felt the main intent was to give the state authority to contract with any corporation for health services. Said the way it is written it excludes this. Felt the bill is looking for is to add authority for the State to contract any entity such as the Federal Government.

Next to testify was Dr. Frazer, Director of Public Health. He said from a standpoint of historical perspective, it is natural for groups of people to want to control their own destiny.. Said they continually see, in the progress of society, the continuing progression between centralized and local control. The purpose of these bills is to provide the municipalities and smaller groups with the ability to assume responsibilities for their public health services. Felt some of the statements that were made shows there is confusion between preventive services, public health services, and direct patient care. These bills provide potential for local communities like Anchorage and local areas to assume their public health responsibilities. Said the reason for going the Board route is they are enforcing state regulatory powers frequently, enforcing regulations and conducting services in accordance with regulations that the Commissioner will develop and therefore is the necessity for a responsible group.

There was discussion as to what the function of the Board would be.

Mr. Chatterton called attention to page 6, line 8 on the bill and asked about the 10%. Mr. Chatterton felt what they are getting now isn't costing them anything for 3 or 4 people but if the bill is enacted they will have to pay 10%.

Mr. Parr asked Dr. Frazer what besides "local control" do we gain from this bill? Mr. Frazer said the potential gain is through local control and perhaps the addition of local funding, self-determination in the direction of new programs in the area he wishes to advocate and incur. Might be more emphasis in family planning or immunization. There would be a little more option to directing the program to local problems.

Mr. Parr asked if he was saying that the amount of money wouldn't increase, that they would get better service for the same money? Dr. Frazer thought there was a whole spectrum of possibility ranging from poor service because of difficulty

in losing a central recruitment to the other end of the scale an increase individualized program in an area which is more effective. Did feel there was some gambel in this, going all the way from a disaster to a great success but felt the potential for local control permits this range.

Mr. Chatterton then asked him if he understood him correctly in saying that someone else could do his job more effectively then he can.

Mr. Parr said Section 151 does say the governing body may subcontract with a private health corporation serving a public health system. And there was discussion on this.

Mr. Parr asked Dr. Frazer to comment on the 6,000 figure and there was discussion on this.

Mr. Parr asked Dr. Frazer if both bills passed and became law what the total number of districts are that would be affected. Dr. Frazer thought maybe 25.

Mr. Parr said obviously there is a need supervision. Said this could be done in 2 ways. One, is by a number of reports coming in monthly and the other one by actually getting out and traveling to see what is going on. Which would they plan to follow up on this?

Dr. Frazer said the question of implementing these bills was addressed in a fiscal note and would require additional staff to draw up the regulations and implement them. Said he could speak from previous experience, when there is a problem they go out and work with the local facility and feels the personal dialogue and consultant basis has some advantages.

There was discussion on the grants and how they are made. and the authority for making them.

Next to testify was Mrs. Osterback from Sand Point and said she represented from Adak down to Perryville and said in her district they aren't benefited at all from the State Department of Public Health. Said they presently do not have a public health nurse, no village built clinics, They have a doctor come out from the ANS hospital 2 a year and a dentist 1 a year. She said people eligible for medicaid can't benefit from it because there is no one there that can sign the coupons. She said they had a nurse at Sand Point but is from the Baptist Mission.

Mr. Parr asked Mrs. Jund if she could check into the program of the medicaid benefits so the checks could be signed there.

Next to testify was Lois Jund, Deputy Commissioner for Program Management. She said there seemed to be a great deal of confusion expressed today and said they are talking about basic public health services in most areas, that will only be the public health nursing program and environmental health program. She said Anchorage is not covered by the 90/10 clause in HB 206, they are covered by 18.10.031(d). She said the Anchorage area has an enriched program and are providing many services from their area that State doesn't provide from State level.

Mrs. Jund said the statement made earlier she believed from Mr. Hall that they are putting in money and other areas aren't is not a true statement. Other municipalities do contribute in cash or in time. There is no formula at this time and that is what this bill is trying to do so that all municipalities and all areas are treated equal. She elaborated on the amounts of money Anchorage is getting.

The meeting adjourned at 5:15 p.m.

206-201

DEPARTMENT OF HEALTH AND ENVIRONMENTAL PROTECTION
MUNICIPALITY OF ANCHORAGE

March 9, 1977

TESTIMONY PRESENTED BY ROBERT A. "BERT" HALL BEFORE THE HESS COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

Mr. Chairman, members of the House HESS Committee, my name is Bert Hall; I am the Director of the Department of Health and Environmental Protection for the Municipality of Anchorage.

We have been studying very carefully House Bills 206 and 207 and have accomplished some analysis of the potential impacts, both positive and negative, of that legislation upon the Municipality. Our prime concern is obviously with H.B. 206 since, by definition, we would be excluded from consideration under H.B. 207.

The testimony we offer today, especially any statistics, are intended to be preliminary in nature with dollar figures used only for illustrative purposes. We are attempting to document some accurate reflection of the history of our past experiences in joint funding public health services in the Anchorage area.

Let me begin by stating that we believe that there needs to be established a formal and equitable system for the orderly delegation of state authority to municipalities and for the authorization of grants to local governments to assist in providing public health services. We agree with the stated purpose - to provide and safeguard the health of the general public. However, if our understanding of the system suggested in H.B. 206 as it would apply to the Municipality of Anchorage is accurate, then we have some real problems endorsing the legislation without amendment.

Since the Municipality of Anchorage has the only history of joint governmental funding of public health services in Alaska, perhaps it would be helpful to review briefly our past experiences.

As early as 1926 the City of Anchorage employed a sanitarian and a nurse to look after some of the health and sanitation problems for the community. Over the years various combinations of efforts by the city and adjacent utility districts with assistance from the Territory and the State have maintained an agency to provide public health services.

For about ten years the Greater Anchorage Area Borough Health Department operated as a district agency serving Anchorage and the metropolitan area technically under State authority, and financed by a combination of local, State and Federal funds. A succession of health officers brought variations in emphasis, but for the most part the services included general sanitation and public health nursing.

The assumption of health powers by the Borough in 1964 brought no significant changes in services for several years, though steadily the local agency grew in experience and assumed many responsibilities once carried almost wholly by the State. Even yet the Department lacks some of the most important services such as: Laboratory, Child Guidance, Nutrition and Health Education. Of these only laboratory services are available through the Southcentral Regional Laboratory operated by the State Department of Health and Social Services.

The Department of Health and Environmental Protection's responsibilities include the full scope of health powers, including environmental, since no other official agency of local government has such powers assigned.

"The scope of health is considered to be a state of complete physical, mental and social well being, and not merely the absence of disease or infirmity". This definition has been adopted by the World Health Organization, the American Public Health Association, The Alaska Public Health Association, and by most official health agencies throughout the Country. The practical boundaries of health functions assumed by Federal, State and local official and voluntary agencies are more often defined by limits of resources and recognized needs than by definition of public health which states that "public health includes those services and functions which the people can better provide for themselves collectively rather than as individuals". This definition also implies that as needs change services change to meet them.

As noted above the Department of Health Environmental Protection has grown and has assumed many of the State's public health responsibilities. In recognition of the assumption of these State responsibilities the State gave the Department in fiscal year 1970-71 the amount of \$265,000. Included in this amount was \$125,000 for Alaska Crippled Children's Association and Alaska Retarded Citizen's Association thus leaving \$140,000 for public health services. The \$125,000 for ACCA and ARCA was for the provision of

exceptional children's programs. The \$140,000 was for the provision of communicable disease control, vital statistics collection, environmental sanitation, health education, promotion of individual health and collection and preparation of laboratory samples.

We, the local health authority were expected to accomplish many specific tasks, including the following:

- We would provide immunizations for all citizens without charge,
- We would perform chest x-rays,
- We would provide diagnostic consultation for TB and for venereal diseases,
- We would accomplish epidemiological investigations where appropriate.

In the environmental health area;

- We would inspect public facilities: eating and drinking establishments, grocery stores, bakeries, etc.; housing and mobile home communities, schools, hospitals, nursing homes, swimming pools, etc.
- We would respond to complaints and public nuisances,
- We would deal with most matters of pollution, especially water and sewer.

To promote individual health;

- We would provide for visits of the Public Health Nurse in the home,
- We would conduct family planning clinics,
- We would conduct classes for expectant parents and run well child clinics,
- We would provide consultation to child care centers.

Additionally, we would provide certain limited laboratory services, and the services of the physician.

All of these and many more would be provided in the basis of total health needs.

When the first contract was signed in 1970, it was agreed that the State support would allow for the provision by the Municipality of a proportionally greater amount of services than would have been provided if no contract or grant existed.

It should be pointed out that there was little rhyme nor reason regarding the dollar amount included. The contract instead was a document intended to legally transfer the line item budget amount.

For the next fiscal year, 1971-72, the contract was renegotiated to a total amount of \$500,000, \$140,000 was earmarked for ACCA and ARCA, the exceptional children's programs... \$100,000 was dedicated to environmental health and \$260,000 to public health. The total amount budgeted for these services by the Municipality for that period was \$1,391,000. The State's share of that budget was therefore, 25.9%. It is my belief that that contract was the first sincere attempt to share reasonable costs.

I have studied all of the contracts since 1971. All are basically the same; all use the same words, all have the same conditions, all have the same scope - and unfortunately all have the same dollar amount.

Meanwhile, the population of Anchorage has grown about 50%, services have been expanded to meet the recognized needs; inflation has eaten away at the purchasing power or service delivery capability of the \$360,000 we received from the State for the provision of the public health services described above.

Attached is a graph which illustrates the growth of the true costs and shows also the level of State support.

The true cost of delivering public health services in Anchorage for the present year is \$2,930,170. The Municipality is receiving \$335,430 in other revenue. The State is still contributing \$360,000 which means that its share is now only 13.9%. If the 1971-72 proportion of State investment was interpolated to today's budget then the State would be paying \$754,000 for its share of public health services and a total of \$894,000, recognizing that the \$140,000 was legislatively intended for passthrough projects.

House Bill 206 provides under Section 18.10.031(1) for a grant to a Municipality in an amount equal to 90% of the State budget for public health services furnished by a municipality in that fiscal year; the same level of basic grant support shall be provided in subsequent fiscal years. In order to get this grant the Municipality must only agree to maintain the same level of public health services as furnished by the Department in the fiscal year preceding application for the grant. There is also a hold harmless clause which we cannot interpret.

Under House Bill 206, will the State be willing to go 90% of the true cost of delivering public health services in Anchorage or is it the intent of the State to continue paying the Municipality \$360,000 as provided under Section 18.10.031(d)? Herein lies our major problem with the legislation.

Up until this time the Municipality of Anchorage has provided the public health services in the Anchorage area which are the historic delegated responsibility of the State. The State, through House Bill 206 would contract with local governments and under H.B. 207 create health entities to contract with where no local government exists for the delivery of public health services. In other areas of the State the local residents will only have to pay 10% of the true cost of the delivery of public health services; H.B. 207 provides that where local governments do not exist federal monies can be used to match the State contribution.

Today in Anchorage, the local taxpayers directly pay for 86.1% of the cost of providing public health services as well as their share of State taxes. The people in other communities are not directly paying for any public health services.

In essence, we are questioning whether or not the base figure which would be used to calculate a 90% support for 1980, and would be reflected in all future years, bears any relationship to the true costs as would be the case elsewhere in the State.

Another major concern is the potential disincentive that may be built into the Bill. If a local government knew that it would get 50% support for a new program a few years down the road, why expand services for less support? Someone might even conclude that local autonomy might not be worth spending 85%-90% of the costs with local funds when the basic services could be provided by the State at 100% support if no agreement existed.

A final concern relates to the lack of a clear mechanism for providing for State support of any dramatic increase in needs which comes into being with little warning. In a similar vein, there appears to be no opportunity for passing along any major availability of new health dollars that may come to the State from one source or another.

Thank you.

THOUSANDS

1400

1400

1200

1000

800

600

500

400

EXPENSES RELATING TO
NURSING, SANITATION & OTHER CARE ONLY

HEALTH-COVERAGE

68.9

69.70

70.1

71.7

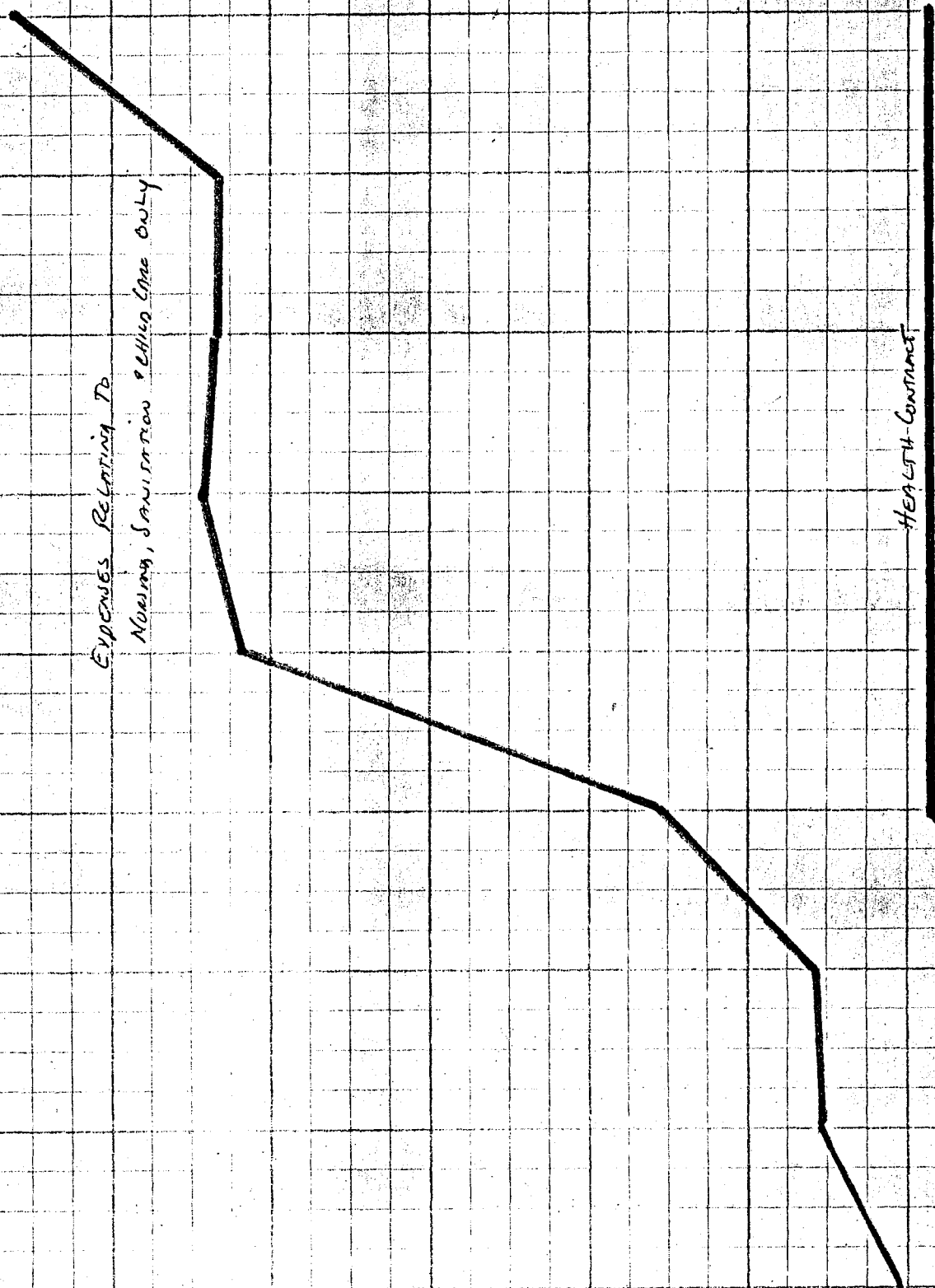
72.3

73.4

74.5

75.6

125,000



MINUTES OF HOUSE

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

March 10, 1977

The meeting was called to order by Chairman Parr at 3:00 p.m.

Those present: Parr, Chatterton, Severson, Ose, Phillips, Nakak with Bennett, Beirne & Cotten coming in shortly after the meeting began.

HB 242
The Chairman announced that HB 242 was the first order of business.

Sharon Osborne, Coordinator of the Office of Planning & Research for the Office of Health & Social Services testified first. She said the Department supported the concept of the bill but could not recommend expenditures above the Governor's budget. The Department had presented a position paper and fiscal note on the bill.

Mr. Chatterton said as he understands it under the existing statute, the Dept. now sets forth, through public meetings, etc., and establishes a state plan for a fiscal year and then the plan is brought before the legislature. Sharon said that was correct but the bill that had been passed into existing law was without appropriation.

Mr. Parr asked about Chapter 273 and the fact there was no funding for it.

Mr. Bennett asked about the working in line 10 through 12 wherein it gives 14 days time to notify someone by mail of a proposed change and expressed concern that this was not enough time for some of the areas to receive the mail and properly respond.

Mr. Chatterton asked if Sharon would object if a change were made to go through somewhat of a streamlined procedure in setting up the plan but still complying with the Administrative Procedure Act.

Sharon said speaking for herself she would not object.

Mr. Nakak asked if she thought the Dept. would have any objection to changing the time from 14 days to 30 days in notifying people of the proposed changes. Her answer was that the federal law allows for 30 days and she could see no objection other than it would shorten the time in implementation of the plan. There was discussion as to whether or not sometimes it wasn't a good idea to hold off awhile and not implement things so quickly and that the constituents in the various communities should be considered.

Next to testify was Marsha Hubbard who is with the Budget Unit of the Dept. of Health and Social Services. She said the change being considered is not a change of a plan that is proposed but is a change in a plan that is presently being implemented. She explained the way their plans and budgets for them work that are in effect now.

Mr. Chatterton asked if there was any time when they might want to change a plan that did not have a fiscal note attached to it since it appears that the plans they now have have fiscal notes. She said most of their plans are broad plans where they try to purchase certain kinds of care and provide workers to provide that care. She said the plan would only change because there is a greater need for something else so they shift in funding or have to have additional funds. So it tends to be more of a financial consideration during the implementation period.

There was then discussion about the federal funds and how they affect the plans.

Mr. Phillips asked about the public hearings and whether they were held at set times and when. She said that in the rural areas they tried to have the hearings in the evenings so the people could attend. They tried to set them at a convenient time for the people.

There was then discussion regarding the fiscal note and the necessity of needing 2 people to travel to where the hearings were being held when they already had people working in the regional offices there,

Next to testify was Mr. Malone, the prime sponsor on the bill. Mr. Malone said the reason he introduced this legislation was to provide a mechanism that the people could require that they be given reasonable notice of changes in the State plan of Social Services. He elaborated on his reasons. He agreed that the 14 days as presently stated should be longer. He said his prime concern was that the people receive the notice of the change that is proposed and that they have a place to go to get the relief they need which is through the court system.

Mr. Chatterton said he was in complete sympathy with Mr. Malone but felt the bill was too soft. He said the way it is presently set up there is quite a procedure for establishing the plan and he said we have had testimony already that any change in the plan generally has a fiscal impact and he said he had some suggested wording that wouldn't amend the bill but would accomplish the same thing only binding the Dept. into the Administratives Procedures Act and approval in the long run by either the Legislative Council or Legislative Budget and Audit committee. He asked Mr. Malone if he would be receptive to something he might draw up that would be more binding. Mr. Malone had no objection. He did say if there was any mechanism incorporated that that be tied to the right of a person to get some sort of relief and he didn't feel applying to the Dept. was enough and that was why he had suggested the court system.

action
Mr. Nakak proposed an amended and moved for it to be adopted; on line 10 the "14" be changed to "30". There being no objection to the amendment it was so carried.

action
Mr. Nakak then moved to pass the bill out of committee. Mr. Chatterton objected and said he would like to have time to do some work on the bill and asked that it be held for about a week. Mr. Nakak then removed his motion. Mr. Malone said he had no objection and the bill was held in committee.

Mr. Parr told the committee he would like them to consider that when the committee approves that a bill goes forward he would like to put a letter of intent regarding the fiscal note. Asked the committee to think about it.

HJR 17
Chairman Parr announced that HJR 17 was next.

Mr. Gary Sheridan, Title XX coordinator for the Dept. of Health and Social Services said he was here to answer questions.

Mr. Malone testified on his bill. He said he thought at the last hearing on this the Dept. was planning to drop public hearings on Title XX plan and that was the reason they opposed the resolution. Said the Dept. didn't think you needed a rigid requirement of the federal law to do this. He said there was nothing the Dept. said at the last hearing that made him believe we didn't need it and felt the resolution was still needed.

action
Mr. Bennett moved that the bill be moved out of committee on individual recommendations. There being no objections, the motion carried.

The meeting adjourned at 4:00 p.m.

MINUTES OF HOUSE HESS

March 11, 1977

The meeting was called to order by Chairman Parr at 3:00 p.m. Those present were Parr, Ose, Bennett, Chatterton, Nakak, Beirne, Seversen, Cotten and Phillips.

Chairman Parr announced the first order of business was HCR 35. Mr. Nakak moved that we pass it out of committee with a do pass recommendation. There being no objection the motion carried.

The meeting adjourned at 3:03 p.m.

MINUTES OF
HOUSE HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

March 14, 1977

The meeting was called to order by Chairman Parr at 4:15 p.m.

Present: Parr, Bennett, Nakak, Chatterton,
Ose, Cotten, Phillips & Beirne.

SSHB 125
Chairman Parr announced the first order of business would be SSB 125 and asked Mr. Duncan to speak on his bill.

Mr. Duncan stated they had asked the Legislative Affairs Attorney to look at the previous bill and the response they had gotten from them was that the wording in the bill was questionable so they had the sponsor substitute made up which opens the matter up and takes care of some of the problems, making it available to non-natives. He stated on page 3, they put in a ranking or selection criteria which limits it some but did open it to native or non-native. Mr. Duncan said he felt it is a good piece of legislation and one that is needed. He further called attention to the fact that the fiscal note was increased.

Mr. Cotten asked if even though it is changed around it still isn't strictly for natives. Mr. Duncan said the eligibility requirements on page 2 had been changed. The prior bill said had to be 1/4 native blood and that is no longer a requirement.

Mr. Beima from the Dept. of Education was present and spoke next on the bill. He asked if Judy Franklet also from the Dept. could sit at the table with him and also introduced another lady from the Dept. who was present as well as 2 additional women. Mr. Beima gave a little background into the bill. (Ladies with Mr. Beima, Maxine Reichert, Sylvia Carlsson & Susan Murphy.)

Mr. Parr felt in attempting to get around the constitutional problem, the bill as it is now doesn't do what the original bill was intended to do. Mr. Beima felt with the Selection Criteria that it would get the proper people in.

Dr. Beirne asked how many more people would be covered under the new bill. Be. Beima felt it would probably triple.

Dr. Beirne questioned the fact that under the section covering Selection Criteria, there was nothing about financial need. Mr. Beima said he had not addressed that topic and really wasn't concerned with it. He further stated they were hoping to entice some of the village members and corporation type people to take advantage of this program.

Action Mr. Bennett moved on page 2, line 26 to strike "any" and insert "an appropriate".

Mr. Cotten objected. A vote on the motion showed the motion to pass.

Mr. Chatterton asked if there was a companion bill or something to be introduced that would provide a grant to encourage people to teach in the rural areas. Sylvia Carlsson spoke to this and said there is an Arctic Exceed Program which assists the student but it does not require them to teach in rural areas.

Mr. Chatterton then asked if we had a grant program for students to get degrees to teach in Alaska. Mr. Beima said there is a referring cost program from the U of A.

Mr. Bennett moved on page 5, between lines 22 & 23 to insert "this act will expire July 1, 1982". There being no objection, the motion carried.

Mr. Parr asked if Mr. Beima felt that anyone who was eligible in receiving assistance under this program would also be eligible for the student loan program as well. Mr. Beima there was nothing that would exclude them from applying but felt it was highly unlikely.

Action Mr. Parr moved to amend the bill on page 2, between lines 23 and 24 to insert "Sec. 14.40.887. No person may simultaneously receive a grant under this program and a student loan under AS 14.40.751 - AS 14.40.806". There being no objection to the amendment it was so adopted.

Mr. Parr then asked for the reason of the fiscal note being double. Mr. Beima said at the present time they are able to utilize BIA funds for students are are 1/4 native but if the program is opened up to non-natives these other monies wouldn't be available and he didn't know how else to make this up. There was discussion on the fact that there would probably still be quite a few natives enrolled in the program.

There was discussion as to whether the student or person would return to the same area or just return to the State when he finished the program.

Action Mr. Bennett moved to pass the bill out with individual recommendations. Mr. Chatterton objected in that he wanted to make an amendment. Mr. Bennett withdrew his motion.

Action Mr. Chatterton moved on page 4, line 3, strike the word "THE" and add "NON-URBAN" then after the word "STATE" strike the "." and add the word "AREA.", and on line 6, strike the word "seek" and insert "accept", and on line 7 after the word "the" insert "non'Urban" after the word "state" delete "." and add areas unless none is available. Mr. Phillips questioned the motion in that he felt it should be "rural areas" instead of non-urban. A vote on the motion showed it to fail.

Mr. Ose then asked about how many administrators we were talking about The answer appeared to be about 149.

Mr. Phillips felt he would like more time to go through the fiscal note.

Action Mr. Ose moved to amend on page 4, line 6 to strike the word "seek" and insert "accept", after the word professional delete the rest of the sentence and add the following language " educator in the rural areas of the state". After discussion, a vote on the motion showed it to fail.

Action Mr. Parr then moved on page 2, line 4 to delete the word "state" and insert "minority". There being no objection the motion carried.

Action Mr. Bennett moved to pass the bill out of committee with individual recommendations. There being no objection, the motion carried.

Chairman Parr then announced the next order of business would be HB 126.

Mr. Parr moved to amend line 10 to change "\$260,000" to "\$225,000. Mr. Ose objected to the motion. A vote on the amendment showed it to fail.

Mr. Nakak moved to amend on line 10 to read "\$225,000 instead of \$260,000. A new vote showed the motion to pass.

Mr. Phillips felt he didn't want to pass the bill out until he sees a breakdown on the bill.

Mr. Bennett moved to pass HB 126 out of committee with individual recommendations. A vote on the motion showed it to pass.

Mr. Parr told the members of the committee that Mr. Romesburg from the Postsecondary Commission had sent over a report and a copy was available for each member. He also stated that since HB 125 had several amendments it would be sent up for a committee substitute to be made out of it. Meeting adjourned at 5:30.

MEETING OF HOUSE

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

March 15, 1977

The meeting was called to order by Chairman Parr at 3:30 p.m.,

Those present: Parr, Nakak, Chatterton, Cotten & Phillips

Absent: Bennett, Beirne, Ose

Chairman Parr announced the first order of business was HB 212 and asked Rep. Schaeffer, the prime sponsor, to speak on his bill.

HB 212
Mr. Schaeffer and Mr. George White, Superintendent of the Northwest Arctic School District both testified together. Mr. Schaeffer explained the only basic thing changed in Section 14 is the minimal number of instructional units. He explained the other changes in the bill which affected the secondary schools and asked Mr. White to expound on the actual impact that has been done so far. Mr. White felt the change on page 2 would give a greater amount of money to be able to afford a more equitable secondary program. Mr. White felt they needed to upgrade the smaller secondary schools. It was felt that now children can go to Mt. Edgecumbe to school but they get homesick or tired of school and come back home and there is no program at the present time in their home communities to entice them to either stay there and go to school in the first place or back to school when they do return.

Mr. Schaeffer explained the change on page 3, line 8 where they have doubled the percentage for the base instructional unit allotments and broken it down categorically 1 through 8. Mr. White said in the last legislative session when the area differentials were put into the bill, it was to try to equalize the costs and expenditures depending on the area of Alaska that the schools were in.

Mr. Schaeffer said the change on page 4, line 14 is termed an isolation factor. He said this increases the present isolation factor of 5%. He said it was intended to reflect the further you are away from the base unit the higher the percentage will be. Mr. White stated the way the isolation factor works on the sliding scale is to equalize the funds due to transportation costs. It is to equalize the dollars with shipping charges, according to the distance you are away from the highway. Mr. White said this one part of the bill helps to equalize the funds more than any other part of the bill.

Mr. Cotten asked why, on page 2, the secondary schools were in districts of average daily memberships of ADM of 1,000 or over. Mr. Chatterton asked why in figuring the area differential this improves the situation for rural or remote areas where the state pays 100% for everything anyway. Mr. Parr told Mr. Chatterton the 100% that was paid was 100% of basic need.

Mr. Parr asked Mr. White about his example given of Kobuk school wherein there were 8 students and it cost \$100,000 a year to run the school. Asked Mr. White if he could give a breakdown of the amounts. Mr. White said you had to figure for supplies, equipment, small hot lunch program, custodian who keeps generators going, part-time cook, until the past month they had a part-time aide. Said they had done away with the aide but were still keeping the hot lunch program going.

There was discussion on the bill regarding the doubling of the figure for cost-of-living factor what all this money would cover; the proper boundary lines, whether the election district boundary is correct .

Next to testify was Mr. Nat Cole from the Department of Education who explained the fiscal note prepared by the Dept.

Questions were then asked of Mr. Cole as to what is an instruction unit, what is the difference between ADA and ADM. Mr. Parr asked what the fiscal note was on the Governor's bill and Mr. Cole answered 4 1/2 million dollars.

Mr. Parr asked Mr. Cole if the Dept. had a position on the bill. Mr. Cole said the Dept. did not support the bill, felt they had better data. Mr. Cole felt it put a lot of money in schools districts where their data shows they do not have need for the additional monies.

Mr. Cole informed the committee that there was a bill in the Senate (SB 225) which would take care of this problem.

Mr. Nakak said with reference to making changes in every district, he has a hard time understanding how the legislature could support just one particular district. Said the cost of living is raising in all districts.

Mr. Parr asked Mr. Cole if he would furnish the Committee with the backup material they gave with their bill to the Senate.

Mr. Schaeffer asked if there was question as to the financial end or the philosophy of the bill and they told him they wanted to compare figures with SB 225, in determining equitable distribution.

Next to testify on the bill was June Nelson who spoke as Chairman of the REAA. She said she would like to address the idea of the statistical point. She said for years and years those that are involved in education have been trying to get the department to come up with some statistics. She said she knew they were available as she could get them from her own REAA. Felt there has always been lack of communication between the Dept and the REAAs.

Mr. Parr said that any information as to costs for running a district the Committee would be happy to receive.

The meeting adjourned at 5:00 p.m.

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SPECIAL MEETING OF HOUSE

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

March 15, 1977

The meeting was called to order at 7:10 p.m. by Chairman Parr.

Those present: Parr, Chatterton, Bucholdt, Ose, Phillips, Nakak.

Absent: Beirne, Bennett, Cotten.

HB 312

Chairman Parr announced the first order of business would be HB 312 and asked Mr. Kerry Romesburg of the Post Secondary Commission to speak on the bill. Mr. Romesburg said this is a housekeeping bill. He said last year the legislature passed a bill which established Chapter 48. In trying to do the regulations and trying to enforce this particular legislation, they ran into a number of problems and this is asking for some changes in the legislation to take care of those problems. The first one was in the matter of exemptions. Said they have asked that a provision can be made whereby an institution can be exempt from either the entire chapter or portions thereof. Said the only institutions exempt from entire chapter are the institutions which operate k through 12. He said on the second page amending Section 70 of that Chapter which defines the need for depositing and posting a surety bond. Said they ran into an immediate problem when they contacted the bond agents in the state and found that there is not a market for these bonds. Said what has been done by legislation is require bonds of a number of insttiutions which can't even get them. So need a porvision whereby the institution may post something other than a surety bond. Said the change at the top of page 3, the current law says that the bond for any agent and an agent can be any person that is representing an out-of-state institution or in-state insttutiton. The amount of their bond must be \$10,000 or larger. Said they had done a survey across the U.S. and the largest bond they found anywhere else is \$2,000 so asking that that amount be removed completely. Said there is no fiscal impact so the fiscal note is zero.

Mr. Parr asked if this was called the diploma mill bill when it was passed. He asked if the Commission has run into any signs of diploma mills operating in the State. Romesburg said they had had a few institutions brought to their attention but wouldn't label any of them diploma mills. Said they had one which was going to operate this coming summer in the state. Said they wrote to them and sent them an application form and told them they would be operating in violation of the law unless

they turned in their application. They said they would cease all operations in this state.

Action

Mr. Chatterton made a motion to pass the bill out of committee with a do pass recommendation. There being no objection the motion carried.

Chairman Parr announced the next order of business would be HB 228.

HB 228

First to testify on the bill was Bill Potter, a teacher in the Juneau School system. Mr. Potter testified in favor of HB 228. He felt it was a real hardship for teachers to have to testify when it involved a great distance for travel. He felt the negotiations process is an important process, it is a rational process for determining salaries, working conditions and the performance of professional duties for teachers in the state of Alaska. Said it was a rational process for teachers and school boards to reach mutual agreement in order to solve problems. Said it was a rational process only if parties came to the table somewhat as equals.

Mr. Phillips asked if negotiations took place during the day? Mr. Potter said from his experience in Juneau it is done in the evening. Mr. Phillips then asked if the school board members were retired, housewives, or employed elsewhere. Mr. Potter said it was a combination of all.

Mr. Chatterton asked him if he had to travel as a negotiator. Mr. Potter said he did not travel. There was no economic benefit for him in this bill.

Mr. Parr asked Mr. Potter how long he had engaged in collective bargaining and how long these negotiating sessions go on. Mr. Potter answered he had been a negotiator for 6 or 7 years and the sessions could last from 10 to 15 days.

Mrs. Bucholdt asked how often they go into bargaining sessions. Mr. Potter answered every 2 years or every year. On an annual or bi-annual basis.

Mr. Chatterton asked what the official title of his bargaining unit was. Mr. Potter answered Juneau Education Association. Mr. Chatterton asked if in Juneau there couldn't be occasions where upon mutual agreement they might meet during a working day and some of the members might be negotiating for the taxpayer and they might have such a job that would require them to lose a day's pay. Mr. Potter agreed this might be a possibility.

Mr. Chatterton asked if Potter would go along with an amendment to the bill that on such an occasion, that the taxpayer would pay your time as a negotiator providing your association paid the school board member his time. Potter said it would be more agreeable if the taxpayer paid for the time of both.

Chatterton asked, "but wouldn't this be equitable and fair?" Potter said he would not consider this equitable because the teacher's would once again be the only group that was required to pay out of their pockets while representatives of their group would not.

Mr. Phillips gave the figures the school board members around the state receive, which Mr. Overstreet had given to the Committee.

Mr. Nakabrought up the fact that in the poorer communities the teacher would be the highest paid individual in the community and didn't feel this legislation was good in view of the people in the communities having very little sympathy for the high paid teachers.

Mr. Chatterton asked how many teachers were in the Juneau School District. The answer was 200. How many are members of the Association? The answer was 190. What were the monthly dues? The answer was \$250 a year. How many paid personnel does the association have? The answer was none. He said about \$180 goes to the State Association and about \$30 to the National.

Mr. Chatterton asked if they employed lobbyists and personnel. Mr. Potter said they did not but ^{had} negotiators for local teacher units.

Next to testify was Harry ^{Reimer} Rymer from Fairbanks, Alaska. Mr. Parr said Mr. ^{Reimer} Rymer used to be on the school board for many years. Mr. ^{Reimer} Rymer said he hadn't planned to come here and testify on the bill, that he didn't even know what bills were being considered tonight but having sat on the school board for 11 years and having been on the negotiating team a number of those years, said there is some need for legislation such as this although he felt there was room for committee amendments. He felt their meetings would sometimes drag out way too long, sometimes for several months (a few hours at a time type negotiations). Said this bill could possibly shorten that time where you would squeeze it into a certain number of days and felt an amendment of this type would be good. Said if you set a time limit and they can't negotiate for an amenable contract, then after that time both parties go on a non-salary type deal. He said the last year he was the chief negotiator he set a deadline and told them if they couldn't settle on something during that time they would forget negotiations for that year and they made it by that time. Both parties were in earnest in talking and they came to an agreement.

Mr. Ose asked in his tenure of working on these boards, what were the main topics you discussed. Mr. Rymer said ptr (pupil teacher ratio). Mr. Ose asked what ones usually had the biggest hangups. Mr. Rymer said normally it was wages.

But not always, personal leave. Said they had considerable discussion on who would determine the school calendar.

Mr. Chatterton asked Mr. ^{Reimer} Rymer if he was appointed or elected to the school board. Mr. ^{Reimer} Rymer said he was elected.

Mr. Chatterton then asked Mr. ^{Reimer} Rymer if he would consider this bill within the realm of wages and working conditions? Mr. ^{Reimer} Rymer said he would.

Mr. Parr told the Committee that Mr. Miller and Mr. Duncan would have testified in favor of the bill but they were not able to be present tonight.

Next to testify was Graham Ward from Glennallen. Said he wanted to speak in favor of the bill although it doesn't help the Glennallen district itself. Said he was here to testify on behalf of the REAA's.

Mr. Chatterton asked him who paid his way to Juneau this morning. Mr. Ward said NEA Alaska did.

Mr. Phillips asked if the purpose of his trip was to speak on the bill and Mr. Ward said it was.

Mr. Nakak said it was a curious observation on his that he expressed his views on this bill at the last meeting they had and he has let them fairly well be known, said he has heard terrific support for this bill from people in Anchorage, Glennallen. From urban areas and people who claim to speak for rural teachers. He said he has had no telegrams from rural teachers, no positions, yet he said they claim to speak for the urban people. Didn't feel they (the rural people) were so far away from village phone that they couldn't call Nome, Kotzebue, Bethel or Dillingham and say "Nakak, we need this". Mr. Ward said they have the problem too because small village teachers are working so hard and spending so much time on their jobs they don't have time to respond. Said the Association also has trouble getting them to respond.

Next to testify was Al Wynberg, Superintendent of the Lower Kuskokwim District. Mr. Wynberg spoke in opposition to this bill.

Mrs. Bucholdt asked Mr. Wynberg how he happened to be in Juneau today. He said he was attending a meeting of the Alaska Association of Administrators. The costs of his trip were provided by the REAAA school district but that he did not come for this purpose. There was discussion with Mr. Wynberg as to how many years he had been a teacher before becoming an administrator, what levels he taught at, how he felt about the pupil teacher ratio. Mr. Wynberg was asked what the teachers were paid in his district. He answered from \$15,400 starting to \$27,000.

Next to testify was David Dickerson, Superintendent of S.W. Schools headquarters in Dillingham. Mr. Dickerson seemed to be in agreement with Mr. Wynberg's views. It was his feeling that the primary concern of the pupil teacher ratio rests with the school board. He felt that to pass legislation of this type would erode the school boards prerogative to set priorities for the funds and the programs in the districts.

There was discussion with Mr. Dickerson about the pupil teacher ratio. When asked what the teacher's salaries were in his district he responded with a low of \$15,000 plus a little to \$27,000 as a high.

Next to testify was Dick Bower, Superintendent of the Aleutian REgion School District. Said he would like to add several comments, both prompted by comments of Wynberg and Dickerson. Said his district represents 8 communities scattered roughly about 1100 miles from False Pass to Atka. Said they have as difficult a district as in any the state to communicate. Said in connection with the contracts themselves, if we were to look at the master contract which the State Operated schools had with the district 1 education association. This probably covering a 2 year period was the first contract of its kind that the SOS had. It was an attempt to codify or pull together in one basic contract dozens of legislative various other things that had been agreed upon back to 1969. So from 1969 to 1973 there were a number of different issues that had been agreed to but never had been pulled together into one contract document or one thing that could be looked at, budgetary implications, implications for things like pupil-teacher ratio which he said he would like to add depends upon how you are going to figure. There is nothing that is more uncertain than pupil teacher ratios. He said in coming back to the contract, the negotiations that occurred in connection with that contract resulted in the 2 year so-called master contract with the District 1 Education Assocn. Before that contract was up, the Alaska State Operated School System was abolished. Said that contract would carry on until a new one was negotiated. Said the time required to negotiate that 2 year master contract from the SOS system was extensive. Said with the dissolution of the SOS and establishing of the unorganized school district they were caught in the middle in terms of what were the 21 new districts going to want of their teachers. Said they had to move from the master contract to something that needed to be narrowed down to each of their districts. Feels it very unfair to look at this year and say it has taken too long because it has to take long. Said he believes that the hammering out or the discussion will lead to acceptable contracts this time and this is something that is quite important. Said he did not believe that it is necessarily true that it requires that a negotiations team as such as teachers and administrators to meet and face to face to immediately arrive at a conclusion in connection with this. Felt there were many ways of accomplishing this without getting together in a face to face basis and a rush of pressure in trying to arrive at these decisions.

Mr. Bower further testified as to the problems they have in transportation for these teachers in attending the meetings.

Mr. Phillips asked how much the board members receive a month in his district. He stated they received no pay but were given \$50 a day to cover expenses which was not enough.

Action

Mr. Ose moved to amend the bill to read between lines 10 and 11, Insert "If there is no connecting road between the employee's residence and the place of bargaining, " and change "C" in Certificated to "c" on line 11. On line 13 insert "school" between "each" and "day" in two places. On line 14 after process delete "." and add "and a payment of" change "T" in Transportation to "t" and insert "." after the word "expense" deleting the rest of that sentence through the middle of line 16. There being no objection the motion carried.

Action

Mr. Chatterton moved to amend line 16 to change five to three. Mrs. Bucholdt asked what the normal number of employees was. There being no objection to the motion it passed.

Action

Mr. Phillips moved to amend the bill between lines 17 and 18 insert new sentence "Bargaining sessions under this section are limited to 15 negotiating days". Mr. Chatterton moved to change 15 to 10 but his motion failed. Mr. Phillips motion to amend it to 15 days was voted on and passed.

Mr. Ose then moved to pass the bill out of committee after it is returned as a Committee Substitute. There being no objection the motion carried.

Mr. Parr announced the next order of business would be HB 130.

HB 130

Mr. Dave Scott, Director of Budget for the University of Alaska testified on the bill. He said he had stopped by to reinforce the University's position on the bill. Said the University opposes the bill for two different reasons. 1. The specific intent of the bill which would be to provide a third party to the negotiations sessions. Said they oppose that concept. Said they would have considerable problems if the legislature continued that concept. Said this was with technical parts of the bill itself, specifically in terms of the question of whether it has to be a student in terms of the representation, questions of how many students should be attending. He said as he read the bill it has a plural on members and normally they already have 10 people sitting at the table and to have 3 more would be of considerable more confusion. Said they have concerns about the intent of the section about publicity in terms of the disclosure of substantial parts of the bargaining issue by the student representatives.

He said they also have questions about written documentation in access to any aspects pertaining to collective bargaining. Whether it pertains only to negotiations of the contract or whether it pertains to all aspects of collective bargaining which includes the maintenance and operation of the contract itself after the contract has been signed. Said they opposed the bill and felt that adding a third party during the preliminary phases does not serve a very useful purpose. Said they had met for a year, for example, and they did have a third party in in the last couple of months - the Community Advisory Council in Anchorage did sit with them occasionally as an outside third party to try to get them talk together and he felt they did serve some purpose. He said they also found tho that there was posturing to the third party going on. So there is negative and positive aspects of having that third party there. Said they weren't sure the students would be the appropriate third party if there is one that should be present. Felt that negotiations processed by itself should begin at least and continue as long as possible just between the parties and that possibly a third party, if necessary, should come after conflict has been determined. He said they have processes under the law now for that conflict through mediation and arbitration. He said the University does have binding arbitration under the State statutes for their contract conflicts. Said they also have the issue of strike which they do not have in other school districts to the extent they do. He said there is currently an avenue for third party which is mediation and feels it is adequate for the kind of bargaining that goes on between the faculty and administration at this time.

Mr. Parr told Mr. Scott that Mr Ferguson's letter on this bill doesn't given any good reasons in his opinion for saying it's a bad idea. Mr. Parr said it would appear to him that the way the University got taken on their first collective bargaining negotiations, they couldn't do any worse if they had 7 parties involved.

Mr. Scott said he felt Mr. Parr was referring to their first contract and wasn't sure that he disagreed with him. He said on their second contract they spent most of their time trying to repair what they considered was the damage done to the first contract. Mr. Parr asked if they had a second contract. Mr. Scott said they do not have a second contract, they are still negotiating and still in the contractual process. Said what they can't see is what method student representation would help them resolve their conflict. Said there weren't that many parts of the contract the directly reflect the students. Said most of the contract they have are with the faculty. Felt the most direct effect on students was the possibility of strike.

Mr. Parr said that was the reason they got the bill introduced last year was concern by a number of students that the previous strike might be repeated on a longer scale and their education would be pretty severely interrupted and of course they had no recourse of that happening and that was the

stimulus for the bill to be introduced, at least they would be able to remind both management and labor that they had an interest and they felt both sides tended to forget that.

Mr. Scott said he felt what the students have found is that they have had a very effective voice during the last strike. Said the students intervened through the labor relations agency and the agency did go to court and stop the strike in 7 days. He said that avenue of intervention was apparently not used during the previous contract.

Mr. Phillips said he had talked to some of the students after our last meeting about 2 weeks ago and said he got the impression the students weren't aware of this having court action when they were having collective bargaining. Mr. Phillips then asked the committee if they would hold off voting on the bill tonight until they have a chance to hear testimony ^{from} for Jack Chenoweth.

