

SB

319

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 2/23/94

FURTHER:

DATE TURNED INTO OFFICE: 3-10-94

The Finance Committee considered **SENATE BILL NO. 319**

"An Act relating to the possession of controlled substances within 500 feet of recreation and youth centers; and permitting municipalities to install 'drug-free recreation and youth center zone' signs."

and recommends:

- replace with _____ CS _____ (FINANCE)
- or adopt previous _____ CS _____ (_____)
- attaches amendment(s)

- same title
- new title
- technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

NEW FISCAL NOTES

Department	Date	Zero	Fiscal
Corrections	3-1-94	✓	
Law	2-23-94	✓	

PREVIOUS FISCAL NOTES

Department	Date	Zero	Fiscal
DHESS	2-22-94	✓	
DPS	2-22-94	✓	

Appropriation No Fiscal Note

DO PASS:

Terri Kelly
John M. ...
Robert ...

OTHER RECOMMENDATIONS:

1. *Shore DO PASS*
 Co-Chair: Signature/Recommendation

2. *Tom ... DO PASS*

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. SB-319

Revision Date: _____ Dept. Affected: Corrections
 Title: An Act relating to the possession BRU: All
of controlled substances... Component: All
 Sponsor: Sen. Pearce
 Requestor: Senate Finance COMPONENT SERIAL NO. 694-1884

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL EXPENDITURES	0	0	0	0	0	0
CHANGE IN REVENUES ()	0	0	0	0	0	0

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004-GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0	0	0	0	0	0

Estimate of any current year (FY94) cost: \$ 0

POSITIONS						
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Please see the attached fiscal analysis.

Prepared by: Diane Schenker, Special Assistant Phone: 465-4643/786-2147
 Division: Office of the Commissioner Date: 3/1/94
 Approved by Commissioner: J. Frank Prewitt, Jr. Date: 3/1/94
 Agency: Department of Corrections

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The bill would increase the severity, and thus length of sentence, for certain drug crimes if committed in proximity to recreation and youth centers. A class C felony (MICS IV) would become a class B felony (MICS III), and a class A misdemeanor (MICS V) would become a class C felony (MICS IV) if certain controlled substances were possessed within 500 feet of a youth or recreational center.

Assumptions

1. It is assumed that the effect of this measure might be similar to the effect of increasing the severity of MICS offenses which are committed in the proximity of schools, as provided under current law. The department was unable to locate any meaningful data on the frequency with which these offenses occur or their impact on the incarcerated or probation/parole populations. Only data on the actual offense category is available, which does not include the specific elements of the offense, such as proximity to a school. Therefore, the department contacted several law enforcement agencies/personnel and one prosecutor and asked how frequently such offenses occur. A district attorney informed the department that one such case occurred in the two years he was in that position. Three police officers stated such offenses occur "almost never." One police agency reported an average of 5.5 arrests near schools within the past four years. The department does not have the research resources needed to find out how this would correlate with actual convictions and sentences, so no conclusion could be drawn. Based upon this small amount of information, the department assumes that the behaviors described in the bill will "almost never" result in raising the severity of an offense from one category to another, and thus will not impact incarcerated or probation/parole populations.
2. In a profile of the incarcerated population on June 30, 1993, there were 41 inmates incarcerated for MICS IV and 75 incarcerated for MICS III. There were 96 inmates actually sentenced for MICS IV during 1992, and 119 sentenced for MICS III. In the June profile, there were 211 offenders under probation or parole supervision for MICS IV and 346 offenders being supervised for MICS III. Any increase in sentence length, or movement from misdemeanor to felony level which might result from this bill would seriously impact the department, given the number of cases involved. (Misdemeanor cases are not supervised by the department when placed on probation.)
3. If the department obtains any information contradicting the "almost never" incidence rate assumed above, the fiscal note will be revised to reflect an increase in prisoner-days (\$113/day) and probation/parole-days (\$6/day), as well as any capital funds necessary to expand correctional bedspace, based upon the numbers of current MICS III and IV cases under the department's custody on June 30, 1993.

