

LEG. FINANCE - BILLS 1983 - 1984 1904

HB 413 - SSHB 444

1904

Original sponsor: Fuller

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 413 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the creation of the Capital Area
7 Historic Properties Advisory Commission; and pro-
8 viding for an effective date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 39.50.200(b) is amended by adding a new paragraph to
11 read:

12 (46) Capital Area Historic Properties Advisory Commission.

13 * Sec. 2. AS 41.35 is amended by adding new sections to read:

14 ARTICLE 2. CAPITAL AREA HISTORIC PROPERTIES ADVISORY COMMISSION.

15 Sec. 41.35.300. CREATION OF COMMISSION. There is created in the
16 Office of the Governor the Capital Area Historic Properties Advisory
17 Commission.

18 Sec. 41.35.305. COMPOSITION. The commission consists of five
19 members as follows:

20 (1) the state historical architect;

21 (2) a member of the house of representatives appointed by
22 the speaker of the house;

23 (3) a member of the senate appointed by the president of
24 the senate; and

25 (4) two members of the public appointed by the governor.

26 Sec. 41.35.310. MEETINGS. A majority of the members constitute
27 a quorum for conducting business and exercising the powers of the
28 commission. The commission shall meet at the call of the chairperson,
29 at the request of a majority of the members, or at a regularly

1 scheduled time as determined by a majority of the members.

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3 architect serves ex officio. The remaining members of the commission
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5 (b) The term of office of each of the appointed members of the
6 commission is three years except that the term of a member of the
7 legislature expires when that person ceases to be a member of the
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13 travel allowances authorized by law for other boards and commissions
14 under AS 39.20.180.

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16 preserve the historical integrity of the capitol and the governor's
17 house in Juneau, including conducting research and making recommen-
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19 Sec. 41.35.330. POWERS AND DUTIES. (a) The commission may
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12 * Sec. 3. INITIAL MEETING AND TERMS OF COMMISSION MEMBERS. Within 60
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15 Capital Area Historic Properties Advisory Commission shall be one year for
16 one member, two years for two members, and three years for one member. The
17 governor shall specify the initial term for each appointee.

18 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
19 10.070(c).
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STATE OF ALASKA
FISCAL NOTE

Revised Date, 1983

I. REQUEST

Bill/Resolution No.: CSHB 413 (F.W.)
 Title: Creation/Capital Area Historic Properties Advisory Commission
 Sponsor: Fuller
 Requestor: _____

II. FISCAL DETAIL

Agency Affected: Office of the Governor
 Program Category Affected: Executive Office of the Governor
 BRU, Program of Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL		8.0	8.8	9.7	10.6	11.7
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		8.0	8.8	9.7	10.6	11.7
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
GENERAL FUND		8.0	8.8	9.7	10.6	11.7
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

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

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Not identified.

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Michael A. Nizich, Director Phone: 465-3616
 Division: Administrative Services Date: May 23, 1983
 Approved by Commissioner: Laura J. Herman Date: May 23, 1983
 Department: Office of the Governor

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

These figures are based on the following estimates for travel and per diem:

Two meetings per year, five Commissioners, at \$600.00 per trip (estimate three days per diem for meetings and travel time) = \$3,000 per meeting for a total of \$6,000. An additional \$2,000 has been included for contingencies.

Inflation is figured at 10% per year.

The following individuals are expected to testify on CS
HB 413 (St. Affairs):

Representative Jack Fuller, prime sponsor

A representative of the Governor's Office may testify

Phyllice Bradnor

I. REQUEST

Bill/Resolution No.: HB 413
 Title: Creation of Capital Area Historic Properties Advisory
 Sponsor: Fuller
 Requestor: _____ Committee

II. FISCAL DETAIL

Agency Affected: Office of the Governor
 Program Category Affected: Executive Office
 BRU, Program of Subprogram(s) Affected: _____

614-013

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL		23.0	24.4	25.8	27.2	28.8
300 CONTRACTUAL						
400 COMMODITIES						
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600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		23.0	24.4	25.8	27.2	28.8
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		23.0	24.4	25.8	27.2	28.8
FEDERAL FUNDS						
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POSITIONS:

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PART-TIME						
TEMPORARY						

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Prepared By: Michael A. Nizich, Director
 Division: Administrative Services
 Approved by Commissioner: Laura J. Herman
 Department: Office of the Governor

Phone: 465-3616
 Date: May 16, 1983
 Date: May 17, 1983

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Introduced: 5/12/83
Referred: State Affairs and Finance

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BY FULLER

2

HOUSE BILL NO. 413

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act relating to the creation of the Capital Area
Historic Properties Advisory Commission."

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Offered: 5/20/83
Referred: Finance

Original sponsor: Fuller

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2 CS FOR HOUSE BILL NO. 413 (State Affairs)
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THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 413
 Title Creation of the Capital Area Historic Properties Advisory Commission
 Requested by Senate Finance Committee Date June 17, 1983

II. FISCAL DETAIL

Agency Affected Office of the Governor
 Program Category Affected Executive Office
 BRU, Program, or Subprogram(s) Affected _____

(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		0	0	0	0	0
200 TRAVEL		0	0	0	0	0
300 CONTRACTUAL		0	0	0	0	0
400 COMMODITIES		0	0	0	0	0
500 EQUIPMENT		0	0	0	0	0
600 LAND & STRUCTURES		0	0	0	0	0
700 GRANTS, CLAIMS, ETC.		0	0	0	0	0
TOTAL		0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0
OTHER (Specify Fund Source)	0	0	0	0	0

POSITIONS

FULL TIME					
PART TIME					
TEMPORARY					

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

IV. DATE June 17, 1983

PREPARED BY John C. Sackett
 AGENCY John Sackett, Co-chairman
 PHONE Senate Finance Committee
3753

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Offered: 5/24/83
For Today's Calendar

Original sponsor: Fuller

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14 nor shall call the first meeting of the commission. Initial terms of the
15 Capital Area Historic Properties Advisory Commission shall be one year for
16 one member, two years for two members, and three years for one member. The
17 governor shall specify the initial term for each appointee.

