

HB

66



Alaska Cabaret, Hotel,
Restaurant & Retailers Association

P.O. Box 104839 • Anchorage, Alaska 99510
~~225 Cordova Building B, Suite 305 • (907) 272-8133~~
401 K St,

January 31, 1991

Gloria Hartzmann
Rep. Bert Sharp's Office
Alaska State Legislature
P. O. Box V
Juneau, AK 99811

Dear Gloria,

As you will see from the reams of material that I have enclosed, our primary interest is in the imposition of reasonable penalties (suspension of driver's license) for minors who attempt to purchase alcohol with the use of false identification. Absolutely nothing seems to happen to these "kids" who are after all, breaking the law.

While House Bill 66 does not specifically address this concern of ours, we applaud Rep. Sharp for his stand to apply a reasonable penalty to 13 to 18 year olds who break the law. A driver's license is a precious thing to a teenager and this is a penalty that will matter to them, while at the same time not cause a burden on the corrections system. Too often, if a case even gets before a judge, he is reluctant to sentence a minor to jail time. This is a reasonable penalty for minors who break the law and we support the passage of HB 66.

If I can be of any assistance, please do not hesitate to call.

Sincerely,

Carol Wilson
Executive Director

CORRESPONDENCE



ALASKA STATE MEDICAL ASSOCIATION

4107 Laurel Street • Anchorage, Alaska 99508-5334 • (907) 562-2662

July 26, 1991

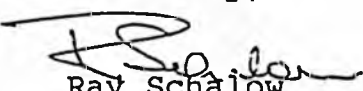
The Honorable Bert M. Sharp
Alaska State House of Representatives
1015 3rd Avenue
Fairbanks, AK 99701

Dear Representative Sharp:

We applaud your efforts this past legislative session for the introducing House Bill No. 66 "An Act relating to revocation of a minor's license to drive."

In April, at our annual meeting, the Alaska State Medical Association adopted Resolution 91-14 that addresses the same subject. If we can assist your efforts with this legislation, please do not hesitate to contact us.

Sincerely,


Ray Schalow
Executive Director

Alaska State Medical Association

4107 Laurel Street Anchorage, Alaska 99508 (907) 562-2662 (Fax) 561-2063

Adopted at the Alaska State Medical Association
Annual Meeting Held in Juneau, Alaska
April 27, 1991

RESOLUTION: 91-14

SUBJECT: Mandatory Drivers License Revocation for Minors DUI

WHEREAS driving under the influence is one of the leading causes of preventable death and disability in our society in general, and

WHEREAS driving under the influence is the leading cause of preventable death and disability among adolescents, and

WHEREAS the majority of drivers killed in automobile accidents are legally under the influence of alcohol, and

WHEREAS purchase, possession and consumption of intoxicating substances, including alcohol, is already illegal for those under age 21, and

WHEREAS patterns of behavior learned in adolescence often carry over into adult life, and

WHEREAS driving a motorized vehicle is a privilege rather than a right, therefore be it

RESOLVED that the Alaska State Medical Association call upon the legislature to pass and the governor to sign into law a mandatory one year revocation of the license to drive for any minor convicted of driving under the influence, and a mandatory revocation for two years or until age 21, whichever comes last, for a second conviction of a minor driving under the influence.

Distribution:

US Department of Health and Human Services
Alaska State Department of Health and Social Services
American Medical Association
Governor Hickel
Alaska State Legislators
Alaska State Troopers
Mothers Against Drunk Driving
Newspapers

Gigi Pilcher
Box 6552
Ketchikan Ak 99901

November 27, 1991

Representative Bert Sharp
119 N. Cushman
Fairbanks, AK 99701

Dear Representative Sharp,

I am responding to your recent letter dated November 22, 1991 regarding HB 66.

After reviewing the proposed bill, I would like to voice my strong support of this legislation. I have a few suggestions which may or may not be feasible and they are as follows:

1) Mandatory attendance by violators to a series of classes on the damaging effects of substance abuse to society.