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. SB 319

Revision Date: February 23, 1994
 Title: "...relating to the possession of controlled substances within 500 feet of recreation and youth centers."
 Sponsor: Senator Pearce
 Requestor: Senator Pearce

Department Affected: Department of Law
 BRU: Prosecution
 Component: All
 COMPONENT SERIAL NO. 0085 through 0090

EXPENDITURES/REVENUES:

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND &						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

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

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

FUNDING:

1002 Federal						
1003 GF Match						
1004 GF						
1005 GF/Program						
1006 GF/MHTIA						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

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

Estimate of current year (FY94) impact: -0-

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

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

Phone: 465-3672
 Date: February 23, 1994

Approved by Commissioner: Bruce M. Botelho, Attorney General
 Agency: Department of Law

Date: February 23, 1994

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. SB 319

ANALYSIS CONTINUATION:

This bill amends AS 11.71 to extend the current prohibitions and penalties for possession of a controlled substance within 500 feet of school grounds to also include prohibiting possession of a controlled substance within 500 feet of a recreation or youth center.

This bill defines "recreation or youth center" to mean a building, structure, athletic playing field, or playground operated by a municipality or the state to provide athletic, recreational, or leisure activities for minors. We do not believe the bill will have a fiscal impact because the number of cases involving possession of a controlled substance under current law is not significant and, extension of "Drug Free" zones to include recreation and youth centers, will not add any new significant workload.

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

No. 2
Bill Version: SB 319
(S) Publish Date: 2-23-94

Revision Date: _____ Dept. Affected: Health and Social Services
Title: An Act relating to possession of controlled substance within 500 ft of recreation & Youth Center BRU: Alcohol & Drug Abuse
Sponsor: Senator's Pearce, Kelly & Lincoln Component: Administration
Requestor: _____ COMPONENT SERIAL NO. 302

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGES IN REVENUES	0	0	0	0	0	0
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	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 (FY94) cost \$ _____

ANALYSIS: (Attach a separate page if necessary)
This Bill has no fiscal impact upon the Department of Health and Social Services

Prepared by: Suzanne Perry
Division: Alcoholism and Drug Abuse

Approved by Commissioner: Margaret R. Lowe
Agency: Department of Health & Social Services

Phone: 465-2071
Date: 02/18/94

Date: 2-22-94

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STATE OF ALASKA
1994 LEGISLATIVE SESSION

FISCAL NOTE

No. 1
BILL No. SB: 319
(S) Publish Date: 2-23-94

Revision Date: _____ Dept. Affected: Public Safety
Title: Drug Free Recreation and Youth Centers BRU: Alaska State Troopers
Component: Detachments
Sponsor: SENATOR PEARCE
Requestor: SENATOR PEARCE COMPONENT SERIAL NO. 799

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

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
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 EXPENDITURES						
CHANGE IN REVENUES () Revenue Code						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of current year (FY 94) impact: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)
No fiscal impact anticipated.

Prepared By: Lee Ann Lucas Phone: 465-4322
Division: Commissioner's Office Date: 2/22/94
Approved by Commissioner: [Signature] Date: 2-22-94
Agency: Richard L. Burton, Dept. of Public Safety

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Fax (907) 465-3872

Senator Drue Pearce
District F

Sponsor Statement

Senate Bill 319 takes the idea of "Drug-Free School Zones" and expands it to include the areas around "recreation and youth centers." This includes buildings, structures, playgrounds and athletic playing fields. The legislation stiffens the penalties on people who possess drugs where children go to play.

Criminal justice, education, and substance abuse prevention leaders agree that the best resolution to the current drug epidemic lies in reducing the demand for illegal drugs, particularly among youth. The reason we create neighborhood playgrounds and recreation centers is to provide healthy alternatives for our citizens. Children and adults should not be intimidated by people who push or possess illegal substances in these areas.

