

HCR

26

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO: HCR 26

Revision Date: _____ Dept. Affected: Public Safety
 Title: Public Inebriate Task Force BRU: Alaska State Troopers
 Component: Detachments
 Sponsor: Representative Ivan
 Requestor: H. HES COMPONENT SERIAL NO. 0799

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

	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
OPERATING						
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-
CHANGE IN REVENUES () Revenue Code	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

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

Estimate of current year (FY 96) impact: \$ _____

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary.)

No significant fiscal impact is anticipated to the Division of Alaska State Troopers.

Prepared By: Lt. Dan Lowden Phone: 465-5505
 Division: Alaska State Troopers Date: February 27, 1996
 Approved by Commissioner: *Ronald L. Otte* Date: 2/27/96
 Agency: Ronald L. Otte, Department of Public Safety

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
 For further distribution information call the Governor's Legislative Office

HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: February 9, 1996

FURTHER REFERRALS:

Finance

Date of Committee Action: 3/19/96

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HCR 26

HOUSE CONCURRENT RESOLUTION NO. 26

PUBLIC INEBRIATE TASK FORCE

Relating to creation of the Public Inebriate Task Force.

recommends it be replaced with the following committee substitute C-5 H.C.R. 26 (HES) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____ APPROVES PREVIOUS: (Dept/Date) _____

fiscal note(s) LAA/HES Committee fiscal note(s) _____

zero fiscal note(s) Public Safety zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>[Signature]</i>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<i>[Signature]</i>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<i>[Signature]</i>			<input checked="" type="checkbox"/>	
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
<i>[Signature]</i>			<input checked="" type="checkbox"/>	

CHAIR'S SIGNATURE *[Signature]*

FISCAL NOTE

TATE OF ALASKA
396 LEGISLATIVE SESSION

BILL NO. CS HCR 26 (HES)

Title: RELATING TO CREATION OF THE
PUBLIC INEBRIATE TASK FORCE
Sponsor: REP. IVAN
Requestor: HOUSE HESS

Dept. Affected LEG. AFFAIRS AGENCY
BRU: COUNCIL & SUBCOMMITTEE:

Components: COUNCIL & SUBCOMMITTEE:
Serial # LEGISLATIVE OPERATING

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
Personal Services	0	0	0	0	0	0
Travel	15.0	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						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING	15.0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE	0	0	0	0	0	0
---------	---	---	---	---	---	---

FUNDING: (THOUSANDS OF DOLLARS)

General Fund	15.0	0	0	0	0	0
Federal Fund						
Other						
TOTAL	15.0	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

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

Prepared by: LYNNE SMITH, HOUSE HESS COMM. STAFF
REP. CYNTHIA TOOHEY, CO-CHAIR
REP. CON BUNDE, CO-CHAIR

Date: 3/19/96
Phone: 465-3759
Phone:

OB Conde

CS FOR HOUSE CONCURRENT RESOLUTION NO. 26()

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE IVAN

A RESOLUTION

1 Relating to creation of the Public Inebriate Task Force.

2 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 WHEREAS, with passage of the Federal Uniform Alcoholism and Intoxication
4 Treatment Act of 1971, the State of Alaska adopted the following policy: "that alcoholics and
5 intoxicated persons should not be criminally prosecuted for their consumption of alcoholic
6 beverages and that they should be afforded a continuum of treatment that can introduce them
7 to, and help them learn new life skills and social skills that would be useful to them in
8 attaining and maintaining normal lives as productive members of society"; and

9 WHEREAS Title 47 of the Alaska Statutes requires that inebriates be taken to the
10 closest medical facility for screening before placing the inebriates in a public treatment facility
11 or if none is available, in a city- or state-owned holding cell for a maximum of 12 hours or
12 until their blood alcohol level is less than .10 and the costs of these medical screenings or the
13 payment for the medical screenings have never been defined by AS 47; and

14 WHEREAS local medical facilities are directed to provide medical screening and
15 medical treatment to intoxicated persons brought to them by public safety officials or
16 emergency service personnel and can expect no remuneration for these services; and

