

HB

27

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National Coalition for Drug-Free School Zones

ALASKA STATE LEGISLATURE

Office of Majority Whip

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ANCHORAGE AK 99503

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(907) 465-3875/4894

VICE CHAIR
HEALTH, EDUCATION
& SOCIAL SERVICES

COMMUNITY AND
REGIONAL AFFAIRS
INTERNATIONAL TRADE
AND TOURISM

CHAIR
CHILDREN'S CAUCUS

REPRESENTATIVE BETTYE DAVIS

DISTRICT 14 SEAT B • EAST ANCHORAGE • MULDOON

M E M O R A N D U M

TO: REPRESENTATIVES CARNEY AND LINCOLN, CO-CHAIR
HOUSE COMMITTEE ON HEALTH, EDUCATION & SOCIAL SERVICES

FROM: REPRESENTATIVE BETTYE DAVIS *By D*

RE: SSHB 27 - DRUG-FREE SCHOOL ZONES

DATE: FEBRUARY 27, 1991

Criminal justice, education, and substance abuse prevention leaders unanimously agree that the only possible resolution to the current drug epidemic lies in successful reduction of the demand for illegal drugs, particularly among our nation's youth. Of all known drug reduction strategies, the Drug Free School Zones initiative is perhaps the most promising systemic demand-reduction innovation. Drug-Free School Zones can unite community leaders in partnerships with criminal justice, education, and prevention efforts to protect children and enhance the school learning environment by constricting the supply and lessening the demand for drugs. Conceptually, Drug-Free School Zones are designed to create drug-free "safe havens" within geographic zones surrounding schools.

Recognizing the need for greater legislative innovation the following organizations strongly supported the development of drug-free school zones: National School Boards Association, National Association of Secondary School Principals, National Association of Elementary School Principals, National Association of Partners in Education, National School Safety Center, National Association of State Alcohol and Drug Abuse Directors, Council of State Governments, National Council of Juvenile and Family Court Judges, National Association of Chiefs of Police, and the National Association of Attorneys General.



As of June 1990 forty-two (42) States plus the District of Columbia have insititute Drug-Free School Zones. It has been recognized by the National Coalition for Drug-Free School Zones that Alaska already has incorporated the concept of Drug Free-School Zone in its laws. What we hope to do is enhance the law by doing the following.

(1) amends certain criminal law provisions applicable to possession of controlled substances and imitation controlled substances on or near school grounds and on school buses;

(2) requires the State Board of Education to initiate certain activity apprising the state's public and private Students about controlled substances and the criminal penalties applicable to them;

(3) directs the state and municipalities to install "drug-free school zone" signs near schools.

The Association of Alaska School Boards, Alaska Council of School Administrators, NEA-Alaska, Departments of Corrections, Education, Health and Social Services, and Public Safety all support this bill.

Thank you for hearing this bill.

BILL NO: SSHB 27

DATE: 2/27/91

TITLE: "An Act relating to . . .
drug free Sschool zones . . ."

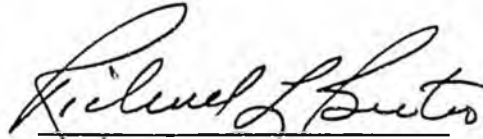
CONTACT: Gayle A. Horetski
Deputy Commissioner
465-4322

DEPARTMENT OF
PUBLIC SAFETY
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The Department of Public Safety supports SSHB 27, which amends present criminal laws regarding possession of controlled substances and imitation controlled substances on or near school grounds or on a school bus. The Department recommends two changes in the present version of the bill, however.

First, Section 2 of the bill (page 2, line 12) contains a reference to "(a)(4)(A) of this section". As far as we can tell, there is no such subsection, so this reference should be deleted.

Secondly, this bill (in sections 2 and 4) repeals and reenacts "affirmative defense" provisions contained in existing law. As presently drafted, these reenacted sections do not indicate what happens if the defendant establishes such a defense. We assume that the bill's sponsors did not intend that an offender who establishes the affirmative defense escape prosecution entirely. Rather, he or she should be subject to prosecution under other applicable statutes. The Department of Public Safety strongly recommends that the language in existing law be retained. This could be accomplished by adding the language: "Nothing in this subsection precludes a prosecution under any other provision of this section or any other section of this chapter." to sections 2 and 4 (page 2, line 15 and page 4, line 4).



