

SB

102

3/9/88
H (Jud)
Fin

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: CSSB 102(JUD)
PUBLISH DATE: _____

FISCAL NOTE

REQUEST

Revision Date: 2/23/88
Title: "Missing Persons Information
Clearinghouse..."
Sponsor: Sen. Faiks
Requestor: House Judiciary

Agency Affected: Public Safety
BRU: Alaska State Troopers
Components: Criminal Investigation
Bureau

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY88	FY89	FY90	FY91	FY92	FY93
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 FUNDS						
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)

No additional law enforcement activities are anticipated to result from passage of this legislation.

Prepared by: Francis C. Allan *F.C.A.*
Division: Alaska State Troopers

Phone: 269-5691
Date: 2/23/88

Approved by Commissioner: *A. Houtski* Date: 3-2-88
Agency: Public Safety

Distribution: (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

RECEIVED
MAR 8 1988

SENATE COMMITTEE REPORT

FURTHER:

4/3/87

DATE TURNED INTO OFFICE 5/8/87

Mr. President:

FINANCE Committee considered SB 102

reports of missing persons; and creating a missing person information clearinghouse.

and recommended:

replace with CS FOR _____ ; same title
 or adopt _____ CS FOR SB 102 (Jud)) new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted _____

Committee attached or adopted fiscal note(s)

new updated or previous
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

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

[Signature] **DO PASS**
Chairman signature and recommendation

Committee Backup Attached

A/B

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

Bill Version: SB 102

Publish Date: _____

REQUEST

Revision Date: _____

Agency Affected: Public Safety

Title: "An Act relating to reports of missing persons."

BRU: Alaska State Troopers

Sponsor: Sen. Faiks...

Components: Detachments & CIB

Requestor: Senate State Affairs

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		24.8	25.5	26.3	27.1	27.9
TRAVEL						
CONTRACTUAL		2.0	2.1	2.1	2.2	2.3
SUPPLIES		1.0	1.1	1.1	1.1	1.1
EQUIPMENT		10.3				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	38.1	28.7	29.5	30.4	31.4
CAPITAL						
REVENUE						

FUNDING:: (Thousands of Dollars)

GENERAL FUNDS	0	38.1	28.7	29.5	30.4	31.4
FEDERAL FUNDS						
OTHER						
TOTAL	0	38.1	28.7	29.5	30.4	31.4

POSITIONS:

FULL-TIME						
PART-TIME	0	1	1	1	1	1
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Costs include one PPT Clerk IV and a micro computer to handle record keeping. Equipment costs are needed only in the first year. 3% inflation costs are anticipated in future years.

Prepared by: Francis C. Allan

Phone: 269-5691

Division: Alaska State Troopers

Date: 2/23/87

Approved by Commissioner: [Signature]

Date: 2/24/87

Agency: Public Safety

Distribution (by preparer):

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

RECEIVED

FEB 25 1987

LEGISLATIVE FINANCE

page 1 of 3

JNR
2/24/87

2/25/87

CONTINUATION OF FISCAL NOTE ANALYSIS

For Bill/Resolution No. SB 102

Personal Services

Clerk IV, Range 9, Step A, PPT	
30 hrs X \$11.06 X 52 weeks =	17,254
Benefits	3,289
SES	1,058
Health	3,214
<u>Total Personal Services</u>	24,815

Contractual

Line costs for computer interface	2,000
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Supplies

Office Supplies	1,000
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Equipment

Compaq Computer, Software, Printer, etc.	9,000
Desk	691
Chair	345
Computer Table	300
<u>Total Equipment</u>	10,336

TOTAL	<u>38,151</u>
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RECEIVED
FEB 25 1987

LEGISLATIVE FINANCE

Position Title Clerk IV		No. of Positions	Range/Step	9/A	Barg. Unit	GGU
Time Status PPT	Staff Months 12	Location Anchorage		Election District 7-12		
Type of Expenditure		Justification				
		This PPT (30 hrs per week) Clerk IV will be used to operate a purchased Compaq computer to enter and update data on missing persons reported by state and local law enforcement agencies. Incidents of runaways will need to be entered when reported and cleared when the individual is located. The filing of reports, medical records, photos and other data will be the responsibility of this position.				
Amount						
1	2	3				
Salary	17,254					
Benefits	7,561					
Premium Pay						
Other						
Total Personal Services		24.8				
Travel						
Contractual		2.0				
Commodities		1.0				
Equipment		10.3				
Other						
Total Cost		38.1				
Funding Source for Total Cost						
Federal Receipts	1002					
G. F. Match	1003					
General Fund	1004	38.1				
I-A Receipts	1006					
CIP Receipts	1061					
Other						