2) Require violators to pay for the cost of the classes. (These classes are currently required for adults convicted of DWI in Ketchikan.)

3) Drivers license will remain revoked until class attendance is completed.

4) Drivers license be revoked immediately upon violation (no two or three week waiting period).

5) Educate all parents/legal guardians of teen drivers that the parents/guardians have the right to have their child's license revoked at any time. This could be done by having the parent/guardian informed of their rights when they sign for permission when their child applies for their initial license.

My only comment is that I think the period of revocation is too short.

As the parent of 6 children, ages 2 to 15, I am very concerned about the problem of mixing substances (alcohol and drugs) and driving. Two of my children have their permits and I have stressed to them that a permit and license is a privilege, not a right, and that if I as their parent felt they had abused the privilege that I would have their permit/license revoked.

Therefore, I am very much in favor of the passage of HB 66 and will be happy to assist you in any way to get it passed.

Thank you for sponsoring this bill, passage of it will be a positive measure for all Alaskans.

Sincerely,



Gigi Pilcher

SECTIONAL ANALYSIS
CS HB 66

January 24, 1992

Sec. 1. Revises current law to make it mandatory for the court to revoke the driver's license of a minor adjudicated of misconduct involving a controlled substance, or an alcohol offense, or use of false ID.

Sec. 2. Stiffens the court imposed revocations by making the first offense mandatory for not less than 30 but not more than one year, and the second offense mandatory for not less than 30 days but not more than two years.

Sec. 3. Creates a new section which creates an administrative revocation process (identical to the administrative revocation process for DWI offenders). Probation or peace officers, upon making a determination that a minor has violated the law, shall give notice to the minor that the Department of Public Safety will revoke their driving privileges, and outlines the administrative review process.

Sec. 4. Effective date.

Alaska State Legislature

REPRESENTATIVE
BERT SHARP

DISTRICT 20

MEMBER
FINANCE COMMITTEE

FINANCE SUBCOMMITTEES:
GOVERNOR
FISH AND GAME
LABOR



FAIRBANKS

119 N CUSHMAN
FAIRBANKS, ALASKA 99701
(907) 452-7885/7886


WHILE IN JUNEAU

PO BOX V
STATE CAPITOL
JUNEAU, ALASKA 99811
(907) 465-3004/3018

House of Representatives

MEMORANDUM

TO: Representative Dave Donley
Chairman, House Judiciary Committee

FROM: Representative Bert Sharp 

DATE: February 7, 1992

SUBJ: Hearing request for CSHB66 (TRA)

I respectfully request a hearing before the Judiciary Committee for consideration of CSHB66(TRA).

Driving is a privilege looked forward to by all youngsters. Loss of this privilege can be a strong deterrent. The intent of this bill is to provide the strongest possible incentive for our children to say no to drugs or alcohol.

The purpose of CSHB66 is twofold:

1) It would change the language in AS 28.15.185 from "may" to "shall," requiring a license revocation for a minor adjudicated on charges of misconduct involving drugs, alcohol, or using false ID to purchase alcohol, and establish minimum revocation periods.

2) CSHB66 also adds a new section which would authorize the administrative suspension of a minor's driving privilege for any drug or alcohol related offense, including minor on the premises and using a false ID to purchase alcohol, and establish minimum revocation periods.

Included with this request are: 1) sponsor statement and sectional analysis; 2) fiscal notes from Department of Law, Courts, DHSS, and DPS; 3) Statistical data on minors referred to DFYS; 4) letters of support. The Department of Public Safety and Division of Youth & Family Services support this bill.

For additional information, contact Gloria in my office.



REPRESENTING
GOLDEN HEART
OF ALASKA

Alaska State Legislature

REPRESENTATIVE
BERT SHARP

DISTRICT 20

MEMBER
FINANCE COMMITTEE

FINANCE SUBCOMMITTEES:
GOVERNOR
FISH AND GAME
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House of Representatives

SPONSOR STATEMENT CSHB66

Today's society faces many difficult challenges with juveniles, especially related to alcohol or substance abuse. We must work to strengthen the perception that these types of behavior are unacceptable and violations are subject to punishment by loss of a privilege. I believe an effective method of establishing this precedent is through the use of driver's license revocation. It appears that this was the legislative intent of AS 28.15.185, which was enacted in 1988.