Mrs. Buchholdt told Mr. Scott in her day in college she was quite young in her teens and notices that most of the students now in the colleges are older than she was. She said under subsection (b) where there is a question as to objection of students who may be indiscreet and that they may disclose some of the concepts and ideas of the collective bargaining process. She asked Mr. Scott to comment on this.

Mr. Scott said they did find during the process of the last year and a half and he has found it in the last 6 years when he worked in schools districts that the more often debates of the table were discussed away from the table the more problems they had. Mainly because people became more solid in their positions and the positions became public and found it difficult to backdown.

Next to testify was Mr. Alan Blume. Said he would like to point out some of the historical involvement that this bill went through, which he did. He said it was felt by the students a year and a half ago and felt it was still the feeling of many of the students that when they are seeking an education they become an involuntary consumer of a product that if they cannot obtain satisfactorily in this state, they will seek it elsewhere. Said the 1974 strike of ACCFT precipitated some shock waves into the University Community at large. Mr. Blume spoke to Mr. Scott's comment that he opposes the third party involvement at all. Blume said he could only speak from memory of data they presented to this committee a year ago, that this program has already been implemented in Oregon and Wisconsin and is being tried in varying forms in many other states. Said one of the terms that is addressed in Sec. 25 of the bill is the conditions of disclosure and maintenance of confidence. Said this language is different than submitted last year.

Mr. Blume said by in large the student community would have no particular reason to stay after the contract. Grievance proceedings and public employment relations act provide the necessary vehicle so once the students interests are protected for in the contract would have no particular concern with the other aspects.

Mr. Phillips again requested that we hold off on the bill until further testimony can be heard and Mr. Parr said the bill would be up before the committee next Monday at which time he hoped it could be moved out.

The meeting adjourned at 9:40 p.m.

MINUTES OF HOUSE HESS

March 16, 1977

The meeting was called to order by Chairman Parr at 3:05 p.m.

Present: Parr, Bennett, Chatterton, Ose, Cotten, Phillips and Beirne.

Absent: Mrs. Buchholdt

Chairman Parr announced that the hospital association was here today and he introduced the members of the House HESS Committee. Mrs. Lampan with the hospital Association introduced the members of the association present. Sister Josephine Patti, Chairman of the Association's legislative review committee spoke on the bills.

Sister Patti said they supported HB 63 and said they had a position paper on the bill. Mr. Parr told her that the bill had been passed out of our committee and was now in Judiciary and would be happy to pass the material on to that committee if she wanted to leave it with us.

Sister Patti next spoke to SB 45. Mr. Parr asked if there was any immediate problem with radiation in Alaska or if this was just a precautionary step. She said that was her understanding, just precautionary.

Sister Patti spoke to SB 51 which they supported and Mr. Parr pointed out to her that this was on our calendar for today. She called attention to the committee of the numbering on page 1 and felt there should be a change in the number structure for line 17.

Sister Patti said the Association would like clarification on HB 205. She expressed concern in wondering what the impact was and wondering whether this would create worse problems that are presently being corrected. She said they understood and appreciated the intent of the bill.

Mr. Phillips informed Sister Patti that he and Mr. Bennett and Mr. Nakak were working on the bill and they would like someone from the Association to meet with them and asked her to get in touch with him after the meeting.

Sister Patti expressed concern on HJR #9 and said they felt that this is quite non-selective. It was felt that this resolution could cause some embarrassment later on.

Mr. Parr explained the reason for the resolution.

Sister Patti said one of their major concerns was the malpractice issue as far as hospitals are concerned. She said they felt there have been many negative repercussions, there has been an increase in the cost of care, the availability of excess coverage is not there and the waiver provisions are inadequate and they do support the concept of the removal of the mandatory and exclusive clause in the present statute.

Mr. Bennett asked Sister Patti about SB 51, with regard to the licensing fee and wondered how the association felt about the raise in this. Mrs. Lampan spoke to this and explained the reason professional groups pay more than a regular business license. Mr. Bennett felt they were charging more money for receiving no more services. Mr. Parr said that the committee had written to 3 hospitals regarding this bill and had received no replies.

Mr. Parr then asked the association if they saw anything relating to major health issues or health problems facing the State which needs serious attention which isn't presently addressed by the legislature. Mrs. Lampan felt many of these concerns were of National level. She did say that one thing she had talked about before various groups was uniform billing. Did feel this could be done without legislation but does want to implement it this year in Alaska.

Mr. Phillips informed the association and said he didn't know whether this is of interest to them or not but Region VIII has a program called SPAR which is a single application form which the different programs between the state and federal government uses and said he didn't know whether it applies to the Association or not but they are going to have a meeting with someone in the Governor's office called TAT here in the State and he is going to explain to to him how it works and Mr. Phillips wondered if they would want a representative of the Association to along with him. Mr. Phillips asked them to leave him a number and when the Governor's office calls him he can notify the person.

Mr. Parr thanked the Association for coming and said if they have any problems or concerns to write Pouch V.

Mr. Bennett asked about SB 45. Said he saw nothing wrong with the bill but questioned the fiscal note. Lois Jund from the Dept. of Health & Social Services spoke to this. and said some of the problems are in Drs. and dentists offices where they use x-rays. She felt this was a problem that should be checked into regarding the radiation problem.

Mr. Parr then asked about the use of the mamographs and wondered if they should be used only in hospitals and not clinics. It was felt that these should be used only where they have trained staff.

Sister Patti did say they did support SB 167 regarding the excise tax on alcohol. She said this was a great concern to the association, both in the problem of alcohol and the treatment and that they do support this bill so that additional revenues will be there for the treatment of alcohol problems.

SB 51 Mr. Parr then announced that SB 51 was the next order on the agenda.

Action Mr. Cotten moved that on line 17, page 1 the number 50 be changed to 51. There being no objection the motion carried.

Mr. Chatterton moved to pass the bill out of committee. Mr. Cotten objected and then removed his objection. Mr. Bennett asked the committee if they wanted to kick around the licensing fee. After some discussion there was a vote on the motion and the motion carried. The bill was passed out with individual recommendations.

The meeting adjourned at 3:50.

MINUTES OF HOUSE HESS

March 17, 1977

The meeting was called to order at 3:05 p.m. by Chairman Parr.

Present were: Parr, Bennett, Ose, Phillips, Nakak Buchholdt and Beirne & Cotten came in a few minutes later.

Absent: Chatterton

HB 205
Chairman Parr announced the first order of business would be HB 205. Mr. Parr informed the committee of the new fiscal note in their folders and of a memo in the files of Rockey's conversation with Mr. Granato.

Mr. Phillips then announced to the committee that he and Rocky had met with Mr. Granato and there seemed to be 3 options on how they could go on the bill. (1) leave it as is, (2) send it back for revision, and (3) give authority to the local. Said they had sent the fiscal note back and asked the Dept. to revise it and it came back as \$40,000 instead of the original \$80,000.

Mr. Bennett then informed the committee that he had asked Mr. Erick Johnston to come and speak. Mr. Johnston is Vice-Pres. of Health Management and Services Corp., a branch of Careage Corporation. Mr. Johnston said he had 2 questions on the bill, one was the number of people that would be affected if it passed, and what if the institutions that are presently operating now are regulated by this bill and can not meet the standards required, what happens to the people presently located there? He said there was no question that the need is there for residential care. Said the facilities are going to have to spend money to come up to standards, where will that money come from and if the regulations that are developed require services in addition to what they are providing now, will there be dollars available to the provider to adequately satisfy the increase in costs.

Mr. Ose said in the previous meeting it was brought out that the institution in Palmer would have no problem at all with the standards but still felt the regulations could put them out of business. He said that some of the people that testified last time were rather skeptical that some would be discouraged from operating such a business and also that some of the ones currently operating would be put out of business.

Mr. Mills informed the committee that there were 2 bills

introduced this morning setting up a revolving loan fund with low interest, to handle this particular problem. It is a companion legislation and is a \$50,000 appropriation, so that in the event there are changes required by the licensure, the individual operator of the facility won't get stung.

Mr. Johnston asked if the bill also provided for the long-term operator. Mr. Miles felt that most of the people this bill would affect are on ADA.

Mr. Bennett said that it is a serious problem and something needs to be done. Said presently there are people that are staying in places that are inadequate.

Mr. Parr said that Mr. Ose is Chairman of the Regulations Review Committee and if the Health and Social Services people come in with regulations that are unreasonable and are going to unduly raise the cost beyond what is really needed, Mr. Ose's committee can arrange for the legislature to wipe out the regulations.

Mr. Cotten said last C&RA had some dealings with this section of the law as it relates to child care and said they just added section (b) and read it to the committee. Suggested that possibly the committee would want to think of doing something similar. Said he just threw this out as an idea. Applied to 47.35.010(b). Mr. Parr asked if this section wouldn't apply to the bill before us but Mr. Cotten said no because this relates to nurseries and not foster homes or that type.

Mr. Ose again said he was afraid of the bill, felt it would close the door on some of the homes presently operating such as the Salvation Army Home and Charlie's Boarding Home. Felt perhaps it could be regulated on a local basis.

Mr. Phillips said they had discussed doing it on a local basis and felt it would cause problems with the municipalities and health authorities in the various municipalities.

Dr. Beirne questioned whether the bill would raise the cost in these facilities presently being operated.

Mrs. Buchholdt told of visiting 2 of the homes in her area. Mrs. Buchholdt asked Mr. Johnston if the homes that are running now can't comply would they be able to accommodate them in his facilities. Mr. Johnston said right now the Carriage House facility in Anchorage is running about 98% occupancy and they couldn't in the existing facility. Said they had facilities under construction but it is a 120 bed intermediate care facility. Said they may not be needing that level of care, so they would be in ⁱⁿinappropriate places as far as their level of care and would fall ⁱⁿon the medicaid

rolls of about \$55 to \$60 per day and talking of substantial money. He said intermediate care is chronic long term type problems, wherein they cannot cope with day to day activities of living. Said you probably could stretch the definition of intermediate care to accommodate these people.

Mr. Cotten asked Mr. Johnston if they had to get a license from the federal government. Johnston said they are licensed from the state of Alaska to do just nursing for private pay nursing home patients. They are licensed as a long-term care facility from Health Facilities Certification and Licensing. They undergo medicaid-medicare inspection to be allowed to provide that services from the federal.

Mr. Parr asked about a definition for the institution part and wanted to exclude Johnston's facility. Mr. Parr said he had gotten to this: Institution of care of dependent adults means a boarding home offering a sheltered environment for the elderly but does not include intermediate or skilled nursing facilities. Johnston said this would satisfy his intent.

Mr. Miles asked to speak next on the bill. In the existing statute so far as the definition is concerned, he said he had no problem to limiting the definition but felt it should also include group homes and foster homes. Said statutorily group homes are defined differently than group homes and foster homes by numbers. Mr. Parr said then "institutions caring for dependent adults means a group, foster or boarding home offering a sheltered environment for the elderly but does not include intermediate or skilled nursing facilities." Mr. Miles felt this would cover it.

Mr. Miles then called the committee's attention to the work draft he had submitted last time which had the change in it. There was then discussion on this proposed draft.

Mr. Nakak said it was his observation that whenever the Alaska Chapter of the National Association of Social Workers wants legislation, it is basically designed for their social and economic welfare to make sure that social workers will be employed in different areas that deal with homes, or whatever and said he didn't have a negative feeling about the bill but has a negative feeling (not of Mr. Miles) but of the people who requested this legislation.

Mrs. Buchholdt said she felt the bill had something to do with her also and explained some background on how she got involved in the matter.

Mr. Cotten asked Mrs. Buchholdt if she was in favor of the bill. She said she was, if the compensation bill went with it.

There was discussion as to how many people lived in foster homes, groups homes, etc. and what the requirements were for applying for licenses.

Mr. Parr informed the committee that as far as making a decision he thought they would have to decide whether they wanted the people to remain in homes where they didn't meet the proper standards and perhaps their life was in jeopardy or whether they wanted to chance putting in regulations that would put some of the homes that are presently operating out of business and then the people would be without care.

Mr. Nakak then asked if we could wait and see the other piece of legislation that has been introduced to see if it dove tails this piece before action is taken.

Mr. Miles explained the companion bill.

Next to testify was Pat Monroe from the Department of Health & Social Services, currently the licensing coordinator and working with a Task Force that is working on a number of child care regulations. She said Mr. Granato had asked her to come over to answer some questions they might have. She said the revised fiscal note does have different assumptions and one thing that was removed was the Task Force which would have helped write the regulations. She said the regulations would have to be done through professionals and then there is a hearing process. Said Granato told her that the Division of Public Assistance recently did a survey and that survey indicated that beyond what was in the report done by Sharman Haley that 176 could benefit from facilities of this type.

Mr. Parr asked how many more facilities they were talking about. He said only 8 and wanted to know how many she felt would be necessary. She thought there were 15 but then decided this was someone else's notes.

She called attention to a paragraph in the position paper regarding the 2 types of licensings that they give and one was in Anna Wenzell's shop and those are medical related type facilities. She also explained that the Task Force Licensing groups is presently working on how many have to be in a facility. Said their conclusions already are that the way it reads now the foster care for children includes any and all and they are looking at possible exceptions that they will build in in regulations for that aspect of it. She said there could be exceptions built in regulations or ~~on~~ in the statute itself, regarding this bill.

Mr. Phillips asked about the Wenzell Shop. He felt they better say which division it is because she doesn't own the shop and it seems to him that it is the State of Alaska and not someone else's shop.

Mr. Parr said in looking at the fiscal note, they will have to have one licensing person to inspect and license somewhere in the neighborhood of 8 homes a year. Said he felt the Dept. could absorb that in it's existing structure.

Mr. Nakak told Ms. Monroe that in the future he felt she should be better prepared before she came to testify or answer questions.

There being no objection by the Committee, the bill was held over until further information is received.

Chairman Parr announced the next order of business was HB 271 which was Mr. Buchholdt's bills. She explained her bill. Said the purpose of the bill was so the handicapped people would not have to pay the \$30 fee for a license and so far they know only 5 in the state. She said the request for the bill was made to her by disabled people in the Anchorage area who drove cars.

There was question as to whether the license stayed with the person or went to the car, whether this was a special piece of legislation.

Mr. Parr suggested changing on line 14, may to shall, line 9 present to presents.

Mr. Nakak moved that a Committee Substitute be made along the lines that were discussed. There being no objection the motion carried.

Mr. Parr informed the committee that Mrs. Potter of the Board of Nursing would be interviewed by the Committee at the meeting next Friday.

Meeting adjourned at 4:30.

MINUTES OF HOUSE

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

March 18, 1977

The meeting was called to order by Chairman Parr at 3:05 p.m.

Those present: Parr, Nakak, Cotten, Ose, Bennett, Beirne, and Mr. Phillips came in later.

Absent: Chatterton, Buchholdt.

Chairman Parr announced the first order of business would be HB 290 and asked Mr. Swanson to speak on his bill.

HB 290

Mr. Swanson asked to discuss 291 first and then 290. Said HB 291 is a bond issue that is a partial bond issue that the Governor just vetoed the whole bond issue out of the program last year and there was a multitude of projects in it which included a lot of alcoholic centers and alcohol money and he felt if they stayed strictly with a bond issue that dealt with health versus a self-imposed sickness, that this bond issue would have a better chance of moving. Said he held it sacred and dear to him to protect the people that can't help being sick where he doesn't have a lot of feeling about people that are sick with a self-imposed sickness. Said the bill he has proposed deals strictly with people that are unfortunate enough to get sick and the facilities to take care of them. Said the Fairbanks bond issue last year called for \$300,000 for the addition on their family service center, the Cordova Health and family service center called for \$300,000, the Sitka Community Hospital addition was 3 million dollars, the Nenane Health Center and family service center was \$200,000 and this year he added Tok Health and Family Service Centers for \$200,000. The Bethel Health and Social Services was in there last year for 1 million dollars and the Ketchikan General Hospital Island View Manor wing was in for a million and a half. Said he would suggest an amendment that item No. 5, the Tok Health and Family Service Center be eliminated. Said he had put the Tok facility in another piece of legislation and is already in the budget so far.

Mr. Swanson said he was extremely interested in a health and family service center and felt a facility of this kind, especially for small communities that were large enough where they could get a physicians assistant to serve these places. Felt the money spent for this type of facility would be well spent.

Mr. Swanson then spoke on 290. Said he introduced the bill for 1 reason, where there is a health and family service center approved in a bond issue. On page 2, (c) on line 1, said (after reading the whole section) that he deliberately put that in to specifically put some local control in allowing this grant money to go to a community or municipality. He told the committee and gave an example of what happens to a small project that goes to a community in the area of a school building in the transfer of funds. He said last year they gave 1 million 60 thousand dollars for a school at Anderson and enacted a piece of legislation that governed the transfer of those moneys and allowed the Dept. of Public Works to promulgate all the rules and regulations and gave a brief rundown of what it cost the City of Anderson before they got the money. Mr. Swanson said he would make a copy of the facts he gave and make it available to the committee.

Mr. Ose asked if there was personnel to operate the buildings after they are finished. Mr. Swanson felt a mutual agreement could be worked out with the cities.

Mr. Swanson said he wanted to address both bills because they were companion measures. Mr. Parr said "but 290 could be passed and a different bonding bill could go through for health facilities."

Mr. Swanson hoped that what is on the books today and the transfer of these grants be taken, regardless of the REAA, and apply this philosophy to them -- could save 30 - 40 percent of the money that is going to be wasted in paper shuffling.

Dr. Beirne asked why Mr. Swanson wanted all the buildings to be built by the DPW instead of leaving it up to the municipalities. Mr. Swanson said the bill addresses itself to that by mutual agreement in that the municipality can assume all of the responsibility of building the facility. (line 13, page 2).

Next to testify was Mr. Richard Holden, Deputy Commissioner of Public Works. Said it was the Dept's position that this money is going to the wrong dept. Felt it should be going to Dept. of Health & Social Services. He said they were the people statutorily charged with this responsibility. He said he thought Mr. Edenso had problems with the constitutionality of a dedicated GO Bond fund as outlined in the bill, and presumably if the fund were to be created in the Dept. of Health & Social Services, it would be the responsibility of the Dept. of Transportation and Public Facilities to construct such projects unless using the previous statute (SB 398 of the last session). The Commissioner of that Dept. wanted to grant funds to a local political subdivision to assume local control. Said they have been running into quite a number of problems in granting funds to REAA's and although some of the district superintendent in the REAA's dispute this,

Mr. Holden didn't think it was necessarily that the Dept. of Public Works was over bearing. He said the numbers Mr. Swanson quoted show a misconception on the part of the people who gave him those numbers. He said the numbers he quoted came from a budget prepared by the Dept. of P.W. assuming it would do the design and construction of the Anderson school. Said since the funds were granted to the Upper Railbelt School District, those funds he quoted should be spent by the school district to assure that quality design and quality construction is maintained. Said he thought the Supt. who gave Mr. Swanson those numbers assumed that the Dept. of PW was going to charge him for running his architect.

Mr. Parr asked that in a case under 398 where the municipalities was going to build a building, there is no charge from Public Works. Mr. Holden said there is a charge. If the facility as contained in this bill is owned by the State, then it is a duty of the Dept. which is otherwise responsible for designing construction to insure that the building is built properly. To that extent, the Dept. would insure that the grantee would be properly equipped to administer a design. That it was properly equipped to administer construction.

Said normally when the DPW or its successor agency builds things of this kind, they are built by hiring a private firm to design and a private contractor to construct. Obviously it is a state building.

Mr. Holden said the Dept. had another problem with the bill, Page, 2, Sec. (c) line 4,--Said it seemed to the Dept. that a responsible local government agency which was willing to assume control of the construction project could send off to the Uniform Building Code people and buy their own code. On line 11, instead of saying the Dept. shall provide he felt it should read the Dept. may. Page 3, line 3. Compensation for that assistance has to come from projects, said they don't have funds to provide the assistance. Said they would have to charge a project budget to the tune of 1 - 1 1/2 percent. Said line 7 they had a problem with also.

Mr. Parr asked Mr. Holden if he was objecting to the wording of Sect. 5 of the bill. Mr. Holden said he wasn't objecting to the language as laid out here but procedurally there are lots of problems particularly until the land claims is settled.

Mr. Parr said he read section 5 to mean that unless the Dept is satisfied that there is clear title to the land, nobody can put the first concrete block down. Mr. Holden said this was what they wanted.

Mr. Holden felt that they should be the lead agency.

Mr. Parr asked Mr. Holden where in the bill he got the indication that the Dept. is the one to decide whether or not there should be a hospital. He said the way he understood the intent of the bill was that the legislature appropriated money on a bond issue and the voters had ratified it. The voters have

said

/there will be a hospital or health care facility. Said he didn't understand Mr. Holden's point because the voters have already decided whether there should be one. Mr. Holden said Mr. Swanson stated that illnesses he was funding for here, people who were physically sick. He said his point was that they aren't now equipped to decide whether the plans that came in were for clinic or alcoholism center. Said the DPW doesn't know that when they look at plans. Mr. Parr felt if it was their responsibility to build state buildings it was their responsibility to have the people to decide this. Mr. Holden said normally what happens is the funds for the specific program purpose are vested in the Dept. which is equipped to handle this.

Next to testify was Mr. Jim Edenso, Deputy Commissioner for the Department of Revenue. He said his Dept. opposes HB 290. He said in its current form it is attempting to establish precedent which does 'nt exist in the current management policy of the state Dept. of Revenue and also for Administration. He said Sec. 1, (b), line 26 on page 1. the objections they had to that is that the act creates a separate bond construction fund for the proceeds of hospital and health care authorizations. A separate bond is not necessary to properly account for the proceeds of general obligation bond sales and establishes a dangerous precedent. He said bond proceeds are invested in on a co-mingle basis by the Dept. of Revenue. He said segregation of these proceeds into separate funds would preclude co-mingle investment and prevent the Dept. of Revenue from obtaining the best return available on management of such funds. He felt there were some constitutional problems with the bill. He said he believes the state constitution prohibits the dedication of funds. He said his recommendation to the Governor should this bill pass would be to veto the bill on the strength of the inclusion of paragraph (b) Sec. 1 on the first page.

Mr. Parr asked what money is being talked about in investing here? Are we talking about drawing some kind of interest on that money until we would pay a contractor? Mr. Edenso said that was correct, the money they were referring to would be obtained from a bond sale based upon the position of the voters in the state and any bond resolution that they pass on.

Next to testify was Lois Jund, Deputy Commissioner of Health and Social Services. Said she wasn't going to testify as to the constitutionality of this bill. She said they don't really feel this legislation is necessary, and gave a little background. Said the proposed bill is actually in conflict with the statute on the book (AS 18.20.140 through AS 18.25.120) which provides that the hospital and medical facilities construction program will be administered by the Dept. of Health & Social Services.

She said there was a reason for this in that hospital construction standards tie in very closely with certification and licensing which is also under the Dept.'s jurisdiction and also with medical facilities planning. She said at the present time under the present statutes, the Dept. of Health and Social Service can do just about everything that is in HB 290. Said they do provide technical assistance on all projects under the Aid to Communities. The only they don't do is have a fund and she just heard that is somewhat unconstitutional so she doesn't feel there is a great necessity for the bill. She said one of the reasons it goes through their Dept. is so that they can take advantage of Hill Burton Construction funds. She said Public Works has really constructed very few of these facilities. She said in most instances the municipalities themselves have hired their own architects and engineers.

There was discussion as to whether the purpose of the bill was to cause expeditious procedures in order to get these health care facilities in the various locations. There was also discussion about the lack of state responsibilities to provide emergency care throughout the state, such as along the highway.

Mrs. Jund said she wondered if they were aware of the present statute, actually 2 statutes, Sec. 18.20.080 with attendant regulations which provides for hospital construction. Said they also have regulations on nursing homes 7 AAC 12.020. She said the other statute is assistance for community health facilities. She further stated that the Department is very actively working on emergency medical services for various communities.

Next to testify was Sharron Osborn who gave a little background on the EMS situation in Alaska. Said most of the money has been federal money and that money is earmarked for planning, not implementation. Said they have a statewide plan going in now that is developed at the regional level. So this year they will be getting implementation money. Said she would be glad to make the plan available which is presently being prepared and should be finalized the 1st week in April.

The bills were held over and no action was taken on them.

Mr. Parr said he had received a note from the Speaker about the confirmations and he read the list he had received that were assigned to the Hess Committee. Said he felt it was the committee's feeling that we would only interview the Regent's candidates and Mr. Bennett was interested in the Nursing Home Administrators. Said he felt it was a waste of time and money in having some of the people come down to be interviewed when it wasn't necessary. Said he would suggest

on the professional ones, that he would be happy to write a letter to the associations and asked if the nominee had their concurrence.

The meeting adjourned at 4:30 p.m.

MINUTES OF HOUSE

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

March 21, 1977

The meeting was called to order by Chairman Parr at 3:10 p.m.

Those present: Parr, Beirne, Cotten, Chatterton, & Phillips with Buchholdt, Nakak & Bennett coming in later.

Absent: Ose

HB 130
Chairman Parr announced that the first order of business would be HB 130 and asked Mr. Dwayne Carlson if he would like to speak on the bill. Mr. Carlson is with the State Federation of Labor and the Federation of Teachers is affiliated with them.

Mr. Carlson said the Federation of Teachers had asked him to come and speak on the bill. Mr. Carlson said it was their feeling that unless the bill was amended, the way it is presently worded it would just cloud the issue on collective bargaining. He said the AFT is not opposed to a student observer being there but would have some quarrel with the person not being a student. Said he would really caution about the inclusion of the right to participate in discussion of the negotiations. Just to participate to the degree of being an observer, access to the transcripts, written information between the two parties. He felt in the event of stalemate, one or both parties, going to the press or news media as happened last time, the student observers be free then to inform the students where they think the negotiations are. He said the way the bill is currently, it would serve no purpose at all, except to confuse the process of negotiations. Said he felt it would serve no good purpose to have the student have the ability to interject at any point in negotiations. Said he suggested (2) on line 19 be deleted. Said he felt (b) on line 25 would kill the whole bill if it isn't changed.

Mr. Parr felt that since they didn't have regions anymore, it would be his preference to delete (c) and (d) on page 2 and insert "(c) For the purposes of this section, the governor shall appoint 3 students, no more than 2 of whom shall be from the same campus."

Next to testify on the bill was Jack Chenoweth from the Legislative Affairs Agency.

Mr. Chenoweth said the the point he wanted to make was that Mr. Phillips had asked him to look at the last portion, page 1 (b) relating to the disclosure of information by people who serve on the student committee, when they may disclose the information to the public. Said it was his understanding in the current law authorizes free discussion, no private discussion in terms of contract negotiations except as the parties to the negotiation is determined by agreement to keep that information behind closed doors. Said it was felt this is public information that can be discussed. Said what has happened the State and the particular union keep the information private by an agreement they reach at the outset of the negotiation process. Felt if you put a restriction on the ability of the members of the student committee to discuss this information openly, you may be putting a restriction on them that is not now found in the statutes as to anybody else but is one that arises out of an agreement between the parties negotiating.

Mr. Cotten said he was in favor of the suggestion that Mr. Carlson had. He said starting on line 25, section (b), if they are going to be allowed to enter as observers, they should be allowed under certain circumstances to release the information.

Mr. Parr suggested on the top of page 2, after unit, change the "." to a "," and add "or an impasse as declared by the Labor Relations Agency" and thought this would do what Mr. Carlson had wanted.

Mr. Phillips felt maybe we could get a draft of the amendment and bring it before the committee again and discuss it.

Mr. Parr suggested that a draft Committee Substitute be prepared instead.

Mr. Parr suggested (2) be deleted on page 1, line 19. Mr. Cotten asked for unanimous consent. There was no objection.

Mr. Parr suggested the change be made on page 2 as stated in paragraph 3 above. He then suggested that all of (c) and (d) be taken out and insert the language as specified in paragraph 3 on page 1 of these minutes.

Mr. Cotten said he had no objection.

There was discussion whether someone other than the students could be observers.

It was decided that a CS be made up as specified.

Chairman Parr then announced the next order of business would be HB 287.

Mr. Parr called the committee's attention to the draft committee substitute in their folders. Said this committee substitute was prepared in consultation with the prime sponsor and went over the draft and gave the reasons for the various changes.

Mrs. Buchholdt suggested that perhaps some sort of racial bias could be inserted as well as the sex discrimination and gave her reasons for suggesting this.

Mr. Cotten felt Mrs. Buchholdt has made a good point and felt perhaps they could use some phrase that would cover any other forms of biases.

Mrs. Buchholdt asked the prime sponsor Mrs. Rudd if she would comment on this.

Mrs. Rudd said that when Lynn Woods testified before, she spoke about the difficulty of addressing race bias at the same you address sex bias or under the same terms, because the two different kinds of bias are manifested differently. But said she wasn't sure this would apply strictly to textbooks and she would have no objection to including the language to require the school districts to look for other kinds of bias in the textbooks. Said she felt this would be hard to include it when you were talking about athletic activities, etc. but not in the textbooks.

Mr. Parr suggested the words "ethnocentric"

Mr. Phillips felt this might be covered in some other laws but Mr. Parr didn't believe so as far as he knew.

Action

Mr. Nakak moved that Mr. Parr's suggestion of "ethnocentric" be accepted. Mr. Cotten supported the motion and Mr. Phillips objected. A vote on the motion showed it to carry. This is to be inserted on page 3, line 18 after word "sex" add "or ethnocentric"

Mr. Cotten said on page 2,, he wasn't sure how prohibitive this language is under Sec. 14.18.040. Wondered if this would prohibit a boy's basketball team from having a larger budget than a girls. There was discussion on this. It seemed to be the feeling of all that the purpose of the bill was to make it possible for both boys and girls to participate in the various activities but didn't make it mandatory. Didn't feel it was the intent that they spend exactly the same amount of money but it was Mrs. Rudd's intent that they be allowed about the same.

The bill was held over in committee. The meeting was adjourned at 4:10 p.m.

MINUTES OF HOUSE HESS

March 23, 1977

The meeting was called to order by Chairman Parr at 3:10 p.m. Those present were: Parr, Nakak, Cotten, Phillips, Bennett, Chatterton with Beirne and Buchholdt coming in later. Absent was Ose .

Chairman Parr announced the first order of business would be HB's 360, 361, 362, 363 and HCR 36. Mr. Parr announced that Mr. Lee Gorsuch was present and had to catch a plane at 5:00 so he asked him to speak first.

Mr. Lee Gorsuch, Director of the Institute of Social and Economic Research, stated they administered the institute from the Fairbanks campus but said they had offices in the Anchorage, Southcentral Region as well. Said he had no formal presentation to make to the committee. Was in town on other business and was invited by Representative Bradley to meet with the committee and express some of his views on the various HB's regarding the University's management. Said he was not here in any official capacity for the University. His views were as a citizen of the state concerned about the University and has views as it relates to his responsibilities within the University system.

Mr. Gorsuch said he would like to speak first to the issues of accountability. He stated one of the primary issues he felt centers around the University in its current problems focusses on a sense of accountability to the general public of Alaska, to the legislature as well as to the Governor's office. Said this should be a guiding principle in the formulation of any legislation that tries to correct short-term problems of the University which is trying to foster a sense of accountability. Also the management structure which can achieve that accountability. Said from some of his own views, the University strives to operate more in the form of a government rather than in the form of a University structure which has certain management options. Felt that to some extent the system seems to be overly democratized to the point where there really aren't delegated responsibilities for which individuals who hold positions are clearly accountable. Felt the responsibilities are shared and as a consequence, the accountabilities are equally shared and it isn't clear exactly who shares these responsibilities and not clear who shares the accountability. He stated in looking at some of the proposed bills, although he hadn't given them careful scrutiny, it seemed that the notion of trying to build up some outside management overview carries a great risk of running counter to the principle of accountability. He felt if the legislature were to be involved

HB 360,
361, 362,
363 + HCR 36

Gorsuch

with some management functions of the University, or if some outside consultants that weren't clearly accountable within the university structure, that it may be in the short term interest to try to clarify some of the managements functions of the University, it tends to run counter to the long-term accountability. Said the University should run as an autonomous institution, it should be governed by the Board of Regents and the President. Said he would urge the committee to give consideration to the long-term consequences of trying to achieve this managerial and institutional accountability.

Mr. Gorsuch felt the circumstances the University finds itself in in part were stimulated by this request for loan funds to pick up the cash shortfall. Felt it is clear that it was a cash shortfall attributed to technical problems in the computer system itself. He felt in trying to resolve this short-term cash flow problem along with some of the management accountability, the question is not so much in terms of withholding funds, but placing conditions on them. Said the issue would not be so much who is going to making the management decisions, but to identify exactly what you expect of the institute, even to the point of short-term time frames, so if you had quarterly conditions on certain appropriated items or certain administrative decisions, that you felt needed to be accomplished, that would seem to be a more desirable approach to achieving the accountability then actually trying to retain or become a party to the decisions that are going to be made to try to accomplish those specific objectives. Felt if the legislature was in a position to articulate what it specifically wants from the University, and can identify them as concrete actions to be taken or objectives to be accomplished and leave it to the University with its managerial functions to accomplish this, it would help them to develop their own capabilities and to manage their own affairs in the future.

Mr. Gorsuch said his last comment pertained to the importance of the long-term planning. He said in his institute, approximately 85 per cent of their budget went towards personnel. Said it became critical to anticipate what the personnel needs were going to be within a long-term time frame. Said under various personnel policies it makes it extremely difficult to meet short-term financial problems, aren't free to dismiss personnel because of the personnel policy. Said this was a policy that was drafted in fairness to the employees but does seem to be in excess if you are anticipating serious cash-flow fluctuations. Mr. Gorsuch said about 75 per cent of their money came from soft money, or grants and contracts and only about 25 per cent comes from the legislature so he felt he was placed in severe restraints in terms of his managerial ability if he can't control 85 per cent of his budget because it is locked into personnel obligations. Said he would only have control over approximately 15 per cent. Said the University in a whole is different in they aren't operating on soft money. Said in some extent they can

see now there are fluctuations in the "hard money" in terms of how much money comes from the legislature. Said the University faces a similar problem in that a vast majority of their budget goes to personnel and forecasting what the personnel requirements are going to be becomes essential and that gets into long-term planning that deals with the academic development program and also deals with what he regarded to be an issue with which the legislature is very much involved which is the regional politics. The question of the commitment to the Fairbank's campus versus the Anchorage campus versus the rest of the state and the Southeastern campuses. He felt it seemed to him that in order to get into an orderly development plan which allows you to forecast what your personnel requirements are going to be and what your capital improvement plan, involves a concurrence by the legislature in terms of what this long-term direction of the University state-wide system is going to be. Felt some serious study that deals with the organization of the University itself and the reexamination of the system. Felt until this issue is addressed, it would be very difficult for a chief executive officer to get very clear signals in terms of what kind of money is going to be available to support which kind of program on which campuses.

Mr. Gorsuch thanked the committee for giving him the opportunity to express his views and Mr. Parr thanked him for stopping by and excused him so he could get his plan. Mr. Parr informed him if he would like to submit written testimony at a later date the committee would be happy to receive it.

Mr. Parr then asked Mr. Bradley, if he would like to speak next. Mr. Bradley stated he was glad he had asked Mr. Gorsuch, who is a personal friend, to testify although he said they didn't agree. Mr. Bradley then submitted his testimony, a copy of which is attached to these minutes.

Mr. Bradley said Mr. Serafin has been employed by President Ferguson and has had substantive input in reviewing the University of Alaska and various components and said he would be interested in reviewing to see if new and possibly more objective blood isn't needed. Felt HB 360 should be amended to include the power of legislative confirmation which might be unconstitutional, he would suggest that it be tried on.

Mr. Parr told Mr. Bradley he wasn't clear with regard to HCR 36 just what authority does the committee have. Are they supposed to observe the University and then report to the legislature or do they make recommendations to the University Board of Regents or what? Mr. Bradley felt they would do both. Said HB 360 should be amended to take into consideration the legislature's role and HCR 36 be amended to take into consideration this team's role and said he had been investigating over the last couple of days and said there really were some

constitutional problems, this is what Mr. Berrier had said.

There was then discussion as to the committee in HCR 36 although it includes 5 members from the board of regents, it is not part of the University structure.

Miles
Next to speak was Representative Miles and said Representative Bradley had covered a lot of the major points in his bills and wouldn't go over them again. He stated a month or 6 weeks ago a number of the legislators did meet with the Board of Regents and unofficially agreed to the management team concept. Said at that time he got up on a floor of the house and stated they had to help the regents and at that time believed it. Said now he may be beginning to believe with a number of others that the Regents are chipping on their agreement. He said the acting President has appointed 2 members to what he is calling a management team but one member has background in academic development and not management development and said that wasn't what they were talking about. He said he understood the contracts by the two appointees must be ratified by the Board of Regents and didn't think this had been done yet. He felt the concept that was agreed to is being eroded and didn't feel this would help the University in the long run. He said on the 4 bills he has introduced, they don't intend nor do they want to get into the academic arena. Said the package is devised so as to solve the immediate short-term financial problem and whatever management problem as well as to establish long-range safeguards. Said he disagreed with everything Mr. Gorsuch said. Felt a package of this nature combined with other legislation that has been introduced will work towards a solution of the immediate problems as well as seeing that they don't happen again in the future. Mr. Miles said there had been a lengthy legal opinion on the subject of whether the legislature can get into the financial arena at the University. Said it seems fairly clear that they can since they are charged with disbursement of all state funds. They can disburse those funds in any manner they see fit.

Mr. Miles said HB 360, if enacted, would set up a 3-member management team appointed by the Board of Regents after consultation with the Legislative Budget & Audit. Said this would be a sunset team that would go out of business in 15 months and explained their duties.

There was discussion regarding the problems with the constitution, whether the bill would address the management practices. Mr. Bennett felt it would be criminal to give authority without giving responsibility.

Mr. Miles said he had a legal opinion which deals with the subject of fiscal autonomy which came from the office of the Attorney General and said he would be happy to make copies available for the University Committee.

There was discussion and questions about the connection with the Postsecondary Commission and the University, the function the committee would have in expending the funds of the University, and of the selection of the members of the committee.

At the meeting that Mr. Miles had attended it was the understanding that the Regents would appoint a 3-man management team to straighten out their books and their affairs but they would coordinate with the leadership.

The meeting recessed at 5:20 to meet again at 7:00 p.m.

The meeting was again called to order by Chairman Parr at 7:15 with the following members present: Parr, Chatterton, Cotten, Phillips, Bennett, with Mr. Nakak and Mrs. Buchholdt coming in later. Also present was Representative Carpenter.

KTOO T.V. was present filming the meeting for t.v. and a conference call was to take place with the University. While waiting for the conference call to go through, Chairman Parr asked Mr. Carpenter if he would like to start testifying.

Carpenter
Mr. Carpenter felt the approach to the University of Alaska is a wise one. Said the public, the students at the University, the faculty, the legislature all have asked the Regents to bite the bullet and instead have decided to gum it. Said he joined with Representatives Miles and Bradley in expressing his sentiments that Lee Gorsuch had said little they could agree with. Mr. Carpenter went on to say that his assessment of the University (meaning Gorsuch's) could have been Carpenter's several years ago when he also worked there. Felt since Mr. Gorsuch had been with the University for only a few short months, he had very little knowledge of its management problem. Mr. Carpenter said with regard to HCR 36, an oversight committee on an interim basis is perhaps wise although he felt it would be either fish or fowl. Said he felt if the committee decides to incorporate this type of approach in a committee substitute, he thought it should comprise legislators and possibly the public but not members of the Regents themselves. Felt that in regard to HB 360, it would have been good management practice if such a committee had been authorized for the interim for an acting or interim president. He stated when the Regents appointed an "interim President" to him it obviated the need for a management team. Said he would have preferred the management team concept and no interim president. Said the problem with the University is as much spiritual or one of morale as one of actual management functioning and creating 2 lines to the regents would not be good.

Mr. Carpenter then went on to HB 362 and felt that appropriating some money for appointment by the regents for some staff was a good idea.

At this point the conference call came through from Fairbanks .

Fate

Dr. Fate said that relative to HCR 36 the Regents were certainly understanding of the concerns that precipitated this resolution. Said they were actually going through with their endeavor to do similar what this resolution would have them do. He said they had the management team members with them today and the management design concept has been structured as a result of the consultation of the legislators and the executive branch and the team will make reports and recommendations to the Regents. Felt they were already doing what HCR 36 and HB 360 would have them do. Said there were certain things relative to the governing authority in HCR 36 relative to the Alaska Constitution they felt should be looked into by the HESS committee and by the legislature. Said the 20 members might be awfully large, felt it would be a great expense for the state and thought any management team concept would be cumbersome. Felt any management team, regardless whether it was imposed on them or one they had already undertaken to perform, should stay small and be very efficient. It would be more effective that way.

Dr. Fate stated with regard to HB 360 they find no fault with the concept and have already implemented it. Said they have already implemented this. Have 2 members already and looking for the 3rd. Said they have two members, Mr. Prose and Dr. Sarafian. Said they have been discussing this very concept which the bill relates to. Again, felt there should be close scrutiny as to the role the regents have relative to their constitutional authorization. Said the philosophy behind the bill he sees no real fault. Felt there was perhaps certain questions they would have to answer to accept and expend funds for the operating expenses--does this apply to grant funds and restricted funds that people donate and also foundation funds.

Dr. Fate stated with reference to 361, Said there was a lot of references to statutes in this one that he is not very familiar with even though he had made an attempt to look them up. Said as he understood it, bill 361, under Section 2 which refers to the fiscal procedure act. Not sure what is embodied in that act. Said he thought the Board of Regents would find no fault with standardization of procedures. Said the constitution should be looked at closely. Said the reference to legislative and judiciary exception would strike them out from being affected as an agency. Said the bill provides for several amendments affecting the University and said the fiscal procedures raises some questions to the governing authority as provided by the constitution. He again felt the initial steps to accomplish what this bill speaks to has already been taken by them. He said he felt it was essential that any management team has sufficient time to identify the deficiencies and to analyze and make reports and recommendations to the board so they can accomplish the goals that everyone is looking for. Said he hoped the HESS committee looked at it good and had a good legal review of the things relative to the constitutional authority.

Dr. Fate stated with regard to HB 362 as a regent he totally concurred. Felt they had one good staff man now but needed further staff in the form on controllers who will also analyze the budget.

Dr. Fate stated with regard to HB 363, this would actually be superfluous. Felt as far as supplementals are concerned on any management committee they have already asked and been fairly well intimated that they would have funding for the management committee. Said the figures of somewhere between 300 and 500 thousand dollars looked like it would be coming down something like 375,000. Said they have already asked for the funding and so actually the bill is in reference to bill 360 for funding and they have already requested the supplemental.

Questions were asked of Dr. Fate, such as the manner in which the team they have is going to be expected to operate, who do they report to and are they advisory.

Dr. Fate said they will be directly responsible to the Board of Regents. They will make reports and recommendations to the Regents on any subject. They will keep an updated report through the Executive Secretary. Said if need be there will be daily telephone calls. Said the interim-president is the executive officer and it will be his responsibility to execute and will be the team's responsibility to advise and be answerable to the Board of Regents. Said if there was a difference of opinions as to the implementation of recommendations by the management team, the Board of Regents will have the sole responsibility to set as judge and jury to determine whether that should be implemented or not.

Dr. Fate said the members present in Fairbanks were Mr. Rasmusson, Mrs. Banfield, Mr. Frank, Mr. Hall, Mr. Cooke and Mr. LaParle.

Mr. Frank spoke to HCR 36 and said he felt that it would create more problems than it would solve.

There was discussion on the \$375,000 that they were expecting to receive, whether that would fall in fiscal year 1978. Dr. Ferguson said that would be the total amount to support the management team and would overlap fiscal 77 and 78 and would take about 6 months to complete their work.

Mr. Chatterton asked what the disciplines of the 3 man team would be. Dr. Ferguson said he had complete vita sheets on them. Said they could make the sheets available to us. Dr. Ferguson said Dr. Arnold Sarafian is President of LaVerne College and has extensive background in management-finance and LaVerne College recently went through some of the same problems that are being experienced by the U of A now. Said they followed the same process of employing a management team to come in and work. Said he has 37 years in higher education both in Pasadena and LaVerne. Served as a consultant for the interim-committee

on higher education a few years ago so does have some knowledge and understanding of Alaska's problems. Said he would be in Juneau Friday evening and would make the sheets available to the committee.

Mr. Miles spoke to Dr. Fate. Said that he had had no problems with the concept the legislature was considering doing as to the management team concept and possibly bringing the University into the State's accounting and budgeting process but they had reservations about the constitutionality of such action, he asked if the constitutional questions were put to rest would they mind if we passed the legislation mandating things such as this.

Dr. Fate said if they were put to rest and the mandate was on a financial basis only. He felt the constitution refers to governing. He said the concept of interfacing with the Department of Administration really is a good concept. Said he thought a person had to be careful how far the management of funds stays out of the area of government.

There was discussion as to the responsibility the legislature has with regard to finances, where the money came from for the 3-man committee.

Next to speak from Fairbanks was the student regent, Jerry LaParle: he said he had recently reviewed the legislation and hadn't had the opportunity to talk with many people about it in the student body, the faculty people or others and he would like to make testimony on it but wasn't prepared to tonight. Said he would like to have the hearings delayed until Monday when he would be in town. He said he would appreciate being able to testify on the bills. Mr. Parr informed him there would be a meeting Monday evening at 7:30.