Under SB-319, if a person is caught with drugs within 500 feet of a recreation or youth center, they will be charged with either misconduct involving a controlled substance in the third degree or the fourth degree, depending on the nature of the drug. Both of these are felony charges. Current statutes provide for only misconduct involving a controlled substance in the fourth degree or fifth degree (a misdemeanor). The proposed penalties are the same as current statutes for "Drug-Free School Zones."

Anchorage Police Chief Kevin O'Leary says the area around recreation and youth centers are fertile ground for those who promote and sell drugs to children. Officer Patrick O'Brien, a police/school liaison officer, says the parking lot of the Fairview Recreation Center is the site of a huge drug trade. The director of Spenard Recreation Center says the local drug dealer lives across the street. We must give law enforcement officials additional weapons to stop this illegal activity.



1791-1991

CITY OF KENAI

"Oil Capital of Alaska"

210 FIDALGO KENAI, ALASKA 99511
 TELEPHONE 283-7535
 FAX 907-283-3014

SB 319

March 3rd, 1994

The Kenai Recreation Center and Teen Center are a location where a large number of adults and teens come together to participate in various recreational activities.

While inside the building individuals are carefully supervised by staff, but once outside of the building, and just off the grounds, supervision is much more difficult. It is this area, outside of the facility, where individuals possessing or selling drugs would most likely be found.

The Staff at the Kenai Recreational Center and Teen Center strongly support House Bill 337, because we feel that it will give our local Police Department added incentive to closely monitor the area outside of our facility. We also believe that the drug-free recreation and youth center zone signs will communicate our staff's commitment to providing a safe drug-free environment for all individuals who use our facility.

Sincerely,

Julie Niederhauser

Julie Niederhauser

Asst. Supervisor of Teen Center

Raymond Gilliland
 Director - Parks & Recreation

DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

February 22, 1994

SUBJECT: Sectional Summary of SB 319
(Work Order No 8-LS1736/A)

TO: Senator Drue Pearce
Attn: Ken Erickson

FROM: Jerry Luckhaupt *JEL*
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, please note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill - the bill itself is the best statement of its contents.

Section 1 of the bill amends AS 11.71.030(a)(3)^{1/} by providing that it is illegal to possess any amount of a schedule IA or IIA controlled substance at or within 500 feet of a recreation or youth center.^{2/}

Section 2 of the bill amends AS 11.71.030(b) to provide that it is an affirmative defense to a prosecution for possessing a schedule IA or IIA controlled substance at or within 500 feet of a recreation or youth center that the possession occurred entirely within a private residence located within 500 feet of the recreation or youth center and that the possession did not involve distributing, dispensing, or possessing with the intent to sell.

^{1/} AS 11.71.030 is misconduct involving controlled substance in the third degree, a class B felony, which is punishable as provided in AS 12.55.125(d)(imprisonment) and 12.55.035(fine).

^{2/} Schedule IA and IIA controlled substances are identified at AS 11.71.140 and 11.71.150, respectively.

Senator Drue Pearce
February 22, 1994
Page 2

Section 3 of the bill amends AS 11.71.040(a)(4)^{3/} to make it illegal to possess a schedule IIIA, IVA, VA, VIA controlled substance at or within 500 feet of a recreation or youth center.^{4/}

Section 4 of the bill amends AS 11.71.040(b) to make it an affirmative defense to a prosecution for possessing a schedule IIIA, IVA, VA, or VIA controlled substance at or within 500 feet of a recreation or youth center that the possession occurred entirely within a private residence located within 500 feet of the recreation or youth center.

Section 5 of the bill provides a definition of "recreation or youth center."

Section 6 of the bill amends AS 28.01.010(d) by providing a new paragraph (2) that allows municipalities to post "drug-free recreation or youth center zone" signs.

GPL:gc
94-148.glc

^{3/} AS 11.71.040 is misconduct involving controlled substances in the fourth degree, a class C felony, which is punishable as provided in AS 12.55.125(e)(imprisonment) and 12.55.035(fine).