Under existing law, a juvenile's driving privilege can be revoked only by the court through the adjudication process, which is costly. However, minors arrested on a drug or alcohol related offense (other than DWI) are automatically referred to the Division of Family & Youth Services (DFYS). The Division's options are limited to referring the minor to court for adjudication, or it must make an in-house recommendation for treatment of the youth. Last year approximately 1,500 juveniles were involved in liquor or drug offenses in Alaska and less than a dozen resulted in adjudication and driver's license suspension. Clearly, the current law is not working.



REPRESENTING
GOLDEN HEART
OF ALASKA

After working for nearly a year with representatives of the Division of Family and Youth Services, the Division of Motor Vehicles, and the Department of Law, I believe CSHB66(TRA) is an effective and operationally functional method of strengthening the process.

The intent behind CSHB66 is to provide the Department of Public Safety and Division of Youth & Family Services with a tool to help discourage youth from starting the dangerous and sometimes fatal association with drugs and alcohol. Many states have enacted similar legislation designed to provide teenagers with a totally understandable disincentive to alcohol and substance abuse through that of driver's license revocation. This has proven to be an effective method for two reasons: 1) it gives youth a reason to say "no" which is acceptable to their peers, and 2) it provides positive reinforcement to drug-free teenagers by maintaining their eligibility to drive.

I firmly believe this will be a strong preventive tool. The threat of losing one's wheels is a clear message to a teenager. Most importantly, it places the responsibility on the youth -- it is, after all, their choice.

HOUSE COMMITTEE REPORT

5-20-92

(7)

Date Referred: February 7, 1992

FURTHER REFERRALS:

Finance

Date of Committee Action: 3-19-92

The JUDICIARY Committee considered:

HB 66

HOUSE BILL NO. 66

REVOCATION OF MINOR'S DRIVERS LICENSE

"An Act relating to revocation of a minor's license to drive."

RECOMMENDATIONS:

be replaced with CS HB 66 (JUD) the same title a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal impact Public Safety

fiscal note(s) _____

zero fiscal note _____

zero fiscal note(s) Law (2-7) 92

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Kevin Pat Parnell</i>	<input checked="" type="checkbox"/>	<i>Mike Miller</i>			<input checked="" type="checkbox"/>
<i>Mark Stanley</i>	<input checked="" type="checkbox"/>	<i>Larry Martin</i>			<input checked="" type="checkbox"/>
<i>Dave Donley</i>	<input checked="" type="checkbox"/>	<i>Alfred L. Suenberg</i>		<input checked="" type="checkbox"/>	
		<i>Jim Ellis</i>		<input checked="" type="checkbox"/>	

Dave Donley
CHAIRMAN'S SIGNATURE

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

(Work Draft)
BILL NO. CSHB 66 ()
Dated 11/14/91

Revision Date: _____ Department Affected: Department of Law
Title: "An Act relating to revocation of a minor's license to drive." BRU: Prosecution
Sponsor: Representative Sharp Component: Criminal Justice Litigation
Requestor: Representative Sharp COMPONENT SERIAL NO.

		8	9
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL						

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)
Please see the attached analysis.

Prepared By: Richard I. Pegues, Director Phone: 465-3672
Division: Administrative Services Date: December 20, 1991
Approved by Commissioner: Richard I. Pegues / FEN
Agency: Department of Law Date: December 20, 1991
Charles E. Cole, Attorney General

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSHB 66 (Work Draft)
(dated 11/14/91)

The committee substitute for HB 66 extends the driver's license revocation penalties, under AS 28,15,185(a), for minors from age 13 years through 17 years to include using fraudulent or false identification to enter a licensed premises where alcoholic beverages are sold for the purposes of obtaining alcoholic beverages contrary to law. Currently, AS 28.15.185 already prescribes this penalty for a person who is at least 13 years of age but not older than 17 years of age who is adjudicated by a juvenile court of misconduct involving a controlled substance under AS 11.71, or possession or consumption of alcohol under AS 04.16.050.

