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STATE OF ALASKA
THE LEGISLATURE

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JUNEAU, ALASKA 99811
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May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

House Judiciary:

2/10/87

2/11/87

HOUSE COMMITTEE REPORT

Date referred: 2/2/87

FURTHER REFERRALS: Finance

DATE: 2-11-87

The Judiciary Committee has considered HB 59

"An Act relating to the recycling and reduction of litter; and providing for an effective date."

RECOMMENDS:

- [] replace with CS 17359 (Jud) [] the same title
[] attached amendment(s) [] a new title
- [] do pass
[] do not pass
[] no recommendation
[] individual recommendations
[] additional referral to the _____ Committee

ADOPTS: [] _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- [] fiscal impact [] same as previous fiscal note published _____
[] zero fiscal note [] same as previous zero fiscal note published _____
[] zero with analysis

SIGNING DO PASS:

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

SIGNING OTHER RECOMMENDATIONS:

[Signature]
Chairman's signature

Original sponsors: Davis and Koponen

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 59 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the recycling and reduction of
7 litter; and providing for an effective date."

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

9 * Section 1. AS 12.25.190(c) is amended to read:

10 (c) The person cited for the crime shall give a written promise
11 to appear in court by signing at least one copy of the written cita-
12 tion prepared by the peace officer and the officer shall deliver a
13 copy of the citation to the person. The written promise requirement
14 of this subsection does not apply to motor vehicle and traffic cita-
15 tions under AS 28.05.151, fish and game citations for which a bail
16 schedule has been established under AS 16.05.165, citations issued
17 under AS 18.35.341, [AND] citations issued in state park and recre-
18 ational facilities under AS 41.21.960, and littering citations issued
19 under AS 46.06.080.

20 * Sec. 2. AS 46.06.010 is repealed and reenacted to read:

21 Sec. 46.06.010. POWERS OF THE DEPARTMENT. The department shall

22 (1) serve as the coordinating agency among public and
23 private organizations in the state that are involved in the control,
24 reduction, and recycling of litter;

25 (2) assist local governments in the adoption and amendment
26 of ordinances relating to the control, reduction, and recycling of
27 litter;

28 (3) promote voluntary local programs and information cam-
29 paigns that encourage the public to refrain from littering and to

1 participate in efforts to clean up and recycle litter;

2 (4) inform the public of, and encourage the public to
3 comply with, the provisions of this chapter and regulations adopted
4 under this chapter;

5 (5) encourage federal, state, and local agencies to assist
6 programs for the recycling of litter by allowing the use of publicly
7 owned land, buildings, or equipment for those programs whenever possi-
8 ble;

9 (6) apply for, receive, and expend grants, loans, and other
10 monetary and nonmonetary assistance for use in programs established
11 under this chapter;

12 (7) determine the types of materials or energy that may be
13 profitably recovered from litter, and adopt regulations under the
14 Administrative Procedure Act (AS 44.62) that require the recovery of
15 the materials or energy;

16 (8) adopt other regulations under the Administrative Proce-
17 dure Act (AS 44.62) necessary to implement this chapter.

18 * Sec. 3. AS 46.06.060 is amended to read:

19 Sec. 46.06.060. LITTER BAGS. The department may [SHALL] design
20 and have produced a litter bag bearing the state anti-litter symbol
21 and a statement of the penalties for littering in the state. The
22 department may [SHALL] make litter bags available to the division of
23 motor vehicles in the Department of Public Safety for this purpose.
24 The [TO THE GREATEST EXTENT PRACTICABLE, THE] division of motor
25 vehicles may [SHALL] distribute one litter bag to each person who
26 applies for registration or reregistration of a motor vehicle and
27 shall notify the person of the person's responsibilities under the
28 law. The department may [SHALL] make litter bags available to all
29 vehicle and vessel operators entering the state The commissioner

1 shall designate distribution points for the broadest possible dis-
2 tribution of litter bags to persons entering the state by vehicle or
3 vessel.

4 * Sec. 4. AS 46.06.080(c) is amended to read:

5 (c) A person who violates this section is guilty of a violation
6 [CLASS B MISDEMEANOR], and may be sentenced to pay a fine of not more
7 than \$1,000. In [IN] addition [TO THE PUNISHMENT IMPOSED BY AS 12.-
8 55.035(b)(4) AND 12.55.135(b)], the court may order the person to
9 gather and dispose of litter in an area and for a length of time
10 determined by the court.

11 * Sec. 5. AS 46.06.080 is amended by adding new subsections to read:

12 (d) A peace officer shall issue a citation as provided in
13 AS 12.25.180 to a person who violates this section. If a citation is
14 for a minor littering violation, then the person to whom the citation
15 is issued may, within 15 days, mail or personally deliver to the clerk
16 of the court in which the citation is filed

17 (1) a fine of \$50; and

18 (2) a copy of the citation indicating that the right to an
19 appearance is waived and a plea of no contest is entered.

20 (e) If a \$50 fine has been paid under (d) of this section, then
21 the court shall enter a judgment of conviction. Payment of the fine
22 is a complete satisfaction for the violation.

23 (f) If a person cited under this section fails to pay the fine
24 or to appear in court as required, the citation is considered a sum-
25 mons for a failure to obey a citation under AS 12.25.230, and the
26 court may issue a bench warrant.

27 (g) Notwithstanding other provisions of law, if a person cited
28 for a minor littering violation under this section appears in court
29 and is found guilty, the penalty that is imposed for the violation may

1 not exceed \$50.

2 (h) In this section "a minor littering violation" means a viola-
3 tion of (a) or (b) of this section involving litter having an aggrega-
4 gate weight of five pounds or less.

5 * Sec. 6. AS 46.06.020, 46.06.030, 46.06.040, and 46.06.070(b) are
6 repealed.

7 * Sec. 7. Section 5, ch. 149, SLA 1930, as amended by sec. 9, ch. .64,
8 SLA 1924, is repealed.

9 * Sec. 8. This Act takes effect immediately under AS 01.10.070(c).
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HB 59
. Amendment #2 - by Davis

Page 1, Line 10: Replace 'may' with 'shall'.

This amendment would strengthen the litter reduction and recycling program, while not resulting in any additional costs to the department.

2/27/87

Proposed amendment to HB 59 - Litter Recycling & Reduction

1. AS 46.06.080(c) is repealed and reenacted to read:

(c) A person who violates (a) of this section is guilty of a violation and shall be issued a citation as provided in AS 12.25.180.

(1) A person cited for a violation under this section may, within 15 days after the date of the citation, mail or personally deliver to the clerk of the court in which the citation is filed by the enforcement officer

(A) a fine of \$ --; and

(B) a copy of the citation indicating that the right to an appearance is waived and a plea of no contest is entered.

(2) When a fine has been paid under (1) of this section, a judgment of conviction shall be entered. Payment of the fine is a complete satisfaction for the violation.