17 WHEREAS community and state detention facilities, which are already overcrowded,

1 must provide protective custody to persons who are taken into custody by community service
2 patrols or public safety officials; and

3 WHEREAS this federal and state mandate has placed a significant burden on
4 communities, especially those rural communities that do not have a continuum of treatment
5 services available to effectively address this problem; and

6 WHEREAS this policy has created a public safety issue that results in an inordinate
7 burden on local public safety officials to protect these individuals; and

8 WHEREAS, if this public safety issue is ignored, municipalities face significant legal
9 liability issues;

10 BE IT RESOLVED that the Alaska State legislature establishes the Public Inebriate
11 Task Force in order to develop and recommend to the legislature a plan for treatment and
12 services for intoxicated persons and persons incapacitated by alcohol; and be it

13 FURTHER RESOLVED that the task force shall

14 (1) evaluate federal law and state statutory and regulatory language relating to
15 the protective custody provisions of AS 47;

16 (2) identify methods that may be implemented to minimize use of the
17 protective custody provisions of AS 47;

18 (3) identify methods that may be implemented to maximize opportunity for
19 treatment;

20 (4) determine costs to communities, public health facilities, and detention
21 facilities;

22 (5) determine other costs related to the protective custody provisions of AS 47;

23 (6) evaluate and determine methods to utilize community solutions;

24 (7) evaluate policy that will organize and allow state departments to work
25 collaboratively to solve this problem; and be it

26 FURTHER RESOLVED that the task force shall consist of 11 voting members as
27 follows:

28 (1) one member of the House of Representatives appointed by the Speaker of
29 the House;

30 (2) one member of the Senate appointed by the President of the Senate; and

31 (3) nine members appointed jointly by the Speaker of the House and the

1 President of the Senate as follows:

- 2 (A) one member of the Advisory Council on Alcohol and Drug Abuse;
3 (B) one member from the Department of Health and Social Services;
4 (C) two members nominated by the Alaska Municipal League;
5 (D) one member from the Department of Public Safety;
6 (E) one member of the Alaska Mental Health Trust Authority;
7 (F) one member from the Department of Corrections;
8 (G) one health provider representing community hospital administrators;

9 and

10 (H) one member from the Alaska Native Health Board; and be it

11 **FURTHER RESOLVED** that the task force shall select a chair and vice-chair from
12 the members of the task force, shall meet as frequently as the task force determines necessary
13 to perform its work, and may meet and vote by teleconference; and be it

14 **FURTHER RESOLVED** that the conduct of the task force meetings shall be in
15 sessions open to the public where all interested parties may provide information; and be it

16 **FURTHER RESOLVED** that the task force may hire staff to carry out its duties; and
17 be it

18 **FURTHER RESOLVED** that the task force shall report its findings and
19 recommendations to the Governor and the Legislature by March 1, 1997; and be it

20 **FURTHER RESOLVED** that the task force is terminated on March 1, 1997.

Alaska State House of Representatives
House District 39

Session
Alaska State Capital
Juneau, Alaska 99801-1182
Phone: (907) 465-4942



Interim
P.O. Box 137
Akiak, Alaska 99552
Phone: (907) 765-7526

Representative Ivan M. Ivan

SPONSOR STATEMENT - HOUSE CONCURRENT RESOLUTION 26

I introduced this resolution because of a growing problem in Alaska that will undoubtedly need to be addressed by future legislatures. The resolution establishes a task force to develop and recommend to the legislature a plan for treatment and services for intoxicated persons and persons incapacitated by alcohol who are affected by Title 47.

Under AS 47.37.170, local police take into protective custody a person who appears to be intoxicated and incapacitated in a public place and place that person in an approved public treatment or detention facility. A licensed physician or other qualified health practitioner must then examine the inebriate as soon as possible. If the person is found to be incapacitated by alcohol, he or she is detained for no more than 48 hours in a health facility or for no more than 12 hours in a detention facility. Tremendous costs accrue to municipalities and public health facilities due to this program.

However, the costs, all affected programs and other aspects of the Title 47 equation are unknown or sketchy at best. That is why I believe it is necessary to form a task force and look into this problem from all angles. Those who are listed as participants have a vested interest in finding a resolution and I believe will be instrumental in tackling this problem.