The bill also sets a minimum mandatory revocation of not less than 30 days, but no more than one year, for a first conviction or adjudication. And the bill sets a mandatory revocation of not less than 30 days, but not more than two years for a second or subsequent conviction or adjudication. The existing penalty is discretionary not to exceed 90 days for a first conviction, and discretionary not to exceed one year for a second subsequent conviction.

Last, the bill establishes a formal administrative revocation process, under proposed AS 28.15.187, allowing the Department of Public Safety to revoke a minor's driver's license administratively, under the circumstances outlined above.

This bill will not have a fiscal impact on the Department of Law, because the most significant change is to include use of a fraudulent or false identification to obtain alcoholic beverages unlawfully. Likewise, the minimum mandatory license revocation period is not unreasonable and should not result in any additional work. Including these penalties in the administrative license revocation process will also have little or no impact.

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 66

Revision Date: _____ Department Affected: Public Safety
 Title: An Act relating to revocation BRU: Motor Vehicles
of a minor's license to drive Component: Driver Services
 Sponsor: Representative Sharp
 Requestor: House Transportation COMPONENT SERIAL NO.

5	0	0
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EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	134.5	134.5	134.5	134.5	134.5	134.5
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	6.7	6.7	6.7	6.7	6.7	6.7
SUPPLIES	1.5	1.5	1.5	1.5	1.5	1.5
EQUIPMENT	24.7	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	167.4	142.7	142.7	142.7	142.7	142.7

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	135.0	135.0	135.0	135.0	135.0	135.0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	32.3	7.6	7.6	7.6	7.6	7.6
FEDERAL FUNDS						
OTHER GF/PRGM FUND SOURCE: 1005	135.0	135.0	135.0	135.0	135.0	135.0
TOTAL	167.4	142.7	142.7	142.7	142.7	142.7

POSITIONS:

FULL-TIME	3	3	3	3	3	3
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: Juanita Hensley Phone: 465-4335
 Division: Drivers Services Date: 1/23/92
 Approved by Commissioner: *Richard L. Burton* Richard L. Burton
 Agency: Department of Public Safety Date: 1/24/92

This bill will require the Division of Motor Vehicles to administratively revoke the driver's license of any juvenile between the ages of 13 and 17 who has consumed or who is in possession of drugs or alcohol. The Division of Family and Youth Services report approximately 1,500 juveniles yearly are referred to their agency by police authorities for alcohol or drug offenses of are brought in because the juvenile has violated his or her probation by using drugs and/or alcohol.

In order to handle 1,500 additional license revocations a year, and provide due process for the juvenile, one full-time Driver Improvement Specialist/Hearing Officer, and two full-time Document Processor II's will be required. The duties of these positions are detailed in the attached requests for a new position. The cost for personal services for two Document Processor II positions is 70.1; the cost for a Driver Improvement Specialist is 53.6; an additional 10.8 is needed for overtime expenses associated with reinstatement of revoked driver's licenses. The total for personal services is 134.5. The overtime pay is requested in lieu of a Motor Vehicle Representative III position, as the workload required to reinstate the offenders' driver's licenses will be borne by all of the Motor Vehicle Field offices throughout the state.

To revoke 1,500 additional driver's licenses a year takes over 30 processing steps per revoked license. It takes approximately 20 minutes to one hour to conduct an administrative hearing. Each processing step varies in the time it takes to complete. Complete accuracy is essential, as an error of entry onto a record could result in civil liability to the State. It takes approximately 20 minutes per applicant to reinstate a revoked driver's license; the person must make a new application for the driver's license or permit, take all of the required tests, and if the person is under the age of 18 a parent or legal guardian must give consent for the driver's license or permit, and pay the reinstatement fee. All of these steps total approximately 400 hours of additional workload for the Motor Vehicle Field office personnel.