(3) If the person cited fails to pay the fine or to appear in court as required, the citation is considered a summons for a failure to obey a citation under AS 12.25.230 and the court may issue a bench warrant.

(4) Notwithstanding other provisions of law, if a person cited for a violation for which a fine has been established under (1) of this section appears in court and is found guilty, the penalty that is imposed for the offense may not exceed \$ --.

2. A new subsection (d) is added to read:

(d) A person who violates (b) of this section is guilty of a violation and may be sentenced to pay a fine of not more than \$1,000. In addition, the court may order the person to gather and dispose of litter in an area and for a length of time determined by the court.

3. Sec. 12.25.190(c) is amended to read:

(c) The person cited for the crime shall give a written promise to appear in court by signing at least one copy of the written citation prepared by the peace officer and the officer shall deliver a copy of the citation to the person. The written promise requirement of this subsection does not apply to motor vehicle and traffic citations under AS 28.05.151, fish and game citations for which a bail schedule has been established under AS 16.05.165, citations issued under AS 18.35.341, [AND] citations issued in state park and recreational facilities under AS 41.21.960, and citations issued under AS 46.06.080(c).

BILL SHEFFIELD, GOVERNOR

REPLY TO

DEPARTMENT OF LAW

CRIMINAL DIVISION

CRIMINAL DIVISION CENTRAL OFFICE
POUCH KC
JUNEAU, ALASKA 99811
PHONE: (907) 465-3428

OFFICE OF SPECIAL PROSECUTIONS
AND APPEALS
1031 WEST 4TH AVENUE, SUITE 318
ANCHORAGE, ALASKA 99501-5993
PHONE: (307) 279-7424

October 29, 1986

The Honorable Pat Pourchot
House Representative
P.O. Box 104836
Anchorage, Alaska 99504

Re: Littering - AS 46.06.080

Dear Representative Pourchot:

Recently, a request was made by a member of your staff for the number of littering cases prosecuted under AS 46.06.080 and the sentences received. Since January 1, 1983, a total of 142 littering cases have been referred to the district attorney offices for prosecution statewide. Of the 142 cases referred, 41 individuals have been convicted and sentenced. Of these 41 cases only one person went to jail and that was for one day. More likely than not, this individual was arrested and received credit for time already served when he was sentenced by the court. Two other people received fines and suspended jail sentences with the remainder not receiving any jail sentence but being required to pay fines ranging from \$25 to \$250. About one-quarter of the people were also required to perform community work service, including picking up litter from 2 hours to 50 hours. About half of the defendants were placed on probation anywhere from 11 days to one year.

The person on your staff with whom I spoke had expressed the opinion that the heavy maximum sentence for littering (90 days in jail and/or \$1000 fine) was a disincentive to enforcement, but our records show that this is unlikely. The average fine among these cases was \$60; the average community work service was about 10 hours. If the littering laws are not being enforced it seems much more likely that in this era of declining revenues there are other areas of law enforcement that take a higher priority.

Representative Pourchot

October 29, 1986

Page -2-

If I may be of further assistance, do not hesitate to contact me.

Very truly yours,

HAROLD M. BROWN
ATTORNEY GENERAL

By: Genelle Massey
Genelle Massey
Special Assistant

GM:ab-29

HB 31

STEVE COWPER, GOVERNOR

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF THE COMMISSIONER

P.O. BOX N
JUNEAU, ALASKA 99811-1200
PHONE: 465-4322

January 3, 1987

The Honorable Pat Pourchot
Alaska State Legislature
P.O. Box 104836
Anchorage, AK 99510

Dear Representative Pourchot:

Thank you for your letter of December 9, 1986.

Littering the highways is covered by 13 AAC 02.530(a) through (d), and 17 AAC 25.050, unsecured loads. At present, I believe both are mandatory court appearances, due to the fine the court often imposes.

Obviously, these sections do not address the littering of public and private property, or waters in the state.

I do not believe the mail-in citation would make a great deal of difference in enforcement, but it could reduce court time for judges and police. The fine is low and should, at least, be doubled, considering the expense involved in cleaning up these people's litter.

I personally believe your approach is correct. Perhaps there could be a second section with a mandatory court appearance to be used in aggravated circumstances. In any event, we need one comprehensive law, rather than multiple regulations.

The level of enforcement is a difficult question. The police seldom observe people littering because people watch for police. The Troopers have such limited patrol outside major municipalities that the perception of risk of being apprehended is small. Most law enforcement officers claim they cannot respond to all the calls for assistance they receive now. Littering complaints, including garbage on the right of way, have a low priority.

January 8, 1987

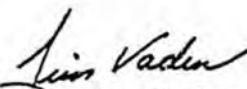
In truth, I believe most, if not all, officers would cite for littering under the aforementioned regulations. However, they do not like to sort through garbage alongside the road in an attempt to identify the depositor. It is also questionable if the district attorneys would prosecute these circumstantial cases, due to the difficulty in obtaining a guilty verdict.

* In reference to out-of-state registered vehicles, perhaps we should keep the mail-in system, but make it a mandatory court appearance if the bail and a copy of the registration is not received by the court within a ten-day period. Other sanctions could be applied, i.e., increased penalties for every day after the tenth day.

I believe the residents want the initial enforcement, and the vehicle registered as expeditiously as possible.

If we can be of any further assistance, please let me know.

Sincerely,


James D. Vaden
Deputy Commissioner

STATE OF ALASKA
THE LEGISLATURE

POUCHY STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

M E M O R A N D U M

November 25, 1986

SUBJECT: Litter laws
(Work Order No. 15-0182)

TO: Representative Pat Pourchot

FROM: Edward H. Hein *EH*
Legislative Counsel

You are correct that littering is prohibited under AS 46.06.080, and that AS 46.06 is repealed, effective July 1, 1987. In the event that AS 46.06 is allowed to terminate, there are other statutes under which littering might be prosecuted, but that depends on how we define "litter."

Under AS 46.06.150(4), "litter" means all waste material except "the wastes of the primary processes of mining or other extraction process, logging, sawmilling, farming or manufacturing." But under AS 46.03.710, pollution of the air, land, subsurface land or water of the state is prohibited. For purposes of that section, "pollution" is defined as "the contamination or altering of waters, land or subsurface land of the state in a manner which creates a nuisance or makes waters, land or subsurface land unclean, or noxious, or impure, or unfit so that they are actually or potentially harmful or detrimental or injurious to public health, safety or welfare, to domestic, commercial, industrial, or recreational use, or to livestock, wild animals, bird, fish, or other aquatic life." Under AS 46.03.760, a polluter is liable to the state for civil damages; AS 46.03.790 provides for criminal penalties.