Mr. Parr asked about HB 360, line 14 where it said the Board shall seek the advice on the appointees before appointment, from the Legislative Budget & Audit Committee. Said the committee was told that there was a gentlemen's agreement that the regents would get concurrence on their appointees from the legislature before making them. Some disappointment had been expressed that 2 had been appointed without any such consultation. Dr. Fate said there were 3 regents, including himself that were an ad hoc committee to expedite this thing. Said Mr. Prose, who was hired by the Dept. of Administration was the name that had been very adequately discussed among all the people that were concerned about this. Said as far as the legislature confirming him, said he didn't recall any discussion indicating that the legislature would have to confirm the people they chose to be on the management team. Said Dr. Sarafian's name that he understood drew fire from several legislators (and perhaps rightfully so) said apparently communications just broke down as far as advising certain members of the legislature and it wasn't that prominent that his name would be chosen.

Dr. Fate said the appointment of Mr. Sarafian wasn't only a surprise to the legislators but also to some of the Regents. He said the Regents that knew about it honestly thought the names had been run by and they weren't. Said it had happened and they would try not to let it happen again.

Mr. Miles asked Dr. Fate if the contracts had been ratified by the entire Board of Regents and in light of the alarm if they might withhold action. Dr. Fate said he saw no problem in withholding action as long as the legislators know they are withholding action. Said he hadn't seen the contract bill and didn't think it would be detrimental.

Mrs. Buchholdt asked if they could proceed without HB 360 being in effect. Dr. Fate said this was essentially the case. Said they have taken under advisement and have employed the team. Said the bill would give statute authority.

There was discussion with Dr. Fate as to how the team would be paid and whether it would be retroactive or pay would begin on the day the contract was signed. It seemed pay would begin on the day the contract was signed. There was then discussion as to whether the members of the team would be working full time. Dr. Fate said Mr. Prose would be able to spend the majority amount of his time on the job. Dr. Sarafian, because of the nature of his accumulated leave, would be able to spend the major part of the next 3 months on a more or less part time basis. He said it was felt after 3 months it may not be necessary to stay right on top of everything in person. Felt any contract probably should reflect these things.

Mr. Chatterton asked with regard to the people that Dr. Ferguson supervises directly, if it would be fair to call the groups, whether it would be 3, 5 or 7 a management team? Dr. Ferguson said many schools are using that term--that the management team is composed of the Chief Administrator and several of his support staff. Said they have not used that team at the U of A and their reference to the management team is the contractual arrangement of those people from the outside coming in to do the work with relation to the financial management system. Said they weren't using those two terms at this time. Mr. Chatterton said he understood that he was asking through organizational changes could Dr. Ferguson assemble beneath his immediate supervision what Chatterton would like to refer to as a management team. Dr. Ferguson said that was their intent.

Mr. Parr asked Dr. Fate if there were any further questions anyone in Fairbanks wanted to asked or any statements they would like to make. Dr. Fate said everyone had spoken that wanted to but did say they sincerely appreciated the efforts Mr. Parr and his committee had put out in bearing with the problems they have had on the campus with the conference telephone and thanked the committee for the privilege of testifying over the telephone because it saved a lot of valuable time and state dollars.

Mr. Cotten asked Dr. Ferguson if it was his intention as far as the management team was concerned was that the people they are in the process of hiring would be directly responsible

to him? Dr. Ferguson said the management team they are now bringing on to assist with their financial system, will be responsible directly to the regents.

Representative Bradley asked Dr. Fate, with regard to HCR 36, is the board of Regents philosophically opposed to legislative oversight or is it simply the cumbersome of the numbers that you found fault with it or is it the basic over-riding thrust of the resolution, namely the preponderance of the legislators involved on this oversight committee. Dr. Fate said it wasn't the number of legislators, there are too many regents on it too, it is just too cumbersome. Philosophically, the person has to define oversight in the extent that you really take that word literally. Said if it is one persons view of oversight could be total control. And another persons is just to review what has been done. Said the Regents by constitution are the governing body of the University. Said as far as the mechanix of the bill are concerned, many people don't speak to the philosophy of the bill but speak to would the thing work.

Mr. Miles told Dr. Fate he was glad to hear that they may delay action on Dr. Sarafian's contract in that he is not too well versed in the fiscal matters and said this has him terribly concerned because the porblems that are trying to be addressed are precisely in the area of the fiscal problem and the words of the House Finance Chairman were something like "if this course of action is pursued, it is being done at your own peril". Dr. Fate said he took his words very wisely and there appeared a need for academic management and how this interfaces with finance and with the Dean, how to prepare budgets, and these are things that academic people know and just fiscal counseling doesn't know because they are interrelated with the academics.

There was discussion with Dr. Fate as to whether the Board has finalized by charter for permanent staff, such as what you expect from them, what duties you would ask them to perform? Dr. Fate said not specifically, they may need for secretarial help.

There was also discussion as to whether they have done anything about getting a perament president for the University.

Mr. Carpenter then continued on with his testimony. He stated that if we have an interim president that obviates the need for a Mr. Prose or a Mr. Sarafian and we shouldn't detract from Ferguson's strength by placing this dual reporting system which becomes a "monkey on his back" and didn't know how he would handle it. Said in summary, the most important thing we could do for the U of A is find a permanent president. He stated Sam Kito had advised him that he had every intent as Chairman of the Search Committee to have that candidate ready

Carpenter

for hiring for the 1977-78 academic year. Reminded the group that Dr. Fate was part of the group that searched for more than 2 years and found Bob Hiatt. Said all of this legislation that has been proposed tends to detract from the principal task and that of finding the permanent president.

Mr. Bennett agreed with everything Mr. Carpenter had said and pointed out that corporations such as General Motors, IBM, General Motors can find top notch presidents in about 2 weeks and he was sure the University of Alaska would require a little bit longer but can't go much longer with his past attitude in reference to the University. Said everytime he hears something, their credibility gap is widening. Said he thought they should expeditiously hire a full time president.

Mr. Cotten said he wasn't as close to the University matters, as the 3 other members of the committee that lived in Fairbanks, but felt he had to disagree with what they had said. He felt that there wasn't necessarily a problem with the personalities involved, felt that many people had a suspicion that there is something wrong with the system and felt that is why a lot of this legislation was inspired.

Mrs. Buchholdt said she had to agree with Mr. Cotten. Said she had had differences of opinion with Mr. Hiatt when he was first hired but didn't want to lay the blame totally on him because there were other members of the University system who didn't do right also. Said she didn't like the way they had been hiring this fellow, felt the way they were doing it was rather "snide" but felt there was no urgency to find a president. Felt the first thing that needed to be done was to correct the problems, the fiscal problems, the management and perhaps even the problems of education. Does feel that picking a new president for his new ideas is the way to go at this time and later on it might be regretted. Felt they need a group that would iron out some of the problems that have been uncovered.

Mr. Carpenter replied that the legislature, in his opinion, wasn't noted for its ability to iron out anything. He felt any organization, large or small has the strength in its management and moral from the Chief Executive Officer. He stated Bob Hiatt was quite a nice person but just never had any management experience and they overlooked that when they concluded the 2 1/2 year search for him.

Mr. Cotten said he was of the opinion that even though the legislature isn't designed to correct deficiency problems but felt since they were responsible for funding the university, they should have as much as possible a pretty good knowledge of the management policies and the fiscal procedures.

Next to testify was Kerry Romesburg, Director of the Commission on Postsecondary Education. Said he intended to testify on HCR 36 but would answer any questions they might have.

Romesburg

Mr. Romesburg said he had 2 problems with HCR 36. One was the fact that the legislature is creating this oversight committee and believes there is a vehicle available which has been overlooked in this entire process and that is the Postsecondary Education. Said it was his understanding, when the Commission was formed, part of the reason for the formation of the body was the fact that there had been a series of interim higher education committees looking at problems and there was a need for an impartial body in the state that could look at the higher education structure and formulate recommendations and believed this was one of the outcomes that is intended from this resolutuion. Said it is a charge which is given to the Postsecondary Education Commission. Said there may be a need for augmenting a subcommittee or creating a task force with members from the legislature or someother organization to achieve the purposes that are addressed in this bill but said there is a vehicle there, staff available to give assistance in this type of manner. Said he was not saying this was a task the Commission would love to have, just saying if the legislature decides this is the way they wish to go, and assumed it was an oversight, wanted to call it to their attention that the Commission is available. Said the 2nd point he had was one that he mentioned in a letter addressed to Representative Bradley and that was the 20 member team comprised of 10 members from the legilsature, 5 members from the Regents and 5 from the bsiness community. Said he felt the represerntation of the regents is undually heavy and felt it to be unnecessary. Said he thought the regents were charged by law in the constitution. Said he did believe they needed liaison and felt that should be built into any kind of committee or structure that this body decides should be imposed on or in the university system.

Dafoe
Next to testify was Dr. DaFoe. Said he is under a contract with the Legislative Affairs Agency to provide professional service to the legislature and has been assigned to Representative Cowper so has been working as liaison on university budget matters and in just the last couple of days did some review of the bills. Said he was in a position of analysis and might be able to advise what the implications of questions might be in terms of some of the legislation.

Mr. Parr said one question that occurred in the afternoon on 360 was that he had some problems with the Committee--although it was under the Board of Regents it also reported to the President and to the legislature. Said it had to be in the system or out of it. Also had a problem with the part of the bill that said it can accept and expend funds for the operating of the university. Dr. DaFoe said he had analyzed these from a layman's standpoint. Said there are a couple of opinions, one done by Mr. Berrier and one by Mr. Gross relating to generally the fiscal procedures act that might apply. Said he felt legally it might be necessary if it were intended that the management team were actually to accept and disburse funds, that they might have to be named as officers

and bonded accordingly.

There was discussion with Mr. DaFoe as to just how the management team would work. Mr. DaFoe did feel perhaps it would be better to have the management team report to the regents since they are the body responsible for governing and legally responsible to the legislature. He said he felt the Executive Officer of the university should be in constant contact with the management committee. Said if there was a time when they came to an impasse, the management team should have complete access to the Board who are the final determinists. Dr. DaFoe said the board has been meeting every 3 months. Said he felt they should meet more often.

Mr. DaFoe was asked his opinion about getting a full time president and he felt it wasn't as important as getting the system to work properly now.

Mr. DaFoe was thanked for his time and the meeting adjourned at 9:40 p.m. Chairman Parr announced that the same bills would be taken up again Monday evening at 7:30.

MINUTES OF HOUSE HESS

March 24, 1977

A joint meeting of the House & Senate HESS Committees was held at 3:00 with the Alaska Board of Education in the House HESS committee room. The only member of the Senate Committee present was Senator Hackney.

Chairman Parr then called the House HESS committee to order at 4:00 with the following present:

Parr, Nakak, Chatterton, Cotten & Phillips,

Absent: Bennett, Ose, Buchholdt & Beirne

Chairman Parr announced the first order of business would be HCR 26 and asked Mr. John Kemp, Acting Director of the Division of Public Assistance, Dept. of Health & Social Services, to speak on the bill. Mr. Kemp said he would speak on the questions that were asked of the Dept. at the previous meeting on this same bill. He called attention to the new position paper that had been submitted by the Department, a copy of which is attached to these minutes. This position paper was addressed to the various questions that had been asked by the Committee members. He went over the proposal of making available food stamps when an immediate need arose and making the decision at a local level. He felt the best method for doing this would be to up-grade the positions in the local offices so they could hire people with higher qualifications. There was discussion on the positions needed to run the programs and discussion was had regarding the 8 programs as referred to on page 1 of the position paper. It was brought out that the cost of the total program was 6.6 million dollars and the administrative costs of the program would be 16% of that figure.

There was discussion as to the graph that shows the average time for decision in food stamp program and why such a great difference in the different areas. Mr. Kemp explained the difference in the Kotzebue area was due to the caribou disaster, the difference in Kenai is because of a large caseload and a small staff. Fairbanks is caused by poor management in the office which he said had improved some but still was not running properly.

Mr. Nakak asked how many people were recipients of food stamps in Unalakleet area and Mr. Kemp replied 21.

Questions were asked of Mr. Kemp as to how many people are employed in the eligibility section of his division and

what his budget is. Mr. Kemp replied there were approximately 101 full-time people, 16 permanent part-time, and that their budget was approximately \$52 million.

There were questions of Mr. Kemp as to the need of a worker in the Unalakleet Area for such a small caseload. Mr. Kemp explained that it was a matter of continuing a position that had been there for quite some time.

There was much discussion as to the control the Dept. had over the program. Mr. Kemp said the only type of check they have is a quarterly control.

Mr. Chatterton again questioned the need for \$55 million to operate the programs. Mr. Kemp clarified this by explaining that \$52 million of the \$55 million was strictly committed to benefits of the recipients and was not going towards administrative costs.

It was then brought out that there are 14 district offices and 5 regional offices and there was discussion on how these operate.

In the absence of a quorum remaining, the meeting adjourned at 4:40 p.m. and no action was taken on the bill.

POSITION PAPER

ON

HOUSE CONCURRENT RESOLUTION NO. 26

A resolution relating to determination of eligibility for food stamps.

This resolution presents a legislative desire to improve the administration of the Food Stamp Program, specifically relative to delays caused by attendant paperwork, by returning the responsibility and authority for eligibility determinations to the district level.

This position paper is amended from that which was presented on February 24, 1977. This position paper and fiscal note is predicated on service-emphasis approach for families with immediate food needs as was expressed by the committee during the last hearing.

The continuous most important issue for the Division of Public Assistance is balancing levels of public service with adequate control and accounting for the vast sums of state and federal funds distributed in the form of recipient benefits each year. In this balancing process the administrative needs of each individual program must always be considered, e.g., Food Stamp administration versus AFDC administration versus OAA administration.

Basically, the department has been moving steadily toward greater accountability for public funds and reduction in welfare error rates, in accordance with concerns voiced during legislative hearings and federal directives, and as supported through independent consultant reports, including the Governor's Management and Efficiency Review, and Touche Ross Consultants, Inc. Input to the department since 1974 has been consistently directed at improving administrative procedures to provide for greater accuracy and accountability in public assistance programs.

The concept of regionalization, as discussed in the briefing memo attached, was widely distributed last year (Exhibit A). In accordance with regionalization plans, our decision-making offices have been reduced from 22 to 10 during the past year.

Sampling of the performance of these offices relative to time required to render food stamp decisions is found on the attached charts (Exhibit B).

The statewide administrative costs of operating the food stamp program are as follows:

Eligibility Determination	11% of benefits
Total Administrative Costs (including E.D., Quality Control and Federal Reporting, etc.)	16% 11% of benefits <i>Calif</i>

Prior analysis of the fiscal impact of returning decisions on food stamp cases to the district level involved the consideration that all eight (8) programs must be administered in a coordinated manner by program specialists.

Therefore, from the standpoint of accountability, accuracy, and management, the department submitted the fiscal note of February 1977 based upon an identical fiscal note of May 1976, indicating a necessity for substantial increases in staff to accomplish district office level decisions within the performance limits we understood to be expected.

Since the last hearing on HCR 26 the department has analyzed the problem of service to those who have immediate food needs and feels the following proposal will meet the balance required between public service and accountability in rural areas.

Basically, this proposal involves upgrading current rural eligibility staff to benefit specialists and giving them responsibility for specified immediate need food stamp case decisions. An Explanation of Intended Procedure is as follows:

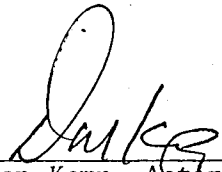
In such immediate food need situations, the Benefit Specialist at the district office would render an eligibility decision for the first month's assistance only. Subsequent to rendering the decision and providing the food stamps for the first month if found eligible, the decision would be sent to the Regional Decision Center for review and a determination of the certification period. The household would be advised by the region of the length of time certified, and told to reapply by a certain date so that the Regional Decision Center could process the request for on-going assistance. Changes would be handled by the Region.

- I. Immediate Food Need Situations (30% of All Applications)
 - a. Households applying for Food Stamp for the first time.
 - b. Households applying for Food Stamps after a lapse of one month or more since they last received Food Stamps.
 - c. Households which are certified for Food Stamps but who experience an unexpected increase in expenses or decrease in income.
 - d. Households which suffer a personal disaster such as fire, theft, flood or other disaster which destroys a family's food supply.
 - e. Households which lose their ATP cards or their food stamps.
- II. Non-Immediate Food Need Situations (70% of All Applications)
 - a. Households which are simply reapplying for continued Food Stamp assistance.

HOUSE CONCURRENT RESOLUTION NO. 26

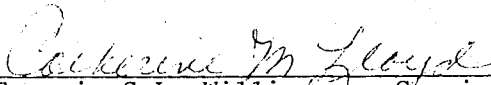
The fiscal impact of this "limited district" concept is considerably less than that of a full administrative office implementation. The legislative desire to see immediate food need situations handled at the district office level can be accomplished at an FY 78 cost of \$79.8 without jeopardizing the management goals of regionalization. However, the Department is unable to recommend an increase above the Governor's budget.

Approved By:



Don Kemp, Acting Director
Division of Public Assistance

3/24/77
Date



Francis S.L. Williamson, Commissioner
Department of Health & Social Services

3/24/77
Date

POSITION PAPER/Department of Health and Social Services

REORGANIZATION

1976

A

6 - Minute Briefing

from the Division of Public Assistance

Introduction to Regionalized Decision Making

We have received several questions and comments from concerned individuals and organizations about the statewide change in public assistance administration of the AFDC, Medicaid, Food Stamps, Adult Assistance and General Relief programs.

This paper is intended to explain the position of the State agency, Health & Social Services, and to address the concerns most often raised regarding the change from the current full operation of 22 offices to Regionalized Decision Making (formerly called Centralized Decision Making) in 5 offices across the state.

1. What Is Really Going On?

In the summer of 1975, agency managers proposed that Alaska implement Regionalized Decision Making (RDM) in five regional offices statewide, for all public assistance ('welfare') programs.

After the proposal was circulated to field offices for input, it was decided to proceed with the necessary reorganization beginning in the Southcentral Region, headquartered in Anchorage.

By July 1, 1976, the following changes will be made:

- (1) Two new regional offices will be established (in Nome and Bethel); the 3 current regions are in Fairbanks, Anchorage and Juneau;
- (2) Decisions on who is eligible, and for how much assistance, will be made in these 5 regional offices only, instead of in all 22 district offices;
- (3) The reorganization will not result in the closure of any of the 22 district offices now in operation;
- (4) The role and responsibilities of Eligibility Workers in the 22 district offices will include obtaining applications, and verification documents, program outreach activities, Food Stamp sales, home visits and Fee Agent program coordination;
- (5) Eligibility benefits will only be decided on by Benefit Specialists trained in their particular program, in the 5 regional offices. These positions will result from reclassifications of current staff or transfer/reclass actions of vacant positions as appropriate.

Basically, this is a shift of responsibility for financial decisions from "generalist" workers in 22 offices, to specialists in 5 offices.

2. What Do These Changes Mean To Recipients and Applicants?

At first, there may be a slight increase in the time required to make eligibility decisions, however, there should be no additional delay in delivering the appropriate cash, food or medical assistance to individuals or families. Within a year however, it is expected that a client's first month's benefits for most programs will be provided by regional centers within one week from the time of the eligibility decision, thereby eliminating the two to five week delay that occurs under the current Central Office distribution system.

The Regional offices will also be able to provide food stamp allotments directly to eligible households with no income, thereby eliminating the two-week delays that currently are unavoidable. Because of the time saved by their not having to make eligibility decisions and maintain case files, better program information will be made available to most clients through personal contacts with field workers, who will be able to make more home visits, begin handling the village Fee Agent's problems, and conduct outreach activities.

3. What Will Happen To Agency Staff?

There are no terminations, lay-offs, pay cuts or involuntary transfers of current staff anticipated anywhere in Alaska due to RDM. Any necessary staffing changes will be handled by attrition.

Eligibility workers in District Offices will still be needed in public assistance, however, they will spend more time informing clients and the general public about assistance programs and will be involved in application and verification actions.

Accordingly, interpretations for the eight programs, benefit decisions and authorizations, maintenance of case files and other specialized and time-consuming work will no longer be the responsibility of EW's.

The new benefit specialist jobs in the five regional centers will result from reclassifications and transfers of vacant positions in the districts.

4. How Will The New Decision Making System Work In Each Region?

The concept is simple, efficient, and initial tests indicate that it works.

First, clients will contact Eligibility Workers or Fee Agents, or come in to the local offices to make application. Workers so contacted will be responsible for assisting clients in all phases of the application process.

The applications and verification documents will go to Region Decision Centers for an eligibility decision and authorization of benefits for the appropriate amount, by a Benefit Specialist, trained and experienced in dealing with only one or two of the eight assistance programs.

If further information is needed, specific requests will quickly be made of field staff, or an appropriate agency (i.e., Department of Labor for unemployment benefit information).

New forms and communication procedures are being designed and tested to speed up each step of this complicated process.

5. What's Behind This Reorganization?

The current organization, and the systems it supports, has become so unwieldy in recent years it approaches the ridiculous.

On one hand the state is trying to efficiently manage six standard assistance programs and two emergency relief programs statewide from 22 offices; and yet, program regulations and procedures have become so complex, and change so frequently, several staff specialists are required to provide expertise on each single program.

Obviously, it is absolutely impossible, and grossly unfair as well, to expect one or two village workers to accurately and quickly interpret, understand, apply and administer eight programs. There is simply no way to continue under the present system and stay within responsible limits of performance.

In January 1976, a special efficiency task force for the Governor analyzed available data and found the following:

- A. If the Division of Public Assistance continues with the status quo, it will distribute erroneous AFDC and Food Stamp benefits to clients in the amount of \$2.2 million next year. This includes the Federal government penalty for inadequate work accuracy of \$358,000; and it will go on this way indefinitely if drastic and effective measures are not taken.
- B. In addition to the loss of taxpayer's money to ineligible or overpaid clients, there are enormous administrative problems inherent in the current system.

For example, it is very difficult and expensive to supervise and train staff in 22 widely scattered locations, with very different caseloads and problems. Even harder is the task of retraining and updating worker knowledge and understanding and monitoring their performance and problems in an effective and timely fashion.

Turnover among eligibility workers is now running about 30% per year. This further complicates all the above problems, on both the local and state level.

One rural district office had six people in one eligibility position in the past four years and the position was left vacant for 23 months during that same period.

- C. Each Eligibility Worker in Alaska authorizes and administers an average of \$754,000 in assistance each year without benefit of supervisory review in many cases, with \$48 million being the total for the state. It is not possible with current funding and staffing levels to adequately review and control the decisions involved in 22 widely scattered locations.

Clearly, there must be a better way of operating these massive programs that will be as precise, consistent and responsive as the limited administrative funds will allow. Despite the many improvements made in the current system and the resultant savings, no further increases in efficiency can be expected without major changes.

Regionalized Decision Making through five regional centers is one of the improvements to the overall system that we feel must be accomplished as soon as possible.

Other changes to the system have also been proposed, dealing with verification of client circumstances, recoupment of erroneously distributed benefits, child support enforcement, and an overhaul of the computer support system. However, experience over the past seven years, since 1968, has clearly demonstrated the need for program specialists to make eligibility and benefit decisions from locations that have good communications and where local populations provide a base of qualified persons who are familiar enough with government administration to effectively fill these technical positions.

The alternative is to spend millions of dollars expanding the number of state government staff specialists in rural offices where adequate program support would still be unavailable.

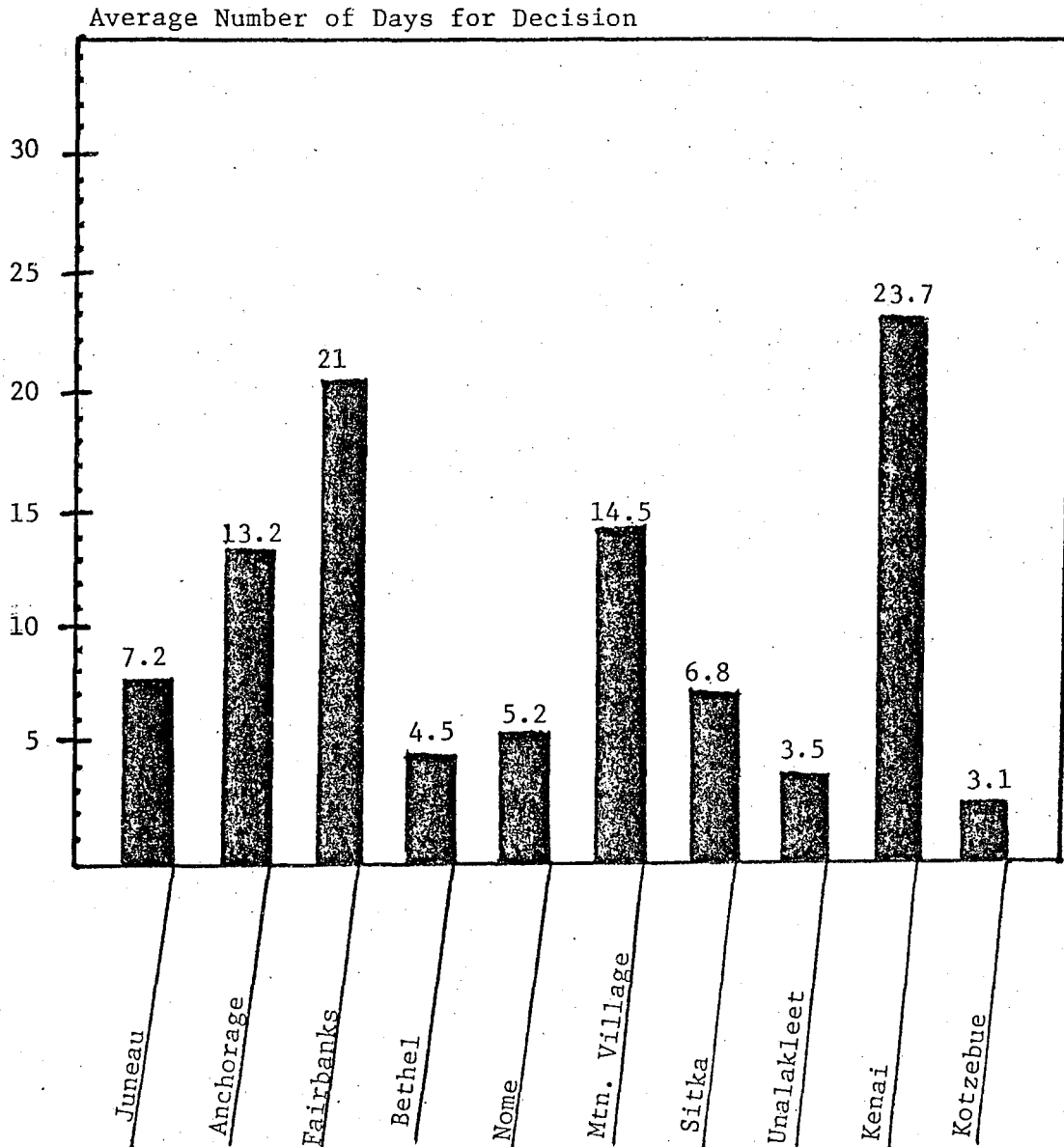
If you have a requirement for further information or clarification, please contact:

Division of Public Assistance
Larry Sullivan, Director
Pouch H-07
Juneau, Alaska 99811

All inquires will receive a timely response.

AVERAGE TIME FOR DECISION
IN FOOD STAMP PROGRAM

Administrative percentage of costs/benefits delivered.
Including Eligibility Determination and training costs 11% of benefits.
Including Eligibility Determination and Administrative Services and
Quality Control 16%.



MONTHLY BREAKDOWN OF DECISION TIMES BY PERCENTAGE

PERCENTAGE BREAKDOWN

	0-5 Days	6-10	11-15	16-20	21-25	26-30	Over 30
Juneau	42	37	18	3	-	-	-
Kenai	-	3	3	15	46	36	-
Anchorage	20	22	25	15	8	5	5
Fairbanks	3	17	17	17	14	11	17
Bethel	75	13	10	2	-	-	-
Kotzebue	88	5	-	5	3	-	-
Nome	67	9	12	6	6	-	-
Mtn. Village	20	33	13	17	-	-	20
Sitka	30	55	10	3	3	-	-
Unalakleet	81	10	10	-	-	-	-

NOTE: In Anchorage and Juneau Regions it was found that 2-3 more days were required to process rural applications on the average, as compared to urban applications.

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. HCR 26
 Title A resolution relating to determination of eligibility for food stamps.
 Requested by Chairman, House HESS Committee Date March 24, 1977

II. FISCAL DETAIL
 Agency Affected Department of Health & Social Services
 Program Category Affected Social Services
 Budget Request Unit(s) Affected Eligibility Determination

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES		79.8				
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		79.8				

FUNDING (Thousands of Dollars)

GENERAL FUND		49.1				
FEDERAL FUNDS		30.7				
OTHER (Specify)						

POSITIONS

FULL TIME						
PART TIME						

Cost of Position Reclasses for HCR 26

<u>District Office</u>	<u>PCN</u>	<u>Current Position</u>	<u>Increase per year when reclassified to Benefit Specialist III, R/16</u>
Valdez	8062	Eligibility Worker III,R/12	\$ 3,216.00
Dillingham	8051	EW I, R/9	10,068.00
Kodiak	8063	EW I, R/9	8,052.00
Kenai	8050	EW III, R/12	2,892.00
Palmer	8098	EW III, R/12	5,064.00
Mt. Village	8074	EW II, R/11	8,088.00
Aniak	8059	EW III, R/12	6,684.00
Nome	8044	EW II, R/11	7,152.00
Unalakleet	8078	EW III, R/12	6,948.00
Galena	8150	EW I, R/9 (PPT)	5,490.00
Ft. Yukon	8058	EW III, R/12	5,400.00
Sitka	8142	EW III, R/12 (PPT)	2,532.00
Ketchikan	8037	EW III, R/12	4,788.00
Petersburg	8049	EW III, R/12	3,420.00
		Total	\$79,794.00 per year

MINUTES OF HOUSE HESS

March 25, 1977

The meeting was called to order by Chairman Parr at 3:15 p.m. with the following present:

Parr, Bennett, Chatterton, Phillips, & Cotten. Ose and Beirne came in later.

Absent: Nakak & Buchholdt

The first order of business was to interview Mrs. Roberly Potter, Administrator of the Pioneer's Home for confirmation on the Board of Nursing Home Administrators.

Mrs. Potter stated she had been in Alaska for 16 years and was originally from South Carolina. Said she had been working for the state for 6 years and during this time worked for Pioneer's Home in Sitka. Was the assistant Administrator until 2 years ago when she was appointed the Administrator. She stated she was a licensed administrator and had been serving since her appointment on the Board of Nursing Home Administrators.

Mrs. Potter was asked several questions by Mr. Bennett and then there was discussion with her about a few complaints about the home that had been received from Fred Soberg.

Mrs. Potter was thanked for coming over for the interview.

Chairman Parr announced the next order of business would be SB 45., by the Governor and deals with radiation protection. Mr. Parr said there was a fiscal note of \$48,000 and a legislative intent from the Senate that it be implemented at no additional cost.

Mr. Sidney Heidersdorf, Chief of the Environmental Health Section which would be the section responsible for this radiation problem, testified on the bill. He said he felt it would be an active statement of his department that if the fiscal note was not approved, it would be their recommendation to not pass the bill. It would essentially place the responsibility in 2 departments then.

Mr. Parr asked if at present there wasn't a split responsibility of this between DEC & H&SS. Mr. Heidersdorf said there wasn't at the present time but the bill would create a split of it.

Mr. Bennett asked if this would also include all industrial x-rays, and Heidersdorf said yes and there was one thing to be aware of and that is Alaska is not an agreement

state with the Nuclear REgulatory Commission which is the old AEC. They still maintain a licensing of by-product material so the state is not responsible for by-product material so there are probably 40 licensees in Alaska. The construction of the pipeline has increased that.

Mr. Chatterton referred to the letter from the Governor dated January 14, 1977 to the Senate in the last paragraph, said if the bill does what this paragraph states, he has a deep concern along the line that Mr. Bennett mentioned. Said he didn't think the Dept. of Health & Social Services should get into the design and use of radiation sources outside of the dental offices and hospitals and things of that nature. Heidersdorf said what he thought was probably meant in the paragraph was "shielding design". Said he is presently doing these things.

Mr. Bennett felt we didn't want to create a law that would create a problem, especially right now. Said he would have much more concern about the industrial use of some of the big sources. Said he wondered if the health end of the game should be responsible for monitoring all the sources. Rather see the industrial end monitor the light hardware.

Mr. Heidersdorf said exposure to health radiation is a health problem, after exposure. Said he disagreed with Mr. Bennett's feelings that the problem lies within industry. Said in Alaska, 90% of the unnecessary exposure is being experienced by people who come for medical and dental use. Said there are 100's of x-ray sources in the state and not that many industrial sources. He said it is not unusual to go to a hospital and find that the exposures that are being used are 3 times what they have to use to get good radiograms. There was much discussion on this problem of exposure.

Mr. Parr asked why this isn't the responsibility of the OSHA people? Mr. Heidersdorf said the reason is that when you talk about microwave oven exposures, medical and dental exposures, there is an occupational component but a much larger public health exposure requirement.

There was discussion as to the dangers that are involved in dental and medical offices, as to whether it would be to the patient or the person operating the x-ray machine.

Mr. Chatterton asked just how this bill came about. Mr. Heidersdorf replied that there were a series of complaints, The Alaska Medical Association expressed their concern about 3 years ago over the fact that nothing was being done in this area. Said when Commissioner Mueller went into office he immediately stated they did not view it as an environmental type issue so they were the ones that introduced the bill for the transfer.

There was discussion on the need for monitoring medical and dental equipment and the fact that the Division of Occupational Safety and Health has regulations regarding radiation and would this cause a conflict.

Mr. Parr asked about the bill, bottom of page 1, where it states "the department may keep confidential data obtained as a result of registration of investigation". Said he was concerned because he had a bill going through now on Freedom of Information and the general thrust of the bill was that you don't keep information confidential unless the violation is to the right of privacy and a few other exceptional cases permitted so he said he didn't understand the reason here. Heidersdorf said this was primarily directed to industrial and research areas where there are instances where people are working with equipment that does require the ability to say "we need to inspect this, but also have the right to protect it from freedom of information". He said the information you got was because you could walk in and take a look at secret information, like proprietary data which is a machine that is a trade-secret type thing.

Mr. Chatterton thought they were thinking more of developmental research use of radioactive sources.

Mr. Parr said the way the bill read that if you discovered there was a radiation hazard this could be kept secret. Felt this should be reworded.

Mr. Heidersdorf left copies of a study that was done in Alaska a few years ago. The meeting adjourned at 4:30. p.m.

MINUTES OF HOUSE HESS

March 28, 1977

The meeting was called to order by Chairman Parr at 3:00 p.m. Those members present were: Parr, Chatterton, Phillips, Bennett, Cotten, with Nakak, Buchholdt and Beirne coming in later.

HB 343

Miller

Chairman Parr announced that HB 343 would be first on the agenda and asked Mr. Miller, the prime sponsor to speak. Mr. Miller said HB 343 is almost the same as the Senate Bill which was introduced and passed both houses last year and vetoed by the Governor. Said what this bill seeks to do is to help the teachers in the continuing cost of living. Said if the bill passes, it would be a substantial aid towards a partial solution to helping the teachers. Said the teachers involved, are not asking for a free ride, every teacher in the district would immediately be subject to an increase from 7% to 7.8% of his or her base salary. Said the increase is a recognition on the part of the teachers that they are willing to pay a part of the load themselves. Said he wasn't sure what the fiscal impact on the general fund of the budget is going to be. Said the teachers association had estimated perhaps in the area of 3.8 million. He said from the information he had, the state is determined that they are going to meet their obligations under the current teachers retirement system and still lower the amount that the state is putting into the teachers retirement system. Said it is a recognition that the current system is more than paying for itself from the current contributions so the state is looking forward to lowering its contributions. He said the thrust of the bill is to make an adjustment when the cost of living goes up. If the cost of living goes up, X percentage, it doesn't mean that the post-retirement adjustment is going to go up that much. Said it will only go up 80% of the increase of the cost of living. He said it wouldn't be that much in the case of teachers in a higher bracket and no one will receive more than 20 percent above the average benefit. If someone is making a substantial retirement income and the adjustment is made, if the adjustment would be more than 20 percent above the average, they don't even get their full 80 percent entitlement, they would get up to 20 percent of the average. He said in no case will exceed 4% annually. Said there are a lot of breaks built into this.

Mr. Chatterton asked if Title 14, Chapter 25, applies to teachers within all districts as well as the REAAs? Mr. Miller said that was his understanding.

Mr. Phillips asked about the cost of living being based on Anchorage. Said he wondered about Nome and Pt. Barrow where it would be higher.

Mr. Chatterton asked if this couldn't be a matter for collective bargaining.

Gates Next to testify was Mr. Bob Gates, Director of the Division of Retirement for the State. Said he would answer the question Rep. Miller referred to as the anticipated reduction in the teachers retirement system employer contribution rate. He said this is true, the actuarial rate is anticipated to start July 1 was reduced from a current rate 14.18 to 13.06 which would be somewhat slightly over 1%. He explained how the actuarial rate was developed.

Mr. Gates said this particular bill would start for those people age 60 and over. Said he thought the major concern with the language in the bill was the one with 20% restriction above the average. Said the contributions are being made by all members in the amount of .8 of 1% but the beneficiaries on the other end are going to be getting back a less proportionate amount than they paid in and felt this would be troublesome with a lot of the active members. He said the major reason for large benefits in many cases is for long service. He said he expected to distribute the cost information for this program to the committee tomorrow. He said it will have a cost to the State in FY 78 of 5,910,000.04. In addition there will be a \$5,000 data processing modifications that will be needed. Said that amount would increase at roughly 12% a year or actual increase whatever total payroll increases for each in the future.

Mr. Miller asked Mr. Gates if they took out the 20% provisions on page 2, did he have a rough estimate what it would do to the price? Mr. Gates said he would be anxious to hear Mr. Van Houtes' comments.

Mr. Parr asked if Mr. Gates could give us two fiscal notes, one with 20% lid and one without.

Mr. Phillips asked for the fiscal note from last year.

Van Houte Next to testify was Mr. Bob Van Houte from NEA Alaska. He said they were in support of this legislation. Pointed out over a number of years, clear back to 1966, when the intent of the legislature has been to provide for some kind of cost of living adjustment for retired teachers. Said the legislation is really intended to make that affective and put it into operation. Said Sec. 142 which is currently in the law says they may provide for a cost of living adjustment and passed out copies of this to the members of the committee. He said they have had on the books for a longtime the concept of a cost of living adjustment for retired teachers. He said the system we have in this state is one of the finest systems we have in the country.. Said since 1970 the cost of living has increased 47% Since that time the average increase in benefits has been about 10 1/2 percent. Said they are eager to have this enacted because it

would partly help to relieve the problem which retired people have. He further stated that teachers are not included in the social security benefits.

After Mr. Van Houte got through with his presentation, Mr. Miller said he would retract his request for the 20% fiscal note from Mr. Gates.

Gustafson

Next to testify on HB 343 was Mrs. Jane Gustafson, Assistant to the State Director for the National Retired Teachers Association. She said members have called her to give the committee their views and most of them feel it will make a difference to the number of people that will stay in Alaska if there is an improvement in their retirement. Said the teachers do not have social security which other state employees have, and she said the hospital given by the state--it is good to have one, however, when a person reaches 65 he has to buy his own social security plan so this is a time when they could use a little more.

Mr. Parr asked Mr. Gates if the hospitalization plan was in the bill the Governor vetoed. Mr. Gates said no.

Mr. Gates said the only thing a teacher has to buy is the part (b) of medicare which is the doctors at \$7.00 which everyone must buy. He said if the teacher is entitled to Part (a), which is the hospitalization, then there is no cost for it. Said there is no requirement that they buy it, if they don't have it the state plan takes up to the entire limits of the policy. Mrs. Gustafson said she went to the State office and found out they do have to purchase it and it is \$7.70 now and goes up all the time.

Dean

Next to testify was Mr. Bill Dean, retired teacher from the Juneau schools after teaching 27 years. He stated he was fortunate to have a small pension as well as the teacher's pension. Said the other pension he has had has been going up about 7% a year whereas the teachers program has remained the same. Said he did have a little money in the bank and lately he has had to take some out from time to time in that he was not able to live on the pensions he received.

Action

Mr. Cotten moved to pass the bill out of committee. Mr. Phillips objected in that he wanted to see the fiscal note he had requested before passing it out. A vote on the motion showed it to pass.

HB 284

Mr. Parr announced the next bill to be taken up was HB 284 and asked Mr. Gates to speak. Mr. Parr informed Mr. Gates he didn't understand this bill.

Mr. Gates said the general purpose of this bill is to provide a vehicle where certain service may have benefits paid on it without actually having what is normally known as an invested right in the system. The purpose for the bill is to encourage people, when offered an opportunity to change their careers temporarily, they would not be giving up their

retirement benefits by taking such a move. The bill says that a person who serves under 1 system for 2 or more years and who does not receive a refund and becomes vested or is already vested under another retirement system, at the time of retirement that person will be entitled (1) a benefit out of the system under which they are vested, and also the benefit payable on the 2 or more years of service which they accrued during their time that they were temporarily out from underneath their principal retirement system.

Mr. Van Houte testified next and said they supported the bill and the fiscal note would be very small.

Action Mr. Bennett moved the bill out of committee with individual recommendations. There being no objection, the motion carried.

Chairman Parr then announced that HB 344 could be taken up or the committee could hold it over for the evening meeting since there would be testimony on it at that time. The Committee decided to hold it over for the evening meeting.

CS for HB 130 was circulated and signed by the members.

The meeting adjourned at 4:30. p.m.

EVENING MEETING OF HOUSE HESS

March 28, 1977

The meeting was called to order by Chairman Parr at 8:40. Those present: Parr, Nakak, Chatterton, Ose, Cotten, Phillips and Buchholdt and Bennett coming in late.

Absent: Dr. Beirne.

Chairman Parr announced that the primary reason for having the meeting in the evening was so that regents who wanted to testify and hadn't been able to come before the committee could have a chance to do so. He said HB 361, HB 362, 363, 360, HB 344 & HCR 36 were all on the agenda.

HBS 360,
61, 362, 363,
344 &
CR 36

First to testify was Regent Ed Rasmuson from Anchorage. He spoke to HB 344 and said in his personal opinion, this particular act could be construed as unconstitutional in the sense that the Board of Regents at the University of Alaska by statute are required to hire the President of the University of Alaska.

Rasmuson

Mr. Rasmuson said with reference to HB 361, and the other bills, what they attempt to do is to gather more control and to force the University, rightly or wrongly to more accountability. He said he did not disagree except that it just creates another procedure.

Mr. Malone then spoke on the bills. He said HB 344 was a pretty straightforward piece of legislation. Said he didn't want anyone to think this was aimed at the current president of the U of A. Said the Committee, in considering the legislation, might also consider the idea of making it not applicable to whoever is president at the time law is effective. He said the legislature now has confirmation authority under the constitution on the Commissioners. Said he had a question as to whether this procedure was constitutional or not and got an opinion from the Legislative Affairs Agency on it, a copy of which was passed around.

Malone

Mr. Chatterton asked if the legislature could really be in a position to fully evaluate a potential president. Said he wondered if we really needed the modification of the existing legislation. Mr. Malone said in his opinion he felt that they do.

There was discussion as to the term the President serves, whether or not the confirmation of the president could become a political issue.

Mr. Malone said with reference to HB 361 he thought the bill is useful and necessary. Said it was commented on earlier that it was an additional procedure. He said he thought clear-cut and workable procedures, particular in the area of the budget and financial management is something that the lack of has been a problem for the university and thinks this legislation would solve that problem. Said he didn't believe it added control to the legislature executive branches, under the Constitution the control for the University system remains with the Board of Regents as the Board of Governors for the University. SAId he thought it would give them a definite set of guidlines to go by.

Mr. Parr questioned Section 4 of the bill. Said he wasn't certain what the effect would be if that part of the bill were adopted. Mr. Malone said the reason for the section was to prevent a conflict. Said the regents have control of the use of the funds. Said the object of Section 4 was to remove the conflict that might exist in the law.

Mr. Parr said under the existing statutes, all the payments to the University go to the treasurer of the Board of Regents and asked if there would be a change in this if the bill were adopted. Mr. Malone said that there would be changes. Said instead of the University having to put on deposit state funds and draw against them, said the executive branch would be in charge of warehousing the money and the regents would be in charge of spending it. The Dept. of Administration would be the banker and the Regents would draw against the bank account.

There was discussion on how the finances would be handled and sections of the existing statutes were read and discussed as to how they are presently handled.

Next to testify was Mrs Mildred Banfield, a member of the Board of Regents. Mrs. Banfield stated as she sees HB 361 it doesn't really say much, just refers to places in the statutes. Said she is getting very nervous hearing talk about grants and gifts. Said the University has a foundation program and wonders if this would be involved in turning over the monies of the University. Mr. Miles said the grants and gifts they receive would be handled like federal funds in the budget. Mr. Malone said he thought this was covered in the revision of the law with regarding the Unviersity Management and Gifts last year. Said the law was amended and 14.40.280 covers endowments and donations to the University. Said he thought it provided that those gifts and endowments made to the University would not be affected under that proposed amendment in the law.

Mrs. Banfield further stated she had been elected treasurer of the Board of Regents. Said she was concerned with the Department of Administration acting as the accountant, bookkeeper and what have you. She said she sees it as an opportunity to over-ride University policy. She further stated that the

University's computer system is about to take over and run things properly and doesn't believe the Department of Administration could run it as well now and it would be a waste of time and money at this point and would also slow things up.