Under existing law, each person whose license has been revoked must pay a \$100 fee when applying for reinstatement of his or her driver's license. Assuming that 90 percent of the minors who are eligible for reinstatement will comply with the reinstatement requirements, approximately 135.0 will be generated annually as program receipts.

DETAIL

		<u>FY93</u>
100	PERSONAL SERVICES	134.5
	2 Document Processor II 70.1	
	1 Driver Improvement Spec 53.6	
	Overtime MVR III Field Office 10.8	
200	CONTRACTUAL	6.7
	Postage and tolls 2.5	
	Telephone line fees .5	
	Conference call and long distance fees 3.7	
400	SUPPLIES	1.5
	Routine Office Supplies	
500	EQUIPMENT	24.7
	3 Computer Terminals	
	3 Network Line Hook-ups	
	3 Desks	
	3 Chairs	
	3 5-Drawer File Cabinets	
	TOTAL	167.4

Position Title Document Processor II		No. of Positions 2	Range/Step 8-B	Barg. Unit GGU	
Time Status PPT	Staff Months 12 each	Location Juneau		Election District	
Type of Expenditure		Justification			
Amount		<p>These positions would handle the necessary paperwork and computer entry onto the minor's record. Among other duties, the positions will send out letters advising the person of the dates of the license revocation, prepare files for hearing officer after the person has requested a hearing, file, close files out, sanitize for microfilm, microfilm, enter microfilm documents for microfilm retrieval, enter license revocation data. It is estimated that these positions will handle approximately 1,500 license revocation files a year.</p>			
1	2				3
Salary*	46.3				////////////////////
Benefits*	23.8				////////////////////
Premium Pay (Included in Above)	////////////////////				////////////////////
Other	////////////////////				////////////////////
Total Personal Services	////////////////////				70.1
Travel					0
Contractual					4.5
Commodities					1.0
Equipment					16.5
Other					0
Total Cost		92.1			
Funding Source for Total Cost					
Federal Receipts	1002				
G.F. Match	1003				
General Fund	1004				
Program Receipts/GF	1005				
I-A Receipts	1007				
CIP Receipts	1061				
Other					
* Personal Services Salary and Benefits Costs are from PACS calculations.					

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety
 BRU Motor Vehicles
 COMPONENT Driver Services

Page 4 of 5
Revised Date

FY 93

Position Title Driver Improvement Specialist			No. of Positions 1	Range/Step 16-A	Barg. Unit GGU
Time Status PPT	Staff Months 12		Location Juneau		Election District
Type of Expenditure			Amount		
1			2		3
Salary*			37.3		////////////////////
Benefits*			16.3		////////////////////
Premium Pay (Included in Above)			////////////////////		////////////////////
Other			////////////////////		////////////////////
Total Personal Services			////////////////////		53.6
Travel					0
Contractual					2.2
Commodities					.5
Equipment					8.2
Other Overtime					10.8
Total Cost:					75.3
Funding Source for Total Cost					
Federal Receipts 1002					
G.F. Match 1003					
General Fund 1004					
Program Receipts/GF 1005					
I-A Receipts 1007					
CIP Receipts 1061					
Other					
* Personal Services Salary and Benefits Costs are from PACS calculations.					
Justification					
This position will conduct administrative hearings involving the revocation of a minor's driver's license and/or privilege to drive. It will prepare the file, send notice to parties advising of the date and time of the hearing, conduct the hearing, prepare the file for appeal, enter license action onto the minor's driving record, and handle all correspondence associated with this program.					

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety
 BRU Motor Vehicles
 COMPONENT Driver Services

Page 5 of 5
Revised Date

FY 93

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSHB 66(TRANS)

Revision Date: 3/9/92 Department Affected: Public Safety
 Title: An Act relating to revocation BRU: Motor Vehicles
of a minor's license to drive Component: Driver Services
 Sponsor: Representative Sharp
 Requestor: House Judiciary COMPONENT SERIAL NO.