Richard L. Burton
Commissioner

STATE OF ALASKA
Department of Corrections
LEGISLATIVE POSITION PAPER
Lloyd Hamee, Commissioner

P.O. Box 'T', Juneau, AK 99811-2000 (907) 466-9975

Carl Nibel, Legislative Liaison

February 26, 1991

SPONSOR SUBSTITUTE HOUSE BILL NO. 27

"An act relating to the delivery and possession of controlled substances....installation of signs in the vicinity of schools....
"drug-free school zones.

The Department of Corrections supports SSHB No.27. The bill fundamentally addresses the national effort to protect young people and to encourage a drug free school environment.

SSHB No.27 does not have a fiscal impact on Corrections.

FISCAL NOTE:
ZERO
ATTACHED

APPROVED: L.H. by Carl Nibel

Commissioner

DATE: 2-26-91

February 28, 1991

Sponsor: Rep. Bettye Davis

SECTIONAL ANALYSIS
SPONSOR SUBSTITUTE FOR HB 27

"An Act relating to the possession of controlled substances and imitation controlled substances, to misconduct involving controlled substances and imitation controlled substances by minors, and to the provision of information that apprises students about controlled substances and the penalties applicable to misconduct involving controlled substances; and requiring installation of signs in the vicinity of schools declaring the areas to be 'drug free school zones'; and providing for an effective date."

Sections 1 and 3 amend laws defining, respectively, the crimes of misconduct involving a controlled substance in the third and fourth degrees by

(1) broadening to 500 feet around school grounds the geographic area adjacent to a school within which possession of a controlled substance is made a criminal offense, and extending that prohibition to possession occurring on a school bus; and

(2) deleting a condition in current law that the illegal possession in or adjacent to a school bus must be by someone not a minor; the deletion thus broadens the reach of these two criminal provisions to minors. Misconduct in the third degree is a class B felony, misconduct in the fourth degree is a class C felony.

Sections 2 and 4 establishes as affirmative defenses, respectively, for the two offenses above that the alleged offense occurred within a private residence that is situated within 500 foot school grounds perimeter. (An affirmative defense simply means that, as to an issue for which an affirmative defense may be raised, once the state offers some evidence that permits the defendant to use the defense, the defendant has the burden of establishing the defense by a preponderance of the evidence.)

Section 5 defines the terms "school bus" and "school grounds," used in the preceding criminal provisions.

In an adjudication of delinquency of a minor charged with a violation of one of the two preceding criminal provision, Section 9 directs the superior court to order the minor to perform 50 hours of community service, i.e. "work on projects designed to reduce or eliminate environmental damage, protect the public health, or improve public services, lands, forests, park, roads, highways, facilities, or education."

II

Section 6 adds to the duties of the State Board of Education the responsibility of directing the Department of Education to develop and annually distribute to students enrolled in public and private schools an information pamphlet about controlled substances.

III

Section 7 directs the Department of Transportation and Public Facilities to erect "drug-free school zone" signs at locations to which the department has placed school zone signs.

Section 8 assigns the same duty to municipalities that erect official traffic control devices.

Section 10 delays until August 16, 1992, the effective date of the two-sign placement sections, allowing the department and local governments time to prepare and position signs in advance of the 1992-93 school year.



ALASKA ASSOCIATION OF ELEMENTARY SCHOOL PRINCIPALS
ALASKA ASSOCIATION OF SECONDARY SCHOOL PRINCIPALS
ALASKA ASSOCIATION OF SCHOOL ADMINISTRATORS

• ALASKA COUNCIL OF SCHOOL ADMINISTRATORS •
326 Fourth St., Suite 408, Juneau, AK 99801-1101 (907) 586-9702 FAX (907) 586-5879

POSITION STATEMENT

HOUSE BILL 27

ENTITLED: DRUG & ALCOHOL USE BY MINORS/SCHOOL ZONES

The Alaska Council of School Administrators supports having a drug free zone located around a school site.

The Alaska Association of Secondary School Principals and the Alaska Association of Elementary School Principals are very aware of detrimental affects drugs can have on our students and society and have long been involved in fighting the menace of drug abuse in Alaska. We are also very aware of the fact that drug pushers have often found a lucrative market among students who cannot say "no" to drugs.

On the national level a recent survey by the Coalition for Drug-Free School Zones shows that 23 states now have drug-free school zones on the books, and legislation is pending in several other states.