RECEIVED

FEB 25 1987

LEGISLATIVE FINANCE

**Request For
New Position**

Agency Public Safety
 BRU Alaska State Troopers
 Component Detachments & CIB

Page 3 of 3
 Revised Date

FY 88

Original sponsors: Faiks, Uehling
and Szymanski

1 IN THE SENATE BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 102 (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 reports of missing persons; and
7 creating a missing persons information clearing-
8 house."

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

10 * Section 1. AS 18.65 is amended by adding new sections to read:

11 ARTICLE 7. MISSING PERSONS INFORMATION CLEARINGHOUSE.

12 Sec. 18.65.600. MISSING PERSONS INFORMATION CLEARINGHOUSE.

13 There is in the Department of Public Safety the missing persons infor-
14 mation clearinghouse.

15 Sec. 18.65.610. DUTIES OF MISSING PERSONS INFORMATION CLEARING-
16 HOUSE. (a) The missing persons information clearinghouse is estab-
17 lished as a central repository of information regarding missing per-
18 sons.

19 (b) The clearinghouse shall

20 (1) establish within the state a system and appropriate
21 procedures for communication of information regarding missing persons;

22 (2) collect, maintain, and disseminate accurate and com-
23 plete information on missing persons for the purpose of identifying,
24 locating, and returning them;

25 (3) provide for exchange of information on missing persons
26 within the state;

27 (4) cooperate with private citizens, local law enforcement
28 agencies, and other state and federal agencies in investigations con-
29 cerning missing persons;

1 (5) maintain communication with the National Crime Informa-
2 tion Center for exchange of information on persons suspected of inter-
3 state travel;

4 (6) provide training and assistance to law enforcement
5 agencies to promote effective use of the clearinghouse.

6 Sec. 18.65.620. DUTY OF LAW ENFORCEMENT AGENCIES. In addition
7 to the requirements of AS 47.10.141 regarding reports of missing
8 minors, a local or state law enforcement agency shall submit to the
9 clearinghouse all missing person reports received by the law enforce-
10 ment agency that relate to a person who is not located within 48 hours
11 after the first report concerning that person was filed.

12 Sec. 18.65.630. MEDICAL AND DENTAL RECORDS OF MISSING PERSONS.

13 (a) When a person files a report of a missing person with a law
14 enforcement agency or with the clearinghouse, a form authorizing the
15 release of medical and dental records to the law enforcement agency
16 and to the clearinghouse shall be supplied to the family, next of kin,
17 or legal guardian of the missing person. The family, next of kin, or
18 legal guardian of the missing person may complete the release form and
19 deliver the release form to the physician or dentist of the missing
20 person. The physician or dentist who receives a release form signed
21 by the family, next of kin, or legal guardian of the missing person
22 may only release to the law enforcement agency and the clearinghouse
23 that information that is necessary to identify the missing person.

24 (b) When the family, next of kin, or legal guardian of a missing
25 person cannot be located or does not exist, a law enforcement agency
26 may execute a written declaration stating that an active investigation
27 is being conducted and that medical and dental records are required
28 for the exclusive purpose of furthering the investigation. Notwith-
29 standing AS 09.25.120 and AS 17.30.155, the declaration signed by a

1 peace officer under this subsection is sufficient authority for the
2 physician or dentist to release information necessary to aid in the
3 identification of the missing person. The physician or dentist may
4 only release that information that is necessary to identify the miss-
5 ing person.

6 (c) Medical and dental records obtained under this section shall
7 be provided to the clearinghouse.

8 (d) When a missing person is found, the law enforcement agency
9 and the clearinghouse shall destroy all records in their files ob-
10 tained under this section.

11 Sec. 18.65.640. REPORTS UPON FINDING A MISSING PERSON. A person
12 who has filed a missing person report with the clearinghouse or a law
13 enforcement agency shall immediately notify the clearinghouse or the
14 law enforcement agency when the location of the missing person is
15 determined.