^{4/} Schedule IIA, IVA, VA, and VIA controlled substances are identified at AS 11.71.160, 11.71.170, 11.71.180, and 11.71.190, respectively.



February 22, 1994

Senator Drue Pearce
Senate
State Capitol, Room 508
Juneau, AK 99801-1182

Dear Senator Pearce:

This letter is in support of S.B. 319. It seems logical to me that any area where young people gather we have a responsibility as a community to protect them as much as possible. This bill sends that kind of message. It also gives the police the authority to take action if these violations occur. Substance use and abuse have been on the decline for the past few years, however when it comes to young people that's still the area where most problems are occurring. So anything that can continue to assist this problem from rising again we should support. These areas where young people gather are most vulnerable for this kind of activity. We have to let the young people know that we are working in their best interest. I am very grateful for this legislation it proves to me that you and your colleagues are very concerned about the teenagers of our communities. Prevention is the only hope we have for the future. Best of luck with this bill.

Sincerely,


Joseph DiMatteo
Executive Director

/JDM



Tom Fink, Mayor

ANCHORAGE POLICE DEPARTMENT

4501 SOUTH BRAGAW STREET ♦ ANCHORAGE, ALASKA 99507-1599
 TELEPHONE (907) 786-8500



Service since 1921

2/22/94

Senator Drue W. Pearce
 Alaska State Legislature
 State Capitol (MS 3100)
 Juneau, Alaska 99801-1182

Dear Senator Pearce:--

I have received a copy of proposed legislation, Senate Bill 319, which widens the scope of areas designated as drug-free zones. As you may already know, the areas around recreation and youth centers are indeed fertile ground for those who promote and sell drugs to our children. The fact that buildings, playgrounds and athletic fields have been included in the bill enhances the effectiveness of this important legislation.

The Anchorage Police Department, in cooperation with the School District, does its very best to protect our youth from drugs by education, counseling, and by vigilance in and near schools. However, it is time to attack the drug problem on as many fronts as possible. We enthusiastically support SB 319 and its goals to eradicate drugs from any area where children may be present, and to severely punish those who would possess, use, promote or sell controlled substances near our children.

Sincerely,

Duane S. Udland
 Deputy Chief of Police

~~RECEIVED~~ CORRECTED

Post-It™ brand fax transmittal memo 7871 # of pages 1

To Senator Drue Pearce	From Chief D. Udland
Co. (Ken Puckett)	Co. APP
Dept.	Phone # 786-8590
Fax # 765-5874	Fax # 786-2638

Alaska Recreation and Park Association

P.O. Box 102564
Anchorage, Alaska 99510-2664

February 17, 1994

Representative Jim Nordlund
Alaska State Capitol
Juneau, Alaska 99801-1182

Rep. Nordlund:

Thank you for your sponsorship of House Bill No. 337 and for sharing a copy of this proposed legislation with me. After studying the bill this week, asking for opinions from my membership and then sharing it with my own city Police Chief for his comment, I believe HB337 will greatly benefit communities throughout our state and will assist the goals of the Alaska Recreation and Park Association (ARPA).

Not only does HB337 clear up current law and make it more enforceable, but it extends stiffer penalties for possession of controlled substances to include zones where young people play and recreate, as well as where they attend school. It is an unfortunate fact of life that drugs are available and readily accessible throughout our state, but we should not tolerate this condition and should take steps like HB337 to "say no to drugs" and to drug dealers.

ARPA believes recreation and play should be a positive experience. We support HB337 and other efforts like it that would help say "NO!" to those who would enter our parks, play areas and recreation centers to ruin that positive experience and to potentially ruin the lives of those we serve.

Please feel free to contact me at any time regarding this issue or any other involving recreation and parks, and I thank you for your fine efforts.