Both the Alaska Association of Secondary Principals and the Alaska Association of Elementary School Principals passed resolutions at their annual conference supporting the drug-free school zone legislation.

ASSOCIATION OF ALASKA SCHOOL BOARDS

316 West 11th Street, Juneau, Alaska 99801-1510 • Tel. (907) 586-1083 • Fax (907) 586-2995

Serving Alaskan Education



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POSITION PAPER

HB 27

IN SUPPORT OF LEGISLATION CREATING A DRUG-FREE SCHOOL ZONE

The Association of Alaska School Boards endorses and supports legislation, such as HB 27, creating a drug free school zone and urges quick passage of such legislation by the Alaska Legislature. At least 23 other states have enacted such legislation with resulting decreases in drug related activity in and around schools.

The Association of Alaska School Boards has a strong commitment to a drug-free school environment in the State of Alaska. However, current Alaska law does not dictate increased penalties associated with possession of drugs on school grounds, or with delivery of, or possession with intent to deliver on school grounds.

AASB also endorses allowing the extent of the zone to be decided by local schools. A flexible boundary zone, decided upon by local schools or a school district, would grant the necessary latitude for districts to determine an effective drug-free school zone and would recognize the differences between Alaska's very small rural villages and larger communities.

2/1/91



NEA-ALASKA

AFFILIATED WITH THE NATIONAL EDUCATION ASSOCIATION

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FAX: (907) 456-2159

February 26, 1991

To: **Representatives Carney and Lincoln, Co-Chairs
Members, House HESS Committee**

Re: **HB 27: "An Act relating to the delivery and possession of controlled substances and imitation controlled substances, to misconduct involving controlled substances, imitation controlled substances, and alcohol by minors, and to the provision of information that includes penalties applicable to misconduct involving controlled substances; and requiring installation of signs in the vicinity of schools declaring the areas to be "drug-free" school zones; and providing for an effective date."**

NEA-Alaska strongly supports and encourages your favorable consideration of HB 27.

Public schools through-out our nation, unfortunately, have become focal points for those who would encourage illegal and inappropriate use of drugs and alcohol. The eventual solution to the myriad of attendant problems will happen only when the collective conscience of society is raised to such a level that alcohol and substance abuse is unacceptable behavior.

HB 27 properly increases penalties and, even more importantly, defines a process for raising an awareness of them. It is appropriate for the board of education to have a greater responsibility in providing students with specific information about controlled substances.

The creation of "drug-free" school zones is a positive step and represents a statement of public policy that it is time for all of us to deal with this problem.

Thank you for your consideration of our position.

Respectfully submitted,

Bob Manners
Executive Director

Don Oberg
President

cc: **Representative Bettye Davis**



ANCHORAGE
SCHOOL DISTRICT

4600 DeBarr Avenue
P.O. Box 196614
Anchorage, Alaska 99519-6614
AREA CODE [907] 333-9561

February 27, 1991

SCHOOL BOARD

Sharon Richards
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Carol Stolpe
Vice President

Darryl Jordan
Clerk

Carol Christianson
Treasurer

Vinca Casey

Wallis T. Featherly

Theresa Obermayer

SUPERINTENDENT

Thomas C. O'Rourke

The Honorable Bettye Davis
House of Representatives
P.O. Box V
Juneau, AK 99811

Dear Bettye:

Per your request, the administration reviewed the contents of Sponsor Substitute for House Bill No. 27, and believes that it supports the existing philosophy and practice of the School District relating to the possession of controlled substances and/or imitation controlled substances involving students in our schools. Our current School Board Policy 451.4 - Illegal Drug/ Alcohol (see attached), is but one example of our practice in dealing with this topic.

Because we are an educational institution, we believe we have an obligation to take a strong position on the use, sale, and possession of controlled substances by students in our schools and, where possible, provide appropriate education through regular and optional programs to those students impacted. As an educational organization, we would participate with the intent of drug free school zones.

Sincerely,

Thomas C. O'Rourke
Superintendent

mt

cc Carl LaMarr, Deputy Superintendent

Attachment: School Board Policy 451.4

NATIONAL COALITION FOR DRUG-FREE SCHOOL ZONES

State Legislation

June 1990

One of the goals of the National Coalition for Drug-Free School Zones is the passage of state drug-free school zone legislation. This goal is being achieved. To date 42 states plus the District of Columbia have state legislated Drug-Free School Zones. Five states have proposed or pending legislation (i.e., Nebraska, North Carolina, South Dakota, Texas, and Wyoming). Only three states remain without Drug-Free School Zones laws (i.e., Idaho, Montana, and Tennessee).

