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HOUSE COMMITTEE REPORT

Date Referred: March 18, 1992

FURTHER REFERRALS:

Judiciary
Finance

Date of Committee Action: 4/6/92

The STATE AFFAIRS Committee considered:

SB 409 am

SENATE BILL NO. 409 am

SEARCH AND RESCUE EXPENSES

"An Act relating to expenditures from the search and rescue fund."

RECOMMENDATIONS:

be replaced with _____ the same 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 _____

fiscal note(s) _____

zero fiscal note _____

zero fiscal note(s) Public Safety 2/28/92

SIGNING <u>DO</u> PASS	DP	<u>OTHER</u> RECOMMENDATIONS	DNP	NR	AM
<i>Eugene G. Johnson</i>	<input checked="" type="checkbox"/>				
<i>Tommy...</i>	<input checked="" type="checkbox"/>				
<i>...</i>	<input checked="" type="checkbox"/>				
<i>...</i>	<input type="checkbox"/>				
<i>...</i>	<input type="checkbox"/>				
<i>Mike Miller</i>	<input checked="" type="checkbox"/>				

Eugene G. Johnson
CHAIRMAN'S SIGNATURE

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. SB 409

Revision Date: _____ Department Affected: Public Safety

Title: An Act relating to expenditures BRU: Alaska State Troopers

from the search and rescue fund Component: Search and Rescue

Sponsor: Senator Duncan

Requestor: Senate State Affairs COMPONENT SERIAL NO.

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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						
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-
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
FUND SOURCE:						
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: _____

ANALYSIS: (Attach a separate page if necessary.)
 Although this bill may result in reimbursement of some search and rescue funds, it is impossible to predict how often the provisions of the bill will be applied, and the amount of any recovery.

2/14/92

Prepared By: Gayle A. Horetski Phone: 465-4322

Division: Commissioner's Office Date: 2/21/92

Approved by Commissioner: *Richard L. Burton* Richard L. Burton

Agency: Department of Public Safety Date: 2/21/92



Alaska State Legislature

SENATOR JIM DUNCAN

P.O. Box V JUNEAU, ALASKA 99811-3100
(907) 465-4766

COMMITTEES:

VICE CHAIR —
FINANCE
VICE CHAIR —
STATE AFFAIRS
RULES
BUDGET & AUDIT
ETHICS REFORM

To: Representative Gene Kubina
Chair
House State Affairs Committee

From: Senator Jim Duncan

Regards: Hearing for Senate Bill 409 am

Date: March 19, 1992

I am requesting the earliest possible hearing for Senate Bill 409, "An Act relating to expenditures from the search and rescue fund."

The bill allows the state to recover costs of search and rescue missions if people knowingly file a false notice or report. It also addresses those cases where the subject of a search not in need of assistance is grossly negligent in failing to report their whereabouts after a mission starts.

It is my hope in introducing this bill that a provision in state law addressing these situations will act as a deterrent in the future.

Under terms of the bill, violators are faced with repaying the state's Search and Rescue Fund. The Attorney General is authorized, at the request of the Department of Public Safety, to recover funds.

The Department of Public Safety supports this legislation. The department's position paper along with a zero fiscal note is attached. I have also attached a sectional analysis.

Your favorable consideration of my request is most appreciated.

Attachments:

Senate Bill 409 Sectional Analysis

Section 1

This section adds a new subsection to AS 18.60.

Under terms of this section the Attorney General may seek to recover expenditures from the Search and Rescue Fund at the request of the Commissioner of the Department of Public Safety in the following two cases:

-When a person knowingly gives false notice or files a false report.

-When an individual, who is not in need of such assistance, is grossly negligent in failing to report their whereabouts after a search and rescue mission starts.

Section 2

This section specifies that application of this act pertains to notifications given under AS 18.60.120, dealing with search and rescue missions, and AS.160.150, reports of mysterious disappearances or separation from companions.

BILL NO: SB 409

DATE: February 21, 1992

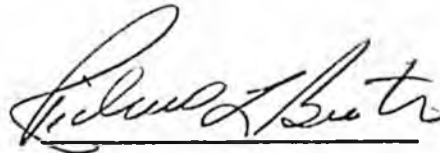
TITLE: An Act relating to
expenditures from the search
and rescue fund

CONTACT: Lt. Robert Clontz
Alaska State Troopers
465-4322

POSITION PAPER - Department of Public Safety

This legislation will enable the Attorney General, upon request from the Commissioner of the Department of Public Safety, to seek to recover funds that are expended on search and rescue missions when that mission was initiated based on false information. The funds would be recovered from the person who knowingly gave false notice or knowingly filed a false report. Recovery of funds could also be sought from the person who was the subject of a search, if the person's actions giving rise to the search demonstrated a grossly negligent failure to perceive that a search would be mounted and funds expended. This bill will lessen the chance that the state would expend scarce funds on searches that do not need to be conducted and will put the burden of payment on that person that caused a needless search or rescue to be initiated.

The Department of Public Safety supports this bill.



Richard L. Burton
Commissioner