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TANANA CHIEFS CONFERENCE, INC.
Board of Directors
Resolution No. 89-1

HB 32

HB 88

SB 46

SUPPORTING NATIVE ELDERS IN THEIR FIGHT AGAINST ALCOHOL AND DRUGS

- WHEREAS, there are many problems which threaten our survival as a people, but none have such a devastating impact on our villages and families as does the problem of alcohol and drug abuse;
- WHEREAS, the use of alcohol and drugs offers nothing to our villages but broken spirits, broken families, pain, suffering and death; and
- WHEREAS, the use of alcohol and drugs never has been and never will be of any value to our Native culture and Native people; and
- WHEREAS, since its introduction from other cultures, Native elders have warned their villages that alcohol and drugs are the greatest threat to health, life and cultural values; and
- WHEREAS, as the keepers and teachers of Native culture, the elders of today speak stronger than ever against alcohol and drugs and have committed themselves to bring their message against alcohol and drugs to their villages; and

NOW THEREFORE BE IT RESOLVED that the Tanana Chiefs Conference Board of Directors request that Governor Steve Cowper and every Alaska State legislature and member of Alaska's delegation in Congress support the efforts of the Interior villages in their fight against alcohol and drug abuse; and

BE IT FURTHER RESOLVED that the Tanana Chiefs Conference Board of Directors direct TCC to pursue state, federal, local, and private sector funding to institute comprehensive region wide alcohol and drug prevention programs utilizing elders, concerned village volunteers, village councils and youth in each village and that these concerned village teams be afforded training and ongoing support; and

BE IT FURTHER RESOLVED that the Village Councils and village courts pass ordinances against alcohol and drugs and strictly enforce these ordinances through their village courts; and

BE IT FURTHER RESOLVED to protect our children and families, Village Councils and courts strongly consider the use of traditional Native justice mechanisms and banish bootleggers and drug pushers from our village; and

BE IT FURTHER RESOLVED each school in each village includes a comprehensive drug prevention to their curriculum and actively implements preventive education at every grade level; and

BE IT FURTHER RESOLVED as an example to our children and to each other that alcohol to be served at any TCC function from this day forward; and

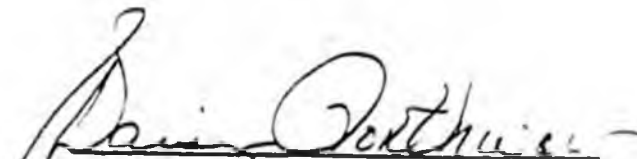
BE IT FURTHER RESOLVED any TCC employee determined to have a drug problem be given the option to receive treatment or be immediately terminated from employment; and

BE IT FURTHER RESOLVED each Native person of strong body and mind lend hand to help their elders and village leaders in this most serious task; and

BE IT FURTHER RESOLVED for the spiritual well being of our children, families and for the survival and strengthening of our village from this day forward, let it be known that the elders of the Athabascan Nation have declared war on all those who are associated with alcohol and drug abuse.

CERTIFICATION

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference, Inc. Board of Directors on March 16, 1989 at Fairbanks, Alaska and a quorum was duly established.



Daisy Northway

Daisy Northway
Secretary-Treasurer
Tanana Chiefs Conference, Inc.

Submitted by: Executive Board

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: "An Act imposing a tax on certain controlled substances; and providing for an effective date."
 Sponsor: Repr. Martin
 Requestor: House Judiciary

Agency Affected: Department of Law
 BRU: Prosecution, Legal Services
 Components: All, Operations

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	32.4	144.4	148.7	153.2	157.8	162.5
TRAVEL	1.2	4.8	4.9	5.0	5.2	5.4
CONTRACTUAL	4.6	16.5	17.0	17.5	18.0	18.5
SUPPLIES	1.2	7.2	7.4	7.6	7.8	8.0
EQUIPMENT	6.5	14.0	-0-	-0-	-0-	-0-
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	45.9	186.9	178.0	183.3	188.8	194.4

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	45.9	186.9	178.0	183.3	188.8	194.4
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME	1.0	3.0	3.0	3.0	3.0	3.0
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Please see the attached analysis.

Richard I. Pegues

Prepared by: Richard I. Pegues, Director
 Division: Administrative Services

Phone: 465-3672
 Date: January 11, 1990

Approved by Commissioner: *Richard B. Baily* Douglas B. Baily, Attorney General
 Agency: Department of Law

Date: January 11, 1990

Distribution (by preparer):

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

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SSHB 32

This bill adds a new chapter to Title 43 that imposes an excise tax on certain controlled substances. Currently, 17 states tax illegal drugs through some form of "Al Capone Law." The Department of Law has several concerns about the legality of certain provisions in this version of the bill. However, those concerns are not the subject of this fiscal note, and the committee is encouraged to contact the department's criminal division to resolve these issues.