As each state has adopted unique DFSZ legislation, this legislation brief has been prepared to bring together all of the variations of DFSZ laws nationwide. It is hoped that this material will prove useful to leaders and legislators as they move to improve their DFSZ laws. The following are excerpts of state legislation for Drug-Free School Zones.

Alabama

Division 4.

Sale on or Near School Campus.

§ 13A-12-250. Additional penalty if unlawful sale on or near school campus.

In addition to any penalties heretofore or hereafter provided by law for any person convicted of an unlawful sale of a controlled substance, there is hereby imposed a penalty of five years incarceration in a state corrections facility with no provision for probation if the situs of such unlawful sale was on the campus or within a three-mile radius of the campus boundaries of any public or private school, college, university or other educational institution in this state. (Acts 1987, No. 87-610, p. 1060; Code 1975, § 20-2-79; Acts 1988, 1st Sp. Sess., No. 88-918, p. 512, § 2; Acts 1989, No. 89-950.)

Alaska

Sec. 11.71.030. Misconduct involving a controlled substance in the third degree.

(3) being 18 years of age or older, possesses any amount of a schedule IA or IIA controlled substance within the grounds of or on a parking lot immediately adjacent to a public or private preschool, elementary, junior high, or secondary school.

(b) It is an affirmative defense to a prosecution under (a)(3) of this section that at the time of the possession the school was closed to any organized activity involving persons under 18 years of age. [Nothing in this subsection precludes a prosecution under any other provision of this section or any other section of this chapter.]

FISCAL NOTE

Revision Date: 1/21/91

Department Affected:

DOT&PF

Title: " An Act relating to the Delivery and possession of controlled substance BRU:

Maintenance &

Operations

Sponsor:

Component:

Central, Northern & S. E.

Requestor:

Component Serial Number:

564, 584, 587, 590, & 603

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY92	FY93	FY94	FY95	FY96	FY97
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & 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	148.5	15.0	30.0	30.0	30.0	45.0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUNDS	148.5	15.0	30.0	30.0	30.0	45.0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL FUNDING:	148.5	15.0	30.0	30.0	30.0	45.0

POSITIONS

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

Estimate of current year impact:

ANALYSIS: (Attach a separate page if necessary)
See Attached.

Prepared by: Jeffery C. Ottesen, Director

Phone: 465-2951

Division: Engineering and Operations Standards

Date: Feb 26, 1991

Approved by Commissioner: Frank G. Turpin

Phone: 465-3900

Agency: Department of Transportation and Public Facilities

Date: Feb 26, 1991

Distribution By Preparer: Legislative Finance, Legislative Sponsor, Requestor, OMB, Impacted Agency(ies).

ALASKA STATE LEGISLATURE

Office of Majority Whip

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CHAIR
CHILDREN'S CAUCUS

REPRESENTATIVE BETTYE DAVIS

DISTRICT 14 SEAT B • EAST ANCHORAGE • MULDOON

TO: REPRESENTATIVES CARNEY AND LINCOLN, CO-CHAIR
HOUSE COMMITTEE ON HEALTH, EDUCATION & SOCIAL SERVICES

FROM: REPRESENTATIVE BETTYE DAVIS

RE: SSHB^{d1} - DRUG-FREE SCHOOL ZONES - AMENDMENTS

DATE; FEBRUARY 28, 1991

*****-

AMENDMENTS I - Delete "(a)(4)(A)" from page 2, line 12 of the sponsor substitute.



ALASKA STATE LEGISLATURE

Office of Majority Whip

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INTERNATIONAL TRADE
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CHAIR
CHILDREN'S CAUCUS

REPRESENTATIVE BETTYE DAVIS

DISTRICT 14 SEAT B • EAST ANCHORAGE • MULDOON

TO: REPRESENTATIVES CARNEY AND LINCOLN, CO-CHAIR
HOUSE COMMITTEE ON HEALTH, EDUCATION & SOCIAL SERVICES

FROM: REPRESENTATIVE BETTYE DAVIS

RE: SSHB²¹ - DRUG-FREE SCHOOL ZONES - AMENDMENTS

DATE; FEBRUARY 28, 1991

*****-

AMENDMENTS II - Add the following language "Nothing in this subsection precludes a prosecution under any other provision of this section or any other section of this chapter". to sections 2 and 4 (page 2, line 15 and page 4, line 4).