Sincerely,



William J. Musson, President
Alaska Recreation and Park Association

cc: ARPA Board of Directors

Municipality of Anchorage



PARKS AND RECREATION

P.O. BOX 196650
ANCHORAGE, ALASKA 99519-6650

TOM FINK
MAYOR

Representative Jim Nordlund
Alaska State Capitol
Juneau, AK 99801
February 18, 1994

Letter of Support for House Bill No. 337

As Director of the Spenard Community Recreation Center and speaking from a youth oriented perspective, I support House Bill No. 337. Having read the bill I believe that setting up drug free zones for youth and recreation centers will greatly benefit not only the Spenard Community Recreation Center, but similar areas across the state. The bill will benefit the youth of the community and hopefully prevent any problems with controlled substances.

Sincerely,

A handwritten signature in cursive script that reads "Sharon Perrin". The signature is written in dark ink and is positioned above the printed name and title.

Sharon Perrin, Director
Spenard Community Recreation Center

ANCHORAGE POLICE DEPARTMENT EMPLOYEES ASSOCIATION

4501 South Bragaw Street

Anchorage, Alaska 99507-1599



Representative Jim Nordlund
Alaska State Legislature
House of Representatives
Alaska State Capitol
Juneau, Alaska 99801-1182

February 3, 1994

Dear Representative Nordlund:

The Anchorage Police Department Employees Association strongly endorses House Bill 337. The Association feels that youth and recreation centers should be drug free zones that offer families and children recreational opportunities free of infringements from street predators.

Recognizing that the expanded wording in this statute is the first step toward aggressive, proactive enforcement, the A.P.D.E.A. encourages all legislators to support HB 337. This will send a clear message throughout the state's criminal justice system that this legislature means business by targeting specific elements of the criminal community who have blatantly and deviously infringed on areas which should be oases of childhood innocence and strongholds of wholesome family activities.

The represented employees of the A.P.D.E.A. stand firm in our support of HB 337 and commend your efforts pertaining to this issue.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rob Heun".

Sgt. Rob Heun
President, A.P.D.E.A.

Survey of State Attorneys General Shows Encouraging Signs

Recently, the National Coalition for Drug-Free School Zones conducted a national survey of state Attorneys General to determine which states have Drug-Free School Zone (DFSZ) legislation and to discover new innovations in the area of Drug and Weapon-Free School Zone legislation. The survey questioned whether:

- Each state has a DFSZ law in effect or pending before its legislation.
- There has been a legal challenge to that DFSZ law.
- The legislation has been amended.
- A Weapon-Free School Zone (WFSZ) law is in effect, pending, or proposed.

Of the forty-five states which responded to the survey:

- Forty have DFSZ laws in effect.
- Sixteen have amended their DFSZ legislation, enhancing the penalties for drug offenses or designating specific places (such as public housing facilities) as Drug-Free Zones.
- Twelve states have enacted WFSZ legislation
- Seven states have a WFSZ provision pending before the state legislature.

Currently, Drug and Weapon-Free School Zone legislation is pending before the Texas and Nebraska state legislature.

The states of North Dakota, Ohio, and West Virginia do not have DFSZ or WFSZ legislation enacted or proposed.

In Nevada, legislation has been enacted which extends the boundaries of a Drug-Free Zone to encompass a 1,000 foot area surrounding playgrounds, public swimming pools, recreational centers for youths, and college campuses. This amendment poses an additional penalty for violations occurring within 1,000 feet of a school bus stop, one hour before school begins and one hour after school ends during scheduled school days. The legislation also designates the 1,000 foot area surrounding a video arcade as a Drug-Free Zone.

The Coalition supports the position taken in Nevada because these provisions recognize that any area in which children congregate should be protected from drug offenders. The Nevada legislature has also passed a provision prohibiting the possession of dangerous weapons on the property of the University of Nevada system, as well as public or private schools, and within vehicles of a public or private school.