With regard to your idea of establishing a "two-tier" system for littering offenses, that seems like a practical approach. As you know, a bail forfeiture schedule is in effect for minor traffic offenses, and this works well. A similar schedule was required to be established for violations of the smoking-in-public-places law. AS 18.35.341(d). Serious litter offenses could be distinguished from minor litter

Representative Pourchot
Page 2
November 25, 1986

offenses on the basis of the amount of damage done, i.e. the cost of cleaning up and restoring the site to its pre-littered condition. As an alternative, you might want to distinguish on the basis of the weight, amount, or contents of the litter.

I have not discussed this matter with anyone else. I would be happy to work with you or any of your staff members, or to research the matter further on my own, if you wish. If you want me to draft some legislation, let's talk about it so I will have a better picture of what you have in mind.

EHH:mkr
m7/033



Alaska Court System
State of Alaska

OFFICE OF ADMINISTRATIVE DIRECTOR

KARLA L. FORSYTHE
STAFF COUNSEL

303 K Street
Anchorage, Alaska 99501

(907) 264-8228

December 2, 1986

Jeannie Larson
c/o Representative Pat Pourchot
Box 104826
Anchorage, Alaska 99510

Dear Jeannie:

As we discussed, you asked if I could provide a rough draft of a statute which would permit enforcement of anti-littering laws by a mail-in payment rather than a mandatory court appearance.

A copy of a draft is enclosed. Although my primary interest is in the section dealing with the mail-in fine payment, I have included substantive language so that you can see how such a statute might be laid out. The draft is written in legislative style, with new language underlined and deleted language in brackets.

I assumed the framework of the existing littering statutes, and that the existing anti-littering law would not be repealed. In other words, adoption of this draft would override the repealer clause in the existing legislation. However, AS 46.06.080(b), which deals with uncovered loads would be repealed, and replaced by AS 28.35.251, which the legislature enacted last year.

Using AS 16.05.160 as a model, I then drafted new language which would establish a fine rather than a bail schedule method of processing these payments. This process would apply to AS 46.06.080 only; other violations would require a court appearance.

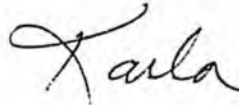
Some of the questions I am sure you will want to address include whether you want to retain the existing anti-littering language or draft new language, whether the \$25.00 fine is appropriate, and whether all violations of the chapter should be processed this way. You may want to solicit the views of enforcement officers regarding these provisions.

Jeannie Larson
December 2, 1986
Page Two

I hope this draft is helpful to you . Again, please be advised that it is merely a concept and that the administrative office does not take a position about the desirability of anti-litter legislation or the proper fine amount. The only concern of this office is that a procedure be adopted which will require the least expenditure of fiscal resources by the court system. If enforcement officers project a substantial level of enforcement, the court system would have to consider the need for additional clerical staff to process these citations and the payments. It is very important to have adequate staff to process these payments, because inaccurate records can lead to improper issuance of bench warrants and subsequent lawsuits for false arrest.

Please let me know if you have any questions.

Sincerely,



Karla L. Forsythe
Staff Counsel

KLF:bs

cc: Arthur H. Snowden, II, Administrative Director
Susan Miller, Manager of Special Projects

11/25/86-7

By: Davis

A M E N D M E N T

Offered in the HOUSE

TO: HB 59

Page 1, after line 8:

Insert a new bill section to read:

"* Section 1. AS 12.25.190(c) is amended to read:

(c) The person cited for the crime shall give a written promise to appear in court by signing at least one copy of the written citation prepared by the peace officer and the officer shall deliver a copy of the citation to the person. The written promise requirement of this subsection does not apply to motor vehicle and traffic citations under AS 28.05.151, fish and game citations for which a bail schedule has been established under AS 16.05.165, citations issued under AS 18.35.341, [AND] citations issued in state park and recreational facilities under AS 41.21.960, and littering citations issued under AS 46.06.080."

Renumber remaining bill sections accordingly.

Page 2, after line 28:

Insert a new bill section to read:

"* Sec. 5. AS 46.06.080 is amended by adding new subsections to read:

(d) A peace officer shall issue a citation as provided in AS 12.25.180 to a person who violates this section. If a citation is

for a minor littering violation, then the person to whom the citation is issued may, within 15 days, mail or personally deliver to the clerk of the court in which the citation is filed

(1) a fine of \$50; and

(2) a copy of the citation indicating that the right to an appearance is waived and a plea of no contest is entered.

(e) If a \$50 fine has been paid under (d) of this section, then the court shall enter a judgment of conviction. Payment of the fine is a complete satisfaction for the violation.

(f) If a person cited under this section fails to pay the fine or to appear in court as required, the citation is considered a summons for a failure to obey a citation under AS 12.25.230, and the court may issue a bench warrant.

(g) Notwithstanding ^{any} other provisions of law, if a person cited for a minor littering violation under this section appears in court and is found guilty, the penalty that is imposed for the violation may not exceed \$50.

(h) In this section "a minor littering violation" means a violation of (a) or (b) of this section involving litter having an aggregate weight of five pounds or less."

Renumber remaining bill sections accordingly.

STATE OF ALASKA 1987 LEGISLATIVE SESSION FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 59
 Title: Relating to recycling and reduction of litter
 Sponsor: Reps. Davis & Koponen
 Requestor: House Judiciary
 Date of Request: 2/5/87

FISCAL DETAIL

Agency Affected: Alaska Court System
 BRU: Trial Courts
 Components: _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS :

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

ANALYSIS : Attach a separate page if necessary

The fiscal impact of this bill depends upon the level of anticipated enforcement. Since the Department of Environmental Conservation does not anticipate increased enforcement, there is no fiscal impact at this time.

Prepared by: Karla Forsythe
 Division: General Counsel, Alaska Court System

Phone: 264-8228
 Date: 2/6/87

Approved by Commissioner: Stephanie Cole for Art Jankin
 Agency: Alaska Court System

Date: 2-6-87

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Rule 8. Minor Offenses.

(a) Scope, Purpose and Construction. This rule governs the procedure in cases involving minor offenses. It is intended to provide for the just determination of these cases and to that effect shall be construed to secure simplicity and uniformity in procedure, fairness in administration and the elimination of unjustifiable expense and delay.

(b) Minor Offenses. As used in this rule, "minor offenses" means

(1) an offense classified by statute as an infraction or a violation; or

(2) any offense for which a bail forfeiture amount has been authorized by statute and established by supreme court order; or

(3) any offense under statute or municipal ordinance for which a conviction cannot result in incarceration, a fine greater than \$300, or the loss of a valuable license.

(c) Complaint and Summons.

(1) The charging document for a minor offense may be in the form of a citation. If a citation is used, it shall state that the defendant is entitled to a trial, to engage counsel, to confront and question witnesses, to testify and to subpoena witnesses in the defendant's behalf. The citation shall further indicate whether a court appearance is mandatory or can be waived, shall state the bail forfeiture amount if the appearance can be waived, the procedure the defendant must follow in responding to the citation, and the consequences of a failure to respond. A citation for a fish and game offense shall further state that all seized equipment will be forfeited if the appearance is waived.