16 Sec. 18.65.650. CIVIL PENALTY. The commissioner of public
17 safety, or a person designated by the commissioner of public safety,
18 may file a civil complaint in the district court to enforce
19 AS 18.65.640. A person who fails to comply with AS 18.65.640 is
20 subject to a civil fine of not more than \$1,000.

21 Sec. 18.65.660. DEFINITION. In AS 18.65.600 - 18.65.660 "clear-
22 inghouse" means the missing persons information clearinghouse estab-
23 lished in AS 18.65.600.

24 * Sec. 2. AS 18.60.170 is amended to read:

25 Sec. 18.60.170. REPORT AND INVESTIGATION OF DISAPPEARANCE. The
26 commissioner of public safety or a designee shall file each notifica-
27 tion of disappearance with the missing persons information clearing-
28 house under AS 18.65.620 [IN ALPHABETICAL ORDER IN THE OFFICE OF THE
29 COMMISSIONER OR DESIGNEE], and shall notify the peace officer in the

1 district where the disappearance occurred or in the nearest districts
2 where there is a peace officer to make an investigation regarding the
3 disappearance. If the circumstances give reasonable grounds for
4 suspicion that a murder has been committed or that a person has met
5 with foul play, the peace officer shall report all the facts to the
6 district attorney in the peace officer's district or the assistant
7 district attorney living nearest the place where the peace officer
8 resides. The district attorney or the assistant district attorney
9 shall assist and advise the peace officer in the investigation.

10 * Sec. 3. AS 47.10.141(a) is amended to read:

11 (a) Upon receiving a request to locate a minor evading the
12 minor's legal custodian or to locate a minor otherwise missing, a law
13 enforcement agency shall make reasonable efforts to locate the minor
14 and shall immediately complete a missing person's report containing
15 information necessary for the identification of the minor. As soon as
16 practicable, but not later than 24 hours after completing the report,
17 the agency shall transmit the report for entry into the Alaska Public
18 Safety Information Network and the National Crime Information Center
19 computer system. The report shall also be submitted to the missing
20 persons information clearinghouse under AS 18.65.620. As soon as
21 practicable, but not later than 24 hours after the agency learns that
22 the minor has been located, it shall request that the Department of
23 Public Safety and the Federal Bureau of Investigation remove the
24 information from the computer systems.

APR 8 1987

Alaska State Legislature



PRESIDENT
907-465-3755

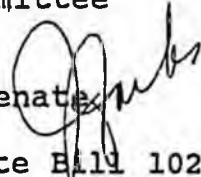
JAN FAIKS
POST OFFICE BOX V
JUNEAU, ALASKA 99811

Senate

April 7, 1987

MEMORANDUM

TO: Senator John Binkley, Co-Chairman
Senate Finance Committee

FROM: Senator Jan Faiks 
President of the Senate

SUBJECT: Background on Senate Bill 102
An Act relating to reports of missing persons;
and creating a missing persons information
clearinghouse.

Senate Bill 102 has been referred to your committee for consideration. The purpose of this bill is to establish a statewide system for handling information about missing persons.

The locating of missing persons has been hampered in the state by the lack of consistent procedures for receiving, processing and sharing information about lost persons. Each law enforcement agency seems to have its own method for handling reports of missing persons, for dealing with relatives of the victim, and for coordinating search efforts with others.

Often, this lack of consistency has resulted in undue expense to the government and needless anxiety for friends and relatives. The problem is aggravated by the vastness of our state. A body washed up on the shores of the Bering Sea is not matched with a missing persons report filed in Ketchikan. Village officials continue to investigate the disappearance of a teenager long after she has been found by authorities in Fairbanks.

OUT OF SESSION

6060 YUKON DRIVE ANCHORAGE, ALASKA 99516 907-274-6611



By creating a central repository for collecting and handling information about missing persons, Senate Bill 102 should relieve these problems.

Senate Bill 102 proposes the following:

Section 1. Amends AS 18.65 by adding AS 18.65.600 - 18.65.660.

Sec. 18.65.600. Establishes the Missing Persons Information Clearinghouse.

Sec. 18.65.610. Requires the Clearinghouse to create a statewide system for handling information about missing persons. The Clearinghouse will collect and disseminate this information throughout Alaska. It will communicate with the National Crime Information Center about missing persons cases, and will train officials on how to best use the Clearinghouse.

