

HB

433

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO: HB 433

Revision Date: _____ Dept. Affected: Public Safety
 Title: Eavesdropping BRU: Alaska State Troopers
 Component: Detachments & CIB
 Sponsor: Rules Committee
 Requestor: House State Affairs COMPONENT SERIAL NO. 0799 & 0830

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

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

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 95) 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.)

This bill does not have a fiscal impact on the Division of Alaska State Troopers.

Prepared By: Lt. Dan Lowden Phone: 465-5505
 Division: Alaska State Troopers Date: February 2, 1996
 Approved by Commissioner: *Ronald L. Otte* Date: 2-5-96
 Agency: Ronald L. Otte, Department of Public Safety

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For further FISCAL NOTE

1996 LEGISLATIVE SESSION

Revision Date _____ Dept. Affected: Public Safety
 Title: Eavesdropping _____ DPS Statewide Support
 Component: Commissioner's Office
 Sponsor: Rules Committee
 Requestor: Governor COMPONENT SERIAL NO. 0523

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

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
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-
Code Revenue						

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-

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 fiscal impact is anticipated to the Department of Public Safety

Prepared By: Sandy Perry-Provost, Special Assistant to the Commissioner Phone: 465-4377
 Division: Commissioner's Office Date: 1/3/96
 Approved by Commissioner: [Signature] Date: 1/3/96
 Agency: for Ronald L. Otte Dept of Public Safety

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CS for House Bill 433 (JUD)

"An Act relating to an exemption to the unauthorized publication or use of communications and the prohibition against eavesdropping for certain law enforcement activities"

- Authorized law enforcement officers to monitor a persons conversations in limited crisis situations
- Current law prohibits surreptitious eavesdropping on a private conversation without the consent of one of the parties to the conversation. In an emergency (for example, where a suspect had barricaded with a hostage), law enforcement officers need to communicate with the suspect and, if possible, monitor the suspect's communication with others. Monitoring such communications can give valuable information to law enforcement officers to help defuse potentially dangerous situations.
- Amends AS 42.20.320 (a) Exemptions. Adds intercepting, listening, or recording of communications of a person who is barricaded an refusing to surrender, holding a hostage, or threatening to use an explosive by a peace officer tot he list of exemptions to the eavesdropping statutes.
- House Bill 433 was introduced by the Governor on behalf of law enforcement statewide
- Anchorage Police Department is strong proponent of this legislation
- HB 433 was heard in the House State Affairs Committee and moved out with individual recommendations on February 9, 1996 (2 do pass; 2 no rec)
- HB 433 moved out of House Judiciary on February 28, 1996 with a Committee substitute and individual recommendations (3 do pass; 3 no rec) and 5 zero fiscal notes
- Finance referral was waived on March 20, 1996
- *Moved to House April 1996 38-6-2-3*

AMENDMENT

Offered in the House

By: Representative Porter

To: CSHB 433 (JUD)

Page 2, line 17: after "officer" insert the following:

", in circumstances where there is an imminent risk of harm to life or property"

- offered on the floor
- 4/24/90
- accepted by consensus & consent
- 4/24/90
- CSHB 433 (Jud) in
- 35-0-2-3