Mrs. Banfield said with regard to HB 344, she felt it would be difficult to pick a president from a political view. She stated it is already almost April and so far the legislature hasn't approved the 4 regents whose names have been submitted. She stated over the years she has become a little shy about political decisions.

There was discussion by the committee members as to time involved in picking a president and the length of time in getting him or her confirmed. There was also much discussion on the budget, as to getting it on the same format so that it is easily understood.

There was discussion as to what type of President the Board is looking for and what criteria has been laid down for the Search Committee to work on.

Mr. Banfield felt that the president should be a business manager type and the vice-president would be more towards the academic type.

Questions were asked of Mrs. Banfield as to HB 362 and what her position on this was. Mrs. Banfield said she was in favor of this.

Next to testify was Mr. Gerard LaParle, student Regent. Said he felt everything had pretty well been covered on the 3 bills in question. Said on HB 344, after discussing this with a number of the students and faculty members it seems to be everyone's feelings that a political decision would not be in the best interest of the University as to who will be the next president of the University. Said they see a lot of conflicts happening right now. An in-state, out-state presidential conflict and the University has been having a difficult time all along on a regional conflict. Said he could envision what would happen if the board appointed a president from Fairbanks and he submitted himself to the legislature for confirmation. Said he felt very confident with the selection process and in the selection committee itself. Said he thought with the bill would have to suspend their current operation. Said they had not advertised the job as requiring legislative confirmation and said they would probably have to readvertise again.

Mr. LaParle said with regard to HB 361, felt there was a definite need for everyone to be speaking the same language, definite need for everyone to be using the same budget and format. Did feel there were crucial areas that needed to be given thought.

Said the university is a unique entity and has unique problems and felt if the unique areas could be identified, such as grants, contracts, endowments, and if everyone agrees that going under the Dept. of Administration is progress, then he would be for it. Said he had concerns now that that would be a beneficial move for the university right now. He said on the Board of Regents staff, the Board has acquired the services of one executive secretary just voted recently to establish the position of comptroller who would be directly reportable to the Board of Regents. Said it was his understanding they did not have the funding for the comptroller's position

Mr. Parr asked if they weren't in effect, relying upon the Search Committee to do the balancing process and you are relying on the fact that the Search Committee will not be over influenced in any one direction, that they will give you the best 5 or 6. Mr. LaParle said yes they felt this, but thought they needed to look for someone who will be with the university on a long term basis and someone that is relatively aggressive. He said the Regents have access to the complete list of applicants.

Next to testify was Don Abel, a Regent. Mr. Abel commented on HB 362, said he was the sponsor or the father of the proposal that led to the regents actually adopting this staff. Said he was the second oldest regent of the 11 and he has been on less than 2 years. Said he felt that the regents were being fed information by the administration, that was incomplete, said the preparation for the regents meeting was poor. Said he felt they were running a hundred million dollar corporation and it behooved them to have their own staff members. He said his original proposal consisted of Mr. Diebel's position, a secretary to him and a Budget Analyst, which he still feels the University should have. He said with regard to the bill concerning confirmation of the president by the legislature--the Regents themselves are confirmed by the legislature and doesn't think it is necessary for the legislature to also confirm the president when they should have the confidence in the regents to do the selection.

Mr. Abel said there had been considerable discussion among the regents concerning a management committee. Said they felt that the committee (whether it consisted of 3 or 2) working for the regents and working with the president. Said they have a series of daily, weekly and monthly report systems that they are thinking about and hopefully would solve the problem they are now having.

Mr. Parr asked Mr. Abel if he thought the University was overadministered. Mr. Abel said he didn't think they had too many administrators, He said compared to other Universities, it has been said that they have 15% of many of the universities down below but felt this was no criteria to go by. Said there have also been complaints that they can't administer the faculty and programs effectively because they don't have enough administration. He said it is how they use their people that makes it more effective.

Next to testify was Acting President Ferguson. Mr. Ferguson said on HB 360 the University has developed a white paper on the management team. Said at 4:00 this date they discussed this with members of both the house, senate and Governor's office and will discuss it further tomorrow. He passed out copies of the position paper to the members.

He said with regard to HB 361 his most concern was caution. Said they were interested in developing a system that would be compatible with the State. Said this would mean that the reporting schedule, format would be similar. He said there were some serious ramifications on HB 361. Said in the Attorney General's interpretation and also in the legislative council's interpretation, they raised three specific questions.

(1) the Regents, care and control of management, said Sec. 3 of this act, it places this under the Governor and from the testimony this evening, it seemed to be the representatives feelings that it was not their intent of placing the University under this. So he felt this should be looked at closely. He said also the Regents have responsibility of disbursement of the funds and both the Attorney General's Office and Legislative Council mentioned this and felt this should be addressed. Said the regents also have control of the property and the comptroller is responsible for purchasing. Said the regents have responsibility for management of trust funds and in the grants of contracts and felt these all should be specifically addressed in revising HB 361.

Questions were asked of Mr. Ferguson as to whether contracts have been signed with the 2 members of the management team, and what the qualifications were to be serving on this team. Also there was discussion as to the rate of pay the gentlemen would receive.

The meeting adjourned at 10:10

CS

MINUTES OF HOUSE HESS

March 29, 1977

The meeting was called to order by Chairman Parr at 3:05 p.m.. Those present were Parr, Phillips, Buchholdt, Ose, Chatterton with Beirne, Bennett and Nakak coming in later.

Absent: Cotten

HB 381 Chairman Parr announced that HB 381 would be first on the agenda.

Mrs. Buchholdt spoke on the bill. Said from her personal experience of going over to the State Fair every summer, she noticed there was a lack of facilities that are badly needed. She said to help solve the problem, she decided to check up on it and found the needs in Palmer included a restroom for women. She also called attention to the fiscal note.

Mr. Chatterton moved for the adoption of amendment No. 1. Mrs. Buchholdt objected for the reason of discussion.

Mr. Parr gave a little background on the amendment. Said the State Health people wanted to close down the Tanana Valley Fair year before last because there weren't enough sanitary facilities. The Fair people came in and asked for more money. Said there is an association of Alaskan Fairs in the State and they have agreed among themselves that they will agree on a total amount that they should ask for. Said under the way it has worked for the last couple of years, there has been a \$50,000 capital appropriation for the Palmer Fair, a \$50,000 appropriation for the Tanana Valley Fair. That appropriation obviously is not going to meet the critical need in Tanana Valley for the facilities. Said the Finance Committee has never seen fit to give enough money to bring it up to code. Said he felt if there was a need for it at the Palmer Fair grounds, it would be fair to make it for the Tanana Valley Fair grounds at the same time which does need it badly.

Action After some discussion, the amendment was adopted and a motion was made by Mr. Chatterton to move it out of committee as a committee substitute. There being no objection, the motion carried.

HB 287 Chairman Parr announced next on the agenda was HB 287. He stated when we worked on the bill last time ran out of time. Called attention to the draft committee substitute, and explained the amendment made previously, page 3, on the 3rd line after the word "sex" add "or ethnocentric".

Mr. Parr offered for amendment:

Bottom of page 3, line 26 after the word "table" delete through "Chapter,". There being no objection, the amendment was adopted.

Page 4, line 13, after word "compliance" insert "by school districts and Rural Education Attendance Areas." There being no objection, the amendmdnet was adopted.

Action

Mrs. Buchholdt moved to pass out Committee Substitute for HB 287. Mr. Phillips asked about the set of statutes for compliance from other states. Said he had been working with Lisa Rudd on this and hadn't gotten them yet and wanted to take a look at that first. A vote on the motion showed it to carry and the Committee Substitute was passed out.

Chairman Parr announced that HB 212 would be taken up next. Mr. Parr reminded the committee that during the previous hearing, the Dept. of Education, in testifying against it, referred to the fact that they had introduced a bill to better fund the rural education attendance area which was SB 225--a copy was in the Committee's packets. Mr. Cole had also provided the committee with one copy of a study regarding cost differentials. Told the committee there were 3 pages in the committee's packet which is a table showing the composite total consumption index. Mr. Parr called the committee's attention to the draft of a committee substitute he had prepared which was also in the packet.

HB 212

Mr. Chatterton asked if on the draft committee substitute the fiscal note would be on the same order of magnitude? Mr. Parr said there hadn't been time to get a fiscal note. Mr. Cole said he had a handwritten copy of what it would be and xerox copies were passed to the committee. Mr. Parr explained his committee substitute which he said was strictly up to the committee and Mr. Lind and Mr. Schaeffer should both comment on it.

Mr. Cole went through his fiscal note and explained it.

Dr. Lind said he had no comments now but they would do everything they can to get the district by district figures to the committee within the next day or two. Said they do recognize the small secondary and small elementary schools do need whatever assistance can be provided and one of the greatest areas of need in the whole issue and felt it would be needed to be seen on a district by district basis what impact it would have.

Mr. Parr told the committee he had gone through the study and at this point Mr. Cole said he now could provide the committee with copies of the study for each member.

Mr. Parr said the study does leave something to be desired. For some reason whoever did it left out what he considered some of the factors that really needed to be known. Said he spent a lot of time on the book in trying to work out some type of formula. He said the cost of living and cost of operating schools don't line up as we know but one of the primary costs in operating schools is the cost of personnel. Said he tried to use the figures and apply them against the personnel cost for the teaching personnel, for the classified employees and for the classified employees in the operation and maintenance side. Said he tried to use some of the data on utilities to get appropriate utilities for the district. Said he felt this was the general direction in which it should work but felt the study had a lot of gaps in it. Said in some cases have figured out per instructional unit when you need to know how much it cost in dollars.

After further discussion on the fiscal note and all, Mr. Schaeffer asked for the committee's indulgence in giving him time to look over this draft substitute and asked that the bill be ~~tabled~~ ^{held} for a few days.

The meeting adjourned at 4:20 p.m.

MINUTES OF HOUSE HESS COMMITTEE

March 30, 1977

The meeting was called to order by Chairman Parr at 3:05 p.m. Those present were: Parr, Nakak, Chatterton, Beirne, Buchholdt, and Mr. Cotten came in late.

Absent: Bennett, Ose & Phillips.

HB 351
Chairman Parr announced the first order of business would be HB 351 and asked Mr. Bradley to speak.

Mr. Bradley stated the bill was introduced at the request of Mr. Havelock. Mr. Bradley said he sits on the Advisory Board of the Criminal Justice Center and his alternate is Mr. Cotten so he said he was reasonably familiar with what the Center does. He said the germaneness for him being the prime sponsor came from the transfer of the clerkship program to the University of Alaska and away from the Supreme Court. Said that was a jurisdiction and constitution battle in Free Conference. He believes the program as it now functions is a good program. Said he was particularly interested in (22) on page 3. Said he felt individuals should be allowed to go to school in this state opposed to being forced to go outside. Said he thought law was real unique and important and thought proportionately that if we can create some sort of reasonable structure where individuals can go to school and get the training in this state, it will have the heaviest impact and the poorer disadvantage because there are few Alaskan natives who are practicing attorneys. Felt it would be a great advantage to the State if the Alaskan natives started to get into the bar and into the bench and on up. Felt it was good social policy to afford this access to the graduate school of education. Felt Mr. Havelock had done a real functional and admirable job on this study.

Snowden
Next to testify was Art Snowden, Administrative Director of the Court System. Said he also served on the Governor's Commission of Administration of Justice. Said he would testify on this bill in both capacities. He said part of the bill in its own way addresses the funding of the center and is a funding mechanism which was not in the University budget. He said the Court system had asked Mr. John Havelock to do a study ar see what the best way was to carry out the intent of the legislature. Said a report was received by the court suggesting some very effective ways to carry out the legislative mandate. Said the court and himself reviewed the suggestions made by Mr. Havelock and concurred with the recommendations contained in the report. Said they strongly supported that section of the bill if the legislature wants to keep the clerkship program. Said they could not do it administratively .

He said the technical changes being requested in the bill, namely substituting where Supreme Court was and adding the Justice Center. Said the court would be glad they considered this a technical thing and would be glad to repeal the amendment as it sits now and reenact it to state director if the legislature desires to pass the legislation. Said they have no opposition to any part of the bill other than the the clerkship portion. Said he had no opposition to the rule changes either. Said his only interest was helping the legislature do this a little easier.

Havelock
After questions of Mr. Snowden by various members of the committee, Mr. John Havelock testified next. Mr. Havelock said Alaska is the only state that does not have a law school. Said this bill does not constitute a proposal to start one. Referred the committee's attention to a column out of the newspaper written by Russell Baker. Said he felt we were in a law driven society and didnt' feel that legal education could or should be a province of a narrow priesthood of persons who are admitted to the bar. Said for every lawyer there are a half a dozen people or more that are in associated professions for whom knowledge of the law in some details is an indispensable prerequisite to an effective operation.

Mr. Havelock felt there was a very deep and very critical knowledge need in the area of law in Alaska. Public land law, the law of the Alaska Native Land Claims Settlement Act, Public Oil and Gas Law, Natural Resources Law, Marine Resource Law, Criminal Justice, said these were some of the basic examples of law areas in this state which are unique in this state where you cannot obtain even a legal education at a law school outside and were people other than lawyers need to have basic knowledge. Mr. Havelock said over the years he has noticed that Alaskan's tend to shortchange themselves. Felt that legal training was everybody's business and felt the largest expansion is in paralegal training. Mr. Havelock said he would leave a copy of the study on the clerkship program, which tells how to make it work as it is, how to improve it.

Mr. Nakak spoke as a strong supporter of paralegals. There was discussion as to what help victims could receive in the outlying areas.

Mr. Parr asked about Page 1, line 23, what the institute shall do, said they were talking about career tracks for paralegal personnel, said it was his understanding the court system controls what a paralegal may do and what they may not do and they haven't really made up their minds as to what they will not do so wondered how they will train them when the court system may wipe out what they are trained to do. Havelock said he didn't anticipate this to happen and elaborated on his reasons.

It was decided that the legislature could define what a paralegal does as doing anything as long as he stays out of a courtroom.

Mr. Parr asked about Page 2 on the bill where they list a number of other functions the institute shall do. Said he questioned 11, 12, & 13 stating it looked like the institute was taking a very broad reach and wondered about duplication. Mr. Havelock felt this was inherent in a University system. Said he didn't think the public was hurt by having more than one annual report on the status of criminal justice agency performance. Mr. Havelock said if the committee didn't care for the annual report, he would have no objection to knocking it out even though he felt it would be useful.

Mr. Havelock said his office had a very close relationship with the Judicial Council. Said the Judicial Council is much more concerned with the internal workings of the court, tends to be dominated by the lawyers and Mr. Havelock's center tends to be much more educational.

Mr. Chatterton asked what damage would be done if the law clerk provision was deleted. Mr. Havelock said that would leave it in a status quo. He said whether a clerkship program should exist at all is very much of an open question and people of good intent can have two views on it.

Mr. Parr asked on page 3, line 16, authority to establish additional charges over and above the university's tuition charges. Said he wasn't quite clear the purpose of this. Mr. Havelock said there was a strong tradition within the university which everyone is familiar with of having an open university as far as charges go. Said the University is not very conscious of the revenue generating aspects of their work. Said the University officials in the past had been up in arms that a tuition might be charged for attending a law school type course which would be higher than the tuition they now charge for courses. Said he felt the precedent in the law area can be established in establishing a higher fee schedule when you are dealing with people as is true in the law area, highly likely to improve their income gaining potential.

Mr. Parr asked about Subsection (1) in the beginning of the bill said he looked for the definition of law science in the bill and didn't find it. Mr. Havelock said if you say law it connotes graduate courses in law. Said he is using a term that is in the university catalogues now. Said one of the tasks he sees ahead is to defined what they mean by law science but it is basically a specialty within justice that would involve paralegal rules.

Endell

Next to testify was Roger Endell who has been a resident for 17 years of the State of Alaska. Said he is a graduate with a Bachelor's and Master's Degree from the University of Alaska in Fairbanks. Said he has had some rather practical experiences as a citizen and as a student and working as a professional for 5 years in the Division of Corrections and now into higher education at the University level. Spoke to some of the effects he has seen as to lack of professional education and lack of professional training and the impact that has on the so-called professional system under the title of Criminal Justice.

Romesburg

Next to testify was Kerry Romesburg, Director of the Postsecondary Education Commission. Said they have concern in that they are involved in the legislation in a couple of places. First in terms of approving the one-year program in equivalency to a one-year law program and secondly, in terms of giving approval for any other one-year program in an approved law school or a program as approved by the Commission. Said they have looked at this briefly. Said there is no such thing as a one-year law program or 2-year law program. Said there are paralegal or corrections programs around the country. Said this all leads to in the absence of any other standards we would rely quite heavily on the standards which are in existence from the American Bar Association with regard to law schools. Said it would be very difficult for this institute to generate a one-year law program which would meet approval. Said he could not see approval coming before next Fall and not in time for next fall, so regardless of the intent of the Center, didn't believe a one-year law program is possible to offer or meet any of the criteria they have looked at. Another problem he had with it was that an institute does not normally generate student credit hours.

Gorsuch

Next to testify was Norman Gorsuch, Legislative Counsel for the Alaska Bar Association. Said the Bar Association asked him to come and make some general comments on this bill. Said with respect to the general functions of the institute as outlined by the bill, said he felt the potential for generally providing paralegal training for upgrading the general level knowledge continueing legal education functions, said the general function of the institute is one that can benefit the state. Said their concern is directed to Sections 2 and 3 which deal with the clerkship program and the general concerns are that they believe those who would undertake to study under the program as outlined, would tend to receive a less than adequate legal education. Said they felt there were serious problems for any who would go through such a program, if they were admitted to the Bar after passing the examination. Said they believe the individuals would have difficulty if they decided to practice law in any other state but Alaska.

Mr. Parr asked Mr. Gorsuch to give the committee the "brief squibb" in writing for the committee's packets.

CSHB 271
ACTION

CS for HB 271 was brought up next. A motion was made to pass out CS for HB 271. There was no objection and the motion carried. There was a draft letter of intent with the bill.

HB 242
ACTION

Next was HB 242. Mr. Nakak moved that HB 242 to be passed out. Mr. Chatterton moved to adopt the rough draft for CS for HB 242 and upon its adoption to move it out. There being no objection, the motion carried.

The meeting adjourned at 5:07 p.m.

MINUTES OF HOUSE HESS COMMITTEE

March 31, 1977

The meeting was called to order by Vice Chairman Ose at 3:10 p.m. Members present were : Bennett, Ose, Nakak, Chatterton, & Phillips with Buchholdt, Parr and Bennet coming late.

Absent: Cotten.

HB 205

Vice-Chairman Ose announced that HB 205 would be first on the agenda. Told the committee a new draft bill had been made which would replace the other one. The purpose of this bill would be to turn over the facilities to the municipalities.

Mr. Miles asked if the municipality opts not to license the facilities would it revert back to the State. Mr. Bradley who was available from the Legislative Council said not the way it reads. Mr. Miles thought perhaps this should be added, saying if the municipality doesn't want to do it, the State could.

Mr. Ose said if the committee had no objection, they would have Mr. Bradley and Mr. Miles rework the bill again and it could be brought before the committee in a few days.

Mrs. Cecilia Kleinkauf spoke from the sidelines and said she was afraid each municipality would set up their own set of standards.

Mr. Chatterton said he thought this could be resolved by having the State set up the standards and requirements and the municipalities would go be these.

The bill was held over.

Mr. Ose passed the letter around to the members asking them to sign for confirmation of the Board of Regents.

HB 365

Mr. Ose then announced the next thing on the agenda would be HB 365 and asked Mr. Miles to speak on his bill. Mr. Miles said this bill is the enabling legislation that sets up a revolving loan fund, similar to child care loan funds. The companion bill, HB 366 sets up an appropriation of \$50,000 to fund the revolving loan fund.

Mrs. Buchholdt asked what kind of "construction" was referred to in the bill. Mr. Miles said it was not intended to build facilities just repair or possibly add on.

"construction"

Action Mr. Phillips moved to delete the word. Mr. Chatterton objected. Felt the word should be left in so that people could use the fund to build on an addition or whatever. Mr. Bennett agreed with Mr. Chatterton. Mr. Phillips withdrew his motion.

Mrs. Buchholdt then moved on page 2, line 8, to amend the figure to make it \$15,000. Mr. Phillips objected in that he felt he would like to see how the program works out first.

Action Mr. Chatterton moved to amend the amendment to \$20,000. Mr. Miles gave a little background on the bill. Said it was patterned after the child care facilities which was only \$10,000. Said there were only 4 applications made in the last year to the child care revolving loan fund. Mr. Chatterton felt might have more applicants if there was a more realistic figure. There was a vote on the amendment to the amendment and it passed. There was a vote on the amendment and it also passed. Mr. Phillips called attention to the fact that the figure should be changed on line 25 also.

Action Mr. Chatterton then moved to make it 20 years to repay instead of 10. (Line 11) The motion carried.

Next to testify was Betsy McGuire from the Child Advocacy office. She said their office supported the bill. Said one thing that happened in the day care fund was that people were not advised that these loans are available and thought perhaps a letter of intent should be made to inform the foster parents, groups homes, etc, that these funds are available.

Action Mr. Bennett moved to pass HB 365 out with individual recommendations. The motion carried.

Chairman Parr had returned and Mr. Ose turned the meeting over to him.

HB 366 HB. 366 was taken up.

Action Mr. Bennett moved on line 10 to delete \$50,00 and insert \$100,000. The amendment passed.

Action Mr. Ose moved to pass the bill out of committee. Mr. Nakak objected for the reason of making another amendment. He then moved to amend the \$100,000 to \$200,000. Mr. Ose objected. On a vote, the motion carried.

Action Mr. Nakak then moved to pass the bill out as amended. There being no objection, the motion carried.

The meeting adjourned at 3:55 p.m.

MINUTES OF HOUSE HESS COMMITTEE

April 1, 1977

The meeting was called to order by Chairman Parr at 3:15 p.m. Those members present were: Parr, Bennett, Nakak, Chatterton, & Phillips. Mr. Cotten came in later.

Absent: Ose, Buchholdt, & Beirne

HB 395

Chairman Parr announced HB 395 was on the agenda.

Price

Mr. James Price, Program Administrator for the Committee on Mental Health Services, Department of Health & Social Services spoke on the bill. Said a copy of their position paper was in the folders, that they do support the concept of the bill but cannot support the budget. After several questions of Mr. Price by the Committee it was asked of him if this was a high priority piece of legislation in his opinion. He stated only for Seward. He was asked if they recognized this as being so when the 1978 budget was prepared. Mr. Price said they did not realize it at that time. He explained the type of space they used in Seward and explained how mental health facilities operate.

Mr. Parr said he felt the purpose of the bill is for the construction of the facilities but would be able to get money to rent space also. He asked if there was a need for construction as opposed to renting.

Action

Mr. Parr then introduced a motion to amend the bill on line 15 to delete "a public purpose" and insert "the provision of community mental health services". Chatterton objected for the purpose of asking a question. He then withdrew his objection and the motion carried and the amendment was adopted.

Action

Mr. Cotten moved the bill out of committee. There being no objection the motion carried and the bill was moved out as amended.

The meeting adjourned at 3:35. p.m

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MINUTES OF HOUSE HESS COMMITTEE

April 4, 1977

The meeting was called to order by Chairman Parr at 3:05 p.m. Members present: Parr, Nakak, Chatterton, Ose and Phillips with Dr. Beirne and Mr. Cotten coming in later.

Absent: Bennett & Buchholdt

Committee Substitute for HB 205 was passed around for signature.

Bills before the committee today were: HCR 36, HB 360, HB 361, HB 362, BH 363 and HB 344. Chairman Parr announced that Mr. Larry Peska from Legislative Audit was present to answer any questions. Mr. Parr also announced that there were two Committee Substitutes before the committee, one that he had made up and one that Representative Miles had prepared, both regarding HB 361.

Both Committee Substitutes were gone over Section by Section and discussed. There was discussion by the members and those present as to how the federal monies for the University are presently handled. Mr. Parr felt there would be a lot of grant money the University would lose if it was run through the State. Mr. Peska stated most of the grants are being passed through the State now. Mr. Chatterton stated there were a lot of grants that were not federal and said some of the corporations etc. that make grants to the University now would not be so eager to make them to the State.

There was discussion as to the transfer of funds within the University now.

With reference to bringing the University under the State accounting guidelines, there was much discussion as to whether the word "Shall" should be used or "may". It was the feeling that the Commissioner of Administration should not run or manage the university, just maintain the accounting procedure.

HB 361

Action

With reference to HB 361, Mr. Ose moved that line 24 be amended to read after the word "Alaska" insert "and" and change the word "setting" to "set." There being no objection the motion carried.

HB 361 Action Mr. Parr moved on line 27 to delete the word "comptroller" and insert "Board of Regents". There being no objection the motion carried.

HB 361 Action Mr. Chatter moved to adopt Mr. Miles Section 7 of his committee substitute in place of Mr. Parr's. There being no objection the motion carried.

HB 361 Action Mr. Chatterton moved to pass out HB 361 as a committee substitute as amended. There being no objection, the motion carried.

HB 362 Action Mr. Parr asked the committee's pleasure of HB 362. Mr. Ose moved to pass it out of committee. There being no objection the motion carried.

HCR 36 ACTION Mr. Parr asked the committee's pleasure on HCR 36. Mr. Chatterton moved to table the bill. There being no objection, the bill was tabled.

HB 344 Action Mr. Parr asked the committee's pleasure on HB 344. Mr. Chatterton moved that it be passed out with individual recommendations. After discussion Mr. Chatterton withdrew his motion and offered a motion to table the bill. Mr. Phillips objected. After discussion on the bill, a vote was taken and the motion to table the bill passed.

HB 360 Action The next bills before the committee were HB 360 and HB 363. With reference to HB 360, Dr. Beirne said he was not sold on a manager team. Mr. Phillips spoke in favor of it. Mr. Chatterton then moved to table HB 360 and 363. Dr. Beirne seconded the motion. After discussion on the motion, Mr. Chatterton eliminated HB 363 from his motion. The motion to table HB 360 carried.

HB 363 Action The next bill before the committee was HB 363. Mr. Ose moved to pass the bill out. There being no objection, the motion carried.

Mr. Parr announced to the Committee that a piece of legislation has been introduced by Lisa Rudd asking the Regents not to rehire Hiatt. He said he had heard by the grapevine that they weren't going to keep him on anyway but just wanted to alert the committee that there was the possibility of another bill regarding the University coming before the Committee.

Mr. Parr then passed a breakdown by district on a fiscal note to the committee regarding HB 212 which will be before them at the meeting tomorrow and asked the committee to look it over before the next meeting.

The meeting adjourned at 4:40 p.m.

MINUTES OF HOUSE HESS COMMITTEE

April 5, 1977

The meeting was called to order by Chairman Parr at 3:05 p.m. Those present: Parr, Phillips, Chatterton, Bennett, Nakak, Cotten & Beirne with Mrs. Buchholdt coming in later.

Absent: Ose.

Mr. Parr announced to the committee that a group of correspondence students were present from various places in Alaska and asked Mrs. Wanda Cooksey from the Department of Education to introduce the students.

HB 390

Chairman Parr then announced that HB 390 would be first on the agenda and asked Representative Lethin to speak on the bill. Mr. Lethin said that he had introduced the legislation at the request and was supported by the Literacy Project and the money applied for would be spent for the project. Said he had wanted to make sure that this money was earmarked specifically for that Project. There was discussion as to what the program is and how it operates and the need for the money. Questions were asked as to whether it is a non-profit organization, how it got started and how long it has been operating. Mr. Lethin said it has been going for several years, that it is a non-profit organization and is being done all over the nation.

Eula Ruby spoke from the sidelines stating that the project has been operating for 3 years, that it started out small with 3 volunteers and now it has grown to where they have had to turn students away. She stated they work with the most illiterate adults.

Action

Mr. Phillips moved to pass the bill out of committee. There being no objection, the motion carried.

HB 28

Swanson

Next on the agenda was HB 28 and Mr. Swanson spoke on the bill. Mr. Swanson said the program was originally initiated for students that had no way of going to school. He stated 3 years ago the statute was amended by the legislature so that it was open to anyone to take the courses, regardless of where they live. He stated he had been asked to introduce this legislation by some of the REAA's in his district. He stated after consulting with the Dept. of Education he had taken the information to the attorneys to draft the legislation. He said he felt the Area Boards or the Department of Education should have some measure of control over the program. He stated there are about 441 students enrolled in the program, 245 are in rural Alaska where there are no schools at all but the others could go to public schools.

Mr. Swanson stated in parts of his district there is a correspondence program where there is a director in the district and where some children live right on the school bus route and others live within half a mile of the school. He stated there were 7 on correspondence and felt they were being used to build a bureaucracy.

Questions were asked of Mr. Swanson as to how he came up with the figure in the bill of having to live 2 miles or more away from transportation or a school.

Questions were asked regarding the 2 types of studies, where the local school board in the REAA has to approve the one and if in a Centralized Program, the Commissioner of Education has to approve the applicant.

Cole
Next to testify was Dr. Cole from the Department of Education. Dr. Cole stated that the law provides that a parent is not compelled to send a student to school who lives 2 miles from a school or 2 miles from a bus route. He stated 2 years ago the option was created by members of the legislature, wherein parents could put their children on correspondence courses no matter where they lived. Said the Department opposed it then and they still think there is a problem with this type of option.

Mr. Parr asked of Mr. Cole in the instance where the Commissioner determines the tuition rate, what "ball park" figure are we talking about? Mr. Cole stated it could cost somewhere around \$2750 per child. Mr. Cole said the Department had a hard time with the tuition portion of the bill, said this is letting someone buy an empty seat in the school house and he really had a hard time with this.

Discussion was had regarding the fact that a child can still take correspondence study if he doesn't qualify for the programs by paying tuition (under the bill). Mr. Cole felt the Dept. might be able to support the bill if the tuition portion were eliminated.

Mr. Parr said there appears to be more and more parents who are putting their children on correspondence study or sending them to private schools. Said there seems to be a rising dissatisfaction with the public schools and felt that there was a problem with the way the schools are being run or something. Wondered if we had the right to prevent them from this program.

Cooksey
Mrs. Wanda Cooksey, Administer of the Centralized Correspondence Study Program spoke to the amendements that were suggested by some of the parents of children presently on the program.

Mrs. Cooksey said it was the Advisory Committee's opinion that they would like to see the problems worked out through the Department of Education, if possible, and not through legislation. If legislation has to happen, then they recommended the amendments, but they would prefer to handle the problems in other ways.

There was discussion about wiping out the decentralized program all together.

Mrs. Cooksey was asked if she thought the amendments proposed were good ones and she stated the bill would be better with the amendments than without them.

There was discussion as to whether a school district received money for children on correspondence study programs.

Mrs. Cooksey was asked if academically, evidence showed that correspondence students profited as much as regular school students from public schools. Mrs. Cooksey said she would say "yes" because there was no way a correspondence student could make it if they couldn't read. She also said the children that go through the correspondence study program prove to be real responsible. There was discussion as to whether the courses were now mostly on cassette tapes and it was brought out that the potential to do this was there but still are mostly written.

Ranney

Next to testify on HB 28 was Steven Ranney from Taku Harbor. Mr. Ranney said that he is in 10th grade this year and taking a correspondence course. Stated that last year he went to highschool and felt he learned much more from the correspondence study program than he had in high school. Said he was in the centralized program, felt it was much more demanding than high school was. Stated he is taking an English course and there are more than 50 written assignments. Questions were asked of Mr. Ranney as to how far he lives from an available school, how he got his assignments, through the mail, etc. and whether he required help from his parents. Said he had required very little help from his parents.

Geraghty

Next to testify was Mr. Jim Geraghty from Tokeen. Mr. Geraghty questioned if this bill were passed, if the handicapped students who are unable to go to schools would then be unable to take the correspondence study program. He further asked about schools such as Craig where the schools are non-accredited and wondered if the students who wished to take accredited study courses would be unable to do so.

McKinnon

Next to testidy was Margaret McKinnon, Registrar for the Centralized Correspondence Study Program. She stated they do have quite a few secondary students who are old enough to not go to school but who do choose to take the correspondence study program and finish their high school education. She felt a school board may not tend to approve this type of situation

and felt if a student was determined enough to take a correspondence study program and finish his education he should have the opportunity to do so.

HB 28 was held over for further consideration.

Chairman Parr told the Committee HB 212 was next and asked the committee's pleasure on it as to whether they wanted to hear testimony or wanted to wait on it due to the lateness of the day. Mr. Nakak asked if Mr. Cole could perhaps go over the breakdown on the fiscal note. Mr. Cole was asked to walk the committee through each section of the fiscal note which he did.

There was much discussion as to the cost differential, the isolation factor.

Mr. Nakak proposed an amendment to the Committee Substitute which would put the 5% differential back in. Mr. Cotten said he was not prepared to do anything with the bill and Mr. Nakak asked that the bill be held over.

Mr. Cole was asked to give the committee figures for putting the 5% back in.

The meeting adjourned at 5:30. p.m.

MINUTES OF HOUSE HESS COMMITTEE

April 6, 1977

The meeting was called to order by Chairman Parr at 3:10 p.m. Present: Parr, Chatterton, Ose, Phillips, Cotten, Buchholdt, with Mr. Nakak and Dr. Beirne coming in late.

Absent: Mr. Bennett.

CSHB 212 Chairman Parr asked what the committee's feelings were on moving the CS for HB 212 out of committee and then signing it after the CS had been typed up. He stated Mr. Nakak had agreed to withdraw his motion for an amendment. It was moved and seconded that the CS for HB 212 be passed out of committee and sent up to be typed. There being no objection the motion carried. The bill will be signed when it comes back as typed.

HB 270
Rhode Chairman Parr then announced that HB 270 would be first on the agenda and asked Mr. Rhode to speak for his bill. Mr. Rhode said he realized this was quite a bit of money and felt one of the first points to bring out was there a need for this home. He called attention to the material in the member's folders which addressed this matter. He also showed the committee a map he had that showed federal and state owned lands with the possibility of some being available to build the new home. He said the present plans for the home are for 50 bed capacity.

There was discussion as to the cost of building the home, the actual need for the home, who is eligible to go to Pioneer Homes. The question was asked as to how many were natives in the pioneer homes and it seems very few are. Dr. Bierne felt the cost per bed was very high but Mr. Rhode felt that there were several contractors in Homer and felt if it was put out on bid they could probably get it done cheaper.

Action Mr. Ose moved to pass the bill out with individual recommendations. There being no objection, the motion carried.

The next bill before the committee was HJR 36. Mr. Parr said he did not have back-up material on the bill but gave a brief explanation as to why the resolution was introduced. His main point was if a person is able to work he should work, didn't feel a person should get a "free ride".

Kull Dove Kull asked to speak on the bill. Ms. Kull said she had been a clinical social worker, and had worked for the State of Alaska for 20 years as a social worker. Stated she was very much in favor of what the bill would do. Did feel that a system did need to be established and felt the resolution was a good start towards this. She did say she would like to make 2 recommendations and a copy of these are attached to these minutes.

Ms. Kull went on to say she believed service and quality of service should be first and then accountability. She felt family life needs more emphasis and more courtesy for the people in need by the people assisting them.

There was then discussion as to what a family is, whether it is one person or more than one person. There was also discussion as to what the welfare benefits are. Whether unemployment entered into this. It was felt unemployment was an insurance program, not a welfare program.

Discussion was then had on the 75% scale in the bill..

Action Mr. Chatterton offered an amendment for page 2, line 13, delete the period after area and add "when directly employed by a political subdivision."

After much discussion on the motion and there being no objection, the motion carried.

Action Mr. Ose moved to pass the bill out of committee. There being no objection, the motion carried.

Chariman Parr asked what the committee's pleasure was regarding a meeting for Thursday since everyone would be catching planes to go home for the weekend. The Committee asked that the meeting be cancelled.

The meeting adjourned at 4:25 p.m.

I recommend that the Legislature support President Jimmy Carter in his Comprehensive Study of Welfare Reform.

1. Scrap the present so-called welfare & social service program referred to as an income maintenance program system, and develop a well-coordinated basic needs system. Presently the Govt is empire building.
2. Renew the nation's faith in the honesty & sincerity of American citizens. Treat them with kindness, courtesy & understanding. This can be accomplished through emphasis on public relations spearheaded by our President Jimmy Carter. Our leaders have not only damaged the image of the recipient of government service, but have caused the tax payers to spend unnecessary millions on witch hunts for Chesless Sen Byrd as one instance. In Alaska we found not a single instance of fraud.

Add 3. Focus on the family as a whole by discarding rules & regulations that fragment the family. Alaska can benefit from this change. The scourge of tuberculosis & other dread diseases decimated families in the 40's when whole families of children were brought up in institutions. These children had little opportunity to learn the pattern of family living ~~when~~ they created their own families.

4. Restore faith in standards & quality of care,
Standards in the selection of personnel as well as
in the delivery of service

Dove M. Kull, ACSW

Mrs. Dove M. Kull
Mendenhall Apts. #1010
326 - 4th Street
Juneau, Alaska 99801

MINUTES OF HOUSE HESS COMMITTEE

April 12, 1977

The meeting was called to order by Chairman Parr at 7:45 p.m. Those present: Parr, Chatterton, Phillips, Buchholdt, Nakak and Mr. Cotten came in later.

Absent: Beirne, Ose and Bennett.

HB 142

Lane

Chairman Parr announced that HB 142 would be the first order of business and asked Mr. Leonard Lane, Director of the Governor's Management and Efficiency Review program to testify on the bill. Mr. Lane said that after studying the different Departments within the State Government and their programs, it was felt that the Alaska Historical Commission would be more appropriately placed in the Department of Natural Resources under the Division of Parks than in the Governor's Office. He said there would be one major change and that would be they no longer would need the position of Executive Director and the fiscal note deleted the position. They would now have a Historical Commission consisting of 4 members appointed by the Governor. Mr. Lane said the work that had been done by the Executive Director would be done by the existing staff in the Division of Parks.

There were questions asked of Mr. Lane by the members of the Committee as to how the decision was reached to move the Historical Commission into the Department of Natural Resources and also why this bill was forwarded to this committee.

Cahill

Next to testify on the bill was Russ Cahill, Director of the Division of Parks. Mr. Cahill explained how the Division of Parks entered into having the responsibility for historical activities. He also explained their funding process and the grants they give.

There were questions asked and discussion with Mr. Cahill regarding the type of money they had available, if it was mainly federal money, what historical work has been done by the Division of Parks and what grants have been administered.

Action

Mr. Nakak then moved to pass HB 142, as amended by the State Affairs Committee. There being ^{no} objection, HB 142 was passed out with individual recommendations.

Mr. Parr informed Mr. Lane and Mr. Cahill that he was anxious to take a look next year to see how the program was working and Mr. Lane implied they would be just as anxious to see also.

HB 351
Smith

Chairman Parr then informed the committee that HB 351 was the next order of business. Mr. Tony Smith, a private attorney from Anchorage and who also worked part-time as Director of the Native Legal Services Project asked to testify. Mr. Smith said they now have a trial program of training paralegal people in Nome and Bethel which is being administered with instructors in both places. Said he thought this pilot project had been a "unqualified success". He explained the problems that exist in the rural areas such as Nome, Bethel, etc. and explained how a lot of assistance could be given to these areas through paralegal workers. He also explained how the paralegals were used in cutting down costs for attorneys in preparing for trials and in their every-day legal work. He spoke briefly as to where we stand in the criminal justice system, how the middle class people would be able to obtain legal services at a cost they could afford, and the need for legal training in the state of Alaska. He commented that the poor class of people are adequately represented, and the wealthy can afford to pay but the middle class people have to do without. He felt this bill would allow the setting up of a Criminal Justice Institute which would improve the quality and availability of legal representation. Mr. Smith said there are a number of firms in Alaska that presently send people to the "lower 48" for paralegal training and felt this could and should be done in Alaska.

There were questions asked of Mr. Smith as to why the courses and program wasn't presently being done at the University now, especially in the City of Anchorage if there was such a demand. What types of courses would be taught and if it would be the equivalency of 2 years of college, what types of limitations would be put on the paralegals other than not being able to do courtroom work.

Mr. Chatterton asked Mr. Smith's feelings about changing the word "institute" in the bill to "school" Mr. Smith explained why he thought Mr. Havelock had used institute instead of school.

The Committee decided to hold the bill over for a work session on it in making amenddments, etc., making it into a Committee Substitute and passing it out next time.

There was some discussion with Representative Bradley on the Law Clerk Section of the bill.

The meeting adjourned at 9:30 p.m.

MINUTES OF HOUSE HESS COMMITTEE

April 13, 1977

The meeting was called to order at 3:15 p.m. by Chairman Parr. Members present: Parr, Bennett, Chatterton, Beirne and Phillips with Nakak and Cotten coming in later.

Absent: Ose & Buchholdt.

HCR 26
Action
Chairman Parr announced the first order of business would be HCR 26. Mr. Parr announced there is a copy of an amendment in the member's folders which would correct the WHEREAS clause on line 13 and 15. A copy of this amendment is attached to these minutes. Mr. Chatterton moved that these amendements be adopted. There being no objection, the motion carried.

Action
Mr. Chatterton moved to pass the bill out of committee with individual recommendations. Mr. Phillips asked if for sure it would cost \$80,000. Chairman Parr informed him he could amend the resolution, or put a letter of intent with it if the committee so desired. Mr. Phillips then moved to amend line 26, after the word "Services" add ", with existing personnel and funds,". Mr. Chatterton then withdrew his motion to pass the bill out of committee. Mr. Nakak supported Mr. Phillips' motion. Mr. Chatterton objected in that he felt he would like the sponsor's reaction to this amendment. After discussion and a quick look for the sponsor, Mr. Chatterton withdrew his objection and Mr. Phillips' motion for the amendment carried.

Action
It was then moved to make a Committee Substitute out of the resolution and pass it out of committee with individual recommendations. There being no objection, the motion carried.

HB 379
Eliason
Chairman Parr then said HB 379 was the next order of business and asked Mr. Eliason to testify. Mr. Eliason reminded the Committee of Mrs. Potter's testimony a few weeks back when she was before the committee. Said that she had suggested taking the doctor off and putting a registered nurse licensed in the State in the doctors place in that it was always hard to get a doctor to attend the Board meetings. He said there would be no additional cost in doing this and no fiscal note was necessary.

Action
After some discussion as to why the problem in getting doctors to attend, Mr. Phillips moved the bill out of committee with individual recommendations. There being no objections, the motion carried.

The meeting adjourned at 3:25 p.m.

OFFERED IN THE HOUSE:

BY: House HESS

TO: _____ HOUSE BILL No. HCR 26

SENATE BILL No. _____

PAGE: 1

LINE: 13 and 15

on line 13 delete "Juneau" after "decisions in" and
insert "one of 10 decision making offices in Alaska"

on line 15 delete "Juneau" after "materials to" and
insert "one of 10 decision making offices in Alaska"

ROCKY'S EXPLANATION OF THE AMENDMENT**

I discovered that eligibility determinations are done
at 10 locations throughout the state. The locations are:

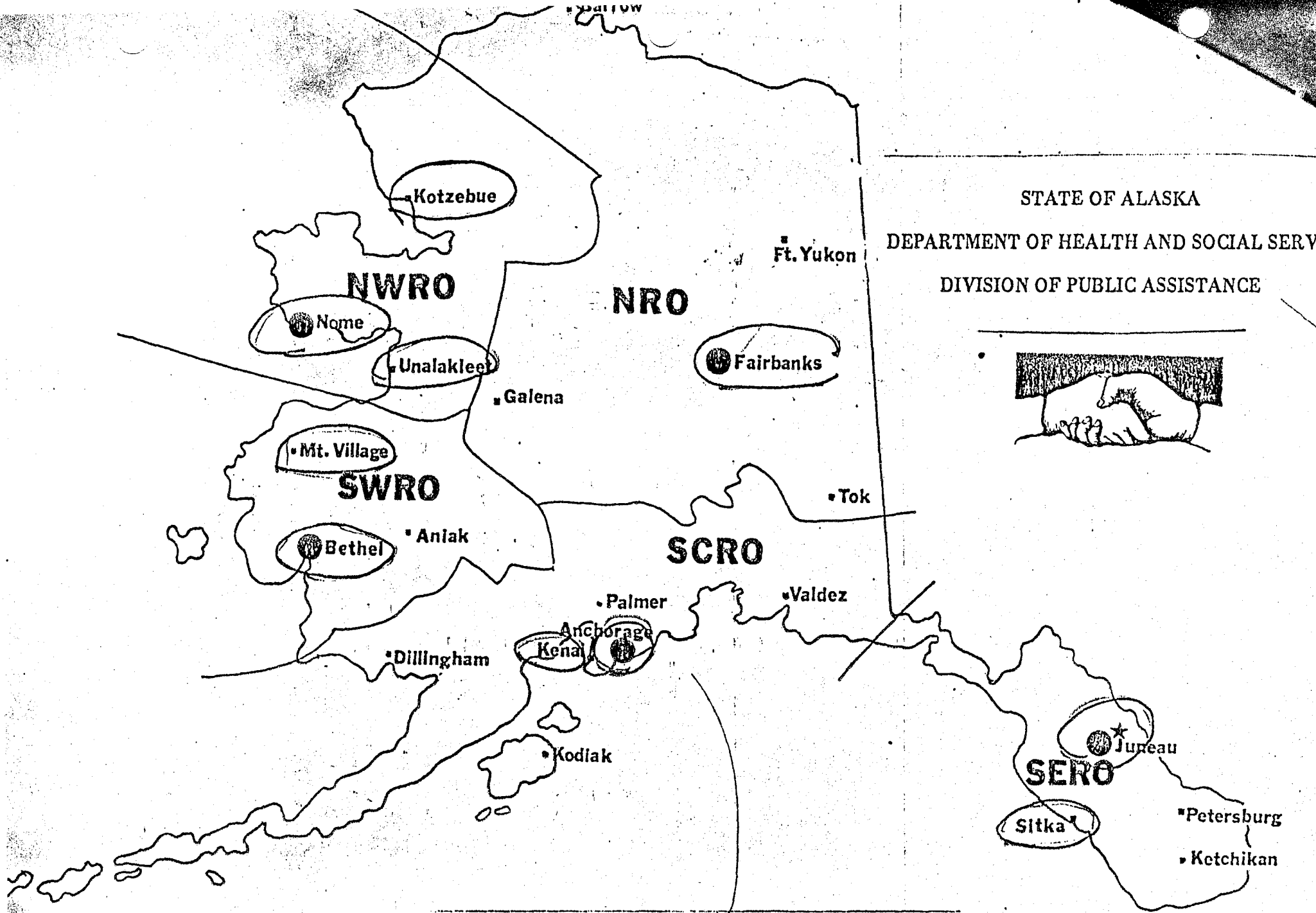
- Juneau
- Sitka
- Anchorage
- Kenai
- Fairbanks
- Bethel
- Mountain Village
- Unalakleet
- Nome
- Kotzebue

The attached map shows those 10 locations. They are
the ones circled.