ALASKA STATE LEGISLATURE

Office of Majority Whip

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VICE CHAIR
HEALTH, EDUCATION
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AND TOURISM

CHAIR
CHILDREN'S CAUCUS

REPRESENTATIVE BETTYE DAVIS

DISTRICT 14 SEAT B • EAST ANCHORAGE • MULDOON

TO: REPRESENTATIVES CARNEY AND LINCOLN, CO-CHAIR
HOUSE COMMITTEE ON HEALTH, EDUCATION & SOCIAL SERVICES

FROM: REPRESENTATIVE BETTYE DAVIS

RE: SSHB27 - DRUG FREE SCHOOL ZONES AMENDMENTS

DATE: FEBRUARY 28, 1991

AMENDMENT III

DELETE - "AND PRIVATE" FROM PAGE 4 LINES ~~6, 10~~, 14, AND 17 OF THE
SPONSOR SUBSTITUTE.



AMENDMENT

Offered to SSHB 27 ()

Offered by Representative Lincoln

Page 6, line 15:

Delete "community service" has the meaning given in AS 33.30.901."

Insert "community service" includes work

(A) ~~on a project~~ on a project identified in AS 33.30.901; or

(B) ~~that~~ that ~~_____~~, ~~_____~~ on the recommendation ~~_____~~ of the city council or

~~traditional village council~~, would ~~_____~~ benefit ~~_____~~

persons within the city or village who are elderly or disabled."

§ 33.30.251

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Smith v. State,
Op. No. 3586
(1990).

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§ 33.30.292 PROBATION, PRISONS, AND PRISONERS § 33.30.901

(b) The commissioner shall provide for the shipment to the receiving facility of a reasonable amount of the prisoner's property, as determined by the commissioner, when the prisoner is transferred from one correctional facility to another.

(c) A prisoner's personal property that remains at a correctional facility after 90 days from the date of the prisoner's release or transfer is considered abandoned, and shall be delivered to the Department of Administration for disposal under AS 44.68.110.

(d) The state is not liable for any loss or damage to personal property properly determined to be abandoned under (c) of this section.

Sec. 33.30.292. Designation of victims representative. If more than one person who qualifies as a victim under AS 12.55.185 requests notice under this chapter, the commissioner shall designate one person for purposes of receiving the notice required and of exercising the rights granted by this chapter. (§ 22 ch 59 SLA 1989)

Sec. 33.30.901. Definitions. In this chapter, unless the context requires otherwise,

- (1) "center" means a correctional restitution center;
- (2) "commissioner" means the commissioner of the Department of Corrections;
- (3) "community service" means work on projects designed to reduce or eliminate environmental damage, protect the public health, or improve public services, lands, forests, parks, roads, highways, facilities, or education; community service may not confer a private benefit on a person except as may be incidental to the public benefit;
- (4) "correctional facility" or "facility" means a prison, jail, camp, farm, half-way house, group home, or other placement designated by the commissioner for the custody, care, and discipline of prisoners; a "state correctional facility" means a correctional facility owned or run by the state;
- (5) "court" means the supreme court, the court of appeals, the superior court, the district or magistrate court, or a justice or judge of a court;
- (6) "crime against a person" means a crime as set out in AS 11.41, or a crime against a person in this or another jurisdiction having elements substantially identical to those of a crime as set out in AS 11.41;
- (7) "department" means the Department of Corrections;
- (8) "furlough" means an authorized leave of absence from actual confinement for a designated purpose and period of time;

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. SSHB #27

Revision Date: 2-26-91 Department Affected: Corrections
 Title: An act relating to..drug-free zones BRU: _____
 Component: _____
 Sponsor: Rep. B. Davis
 Requestor: Rep. B. Davis COMPONENT SERIAL NO.

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
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						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Thomas Sutton, Director *Tom Sutton* Phone: 465-3376
 Division: Administrative Services Date: 2-26-91
 Approved by Commissioner: Lloyd Hames
 Agency: Dept. of Corrections Date: _____

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. 45 HB27

Revision Date: _____ Department Affected: Education
 Title: Delivery and possession of controlled substances... 'drug free school zones' BRU: Executive Administration
 Component: Executive Administration
 Sponsor: Bettye Davis
 Requestor: House HESS COMPONENT SERIAL NO.