Sec. 18.65.620. Places a duty on all law enforcement agencies to send to the Clearinghouse all reports of missing persons who have not been found within forty-eight hours.

Sec. 18.65.630. Allows agencies to obtain medical and dental records that will help identify bodies. If relatives of the missing persons are available, these records cannot be obtained by a government agency unless they are requested by family members. If no relatives are available, the law enforcement agencies can obtain records on their own initiative. When the agencies obtain these records, they must forward them to the Clearinghouse. Upon the location of the missing person, the law enforcement agency and the clearinghouse shall destroy all records in their files.

Sec. 18.65.640. Requires a person who files a missing person report to notify the clearinghouse or law enforcement agency once the person who has been reported missing has been found.

Sec. 18.65.650. The committee substitute prepared by the Senate Judiciary Committee provides that a failure to notify the Clearinghouse or law enforcement agency when the person is found may be punishable by a civil fine of not more than \$1,000.

Section 2 Amends AS 18.60.170 which deals with procedures for handling missing persons reports within the Department of Public Safety. This section adds the additional duty of filing these reports with the Clearinghouse. If murder or foul play is suspected in a case, a report must be filed with the district attorney.

Section 3. Amends AS 47.10.141(a) to require the filing of reports of missing minors with the Clearinghouse.

A similar bill was passed by the Senate during the last session, but time ran out before it was able to get through the legislative process. This bill has passed out of its first committee of referral, the Senate State Affairs Committee.

I would appreciate the committee's consideration of the legislation at its earliest convenience. Should you need any additional information, please let me know.

Thank you. .

cc: Senator Fred Zharoff



Official Business

Alaska State Legislature

Senate

Finance Committee

Pouch V
State Capitol
Juneau, Alaska 99811

MEMORANDUM

April 6, 1987

TO: Senator Fred Zharoff

FROM: Senator John Binkley, Co-Chairman
Senator Don Bennett, Co-Chairman

RE: Subcommittee Assignment - Senate Bill 102

A handwritten signature in black ink, appearing to read "John Binkley", written over the name "Senator John Binkley" in the FROM field.

We are assigning Senate Bill 102, "An Act relating to reports of missing persons; and creating a missing persons information clearinghouse," to you for subcommittee work. This bill was received in Finance on April 3. We would like to schedule the bill before the Finance Committee as soon as possible so your expeditious consideration will be appreciated.

As noted in our previous memorandum on subcommittee assignments, we request that you notify the sponsor that the bill is in your subcommittee. You may request other members of the Finance Committee to participate in your consideration of the bill. Please notify all Finance Committee members of any public hearings you may schedule so they can participate if they wish.

When you are ready to report the bill back to committee, please notify Senator Binkley's office so that it can be scheduled for hearing before the full committee.

cc: Senator Jan Faiks

1 IN THE SENATE

BY FAIKS, UEHLING
AND SZYMANSKI

2

SENATE BILL NO. 102

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 reports of missing persons; and
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28 agencies, and other state and federal agencies in investigations con-
29 cerning missing persons;

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15 release of medical and dental records to the law enforcement agency
16 and to the clearinghouse shall be supplied to the family, next of kin,
17 or legal guardian of the missing person. The family, next of kin, or
18 legal guardian of the missing person may complete the release form and
19 deliver the release form to the physician or dentist of the missing
20 person. The physician or dentist who receives a release form signed
21 by the family, next of kin, or legal guardian of the missing person
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23 that information that is necessary to identify the missing person.

24 (b) When the family, next of kin, or legal guardian of a missing
25 person cannot be located or does not exist, a law enforcement agency
26 may execute a written declaration stating that an active investigation
27 is being conducted and that medical and dental records are required
28 for the exclusive purpose of furthering the investigation. Notwith-
29 standing AS 09.25.120 and AS 17.30.155, the declaration signed by a

1 peace officer under this subsection is sufficient authority for the
2 physician or dentist to release information necessary to aid in the
3 identification of the missing person. The physician or dentist may
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12 who has filed a missing person report with the clearinghouse or a law
13 enforcement agency shall immediately notify the clearinghouse or the
14 law enforcement agency when the location of the missing person is
15 determined.