(2) An offense for which a bail forfeiture amount has been established shall be charged on a citation and shall not be filed, numbered or processed as a criminal case.

(d) Disposition Without Court Appearance.

(1) A person charged with a minor offense for which a bail forfeiture amount has been established in a bail forfeiture schedule adopted by supreme court order may within the time period stated on the citation mail or deliver to the court location listed on the citation the amount of bail indicated in the schedule for that offense, together with either:

(A) a signed waiver of the right to appear for arraignment, plea of no contest and a direction to forfeit the bail in lieu of a fine; or

(B) a signed waiver of the right to appear for arraignment, plea of not guilty and a request for trial.

(2) A person who mails or delivers an unsigned waiver of right to appear for arraignment along with the bail forfeiture amount shall be deemed to have entered a plea of no contest unless the person designates otherwise. A person who mails or delivers a plea of not guilty but fails to forward the bail amount is not subject to issuance of a bench warrant unless the person also fails to appear for trial.

(3) When bail has been forfeited under the provisions of paragraph (d)(1) of this rule, the clerk shall enter a judgment of conviction and court proceedings shall thereupon terminate. When trial is requested, the case shall be set on the calendar and notice sent to the parties.

(4) When a person is charged with a minor offense, and the statute, regulation or ordinance provides that the citation shall be dismissed upon providing proof to a law enforcement agency of compliance with the requirements of the state statute, regulation or ordinance, the court shall dismiss the citation upon notification from the agency.

(e) Mandatory Court Appearance. Any person charged with a minor offense:

(1) for which no bail forfeiture amount has been established in a bail forfeiture schedule; or

(2) who has not waived appearance and entered a plea under paragraph (d) of this rule; or

(3) who has failed to provide proof of compliance to a law enforcement agency under a statute, regulation or ordinance that permits dismissal of the citation upon a showing of compliance, shall appear for arraignment at the time and place designated on the citation. A person under 18 years of age at the time of the offense must be accompanied by a parent, guardian or legal custodian. Arraignment shall be conducted in accordance with District Court Criminal Rule 1. The defendant shall be admitted to bail in accordance with AS 12.30.020 without regard to the bail amounts established in the applicable bail forfeiture schedule and with preference to release on the

person's own recognizance. A defendant shall not be incarcerated solely for inability to post a bail amount which may be established.

(f) Disposition of Records of Conviction. Notice of conviction will be transmitted to the following agencies:

(1) In the case of a motor vehicle offense, the conviction will be transmitted to the Department of Public Safety, division of motor vehicles, to become a part of the defendant's driving record and for the department to assess points pursuant to statute and regulation.

(2) In the case of a fish and game violation the conviction will be transmitted to the Department of Public Safety, fish and wildlife division, for the department to determine whether it has a basis for petitioning for license revocation.

(3) In the case of a smoking violation the conviction will be transmitted to the Department of Environmental Conservation, division of environmental health.

(g) Failure to Respond to Citation, Complaint or Summons.

(1) A defendant who fails to respond to a citation within the time period stated is subject to arrest on a bench warrant, without issuance of a summons or other notice. The bench warrant shall be signed by a judicial officer, and shall state that the defendant has failed to respond to the citation. A defendant who is served with a bench warrant under this subsection and cannot post bail shall be brought before a judicial officer

(i) immediately, if the defendant will be taken to the court which issued the warrant;

(ii) without unnecessary delay within a period not to exceed twenty-four hours after arrest on the warrant if the defendant will be taken before a court other than the court which issued the bench warrant.

(2) The court in its discretion may issue a summons or other notice to a defendant before issuing a bench warrant for the defendant's arrest. If the court has issued a summons or other notice to the defendant prior to issuance of the bench warrant, and the person has failed to respond to the summons or notice and is arrested on a subsequent bench warrant, the person shall be taken before a judicial officer without unnecessary delay within a period not to exceed twenty-four hours after arrest on the warrant.

District Court Criminal Rules

(h) Longevity of Warrants. After a period of two years the presiding judge for a judicial district may, upon the request of a clerk of court and after notice to the agency which issued the citation, order that warrants for minor offenses which have been outstanding for two years or more shall be quashed and the cases closed statistically.

(i) A municipal corporation or the State of Alaska may be represented by an employee for the prosecution of minor offenses under this rule, AS 22.20.040 notwithstanding. However, the employee is limited to giving testimony and may not examine witnesses, make opening and closing arguments, or otherwise act as an attorney. (Added by Supreme Court Order 649 effective July 1, 1985; amended by Supreme Court Order 671 effective June 15, 1986; and by Supreme Court Order 751 effective September 11, 1986)





Alaska Court System
State of Alaska

OFFICE OF ADMINISTRATIVE DIRECTOR

KARLA L. FORSYTHE
STAFF COUNSEL

303 K Street
Anchorage, Alaska 99501

(907) 264-0228

February 9, 1987

Representative John Sund
Chair, House Judiciary Committee
P. O. Box V
Juneau, Alaska 99811

Dear Representative Sund:

You asked the Alaska Court System to provide comments regarding House Bill 59, an act relating to the recycling and reduction of litter and providing for an effective date.

The impact on the Alaska Court System from this legislation would result from enforcement under Section 3, which amends AS 46.06.080(c) to provide that an anti-littering offense is a violation subject to a fine of not more than \$1,000 rather than a Class B misdemeanor. It is the understanding of the court system that this change is intended to increase the potential for enforcement of these violations.

Under AS 11.81.900(56), a violation is defined as a non-criminal offense punishable only by a fine, but not by imprisonment or other penalty. Conviction of a violation does not give rise to any disability based on conviction of a crime, and a person charged with a violation is not entitled to a jury trial or to have counsel appointed at public expense. Additionally, under District Court Criminal Rule 8(i) (copy attached), a violation can be prosecuted by an employee of the State of Alaska rather than a prosecutor (although the employee is limited to giving testimony and may not examine witnesses, make opening and closing arguments, or otherwise act as an attorney). Thus, fewer resources are required to process a violation because the State of Alaska does not have to fund a prosecutor, a public defender or a jury, as it would for a misdemeanor. However, the defendant still must appear in court to plead guilty.

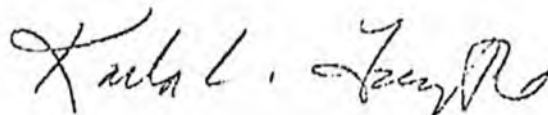
Representative John Sund
February 9, 1987
Page Two

Some minor offenses, such as traffic infractions, are processed in a manner which also decreases court time. Under AS 28.05.151, the Legislature has delegated to the Supreme Court the authority to determine which traffic offenses can be disposed of by a mail-in bail forfeiture rather than a court appearance. If a defendant pleads no contest and mails in the bail amount, a court appearance is not required. The citing officer does not have discretion to decide between a bail forfeiture and a court appearance.