5	0	0
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EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	134.5	134.5	134.5	134.5	134.5	134.5
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	6.7	6.7	6.7	6.7	6.7	6.7
SUPPLIES	1.5	1.5	1.5	1.5	1.5	1.5
EQUIPMENT	24.7	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	167.4	142.7	142.7	142.7	142.7	142.7

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	135.0	135.0	135.0	135.0	135.0	135.0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	32.3	7.6	7.6	7.6	7.6	7.6
FEDERAL FUNDS						
OTHER GF/PRGM FUND SOURCE: 1005	135.0	135.0	135.0	135.0	135.0	135.0
TOTAL	167.4	142.7	142.7	142.7	142.7	142.7

POSITIONS:

FULL-TIME	3	3	3	3	3	3
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: Juanita Hensley Phone: 465-4335
 Division: Drivers Services Date: 3/9/92
 Approved by Commissioner: Richard L. Burton
 Agency: Department of Public Safety Date: 3/9/92

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In order to handle 1,500 additional license revocations a year, and provide due process for the juvenile, one full-time Driver Improvement Specialist/Hearing Officer, and two full-time Document Processor II's will be required. The duties of these positions are detailed in the attached requests for a new position. The cost for personal services for two Document Processor II positions is 70.1; the cost for a Driver Improvement Specialist is 53.6; an additional 10.8 is needed for overtime expenses associated with reinstatement of revoked driver's licenses. The total for personal services is 134.5. The overtime pay is requested in lieu of a Motor Vehicle Representative III position, as the workload required to reinstate the offenders' driver's licenses will be borne by all of the Motor Vehicle Field offices throughout the state.

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Under existing law, each person whose license has been revoked must pay a \$100 fee when applying for reinstatement of his or her driver's license. Assuming that 90 percent of the minors who are eligible for reinstatement will comply with the reinstatement requirements, approximately 135.0 will be generated annually as program receipts.

DETAIL

		<u>FY93</u>
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	1 Driver Improvement Spec 53.6	
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	Postage and tolls 2.5	
	Telephone line fees .5	
	Conference call and long distance fees 3.7	
400	SUPPLIES	1.5
	Routine Office Supplies	
500	EQUIPMENT	24.7
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	3 Network Line Hook-ups	
	3 Desks	
	3 Chairs	
	3 5-Drawer File Cabinets	
	TOTAL	167.4

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Time Status PFT	Staff Months 12 each	Location Juneau		Election District	
Type of Expenditure		Justification			
		<p>These positions would handle the necessary paperwork and computer entry onto the minor's record. Among other duties, the positions will send out letters advising the person of the dates of the license revocation, prepare files for hearing officer after the person has requested a hearing, file, close files out, sanitize for microfilm, microfilm, enter microfilm documents for microfilm retrieval, enter license revocation data. It is estimated that these positions will handle approximately 1,500 license revocation files a year.</p>			
Amount					
1	2				3
Salary*	46.3				////////////////////
Benefits*	23.8				////////////////////
Premium Pay (Included in Above)	////////////////////				////////////////////
Other	////////////////////				////////////////////
Total Personal Services	////////////////////				70.1
Travel					0
Contractual					4.5
Commodities					1.0
Equipment					16.5
Other					0
Total Cost					92.1
Funding Source for Total Cost					
Federal Receipts	1002				
G.F. Match	1003				
General Fund	1004				
Program Receipts/GF	1005				
I-A Receipts	1007				
CIP Receipts	1061				
Other					
* Personal Services Salary and Benefits Costs are from PACS calculations.					