STATE OF ALASKA

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF PUBLIC ASSISTANCE



PROPOSED REGIONAL DECISION MAKING CENTERS

MINUTES OF HOUSE HESS COMMITTEE

April 14, 1977

The meeting was called to order by Chairman Parr at 3:10 p.m. Members present: Mr. Parr, Mr. Chatteron, Mr. Phillips, Mrs. Buchholdt, Mr. Bennett, Dr. Beirne with Mr. Cotten and Mr. Nakak coming in later.

Absent: Mr. Ose.

HB 407

Chairman Parr announced the first order of business would be HB 407, in fact was the only bill on the agenda for the day.

Ramidge

Mr. Chuck Ramidge, State Coordinator for Emergency Medical Services testified on the bill and said Representative McKinnon had asked him to speak first. Mr. Ramidge said on behalf of the Department of Health and Social Services that they supported this bill. Called the committee's attention to the position paper in their packets. He stated the bill does 3 things, establishes Chapter 8, Title 18, requests the establishment of a 11 man Advisory Council and requests granting authority. He said the rationale behind requesting this was to give the concept of EMS some feasibility and create a system on something that hasn't been done in the past.

Mr. Ramidge said he noticed the word "coordinate" had been changed in the bill (lines 14 and 17) to "assist" and felt "coordinate" would be a better word. Mr. Ramidge explained the idea of the Emergency Medical Service.

Mr. Phillips then asked Mr. Ramidge to go over the fiscal note with the Committee, which was done.

There was discussion as to the Board meetings and where they would take place with regard to the fiscal note showing travel allowance for only 6 members of the 11 member Board.

There was discussion with Mr. Ramidge by the Committee members as to the authority Health & Social Services has now without a Board; what type of control is used on the grant money when it is issued. Mr. Ramidge said in the past (with regard to the grants issued) a budget would be submitted which would be run through the Department who would go over it with Region X and the State Advisory Council. Said they would decide what needed to be accomplished and what the funds could be used for.

Mr. Ramidge was asked about the problems they were having now, were they financial problems. Mr. Ramidge said the one at Tanana Chiefs was a financial problem but the one in SE was a program problem and explained how these problems came about.

There was discussion as to what part the Advisory Council would play with regard to making the grants, how many grants and contracts are presently in effect now, and at this point Mr. Ramidge passed out a Revised Budget. There was much discussion on the budget break-down.

Mr. Ramidge was asked what is in existence today as a result of this program since the time of its implementation, what has been accomplished, etc. Mr. Ramidge told of the training programs they have been putting into effect, said there ~~are~~ ^{were} only 5 registered EMTS's and at the end of this year there will be 350 nationally registered EMTS's, improvement of the communication system that is being put into effect, the new ambulance Talkeetna had gotten.

There was then discussion with Mr. Ramidge about doctors in Alaska who are trained in emergency medical treatment.

At this point Mr. Chatterton told Mr. Ramidge and the Committee that he had to leave for another meeting, said he was not convinced that the 11 member council was necessary and asked that Mr. Ramidge come back at a later date again before the Committee regarding this bill.

Chairman Parr said they would have further testimony at a later time.

The meeting adjourned at 4:00 p.m.

CP

MINUTES OF HOUSE HESS COMMITTEE

April 15, 1977

The meeting was called to order by Chairman Parr at 3:30 p.m. Those present were: Parr, Chatterton, Buchholdt, Phillips, Bennett.

Absent: Nakak, Ose, Cotten & Beirne.

Chairman Parr announced that HB 409 would be taken up and asked Mrs. Buchholdt to speak on her bill. She told the committee her reasons for introducing the bill, the main one being trying to correct problems that have occurred with people she knows in Anchorage who have had an illness and had to sell their homes and all in order to pay the medical bills. She said she would be happy to expand the bill.

Next to testify was Dr. Robert Fraser, Director, Division of Public Health. Dr. Fraser said the Department's concern with the bill is with the budgetary restriction. He said they do recognize the present bill does penalize people who have made the effort to meet their costs by going into debt, borrowing money for relatives, etc., and are sympathetic with them.

Mr. Parr informed the committee that he had met with Dr. Fraser and Mrs. Jund (from the Department) a few weeks back regarding this bill. He said this bill had been before the House last year and explained why it did not pass then. Said the committee would have to take a look at this bill and use it as a vehicle to resolve some of the problems facing the Dept. of Health & Social Services. He gave his views as to several alternatives.

There was discussion by members as to what a catastrophic illness was, whether to one person it would be catastrophic and to another person it might not be, depending on their financial status and how they defined catastrophic illness.

Dr. Fraser said the committee on catastrophic illness first met in November and their initial problem was regulations. They felt the fewer regulations they had would be best but said the Attorney General's office told them this would get them into trouble and that they need regulations and a formula to go by. Said they have processed the applications that have been forwarded to them, they have made disposition on roughly \$100,000 worth of claims, Said a number of claims have been denied, utilizing the formula.

Mr. Bennett said he would be very apprehensive if they started identifying the give or take 100 different disease conditions. Said you could get into a combination of other conditions. Said perhaps basing it on a scale based on income which has a financial value you could identify he thought perhaps was the only way to halfway be reasonable about it.

Dr. Fraser said they have approved approximately 6 applications, denied about 15 and have about 15 or 20 that did not qualify due to the low amount of their bills. Said they had 25 pending that they had requested more information on. Dr. Fraser was asked by Mr. Chatterton how long it would take them to act on the ones they are waiting information on. Dr. Fraser said depending on how quickly they got their information back they had requested but if they got it back within the next 2 weeks they could have them processed within the next 2 months.

Mr. Parr asked Dr. Fraser what the budget called for for this year. Dr. Fraser said they had asked for \$300,000 for this year. He said they had no previous experience to go on so just had to judge as what to ask for.

Dr. Fraser said much of their guidance in drawing up regulations was on the experience of the State of Maine. Said in trying to project the amount they need in Alaska is hard because of some very expensive problems, said a premature infant may have bills up to \$35 or \$40 thousand dollars. Someone in a skilled nursing facility for a period of time, 10 patients in that category would utilize the entire budget.

There was then much discussion as to the possibility of the state buying insurance for this type of illness through an insurance company.

Next to testify was Jim Pfeiffer, Deputy Director for the Division of Insurance and a member of the Catastrophic Illness Committee. Pfeiffer Said the way he understood the bill it would allow payments to be made to the person who made the original payments. Said the original bill contemplated payment to medical providers only, but now payment can be paid to a relative, friend, or whoever paid the medical provider. Said he would oppose that type of amendment. Said the original bills intent was to provide a source of funds for persons suffering a catastrophic illness who had no other fund and source available. He said if a person could tap a friend or relative he didn't believe the state should absorb that cost. Said he felt this would add and compound the problems of the committee. Said he thought the administration of such an amendment would be difficult.

There was much discussion with Mr. Pfeiffer regarding a group insurance policy for the entire state of Alaska as to what the premiums would be etc.

Mr. Parr asked if it would possible to structure a program to match the amount of money instead of matching the money to the program. Mr. Pfeiffer said it was an approach that had a great deal of logic. Said he has sent these regulations to Blue Cross and they had indicated from their already existing records in the State to try to come up with an answer. Mr. Parr informed Mr. Pfeiffer there wasn't much point in having legislation that would offer false hope to people and then not funding it. Said it would make more sense to have something on the books that would be funded by the legislature so the people would know the money was there if they qualified but said he had no idea what would be appropriated but presently doesn't see the 1.2 million being there even with the oil money.

Mr. Bennett asked if they had a dollar figure to provide a program like the one they had discussed that would have a true catastrophic coverage. Pfeiffer said they have not but the closest thing is what he has asked Blue Cross to do. Mr. Parr asked that he furnish us the material when he got it from Blue Cross.

Mr. Parr said for personal policies, he understood Blue Cross policies have a dollar limit. Mr. Heueisen said most policies covered up to a quarter of a million dollars. State employees policy is \$250,000 maximum (lifetime) per individual. There was discussion on the different types of policies.

Mr. Parr asked the Committee to hold off action on the bill until we received the information requested from Mr. Pfeiffer back.

The meeting adjourned at 4:50 p.m.

MINUTES OF HOUSE HESS COMMITTEE

April 18, 1977

The meeting was called to order by Chairman Parr at 3:00 p.m. Those present: Mr. Parr, Mr. Nakak, Mr. Chatterton, Mr. Cotten, Mr. Phillips and Dr. Beirne with Mr. Bennett coming in later.

Absent: Mr. Ose and Mrs. Buchholdt.

HCR 44
Rudd
Chairman Parr announced that HCR 44 would be taken up first and asked Mrs. Rudd to speak on her bill. Mr. Rudd said the main purpose of her bill was to try to persuade the Board of Regents that the people are looking for strong leadership at the University. She called attention to the proposed amendments she had furnished which were in the files. Mr. Parr said the proposed amendment would make the Resolution into a Committee Substitute.

Dr. Beirne felt the Board of Regents should have the say as to what to do with Dr. Hiatt. He agreed as President that he was responsible for any trouble the University got into but said in his present position he has a good reputation from another school where he performed the same duties he is presently doing for the University and didn't feel he should be punished any more than he has been and therefore did not favor this resolution. Thought it should be left up to the Board of Regents to run the University.

ction
Mr. Chatterton moved to table the resolution. Mr. Phillips objected. Mr. Cotten also objected in that he said he felt it was wrong to table anything in a committee. Felt the rest of the legislators should have a say on the matters. Mr. Chatterton then said if there was unanimous consent he would withdraw his motion to table the Resolution. Dr. Beirnes objected and a vote on the motion to table the bill showed it to fail.

ction
Mr. Phillips moved to adopt the Committee Substitute for HCR 44 as typed and in the folders. There being no objection the motion carried.

ction
Mr. Phillips moved to pass out HCR 44 as amended as a CS with individual recommendations. There being no objections the motion carried.

HB 421
Chairman Parr announced that HB 421 would be the next order of business and called attention to the notice that had been passed around wherein President Ferguson had called and said the University would only need \$4,000,000 instead of \$10,000,000.

B 421
Allen

First to testify on HB 421 was Mr. Bill Allen, Commissioner of Administration. He stated he too had received a phone call from Dr. Ferguson with regard to the funding required to take them through FY 77 and had asked for \$4,000,000. He said there was hopes that it may even be lower. He said Mr. Prose was working to bring it to a zero amount. He did feel it would not hurt to leave the bill as is with the \$10,000,000 and it could be used as a ceiling figure and allow the University to request funds as they need them are are certified through the Department of Administration as receivables in a like amount. Using the \$10,000,000.

There was much discussion between the committee and Mr. Allen as to how this fund would work and how the money would be paid back, how the amount was reached in the first place. What the controlled fund was.

Peska

Next to testify was Garrey Peska from the Legislative Audit Division. He suggested on line 14 of the bill that after "advances" insert "upon receipt of payment of the receivables pledged in consideration of those advances" and delete the rest of the sentence. Mr. Chatterton said he would leave in "to be established ..." and delete only through the word "possible". There was discussion regarding changing "general fund" to "revolving fund".

There was discussion regarding the wording of Section 3. It was suggested it read "The revolving fund established by Sec. 1 of this Act lapses into the general fund on June 30, 1978.

omesburg

Mr. Romesburg asked to speak next and had several questions regarding the bill. One of the problems was with Sec. 2 and after discussion, Mr. Chatterton suggested in line 20 that everything be deleted after FY 77. Mr. Romesburg felt he would be more comfortable with it.

Mr. Allen said that it was his understanding another bill had been introduced by the Department of Administration to take care of the long range problem. He stated this bill being worked on is a short range bill to take care of FY 77.

Mr. Chatterton suggested on line 7 to delete "make advances" and insert "establish a revolving fund for making advances". On line 12 after the word "to" insert "a revolving fund within". It was suggested on line 11 that the sum be changed to \$5,000,000.

Chairman Parr asked what the committee's pleasure on the bill was and it was their feeling that it be made into a committee substitute with the suggestions made and then brought back before the committee too look at it before it was passed out.

B 418

Chairman Parr announced that HB 418 was the next order of business.

He stated that both NEA Alaska and the Association of Alaska School Boards were in favor of this bill.

Mr. Cooksey Deputy to the Secretary of NEA Alaska testified and said they were in favor of the bill.

Mr. Bennett moved to pass the bill out of committee with individual recommendations. There being no objection the motion carried.

Mr. Cooksey thanked the members present for the time they spent with the Teachers at the Teacher's Fly-In.

The meeting adjourned at 4:20. p.m.

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MINUTES OF HOUSE HESS COMMITTEE

April 19, 1977

The meeting was called to order by Chairman Parr at 3:45 p.m. Members present: Mr. Parr, Mr. Bennett, Mr. Nakak, Mr. Chatterton, and Mr. Phillips. Mr. Cotten and Mrs. Buchholdt came in late.

Absent: Mr. Ose and Dr. Beirne

Chairman Parr announced to the committee that Dr. Barbara Smart and Sandra Stimson were in Juneau for the Teacher's Fly-In and wanted to speak briefly before the committee.

Dr. Barbara Smart spoke first and said they represented a committee in the Anchorage Education Association. Said the committee deals with legislation for special children and that they have become very interested in federal legislation, PL 94-142. She said this legislation is different from the legislation that is on the books in Alaska in that it makes provisions for handicapped children which has not been in legislation previously. She stated the committee she represents has a written proposal that deals with the law in an attempt to bring Alaska law into conformity with the Federal Law. She stated they had talked to a number of people regarding this and Senator Sumner has agreed to help them so they have a bill in the drafting stages.

Sandra Stimson spoke with regard to the affect the legislation would have on the teachers in dealing directly with the handicapped children.

After several questions by the committee members, Mr. Parr thanked Dr. Smart and Ms. Stimson for coming before and apologized for not having more time for them.

HB 351

Chairman Parr announced that HB 351 was on the agenda for the meeting. He called attention to the draft CS for the first part of the bill which he said cut out a number of the functions and put in a Section 6 which would permit them to conduct contractural services on the request of another agency.

Action

Mr. Chatterton moved that the CS be adopted. There being no objection, the motion carried.

Action

Mr. Chatterton then moved to amend the CS by changing the word "institute" to "school" wherever it appears. There being no objection, the motion carried.

Action

Mr. Chatterton then moved on Page 2, line 15 to delete "amended to read" and replace with "repeal". He gave his reasons for this request, the main one being that he felt

it would be the same as a paramedic becoming an M.D. and felt they should have the education required for such a profession.

Action Mr. Bennett agreed with Mr. Chatterton and supported his motion. Mr. Nakak opposed the motion as did Mr. Cotten. Mr. Cotten felt on the job training in some areas is as good as a formalized education. A vote on the motion showed it to fail.

Action Mr. Nakak moved to pass out CS for HB 351 with individual recommendations. Mr. Phillips asked about the revised fiscal note. Mr. Parr said a draft statement of intent had been drawn and asked the committee's feelings on it. The committee concurred with the letter of intent. There being no objection to passing the CS out as amended with the letter of intent, the motion carried.

Chairman Parr reminded the Committee members of the meeting scheduled for Thursday evening at 7:30 p.m.

The meeting adjourned at 4:25 p.m.

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MINUTES OF HOUSE HESS COMMITTEE

April 20, 1977

The meeting was called to order by Chairman Parr at 3:00 p.m. Members present: Mr. Parr, Mr. Chatterton, Mrs. Buchholdt, Mr. Nakak, Mr. Phillips and Mr. Cotten with Dr. Beirne and Mr. Ose coming in later.

Absent: Mr. Bennett.

Chairman Parr announced the first bill to be taken up would be HB 463 and asked Mr. Malone, the sponsor to speak on his bill. Mr. Malone said the bill makes a special appropriation to the Department of Community and Regional Affairs to start up this pilot project. Called attention to the members of information in their folders outlining the scope of the problem that exists. He felt there is a real problem for battered wives and children to get away from the violence and this pilot project would fund an operation to allow them to get away from a bad situation at home and helping them to be self sufficient. He expressed hope that the committee could come to an early decision in view of the lateness of the Session.

HB 463
Malone

Mr. Cotten said in a recent conversation with a District Attorney in Anchorage he is better able to understand this problem. He asked about who would operate the facility and the zero fiscal note. Mr. Malone said the bill includes money for food and clothing as well as shelter and that there is a budget that goes with it. Said the fiscal note reflects the cost to the Department and it wasn't felt they would need any additional staff to operate this program because they plan to contract it out. Said the Department would furnish the guidelines. Mr. Parr informed Mr. Cotten there is a proposed summary in the packets breaking down as to how the money would be allocated.

There was discussion as to a wife leaving home and going to the shelter, then returning home again to the same situation; the number of personnel required to operate a shelter, the type of counselling they provide, what salaries would be paid to personnel, development of this type of program on a regional basis; how possibly to cope with this problem to prevent the crimes from happening in the first place.

Kit Evans

Next to testify was Kit Evans who works with a group in Anchorage called Abused Women's Aid in Crisis. A copy of her testimony is attached to these minutes. There was much discussion with Ms. Evans as to the success of the operation they are presently running, how they plan to keep this from happening over and over again. Ms. Evans felt that people who put up with this type of environment have both grown up in a battered home and it was their feeling that getting children away from this

situation would help to prevent it from happening in the future.

There was discussion regarding the fiscal note and budget for the project, whether any churches or other organizations had been approached for help,

Mr. Nakak told of an incident happening that he was aware of and said he was a firm supporter of this program.

Ms. Evans was asked what protection was used at the shelter to prevent an irate husband from causing trouble. She said the men are not allowed in the facilities and the budget provides for a monitor system, police protection, etc.

There was discussion as to what percentage of the battering is alcohol related; whether they have a place picked out for this shelter; how they operate the program, step by step, since they do not advertise.

Woods
Next to testify was Sue Wood who spoke for the women in Juneau. She said they hoped this pilot project would become permanent.

Carpeneti
Ann Carpeneti spoke in favor of the bill in behalf of the Criminal Division of the Department of Law and the District Attorney's Office.

Stoopes
Mr. Stoopes from the Department of Community and Regional Affairs said his Division would administer the program if the appropriation passed and said they would handle it on a contractual basis and that there wouldn't be much required from his Department except assistance.

Action
Mrs. Buchholdt moved to delete "Municipality or" on Line 14 of the bill. Mr. Cotten felt a letter of intent should go with the bill so that the appropriation will go to the organization Ms. Evans is associated with. There being no objection to the motion it so carried.

Action
Mr. Cotten then moved for the letter of intent. There being no objection, the motion carried.

Action
Mr. Chatterton moved to change the existing Sections 2 & 3 in the bill to be 3 & 4 and to insert a new Section 2 "The Department of Community & Regional Affairs shall report to the Legislature by April 1, 1978 on the effectiveness of this pilot program". There being no objection, the motion carried.

Mrs. Buchholdt asked if this shouldn't be made into a Committee substitute but it was felt in order to save time to do amendments.

Dr. Beirne said he would like to have an opportunity to

Action

call Anchorage before action was taken on the bill and moved to hold it over for 1 day. Mr. Nakak objected. A vote on the motion showed it to fail.

Action

Mr. Nakak moved to pass HB 463 as amended out of committee with individual recommendations. There being no objection the motion carried.

HB 439
Swanson

Next on the agenda was HB 439. Mrs. Marie Swanson testified on behalf of the Department of Administration. She said they weren't opposed to having hearings but so far hadn't had too much trouble in this area. She stated this year there were only 2 cases where they had requested a hearing. She felt if this bill went through it would take a lot of money to travel for the hearings and said she didn't have the money in her budget to do this.

Mr. Cotten told Mrs. Swanson that the memorandum that had been provided as back-up material on the bill (from Mr. Perry to Mr. Sewell) was very misleading and does not speak to the bill properly. Mr. Parr agreed with Mr. Cotten.

Burke

Peggy Burke, registered lobbyist for Alaska Legal Services and an attorney testified next in favor of the bill. She felt there have been problems in the past getting the proper information from the Bureau of Vital Statistics, especially for some of the people up North. She said by having hearings it would allow for another person to verify for another's age. She stated other programs have hearings such as Social Security, etc. She felt a good legal case could be made if a person is not entitled to the right of a hearing. She suggested on Line 15 to take out the "." after "disqualification" and insert "and his right to appeal."

Action

Mr. Chatterton moved to amend Line 9 to delete "Upon the request of the " and line 10 delete "applicant" change the "t" in "the" to "T". There being no objection the motion carried. Mr. Chatterton moved to delete on Line 11 "reasonable opportunity for MAY HOLD" and replace it with "shall hold", change the "a" to "an" and insert "open" and delete the word "to" and insert "at a reasonable time and place", leaving in "UPON THE REQUEST OF." There being no objection the motion carried.

Action

A motion was made to make a Committee Substitute out of the bill. There being no objection the motion carried.

Action

Mr. Nakak moved to amend the Committee substitute on line 15 by deleting the "." after "disqualification" and inserting "and his right to appeal." There being no objection the motion carried.

Action

Mr. Cotten moved to pass the Committee Substitute out as amended with individual recommendations. There being no objection the motion carried.

The meeting adjourned at 5:10 p.m.

A. W. A. I. C.

co-ordinator: Kit Evans

abused women's aid in crisis

670 W. Fireweed
Anchorage, Alaska 995
278-4641 ex 143

I know that each of you is familiar with some of the aspects of violence in the home. Child abuse is something that, sadly enough, we are all too well aware of. And to add to our burden of trying to save these children and their families, another area of violence against people in their own home has come to light. Although it has existed for centuries, we are just now having to take a long and painful look at it. It is the beating and assaulting of women by the people they live with. And again we must ask, what is a family, what is its importance to us and our communities, what minimal rights and protections should a woman have in her home, what kind of environment is necessary for the physical and mental survival of the children, and what is the role of a government, charged with providing for the safety of its citizens?

These are the questions we should think about today, and continue to think about. They are part of a much longer process that you and I, and many others, are engaged in as we try, individually and together, to make our communities more solid, more safe, more healthy. But here we are also dealing with something that has immediate urgency. As we speak, a woman may be losing her vision, the temporary or permanent use of a limb, or perhaps receiving a bruising that will make her unable to move without pain for days. And a child may be watching - and learning.

I think we all have long assumed that since the physical assault of a citizen is a crime, that women beaten in their home have the same

page 2

protection as the man on the street. It is an assumption that has proven fatal for many women. It has only been in the past few years that doctors, lawyers, social and mental health workers, and the women themselves have come forward to testify that this has never been so, nor is it now. Every woman in Anchorage murdered in her home by her spouse, lived in a household where family disturbances were recorded previously in police records. From within the old city limits and Spenard alone, the police receive an average of 3.3 calls a day for such disturbances.

The reports from rural women, where often there are no police available, reveal further, without statistics, the enormity of the problem. "Most of my friends had the same problem - there isn't much you can do out there. Dad beat on Mom for 30 years. I didn't want my life to be like that, but I wasn't too surprised. He started hitting me around pretty soon after we were married. I was 16 then."

Aside from the personal suffering and pain of the women who have no way out of a battering home, there is the deep and lasting harm to children who grow up in that home, witnessing a savagery between their parents for which in other circumstances our society imprisons people. Children who grow up believing that violence against other humans is acceptable, grow up to spread that violence into their own homes, and into the streets of our communities.

The bill before you, HB 463, is one of the steps we can take now. This bill provides for an appropriation for a pilot project to establish a temporary shelter for assaulted and battered women and their children. Shelter is a necessity. Safe shelter is the greatest assistance that we can give to these families now. Without its existence the problems a woman faces in trying to remove herself from a battering home prove

insurmountable.

For instance: to provide herself and her children safe shelter she must have on hand cash money for first and last month's rent, food, medicine, and clothing. Even temporary welfare monies are unavailable for 30 to 45 days. And even if she is employed, her income is likely less than half than that of her husband. If he was also employed she will now be trying to start up and exist on 50% less money than the family previously had to use, with almost exactly the same expenses. If the woman is not employed, she must somehow survive for approximately 45 days, or immediately get a job. But how can she look for a job or get job training with no place to live and no money for food? And the woman who placed a high value on being with her children, who does not wish to leave them in day care (if it is available) or unattended while she works may have to pay the highest price of all for physical safety.

In short, if a woman leaves, where will she go, how will she feed herself or the children, how can she protect herself or them from a person who is perfectly willing to use violence on them? And, if she also wishes to try and save the marriage, how can the vicious cycle of beating ever be halted long enough to think, to work out the mutual and individual problems that are destroying the marriage, the children, and actually threaten their continued physical existence?

The individual problems are serious and severe. What brings us before you today is the incredible magnitude, the overwhelming number of families where violence is directed against the woman, and often the children as well. When A.W.A.I.C. first started, it was decided that we would keep a very low profile, that we would not become part of the referral system until we could build our services and resources. A few

calls still came through, about nine the first month. The number began increasing until last week when we received 14 calls from women as far away as Kenai. In each case, the women needed counsel, some also needed medical attention, clothing, transportation, and two needed someone to come and give moral and physical support in the actual moving out process. All were afraid, all but one had children, all but two needed a place to go. This Monday we received our first request for shelter by 8:30 a.m.

Working with these women, using their resources and ours, it has been possible in each instance to provide desperately needed assistance. A network of volunteered safe homes, private residences, are available in Anchorage. Unfortunately, most of them are only for two or three days, most cannot take children. Four attorneys have volunteered their skills on a limited basis, and a number of volunteers stand ready to provide transportation, clothing, help in dealing with the system, and apartment hunting. Cook Inlet Native Association has donated office space and phones. And a trained psychologist has volunteered, on a full time basis, group counseling, individual counseling, as well as interviewing all volunteer homes, all volunteers, and forming a referral liason with the mental health community.

The women requesting shelter are seeking two fundamental things. First and foremost is physical safety. The second is a chance to think. Safety provides a chance for the woman to look at her options realistically. To make some decision about her life and marriage. It may be the first time she or her husband have had a chance to examine how they have been living. What their marriage means to them. Discussion and decisions can take place without the blows which only complicate matters and

resolve nothing. Every woman who has contacted us describes a feeling of being immobilized, unable to think, being driven by fear, desperately afraid of the next beating, but almost more afraid of leaving, not knowing what to do or where to go. Some women have lived this way for over 20 years.

This bill will provide more than a place of physical safety for these women and their children; the staff will be able to provide information for all parties regarding their options and possible consequences. Information concerning community resources, where mental health counseling is available, about alcohol programs, legal assistance, and medical services. It will offer on the spot crisis intervention, assistance with welfare requirements, job counseling and marriage counseling. The women will have a chance to talk with other women who have had the same fears and problems, who have also finally said, "I'm not going to be beaten anymore, I am a person. No one, not even my husband has the right to tear out my hair or blacken my eyes, and I will never again allow my children to live in terror, or to be beaten themselves for trying to help me."

The last thing I feel I need to share with you is that the women who need this shelter are your neighbors, they come from all walks of life. Wife battering is no more common among one group than another - there are no racial distinctions, no economic class is more affected than another. The stereo types that exist are because the people are racially mixed, low income neighborhoods often have only the police to turn to. They do not have the kind of money that affords privacy. The walls of the homes of the well to do are much thicker, but they contain just as much family violence - just as many beaten women.

IN SUMMARY:

Wife beating is a critical and massive problem. Available records show it to be more prevalent than either rape or child abuse. It cuts across all social, racial and economic lines. Children raised in violent homes suffer severe mental and often physical abuse. These children often go on to rear still more children in violence. It is impossible, in almost every case, for a woman without any immediate personal income to find safe shelter for herself or her children. Women stay in battering homes, despite the physical abuse and pain, often despite the possible danger to the children, because they have no place to go. Men and women who live together in a battering/abused pattern can seldom find another way of dealing with marriage or personal stress as fear of battering and the actual assaults become the centrally perceived problem.

CB

MINUTES OF HOUSE HESS COMMITTEE

April 21, 1977

The meeting was called to order at 4:00 p.m. due to an afternoon Session in the House. Members present: Mr. Parr, Mr. Nakak, Mr. Phillips, Mr. Chatterton and Dr. Beirne with Mr. Cotten coming in later.

Absent: Mr. Ose, Mr. Bennett, Mrs. Buchholdt.

Chairman Parr announced that HB 432 would be taken up first and asked Mr. John C. Garvin, President of the Alaska Association of Helping Services, Inc. and Executive Director of Alaska Children's Services, Inc.,. A copy of his testimony is attached. The main thrust of his testimony being up until now the Dept. of Health & Social Services has not paid the full cost of care for providers.

HB 432
Garvin

There was much discussion as to establishing regulations as to what costs would be allowable for reimbursement and the interpretation of such regulations; what was gained by contracting child care out to private agencies as opposed to government agencies; the different salaries paid house parents. Mr. Garvin told the committee he had a revised fiscal note which he asked to have xeroxed and passed to the members of the committee

Mr. Chatterton asked if Mr. Garvin would have objection to changing line 15, page 1 by deleting "cost settle all allowable" and leaving in "PAY ALL". Mr. Garvin said he would have no objection.

Next to testify was Roger Lange, Administrator for the Quality Control/Collection Agency for the Department of Health & Social Services. Said in his particular function of making fiscal audits of the child care agencies, he has a close relationship with the agencies. Mr. Lange spoke with regard to figures in the budget. He said the figures here are based on the original governor's budget but on April 18 the Governor sent in a revised budget for 1 million dollars more which would reduce out the same amount in the fiscal note that would give for FY '78 approximately 1,950,100 difference. Said in the position paper put out by the Department, the Department supported the concept of the bill with the amendments but not the funding in excess of the Governor's Budget. He said there were 2 major changes made in the bill, (1) the cost settling, which would mandate that the Department at the end of a given fiscal year would settle up with the provider agencies as to their actual allowable expenses.

Lange

The second point was the Allowance of Depreciation. Said this had been excluded since the law was originally passed. After discussion on this point, Mr. Lange said the Department had been following an exclusion written into the original law. He said he didn't think it would cost the State any more than it does now if depreciation was allowed.

There was discussion with Mr. Lange about "cost settling", how the Department felt about private care facilities as opposed to government operated ones. Dr. Beirne said that is nothing more expensive then government operated services and this is a matter of historical record.

There was discussion as to whether the agencies were non-profit agencies and the rates paid for foster care. Mr. Lange said he would like to see the reference to foster homes deleted from this bill. He explained how the foster care rate was arrived at and said the Dept. felt the rate is adequate.

Mr. Garvin said he would concur with recommendations that had been made by Mr. Lange--removing the paragraph pertaining to foster homes and also concurred in the recommendation that the 180 days be removed provided that his recommendation that a provisional cost settlement would take place. Said he would like to see an amendment to the proposed bill that it would have a time factor. Said on page 1, line 10, he would like to see inserted after "regulation" "within 1 year from the effective date of this act". Page 2, line 27, add and re-enact to read "this act takes effect July 1, 1977".

Mr. Nakak asked about monies available to foster parents who took in a child with nothing but the clothes on his back.

*AB 465
Heidersdorf*
Due to the lateness in the day, Chairman Parr announced that we would move on to HB 465 and asked Mr. Sid Heidersdorf, Chief Environmentalist for Health & Social Services to testify. Mr. Heidersdorf said his Division has no objection to the bill with the exception of one small concern which was the use of the word "private". Said that it could be interpreted in such a way as to involve a private home type situation. After discussion, Mr. Parr informed Mr. Heidersdorf that he would have an attorney fix up an amendment to the bill.

The meeting adjourned at 5:15 p.m.

MEMORANDUM

TO: The Legislature of the State of Alaska: House of Representatives,
Health, Education, and Social Services Committee

FROM: Dr. John C. Garvin, ACSW
1200 East 27th Avenue
Anchorage, Alaska 99504

DATE: April 21, 1977

RE: House Bill #432 "An Act Relating to the State's Purchasing of
Services for Persons Under Its Responsibility"

I am grateful for the privilege of presenting testimony as president of the Alaska Association of Helping Services, Inc. which consists of the majority of private residential child care agencies in Alaska. In addition, I am the executive director of Alaska Children's Services, Inc. which is the State's largest private family and child care agency. It has provided child care through its Jesse Lee Home and other programs since 1890 when it began as an orphanage in Unalaska, later moved to Seward, and finally to Anchorage in 1966.

I wish to commend the Legislature of the State of Alaska for its concern for the care of children and for enacting Alaska Statute 47.40 several years ago. As I understand it was intended to provide reimbursement for the full cost of allowable services provided children placed in care by the State's Department of Health and Social Services.

Through the years the Department has interpreted AS 47.40 in such a way as to provide only partial reimbursement for allowable services rendered. In fiscal year 1975-76 the private providers of residential child care in the State of Alaska subsidized coverage for State placed children by nearly one-third of a million dollars. In addition, houseparents and staff of these agencies personally subsidized the State's child care by hundreds of thousands of dollars in that their salaries often were less than the State's minimum wage.

Alaska Children's Services, Inc. in fiscal year 1975-76 spent more than \$100,000 taking care of State placed children than for which we were reimbursed. Since 1971 this amount is nearly one-quarter of a million dollars. Our houseparents at the Jesse Lee Home are on duty five days a week, twenty hours a day for a cash salary of \$700. Other child care workers and teacher/counselors start at \$800 per month. Comparable positions at the State operated McLaughlin Youth Center start at \$1100 to \$1300 per month, about 40% more than our employees and this is for a 40 hour week.

Cost settlement as proposed in House Bill #432 will enable the provider agency who has experienced a loss to be reimbursed, likewise the State will be refunded by the agency for any overpayment.

Furthermore, under the present Statute 47.40.040 depreciation and repairs are disallowed as a reimbursable cost. Since the type of children in care are often not only self-destructive but also destructive to property it is very important that agencies be allowed to recoup depreciation and repair costs necessary to maintain buildings at a liveable, safe standard.

Many agencies have had to install expensive fire detection and sprinkler systems for which they cannot now be reimbursed. Alaska Children's Services has expended in excess of \$25,000 in the past two years for this one item alone in order to meet State fire code regulations. Section 47.40.010(a)(3) should be further amended to include depreciation as a reimbursable cost.

Since the geography and population distribution of the State of Alaska prohibits establishing several agencies each offering different levels of care the reference in the present Statute to levels of care is rightly removed by House Bill HB 432.

I commend your committee and your chairman for the work done in drafting this bill. In behalf of the children and child care agencies of the State I urge your support for its passage in this first session of the 10th Legislature of the State of Alaska.

Balance of Payments for Full Cost of Services Provided to the State of Alaska
by Alaska Children's Services, Inc. 1971-1976

Year/Facility	Units of Service	Person/Day Rate Paid	Amount Paid by State	Person/Day Cost to ACS	Amount Spent By ACS	Amount Overpaid By State	Amount Underpaid By State
1/71 - 6/71¹							
Emergency Shelter	1439	13.42	19,311	18.27	26,296		6,985
Residential Treatment	8465	19.56	165,575	25.47	215,582		50,007
Group Homes	820	11.67	9,569	11.12	9,115	454	
7/71 - 6/72²							
Emergency Shelter	1884	23.39	44,067	29.30	55,201		11,134
Residential Treatment	14160	28.96	410,074	28.51	403,706	6368	
Group Homes	3600	11.67	42,012	14.88	53,596		11,584
7/72 - 6/73							
Emergency Shelter	3928	29.30	115,090	33.30	130,796		15,706
Residential Treatment	11824	29.83	352,710	31.76	375,500		22,790
Group Homes	4763	23.68	112,788	25.93	123,511		10,725
7/73 - 6/74							
Emergency Shelter	4398	34.99	153,886	39.94	175,656		21,770
Residential Treatment	10650	32.75	348,788	31.37	334,091	14,697	
Aquarius Group Home	1430	26.60	38,038	21.14	30,230	7,808	
Colletti Group Home	1301	26.60	34,607	24.92	32,421	2,186	
North Star Group Home	1680	26.60	44,688	20.09	33,751	10,937	
7/74 - 6/75							
Emergency Shelter	3327	42.47	141,298	43.57	144,957		3,659
Residential Treatment	8640	36.61	316,310	36.31	313,718	2,592	
Aquarius Group Home	1440	22.50	32,400	29.73	35,611		3,211
Colletti Group Home	1104	26.46	29,212	25.64	28,307	905	
North Star Group Home	1225	21.35	26,154	30.35	37,179		11,025
7/75 - 6/76³							
Emergency Shelter	5176	49.60	265,730	49.33	255,332	1,398	
Residential Treatment	9600	41.22	395,712	51.53	494,688		98,976
Aquarius Group Home	1120	27.93	31,282	32.96	36,915		5,633
Colletti Group Home	1428	28.76	41,069	33.58	47,957		6,888
North Star Group Home	1373	34.25	47,025	36.26	49,779		2,754
Total 11/1/71 - 6/30/76						47,345	282,847
Amount of ACS subsidy of cost of care programs 1971-76							235,502

Ed

MINUTES OF HOUSE HESS COMMITTEE

April 21, 1977

(EVENING)

The meeting was called to order by Chairman Parr at 7:40 p.m. Present: Mr. Parr, Mr. Bennett, Mr. Chatterton, Mr. Phillips, Mrs. Buchholdt with Mr. Cotten coming in a few minutes later.

Absent: Mr. Nakak, Mr. Ose, & Dr. Beirne.

HB 340 Chairman Parr said HB 340 was on the agenda and asked Lois Jund, Deputy Commissioner of Program Management of the Department of Health & Social Services to testify first.

Jund Ms. Jund said the bill is a bill requested by the Governor in response to recommendation made by both the former legislature as well as the Governor's Efficiency Review Team to combine the offices of Alcoholism and Drug Abuse which at the present time are contained in separate statutes which calls for an Office of Alcoholism, an Office of Drug Abuse, a coordinator for each of these offices and 2 advisory boards. She said in their opinion it was essential that they have some legislation combining the 2 offices since the fiscal year '78 budget is predicated on a combined office. She said at the present time they have an advisory board for Drug Abuse consisting of 12 members and an Alcoholism Board of 9 members and this bill calls for a combined Board of 9. She said she was charged by the Commissioner of Health & Social Services to work with the 2 offices to prepare a bill that would be satisfactory to both offices. Said there has been some input but not extensive input from the Advisory Boards not on the specific bill but on the issues of combining the offices.

At this point Ms. Jund gave a brief overview of the sections of the bill and said Mary Beth Hilburn of the Office of Drug Abuse and Mr. Robert Cole of the Office of Alcoholism were present to answer any question.

Ms. Jund said in the case of Alcoholism, they have just recently surveyed many of the programs because the regulations will go into effect July 1. Said this is important from the standpoint of third-party payments. Said Mr. Cole has had some discussions with Blue Cross and if a treatment center is licensed under this statute, then they would be eligible for reimbursement for Blue Cross. This would pertain to Va, BIA and other third party payers. Said it keeps the appropriations for grant in aid for alcoholism separate and this is by federal mandate. Said they have written to the NIAAA and NIDA and have received their approval for the combining of these 2 offices which she said is a State option.

Ms. Jund said they had sat down with one of the providers and Mr. Cole had worked out some proposed alternative language that had caused problems with some of the individuals.

Mr. Chatterton asked about lines 15 and 16 on page 1. He wondered if it was the intent to remove from criminal prosecution any drug addict or any drug abuser. Ms. Jund said not from the consumption of alcoholic beverages or drugs. Mr. Chatterton asked if under present statutes the use of drugs is illegal in this state. Mr. Peters asked to address the statement and said that was something they were concerned about in the Attorney General's office but said on closer examination of the statutes, they found that the statutes could not prohibit either the consumption or addiction to drugs and cited a Supreme Court case relative to this. Said it was very difficult though to take the step from addiction, to consumption, to possession.

Mr. Parr questioned line 26, page 1 --alcoholism-drug problems. Ms. Jund said she thought this was used in the broad sense.

Mr. Parr asked Ms. Jund if she had other changes besides the combination of the agencies. Ms. Jund stated the position paper pointed out the major things the bill proposes to accomplish. She stated she would ask Mr. Cole and Mrs. Hilburn to walk them through the bill.

Mr. Parr asked if there was a substantive difference in saying "approval of licensure". Ms. Jund said this makes it formalized and brings it in line with what they are doing in all other programs. Mr. Cole addressed this question.

Mr. Parr then asked about page 2, line 25, if something had been added which had no direct relationship to the merger of the 2 offices. Mr. Cole explained they had attempted to do a state-wide research and planning effort during the past year and in one instance it took them 3 1/2 months to get information which should have been available in 3 1/2 minutes. He said they were concerned that it would make a stronger case for having access to the information if it wasn't prohibited.

Mr. Chatterton asked about lines 1 and 2 on page 2 wherein he felt a sizeable expansion of the Department's powers had been made. Mr. Cole said there has always been made indirect mention to training programs. Mrs. Hilburn said prevention has always been one of the activities, particularly in the Office of Drug Abuse.

Cole

Mr. Cole then spoke to the differences in the law instructing the office to organize and implement a coordinated manpower training program for all persons involved in the provision of treatment services to alcoholics and drug abusers. Said that is a stronger statement than they have ever had in their law before. (No. 7, page 4, line 10.) He stated the reason for putting this in was that there is a real shortage of persons trained to provide treatment services in these areas and in spite of the fact they have had a number of attempts to construct training programs in the past, they have had difficulty in getting them coordinated.

Gold

At this time, Frank Gold called in on the conference telephone from Fairbanks. Said he was one of the two authors of the substitute or suggested revision to HB 340. Said the problems they found with the bill were simple. Said last year the Legislature passed a Community Mental Health Services Act which included comments about drugs and alcoholism to be included under the Community Health Centers. Said the way HB 340 was originally written it created a conflict. He said programs are most accountable when they are held accountable to an immediate public, not the centralized antagonists in Juneau. Said the bureaucracy is responsible to the Commissioner and to the Governor--not to who they deal directly with the way people involved in providing services are. Said they were concerned about the cost of administration. Said it would tend to be rather high in centralized organization. He said he had gathered from testimony last night at Senator Hackney's meeting that there was a concern about a provider on the Board and said they recognized that when they wrote the suggested revision. Felt a decision maker on the Board by a lay-board in particular obviously takes education. Felt they needed people that should be educated to the field they are sitting in review of. Said their general concern was that they saw the Community Mental Health Center's Act from last year as an exemplary piece of legislation and sees this bill being opposed to it and actually creating a bureaucratic structure that is more complex and more tightly bound to Juneau than the present State Office of Drug Abuse and the State Office of Alcoholism. He then requested, if possible, that additional hearings be held a week from this date when many member providers from various parts of the state will be in Juneau and could be available for public testimony at this time.

Mr. Cole asked Mr. Gold to elaborate on the specific manner in which he felt the current legislation, as proposed, is so opposed with the Community Mental Health Center's Act.

Mr. Bennett asked Mr. Gold for his feelings in reference to alcohol which an alcoholic gets via a total legal transition which the government taxes as opposed to an addict who gets a totally illegal status. Do you find there is so much of a difference that it would have an effect in treating the patient in lumping them together?

Mr. Gold said not all people involved in drug abuse get there illegally, said some of them get it very legally with prescriptions. Said they had included most of the drug abusers in the revised HB 340 they wrote.

Mr. Bennett asked if the treatment of the 2 various types of patients is so much alike that it is a common bond that they should be in the same situation. Gold said with competent counsellors, once the individual is stabilized they would confront the same trend of problems.

Mr. Chatterton asked Mr. Gold what his definition of drug was. Also if he would include glue sniffing and gasoline sniffing, which Mr. Gold said he would not.