Although classifying this offense as a violation rather than a misdemeanor should decrease the expenditure of state resources to prosecute each offense, more judicial resources will be required than under a mail-in payment procedure. However, because the Department of Environmental Conservation anticipates no increase in enforcement, it appears that this measure will not have a fiscal impact on the courts. Any enforcement increase which reasonably could be projected could be absorbed without new resources.

I hope this information is helpful to the committee. Thank you for the opportunity to provide comments.

Sincerely,



Karla L. Forsythe
Staff Counsel

KLF:bs

Att.

cc: Representative Mike Davis
Representative Nillo Koponen
Arthur H. Snowden, II, Administrative Director

2/9/87-2

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____

Bill Version: HR 59

Publish Date: _____

Revision Date: _____

Agency Affected: DEC

Title: An Act relating to the recycling and reduction of litter

BRU: Environmental Quality

Sponsor: Representative Mike Davis

Components: Regional Offices

Requestor: House Resources

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

TOTAL						
-------	--	--	--	--	--	--

REVENUE	0	0	0	0	0	0
---------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						-
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Randy Bavliss

Phone: 465-2600

Division: Office of the Commissioner

Date: January 30, 1987

Approved by Commissioner: Dennis D. Kelso

Date: January 30, 1987

Agency: Environmental Conservation

Distribution (by preparer):

Legislative Finance

Legislative Sponsor

Requestor

Office of Management and Budget

Impacted Agency(ies)

Senate Secretary

Rep. Mike Davis
February 1, 1987

Sectional Analysis of HB 59

An Act Relating to the Recycling and Reduction of Litter

Sec. 1. AS 46.06.010 is rewritten to eliminate redundant language, and to incorporate the provisions of AS 46.06.040. The department may, rather than must, act upon the provisions of this section.

Sec. 2. AS 46.06.060 is amended to provide that the Department of Environmental Conservation and the Department of Public Safety may, rather than must, provide litter bags to the public.

Sec. 3. The penalty for littering is reduced from a Class B misdemeanor to a violation, and prison terms for littering are eliminated.

Sec. 4. The following sections are repealed:

AS 46.06.020, which requires an annual report.

AS 46.06.030, which establishes an advisory council.

AS 46.06.040, which establishes public awareness programs. Provisions of this section have been incorporated into AS 46.06.010.

AS 46.06.070(b), which establishes litter patrol regulations. These regulations are authorized under AS 46.06.010(8).

Sec. 5. All sunset provisions in AS 46.06 are repealed.

Sec. 6. Immediate effective date.

STATE OF ALASKA

STEVE COWPER, GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

POSITION PAPER

Bill No: HB 59

Date: January 30, 1987

Title: An Act relating to the
recycling and reduction
of litter

Contact: Randy Bayliss
465-2600

Department's Position

We support the bill.

Effect of the Bill

HB 59 reenacts most of Alaska's litter program, now on the eve of its "sunset." It also reduces the costs of the program, either by eliminating some functions (such as the Litter Advisory Council) or by making most other functions optional. The bill would also change littering from a "misdemeanor" to a "violation," which eliminates jail time as a penalty.

According to several opinion polls, many Alaskans consider littering to be a top environmental priority. Litter alongside tourist attractions has drawn national attention on television news and magazines. The litter program has enjoyed popular support from Alaskan cities and has encouraged start-up and operations of many recycling centers throughout Alaska.

Impact on the Agency

HB 59 was drafted with minimal operating expenses in mind. We have prepared a "zero" fiscal note.


Dennis D. Kelso
Commissioner

HOUSE COMMITTEE REPORT

(9)

Date referred: 1/20/87

FURTHER REFERRALS: Judiciary
Finance

DATE: 2/2/87

The Resources Committee has considered HB 59

"An Act relating to the recycling and reduction of litter; and providing for an effective date."

RECOMMENDS:

- replace with _____ the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published _____
- zero with analysis

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

Adelheid Herrmann
 Cliff Davidson
 Bill Pearce
 Mike Spavane
 Jim R. Galt

Dick Shultz (No Rec)
 Lynn Hyatt (No Pass)
 Jim R. Galt
 Chairman's signature

BEAUTIFICATION AND LITTER CONTROL COMMITTEE

First National Center
100 Cushman Street

Greater Fairbanks Chamber of Commerce

(907) 458-1108

P.O. Box 74446
Fairbanks, Alaska 99707

January 29, 1987

Representative Mike Davis
Pouch V
Juneau, AK 99811

Mail Stop 3100

Dear Rep. Davis:

The Beautification and Litter Control Committee of the Greater Fairbanks Chamber of Commerce strongly supports passage of HB 59, An Act Relating to the Recycling and Reduction of Litter. Our committee has worked hard over the past several years to make Fairbanks a cleaner, more beautiful place for the enjoyment of residents and visitors alike. We feel that continued State support in the form of litter reduction and recycling legislation is important to our success.

Litter reduction and recycling are more than just "environmental" concerns. These programs enhance economic development and tourism in our state. We are proud of the contributions our committee has made in these areas; we encourage the Alaska State Legislature to support our local efforts through passage of this legislation.

Sincerely,

Art Buswell
Art Buswell
Co-Chairman

Heather Stockard
Heather Stockard
Co-Chairman

★ Fairbanks North Star Borough

809 Pioneer Road

P.O. Box 1267

Fairbanks, Alaska 99707

907/452-4761

January 30, 1987

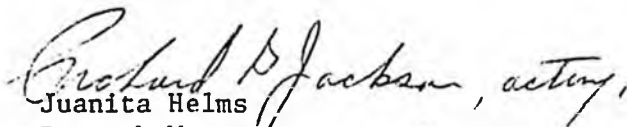
Representative Mike Davis
Pouch V
Juneau, Alaska 99811

Mail Stop 3100

Dear Representative Davis:

As Mayor of the Fairbanks North Star Borough, I support passage of HB 59, An Act Relating to the Recycling and Reduction of Litter. Providing proper solid waste disposal and dealing with the accumulation of litter on our roadways are two problems which confront our community. The State's efforts in recycling and litter reduction help us to effectively resolve these problems. For this reason, I would urge the Alaska State Legislature to pass HB 59.

Sincerely,


Juanita Helms
Borough Mayor

JH/HTS/mnb



Alaska State Legislature

Representative Mike Davis

P.O. Box V
Juneau, Alaska 99811
(907) 465-4930/4941

Interim Office:
P.O. Box 81435
Fairbanks, Alaska 99708

MEMORANDUM

To: All Interested Persons

From: Rep. Mike Davis

Date: January 30, 1987

Re: HB 59; An Act Relating to the Recycling and Reduction of Litter.