If an excise tax can be properly enacted, the department believes that collection of unpaid taxes and civil penalties, which would be levied under proposed AS 43.52.070, will have a fiscal impact on the Department of Law and the Department of Revenue. Experience in other states has shown that violators rarely voluntarily pay civil penalties. Consequently, civil legal action to collect penalties is required in nearly every case. Assuming that one-half or more of the reported felony drug offenders had assets susceptible to a civil collection, the department expects that more than 400 collection actions would be required annually. There were 800+ felony drug offender/offenses reported in FY89. Data is not readily available that would indicate the revenues which might accrue as a result of an excise tax and civil penalties. This would depend upon the amount of illegal drugs that are seized and the value of available assets. Nevertheless, effective civil enforcement will require the addition of an Attorney III during the first year, and the addition of an Associate Attorney I and a Legal Secretary I as the caseload expands during the second year.

The current bill shows an effective date of January 1, 1990. Assuming that the effective date is changed to January 1, 1991, fiscal note costs have been based on the cost of the attorney for six months during FY91, and the cost of all three positions on a full-year basis beginning in FY92.

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SSHB 32

<u>FY91</u>	<u>Atty III</u>	<u>Assoc. Atty I</u>	<u>Leg. Sec. I</u>	<u>Total</u>
Personal Services	32.4	-0-	-0-	32.4
Travel	1.2	-0-	-0-	1.2
Contractual	4.6	-0-	-0-	4.6
Supplies	1.2	-0-	-0-	1.2
Equipment	6.5	-0-	-0-	6.5
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Total	45.9	-0-	-0-	45.9

FY92

Personal Services	64.6	47.4	32.4	144.4
Travel	2.4	2.4	-0-	4.8
Contractual	6.2	5.4	4.9	16.5
Supplies	2.4	2.4	2.4	7.2
Equipment	-0-	5.5	6.5	14.0
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Total	75.6	63.1	48.2	186.9

Costs beyond FY92 include a 3% annual inflation factor, less one-time costs.

1.	POSITION TITLE Attorney III				RANGE/STEP 22A	BARC. UNIT PX	PAGE/LINE	GOV.	APPROV.	DISAPP
2.	TYPE OF POSITION PFT	STAFF MONTHS 6	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION EBA-Anchorage	ELECTION DISTRICT 8	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION:					
4.	TYPE OF EXPENDITURE				This position is required to handle civil, judicial collection of "Al Capone Law" excise taxes and penalties for possession of controlled substances. It is anticipated that a minimum of 400 such collection actions will be required annually, and this number is expected to grow substantially as time passes. In addition to formal collection actions, the position will also be required to process attachments of assets at the time that defendants are arrested. Legal work of the nature is usually handled at the sub-journey level of Attorney III.					
	1	2	3							
	PERSONAL SERVICES									
5.	Salary		24,570							
6.	Benefits		3,889							
7.	Supplemental Benefits		1,590							
8.	Fixed Benefits		2,322							
9.	TOTAL PERSONAL SERVICES	01		32,371						
10.	Travel	02		1,200						
11.	Contractual	03		4,600						
12.	Commodities	04		1,200						
13.	Equipment	05		6,500						
14.	Other									
15.	TOTAL COST			45,871						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		45,871						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR B&M USE ONLY										
KEY NUMBER										

REQUEST FOR
NEW POSITION

AGENCY Department of Law
BRU Legal Services
COMPONENT Operations

FY 91

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Revised Date

1.	POSITION TITLE Associate Attorney I				RANGL/STEP 17A	BARG. UNIT PX	PAGE/LINE	GOV.	APPROV.	DISAPP
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION EBA-Anchorage	ELECTION DISTRICT 8	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION:					
4.	TYPE OF EXPENDITURE				This position is needed to assist the attorney who will handle judicial collections of excise taxes and penalties under the proposed "Al Capone Law." In addition to assisting with formal collection actions, the position will be responsible for locating assets so that they may be attached at the time illegal drug defendants are arrested. Otherwise, there is a strong likelihood that such assets will either disappear or be disposed of. As much of the work of the position will be done independently, allocation to the paraprofessional level of Associate Attorney I is appropriate.					
	1	2	3							
	PERSONAL SERVICES									
5.	Salary		34,920							
6.	Benefits		5,528							
7.	Supplemental Benefits		2,259							
8.	Fixed Benefits		4,644							
9.	TOTAL PERSONAL SERVICES	01		47,351						
10.	Travel	02		2,400						
11.	Contractual	03		5,400						
12.	Commodities	04		2,400						
13.	Equipment	05		5,500						
14.	Other									
15.	TOTAL COST			63,051						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		63,051						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR B&M USE ONLY KEY NUMBER										

