

HB

831

ORIGINAL PAPER / Department of Health & Social Services

HOUSE BILL 831

"An act relating to admissibility of refusal to take breathalyzer tests".

The Office of Alcoholism and Drug Abuse is supportive of House Bill 831. Drinking drivers presently are the largest contributor to Alaska's high rate of accidental death and injury and increased strategies to curb this serious problem are needed. Data from existing Alaska OMVI diversion programs indicate that in excess of 50% of the people presently being convicted of OMVI in fact have serious drinking problems which require treatment. The passage of House Bill 831 would tend to increase the number of convictions and the subsequent referral of these people to diversion programs for alcohol problem screening and diagnosis.

Recommended by:

Robert L. Cole 2/27/80

Robert L. Cole, Coordinator Date
Office of Alcoholism and Drug Abuse

Approved by:

Helen D. Beirne 3/5/80
Helen D. Beirne, Commissioner Date
Department of Health and Social Services

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill 831

Title "An Act relating to admissibility of refusal to take breathalyzer test"

Requested by Meekins

Date 2-18-80

II. FISCAL DETAIL

Department of Health and Social Services

Agency Affected

Program Category Affected ALCOHOLISM & DRUG ABUSE

BRU, Program, or Subprogram(s) Affected ADMINISTRATION

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES		-0-				
200 TRAVEL		-0-				
300 CONTRACTUAL		-0-				
400 COMMODITIES		-0-				
500 EQUIPMENT		-0-				
600 LAND & STRUCTURES		-0-				
700 GRANTS, CLAIMS, ETC.		-0-				
TOTAL		-0-				

FUNDING (Thousands of Dollars)

GENERAL FUND		-0-				
FEDERAL FUNDS		-0-				
OTHER (Specify Fund Source)		-0-				

POSITIONS

FULL TIME		-0-				
PART TIME		-0-				
TEMPORARY		-0-				

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Robert L. Cole

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

Prepared by: Robert L. Cole Date: 2-25-80
Division/Office: Alcoholism/Drug Abuse Pii: 586-6201
Department of Health & Social Services

BILL ANALYSIS

ASSIGNMENT DATE _____

UNASSIGNED _____

DEPARTMENT	SPONSOR (PRINCIPAL)	BILL NO.
Public Safety		HB 831
DEPARTMENT POSITION		
Support		
DIVISION DIRECTOR	DATE	COMMISSIONER
Robert Rowan	3/5/80	<i>W.R.N.</i> William R. Nix
DATE		
3/5/80		
GOVERNOR'S OFFICE USE		
<input type="checkbox"/> POSITION NOTED <input type="checkbox"/> POSITION APPROVED <input type="checkbox"/> POSITION DISAPPROVED		
BY: _____ DATE: _____		
SUMMARY		
(1) RELATED BILLS (SIMILAR OR CONFLICTING)		
(2) OTHER AGENCIES AFFECTED BY BILL		
(2) a. ORGANIZATIONAL SUPPORT FOR BILL		(2) b. ORGANIZATIONAL OPPOSITION TO BILL
(3) PROGRAM EFFECTS OF BILL		
<p>Juries are confused when no testimony regarding a chemical test is admitted in court. Juries do not understand that an individual has a right to refuse to take a breath test. By admitting this information into court, a great deal of confusion will be eliminated and more individuals guilty of drunk driving will be convicted.</p>		
(4) FISCAL IMPACT: <input checked="" type="checkbox"/> NONE <input type="checkbox"/> FISCAL ANALYSIS ATTACHED		
(5) AMENDMENTS PROPOSED:		
(6) COMMENTS:		

STATE OF ALASKA
Inter-Department Route Slip

TO:
MAIL STATION NUMBER _____

DEPARTMENT _____

ATTENTION _____

- | | |
|--|--|
| <input type="checkbox"/> Approval | <input type="checkbox"/> Note & Return |
| <input type="checkbox"/> Signature | <input type="checkbox"/> Initial & Return |
| <input type="checkbox"/> Comment | <input type="checkbox"/> Return As Requested |
| <input type="checkbox"/> Contact Me | <input type="checkbox"/> Return For Approval |
| <input type="checkbox"/> Prepare Reply | <input type="checkbox"/> Necessary Action |
| <input type="checkbox"/> For Your File | <input type="checkbox"/> Your Information |

Remarks:

*MISS-
#110 copy.*

FROM:
MAIL STATION NUMBER 1200

DEPARTMENT Public Safety

BY _____ DATE 3-10-80

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 831
 Title An Act relating to a missibility of refusal to take breathalyzer tests.
 Requested by _____ Date 3/10/80

II. FISCAL DETAIL

Agency Affected Public Safety
 Program Category Affected _____
 BRU, Program, or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		0	0	0		

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

No fiscal impact.

IV. DATE 3/10/80 PREPARED BY Michael J. Clemens
 AGENCY Public Safety
 PHONE 465-4336
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)