The 1986 legislature failed to fund the state's litter reduction and recycling program for FY 87, and the program is due to sunset on June 30, 1987. However, this is an important program that coordinates community efforts to clean up litter throughout the state. Litter along the state's highways has a negative impact upon visitors to Alaska as well as upon the state's residents, and maintaining a litter program should continue to make the state a destination point for tourists.

The provisions of HB 59 would reduce the costs of operating an effective litter program by repealing requirements for an advisory council and the publication of an annual report. The legislation also reduces costs by allowing, rather than requiring, DEC to provide litter bags. These changes have allowed the bill to receive a zero fiscal note.

HB 59 would reduce the penalty for littering from a misdemeanor to a violation in order to eliminate court costs, and a prison term would be eliminated as a penalty for littering. The bill would also repeal the sunset provision of the program.

Discussions with ALPAR (Alaskans for Litter Prevention and Recycling), the Fairbanks Litter and Beautification Committee, the Department of Environmental Conservation, and several municipalities have been very positive toward this legislation. The remarks of a few municipal leaders are presented below:

City and Borough of Juneau, Mayor Ernest Polley: "The City and Borough certainly supports litter reduction and recycling programs. The City and Borough of Juneau has a considerable litter problem as well as disposal problems concerning metals, household garbage, and hazardous liquids. I feel that this is a statewide problem and should be addressed on a statewide basis. We would be happy to work with your office to review any proposed legislation in this area."

Municipality of Anchorage, Mayor Tony Knowles: "As a strong supporter of a healthy, clean environment, I share your wish to avoid sunseting the litter reduction and recycling program within DEC. Although unfunded at this point, I believe a mechanism should exist for revitalizing this program should revenue levels again allow for funding of the program."

Matanuska-Susitna Borough, Mayor Dorothy Jones: "As for the litter reduction and recycling program, we find it a boon to the Matanuska-Susitna area and would most assuredly like to see funding restored and the program remain."



August 5, 1985

The Honorable Mike Davis
House of Representatives
Alaska State Legislature
Pouch V (MS 3100)
Juneau, AK 98111

Dear Representative Davis:

It has come to the attention of the Fairbanks Convention and Visitors Bureau that your office is seeking legislative support for litter reduction via a financial appropriation. The F.C.V.B. supports funding for litter reduction and control at the legislative level.

Litter drastically reduces the aesthetic value of an area, resulting in a bad impression of a place by all who pass by. This affects visitors as well as residents. While litter control is not directly related to the visitor industry per se, it does have an impact on visitors, as it does all people.

Litter control has a positive effect on a community. Visitors view a clean community as a nice place to visit, and residents see it as a good place to live.

Funding at the legislative level is appropriate for litter reduction and control as it affects all Alaskans and the people who visit our state. The Fairbanks Convention and Visitors Bureau supports funding at the legislative level.

Sincerely,

Kari M. Kornfeind
Kari M. Kornfeind
Director of Tourism

KMK/bap

Fifth Annual Report

May 1985

**ALASKA
LITTER REDUCTION
AND
RESOURCE RECOVERY
PROGRAM**

BILL SHEFFIELD

Governor

State of Alaska

BILL ROSS

Commissioner

Department of Environmental Conservation

Pouch O, Juneau, Alaska 99811



INTRODUCTION

Early in fiscal year 1984 the Division of Legislative Audit completed its review and evaluation of the first four years of the Department of Environmental Conservation's (DEC) Litter Reduction and Resource Recovery Program. Its performance report concluded that the popular and successful program, and its authorizing legislation, should be continued. On June 8, 1984, the Litter Reduction and Resource Recovery Act was reauthorized until July 1, 1987.

Since the inception of the Litter Reduction and Resource Recovery Program in 1980, DEC has actively pursued projects to reduce litter and encourage recycling and large-scale resource recovery in Alaska. According to the 1983 Alaska litter survey, much has been achieved in the first years of the program. Some of the highlights are:

- 36% decrease in fresh litter generation
- 35% decrease in litter accumulation
- 63.3% decrease of hazardous items in litter
- 20% increase in car litter bag use
- 40% decrease in aluminum can litter
- 36.6% decrease in litter at sites where receptacles have been added

Large-scale resource recovery significantly decreases certain kinds of litter, and saves resources and energy. The program provides support and assistance to resource recovery endeavors throughout Alaska. With the establishment of a pulp (shredder) mill in Anchorage (to be in operation in late 1985), an estimated 20,000 tons a year of ferrous metals will be recovered and possibly sold to a Pacific Rim country. This tonnage will represent a substantial increase over past years. At present, about 7% of over 50,000 tons of paper shipped to Alaska per year is recovered for reuse. Due to recent reduction of rates by freight carriers, the potential for recovery of waste paper is increasing. As demand for both energy and resources rises and supplies decline, such recovery becomes even more important.

This report documents DEC's accomplishments in litter reduction, litter prevention, resource recovery, and increasing public support of the program during FY 1984. In 1984, the program changed its reporting period to coincide with the State's fiscal year. Some of the figures in the report may overlap with figures in the 1983 annual report, which was based on a calendar year.

LITTER REDUCTION

Results from the 1983 Alaska litter survey performed by the Institute for Applied Research indicate that during the first three years of the litter and recycling program's existence, there has been a 36% reduction in the rate that fresh litter is generated (Syrek, 1983). Similar decreases were measured in the rate at which long term accumulations of litter build up. These results show a 35% decline when corrected for traffic and weather conditions.

What are the causes of these significant decreases in litter? Alaskans are becoming more involved in both picking up litter already on the ground (litter reduction) and eliminating acts of littering (litter prevention).

In an executive proclamation, Governor Sheffield declared May 1984 as Litter Prevention and Cleanup Month. Letters seeking similar local declarations were sent to mayors. DEC staff sent mailouts to city and village councils, schools, community leaders, and local media asking for their involvement in cleanup efforts.

The results of these activities were once again gratifying. Again in 1984, Alaska saw an increase in the number of community cleanups statewide. A current list of communities with cleanups appears in Appendix A. Table I shows 1984 cleanup results.

Table I
1984 Spring Cleanups

	Southeastern Region	Southcentral Region	Northern Region	TOTAL
Communities with cleanups	18	126	61	205
Participants	3,124	31,223	18,505	52,852
Bags Collected	6,729	105,590	55,700	168,019
Truckloads	379	12,401	not available	12,753
Junk Autos Removed	63	2,198	366	2,621

Youth Litter Patrols

As part of statewide litter reduction efforts in 1984, summer youth litter patrols were funded for a second year by Alaskans for Litter Prevention and Recycling (ALPAR, a private organization of business and industry) and a cash grant of \$120,000 from the State. Approximately 284 young people on the patrols picked up litter in 26 communities, with more than double the participation of the first year of the program. Table II shows a comparison between 1983 and 1984.

