

HB

151

Tamara Brandt Cook

PROPOSED AMENDMENT NO. 2 TO HB 6

Explanation: This change would correct a drafting mistake in HB 6. AS 28.35.033(j) added by Section 13 of the bill includes penalties for a person who has been previously convicted of one offense and for a person previously convicted of more than one offense, but omits the penalty for a person who has not been previously convicted. AS 28.35.034 provides for a three month period of revocation. However, that provision has been deleted in section 14 of this bill. Therefore, it is necessary to include the penalty for a first conviction in the subsection that sets out penalties for persons who have been previously convicted.

Page 11, line 25 after (j) insert a new first sentence to read:

"If the person has not been previously convicted in this or another jurisdiction of driving while intoxicated or of refusal to submit to a chemical test of breath under this or another law or ordinance with substantially similar elements, the period of suspension or revocation of license, nonresident privilege to drive, or denial of original license shall be 90 days."

Tamara Brandt Cook

PROPOSED AMENDMENT NO. 1 TO HB 6

Explanation: This change would make it clear that the penalties for driving without a license or in violation of a limitation placed on a license apply whether or not a person is driving under a driving privilege granted in this or another jurisdiction. While the existing provision applies when a person is licensed out of this state, it does not specifically apply to a person originally licensed in Alaska. This change would correct a defect in existing law that was not created by HB 6.

Page 3, lines 16 - 23; change the first sentence of AS 28.15.291 to read:

"A [NO] person may not drive a motor vehicle on a highway or vehicular way or area [IN THIS STATE] at a time when that person's [HIS] driver's license, or privilege to drive [IN THIS STATE IF HE IS LICENSED IN ANOTHER JURISDICTION,] has been canceled, suspended or revoked in this or another jurisdiction, or when [HE IS] driving in violation of a limitation placed upon that person's [HIS] license or privilege to drive in this or [, EVEN WHEN HE IS DRIVING UNDER A LICENSE ISSUED IN] another jurisdiction."

I. REQUEST

Bill/Resolution No. H.B. 151

Title Special Appropriation: House of Wickersham

Requested by State Affairs Date 2/3/83

II. FISCAL DETAIL

Agency Affected Natural Resources - Parks

Program Category Affected Parks & Recreation

BRU, Program, Or Subprogram(s) Affected Park Operations

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		1032.8 <sup>(a)</sup>	50.5	59.9		

FUNDING (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
GENERAL FUND		1032.8	50.5	59.9		
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

<sup>(a)</sup> Includes \$1.0 million capital appropriations

IV. DATE

2/7/83

PREPARED BY

Walter Wolfe

AGENCY Natural Resources

Original: Legislative Finance

PHONE 465-2400

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

OMB Reviewed By: Glen Price *GP*

February 24, 1983

PLEASE NOTE:

The back-up report to HB 151, titled "Wickersham House Report", by the Wickersham House Task Force, March 82, approx. 300 pages,

was requested by House Finance for their hearings on HB 151 on Friday at 1:30 pm February 25, 1983. Since all of the extra committee reports were gone, we took the HSA Committee members individual copies.

Committee staff