16 Sec. 18.65.650. PENALTY. (a) A person who knowingly fails to
17 perform a duty under AS 18.65.620 - 18.65.630 is liable in a civil
18 action to a person harmed by the failure to perform the duty for a
19 penalty of not more than \$10,000.

20 (b) The commissioner of public safety, or a person designated by
21 the commissioner of public safety, may file a civil complaint in the
22 district court to enforce AS 18.65.640. A person who fails to comply
23 with AS 18.65.040 is subject to a civil fine of not more than \$1,000.

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25 inghouse" means the missing persons information clearinghouse estab-
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2 clearinghouse under AS 18.65.620 [IN ALPHABETICAL ORDER IN THE OFFICE
3 OF THE COMMISSIONER OR DESIGNEE], and shall notify the peace officer
4 in the district where the disappearance occurred or in the nearest
5 districts where there is a peace officer to make an investigation
6 regarding the disappearance. If the circumstances give reasonable
7 grounds for suspicion that a murder has been committed or that a
8 person has met with foul play, the peace officer shall report all the
9 facts to the district attorney in the peace officer's district or the
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11 officer resides. The district attorney or the assistant district
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13 tion.

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19 information necessary for the identification of the minor. As soon as
20 practicable, but not later than 24 hours after completing the report,
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22 Safety Information Network and the National Crime Information Center
23 computer system. The report shall also be submitted to the missing
24 persons information clearinghouse under AS 18.65.620. As soon as
25 practicable, but not later than 24 hours after the agency learns that
26 the minor has been located, it shall request that the Department of
27 Public Safety and the Federal Bureau of Investigation remove the
28 information from the computer systems.

SENATE COMMITTEE REPORT

FURTHER:

FINANCE

2/26/87

DATE TURNED INTO OFFICE

4/2/87

Mr. President:

JUDICIARY

Committee considered

SB 102

relating to reports of missing persons; and creating a missing person information clearinghouse.

and recommended:

replace with
 or adopt

CS FOR
 CS FOR

SB 102 (JUD)

same title
 new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to

letter of intent adopted

Committee attached or adopted fiscal note(s)

new

updated or

previous

zero

fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Patrick Rader
J. G. ...
Curtis Stimpulski
Rich Haford

J. K. ... Do pass
Chairman signature and recommendation

Committee Backup Attached

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 18 FEB 1987 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: JUDICIARY
FINANCE

**FISCAL NOTE(S) ATTACHED 1 **
IN ACCORDANCE WITH AS 24.08.035
(see below)
2/4/87

DATE TURNED INTO OFFICE 2-25-87

Mr. President:

STATE AFFAIRS

Committee considered SB 102

relating to reports of missing persons; and creating a missing person information clearinghouse.

and recommended:

- replace with CS _____ same title
- attached amendment(s) and new title

do pass

do not pass

no recommendation

individual recommendations


further referral to _____

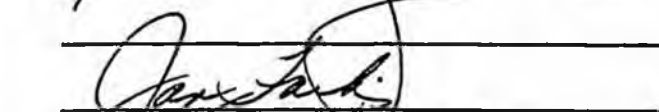
letter of intent adopted and attached

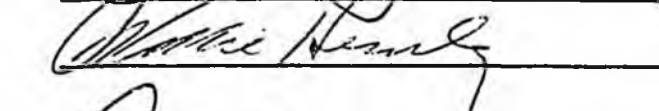
** Committee attached or adopted fiscal note(s)
 zero fiscal impact

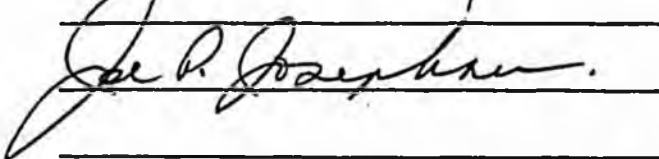
MEMBERS SIGNING DO PASS

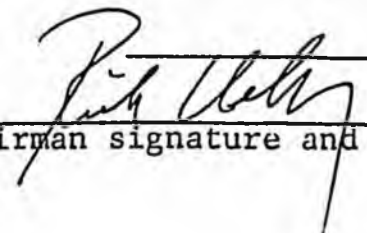
OTHER RECOMMENDATIONS











 Chairman signature and recommendation

Committee Backup Attached