Walti Next to call in was Mr. Michael Walti, has a graduate degree of social work and for the last 3 years has operated a narcotic drug treatment center which is the largest center in the State of Alaska. Said at the present time they are serving 15 addicts in Anchorage. Said he was calling to testify on the bill. Said he was disappointed that program input wasn't sought by the drafters of the bill during the initial stages. Felt they could have ironed out a lot of problems. Said it seems a good 50-60 percent of the bill could have been done by Department regulations. Said he had a hand in providing information for the substitute bill. Said problems with the original bill he had were many fold and said he would go into the basic differences between the 2 bills as they see them. Said he supports the second bill where they had substituted the concept of substance of the use. Said it seemed there were a couple of reasons for combining the two offices, only one of which was to save some money. He said in the bill there is a provision for a service provider. Said this is something they, in the field have talked about for some time. Said he would like to see a provider on the Advisory Board. He said the second version provides for civil commitment of any intoxicated person. Under the original bill it was only for people intoxicated by alcohol. Said in the first bill there is no provision for out-patient treatment of cross-addicts meaning someone with drug and alcohol problems. Said in the second revision of the bill which they support they do provide for being able to treat this type of individual. Felt there has been misconception about the kind of people that seek treatment from a Methadone treatment facility and said the one they run in Anchorage is very different from the ones that are run "outside". Said they are dealing, for the most part, with a working class group of people and at any point of time, depending on the season, between 70 and 80 percent of their people are employed full time and employed at fairly skilled jobs. Said they do not have a heavily criminalized group of people for treatment. Said a lot have been criminals when they come for treatment but after stabilized do cease their criminal activity. Said this is about 90 percent of the people on their program. Said combining people with alcoholism problems with hard core addicts the same treatment does not apply at least with their treatment in Anchorage.

Mr. Walti thought it was a mistake if you are going to have a civil commitment process for intoxicated persons to limit it to alcohol only, felt it could be expanded to include people who are intoxicated with any substance.

Mr. Cole said he didn't have any trouble with at least 2 of the points Mr. Walti raised. He said the provision of out-patient care for cross-addictions he felt they had taken care of. Mr. Peters said this was originally a Uniform State Act, drafted under the model of a uniform commission's act for several states, it was heavy, entirely alcohol and heavy on state-operated institutions. Said we have no state operated institutions but was trying to do the least damage to it as possible.

Hilburn Mrs. Hilburn spoke to the service providers on the Boards. She said they have had service providers on their advisory board and she said programs feel if there is a provider or doctor connected on the advisory board that they are getting special treatment.. Said there is always the conflict--is my program being treated as credibly as the one that has the doctor on the Board. Said she thinks this causes a real problem. Said the Board works very hard to make good judgments.

Mr. Chatterton asked if Mrs. Hilburn would be opposed to putting this in. She said she would.

Coyne Next to call in was Mr. Tom Coyne, in Ketchikan, Director of the Halfway House there. Said the only thing he was concerned with was changing the name to something like Office of Substance. Said he would like to see HB 340 go through but doesn't want amendments like he has heard of like to change the Office of Alcoholism to the Office of Substance. Said he always drank liquor or took a drug, never took any "substance". Said there was enough problem with getting people to get to these offices without confusing them to what office they are going to.

Mr. Cotten asked about the Alcoholism Advisory Board, the qualifications for the board members and how it breaks down. Mr. Cole explained the current qualifications.

Mrs. Buchholdt asked about page 4, asked if the people are not trained to do these programs would the state send them out to school? Mr. Cole said this could be done but what he always wanted to do was get the existing staff training capabilities that do exist together for the purpose of drafting a long-term manpower development plan for people working in these areas in Alaska.

There was discussion as to some problems that have come about in trying to treat alcoholics and drug abusers in the same facilities.

Mr. Chatterton asked about the expansion of manpower. Mr. Cole said it would not necessarily be the expansion of manpower in their office and wasn't their intent-what they were looking for, and might be guilty of, was trying to see that there is a training program somewhere in the state that addresses this.

There was discussion about the admission of people to the hospitals and some of the problems that have arose for not admitting ones that did need help.

Mr. Chatterton asked if they would have objection of leaving the word "encourage" in. Mr. Cole said he would have no trouble with this.

Mr. Chatterton then asked what a "troubled employee" was. Mr. Cole spoke to this.

The next section to be taken up was the Interdepartmental Coordinating Committee and Mr. Cole spoke to the changes that have been made. Said most of the persons were added to the committee at the request of the Governor, informally, and it seemed a reasonable thing to do.

The next section was the Advisory Board. Mrs. Buchholdt asked if this board was just for drug and alcoholism or for all of the different areas of Social Services Programs. Mr. Cole said not this particular one.

Rookes

Mr. John Rookes from Petersburg called in on the conference phone. He said he was Director of the Petersburg Council on Alcoholism. Said he had been the director since the program began, a little over 4 years ago. He said he would like to voice objections to the bill. No. 1, had had the experience of working under the offices as set up in Washington where it didn't work out well. Said he found from experience of 14 years to alcoholics and drug abusers, that you can't even treat them together for therapy reasons because they look down on one another, one says "I'm not as bad as you" and the other says "you haven't been anywhere." Said another thing is they are trying to make drug abuse an illness the same as alcoholism and there seems to me some question how you legislate an illness. Thinks the American Medical Association should have the jurisdiction of describing an illness and not the legislator. He said he had written evidence prior to this to the National Council on Alcoholism to the Office of Drug abuse, to the Office of Alcoholism and to the Commissioner's office. Said he did not want to see this bill go through. Mr. Parr said the committee would like to have copies of the written statements. Mr. Rookes did say that Mr. Cole had this information also.

Next to be discussed with the Committee was the Qualifications of the Board. Mr. Cotten said he seemed to be going toward having no dedication at all on memberships of the Boards. Said he thought this was how the Drug Abuse Board worked right now and asked how Mrs. Hilburn liked it. She said it worked fine. There was much discussion as to who should be on the Board.

Gallagher

Next to testify on the bill was Jean Gallagher who is working as the Regional Technical Assistant for Alcoholism Programs for the Tlingit & Haida Central Council. Said the purpose of her position with the Central Council is to assist local communities in developing local alcoholism programs. Said her main reason was that she was concerned that HB 340 was going to get passed through and she wanted to alert the committee that there were several people that she knows in the region that do want to testify on this bill. Said some of the people would include the program people in the region, also asked the committee to get some input from both of the Advisory Boards. Said there is another State group called the Alaska Native Commission on Alcohol and Drug Abuse would also like to provide some input to the discussions. Said there will be a meeting on Saturday, in Sitka that will include all of the regional alcoholism program directors and assumed that this bill will be discussed at length there so she wanted to alert the committee that it was her personal feelings she wanted them to have as much input as possible on the bill before they made any decisions on it. Mr. Parr informed her there was another meeting on this bill next Thursday.

Mr. Phillips spoke up and said he had received a phone call this afternoon asking that the bill be held over until they had a chance to take a better look at the bill.

Hickling

Next to testify was Rae Ann Hickling, Executive Director of the Anchorage Council on Drug Aid. She said they treat a wide variety of people from about 5 years of age on up into their 60's. Said she had come down specifically to work on the bill for a variety of reasons, one being that she has never been sold on the merging of the 2 programs. Said she felt there were some things in the bill that would make it hard for her to treat her drug abusing client population. Said she fully supported the stand the bill has taken on licensing. Said she felt this was very needed in the state at this time. She said on page 14 where it speaks to the idea you can't treat a drug abuser or drug addict and alcoholism in the same facility. Said she found this very odd since most opiate users start on alcohol. She said 95% of all opium addicts use a lot of alcohol. She said if she can't treat both problems she is not helping that individual. She said she had sat down and worked out a compromise with Mr. Cole and the compromise means they could treat opiate addicts and alcoholics in the same facility should it be so licensed. Said she hoped the committee would take a look at this and make some changes in it.

Next Ms. Hickling spoke about her concern with the composition of the Board. Said she doesn't like boards to be composed of "have tos". Said she agreed that the Board should not be slanted toward all providers or all consumers, has to be some sort of equilibrium but made more towards health care providers and health care consumers. Said she didn't believe program people should serve on any boards. She said she would like to see the Board members compensated for child care assistance while at the board meetings.

Ms. Hickling then spoke about where the bill talks about grants ~~and aides~~. Said one of the biggest problems the communities have is coming up with a "cash match". Thought when talking about starting programs in communities could talk about "in kind match" and give them 2 or 3 years to start the program and show the community what they can do before you ask them for actual cash. She said Mr. Cole had changed some wording in the law which she thought he would be happy to share with the committee which talked to giving them 3 years to build up a cash match in a community and after that time they would have to start demonstrating some kind monetary interest in the program.

Section on

Next to be taken up was the/Comprehensive Program for Treatment. Mr. Cole said in Section 130, page 10, line 7, 8 and 9, said this has already been done and are in conformance with the Health services areas and with the native health corporation districts. He said with regard to line 28, they don't have any facilities that are currently operated by the Department although the law does provide there can be those they don't have any plans for doing this.

Mr. Cole talked about Centralization. Said 2 years ago there were frequent abuses of the state's money at the local level in some communities. Said there were numerous instances in the past where the program managers got themselves in the situations where the programs weren't being operated in basic state law rule and regulations with regard to even grant and aide regulations which was a problem. Said instances where patient's rights and help have been jeopardized. Said he feels they can demonstrate they have saved the public money by having some measure of investment of administration within the office in the last couple of years as well as protecting the public's health safety and welfare and patients safety and welfare. Said he would really be uncomfortable with the notion of simply passing out the money.

Mr. Cole said on page 14, line 7 they do have proposed changes for this section that would meet the objections Ms. Hickling spoke to.

Mr. Chatterton said starting on this page he would need an "enlightening program" and thought it a good place to stop.

The meeting adjourned at 10:00 p.m.

MINUTES OF HOUSE HESS COMMITTEE MEETT

April 22, 1977

The meeting was called to order by Chairman Parr at 3:45 p.m. due to a late Session in the House. Present: Mr. Parr, Mr. Nakak, Mr. Phillips, Mr. Ose, Mr. Chatterton; Mr. Bennett came in late.

Absent: Cotten, Buchholdt and Beirne.

HB 206 & 207
Nakak

Chairman Parr said HB 206 & 207 would be on the agenda and Mr. Nakak spoke on the bills. Mr. Nakak said he had requested that these pieces of legislation be brought before the committee again because of interest on a Regional level and from other sources in the State. Said he had distributed letters and a separate sheet which lists recommendations which were enclosed in letters he had received but had put them on a separate sheet so that they could be shown as recommendations separately. Said he had other letters of interest and support from other entities. Mr. Nakak went through several of the letters. Mr. Nakak said he had been actively involved in the activities going on in the N.W. territory of Alaska and if there were a Board for every activity which it required, he said a Community such as White Mountain which has about 115 to 120 people, the people of that community could serve on at least 37 Boards which have Regional impact. Said he didn't feel the creation of another Board would be necessary to provide this service. Said there is the Norton Sound Corporation which has a Board, they have gone from the area of contracting health services in the total area to management and ownership of what was the Maynard McDougal Memorial Hospital and its now called the Regional Hospital. Said he felt confident that in recognizing their capability of serving as the health service agency in the area and the direct provider of health services via operation of the hospital, that another board need not be created to service the total area. Also called attention ^{to a letter} from the Cordova Community Hospital wherein they state their opposition of duplicating the services. He said another service Norton Sound Health Service recommended to him was if there is concern with regulatory powers being given up by the Public Health Nurse, that is not an area in which the Norton Sound Health Corporation wants to take over. If the concern from the State is that they do not want to give up this police power, their recommendation is that the state retain this power and contract with the health corporation for delivery of that same service.

Peters

Mr. Peters said the State felt that in the first place this is a private corporation which has a particular function for particular members in an area. Said one of the concerns was that it would treat all of Alaskans alike. Said they are not sure in using public money whether the state has the power to contract with every private organization. Said they felt

more comfortable with one that represented all the population of a particular area.

After much discussion back and forth between Mr. Nakak, Mr. Peters and Lois Jund, from the Department of Health and Social Services, Mr. Nakak asked that he and Mr. Peters be allowed to meet and see if amendments could be made for the proposed legislation and asked the committee's consideration in holding the bills over again.

Mr. Parr then asked them to look at page 5, line 21 (HB 207) "governing body may subcontract with a private health corporation serving a public health district to carry out the services. Private health corporation may serve equally all the residents in the area presenting themselves for assistance or services? He said when you look at the definition of private health corporation, it includes but is not limited to a regional health corporation serving a geographic region established under the Alaska Native Claims Settlement Act which is the Norton Sound Corporation. He asked that this be looked into since he felt this was saying that the legislature could establish an artificial creation called a health district which is really nothing but a service area and give it the power to contract when the state itself can't contract. Also said he felt this bill (207) doesn't say anything about the powers except on page 3, line 25. Said he felt what they were saying here was the powers of the local district board would be those which the department would give it by regulations. Said he questioned whether that was authorized constitutionally because as he understood the way the bill read they were making it parallel with the service areas in the Borough and the service areas in the Borough do not have any power --the Borough Assembly has to pass an ordinance.

Both bills were held over until Mr. Nakak and Mr. Peters could go through them together and try to amend them.

Chairman Parr announced that H.B 413 would be next and that Mr. Swanson had asked to testify but needed to be called and it would be a few minutes. After the members looked through the bill, Mr. Chatterton moved to pass the bill out with a "Do Pass" recommendation without hearing further testimony. There being no objection the motion carried.

Chairman Parr announced to the Committee that the Governor had come in with another nominee for the Board of Regents, a Mr. Webber and said the committee would be having an interview with him at one of the meetings.

The meeting adjourned at 4:30 p.m.

HB 413

Action

MINUTES OF HOUSE HESS COMMITTEE MEETING

April 25, 1977

The meeting was called to order by Chairman Parr at 3:05 p.m. Members present: Mr. Parr, Mr. Buchholdt, Mr. Phillips, Dr. Beirne, Mr. Cotten with Mr. Nakak coming in later.

Absent: Ose, Bennett, Chatterton.

Chairman Parr stated HB 410, 415 & 493 were on the agenda and asked Representative McKinnon, prime sponsor of HB 410 to testify. Mr. McKinnon said the problem as he sees it is the differences of the purposes and goals between a Community College and the University of Alaska have gone unrecognized which he felt was due largely because the Board of Regents are insulated from the philosophy of what a community college should do. He felt Community Colleges weren't consistent with a university's program. He felt regardless of any reorganization that could take place in the University system, it still wouldn't change the fact the the central administration won't act as a buffer between the Regents and the Community College. Stated he felt this bill would create a separate governing body for the Community Colleges. He passed out a sheet that showed the organizational structure as it would be set up under HB 410.

There was discussion regarding the courses that would be offered in the 2 year program, the transferability aspect, whether community colleges would be allowed to offer anything above the 1st 2 years.

Next to testify was Mr. Kerry Romesburg, Director of the Commission of Postsecondary education. Said with respect with HB 410, last year the Commission did conduct hearings around the state with regard to community college structure in Alaska and did formulate recommendations which the committee members had. He said they did make 7 recommendations, 6 of which were to the Board of Regents and the 7 to Board of Regents and also offered for legislative concern. He said in the hearings around the State, there were a number of people who were unhappy with the current structure, administratively, a number of community college advisory councils who feel that the community colleges do not receive the kind of hearing and kind of statute that they wish they would receive through the existing structure. Said one thing mentioned specifically was the community college split. He said there were a number of persons who did advocate 2 separate systems but the majority did not., felt the 2 systems should remain the same. Said there were 2 principal reasons mentioned for not splitting the system. One, transferability and the other accreditation. He did say he didn't think the accreditation reason was a valid reason, but said the issue of transferability bothered him.

HB 410,
415
493
McKinnon

Romesburg

Mr. Romesburg went on to say that Wyoming has almost an identical type of structure to what we are talking about. (He called attention to the administrative structures that he had passed out to the committee members). Said in Arizona there are 2 systems with no coordination above them. He said transferability was not a problem in Arizona, because they established transferability guides.

With regard to HB 415, Mr. Romesburg said that particular structure comes closer to the type of thing the Commission was recommending in that it does establish a chancellor for community colleges within the present university structure and under the Board of Regents. Said the issues not mentioned in the bill but what he was interested in hearing comments on were: what do you do in Anchorage, Juneau & Fairbanks with regard to the community college and senior college sitting side by side;

Mr. Romesburg said with regard to HB 493, establishing branches of the University at Anchorage. Said this bill essentially eliminates community colleges and the community college identity from the terminology of a community college. Said there are some states which have a basic university and branches, including 2 year branches. Said the problem he would have with this bill is the fact that the concept of community college is lost.

Mr. Romesburg said not one bill addressed exactly what the Commission recommended, parts of the recommendation were in all the bills. He did say the Commission felt the problems could be addressed by the Board of Regents without having to create a number of different boards or putting it into law.

There was discussion as to how much autonomy the community colleges should have, what courses should be taught, the local input, more input for academic programs,

Mr. Romesburg said at the hearings the people felt that the central person should have access directly to the Board of Regents and also that the Advisory Council should have direct access to the Board of Regents.

Next to testify was Representative Meekins. He stated his bill was not new to the legislature, it is the same bill that Gruening introduced last year and co-sponsored this year. He said this bill is not a response to the current problem existing in the university, but said it is an idea that has been around for a long time but felt the problems they are currently having do reinforce it. He said he agreed with the Chairman' intention to not rush this matter through this session of the legislature and hoped there would be interim authority to review all of these bills because he knows they are quite complicated and felt there were problems in the bills that needed to be resolved. Did feel there was a good case for decentralizing.

Meekins

Mr. Meekins said if you look at it from the other aspect, you have to ask why there is a central administration that administers all of the different areas of the university system. Said the 3 primary reasons are: need standardization and coordination among the different campuses and among the different program and there is an attempt to reduce duplication and also to minimize harmful competition between the Regents. He said he did not think these theoretical reasons were any good as applied to Alaska for a number of reasons. He said his bill does not call for total autonomy, just takes away the central administration but still leaves the 4 units proposed under the Board of Regents. He said he felt more important to Alaska than standardization and coordination that is given by the central administration is the responsiveness if the units were more autonomous. They would still report to the Board of Regents, there would be the coordination in terms of academic standards and policy considerations which are necessary which could all be done through the Board of Regents but felt more responsiveness to the local level. Mr. Meekins said in terms of duplication this is the argument given him in opposition to decentralization. They say that every region will have to do all the accounting procedures that the central administration does. He said Anchorage already does those accounting procedures and then send them to Fairbanks and the central administration does them again so he feels the duplication in the system is in the current system.

Mr. Meekins agreed that a great deal of work needs to be done and hoped some interim authority would take a look at the bills. Does believe could benefit and spend a lot less money if we would decentralize and give the authority to the regional level.

Next there was discussion regarding the budgets, whether it would still go through the Regents.

Ostrosky
Next to testify was Katherynn Ostrosky former member of this committee and Chairman of the Interim Higher Education Subcommittee during the last legislature and appeared as a representative of the Alaska Community College Federation of Teachers on behalf of their support and interest for HB 410. She stated HB 410 is the most recent effort to respond to the growth of the community colleges and is offered as the third Community College Act in the history of Alaska. and at this point she gave a historical perspective on the two previous Community College Acts. She believes the problems facing the community colleges is a statewide issues, not a local or regional issue. Said it affects the entire statewide student population from Nome to Ketchikan.

Marie Darlin spoke from the sidelines and said their main concern was that there be some attention given to these bills during the interim.

Mrs. Ostrosky said she felt there had been a real resistance to real basic reform rather than a response to the reforms.

Mr. Parr said that there will be some hearings held once the initial opening of the semester has gotten over with and people settle down, somewhere in the general vicinity of the first of October and he said it was his intent to have hearings both in town and on the Campuses in Anchorage and Fairbanks.. Said they would have it in one of the smaller communities. Said they wanted to get input from people who are not in any way members of the university in addition to the University. Would have Juneau hearings in January.

The meeting adjourned at 4:20 p.m.

MINUTES OF HOUSE HESS COMMITTEE MEETING

April 26, 1977

The meeting was called to order by Vice-Chairman Ose at 3:15 p.m. Present: Mr. Ose Mr. Bennett, Dr. Beirne, Mrs. Buchholdt and Mr. Phillips. Mr. Parr came in later.

Absent: Mr. Chatterton, Mr. Nakak, Mr. Cotten,

Mr. Ose announced HB 435 would be taken up first and asked Mr. Anderson to speak who in turn introduced Mr. George Urban, Deputy Director for Rural Cap and Rural Cap operates the Headstart program for early childhood education. He gave a brief outline of a work program and background on what they did last year with a grant from the federal government. Said they received a grant for \$46,000 for the specific purpose of addressing the most common or one of the 2 most common childhood disease patterns they see among rural headstart children, ages 3 to 5. Bad teeth and bad ears which both relate to conditions of bad nutrition, sanitation, inadequate public facilities, and a general pattern of contagion in rural alaska. Gave background on Otitis Media.

There was discussion as to the surgical costs, what the \$200,000 would be spent for this year, whether or not the federal government has been approached for grants why the money would be appropriated to C&RA when the position paper is from Health & Social Services.

Next to testify was Dr. David Spence, pediatrician with the Dept. of Health and Social Services. Said his Department's position on the bill was that in their opinion there would be better utilization of the funds and would get more assistance to the needy children if they gave the money through the Department of Health & Social Services instead of going through another agency. He said there has been an increase in otitis media in the last few years.

Questions were asked as to how many more positions would be required for this program, how much funding would be required.

Mrs. Buchholdt said this has apparently been a problem for a number of years and wondered why they haven't paid much attention to it before.

Vice-Chairman Ose announced at this time that a message had just been received that the Free Conference Committee had already appropriated the money for this.

HB 435
Anderson
Urban

Spence

3 408
Miles
Mr. Ose announced the committee would take up HB 408 next. Mr. Miles spoke on the bill, said the bill requests an appropriation for \$92,000. He said the Anchorage Neighborhood Health Center is a Center that has 10 full-time professionals plus administrative staff giving health care to Anchorage residents, Eagle River, Chugiak, Palmer, Talkeetna, Girdwood, for those who can't hack the standard payments. Said they are funded through a federal appropriation plus they collect patient fees. Said they desperately need an x-ray machine and that is what the \$92,000 is for. Said they currently send patients in need of x-rays over to the hospital which makes a tremendous delay, problems getting too and from the center.

Mrs. Buchholdt said both she and Dr. Beirne were very familiar with this problem.

Action
Mrs. Buchholdt moved to pass HB 408 with a "do pass" recommendation. There being no objection, the motion carried.

HB 407
Scott
Chairman Parr was back and took over the meeting. HB 407 was next and Mr. Thomas Scott, Acting Coordinator of the Emergency Medical Services Program in the Department of Health & Social Services. Said Mr. Ramidge had left the state and will return in a couple of years and he was taking his place. He said the bill attempts to do three things, establishes within the Department, an Advisory Council on Emergency Medical Services, identifies the Dept. of Health & Social Services as the lead agency for the development and coordination for the effort to develop emergency services throughout the state, and gives the department the authority to make grants to regional entities that are attempting to improve their emergency services.

Mr. McKinnon joined Mr. Scott in testifying. Mr. Parr asked what the consumers offer relative to being a member on the Board and felt that at least an 11 member board was necessary.

Mr. Bennett asked about the emergency medical services stopping at the hospital and there was much discussion as to what function this service would play after a patient had entered the hospital.. Mr. Scott informed the committee that this service would try to organize the various types of care a patient received so it would run from the time a person is injured to the time he is able to be on his own again. Mr. Bennett felt he found problems with the fact that they were still involved after a patient had been entered into a hospital for care. Mr. McKinnon said the services aren't provided to the patient, just intended to make sure that emergency medical care is available and that the training of personnel is there.

Mrs. Buchholdt questioned about the giving of the money in advance and who would process this money; also asked about the composition of the Council and wondered if it wouldn't overlap with the State-wide Coordinating Council.

There was discussion regarding training programs given for personnel.

Action

Mr. Phillips moved on page 1, line 29, change "." to a "," and add "1 from each judicial district in the State." There being no objection, the motion carried.

Action

Mr. Parr moved to amend line 14 to change "assist" to "coordinate". There being no objection, the motion carried.

Action

Mr. Ose moved the bill out with individual recommendations. There being no objection, the motion carried and HB 407 was passed out as amended.

CS for HB 465 was signed by the members.

The meeting adjourned at 4:40 p.m.

MINUTES OF HOUSE HESS COMMITTEE MEETING

April 27, 1977

The meeting was called to order by Chairman Parr at 3:05 p.m. Present: Mr. Parr, Mr. Chatterton, Dr. Beirne, Mr. Phillips, Mr. Cotten, Mr. Nakak and Mr. Ose and Mrs. Buchholdt came in later.

Absent: Mr. Bennett

HB 435

Chairman asked if the Committee would consider HB 435 which had testimony on the previous day. Said there had been some confusion as to whether funding was included in the budget and that Representative Cowper said he would like to have the Committee pass the bill out.

Action

Dr. Beirne moved to pass the bill out with individual recommendations. There being no objection the motion carried.

HB 472
Arnold

Chairman Parr announced that HB 472 would then be considered. Liz Arnold from the Attorney General's Office in Juneau testified first and gave some background as to why the new statute was needed and spoke to some of the problems they had with HB 733 that was introduced last year. She spoke to some of the problems in the existing statute.

Vassar

Next to testify was Mr. Ken Vassar from Legislative Affairs Agency who went through the bill with the committee. It was stated the main changes in the bill was in the Involuntary Commitment portion of the bill, and the Voluntary Commitment procedures.

Munson

Next to testify was Joyce Munson, Executive Director of Alaska Mental Health Association. She gave her views of the bill, said she was glad to see it condensed from the bill introduced last year. She stated she felt the present statute needed to be changed. From her experience in traveling around she stated she has heard judges complain about the present statute in that it was hard to understand. Said she had a couple of problems with the bill, said each time they gave the patient the right to something, in the next line they take the right away, such as on page 17, (2) at the bottom of the page. Also questioned the title at the bottom of Page 2, Prayer Treatment. She did recommend that the bill be worked on by an Interim-Committee this summer.

Mr. Phillips asked if perhaps the hearings on this bill could be tied in with the University hearings.

Schrader Next to testify was Dr. Schrader, Director of the Division of Mental Health. He said they were pleased to see this bill introduced because it was an effort to up-date and bring matters into conformity. Said they did see a few problems with it in its present state and wouldn't recommend passage of it in the present form. Said the bill did need work on it and felt one thing it needed was a Statement of Purpose. Said if this was not included, wouldn't know where you are going and what you are trying to get. He felt some of the problems with the present bill was maybe in drafting, some problems in interpretation and felt it should be understandable without consulting an attorney. Felt it was better than the present statute in existence and said he too had been told by a Judge that the present statute on mental health was confusing. He stated the Superintendent from API would be in Juneau and available to talk to the committee tomorrow if they so desired.

Dr. Schrader felt Sec. 47.30.201 was unenforcible. The Department did not want to take a position on it at this time.

Berck Next to testify was Peggy Berck from Alaska Legal Services. She spoke to Ms. Munson's question regarding the Prayer Treatment, said with regard to the portion of the patient's rights being taken away, she would have no objection to taking that out of the bill. She went through the proposed amendements she had submitted (copy attached to these minutes).

The meeting adjourned at 5:10 p.m.

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TO: The Honorable Charles H. Parr, Chairman, and
members of the House Committee on Health, Education
& Social Services

FROM: Peggy Berck, ALSC

DATED: April 27, 1977

Proposed Amendments to H.B. 472

1. Amendment to page 1, line 29.

Subsection (5) of Sec. 47.30.011 should read: "take the actions necessary to carry out a program for the prevention of mental illness or for the furnishing of inpatient and outpatient care or treatment for the mentally ill, including the procurement of services of specialists or other persons on a contractual or other basis;"

Re-number subsection (5) to read subsection (6) and re-number all following subsections appropriately.

2. Amendment to page 2, line 27.

Subsection (14) of Sec. 47.30.011 should read: "provide for and pay the costs of transportation of patients and of the attendants who are needed, if transportation is necessary to secure appropriate examinations or hospitalization of the mentally ill, to attend any judicial hearing required under the provisions of this chapter or for returning a patient discharged or placed on convalescent status from a hospital to his home or place of convalescence; and"

Delete the word and on page 2, line 26, and re-number subsection (14) to read subsection (15).

3. Amendment to page 3, lines 4-5.

Amend lines 4 and 5 to read: "who desires that treatment, or to a minor if his parent or guardian desires that treatment."

4. Amendment to page 3, lines 15-18.

Subsection (2) of Sec. 47.30.026 should read: "notice that he has a right to release immediately upon written request, however, should he request release at a time when the treatment facility determines that he is mentally ill and as a result is likely to cause serious harm to himself or others or is gravely disabled, the facility may detain him for 48 hours in order to initiate commitment proceedings against him."

5. Amendment to page 3, lines 19-22.

Sec. 47.30.031. should read: PERIODIC REVIEW OF CONDITION OF VOLUNTARY PATIENTS; DISCHARGE OF VOLUNTARY PATIENTS. (a) The mental health condition of each patient voluntarily admitted shall be reviewed at least once each 180 days for evaluation as to the need for further treatment or possible discharge, at which time the patient shall be orally advised of his voluntary status and right to release upon written request.

(b) The professional person in charge of the treatment facility or his designee shall discharge any patient who is not mentally ill or who does not present a likelihood of serious harm to himself or others and who is no longer benefiting from treatment and cannot be realistically expected to so benefit in the near future.

6. Amendment to page 4, line 9.

Amend line 9 to read: "if either he or he and his parent or guardian sign the voluntary admission"

7. Amendment to page 5, lines 15-24.

Sec. 47.30.056 should read: EMERGENCY DETENTION EVALUATION.

A peace officer may take into protective custody and transport to any treatment facility any person whom he has probable cause to believe is committing an offense due to apparent mental illness and such condition appears to cause the person to be gravely disabled or to present a likelihood of serious harm to himself or others. The officer shall make application for the examination, observation and diagnosis of the person in protective custody. The application shall state the circumstances under which the person was taken into protective custody and the reason therefor. The application shall be transmitted with the person to some physician at the facility.

8. Amendment to page 6, lines 15 and 16.

Lines 15 and 16 on page 6 should read: " his attorney and the prosecuting attorney of the hearing arrangements."

9. Amendment to page 6, line 16.

Line 16 on page 6 should read: "Evaluation personnel, should they travel to the location of the respondent, shall similarly"

10. Amendment to page 7, line 4.

Add on beginning with line 4 the following sentence:

If the patient declines to exercise this right, the staff of the facility shall make reasonable efforts to ensure that a responsible relative or representative of the patient is notified of the emergency admission.

11. Amendment to page 7 beginning at line 16.

Sec. 47.30.071 should include the following subsection beginning at line 16 on page 7:

(f) he has the right to be free of the effects of

medication at any judicial hearing required by this chapter by discontinuance of medication no later than 48 hours before the hearing unless, in the opinion of the treating physician, the need for the medication as described in subsection (e) of this section still exists or discontinuation would hamper preparation of and participation in the proceedings.

12. Amendment to page 7, lines 22 and 23.

Lines 22 and 23 should read: "showing that the respondent is mentally ill and as a result is likely to cause serious harm to himself or others or is gravely disabled;"

13. Amendment to page 8, lines 20-29 and page 9 line 1.

Subsection (b)(1) of Sec. 47.30.081 should read:

to be present at the hearing; this right may be waived only with the respondent's informed consent and by stipulation of the petitioner's and respondent's attorneys that there is a substantial likelihood that the respondent's presence would be severely injurious to his mental or physical health; if the respondent is incapable of giving informed consent, the respondent may be excluded from the hearing only if the court, after hearing, finds that there is such incapacity and that there is in fact a substantial likelihood that either the respondent's presence at the hearing would be severely injurious to his mental or physical health or that respondent's presence at the hearing would be seriously disruptive to the proceeding.

14. Amendments to page 9 beginning at line 2.

Subsection (b)(2) of Sec. 47.30.081 should read:

(2) to present evidence on his own behalf;

The following subsections should be added to Sec. 47.30.081:

- (3) to cross-examine witnesses who testify against him;
- (4) to remain silent;

Current subsection (3) should be re-numbered subsection (5).

Current subsection (4) should be re-numbered subsection (6) and it should read:

(6) except as modified at subsection (c) of this section, to be proceeded against according to the rules of evidence applicable to civil proceedings;

Current subsection (c) should read:

Affidavits containing reports of examinations of mental health professionals or other witnesses' statements may be received in evidence; however, material portions which would not be admissible as testimony of the witness if he were present shall be stricken upon the motion of either party or by the court on its own motion, and if the respondent demonstrates a substantial purpose in cross examination of the witness and this purpose is related to the justification for detention or commitment, the court shall order the witness' presence.

Current subsection (c) should be re-lettered subsection (d).

15. Amendment to page 9, line 15.

Line 15 on page 9 should read:

"the less restrictive alternative treatment for no more than 14 days."

16. Amendment to page 9, line 25.

"Allegations required under sec. 76(a) of this chapter and"

17. Amendment to page 11, line 29.

Line 29 on page 11 should read:

"the time limit specified in Sec. 91 of this chapter, the court may"

18. Amendment to page 12, line 2.

"only if the court or jury finds beyond a reasonable doubt evidence that"

19. Amendment to page 12, lines 10-11.

"right to an expedited appeal from an order of 90-day or 180-day commitment."

20. Amendment to page 12, line 18.

Line 18 on page 12 should read:

day commitment" and all references to "90-day commitment" shall be read as "180-day commitment."

21. Amendment to page 12, line 21.

Line 21 on page 12 should read:

"chapter. If the court or jury finds beyond a reasonable doubt evidence"

22. Amendment to page 13, lines 1 and 2.

Lines 1 and 2 on page 13 should read "-tary admission or treatment may not be involuntarily admitted to a treatment facility or subjected to involuntary treatment, regardless of his parent's or guardian's consent, without adherence"

23. Amendment to page 13, lines 13-18.

Sec. 47.30.121. Early Discharge. should read: The professional person in charge of a treatment facility or his designee shall at any time discharge a committed person who is not mentally ill or who does not present a likelihood of serious harm to himself or others and who is no longer benefiting from

treatment and cannot be realistically expected to so benefit in the near future.

24. Amendment to page 13, line 25.

Line 25 on page 13 should read: "to himself or others."

25. Amendment to page 14, line 2.

The following sentence should be added to line 2 of page 14:

"A peace officer shall assist the treatment facility if requested."

26. Amendment to page 14, lines 8-9.

Delete the phrase "After consultation with the treatment team" which is contained in lines 8 and 9 on page 14. Hence line 8 should read: "person in charge of the treatment facility or his designee finds that"

27. Amendment to page 14, line 17.

Line 17 on page 14 should read:

"others or is gravely disabled, the provider shall give the patient oral and written notice,"

28. Amendment to page 15, line 7.

Line 7 on page 15 should read:

"may be required to undergo inpatient treatment not to exceed the duration of the existing involuntary treatment period when the provider of out-"

29. Amendment to page 15, lines 9&10.

Lines 9 and 10 on page 15 should read: (1) the respondent is mentally ill and as a result is likely to cause serious harm to himself or others or is gravely disabled;

30. Amendment to page 15, lines 14 and 15.

Lines 14 and 15 on page 15 should read: "(3) there is reason to believe that the mental condition of a gravely disabled

respondent will improve as a result of inpatient treatment;
and"

31. Amendment to page 16, line 12.

Line 12 on page 16 should read: "provided to the respondent's attorney and his guardian, if any,"

32. Amendment to page 17, line 2-4.

Line 2-4 on page 17 should read: "cause serious harm to himself or others or is gravely disabled, is guilty of a misdemeanor, punishable by imprisonment for not more than one year, by a fine of not more than \$1,000, or by both, and may be held liable in civil damages by the person against whom the petition was sought."

33. Amendment to page 17, line 22.

Line 22 on page 17 should read "tion and prognosis. The treating physician may withhold any of this infor-"

34. Amendment to page 18, lines 20 and 21.

Delete lines 20 and 21. The remaining sentence of current subsection (4) should be added to subsection (3).

Current subsections (5) and (6) should be re-numbered (4) and (5) respectively.

35. Amendment to page 21, line 2.

Line 2 on page 21 should read:

"if the anonymity of the patient is assured and"

36. Amendment to page 23, lines 19 and 20.

Lines 19-20 on page 23 should read: "voluntary patient, is mentally ill and as a result is likely to cause serious harm to himself or others or is gravely disabled."

37. Amendment to page 23, lines 21-23.

Lines 21-23 on page 23 should read: (b) To facilitate the return of nonresident patients, the department may enter a reciprocal agreement or compact with another state, providing for the prompt return, under appropriate supervision, of resi-

38. Amendment to page 24, lines 15-16.

Lines 15-16 on page 24 should read: alters or impairs the application or availability to a patient, while hospitalized in another state, under contractual arrangements entered in"

39. Amendment to page 25, line 6.

Line 6 on page 25 should read:

"deposited in the state treasury. The money remaining to the credit of the patient, if unclaimed by his legal heirs or representatives or by the patient within the period of one year after the death or departure of the patient, shall be deposited in the treasury."

40. Amendment to page 26, lines 27 and 28.

Lines 27 and 28 should read:

"(d) The amount of liability for care and treatment which is ordered by the department to be paid and which is not paid for by the patient or by his legal representative acting in a representative capacity constitutes a lien in favor of"

41. Amendment to page 26, line 29.

Line 29 on page 26 should read:

"this state against all property of the patient. If a spouse, minor or incapacitated person may be lawfully dependent upon such property for his support, the state shall release all or

such part of the property and estate from such lien that may be necessary to provide for such persons. Other than this exception, the unpaid amount of"

42. Amendment to page 27, line 6.

Line 6 on page 27 should read: "general. The amount of liability for care and treatment which is ordered by the department to be paid and which is not paid by the parent before the parent's death, shall be discharged or collected from the patient. No claim lies against the assets or estate of the deceased parent."

43. Amendment to page 27, between lines 8 and 9.

The following subsection should be inserted between lines 8 and 9.

(f) if an order of payment is entered by the department under this section and delinquency in the payment of any amount due the state under the order continues for a period of more than 30 days after the notification of the legal representative or parent of the patient by the department, the state may proceed to collect the amounts due by appropriate proceedings. Actions to enforce the collection of payments may only be brought within three years after the date of notification of a delinquent payment.

44. Amendment to page 29, between lines 25 and 26.

(9) "peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment; Re-number the subsequent definitions appropriately.

45. Amendment to page 30, between lines 6 and 7.

Insert the following definitions between lines 6 and 7 on page 30.

(11) "resident" means a person who is residing in the state; a married woman may establish a residence apart from her husband, and an unemancipated minor takes the residence of the parent or guardian with whom he is living;

(12) "responsible relative or representative" means guardian, conservator, attorney, spouse, parent, adult child, or adult brother or sister of the patient.

46. Amendment to page 30, line 11.

Line 11 on page 30 should read: "ment. No correctional institution or jail shall be used as a treatment facility within the meaning of this chapter."

cc: Rep. Clark Gruening
* * Sen Bill Sumner

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MINUTES OF HOUSE HESS COMMITTEE

April 28, 1977

(EVENING)

The meeting was called to order by Chairman Parr at 7:35 p.m. Present: Mr. Parr, Dr. Beirne, Mr. Nakak, Mr. Chatterton, & Mr. Ose. Mr. Phillips, Mrs. Buchholdt and Mr. Bennett came in later.

Absent: Mr. Cotten.

HB 340
Kleinfelter

Mary Kleinfelter called in first on the conference telephone that was sat up regarding HB 340 which was the agenda for the evening. She called to object to HB 340 as she felt the alcoholic and drug addict are 2 entirely different and separate problems. She said she was familiar with both problems and doesn't think they should be combined. She also said she objected to the State giving monies to any private profit making organizations. She stated she is presently working for a treatment center but also had been on heroine herself.

Walti

First to testify in person was Mike Walti who operates the narcotic drug treatment center in Anchorage. Said he had come down here to testify on the bill thinking it was definitely sure to pass and then in the Senate HESS meeting the day before he was surprised to find out that it was not a definite thing. He said he did not want the merger. He felt at some point in the "great beyond" there will be a combination of the two but didn't think they were ready for it yet. He said the differences in the clientele he found were the generational differences. He said a lot of people are middle aged or older. He said the only way it could be changed is when the people in the fields share some of their experiences which they don't do now. Said he hoped this bill did not pass out of committee at this time. Mr. Walti said he had problems with parts of the treatment provision in the bill and also problems with the term "drug-addict". When asked if the combination did go through what characteristics he would like to see he said he would like to see someone in the drug field included in the office somehow.

Vollin

Next to call in on the conference telephone was Danny Vollin who was representing himself from Anchorage. He too objected to the bill in that he felt the alcoholic and drug abuser were 2 completely different problems.

Walti

Mr. Walti went on to say that he would support the licensing section of the bill. Said this means consumer protection for the people that come to the program. Said it would also be necessary for the collection of 3rd-party payments when and if they became available.

Mr. Walti said the section on the Advisory Board in the bill bothered him also. Felt all it should say was "that the Advisory Board consist of 9 members appointed by the Governor". Thought perhaps should specify that 3 members of the board should have an income of \$12,000 or less. With regard to the portion on the civil commitment which he had spoken on the telephone last week to, he said he had changed his mind on that section.

Goodwin

Next to testify was Mr. Paul Goodwin, President of the Fairbanks Native Association and runs the largest alcoholic program in the State of Alaska. Said he had no major or substantial objections to the package other than the objection that he would not like to see both programs under one Board. Said he would disagree to putting drug abuse and alcoholism under the Mental Health services. He said he really had not had time to study this bill and as far as he was aware of neither had anyone else he had talked to.

Forest

Sister Forest from Anchorage called in on the conference telephone at this time. She too objected to the bill in that the people involved have 2 different types of problems. Said she was speaking for herself as a counsellor and as a worker in an Anchorage Center., Studio Club.

ld

Pesika

Next to testify was Dr. Frank Gold, registered psychologist and director of Fairbanks Drug Treatment Center and who was responsible for the proposed committee substitute. He too felt that nothing should be done with the bill at this time if possible--just let it lie. He said the reason for rushing with the committee substitute was that all indications during the last year or so was that there was no way to stop the bill. He said he knew Paul ~~Seeka~~ in Fairbanks felt the same way. He said in preparing the committee substitute he had followed the bill that the administration had put out as well as the existing Community Health Center Act. He said when they sat down and drew up the committee substitute it was done with a great deal of emotion. He said there are problems when talking about both alcoholics and drug abusers in a single agencies. Once they are stabilized, then you are talking about basically very similar types of problems. He did state that Fairbanks had very professional counsellors but didn't feel this was true in the rest of the state.

Mondale

At this point George Mondale, Coordinator of the Ketchikan Alcoholic Program called in on the conference phone. Said he spoke in favor of HB 340 but was opposed to the Committee Substitute in that it is the feeling that the proposed CS would undermine the intention of most of the people. Said he thinks it is unthinkable to have a substance abuse problem. Said he thought the citizens of our State have an increasingly

difficult time relating with what the State is trying to do. Said putting it under the title of Substance Abuse would really confuse them.

Gold Mr. Gold continued with his testimony. Said he thought more focus should be brought in putting more authority in the hands of the communities. He felt a good pattern to draw up a bill from was the Mental Health bill that was passed 2 years ago by the legislature. Mr. Gold said he did not think any of the drug abuse facilities had received this bill and therefore had not had a chance to look it over.

Stoner Next to testify was Mr. Tom Stoner, presently acting as Field Deputy for the Alaska Native Commission and handles both alcoholics and drug abusers. He said his organization was very comfortable with the potential merits in HB 340 and agreed with Mr. Cole's proposed amendements. Said they have been comfortable with the existing statute. Said if a merger did take place he felt there would be discreet program management in the separate areas. Said one recommendation he would make would be that drug abuse and alcoholism would be represented by a technical panel which could provide expertise to a combined board that would be responsible to the Commissioner with recommendations.

Nugen Next to testify was Mr. Leonard Nugen, Director of the Studio Club, Alcohol Rehabilitation Center. Said he has looked over HB 340 and there are some things he agrees with and some that he doesn't. Said he did not want to see the combining of the 2 advisory boards. Said they did need standards to license by. Said another thing that concerned him was the profit making section. He also said the part in the bill that refers to where a patient is brought to a treatment center and the center cannot help the person, it is up to the center to find another place to put the person, didn't think that was right. Felt there should be a way to hold people, alcoholics especially. Also felt that a lot of good counsellors could be people without a degree. Mr. Nugen said he had no problems with the existing statute but thought it could be better and especially liked the idea of being licensed.

Hickling Next to testify was Rae Ann Hickling, Executive Director of the Anchorage Council on Drug Aid. Said the people she represents are opposed to the combination of the 2 offices. She said she was party to the Committee that made changes to HB 340 from Mr. Cole's office. Said she was in favor of licensing.

The meeting adjourned at 9:30 p.m.

MINUTES OF HOUSE HESS COMMITTEE

May 2, 1977

The meeting was called to order by Chairman Parr at 3:10 p.m. Members present: Mr. Parr, Mr. Chatterton, Mr. Phillips, Dr. Beirne and Mr. Bennett. Mr. Ose and Mr. Cotten came in later.

Absent: Mr. Nakak, Buchholdt.

HB 492

Chairman Parr announced that HB 492 was on the agenda. Informed the committee that there was a lot of material available but due to the amount, had not had it xeroxed but that it was available if any of the members wanted copies--all of which was on arbitration.

Stewart

Mr. Bob Stewart, Deputy Director for the State Department of Administration for Labor Relations was available for questioning. Said he did feel binding arbitration should be used as a "last resort". Also felt fiscal control of money should be left to the people responsible for fiscal matters. He did say there was a newly formed organization of police officers with binding arbitration by statute.