Table II

Youth Litter Patrols

	<u>1983</u>	<u>1984</u>
Number of Participants	120	284
Number of Communities	11	26
Number of Patrols	27	71
Bags Collected	6,500	Data not available
Total Cost	\$82,000	\$171,348

Fairbanks, a star in the youth litter program, had an impressive 20 patrols in 1984, up from 4 patrols in 1983. The patrols worked for 13 weeks cleaning up 400 miles of roadways and over 3,300 bags of litter. This program created 21 full-time seasonal jobs for youths 14-17 years old in the Fairbanks area. The "bottom line" summary of the 1984 Greater Fairbanks litter patrol effort was 8.3 bags of litter abated per mile of roadway cleaned up, at a cost of \$13.90 per bag.

Anchorage doubled its youth litter patrols from 10 in 1983 to 20 in 1984. Communities with two patrols each in 1984 were Homer, Juneau, Kenai, Ketchikan, Nenana, Palmer, and Valdez. The following communities had one youth litter patrol each: Bethel, Deering, Delta Junction, Dillingham, Ekwok, Kodiak, Koliganek, Saxman, Skagway, Soldotna, Toqiak, Wasilla, and Wrangell.

Alternative Sentencing and Pretrial Diversion Programs

The Department of Law Pretrial Diversion Program made an outstanding contribution to litter reduction in 1984. The results of the efforts of this program were well up over 1983 (See Table III).

Table III

The Department of Law Pretrial Diversion Program

	<u>1983</u>	<u>1984</u>
Number of participants	50	220
Number of hours	1,600	2,800
Number of communities	1 - Juneau	4 - Fairbanks, Juneau*, Kenai and Sitka

* 40 assigned to ALPAR patrols for 700 hours
100 assigned to DOT/PF on weekends for 800 hours

In FY 1984, the Municipality of Anchorage's Community Work Services Program assigned 400 sentenced misdemeanants to 8,000 hours of litter pickup. These misdemeanants were referred by the Court to this program, and picked up a total of 250,000 pounds of litter. The program not only reduced litter in Anchorage, but seemed to have a positive impact on the recidivism of the offenders, most of whom had been convicted of DWI. Other offenses included shoplifting, reckless driving, and littering. Virtually all the participants commented they would never litter again, after seeing firsthand what a problem litter is.

Working closely with the District Court, the Fairbanks North Star Borough's Environmental Services Division supervised the community service work required of litter offenders and those who had committed other minor offenses. The 53 individuals assigned to this program performed 1,001 hours of work, for an average of 18.9 hours per person. Juveniles performed 465 hours of work; adults, 536 hours. Thirty-three persons were assigned to community work service who did not perform the work, totalling 1344 hours of work assigned which was not performed.

Volunteer Efforts

DEC spring cleanups mobilize the people in a community and often lead to voluntary efforts to keep their communities clean year round. One spinoff of the DEC spring cleanup in 1984 was the voluntary placement of litter receptacles and antilitter signs in more than a dozen communities. Port Heiden went a step further, installing a large community dumpster and instituting a weekly pickup. In some areas, which did not have formal youth litter patrols, local people started voluntary cleanups. In Takotna such activity led to the demolition of three houses and the graveling over of the resulting vacant lot.

Many communities went beyond picking up litter and beautified areas which had previously been eyesores. They developed gardens and parks, planted trees, and placed flower boxes. In these communities volunteers did the work of creating and maintaining the beautified areas. Juneau and Fairbanks established committees, which included DEC litter program staff, to plan, carry out, and reward beautification activities. In Juneau the Beautification Subcommittee of the Mayor's Hospitality Committee honored individuals, businesses, and government agencies for their significant efforts to beautify Juneau. The Fairbanks Chamber of Commerce Beautification Committee beautified formerly littered areas in response to a perceived need in the community to enhance civic pride and foster ongoing antilittering behavior.

LITTER PREVENTION

Reduction of litter on the ground is necessary and desirable, but prevention of acts of littering is the key to long-term litter reduction in Alaska.

Litter is the result of personal habits and decisions. In order to affect the litter rate in Alaska, individual attitudes towards litter must be changed, and efforts made to influence personal decisions about the act of littering.

Secured Truckloads

The 1981 litter survey showed that deliberate littering comes from pedestrians aged 6 to 25 and occupants of motor vehicles aged 10 to 45. Most accidental littering is from unsecured truckloads and trash escaping from truck beds.

Since 1981 there has been a shift in the composition of litter. Deliberately littered convenience product packaging litter has decreased from 56% of all fresh litter items in 1981 to 49% in 1983. At the same time, the percentage of accidentally littered items from trash can spills, unsecured loads and uncovered truck beds has increased from 38% to 45%.

These figures indicate public attitudes towards deliberate littering is improving; fewer people are unconsciously tossing wrappers on the ground. The figures show, however, that more work needs to be done to motivate truck owners to cover their loads.

In 1984 the Municipality of Anchorage passed an ordinance requiring that trucks bringing loads to the municipal landfill be covered or pay an "uncovered load" fee of \$10.00 for small trucks and \$10.00 a ton plus a \$30.00 fee for large trucks. By July 1984, 98.8% of the trucks coming to the landfill were covered.

DEC will encourage other municipalities to follow the lead of this highly successful program and conduct their own covered load campaigns in FY 85.

Community Outreach

Using information provided by litter surveys, DEC gears educational efforts to those groups primarily responsible for litter in Alaska. Attitudes and decisions are substantially shaped by both the mass media and personal contact.

1984 DEC media efforts included press releases, production and distribution of public service announcements, and arrangement of media coverage of local cleanup and recycling efforts. Litter caused by travelers was addressed by a full page ad in the 1984 Milepost. A full page "ad" on uncovered loads was published in the April 1984 edition of the State of Alaska's Driver's Manual.

Public information and public education services are an important means of encouraging litter reduction and resource recovery activities throughout Alaska. Table IV shows public awareness services provided by litter program staff in FY 1984.

Table IV

Community Outreach Services

School Presentations	12
Community Presentations	44
Hotline Calls	1591
Newspaper Interviews	161
TV Interviews	18
Radio Interviews	3
Other	12

Commodities Distributed

Another way DEC encourages communities and citizens to become involved in litter control is by distributing free commodities. These range from car litter bags to cleanup incentives for children, including patches and "sort-n-save" magnets. Table V shows the items distributed during FY 1984.

Table V

Commodities Distributed

DEC car litter bags	27,550
SOHIO car litter bags	90,800
Cleanup bags	166,100
Milepost posters	123
Fish & Game posters	30
Pins	12,995
Patches	8,981
Receptacle decals	5,669
"Aluminum only" decals	928
Miscellaneous brochures	4,002

At the beginning of the 1984 tourist season, DEC sent 2,000 DOT/PF car litter bags to U.S. border stations at ALCAN/TOK and Skagway.