Akiachak • Akiak • Aleknagik • Atmautluak • Bethel • Cheatham • Clark's Point • Dillingham • Eck • Ekuk • Ekwok • Goodnews Bay • Kasigluk • Kipnuk • Koliganek • Kongiganak • Kwethluk • Kwigillingok • Manokotak • Napaktak • Napasktak • New Stuyahok • Nunapitchuk • Oscarville • Platinum • Portage Creek • Quinhagak • Togiak • Tuntutuliak • Twin Hills

SPONSOR STATEMENT

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

NO. _____
BILL VERSION: HCR 26
PUBLISH DATE: _____

Revision Date: _____
Title: Relating to creation of the Public Inebriate Task Force.
Sponsor: Representative Ivan
Requestor: House HESS

Department Affected: Legislative Affairs Agency
BRU: Council & Subcommittees
Legislative Operating Budget
Component: Council & Subcommittees
Legislative Operating Budget

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 002
PERSONAL SERVICES	42.7	0	0	0	0	0
TRAVEL	15.0	0	0	0	0	0
CONTRACTUAL	5.0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	62.7	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE FUND SOURCE	0	0	0	0	0	0
---------------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND	62.7	0	0	0	0	0
FEDERAL FUNDS						
OTHER FUND SOURCE						
TOTAL	62.7	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	1	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary)

The proposed Public Inebriate Task Force will develop and recommend to the Legislature, by March 1, 1997, a plan for treatment and services for intoxicated persons incapacitated by alcohol. It is anticipated that the Task Force will hire 1 staff person and hold at least 3 meetings.

Prepared By: Karla Schofield, Deputy Director *Karla Schofield* Phone: 465-3852
Division: Administrative Services Date: 2/28/96

Approved By: Pamela A. Varni, Executive Director *Pamela Varni*
Agency: Legislative Affairs Agency Date: 2/28/96

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

Personal Services

Legislative Administrative Assistant Range 19A for 8.5 months 42.7

Travel

It is anticipated that the Task Force will have 3 meetings in Anchorage.
 Meetings will be teleconferenced. Some travel will be necessary.
 Travel costs for Legislators will be absorbed within existing Legislative budgets.
 Travel costs for members of the Executive Branch will be absorbed within Department Budgets.
 Travel costs for the 8 members appointed under 3-c,f,h,i,j,& k are anticipated to be 15.0. 15.0

Contractual

Phones	2.5		
Postage	1.0		
Advertising	1.5		
	5.0		5.0

Cost of printing a report will be absorbed within existing budgets.
 Cost of office space will be absorbed within existing budgets.

Supplies

Cost of supplies will be absorbed within existing budgets. 0.0

Equipment

Cost of equipment will be absorbed within existing budgets. 0.0

62.7

Alaska State House of Representatives
House District 39



Session
Alaska State Capital
Juneau, Alaska 99801-1182
Phone: (907) 465-4942

Interim
P.O. Box 137
Akiak, Alaska 99552
Phone: (907) 765-7526

Representative Ivan M. Ivan

CHANGES TO CSHCR 26
Draft 9-LS1666\C

The following changes are incorporated into or deleted from the original version of this resolution:

Page 1, Line 6. Language was added that mirrors that of House Bill 523: State Policy on Sobriety. The additional language comes after the word "treatment" and states "that can introduce them to, and help them learn new life skills and social skills that would be useful to them in attaining and maintaining normal lives as productive members of society."

Page 2, Line 28 and Line 30. Deleted one member from the Senate and one member from the House.

Page 2, Line 31. Instead of 13 members to be appointed by the Speaker of the House and the President of the Senate, the number of appointees now totals 9.

Page 3, Line 2. Deleted a member from the Division of Alcoholism and Drug Abuse and inserted a member from the Department of Health and Social Services. This change was requested by the department.

Page 3. To bring the task force membership to 11, besides the reduction to 2 legislators, 4 at large members were eliminated. These include:

- one member of the Alaska Federation of Natives;
- one member of the Alaska Association of Chiefs of Police;
- one village public safety officer; and
- one member representing practicing physicians.