There was discussion as to "interest arbitration" as opposed to "grievance arbitration".

Mr. Stewart felt that a person should have the right to strike.

Dr. Beirne asked Mr. Stewart if he thought state personnel should have the right to strike. Mr. Stewart thought some should have the right to strike. He felt state employees should be classed in three groups, 1) with a limited right to strike 2) with an unlimited right to strike, and 3) no right to strike.

Mr. Parr asked how the binding arbitration is working in other states such as Oregon. Mr. Stewart said he had talked to a fellow in Oregon and they seem to be happy with it.

There was much discussion with Mr. Stewart on negotiations during strikes, etc.

Overstreet

Next to testify was Mr. Bill Overstreet, Executive Secretary of Association of Alaska School Boards. He said the association is in complete opposition to arbitration bargaining.

Mr. Overstreet explained the difference in private sector and public sector in bargaining. Mr. Overstreet felt the teachers were getting quite enough money and benefits as it is. Said the average teacher's salaries is \$22,000 with fringe benefits of a little over \$4,000. He listed the benefits teachers have, such as good medical insurance, life insurance, workmen's compensation insurance, retirement, etc. He said at the very least the association would urge that the thrust of the bill be changed and put the burden on the teacher's union to convince municipal officials and the general public of the need for such a provision rather than the other way around. He said another alternative that would be acceptable to them in keeping with the notion of representative government and local control of schools, if there must be some form of arbitration but submit the question of dispute to the voters of the school district by a referendum and let them decide. He said it was his understanding when the state's collective bargaining law was enacted several years ago it did provide that teachers would be one of the groups that had a limited right to strike. Said it was amended out of the act and the current law does not provide school employees with the right to strike and in the absence of specific authority in the statutes it was his understanding that public employees may not strike against the government. Said as he read the bill he saw no way for REAA's to get out of binding arbitration in that they exist where there is no municipal government.

Mr. Overstreet passed out 3 miscellaneous papers, one displaying the average salaries and benefits for teachers, one displaying the ratio of participating employees to students and the third one comments on the effectiveness over the last few years of teachers in the state with salary increases. There was discussion between the members of the committee and Mr. Overstreet regarding the information he passed out.

Van Houte

Next to testify was Mr. Robert Van Houte from NEA Alaska. He said the question has been raised as to why they would support this type of legislation. He said basically it was because of the difficulty in reaching good faith negotiations and good conclusions to negotiations. Said there are a number of districts at present that have not reached negotiation completion for the 76-77 school year. He said binding arbitration has worked to the advantage of the management, about 55% of all decisions have benefited management, about 45% have benefited employees. He said the area differentials are very wide-spread in the state and there are some districts where the teachers have a lower standard of living than they have in other parts of the state and this is due to a number of reasons, isolation, the small number of teacher's you have in some of the small number districts. He said he had no objection to changing the date in the bill from March 31 to January 31. He said the prolongation of the negotiations is not to the advantage of the teachers. He stated NEA felt this kind of a proposal would provide a good means of resolving disputes, that the last best offer will result in better negotiations and both sides will know if they don't make a good reasonable position, that they will lose because the other side's position will be taken.

Said he would predict that 85% of the negotiations would enter into an agreement before any binding arbitration would take place. Mr. Van Houte said he commended the authors of the bill and the people working on it, said he felt it was a preferable way of resolving it and felt binding arbitration was coming not only in the private sector but also the public sector.

Mr. Ose spoke in favor of agreeing with Mr. Overstreet's views that the teacher's are receiving a good salary and have good benefits now.

Mr. Van Houte said there are about 5 districts that have not reached an agreement yet this year.

There was discussion about the differences in SB 304 and this bill.

Mr. Parr asked about the negotiation sessions being open to the public. Mr. Van Houte said they would probably have no objection to it being open to the public. Thought it would cause some problems but would have no quarrel with it.

Kito
Next to testify was Sam Kito, employee's lobbyist for Alaska Association of School Boards. He said binding arbitration in the negotiations process is something that takes the decision making powers out of the hands of people that have to respond to the public. He said the binding arbitration that can be mandated to a school district puts the school district into a position whereby if the municipality does not afford enough funds to reach the salary level that was arbitrated, then obviously the school board is going to be put in a bad position to make the determination of where the allocation of funds are going. Said this situation presently exists between the local governments and the school boards at the present time. He said he thought the form of arbitration this is presently being held in is in a good arena. Said he felt the legislature and the school boards should be working very closely with each other. Mr. Kito then went on to comment on the binding arbitration the University of Alaska is presently under. Said he thought the legislature would probably resolve the majority of the problems that affect negotiations in the school districts in the State of Alaska by passing legislation and defining what is bargainable.

The meeting adjourned at 5:00 p.m.

MINUTES OF HOUSE HESS COMMITTEE

May 3, 1977

The meeting was called to order by Chairman Parr at 4:15 p.m. Members present: Mr. Parr, Mr. Nakak, Mr. Chatterton, Mr. Ose and Mr. Phillips. Mr. Bennett came in late.

Absent: Mr. Cotten, Mrs. Buchholdt and Dr. Beirne.

HCR 56
Gail
Brown

Chairman Parr announced that HCR 56 would be taken up first. Mr. Dave Gail and Rod Brown, both from the Department of Labor were present. A position paper from the Dept. of Labor was passed to the members on the committee. Mr. Gail said the bill would require 2 changes; would require employees to maintain records in their own establishment and would require the Department of Labor to make changes in records and on computers and their reports that they publish.

Mr. Brown said they do presently put out an annual report concerning a breakdown of race and sex. Mr. Brown had 2 pamphlets which showed sex but not race and left these pamphlets with the committee.

Mr. Nakak said he was astounded at the negative position the Department took in their position paper. Said he had good reason to believe that the information was available and could be made available without going through the negative statement in the Department's position paper.

After some discussion Mr. Parr said the bill would be held over until a fiscal note is received from the department.

HB 439
Action

Next on the agenda was HB 439. Mr. Parr explained that 2 CS's had been sent down, one was worded exactly as the Committee had suggested and one was reworded a little better but still said the same thing. Mr. Chatterton moved that the one that had been reworded to read better be accepted and passed out of the committee. There being no objection, the motion carried.

HB 432

Next on the agenda was HB 432. A position paper was in the folders from the Department of Health and Social Services with various amendments on it. Mr. Parr also called attention to an amendment Mr. Garvin had requested.

Action

Mr. Chatterton moved on Page 1, line 10; in front of "adopt" insert "Within 1 year from the effective date of this act". There being no objection, the motion carried.

Action

Mr. Chatterton moved on page 1, line 15; delete "cost settle all allowable" and replace it with "Pay all allowable". Mr. Nakak asked what the term "allowable" meant. There being no objection to the motion, it so carried.

Action

Mr. Chatterton moved on line 27, Page 1 after the word "costs" insert "using standard industry cost accounting principles for fixed and variable costs except those excluded in this statute". There being no objection, the motion carried.

Action

Mr. Nakak moved on page 2, line 2 after "audit" insert "for" and delete "to be completed within 180 days of close of". There being no objection, the motion carried.

Action

Mr. Nakak moved on page 2, line 5 add a sentence "An interim cost settlement will be made upon the submission of a year-end expenditure report by the child care agency, with a final settlement made at the time a departmental audit is completed." There being no objection, the motion carried.

Action

Mr. Parr moved on page 2, line 5 to delete the sentence beginning with "Child care costs..." There being no objection, the motion carried.

Action

Mr. Phillips moved that an effective date of July 1, 1977 be inserted at the end of the bill. There being no objection, the motion carried.

Mr. Parr announced to the members that since a number of the members had left, a committee substitute would be made out of the bill and would be signed out later.

Two men were present to answer questions on this bill, Mr. Lange from the Department of Health & Social Services and a Mr. Dapcevich.

The meeting adjourned at 5:00 p.m.

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MINUTES OF HOUSE HESS COMMITTEE

May 4, 1977

The meeting was called to order by Chairman Parr at 3:05 p.m. Members present: Mr. Parr, Mr. Chatterton, Mr. Phillips, Dr. Beirne, Mr. Nakak. Mr. Ose and Mr. Bennett came in later.

Absent: Mr. Cotten & Mrs. Buchholdt.

HB 464

First on the agenda was HB 464. Mr. McKinnon asked if he could have a witness testify first, the witness being from out-of-town. Mr. McKinnon said the bill will separate the Department of Health & Social Services into 2 departments. Said Dr. Tom Georges was from Pennsylvania and in Pennsylvania they have 2 separate cabinet ^{levels} and Dr. Georges has served as the head of both of the departments.

Georges

Dr. Tom Georges said he had had the opportunity for the last 10 days to travel around various parts of Alaska and see the health care services that are provided. He said he has had opportunity to talk to some of the health people and they have expressed some of the health problems as they see them. He stated in his opinion the health functions of the state are best carried out by a health officer who has direct responsibility to the governor and has responsibility for the services provided. Dr. Georges answered questions asked by members of the committee and spoke to some of the problems they are having in some of the communities he visited. Questions were asked of Dr. Georges as to the advantages and disadvantages of having the 2 departments, the economics involved, the size of the 2 departments in Pennsylvania, how the Board of Health operates, how many states have the 2 separate departments and how many are 1 department. Dr. Georges said 14 states have moved to some form of combined department. The remaining states have separate departments. He stated in talking to employees in public health, they feel they can do a better job if they are in separate departments.

There was discussion as to which department should have alcoholism, what type of person should head the department of health which Dr. Georges felt a physician had certain advantages others don't have and also should have someone that enjoys administration.

Dr. Georges said 10 or 15 states have a Board and said he would rather work with a Board than without one.

McKinnon

Representative McKinnon then testified on his bill stating he felt there had been a lot of disadvantages the way the department operates now and thought it would be a lot better if the 2 systems were separated. Rep. McKinnon said there are 19 states with some sort of umbrella agency, 27 states with entirely separate departments of Health and 3 where the Dept.

of Health is combined with the Dept. of Environmental Protection. Questions were asked of Mr. McKinnon as to how many people would be needed to operate the new department.

Jund

Next to testify was Lois Jund, Deputy Director of Programs from the Department of Health & Social Services. Ms. Jund said as of 1974 there were 26 state comprehensive service agencies and 12 human services agencies. She said she thought this bill had certain pros you do not get in a human services agency. She said she thought it was more cost effective to have a human services agency. She said the Department was not for this bill and does feel a human service agency can work. After much discussion, Chairman Parr said they would not act on the bill today.

HB 450
Anderson

HB 450 was next and Representative Anderson testified on his bill. Said he did not expect the committee to take any action on the bill this year and he intends to do more study on the matter between now and the next session. He said the bill was in response to many complaints that have been made throughout the state, especially in Rural Alaska. He read a statement from the Citizen's Participation Committee meeting held in Anchorage in December. He said the thrust of the bill was to try to get the Department of Health & Social Services and its activities expanded out into the rural communities. Chairman Parr showed the committee a map that had been made up showing the different regions.

Lampman

Mrs. Marion Lampman from the Alaska Hospital Association spoke from the ^{standpoint} silences regard HB 464. Said the Hospital Association has been against the separation of the Department. Said the movement in the other states has been towards consolidation. She gave her suggestions as to how she thought the problems could be helped. Said the Association had had a good working relationship with Lois Jund and Kathy Lloyd in the Department.

The meeting adjourned at 4:30 p.m.

MINUTES OF HOUSE HESS COMMITTEE

May 5, 1977

The meeting was called to order at 3:30 p.m. by Chairman Parr. Members present: Mr. Parr, Dr. Beirne, Mr. Chatterton, Mr. Phillips and Mr. Bennett.

Absent: Mr. Nakak, Mr. Ose, Mr. Cotten, Mrs. Buchholdt.

HB 342

CS for HB 342 was passed around for signatures.

SB 45

SB 45 was first on the agenda and Dr. Beirne said he had received a communication on the bill from Lois Jund but did not bring it with him.

Heidersdorf

Mr. Syd Heidersdorf, Chief of Environmental Health was available for questions. It was Mr. Heidersdorf's feeling the time before that if the fiscal note wasn't passed, the bill shouldn't pass. Today he said the Department's position was that something should be done by someone in the area of medical and dental x-rays but that they were also in a position that if they couldn't have adequate staff, there was no point in implementing the program.

Mr. Chatterton said he saw the need for the program but couldn't support the bill the way it presently was.

Mr. Parr felt they had the obligation to do something and if they could find the money something should be done about the problem. He further stated it was his tendency to keep the responsibility of radiation in one department.

Mr. Heidersdorf said their basic problem was they couldn't respond to all the problems now. He said one person could handle all the inspections if he didn't have any other duties to perform.

The thing that bothered everyone was the fact that they have 3 departments involved in the inspections and felt it should be placed in the hands of one department with the other 2 departments contracting.

Mr. Parr said he had a tendency to do 2 things: Pass the bill with a letter of intent stating the responsibility for monitoring radiation exists with the Department of Health & Social Services, ~~and~~ DEC and Dept. of Labor will contract with Dept. of Health & Social Services to carry out monitoring radiation functions, and to approve a fiscal note.

At this point Mr. Chatterton asked if Mr. Bennett could be called in from the Resources meeting where he had gone to to give his position on the matter. It was Mr. Bennett's feelings also that 2 or 3 departments shouldn't be performing the same functions. He further stated the Department of Labor had been named as the State agency responsible for occupational exposure.

After further discussion Chairman Parr asked the committee if they would be agreeable to looking at a draft committee substitute where it would be made clear that the regulation writing authority will lie with the appropriate department but the monitoring responsibility would lie within 1 department with the other 2 departments contracting. The committee agreed to this. At this point Mr. Parr said he had just been informed of a minority meeting being held and the meeting adjourned at 4:10 p.m.

MINUTES OF HOUSE HESS COMMITTEE

May 6, 1977

The meeting was called to order by Chairman Parr at 3:15 p.m. Members present: Mr. Parr, Mr. Nakak, Mr. Chatterton, Mr. Phillips & Dr. Beirne.

Absent: Mr. Bennett, Mr. Ose, Mr. Cotten and Mrs. Buchholdt.

HB 409

Thomas

Chairman Parr announced HB 409 was on the agenda and Michael Thomas an attorney from a local law firm testified on behalf of the American Council of Life Insurance. He said he also worked closely on matters such as HB 409 with the Health/Insurance Association of America. Two concerns with regard to Section 255 were: He felt it was clear in context that the benefits provided for applied only to needy persons as opposed to all persons. Said they believed this because Article 2 in which the statute is found, is entitled General Relief Assistance and he read Sec. 120. Stated "needy person" was defined in Sec. 300. Said they felt it was fairly clear that Sec. 255 fell within these perimeters and the eligibility under that section is limited to persons who are needy. He said the second concern was that the catastrophic illness committee established by Sec. 255 should not be given so much latitude that they can, by regulation, discourage individuals and employers from buying insurance or in other ways providing for disability hospitalization. Felt there was very wide insurance coverage in the state at the present time. Said the committee had been made available some copies of provisions that had been enacted in Rhode Island to meet some of the problems that are inherent in undertaking to provide limited assistance to citizens who can't otherwise get private health insurance. Said this was made available as an example of a fairly carefully drafted set of provisions which take into consideration what the proper degree of state liability might be and what the proper interface might be between state program, private insurance and other government programs.

He said they have drafted some suggested language which should be in the folders. He said with regard to the specific language of 409, said this goes in the opposite direction from the rest of the Chapter on relief assistance. Said this language would be to repay the people who give assistance and prohibit recoupmment by the State against the person, his estate or other people who do not contribute to the medical needs. He said

that the Association has costed the regulations that have been suggested by the Dept. under Sec. 255 without this amendment and they estimate \$375,000 per year, plus or minus 25 per cent. Said that is without intermediate care facilities being covered. He said if the legislature intends a program under Section 255 to benefit all persons and not just the needy, then he felt the statute really needs very extensive revision and expansion to provide for the kinds of considerations and that it ought to be studied over the interim to make certain that all incentive to insure or take advantage of other programs or access is given to the state treasure is not taken away. He said in that event, Section 255 should be repealed or its effective date should be put off until such time as the legislature can make a definitive statement as to what it wishes to have covered.

There was discussion as to 3rd party sources and who the third party would be. Discussion on the limitations for life insurance.

Mr. Thomas was asked if the Association would have any objection if it were mandated that every company which sold group health plans offer catastrophic health insurance? Mr. Thomas said there was a problem with this.

Arnold
Next to testify was Elizabeth Arnold from the Attorney General's Office. She said she agreed with Mr. Thomas' statement wherein he said they need guidance from the legislature. Said there is extremely little guidance in the statute or in terms of legislative intent. She said it seemed the fundamental issue was "who was intended to be covered". She told of public hearings they had had on the subject. She elaborated on the fact that if it is intended for the needy person, their medical bills are already covered under general relief. Said she didn't know why this particular section was even put in. She said even if there isn't a constitutional problem about the catastrophic committee acting as it has acted because of the statute and major implications as it was interpreted, the regulations are more vulnerable to attack than if they clearly set out what catastrophic illness was, what groups would be covered and how the funding was to work and is the committee expected to stay within the appropriation, etc. She felt either the statute should be repealed and the concept dropped and the committee should continue paying off the people whom they have obligated money, or the statute should be seriously over-hauled. Felt outside experts should be brought in, the experience of other states who have had this type of legislation should be studied, if they don't repeal the section, the committee needs some kind of amendment

to at least indicate what group is to be covered and if they are expected to stay within the appropriation or whether they can expect to receive a supplement.

Mr. Phillips said it was his understanding that this law was supposed to apply to the middle class people and not just the needy people.

Mr. Chatterton felt it was necessary to have something in the statute.

Mr. Nakak said he doesn't feel a means should be used to decide whether someone should qualify for catastrophic illness assistance.

Frazier

Next to testify was Dr. Frazier with the Division of Public Health. Said a lot of his testimony was already presented by Ms. Arnold. Said he thought the decision that the committee is left with is what facilitated action can occur now that we enable the committee to operate during the next year or should the whole legislation be discarded. Said there was concern about the over-ride on the budget. He said their experience so far is that 11 cases have been approved with an authorization of \$53,284. 14 applications have been denied, additional 10 were not considered because they were not qualified. 35 applications are pending. Said it is a new program and hasn't been heavily advertised and still not sure how the expenditures will run in another year. Said for this fiscal year it looks like they won't expend but about half of the funds and they don't know what will happen next year. Said he felt that the guidelines that have been drawn up by the committee demand a sufficient amount as the applicant's share, that it won't discourage the purchase of insurance. Said they do need guidelines from the legislature as to whether they should continue the activities of the committee, whether they need to limit expenditures to the amount budgeted or whether the legislature would consider favorably a supplemental request if this becomes necessary.

After much discussion Ms. Arnold said she would like to submit by Monday, something in writing, in moving this out of this chapter, deciding where it should be put, not doing a major revision but including what the determination of eligibility in addition to allowable costs levels and what reimbursements should be made by the committee. Felt this would be a help to the committee in determining who is going to be covered.

Mr. Chatterton objected in that he felt some action should be taken on the bill due to the lateness in the Session.

Mr. Parr said they could meet the next day after the Session and take the bill up again if Ms. Arnold could come back with the draft by then.

Mr. Chatterton moved that on Line 9, page 1, strike the words "amended to read" and replace with "repeal". After much discussion a vote on the motion showed it to fail.

Mr. Parr said the bill would be brought up again on the next day right after the Session adjourned.

The meeting adjourned at 4:45 p.m.

MINUTES OF HOUSE HESS COMMITTEE MEETING

MAY 9, 1977

The meeting was called to order by Chairman Parr at 3:30 p.m. Members present: Mr. Parr, Mr. Bennett, Mr. Chatterton, Mr. Ose, Mr. Phillips & Mrs. Buchholdt. Mr. Naka, Dr. Beirne and Mr. Cotten came in just after the meeting began.

SB 226 Chairman Parr said SB 226 was on the agenda and asked Senator Ferguson to speak on his bill. Said the main purpose of this bill was to bring continuity to the system.

Action Mr. Ose moved to pass out SB 226. Chairman Parr asked Mr. Ose if he would hold off on his motion for a little bit.

CS SB 226 Chairman Parr that said with regard to HB 492 there were a couple of things wrong with the bill and one was that they didn't have an opt-out provision for REAAs. He called attention to the revised draft of CS for SB 226 in front of each member wherein HB 492 is attached to SB 226 said this was done in hopes of getting it before both houses before the Session is over. Mr. Nakak objected to this CS as did Mr. Ose.

Action Mr. Ose asked that a vote be taken on his motion to pass out SB 226. a vote on the motion showed it to fail.

Action Mr. Cotten moved to accept and adopt CS for SB 226. Mr. Nakak voiced his objection. Mr. Phillips had some questions of Mr. Van Houte who was present.

Coffey John Coffey, superintendent of the Juneau Schools asked to testify on the bills and asked that they both not be tied together. He said he knew the school boards would favor SB 226 but didn't know of any school board or administrators that would be in favor of HB 492. He then asked to read into the record a letter he wrote to local representation on the binding arbitration bill.

Cole Mr. Nat Cole then asked to read into the record a letter describing action taken in a recent meeting by the State Board of Education asking for support in defeating HB 492 but said they do support SB 226.

Green Sue Green, representing the Governor's office then testified. She said they were in favor of SB 226 but that they would oppose attaching HB 492 to it. There was much discussion as to whether teachers did, under the present statute, have the right to strike or did not.

Action Mr. Chatterton moved to rescind action on CS for SB 226. Mr. Parr said there was a motion on the floor to adopt CS for SB 226. Mr. Nakak stated he was against the motion. Mr.

Mr. Chatterton objected. Mr. Ose said he was in opposition to CS for SB 226 but was in favor of SB 226. Mr. Cotten spoke that the will of the majority is what will be preserved and felt this would expedite getting the bill before the houses to be voted on. A vote on the motion showed it to pass 5-4.

Action

Mr. Phillips moved to delete section (e) of the bill (page 3). Mr. Cotten offered to delete "retain" and put in "not altered". Mr. Phillip's motion was voted on and the motion carried.

Action

Mr. Nakak moved to pass out CS for SB 226 with individual recommendations. The motion carried.

The meeting adjourned at 4:15 p.m.

Ref

MINUTES OF HOUSE HESS COMMITTEE

May 11, 1977

HB 489
Peters

Due to the absence of a quorum Chairman Parr said since Mr. Michael Peters was in town to testify on HB 489 his testimony would be heard at this time. Members present were Mr. Parr, Mr. Chatterton, Dr. Beirne and Mr. Phillips.

Absent: Mr. Bennett, Mr. Nakak, Mr. Ose, Mr. Cotten, Mrs. Buchholdt.

Michael Peters, Executive Director for the Alaska Federation of Teachers said they recommended passage of HB 489. A copy of his testimony is attached to these minutes.

During Mr. Peters' testimony Mr. Cotten arrived which made a quorum and Chairman Parr announced the meeting was officially in session at 4:30.

There was discussion as to whether or not the classified employees had the right to strike as well as the teachers.

Mr. Chatterton asked Mr. Peters if under Section 4, line 25, page 2, what his comments would be in changing the existing statute to apply only to certified employees. Mr. Peters said if 14.25.90 remains in, that both certificated and non-certificated employees be added.

SB 110
Andrew

Chairman Parr then announced that SB 110 was the first order of business and Sharon Andrew, Director of Occupational Licensing, Department of Commerce testified in favor of SB 110. Said it was their feeling that the Governor shouldn't have to take people that are only recommended by the American Association of Physical Therapy. Said it was necessary to have a vehicle to allow the Board to do its job.

Questions were asked of Mrs. Andrews regarding the board as to whether they expected any problem in getting a doctor to attend the meetings if on the board. Mrs. Andrew went over the revised fiscal note prepared by the Department.

Mr. Phillips moved to pass SB 110 out of committee. There being no objection, the motion carried.

Action

HCR 65
Allen

Chairman Parr announced HCR 65 was next and Mr. Bill Allen, Commissioner of Administration testified. Said there was a misunderstanding that created this resolution. Said they had not made a public announcement to destroy the house but had gotten an estimate back wherein it would cost some \$50,000 to make the necessary repairs on it and didn't feel the age of the house, etc. warranted that amount of money. Said it was not a final decision yet and that he was going to go to Sitka next month and would look the situation over. Said he did not support the resolution.

Mr. Parr asked if their position of getting out of the rental business had any bearing on this decision. Mr. Allen said it did not directly but that the Dept. of Administration did not feel they should be providing housing for the employees. He said he would determine if the present condition of the house in Sitka presented a health hazard to the employee and would see how the cost of the repair could be amortized out. Mr. Allen said they do have plans in the distant future to expand the Pioneer Home in Sitka by adding a nursing wing which would go where the house in question presently is.

Action

Mr. Chatterton moved to table the resolution. The motion failed.

otion

Mr. Phillips moved to amend line 23 by replacing "her" with "the. There being no objection, the motion passed.

Mr. Chatterton moved to pass the resolution out with individual recommendations. There being no objection, the motion carried.

The meeting adjourned at 5:00 p.m.

May 11, 1977

I've come here to testify in favor of HB 489. I'm Michael Peters, the Executive Director for the Alaska State Federation of Teachers. The AFT represents classified workers of school districts as well as teachers and I am here as their official representative.

I recently received a letter from a member of the House referring to HB 489 as a highly controversial piece of legislation. However, the real controversy, the real scandal lies in the fact that classified school district employees are the only group of workers in Alaska who are not covered by a collective bargaining law.

Workers in the private sector are guaranteed bargaining rights by the NLRB; government workers may organize under the Hatch Act; public employees in Alaska are generally covered under PERA; and teachers are granted the right to bargain collectively under Section 14 of Alaska State Law. Thus teachers are unique in that they have their own exclusive CB law. But they are only one side of the school district coin. On the other side we have classified employees who have absolutely no bargaining protection at all.

In PERA, under the definition of a public employee, non-certificated school district employees are specifically excluded from the act. Yet all dictates of common sense indicate that these workers are public employees. Yet Alaska law specifically excludes them. If they are not public employees, just what are they? Many of the 3,000 classified employees have tried to understand this point ever since PERA was passed in 1972.

But we feel that there is a better solution to this problem than PERA has to offer. That solution involves placing school district noncertificated employees under the same CB law as teachers. Not only would this provide guarantees for their right

to bargain collectively, but it would simplify matters for school boards since they are already accustomed to working under the CB section of the Alaska Educational Code.

There is a great need for a collective bargaining law to cover school district classified personnel. Throughout the state, school boards have taken advantage of these people by either refusing to negotiate or setting up their own stringent labor relations policy. (See attachment) Even in the few districts where classified employees currently have contracts, there is no guarantee that the district will negotiate future contracts. Under the present system, a school board could simply tell the classified employees that they have no intention of negotiating a new contract. And what recourse would the employees have? They could always withhold their services, which would undoubtedly result in mass firings. A judge might even issue an injunction against the strike. Thus the employees might be forced back to their jobs and never have a contract.

The classified employees I have talked to have said unanimously that the most important item to be negotiated is job security. Currently, many school district employees are arbitrarily terminated at the end of the school year (they are hired as 9 month employees). They have no guarantees that they will be rehired in the fall. This system lends itself to instability and hiring practices based not on ability but upon favoritism.

Currently we have a hodge podge of labor relations policies set up by school boards which often attempt to exercise undue control over classified employees. Please help to correct this great injustice in Alaska by recommending passage of HB 489.

ADVISORY COMMITTEE:

Mrs. Cathy Stingley, Homer Advisory Committee, reported on the need for a school nurse in the Homer area. Mrs. Stingley stated that even though there is a public health nurse in the lower Kenai Peninsula area, she is very overloaded and cannot give the counseling and instruction needed in the schools. Mr. Gerbitz stated that two additional nurses have been proposed in the 1975-76 Budget for this purpose.

EXECUTIVE SESSION:

At 9:15 p.m., Mr. Hobart moved that the board go into executive session to discuss matters, the immediate knowledge of which would adversely affect the finances of the borough. Mr. Glick seconded.

ACTION

Motion carried unanimously.

ADJOURN EXECUTIVE SESSION:

At 9:45 p.m., the executive session was adjourned.

RECONVENE INTO REGULAR
SESSION:

At 9:50 p.m., Mrs. Farnsworth moved that the board reconvene in regular session. Mr. Glick seconded.

ACTION

Motion carried unanimously.

LABOR RELATIONS POLICY:

Mr. Hayward read the following Employment Relations Policy:

"The Kenai Peninsula Borough School District recognizes that under the provisions of the Alaska Public Employment Relations Act enacted by the legislature of the State of Alaska in 1972, classified employees of the various school districts are specifically exempted. Furthermore, the Board recognizes that the Borough has exercised its option under the Statute to reject the provision of the Alaska Public Employment Relations Act by ordinance adopted. Nevertheless, the Board wishes to maintain its long tradition of fair play with its employees by enacting a policy which will set the stage for harmonious and cooperative relations between the Board and its classified employees and to protect the public by assuring orderly and uninterrupted operations of the district.

RECOGNITION

The Kenai Peninsula Borough School District will recognize, for the purpose of discussing and negotiating mutually satisfactory agreements on specified matters pertaining to their employment, the Kenai Peninsula Borough School District classified employee group which on a certain date has, as bonafide members, a majority of the total classified staff employed by the district on that date and which files a certified list of such members with the Superintendent of Schools. The Kenai Peninsula Borough School District will negotiate only with employees of the district. X The Board will not recognize for the purpose of negotiations, any union or association which is not made up exclusively of Kenai Peninsula Borough School District employees nor will the Board negotiate with a local association affiliated with a state or national union.

LABOR RELATIONS POLICY
(continued):

Such recognition shall remain in effect until such time as any other organization which meets the criteria outlined above submits a membership list showing a majority of the total classified staff employed. (See elections)

* Any association seeking recognition shall admit persons to membership without discrimination on the basis of race, religion, creed, sex or marital status. While employees have the right to join any association, neither membership nor service fees to association shall be a condition of employment.

Neither the association recognized, its agents or its members will assist in or participate in strikes, sanctions, slow-downs, sick-ins or any concerted effort designed to improve its bargaining position or for any other purpose. Any agreement entered into shall contain a provision that if any action prohibited by this paragraph occurs, the association recognized as the bargaining agent shall announce publically that such action is a breach of the labor agreement and the association shall take every reasonable measure possible to require its members to return to their duties.

ELECTIONS

In order for an association to be recognized for the purposed of negotiations these conditions must be met:

1. A petition signed by 30% of the employees of a proposed representational unit must be presented to the Board.
2. The appropriateness of the proposed unit will be determined by the Superintendent on the basis of community of interest, wages, hours, history of representation, and the desires of the employees.
3. If the Board finds that there is a question of representation, it shall direct an election by secret ballot to determine whether or by which local organization the employees desire to be represented and shall certify the results of the election. The Board shall determine who is eligible to vote in an election and shall establish rules governing the election. The Board will seek the advise of the Alaska Department of Labor in such matters of elections.

REPRESENTATIONAL UNIT

The Superintendent shall discuss with the employees the unit appropriate for the purposes of negotiations, based upon such factors as community of interest, wages, hours, and other working conditions of the employees involved, the history of local associations and the desires of the employees. The units shall be as large as is reasonable and unnecessary fragmenting shall be avoided so as to reduce the time and energy devoted to negotiations. Decisions of the Superintendent may be appealed to the Board.

LABOR RELATIONS POLICY
(continued):

SCOPE OF BARGAINING

* Negotiations shall be limited to matters pertaining to employment which means salaries and fringe benefits and similar terms and conditions of employment which are the exclusive concern of those in the bargaining unit. There shall be no negotiations on inherent managerial policy, including but not limited to, the functions and programs of the Board, standards of services, the district budget, utilization of technology, the organizational structure of the schools and the selection and direction of personnel, including work hours, assignments, transfers, job descriptions, promotions based on merit with seniority a secondary factor, the determination of other hiring and dismissal or demotion procedures. No agreement shall abrogate the legal rights, obligations and powers of the Board.

NEGOTIATIONS (SCOPE OF BARGAINING)

After all the negotiable items have been discussed and the terms of the agreement have not been reached, the Board may request that a secret vote by all classified employees effected by the negotiations, be held to be conducted by the Board and the association. The subject of the vote will be the last best offer made by the Board. A simple majority of the employees voting will determine acceptance or rejection of Board offer. The negotiations will follow a "meet and confer" pattern of negotiations. The agreement reached by negotiators of both teams will be advisory to the Board

DISPUTE RESOLUTION

A grievance procedure may be negotiated by the association. An advisory mediation/arbitration committee may be used as outlined in AS 14.20.570. All mediation/arbitration recommendations on disputes of both right and interest shall be advisory to the Board

AGREEMENT

Upon the completion of negotiations between the association and the Board, if a settlement is reached, the association and the Board will either ratify, amend or reject the proposal. The agreement will be reduced to writing and distributed to all employees. A term of duration will be agreed upon not to exceed three (3) years. The agreement can be canceled by written direction of either party at the expiration of the term of the agreement

DEFINITIONS

Classified Employees - All employees of the Kenai Peninsula Borough School District who are not required to have a certificate from the Department of Education in order to work, excepting substitute teachers who may not be certificated, casual employees which means employees who have not completed the probationary period of three (3) months, and employees working on federally funded programs.

MINUTES OF HOUSE HESS COMMITTEE

May 12, 1977

The meeting was called to order by Chairman Parr at 3:00 p.m. Present: Mr. Parr, Mr. Nakak, Mr. Chatterton, Mrs. Buchholdt, Mr. Phillips with Dr. Beirne and Mr. Bennett coming in later.

Absent: Mr. Ose, Mr. Cotten.

HCR 56
Spear

Chairman Parr announced the first order of business was HCR 56 and William Spear, Deputy Commissioner of the Department of Labor. Explained that they had done a revised fiscal note and had tried to cut the potential cost of such a survey down as much as they could. Said that they do maintain some statistical information regarding women on the work forces and if other information is desired, they would like to know exactly what was wanted. Mr. Parr informed Mr. Spear the thing the committee was bothered about at the last hearing was the size of the fiscal note and also had asked for some statistics and were told the Department of Labor did not have them. Mr. Spear said they were in no way opposed to the concept of the resolution and asked to have Mr. Dave Gail join him in testifying who could give information regarding the cost. Mr. Gail said the way they compiled their statistical data he found was done the same way in other states, that the other states did not do it differently.

Mrs. Buchholdt felt there was an absolute need for the resolution in that she felt like a lot of tax dollars was spent on the Dept. of Labor and feels this information should be available.

Mr. Spear said their department is funded primarily by the federal government and their research and analysis division is funded almost exclusively out of federal money. Said he thought there should be more state funding in research and analysis. Said without the state money, they don't have the slack to do a lot of other research they would like to do. Mr. Gail said his unit is at the present 100% federally funded and explained how they operate according to the federal procedures.

Mr. Nakak said he would still like to see this information compiled, said it was simply adding another block to the application to state whether male or female.

There was discussion as to whether this function should be performed by the Dept. of Economic Development. Mrs. Buchholdt asked if the Dept. of Labor was asked to perform this function what their attitude would be. Mr. Spear said they would be more than happy to do it and would do a good job.

Action Mr. Chatterton moved on Line 17 after the word "Labor" insert "or another agency if more appropriate". Mrs. Buchholdt objected. A vote on the motion showed it to carry.

Action Mr. Nakak moved to pass out HCR 56. There being no objection, the motion carried.

CSSB 45 Mr. Parr announced that a copy of the draft CS for SB 45 was before the committee and Mr. Syd Heidersdorf from the Dept. of Environmental Health was available for discussion. Mr. Heidersdorf felt the CS took care of the problems the committee had had with the bill before.

Action Mr. Chatterton moved to pass the bill out of committee with a letter of intent. There being no objection the motion carried.

Chairman Parr announced that SB 129 was scheduled for today but since no one from the Governor's office was here to testify he was reluctant to do anything with it and it was held over.

The meeting adjourned at 4:55 p.m.

10

MINUTES OF HOUSE HESS COMMITTEE

May 17, 1977

The meeting was called to order by Chairman Parr at 3:10 p.m. Members present: Mr. Parr, Mr. Chatterton, Dr. Beirne, Mrs. Buchholdt, Mr. Phillips, Mr. Cotten with Mr. Bennett and Mr. Nakak coming in later.

Absent: Mr. Ose.

Chairman Parr announced that HB 460 would be taken up first and Mr. Anderson spoke on his bill. Mr. Anderson called the committee's attention to some correspondence in their folders and read several of the letters. He said the actual need for the additional school space is far in excess of the \$200,000 as stated in the bill. He said the amount of money did not reflect the actual need. Mr. Anderson said there were other schools in need of space also but that this particular school had had space problems for about 5 years. Said this one should have been earmarked for the bond issue but had not been and this bill was trying to correct that problem.

When asked how the Kokhanok school was on the priority list, Mr. Thompson from the Department of Education, spoke from the sidelines and said it was second on the list, Chignik Bay was the first priority.

There was much discussion as to the need, how many classrooms the school presently had, what the square footage was, the price per square foot.

Mr. Nakak then moved that HB 460 be moved out of committee with individual recommendations. There being no objection, the motion carried.

Next to be taken up was HCR 55. Dr. Schrader and Linda Smith, Both from the Department of Health and Social Services were present. Dr. Schrader said they do have statistics that tell the percentage of women that are seen in the health clinics and the percentage of women that enter the institution. Said they don't have data that tells whether or not the treatments were a success or a failure for the patients involved.

Mrs. Rudd said she felt what they were really looking for was the effectiveness of treatment for women as opposed to men.

Dr. Schrader felt it would also be helpful to know the effectiveness of a community program, the effectiveness of staff people.

HB 460
Anderson

Action

HCR 55
Schrader

Chairman Parr, Mr. Phillips and Mr. Chatterton offered the following amendments to be adopted:

Line 7 - Delete "Among women" and add "by sex and race".
Delete lines 9 through 11.

Line 13 change "women" to "persons"

Line 14, put a "." after "programs" and delete rest of sentence.

Line 17 - strike "the" and "of women" and add "by sex and race".

Action

There being no objections to the amendments, it was moved that a CS be made and passed out with individual recommendations. The motion carried.

Dr. Beirne passed around HB 536, "An Act relating to state shared revenues for the support of health services in rural areas; and providing for an effective date." He said the purpose of the bill was try to entice physicians and dentists out into the rural areas. Said work was going to be done on the bill this summer and when it was brought back next winter would like to get some action on it. Asked the committee if they would ~~look~~ it over during the interim.

The meeting adjourned at 4:15 p.m.

MINUTES OF HOUSE HESS COMMITTEE

May 19, 1977

The meeting was called to order by Chairman Parr at 3:15 p.m. Present: Mr. Parr, Mr. Bennett, Mr. Nakak, Mr. Chatterton & Mr. Phillips.

Absent: Mr. Ose, Mr. Cotten, Mrs. Buchholdt and Dr. Beirne.

SCR 32
Guylas

Chairman Parr announced that SCR 32 was on the agenda and Mr. Paul Guylas from the Department of Education spoke in behalf of the Postsecondary Education Commission and said that the Commission was in agreement with the resolution and could accommodate the regulations very easily.

Action

After a few questions of Mr. Guylas, Mr. Chatterton moved to pass the bill out of committee. There being no objections the motion carried.

The meeting adjourned at 3:20 p.m.

17
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HEARING
SCHEDULES
1978

1978

WEEKLY
SCHEDULES



Official Business

Alaska State Legislature

House of Representatives

Committee on

Health, Education & Social Services

Pouch V
State Capitol
Juneau, Alaska 99811

WEEKLY SCHEDULE

Monday, January 16,

- ✓ HR 13 Food Stamp Allotments in Rural Areas
- ✓ SB 129 Medical Assistance for Needy Persons

Tuesday, January 17,

- ✓ HB 587 Correctional Industries

Wednesday, January 18,

- ✓ HB 296 Civil Liability of Health Care Providers

Thursday, January 19,

- ✓ HB 489 Labor Relations between School Boards and Employees

Friday, January 20,

- ✓ HB 548 Education of Exceptional Children
- ✓ HB 589 National Guard ROTC Scholarship

Saturday, January 21, KETCHIKAN

- HB 472 Commitment Procedures for the Mentally Ill
- HB 410, 415 & 493 Re-organization of the University of Alaska
- HB 41 Pioneer Home in Ketchikan

ALL COMMITTEE MEETINGS ARE HELD IN ROOM 112 OF THE CAPITOL BUILDING AT 3:00p.m.

UNLESS NOTED OTHERWISE



Official Business

Alaska State Legislature

House of Representatives

Committee on

Health, Education & Social Services

Pouch V
State Capitol
Juneau, Alaska 99811

WEEKLY SCHEDULE

HESS COMMITTEE - Room 112, Capitol Building, 3:00 p.m.

January 23 - Monday:

HB 553 Licensing of Audiologist and Speech Pathologist

January 24 - Tuesday:

HB 536 State shared revenues for health serv. in rural areas.

January 25 - Wednesday:

HB 472 Services & commitment procedures for Mentally Ill.

January 26 - Thursday:

HB 489 Labor Relations Between School Board & Employees

HB 623 School Safety Patrols

January 27 - Friday:

HJR 47 Bilingualism in Federal Proceedings

HB 608 Dept. of Ed. pupil transportation & Student
loan computer.



Official Business

Alaska State Legislature

House of Representatives

Committee on

Health, Education & Social Services

Pouch V
State Capitol
Juneau, Alaska 99811

WEEKLY SCHEDULE

HESS COMMITTEE - Room 112, Capitol Building, 3:00 P.M.

January 30 - Monday:

Meeting with School Board Presidents

January 31 - Tuesday:

HR 17 Food Stamps
HB 618 Human Rights Commission

February 1 - Wednesday:

HB 472 Mental Health

February 2 - Thursday:

HB 489 Labor relations between school board & employees
HB 548 Education of exceptional children

February 3 - Friday:

HB 681 School aid for school construction
HB 586 Adult education



Official Business

Alaska State Legislature

House of Representatives

Committee on

Health, Education & Social Services

Pouch V
State Capitol
Juneau, Alaska 99811

WEEKLY SCHEDULE

HESS COMMITTEE - Room 112, Capitol Building, 3:00 P.M.

February 6 - Monday:

HB 472 Mental Health

February 7 - Tuesday:

HB 472 Mental Health

February 8 - Wednesday:

✓ HB 519 Persons with developmental handicaps

February 9 - Thursday:

✓ HB 635 Professional & Administration Retirement

✓ HB 637 Creditable outside service under teachers retirement system.

✓ HB 698 Teachers Retirement

✓ HB 660 Cost of living allowance, teachers retirement system.

February 10 - Friday:

✓ HB 635 Professional & Administration Retirement

✓ HB 637 Creditable outside service under teachers retirement system.

✓ HB 698 Teachers Retirement

✓ HB 660 Cost of living allowance, teachers retirement system.

Alaska State Legislature

House of Representatives

Committee on

Health, Education & Social Services

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Juneau, Alaska 99811



Official Business

WEEKLY SCHEDULE

HESS COMMITTEE - Room 112, Capitol Building, 3:00 P.M.

February 14 - Tuesday:

✓ HB 728 Mobile dental clinic for rural Alaska

✓ HB 472 Mental Health

February 15 - Wednesday:

SJR 33 Head Start Program

✓ HB 489 Labor Relations between school board and employees

February 16 - Thursday:

✓ HB 472 Mental Health

February 17 - Friday: Meeting at 2:00 P.M., Joint meeting with
House State Affairs

✓ HB 634 Transferrability of credited service between teachers
retirement and Public Employee Retirement System.

✓ HB 660 Cost of living allowance, teachers retirement system.

✓ HB 636 Cost of living allowance, Public Employee Retirement
System.



Official Business

Alaska State Legislature

House of Representatives

Committee on

Health, Education & Social Services

Pouch V
State Capitol
Juneau, Alaska 99811

WEEKLY SCHEDULE

HESS COMMITTEE _ Room 112, Capitol Building, 3:00 P.M.

February 21 - Tuesday:

- ✓ HB 637 Creditable outside service under TRS
- ✓ HB 680 Bilingual public hearings under administration procedure act.
- ✓ HB 726 Multi-lingual news coverage

February 22 - Wednesday:

- ✓ HB 632 Relating to death and dying
- HB 780 Nat'l Council on Alcoholism Alaska Region

February 23 - Thursday: Teleconference from 12:30 - 3:30 P.M.
Governors Conference Rm., 3rd floor
Capitol Bldg.

- (1) Video: 1. Anchorage, 2. Bethel
- (2) Audio: 1. Ketchikan, 2. Fairbanks,
3. Nome

- ✓ HB 632 Relating to death and dying

February 24 - Friday:

- ✓ HB 489 Labor Relations between school board & employees
- ✓ HB 681 State aid for school construction

February 25 - Saturday:

- HB 472 Mental Health



Official Business

Alaska State Legislature

House of Representatives

Committee on

Health, Education & Social Services

Pouch V
State Capitol
Juneau, Alaska 99811

WEEKLY SCHEDULE

HESS COMMITTEE - Room 112, Capitol Building, 3:00 P.M.

February 27 - Monday:

- ✓ SJR 35 - BIA's Rural Schools
- ✓ HB 697 - Special appropriation to Dept. of Ed. for Community scho
- ✓ HB 783 - Special appropriation to Alaska Council on the Arts

February 28 - Tuesday:

- ✓ HB 598 - Women's Resource Center, Kodiak
- ✓ HB 809 - Practice of dental hygiene

March 1 - Wednesday:

- ✓ HB 737 - Indemnification of University of Alaska & school dist.