--	--	--	--

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	12.7	11.5	11.5	11.5	11.5	11.5
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	12.7	11.5	11.5	11.5	11.5	11.5

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	12.7	11.5	11.5	11.5	11.5	11.5
FEDERAL FUNDS						
OTHER						
TOTAL	12.7	11.5	11.5	11.5	11.5	11.5

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.) This fiscal analysis assumes distribution of the information pamphlet to 112,200 students in the 54 public school districts in the state. Four versions of the pamphlet will be developed, targeting grades K-12, 3-5, 6-8, 9-12.

Prepared By: Mary Hakala Phone: 465-2800
 Division: Commissioner's Office Date: 2/27/91
 Approved by Commissioner: Steve Hote, Acting Commissioner
 Agency: Education Date: 2/27/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

HB 27: Delivery and possession of controlled substances and imitation controlled substances, to misconduct involving controlled substances, imitation controlled substances, and alcohol by minors, and to the provision of information that includes penalties applicable to misconduct involving controlled substances; and requiring installation of signs in the vicinity of schools declaring the areas to be 'drug-free school zones'

Fiscal Note Analysis
February 27, 1991
Page 2 of 2

Cost estimate for production of information pamphlet required in section 8:

Year 1:

Graphics/design/typesetting	\$1,200
Printing	10,000
Postage/handling	1,500

Total	\$12,700

Years 2-5:

Printing	10,000
Postage/handling	1,500

Total	\$11,500

FISCAL NOTE

Revision Date: 1/21/91 Department Affected: DOT&PF
 Title: " An Act relating to the Delivery and possession of controlled substance BRU: Maintenance & Operations
 Sponsor: Component: Central, Northern & S. E.
 Requestor: Component Serial Number: 564, 584, 587, 590, & 603

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY92	FY93	FY94	FY95	FY96	FY97
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & 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	148.5	15.0	30.0	30.0	30.0	45.0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

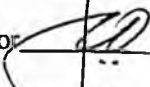
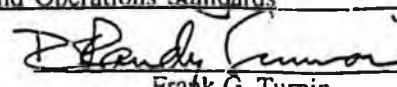
GENERAL FUNDS	148.5	15.0	30.0	30.0	30.0	45.0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL FUNDING:	148.5	15.0	30.0	30.0	30.0	45.0

POSITIONS

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

Estimate of current year impact:

ANALYSIS: (Attach a separate page if necessary)
 See Attached.

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 Division: Engineering and Operations Standards Date: Feb 26, 1991
 Approved by Commissioner:  Phone: 465-3900
 Agency: Department of Transportation and Public Facilities Date: Feb 26, 1991

Distribution By Preparer: Legislative Finance, Legislative Sponsor, Requestor, OMB, Impacted Agency(ies).

Department of Transportation and Public Facilities

Fiscal Note Analysis: House Bill No. 27

2/25/91

This is the same analysis that was proposed for last year's HB 391

There is no way to make an actual inventory of signed school locations without considerable effort. However, there are 660 schools, and it can reasonably be assumed that at least half are on or near the state system (including municipal arterials), and are marked as schools by school speed zones, marked crosswalks, or advance school warning signs.

Furthermore, where schools are signed there would rarely be less than two marked locations (one in each direction on one road) and probably rarely more than four (one in each direction on two roads) for an average of 3 per school. This amounts to 330 schools X 3 signs per school average = 990 signs total.

Large signing contracts average approximately \$50 per square foot for installed signs. The required sign size for legibility and consistency would be about two square feet. However, such smaller signs have much the same mounting, labor and equipment costs as those several times larger. Including the need to locate the signs rather accurately, the estimated cost per sign is conservatively \$150 each.

This results in an estimated initial cost of \$148,500 in 1990 dollars.

The sign life due to deterioration, accidental destruction, and the high vandalism target value cannot be expected to exceed about five years with, for all causes, 10% loss the first year, 20% the second through the fourth years, and 30% the last year when deterioration sets in, and about 20% per year average thereafter.

This results in maintenance as follows (in 1990 dollars):

1st year	0.10 X \$150K = \$15,000
2nd thru 4th years	0.20 X \$150K = \$30,000 per year
5th year	0.30 X \$150K = \$45,000
thereafter	0.20 X \$150K = \$30,000 per year

There is no way to accurately speak for the municipalities for the costs on their road system.