Education

Since young people comprise a large number of those groups identified as deliberate litterers, DEC has attempted to reach them through an elementary school curriculum.

The Legislature appropriated \$150,000 for litter reduction programs in schools. With the approval of the Litter Reduction and Resource Recovery Advisory Council, DEC contracted with the Department of Education to produce a series of three 15-minute lessons on videotape for the Learn/Alaska instructional television network. The series will be designed for grades 4-6 and aired on Learn/Alaska. Printed teacher's guides will be developed and used in conjunction with the video program.

The educational objectives of this series of video lessons are to increase the students' knowledge of their environment, affect their attitude toward conservation of natural resources, and encourage their personal commitment to antilitter, antiwaste behavior. By airing this program on the Learn/Alaska network, we expect to reach the largest possible target audience in the most effective way. The video series is expected to be aired on the Learn/Alaska network beginning in the fall semester 1985.

Litter Receptacles

An important means of preventing litter is to make receptacles available in high use areas. Litter receptacle regulations became effective in October, 1983. Those regulations require receptacles marked with the State's anti-litter logo to be installed, routinely serviced and maintained at commercial, recreation and civic areas. The 1983 litter survey showed a significant increase in receptacles at 10 commercial sampling sites (Syrek, 1983). Table VI shows the additions by site.

Litter, BEWARE!

With energy and enthusiasm characteristic of Alaskans, a unique mix of private and public efforts sent that message ringing throughout the Tanana Valley in 1984. The result: the cleanest roads, highways and streets in recent memory.

Keeping a town clean is not an easy task, and the Beautification and Litter Control Committee of the Greater Fairbanks Chamber of Commerce recognizes that its work is just beginning. But the seeds of success that were planted in 1984 have begun to sprout. With your help, future rewards will be easier and easier to harvest.

Following is a synopsis of the committee's major activities in 1984:



LITTER PATROL

Using a \$50,000 grant from ALPAR (Alaskans for Litter Prevention and Recycling) and local contributions, a litter patrol composed primarily of youth age 14-17 combed area highways for 10 weeks, and worked on a reduced scale for three additional weeks to close the season on August 31. Approximately 400 miles of road were covered this summer. Patrollers collected 3,300 bags of litter, which amounted to 8.3 bags of litter per mile.

This program received an award as the outstanding youth litter control program in Alaska.



BEAUTIFICATION

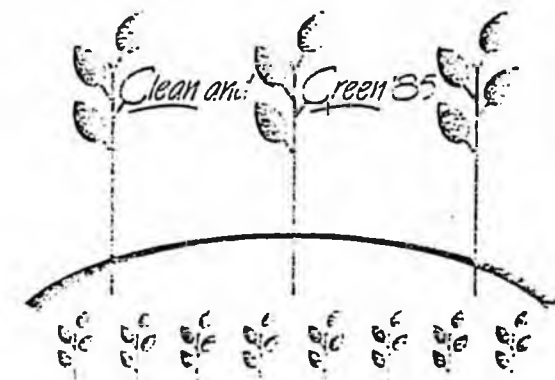
The Beautification Subcommittee recruited volunteers and utilized court referrals to landscape, plant and maintain Golden Heart Park, Park Plaza and numerous downtown flower and tree boxes. Special attention was paid to the banks of the Chena River in the downtown area.

School children and several businesses cooperated in creating, hanging and maintaining 60 banners that were hung at the airport, along Airport Road and the Richardson Highway. The banners carried a warm greeting to all who visited our city.



EDUCATION

Working primarily through the schools, this subcommittee stressed good citizenship and personal responsibility when using the outdoors. Children were encouraged to participate in the beautification of their school grounds through litter pickup, planting and respect for property.



Beautification and Litter Control Committee
GREATER FAIRBANKS CHAMBER OF COMMERCE



ENFORCEMENT

Working closely with the District Court, the Fairbanks North Star Borough's Environmental Services Division supervised the community service work required of litter offenders and those who had committed other minor offenses. The 53 individuals assigned to this program performed 1,001 hours of work, which consisted of litter pickup and beautification. Enforcement efforts will be expanded next year to solicit the cooperation of construction companies, garbage haulers and major businesses in keeping litter off the streets and highways.



SPRING CLEANUP

Our most visible effort, this subcommittee really earned its stripes in 1984. Faced with the visit of the Pope and the President just 10 days before the traditional spring cleanup, the committee recruited volunteers who made Airport Road, Chena Pump Road, University Avenue, Geist Road and College Road spotless. Reporters from around the world commented on how clean Fairbanks was.

The traditional Clean Up Day drew 11,000 participants and produced 30,000 bags of rubbish, the largest one-day effort in the history of Alaska. This program received an award from the state as the top volunteer clean up effort in Alaska in 1984.

Clean & Green in '85 Project
 % Fairbanks Chamber of Commerce
 P.O. Box 74446
 Fairbanks, AK 99707



HOW CAN YOU HELP?

A community-based litter control and beautification program must have broad support. Your assistance is urgently needed in the following areas:

Financial support.

Private sector donations represent a large part of the budget required to successfully operate this program. If you can, please give generously. Major contributors will be recognized by having their names displayed on safety bibs worn by litter patrol members.

Take pride

in your own home and business. Keep your sidewalk and storefront neat and clean. Add flowers. Call us for ideas.

Bend over.

If you see some litter or trash, stop to pick it up. If everyone did this, we wouldn't need a committee like ours.

Sweat equity.

Lend a hand on some sunny afternoon. Join the committee. Donate your time. Get involved!

Report offenders.

If you see someone toss litter out of their car or truck, or if garbage blows off a truck enroute to the landfill, call the Troopers or the city police.

For further information, call 452-1105.



GREATER FAIRBANKS CHAMBER OF COMMERCE

Yes! I want to help keep Fairbanks clean and beautiful.

- I will sponsor a litter patrol member for:
 1 day (\$50) 1 week (\$250) 1 month (\$1,000)*
- I like the work you are doing. Here is my donation of _____
- I cannot give money, but will volunteer my time.
 Please call me at _____ (day phone).
- You can count on me. I pledge to keep my home and/or business clean and beautiful in 1985.
- I have _____ tools _____ equipment _____ a vehicle that I will loan to the committee to help it achieve its goals.

NAME _____

ADDRESS _____

HOUSE COMMITTEE REPORT

(7)

Date referred: 2/2/87

FURTHER REFERRALS: Finance

DATE: 2-11-87

The Judiciary Committee has considered HB 59

"An Act relating to the recycling and reduction of litter; and providing for an effective date."

RECOMMENDS:

- replace with CS HB 59 (Jud) the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published _____
- zero with analysis

SIGNING DO PASS:

[Signature]
[Signature]
Mike Savane
[Signature]
[Signature]

SIGNING OTHER RECOMMENDATIONS:

[Signature]
 Chairman's signature