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety
 BRU Motor Vehicles
 COMPONENT Driver Services

Page 4 of 5
 Revised Date

FY 93

Position Title Driver Improvement Specialist			No. of Positions 1	Range/Step 16-A	Barg. Unit GCII
Time Status PFT	Staff Months 12		Location Juneau	Election District	
Type of Expenditure			Justification		
		Amount	<p>This position will conduct administrative hearings involving the revocation of a minor's driver's license and/or privilege to drive. It will prepare the file, send notice to parties advising of the date and time of the hearing, conduct the hearing, prepare the file for appeal, enter license action onto the minor's driving record, and handle all correspondence associated with this program.</p>		
1	2	3			
Salary*	37.3	////////////////////			
Benefits*	16.3	////////////////////			
Premium Pay (Included in Above)	////////////////////	////////////////////			
Other	////////////////////	////////////////////			
Total Personal Services	////////////////////	53.6			
Travel		0			
Contractual		2.2			
Commodities		.5			
Equipment		8.2			
Other Overtime		10.8			
Total Cost		75.3			
Funding Source for Total Cost					
Federal Receipts	1002				
G.F. Match	1003				
General Fund	1004				
Program Receipts/GF	1005				
I-A Receipts	1007				
CIP Receipts	1061				
Other					
* Personal Services Salary and Benefits Costs are from PACS calculations.					

**REQUEST FOR
NEW POSITION**

AGENCY Department of Public Safety
 BRU Motor Vehicles
 COMPONENT Driver Services

Page 5 of 5
 Revised Date

FY 93

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

Bill No. HB 66

Revision Date: _____ Department Affected: Alaska Court System
 Title: An Act relating to revocation of BRU: Trial Courts
a minor's license to drive Components: _____
 Sponsor: Sharp
 Requestor: _____ COMPONENT SERIAL NO.

000 000	000 768
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUNDS	0.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

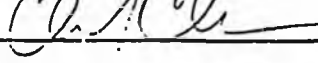
POSITIONS:

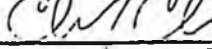
FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary)

 No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel  Phone: 264-8228
 Division: Alaska Court System Date: 01/30/92

Approved by: Arthur H. Snowden, II, Administrative Director  Date: 01/30/92
 Agency: Alaska Court System

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

Alaska State Legislature

REPRESENTATIVE
BERT SHARP

DISTRICT 20

MEMBER
FINANCE COMMITTEE

FINANCE SUBCOMMITTEES:
GOVERNOR
FISH AND GAME
LABOR



FAIRBANKS

119 N CUSHMAN
FAIRBANKS, ALASKA 99701
(907) 452-7885/7886

WHILE IN JUNEAU

PO BOX V
STATE CAPITOL
JUNEAU, ALASKA 99811
(907) 465-3004/3018

House of Representatives

RE: CS HB 66

FROM: Representative Bert Sharp

DATE: April 2, 1991

SUBJ: Statistical information provided by Dick Illias, Youth
Corrections Administrator:

Number of minors referred to DFYS, FY90 (all referrals)	6,539
Number of minors taken to court, FY90	1,159
Number of court cases dismissed	123
Number of license revocations since 1988	12



REPRESENTING
GOLDEN HEART
OF ALASKA

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSHB 66 (TRA)

Revision Date: _____

Department Affected: Administration

Title: An Act relating to revocation of a minor's license to drive.

BRU: Public Defender Agency

Component: Public Defender Agency

Sponsor: Sharp

Requestor: _____

COMPONENT SERIAL NO.

1	6	3	1
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

Without meaningful statistics on which to base the analysis, costs cannot be quantified at this time.

CONTINUED ON ATTACHED PAGE

Prepared by: John F. Salemi, Public Defender
 Division: Public Defender Agency

Phone: 279-7541
 Date: March 3, 1992

Approved by Commissioner: Nancy Bear Usura
 Agency: Administration

Date: 3/3/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

BILL ANALYSIS - CSHB 66 (Transp.)

Title: "An Act relating to revocation of a minor's license to drive."

This bill provides for mandatory driver's license revocation of a minor under 18 who uses fraudulent or false identification to purchase alcohol.