March 2 - Thursday:

- ✓ HB 632 - Relating to death and dying
- ✓ HB 844 - Donation of blood by those who have reached age 17
- ✓ HCR 103 - Inclusion of Correctional industry in study of correction.

March 3 - Friday:

- ✓ HB 472 - Mental Health



Official Business

Alaska State Legislature

House of Representatives

Committee on

Health, Education & Social Services

Pouch V
State Capitol
Juneau, Alaska 99811

WEEKLY SCHEDULE

HESS COMMITTEE - Room 112, Capitol Building, 3:00 P.M.

March 6 - Monday:

Discussion of PL 94-142, and Sec. 504; Commissioner's
Marshall Lind and Helen Beirne

March 7 - Tuesday:

- HB 809 - Practice of dental hygiene ✓
- HB 728 - Mobile dental clinic for rural Alaska ✓

March 8 - Wednesday:

- HB 519 - Persons with developmental handicaps ✓

March 9 - Thursday:

- HB 548 - Education for exceptional children ✓

March 10- Friday:

- HB 681 - State aid for school construction ✓ (fer 2)
- HB 700 - State aid for school construction
- HB 853 - Public school facilities construction



Official Business

Alaska State Legislature

House of Representatives

Committee on

Health, Education & Social Services

Pouch V
State Capitol
Juneau, Alaska 99811

WEEKLY SCHEDULE

HESS COMMITTEE - Room 112, Capitol Building, 3:00 P.M.

March 13 - Monday:

✓ HB 664 - Practice of Optometry

March 14 - Tuesday:

HB 664 - Practice of Optometry

March 15 - Wednesday:

✓ HB 410 - Re-organization of the University of Alaska

✓ HB 415 - Re-organization of the University of Alaska

✓ HB 493 - Re-organization of the University of Alaska

✓ SSHB 666 - Re-organization of the University of Alaska

March 16 - Thursday:

HB 410 - Re-organization of the University of Alaska

HB 415 - Re-organization of the University of Alaska

HB 493 - Re-organization of the University of Alaska

SSHB 666 - Re-organization of the University of Alaska

March 17 - Friday:

HB 410 - Re-organization of the University of Alaska

HB 415 - Re-organization of the University of Alaska

HB 493 - Re-organization of the University of Alaska

SSHB 666 - Re-organization of the University of Alaska



Alaska State Legislature ~ House

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

Pouch V, State Capitol
Juneau, Alaska 99811
(907) 465-3797

WEEKLY SCHEDULE

HESS COMMITTEE - Room 112, Capitol Building, 3:00p.m.

March 20 - Monday:

- ✓ HB 688 - Hubert H. Humphrey Memorial Fund Appropriation
- ✓ HB 689 - Cigarette Taxation
- ✓ HB 694 - Hubert H. Humphrey Memorial Fund

March 21 - Tuesday:

- ✓ HB 797 - Continuing Education for Nurses in Alaska
- ✓ HB 809 - Dental Hygiene

March 22 - Wednesday:

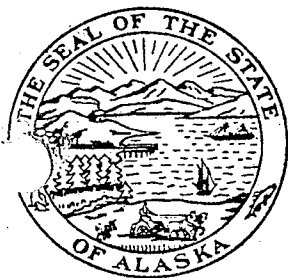
- ✓ HB 785 - Kenai Care Center
- ✓ HB 805 - Otitis Media
- ✓ HB 806 - Child Care Facility Loan Fund

March 23 - Thursday: (Purim)

- ✓ HB 472 - Commitment Procedures for the Mentally Ill

March 24 - Friday:

- ✓ HB 410 - University of Alaska Re-organization
- ✓ HB 415 - " " "
- ✓ HB 493 - " " "
- ✓ SSHB 666 - " " "
- HB 891 - " " "



Official Business

Alaska State Legislature

House of Representatives

Committee on

Health, Education & Social Services

Pouch V
State Capitol
Juneau, Alaska 99811

WEEKLY SCHEDULE

HESS COMMITTEE - Room 112, Capitol Building, 3:00 P.M.

March 27 - Monday:

- HB 664 - Practice of Optometry
- HB 519 - Persons with developmental Handicaps

March 28 - Tuesday:

- HB 806 - Child Care Facility Loan Fund
- HB 632 - Relating to death and dying

March 29 - Wednesday:

- HB 410 - University of Alaska Re-organization
- HB 415 - University of Alaska Re-organization
- HB 493 - University of Alaska Re-organization
- HB 891 - University of Alaska Re-organization
- SSHB 666 - University of Alaska Re-organization

March 30 - Thursday:

- Meeting with State Board of Education
- HB 548 - Education of Exceptional Children

March 31 - Friday:

- HB 410 - University of Alaska Re-organization
- HB 415 - University of Alaska Re-organization
- HB 493 - University of Alaska Re-organization
- HB 891 - University of Alaska Re-organization
- SSHB 666 - University of Alaska Re-organization

Alaska State Legislature

House of Representatives

Committee on

Health, Education & Social Services

Pouch V
State Capitol
Juneau, Alaska 99811



Official Business

WEEKLY SCHEDULE

HESS COMMITTEE - Room 112, Capitol Building, 3:00 P.M.

April 3 - Monday:

- ✓ HB 99 - Liability for Expense of Hospitalization of Mentally Ill.

April 4 - Tuesday:

- ✓ HB 664 - Practice of Optometry
Meeting with Rural Cap

April 5 - Wednesday:

- ✓ SB 441 - Special Appropriation to the Office of the Governor
- ✓ SCR 87 - Annuling a Regulation of the Dept. of Environmental Conservation relating to drinking water

April 6 - Thursday:

- ✓ HB 734 - Regional Educational Attendance Area School Board Elections
- ✓ HB 856 - Election of Community Schools com. Members
- ✓ HB 571 - Special Appropriation to Dept. of Education to Construct Swimming Pools

April 7 - Friday:

- ✗ HB 891 - University of Alaska Re-organization



Official Business

Alaska State Legislature

House of Representatives

Committee on

Health, Education & Social Services

Pouch V
State Capitol
Juneau, Alaska 99811

WEEKLY SCHEDULE

HESS COMMITTEE - Room 112, Capitol Building, 3:00 P.M.

April 10 - Monday:

- ✓ HB 664 - Practice of Optometry
- ✓ HB 834 - Appropriation to the Dept. of Transportation & Public Facilities for construction of 20-bed home in Nome

AUDIO WITH NOME 4:00 JUNEAU TIME

Friday

April 11 - Tuesday:

- ✓ HB 99 - Liability for Expenses of Hospitalization of Mentally Ill
- ✓ HB 519 - Persons with Developmental Handicaps

April 12 - Wednesday:

- HB 891 - University of Alaska Re-organization
- ✓ HB 896 - Emergency Medical Service, MEETING AT 7:30 P.M.
- ✓ HB 897 - Emergency Medical Service, MEETING AT 7:30 P.M.

April 13 - Thursday:

- HB 723 - Retirement
- HB 820 - Teachers Retirement System
- HB 828 - Teacher Retirement Credit for Unused Sick Leave
- HB 831 - Withdrawal From Retirement Systems
- HB 866 - Teachers & Public Employees Retirement

Tuesday

April 14 - Friday:

- ✓ HB 723 - Retirement
- ✓ HB 820 - Teachers Retirement System
- ✓ HB 828 - Teacher Retirement Credit for Unused Sick Leave
- ✓ HB 831 - Withdrawal From Retirement Systems
- HB 866 - Teachers & Public Employees Retirement



Official Business

Alaska State Legislature

House of Representatives

Committee on

Health, Education & Social Services

Pouch V
State Capitol
Juneau, Alaska 99811

WEEKLY SCHEDULE

HESS COMMITTEE - Room 112, Capitol Building, 3:00 P.M.

April 17 - Monday:

- ✓ HB 896 - Emergency Medical Services
- ✓ HB 897 - Emergency Medical Services

April 18 - Tuesday:

- ✓ HB 519 - Persons with developmental handicaps
- ✓ HB 99 - Liability for expense of hospitalization of mentally ill

April 19 - Wednesday:

- ✓ HB 833 - Appropriation to Department of Education for increased based support of regional resource center
- ✓ HB 800 - Instructional unit allotments
- ✓ HB 749 - Instructional unit allotments
- ✓ HB 738 - Instructional unit allotments

April 20 - Thursday:

- ✓ HB 851 - Bilingual education
- ✓ HB 848 - Special education
- ✓ HB 848 - Meeting at 8:00 p.m. TELECONFERENCE - Special Education

April 21 - Friday:

- ✓ HB 553 - Licensing of Speech Pathologists & Audiologists
- ✓ HB 632 - Relating to Death & Dying
- ✓ HB 834 - Appropriation to the Dept. of Transportation & Public Facilities for construction of 20-bed home in Nome
- ✓ HB 840 - Work Requirements for Recipients of Public Assistance

COMMUNITY & REGIONAL AFFAIRS - Room 647, Court Bldg., 9:00 a.m.

NO MEETINGS SCHEDULED FOR THE WEEK OF APRIL 24, 1978
THRU APRIL 28, 1978. MAY MEET ON 24 HOURS NOTICE.

FINANCE - Room 421, Capitol; 1:15 p.m.

April 24 - Monday, 1:15 p.m.:

HB 255 Commercial Fishing Loan Act
HB 573 Amending Commercial Fishing Loan Act
HB 763 Commercial Fishing and Agriculture
HB 885 Suppl. Approp./Department of Fish
and Game
HB 898 Spec. Approp./Alaska Fisheries Develop-
ment Corporation

April 26, 27, 28, Wednesday, Thursday and Friday,
1:15 p.m.:

Hearings on Capital Move financing

April 27, Thursday, 8:30 a.m.:

HB 815 Oil and gas conservation
HB 830 Establishing the Alaska Oil and Gas
Conservation Commission

HESS COMMITTEE - Room 112, Capitol; 3:00 p.m..

April 24 - Monday:

✓ HB 890 Correctional facilities bonds
✓ HE 713 Bonds for improvements for health
facilities
✓ HB 691 State aid to local governments
for health facilities
✓ HB 847 Practice of psychology, counseling
and psychometrics

April 22, 1978

HOUSE JOURNAL

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HESS COMMITTEE CONT'D

April 25 - Tuesday:

✓ HB 834 Approp. for construction of a
26-bed youth home in Nome
✓ HB 840 Work requirements for Public
Assistance recipients
✓ SSHB 794 Consolidating and strengthening
the state's drug laws

April 26 - Wednesday:

✓ HB 851 Bilingual education
✓ HB 800 Instructional Unit Allotments
✓ HB 749 " " "
✓ HB 738 " " "
✓ HB 833 Approp. for Regional Resource Ctrs.
✓ HB 719 State aid for schools

April 27 - Thursday:

✓ HB 820 TRS
✓ HB 866 TRS & PERS

April 28 - Friday:

✓ HCR 122 Higher education in Alaska
✓ HB 919 Libraries
✓ HB 842 Library Distribution Center

JUDICIARY - Room 124, Capitol; 3:00 p.m..

April 24 - Monday:

HB 909 Approp; Courts, Public Defender
HB 456 Contributions; Judicial Retirement
System
HB 615 Property Insurance

April 25 - Tuesday:

HB 565 Eavesdropping
CSSB 488 Compensation of criminal injuries
SB 558 Marital deduction in testamentary
transfers

April 26 - Wednesday:

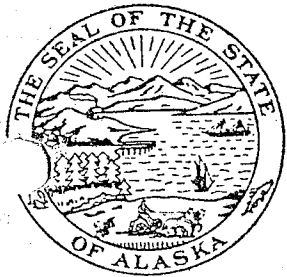
HB 664 Optometry

April 27 - Thursday:

HB 921 Office of administrative adjudication

April 28 - Friday:

HB 211 Alaska Land Commission



Official Business

Alaska State Legislature

House of Representatives

Committee on

Health, Education & Social Services

Pouch V
State Capitol
Juneau, Alaska 99811

WEEKLY SCHEDULE

HESS COMMITTEE - Rm. 112, Capitol Building, 3:00 P.M.

May 1 - Monday:

- ✓ HB 890 - Correctional Facilities Bonds
- ✓ HB 713 - Bonds for Improvements for Health Facilities
- ✓ HB 951 - Appropriation to Health & Social Services

May 2 - Tuesday:

- ✓ HB 950 - Student Loans for Students Attending Foreign Colleges or Universities
- ✓ HB 945 - Requirements for the Issuance of Teacher Certificates
- ✓ HB 934 - Sick Leave & Certificated Employees of School Districts
- ✓ HB 714 - Bonds for Vocational Education Facilities

1977
SUMMARIES
1976

1978

BILL
SUMMARIES

Committee on Health, Education and Social Services

January 27, 1978

HJR 47 Bilingualism in Federal Proceedings

HB 608 Dept. of Ed. Pupil Transportation & Student Loan Computer

HJR 47 requests that federal agencies make provisions for persons to testify in their native language during federal proceedings which affect native people. The impetus for this resolution came from the 1977 whaling ban hearings in Barrow where the Inupiaq Eskimos were discouraged from testifying in their own language. Because of the importance of whaling to the lives of the Inupiaq people as well as the strong orally transmitted tradition, it is felt that to deny the Inupiaqs the right to testify in their native language on this vital topic is to deny them due process.

HB 608 is a budget request by the governor for the following Department of Education expenses:

\$1,865,100 public pupil transportation reimbursement costs
\$ 234,000 private pupil transportation reimbursement costs
\$ 16,000 Development of a student loan computer system

These costs would be taken from the general fund and be for FY 78.

HESS Committee

January 31, 1978

HB 618 Human Rights Commission

HB 618 repeals Sec 18.80.150 and re-enacts it. The re-enactment changes the responsibility of preparing copies of the annual report of the State Commission for Human Rights from the legislative council to the commission. Instead of the legislative council preparing copies for each member of the legislature, commission must provide 100 copies for legislator and library distribution as well as making additional copies available to the public.

M E M O R A N D U M

February 2, 1978

SUBJECT: HESS Committee Hearings
HB 681 School aid for school consturction
HB 586 Adult education

TO: Representative Al Ose

FROM: Susan Wylie

HB 681 changes Sec. 43.18.100(a) so that rather than the state paying a portion (1/2 ~~or~~ 3/4), they would cover the entire payment to municipalities which are school districts of the costs during the fiscal year two years earlier for retirement of principal and interest on outstanding bonds or other indebtedness incurred as well as cash payments made before July 1, 1977, to cover costs of school construction.

The state would then pay 80% of cash payments or bond retirement incurred since July 1, 1977.

HB 586 adds to the duties of the Department of Education an amendment that they provide vocational education and training, basic education and fire service training to adults (persons over 16 no longer attending school).

The other statute regarding the administrative duties of the Department of Education is amended to include the administration of these particular adult education areas.

M E M O R A N D U M

February 9, 1978

SUBJECT: House HESS Committee hearings
HB 635 Professional & Administration Retirement
HB 637 Creditable outside service under teachers retirement system
HB 698 Teachers Retirement
HB 660 Cost of living allowance, teachers retirement system

TO: Representative Al Ose

FROM: Susan Wylie

HB 635 adds the following as creditable service under the teachers' retirement system: 1. part-time professional and administrative staff of the University of Alaska and, 2. full or part-time professional and administrative personnel of a community college employed to conduct the academic degree programs.

HB 637 re-enacts 14.25.220(8) defining "outside service." In this version part-time service is given credit as well as full time when a teaching certificate is required as a condition of employment in public schools or accredited non-public schools or institutions of higher learning.

HB 698 allows BIA teachers to claim partial year service credit under (16) of Sec. 14.25.220, which defines "year of service" and how to figure fractional credit.

HB 660 changes the amount of time a retired teacher may be absent from the state continuously and still receive a cost of living allowance. The time is extended from 60 to 90 days. An exception is made for those who must be absent continuously for reasons of illness as required by a physician's order. In this case the time can be extended up to 6 months.

The act also states that persons retired before the act takes effect are entitled to the increase in benefits.

M E M O R A N D U M

February 8, 1978

SUBJECT: House HESS Committee
HB 519 Persons with developmental handicaps

TO: Representative Al Ose

FROM: Susan Wylie

HB 519 intends to provide quality services for the children and adults of the state who have developmental handicaps due to mental or physical disabilities. The main objective is to make optimal use of all available resources -- federal, state, local and private. In accordance with this, the Alaska Planning Council for Persons with Developmental Handicaps is established and would be located within the Department of Health & Social Services for budgetary purposes, but would act as an interdepartmental planning and coordinating agency. The Department of Health and Social Services would provide staff who would be directly responsible to the council.

Though as part of the council's duties they would prepare plans to meet the needs of people with developmental handicaps, the bill sets forth a 20 point minimum guideline of what services should be provided in the program. It further defines the principals of the program which are to maximize individual developmental potential, providing the least restrictive setting possible which would enable a person to live as normally as possible within the limitations of his handicap, establish alternatives to institutionalization and minimize residential care. The intent of all programs is

Page Two

to develop a self-reliant individual maintaining him or herself within the society.

In line with the secondary goal of the act of providing protection and advocacy of the rights, which are the same rights as others, of developmentally handicapped persons, the bill elaborates that this includes full legal rights, the right to live as complete and normal a life as possible and the right to develop their ability and potential to the fullest extent possible.

The appropriate department is responsible for securing program funding through all available sources.

The Alaska Developmental Disabilities Planning Council is repealed under this act and replaced by the Alaska Planning Council for Persons with Developmental Handicaps which succeeds to all of the former's rights and obligations, as well as, property and unencumbered appropriations of the former council.

MEMORANDUM

February 14, 1978

SUBJECT: House HESS
HB 728 Mobile dental clinic for rural Alaska

TO: Representative Al Ose

FROM: Susan Wylie

HB 728 asks that \$200,000 be appropriated from the general fund to the Department of Health and Social Services for a mobile dental clinic for use by non-profit corporations in providing dental services to rural areas

M E M O R A N D U M

February 21, 1978

SUBJECT: House HESS Committee
HB 680 Bilingual public hearings under administration
 procedu re act
HB 726 Multi-lingual news coverage

TO: Representative Al Ose

FROM: Susan Wylie

HB 680 amends 44.62.210 which deals with public proceedings for adopting regulations under the Alaska Administrative Register and Code. This amendment provides that where hearings are held in an election district in which a significant portion of the population does not speak English, then the hearings must be held in the prevailing local language, as well as in English.

HB 726 appropriates \$98,185 from the general fund to the Alaska Public Broadcasting Commission to cover implementation of multi-lingual news coverage of the 1978 legislative session. Any unused portion of these funds would return to the general fund 30 days after the end of the session. The act would take effect immediately.

M E M O R A N D U M

February 27, 1978

SUBJECT: HESS committee
SJR 35 BIA's Rural Schools
HB 697 Special appropriation to Dept. of Ed. for Community Schools
HB 783 Special appropriation to Alaska Council on the Arts

TO: Representative Al Ose

FROM: Susan Wylie

SJR 35: Many of the rural schools in Alaska are owned by the BIA, which exempts them from state fire and safety codes. However, recurring patterns of deficiencies have been found in inspections by the state fire marshal which pose a threat to the safety of the children. Thus, SJR 35 requests that the Alaska delegation to Congress intercede with the BIA and request that it upgrade all of its schools to meet state fire and safety codes. It further asks that the state fire marshal's report for each of the schools serve as a guideline for needed renovation.

HB 697 appropriates \$700,000 from the general fund to the Department of Education for districts operating an approved community schools program.

HB 783 appropriates \$45,000 from the general fund to the Alaska State Council on the Arts for the projects:

Southeast Alaska Regional Fine Arts Camp	\$15,000
Alaska Fine Arts Camp, Inc.	15,000
University of Alaska Summer Music Camp	15,000

M E M O R A N D U M

February 28, 1978

SUBJECT: HESS Committee
HB 598 Womens Resource Center, Kodiak
HB 809 Practice of Dental Hygiene

TO: Representative Al Ose

FROM: Susan Wylie

HB 598 appropriates \$24,000 from the general fund to the Department of Health & Social Services for the Women's Resource Center in Kodiak so that the center can establish an office and a hot line telephone crisis counseling service.

HB 809 amends Chapter 32 of Title 8 relating to regulation of dental hygienists, examination and licensing. Several of the amendments are a clarification of the regulations through re-wording or else a move away from the masculine gender to a non-gender reference to dental hygienists.

Section 08.32.030 "Examination Waived" is repealed and re-enacted under "Licensure by Credentials" which details the criteria necessary to obtain a license without an examination.

Section 08.32.110 "Scope of Work of Dental Hygienists" is also repealed and re-enacted in a more expanded form. Whereas the section as it stands now merely states what a dental hygienist may not do, the re-enactment does this as well as stating what a practicing dental hygienist may do both specifically and at the discretion of and under the supervision of a licensed dentist.

M E M O R A N D U M

March 1, 1978

SUBJECT: HESS Committee
Indemnification of U. of A. and school district employees

TO: Representative Al Ose

FROM: Susan Wylie

HB 737 requires that school boards and the Board of Regents shall indemnify all of their employees from financial loss or expense from any claims against them that are made when the employee was acting under the direction of the school board or Board of Regents within the course of his duties.

M E M O R A N D U M

March 2, 1978

SUBJECT: HESS Committee
HB 632 Relating to death and dying
HB 844 Donation of blood by those who have reached age 17
HCR 103 Inclusion of correction industries in study of corrections

TO: Representative Al Ose

FROM: Susan Wylie

HB 844 permits persons who have reached the age of 17 to donate blood without parental permission.

HCR 103 states the value of establishing correctional industries in improving correctional programs and requests that any study of corrections made by the legislative, executive or judicial branch of government include as a major component of the study the adviseability of establishing corrections industries. It further states that correctional industries studies include the following:

1. allowing inmates of correctional institutions to work and learn a trade
2. providing regular employment at the normal working hours of state employees and set the standard wages for the employment
3. providing that the wages be used, in the order of priority listed, for:
 - a. room and board at the correctional institution
 - b. compensation of victims of the crime for which the inmate is imprisoned
 - c. support of the family of the inmate
 - d. a determined amount for the inmate's personal use
 - e. accumulation for payment to the inmate upon release.

Feb. 23, 1976

HB 632 An act relating to death and dying

This bill is prompted because of modern medical technological ability to artificially prolong life beyond natural limits. Life sustaining devices are capable of extending vital functions of terminally ill or injured persons. The bill declares that adult persons have the fundamental right to decide whether or not to have these devices withheld or withdrawn in a terminal condition, as this process of prolongation may cause loss of patient dignity and unnecessary pain and suffering. Thus this bill recognizes the right to make a written directive to the attending physician to withhold or withdraw life-sustaining procedures in a terminal condition.

This written directive may be made at any time to an adult person's physician and becomes part of their medical records. The bill provides a specific form for the directive including that the person declare himself to be emotionally and mentally competent at the time of making the directive. The written directive must be made in the presence of two witnesses who are unrelated, who have no ties to the estate of the person upon his death, nor may they be the physician or an employee of the physician or health facility which is treating the person. Additionally, the directive has no effect when the person is pregnant and this condition is known to the physician.

The directive may be revoked by a person at any time by being destroyed by the person who wrote it or by someone else under his direction or by a written declaration of his intent to revoke. The revocation becomes effective upon communication to the attending physician. A verbal expression of intent to revoke is valid when communicated to the attending physician by the declarant.

The bill provides immunity from criminal and civil liability for the physician and health facility acting in accordance with this chapter. It is the duty of the physician to determine that the directive complies with the required form as given in the bill and that if the patient is mentally competent, the steps proposed are in accord with the desires of the patient. The attending physician must carry out the directive of the patient or else be responsible for transferring him to another physician who will.

The making of a directive under this chapter does not restrict the procurement of or terms of an existing policy of life insurance.

Criminal penalties are provided for those who deface, conceal or forge a directive without the declarant's consent.

M E M O R A N D U M

March 13, 1978.

SUBJECT: HB 664 an act relating to the practice of optometry

TO: Representative Al Ose

FROM: Susan Wylie

HB 664 eliminates certain restrictions placed on optometrists in the use of drugs in their practice. The bill makes amendments so that drugs can be used for diagnostic purposes only, when the optometrist has passed the board's examination on the subject of pharmacology as it relates to the use of topically applied diagnostic drugs in optometry or completed a course approved by the board on the subject.

M E M O R A N D U M

March 14, 1978

SUBJECT: HB 666 Re-organization of the University of Alaska
TO: Representative Al Ose
FROM: Susan Wylie

HB 666: because of the grave situation of the university at this time at least partially as a result of the structure of the university and the business management and fiscal procedures utilized, there is a need for the legislature to examine the laws governing the university in order to create a framework in which these problems may be solved.

Because the full information necessary to act is not currently available to the legislature, there is created within the Office of the Governor the University of Alaska Structure and Fiscal Review Committee. The committee appointed by the governor, consists of 15 members and must submit a report by March 1, 1979.

Committee on Health , Education and Social Services

January 21, 1978

HB 493 Re-organization of the
University of Alaska

HB 493 describes the University of Alaska as a statewide system with its main offices located in the state capital. The components of this system would be campuses in Anchorage, Bethel, Fairbanks, Juneau, Kenai, Ketchikan Kodiak, Nome, Palmer and Sitka. Provisions are made that a new campus may be established by the Board of Regents after approval by the legislature of a plan which includes a needs assessment, key elements of the curriculum to be offered, a budget for the first year of operation and a description of any cooperative arrangements entered into with other organizations.

The bill provides that each campus shall be governed by a chancellor who will be under the direction of the president of the university.

It also establishes policy boards which are representative of the community for each campus.

The chancellor prepares his campus budget which requires the approval of the policy board. The legislature shall specify the amount allocated to each campus.

The Board of Regents shall assign the responsibility to appropriate campuses for off-campus outreach activities.

Committee on Health, Education and Social Services

January 21, 1978

HB 415 Re-organization of the University
of Alaska: Decentralization

HB 415 decentralizes the University of Alaska by dividing it into four units for purposes of administration. These four units are the University of Alaska at Anchorage, University of Alaska at Fairbanks, University of Alaska at Juneau and the community colleges. Each unit of the university shall be supervised locally by a chancellor with the exception of the community colleges which will be supervised as provided in the Community College Act. The chancellors are subject to the Board of Regents. The Board of Regents is responsible for organizing the units established under this section.

The bill further outlines the duties of the chancellor.

Committee on Health, Education and Social Services

January 21, 1978

HB 410 Re-Organization of the University
of Alaska: Establishment of
the Alaska Community Colleges

HB 410 establishes a comprehensive system of community colleges in Alaska. These colleges can be independent or in cooperation with local, federal or non-profit associations. The purpose of the schools is to grant associate degrees, provide occupational training and community education classes. New colleges cannot be established until a feasibility study is made for the locality. If the level of demand is deemed not great enough for a community college then an extension center or outreach program may be established.

The Alaska community colleges will be governed by a Board of Governors appointed by the governor and subject to confirmation by the legislature.

The bill provides for policy guidelines regarding administration, faculty, course of instruction, and a community college council. The community college council represents the community being served by the college or outreach program and acts as a policy making body to the local administration and in an advisory capacity to the chancellor and Board of Governors.

The state is basically responsible for financing the community college system, but other agencies are not prohibited from providing funds for additional programs.

Where campuses of Alaska Community Colleges and the University of Alaska are near each other or prior to this legislation the community college was part of the University of Alaska, then there will be shared joint use of facilities.

The bill also outlines transition measures from University of Alaska run community colleges to the Alaska Community Colleges program. These measures deal with property, funds, personnel and existing cooperative agreements.

M E M O R A N D U M

March 20, 1978

SUBJECT: HESS COMMITTEE
HB 688 Hubert H. Humphrey Memorial Fund Appropriation
HB 689 Cigarette Taxation
HB 694 Hubert H. Humphrey Memorial Fund

TO: Representative Al Ose

FROM: Susan Wylie

HB 688 appropriates \$2,500,000 from the permanent fund to the Department of Health and Social Services for the Hubert H. Humphrey memorial fund. The unexpended portion of this appropriation lapses into the general fund June 30, 1979.

HB 689 raises the excise tax on cigarettes from 1 1/2 mills to 4 mills. The intention of raising the tax is to create additional revenues which may be appropriated to the Hubert H. Humphrey memorial fund.

HB 694 creates the Hubert H. Humphrey memorial fund as a method for encouraging and funding research into the causes and potential cures for cancer.

The commissioner of Health and Social Services would submit to the legislature by the 50th day of each session a list of nationally recognized cancer research institutions and a summary of the work performed by each with a recommendation relating to the size of the appropriation needed for the continuation of the institution's work. The legislature can then make appropriations to any of the institutions included on the list.

M E M O R A N D U M

March 21, 1978

SUBJECT: HESS Committee
HB 797 Continuing education for nurses in Alaska
HB 809 Dental Hygiene

TO Rrepresentative Al Ose

FROM: Susan Wylie

HB 797 appropriates \$40,000 from the general fund to the University of Alaska for expansion of its continuing education program for nurses at locations other than the school of nursing. These programs would provide courses through which a registered nurse may obtain a B.A. degree as well as courses which help to maintain or improve professional knowledge. These programs would be in accordance with the standards and requirements for accreditation for nursing education as set forth in AS 90.68.280-08.68.330.

M E M O R A N D U M

March 22, 1978

SUBJECT: HESS Committee
HB 785 Kenai Care Center
HB 805 Otitis Media
HB 806 Child Care Facility Loan Fund

TO: Representative Al Ose

FROM: Susan Wylie

HB 785 appropriates \$250,000 to the Department of Community and Regional Affairs for capital improvements to the Kenai Care Center, a residential treatment program for adolescents.

HB 805 appropriates \$162,082 to the Department of Health and Social Services for the prevention and treatment of otitis media (inflammation of the middle ear).

HB 806 amends AS 44.33.255(a) so that the ceiling on loans to a child care facility is increased from \$10,000 to \$30,000.

It amends AS 44.33.260(4) so that the applicant can receive up to \$30,000, rather than \$10,000, in loans from the fund in the five year period preceding the application.

M E M O R A N D U M

April 5, 1978

SUBJECT: House HESS Committee
SB 441 Special appropriation to the Office of the Governor
SCR 87 Annuling a regulation of the Dept. of Environmental
Conservation relating to drinking water

TO: Representative Al Ose

FROM: Susan Wylie

SB 441 appropriates \$30,000 to the Office of the Governor for the Native Improvement and Development Association of Sitka in order to establish a pilot troubled youth rehabilitation project.

It also appropriates \$35,000 to the Department of Education for establishing an educational ombudsman.

SCR 87 annuls the regulation requiring chlorination of any public water supply using surface water as a source and serving more than 25 individuals because it is felt that this would be a wast of money due to the purity of Alaska's waters and a record of safeguarding drinking water sources.

M E M O R A N D U M

April 6, 1978

SUBJECT: House HESS Committee
HB 734 Regional Educational Attendance Area School Board Elections
HB 856 Election of Community Schools Committee members
HB 571 Special appropriation to Dept. of Education to construct
swimming pools

TO: Representative Al Ose

FROM: Susan Wylie

HB 734 amends AS 14.08.071(b) so that regional school board members do not have to be elected by the majority election requirements, nor be required to have runoff elections as in AS 29.28.040 in the first election. Additionally, if the school board requests by resolution these same exceptions may apply to subsequent elections.

HB 856 changes the supervision of community school committee members from the local school board to the Lt. governor's office. It requires that the regulations for the election be as far as practicable, the same as those for the election of school board members.

It also provides a fixed date of annually on the first Tuesday in October, for the election.

HB 571 appropriates \$600,000 for the construction of plywood, fiberglass or aluminum swimming pools approximately 30' by 14' in size in the public schools at Sand Point, King Cove, Unalaska, St. Paul, Old Harbor, and Port Lions. The cost will be no more than \$100,000 per pool.

M E M O R A N D U M

April 10, 1978

SUBJECT: House HESS Committee
HB 834 Appropriation to the Dept of Trans. for construction
of a 20-bed home in Nome

TO: Representative Al Ose

FROM: Susan Wylie

HB 834 appropriates \$500,000 from the general fund to the Dept. of Transportation for the design and construction in Nome of a home style long-term facility for 20 youths between the ages of 12 and 17.

M E M O R A N D U M

April 11, 1978

SUBJECT: HB 723 Retirement
HB 820 Teachers Retirement System
HB 828 Teacher Retirement Credit for Unused Sick Leave
HB 831 Withdrawal from Retirement Systems

TO: Representative Al Ose

FROM: Susan Wylie

HB 723 provides that the employer may pay all or part of the teacher's required contribution to the retirement fund.

HB 820 allows the teachers' retirement board to authorize the payment of a post-retirement bonus. Both the employer and state contribute to the post-retirement bonus account according to the guidelines for amount of contribution as set forth in the bill.

The post-retirement bonus will be granted in order to reflect cost of living increases when enough funds are available in the account. Payments are made according to the guidelines set forth in the bill.

HB 828 provides that unused sick leave may be applied to the computation of total number of years of creditable service for retirement benefits. If a teacher elects to receive the credit, an additional contribution to the fund shall be paid by the teacher and his last employer.

HB 831 requires that before a member or employee withdraws from the retirement system a written explanation of options for retirement must be provided him.

M E M O R A N D U M

April 12, 1978

SUBJECT: HESS Committee
 HB 896 and 897 Emergency Medical Services

TO: Representative Al Ose

FROM: Susan Wylie

HB 896 provides for the adoption of regulations for establishing standards and procedures for the certificates required to provide emergency medical services. The department will establish the course of training or other requirements necessary in order to obtain a permit.

Emergency medical services include those involved in advanced life support, in operating an ambulance or both.

A person providing emergency medical services in good faith and when the life of the injured person is in danger is not liable for damages. The person is only liable when there has been gross negligence. In addition, a physician who arranges to transport a patient from one hospital to another because the other facility can better care for the patient is also not liable for damages.

HB 897 appropriates \$500,000 to the Division of Public Health to cover the costs of operations and training of an emergency medical services section and to provide grants in aid for the support of emergency medical services.

M E M O R A N D U M

April 17, 1978

SUBJECT: HESS
HB 896, 897, SB 535 Emergency Medical Services

TO: Representative Al Ose

FROM: Susan Wylie

HB 896 provides for the regulation and definition of emergency medical services (see attached summary). HB 897 makes an appropriation to meet the expenses of the Department of Health and Social Services in regards to emergency medical services, including grants-in-aid for the support of emergency medical services (see attached). SB 535 adds emergency medical services and facilities to the list of public facilities and services that a municipality may provide. It also provides that a municipality may provide emergency medical services outside its boundaries regulating their use and operation. In establishing regulations they must state that they apply outside the municipality.

MEMORANDUM

April 18, 1978

SUBJECT: HESS Committee
HB 833 Appropriation to Dept of Ed. for increased base
support of regional resource center
HB 800, HB 749, HB 738 Instructional unit allotments

TO: Representative Al Ose

FROM: Susan Wylie

HB 833 appropriates \$400,000 to the Dept of Education for increasing base support to the Northwest, Bristol Bay, Western, Southcentral, and Southeastern Regional Resource Centers.

HB 800 makes the base instructional unit for the fiscal year beginning July 1, 1978 and ending June 30, 1979, \$29,000. This is a change from the previous fiscal year when it was \$27,500. It increases the base instructional unit for the fiscal years after July 1, 1979 to \$30,700 from the previous sum of \$29,000.

HB 738 increases the Kodiak Island Borough School District base instructional unit allotment from 112% to 120%.

HB 749 increases the Southeast Island School District base instructional unit allotment from 104% to 108%.

M E M O R A N D U M

April 20, 1978

SUBJECT: HB 851 Bilingual education
HB 848 Special Education

TO: Representative Al Ose

FROM: Susan Wylie

HB 851 amends Title 14 in regards to bilingual education. It adds the number of units for bilingual education as part of the total number of instructional units within each school district. A new section is added giving the bilingual education schedule in terms of weighted ADM. "Weighted ADM" means the number of students in average daily membership in an educational program, adjusted to reflect the level of service required by them in that program as determined by the dept. The section regarding the bilingual-bicultural fund is amended to include materials development as one of the items on which to use the funds. Operation, including the establishment of a statewide bilingual-bicultural educational center is deleted.

HB 848 finds that the past development of special programs has resulted in an inequity in services and evaluation of the needs of children with special needs. Thus, this legislation is designed to remedy this situation by redefining the needs of children requiring special education in a more flexible manner, by providing a full range of special education programs, by requiring that a program which promises to be special actually benefits the children assigned to it, and by redesigning the present system of state aid so that it encourages local school districts to develop adequate special education programs.

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As part of this the division will do everything it can to see that as much federal assistance can be received as possible.

The bill sets forth the duties of the Commissioner over the division of special education which is also established, as well as defining the functions of the division. Essentially the division will be in charge of overseeing and advising on all special programs in the state. They will evaluate, compile data, disseminate information to the public, assist in development of training programs for special education personnel, provide for public hearings on adoption of policies and programs, be the federal funding liason, allocate resources and provide for the education of exceptional children in institutions.

The guidelines for the duties of the director of the division are also stated and include the establishment of all offices within the division necessary to carry out the responsibilities of the division. The division is also responsible for carrying out any investigations and hearings.

Within each city and borough school district is established a local special education advisory council with composition standards given in the bill. The council shall act in an advisory and evaluative capacity.

Within the Dept of Education there is established the Special Education Advisory Council. The council shall consist of persons concerned with special education including handicapped individuals. The council will submit an annual evaluative report on the programs in the state, as well as recommend improvements and comment on proposed regulations. The department shall implement the recommendations or else work with the council until an agreement can be made.

The board of each school district shall appoint a supervisor

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of special education who shall act as a liason between the divsion, local government, and school boards. He or she shall also investigate and evaluate programs, coordinate inservice training of teachers and receive complaints.

The bill sets forth the programs to be provided to exceptional children. These programs range from a regular education program coupled with additional direct instruction, a regular program with varying percentages of special resource classroom instruction(up to full time), itinerant programs, occupational training, to full time teaching or treatment in a special facilities, hospitals or residential institutions.. Teaching or treatment for exceptional children between the ages of birth and five years of age is included. If the child is integrated into the regular classroom program, access to reading clinics, diagnostic clinics and counseling services shall be provided. The school districts shall also provide medical, psychological and social services to the children as needed.

The guidelines for eligibility for placement are set forth as well as the procedure for evaluating the child. Part of this procedure will include the diagnosis of a child study team which would include the child's parents, professional staff, school staff and administrative representative. The child study shall develop an individualized program for a child. If the child study team cannot gather sufficient information for an evaluation, the child may be refered to a diagnostic classroom.

Class size is established for special education classrooms as well as integrated classrooms. A limit of 4 exceptional children is placed on an integrated classroom.

PAGE FOUR

Procedures for representation of the child, the parents preferences and hearing process are established as well as guidelines on record keeping and reporting, parents access to records and confidentiality.

Special education procedures for exceptional children in institutions is provided for.

The regulations that the advisory board must develop and set forth are outlined including joint regulations with the Dept. of Health and Services when appropriate.

Requirements concerning the transportation of exceptional children are enumerated.

MEMORANDUM

April 21, 1978

SUBJECT: HESS Committee
HB 840 Work requirements for recipients of public assistance

TO: Representative Al Ose

FROM: Susan Wylie

Section 1 of HB 840 adds that developing unpaid job positions with governmental units and nonprofit agencies for the placement of persons receiving assistance is one of the duties of the Dept. of Health and Social Services.

Section 2 sets forth the work requirement provision. It says that persons or parents and relatives of persons receiving public assistance who are available and not already participating in the work incentive program, are required to work for no compensation up to 24 hours a week in positions developed under section 1 (above). If a person refuses to accept or perform with due diligence the work required then assistance shall be discontinued.

Section 3 exempts persons placed in positions developed under sec. 1 from the minimum wage and hour act.

M E M O R A N D U M

April 24, 1978

SUBJECT: HESS Committee
HB 890 Correctional Facilities bonds
HB 713 Bonds for improvements for health facilities
HB 691 State aid to local governments for health facilities
HB 847 Practice of psychology, counseling and psychometrics

TO: Representative Al Ose

FROM: Susan Wylie

HB 890 places the issue of whether to sell and issue general obligation bonds in the amount of \$24,600,000 for the cost of capital improvements for correctional facilities before the voters. The bill sets forth a list of priorities for the use of the funds. These include \$1,171,400 for purchasing and installing security fencing/lighting at the Palmer State Jail. It also includes \$177,000 for constructing storage and purchasing food processing equipment at Palmer.

HB 713 provides for placing a \$6,200,000 bond issue before the voters for the cost of capital improvements for health facilities in Sitka, Valdez, and Anchorage. It further provides that the amount withdrawn in advance from the Public Facilities Planning Fund for planning for the improvements will be reimbursed through the sale of the bonds.

HB 691 adds to the items of state aid to local government the cost not to exceed \$4000, of operation or maintenance of a health facility operated by the state or federal government. It also includes the facilities qualified for this aid under the definition of "health facility." The term "cost of operation or maintenance and related costs for a health facility" is defined as including compensation paid to health aides, alternate health aides, and manager of the facility.

HB 847 repeals the sections of title 8 which exempt persons employed by a governmental unit, educational institution or private agency who may be required to perform some kind of work of a counseling nature in the course of his job. It also deletes the definition for "private agency."

M E M O R A N D U M

April 25, 1978

SUBJECT: HESS Committee
HB 794 Consolidating and strengthening the state's drug laws

TO: Representative Al Ose

FROM: Susan Wylie

HB 794 consolidates the state's drug laws into one comprehensive chapter and strengthens law enforcement's ability to deal with illicit trafficking and engagement in controlled substances. It reaffirms the legislative intent to provide identical punishment discretion for criminal offenses involving unlawful trafficking and use of both heroin and cocaine.

The term "controlled substance" is substituted where applicable in the statutes for the terms "depressant, hallucinogenic or stimulant drug."

The bill prohibits the procuring of controlled substances by fraud and defines the various circumstances that constitute fraud. It also prohibits continuing criminal enterprise, defining it and setting forth terms of sentencing.

Under certain circumstances defined by the bill persons or industry are authorized to possess controlled substances. These persons are required to maintain records according to the standards established by the bill. This includes requirements for prescription refills. Certain persons who must be involved in the possession of controlled substances because of their work, such as a warehouseman or public officer are exempted from the restrictions set forth in the bill.

Procedures for the use of search warrants are established.

The bill contains an extensive section on the classification of controlled substances and defines the nature of the charge against the person in possession of the controlled substance as well as the terms of

PAGE TWO

sentencing. It also lists what items are subject to forfeiture to the state.

M E M O R A N D U M

April 26, 1978

SUBJECT: HESS Committee
HB 719 State aid for schools

TO: Representative Al Ose

FROM: Susan Wylie

HB 719 increases the base instructional unit for the fiscal year beginning July 1, 1978 and ending June 30, 1979 from \$23,500 to \$29,000. The base instructional unit for fiscal years beginning on or after July 1, 1979 is increased from \$25,000 to \$31,900.

MEMORANDUM

April 28, 1978

SUBJECT: HESS Committee: HCR 122, HB 919, HB 842

TO: Representative Al Ose

FROM: Susan Wylie

HCR 122 asks that the legislature recognize the significant role that private universities play in the state of Alaska, taking note of their special and urgent need for support from the private sector, particularly from those persons and organizations benefiting particularly from the resources, natural and human, of Alaska.

HB 919 provides that a municipality or an association may apply for a grant-in-aid for the purchase of books and periodicals or other library materials. The state may pay a sum of up to \$500.

HB 842 changes the state publications library distribution center to the state library distribution and data center which includes the division of state publications and the division of state research data, each division having its own director. The duties of the center are expanded to include a research data distribution system. The bill requires that each state agency shall deposit a specified amount of its publications and research. Guidelines are specified on record keeping, including computerization, abstracts and indexing. The bill further provides that the center may not engage in public distribution, but will make the publications and data available upon request.

M E M O R A N D U M

May 1, 1978

SUBJECT: HESS Committee
HB 951 Appropriation to Health and Social Services

TO: Representative Al Ose

FROM: Susan Wylie

HB 951 appropriates \$50,000 for a grant to Play 'n Learn Center, Inc. for the operation of a model child care program to be evaluated by the Dept. of Health and Social Services after no less than six months. The program will be to test the feasibility of a multi-modal program which would include crisis, drop-in, evening, and after school care as well as parental counseling and support activities.

M E M O R A N D U M

May 2, 1978

SUBJECT: HESS Committee
HB 950 Student loans for foreign colleges
HB 945 Requirements for the issuance of teacher certificates
HB 934 Sick leave and certificated employees of school districts
HB 714 Bonds for vocational education facilities

TO: Representative Al Ose

FROM: Susan Wylie

HB 950 provides that loans may be used to attend approved foreign colleges or universities.

HB 945 exempts persons who meet requirements imposed by regulations adopted by the Board of Education under the Alaska Administrative Procedure Act from the requirement that they have a baccalaureate degrees from an approved institution of higher learning in order to be eligible for a teachers certificate.

HB 934 provides that every school district shall allow its certificated employees at least one and one-third days of sick leave a month with unlimited accumulation of sick leave days. It also allows for the transference of accumulated sick leave between employments with different school districts and the state Dept. of Education.

HB 714 provides for the issuance of \$7,100,000 worth of bonds for the cost of capital improvements for vocational education facilities in Ketchikan, Bethel, Juneau, Kenai, and Seward.