REQUEST FOR NEW POSITION

AGENCY Department of Law

BRU Legal Services

COMPONENT Operations

FY 91

Page 1 of 1
Revised Date

1.	POSITION TITLE Legal Secretary I				RANGE/STEP 10B	UARG. UNIT GCU	PAGE/LINE	GOV.	APPROV.	DISAPP
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION EBA-Anchorage	ELECTION DISTRICT 8	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION:					
4.	TYPE OF EXPENDITURE			AMOUNT	<p>This position is required to provide clinical support for the attorney and the paraprofessional who will handle civil collections under the proposed "Al Capone Law". Collections work is particularly paper-intensive requiring substantial documentation, public notice, and court filings. Allocation to the Legal Secretary I level is appropriate.</p>					
	1	2	3							
	PERSONAL SERVICES									
5.	Salary		22,716							
6.	Benefits		3,596							
7.	Supplemental Benefits		1,470							
8.	Fixed Benefits		4,644							
9.	TOTAL PERSONAL SERVICES	01		32,426						
10.	Travel	02		-0-						
11.	Contractual	03		4,900						
12.	Commodities	04		2,400						
13.	Equipment	05		8,500						
14.	Other									
15.	TOTAL COST			48,226						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		48,226						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR B&M USE ONLY										
KEY NUMBER										

REQUEST FOR
NEW POSITION

AGENCY Department of Law
 BRU Legal Services
 COMPONENT Operations

FY 91

Page 1 of 1
 Revised Date _____

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Tax on certain controlled substances
providing for an effective date
Sponsor: Martin, Zawacki & Swackhammer
Requestor: Judiciary & Finance

Agency Affected: Revenue
BRU: Income & Excise Audit

Components: Operating

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
OPERATING						
PERSONAL SERVICES	50.3	50.3	50.3	50.3	50.3	50.3
TRAVEL	10.0	10.0	10.0	10.0	10.0	10.0
CONTRACTUAL	10.0	10.0	10.0	10.0	10.0	10.0
SUPPLIES	2.0	2.0	2.0	2.0	2.0	2.0
EQUIPMENT	5.0	0	0	0	0	0
LANDS & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	77.3	72.3	72.3	72.3	72.3	72.3
REVENUE	45.0	50.0	50.0	60.0	60.0	70.0

FUNDING: (Thousands of Dollars)

GENERAL FUND	77.3	72.3	72.3	72.3	72.3	72.3
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	77.3	72.3	72.3	72.3	72.3	72.3

POSITIONS:

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

ANALYSIS: See attached.

Prepared By: Steven E. Kettel
Division: Income and Excise Audit

Phone: (907) 465-2320
Date: December 5, 1989

Approved by Commissioner: Hugh Malone
Agency: Department of Revenue

Date: December 5, 1989

Distribution (by preparer):

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

House Bill 32
Analysis
Prepared by:
Steven E. Kettel
Income and Excise Audit Division

December 5, 1989

HB32, if enacted would impose a tax on certain controlled substances to be collected by the Department of Revenue. The Department will sell stamps which must be affixed to the drug before importation into the state.

Although the bill envisions that that drug dealers and/or users will prepay the tax, this legislation would typically be enforced upon seizure of the drug by a law enforcement officer.

A failure to pay provision at 100% of the tax amount is also provided.

Fiscal Impact:

1. Revenues - As an example, a recent Public Safety report revealed that 10,000 ounces of marijuana were confiscated in drug busts in FY87. Assuming collection of tax and penalty on the entire amount, over \$3 million would be collected. Other states having an illegal drug tax report that only a small amount of tax assessed is ever collected under the tax statutes. We estimate as little as 5% of the tax may ever be collected.

2. Expenditures - We request a single auditor to work in conjunction with law enforcement agencies throughout the state. Travel may be necessary to confiscate cash and other assets which may be converted to cover the tax assessment.

Revenue Auditor III (18A)	50.3
Travel	10.0
Contractual	10.0
Supplies	2.0
Equipment	5.0
Total	<u>77.3</u>

FISCAL NOTE

REQUEST:

Revision Date: 1-8-90 Agency Affected: Public Safety
Title: Tax on marijuana BRU: Alaska State Troopers
Sponsor: Representative Martin, etc. Component: Detachments
Requestor: House Judiciary

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
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	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER/PROG RCPT						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact anticipated.

Prepared by: Francis C. Allan
Division: Alaska State Troopers

Phone: 269-5691
Date: 12/19/89

Approved by Commissioner: G.A.H. English
Agency: Department of Public Safety

Date: 1-8-90
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