New Jersey, which has been a leader in the Drug-Free School Zone initiative,

has amended its legislation clarifying that in a case involving DFSZs: the fact that no juveniles were present or that school was not in session at the time of the offense, is not an adequate defense. The state successfully defended a legal challenge to its DFSZ law in which the court upholds the law which finds the 1,000 foot distance provision in the statute not vague or over-broad. A bill establishing Weapon-Free Zones is pending before the State of New Jersey Senate and General Assembly. This bill, if passed, will make it a crime to knowingly possess a dangerous weapon "in or upon any part of the buildings or grounds of any school, college, university, or other educational institutions...irrespective of the fact that the offender possesses a valid permit to carry the firearm."

Utah's DFSZ legislation has been amended to include shopping malls, public parks, churches, recreation centers, video arcades, parking lots, and stadiums. The statute also includes increased penalties for offenses involving persons under 18, regardless of where the offense occurs.

An amendment extends to Wisconsin's DFSZ law to include public parks, pools, youth and

**NATIONAL COALITION FOR DRUG-FREE SCHOOL ZONES
NATIONAL SURVEY RESULTS**

STATE	DFZ	DFZ PENDING	LEGAL CHALLENGE	AMENDED	WFZ	WFZ PENDING
AL	.					
AK	.					
AZ	.			.		.
AR	.					
CA	.					
CO	.					.
CT	.			.	.	
DE	.					
DC	.					
FL	.					
GA	.					
HI	.					
ID	.					.
IL	.			.	.	
IN	.					
IA	.		.	.		
KS	.				.	
KY	.					
LA	.				.	
ME	.					
MD	.		.			
MA	.		.			
MI	.			.		
MN	.			.	.	
MS	.					
MO	.		.			
MT	.					
NE	.	.				.
NV	.			.	.	
NH	.					
NJ
NM	.					
NY	.			.	.	
NC	.				.	
ND	.					
OH	.					
OK	.					
OR	.			.		
PA	.					
RI	.			.		
SC	.			.		
SD	.					
TN	no response					
TX	.	.				.
UT	.			.	.	
VT	.				.	
VA	
WA	.					.
WV	.					
WI	.			.	.	
WY	.					

community centers, and school buses. This amendment also contains a provision enabling officials to increase the maximum term of imprisonment prescribed by law by five years. However, Wisconsin's WFZ law is restricted to areas designated as a "school zone."

Connecticut has added a provision which extends the DFZ law to include public housing projects and has

enacted a WFSZ law. This is similar to the Minnesota DFSZ legislation which provides for increased penalties for drug and weapon offenses which occur within a school zone, public housing zone or park zone.

The NCDFSZ is encouraged by the developments in the Drug-Free School Zone initiative, especially those provisions including public housing

projects, recreational centers and parks. Hamish Park, Coalition Program Director, anticipates that more states will expand their Drug-Free Zone legislation to include additional public places. The Coalition is currently compiling Weapon-Free Zone legislation in order to provide a model for those states wishing to enact WFSZ laws. ♦

SENATE COMMITTEE REPORT
FIRST COMMITTEE OF REFERRAL

gms

DATE: 2/14/94

FURTHER: Finance

Date of 5-Day Notice: 2/17/94
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 2/23/94

HESS Committee considered SB 319

"~~An Act~~ relating to the possession of controlled substances within 500 feet of recreation and youth centers; and permitting municipalities to install 'drug-free recreation and youth center zone' signs."

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and recommends:

- replace with _____ CS _____ ()
- attaches amendment(s)
- adopts _____ Letter of Intent
- further referral to the _____

- same title
- new title
- technical title change (HB only)

- do pass
- do not pass
- no recommendation
- individual recommendations

2 of 4

FISCAL NOTE INFORMATION

Department	Date	Zero	Fiscal
Public Safety	2/22/94	✓	
HSS	2/22/94	✓	

Department	Date	Zero	Fiscal

- Appropriation No Fiscal Note
- Governor's Bill with Previous Fiscal Notes (enter information above)

DO PASS:

Andrew A. Duncan
Judith E. Salo
Duncan
Bob Sharp

OTHER RECOMMENDATIONS:

Steve King Do Pass
Chair: Signature and Recommendation