Section 2 provides that the mandatory revocations for this offense as well as for misconduct involving a controlled substance or possession or consumption of alcohol are increased for a first offender to thirty days up to one year, and for a second or subsequent offender, thirty days up to two years.

Section 3 provides for an administrative revocation of a minor's license to drive if a probation or peace officer determines that a person thirteen but not yet eighteen years of age has possessed or used a controlled substance, has possessed or consumed alcohol or has used fraudulent or false identification to purchase alcohol. Such administrative revocation need only be proven by a preponderance of the evidence and shall be thirty days for a first revocation, ninety days for a second or subsequent revocation and such revocation shall be consecutive to any license revocation imposed under another provision of law.

This statute may be subject to constitutional challenge. The loss of a valuable license such as a driver's license has been recognized as such a severe penalty so as to give rise to the constitutional right to jury trial and counsel. (Baker v. City of Fairbanks, 471 P.2d 386 (Alaska 1970). Alexander v. City of Anchorage, 490 P.2d 910 (Alaska 1971)). The summary administrative revocation procedure with a minimal burden of proof may have severe due process problems. It is difficult to determine to what extent additional lawyers and jury trials will be necessary if this bill becomes law. Law enforcement and prosecution will determine the level of enforcement. There may be some increase in the workload of the Public Defender Agency. If this bill does pass into law and additionally passes constitutional muster, over time the fiscal impact may be significant. Driving has become almost a necessity in this society. This is particularly true in Alaska given the lack of adequate public transportation, extreme weather conditions, and the urban sprawl in Anchorage, Fairbanks and on the Kenai peninsula. People who have their driver's licenses suspended often continue to drive. A number of these people will subsequently be charged for driving with license suspended, a serious misdemeanor offense with penalties including jail time, fines, and further license revocations. The end result will be even more public defender cases, increased jury trials and other court proceedings. However, without meaningful statistics regarding the number of cases which may be affected by the broader application of license revocation penalties, quantifying definite fiscal impact is impossible.

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSHB66

Revision Date February 6, 1992

Dept. Affected Health and Social Services

Title: "An act relating to revocation of a minor's license to drive"

BRU: Family and Youth Services

Component: SCRO, NRO, SERO

Sponsor: Representative Sharp

Requestor: Representative Sharp

COMPONENT SERIAL NO. 0254 0255 0258

Expenditures/Revenues

(Thousands of Dollars)

OPERATING	FY93	FY94	FY95	FY96	FY97	FY98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE						
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FUNDING:

(Thousands of Dollars)

GENERAL FUND	FY93	FY94	FY95	FY96	FY97	FY98
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME	FY93	FY94	FY95	FY96	FY97	FY98
PART-TIME						
TEMPORARY						

Estimate of current year impact: **NONE**

ANALYSIS: (Attach a separate page if necessary)

This bill will have a minor administrative impact on the Department of Health and Social Services. It will require that an administrative referral process be incorporated into the already-existing intake screening system to assure those affected minors under the bill are properly referred to the Department of Public Safety for administrative revocation of their driver's license.

Prepared by: Brian Saylor, Deputy Commissioner, H & SS

Phone: 465-3030

Division: Family and Youth Services

Date: February 7, 1992

Approved by Commissioner: Theodore A. Mala

Date: 11 Feb 1992

Agency: Department of Health and Social Services

Distribution (by preparer):

Legislative Finance OMB
Legislative Sponsor Impacted Agency/(ies)
Requestor

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSHB 66 (TRA)

Revision Date: _____

Department Affected: Administration

Title: An Act relating to revocation of a minor's license to drive

BRU: Office of Public Advocacy

Component: Office of Public Advocacy

Sponsor: Sharp

Requestor: House Judiciary

COMPONENT SERIAL NO.

		4	3
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
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	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
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

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

Prepared by: Brant McGee, Public Advocate
Division: Office of Public Advocacy

Phone: 274-1684
Date: February 18, 1992

Approved by Commissioner: Nancy Bear Usura
Agency: Administration

Date: 3/2/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).