18 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
19 10.070(c).

STATE OF ALASKA
FISCAL NOTE

Revision Date _____, 1983

I. REQUEST

Bill/Resolution No.: HB 413
 Title: Creation of Capital Area Historic Properties Advisory
 Sponsor: Fuller
 Requestor: _____ Committee

II. FISCAL DETAIL

Agency Affected: Office of the Governor
 Program Category Affected: Executive Office
 BRU, Program of Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL		23.0	24.4	25.8	27.2	28.8
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		23.0	24.4	25.8	27.2	28.8
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		23.0	24.4	25.8	27.2	28.8
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Not identified

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Michael A. Nizich, Director
 Division: Administrative Services
 Approved by Commissioner: *Laura J. Herman*
 Department: Office of the Governor

Phone: 465-3616
 Date: May 16, 1983
 Date: May 17, 1983

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

3/8/83

STATE OF ALASKA
FISCAL NOTE

Rec'd 5/25/83

Revision Date _____, 1983

I. REQUEST

Bill/Resolution No.: HB 413
 Title: Creation/Capital Area Historic Properties Advisory Commission
 Sponsor: Fuller
 Requestor: _____

II. FISCAL DETAIL

Agency Affected: Office of the Governor
 Program Category Affected: Executive Office
 BRU, Program of Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL		8.0	8.8	9.7	10.6	11.7
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		8.0	8.8	9.7	10.6	11.7
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		8.0	8.8	9.7	10.6	11.7
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Not identified.

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Michael A. Nizich, Director
 Division: Administrative Services

Phone: 465-3616
 Date: May 23, 1983

Approved by Commissioner: Laura J. Herman
 Department: Office of the Governor

Date: May 23, 1983

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

3/8/83

These figures are based on the following estimates for travel and per diem:

Two meetings per year, five Commissioners, at \$600.00 per trip (estimate three days per diem for meetings and travel time) = \$3,000 per meeting for a total of \$6,000. An additional \$2,000 has been included for contingencies.

Inflation is figured at 10% per year.

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 430, 459-60
 Title: repeal of Presidential
Party Primary statutes
 Sponsor: Gov., Lacher, Ward
 Requestor: (H) State Affairs
 Date of Request: 1/10/84

FISCAL DETAIL

Agency Affected: Division of Elections
 Program Category Affected: _____
 BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES	(222.0)					
200 TRAVEL	(15.3)					
300 CONTRACTUAL	(562.7)					
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	(800.0)					
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	1,000.0					
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL: By January 24, 1984 \$200.0 of the \$1,000.0 special fund established by Ch. 20, SLA 1983 will be expended, reflecting a savings of \$800.0 by the repeal of AS 15.25.220 - AS 15.25.280.

ANALYSIS: Attach a separate page for analysis

Prepared By: T.P. Thoma Phone: _____
 Division: Division of Elections Date: 1/16/84
 Approved by Commissioner: *[Signature]* Date: 1/16/84
 Agency: _____

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

Introduced: 5/31/83
Referred: State Affairs,
Judiciary and Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 430

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act repealing the statutes that require a presi-
7 dential party primary election; and providing for an
8 effective date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 15.13.011, AS 15.25.220 -- 15.25.280, and sec. 4, ch.
11 20, SLA 1980 are repealed.

12 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
13 10.070(c).

OPENING REMARKS FOR HB 430:

HB 430 WOULD REPEAL A LAW ENACTED IN 1980 TO PROVIDE FOR A PRESIDENTIAL PRIMARY. HB 430 COULD RESULT IN A SAVINGS OF AS MUCH AS \$800,000. THIS DEPENDS, HOWEVER, ON THE TIMING OF ITS PASSAGE BY THE LEGISLATURE. PLEASE REFER TO THE INFORMATION IN YOUR FILE FOR FURTHER DETAILS ON THE COST SAVINGS AS WELL AS A SUMMARY OF THE ARGUMENTS IN FAVOR OF REPEAL OF THE PRESIDENTIAL PRIMARY STATUTES WHICH WAS PREPARED BY THE DIVISION OF ELECTIONS.

House Bills 430, 459, 460 - Repeal of March 13 Presidential Primary Election.

A timely repeal of this primary could save considerable monies. The dates and activities noted in each block are deadlines for the fraction of monies committed. By February 12, approximately 1/2 of the funds to be expended will be committed. Any bill to repeal must have an immediate effective date incorporated. February 20th, when ballots have been shipped by certified mail and final notices are committed to advertising seems to be a date, admittedly arbitrary, when the election should proceed.

<p>JANUARY 9 1/8 funds</p> <hr/> <p>Travel/Training (election board wkrs ongoing)</p> <p>initial ordering of: -special forms -posters, other materials -voter ID cards -voter register- ation forms</p> <p>program costs for party affiliation & precinct regist- ration changes</p> <p>temporary staff hired</p>

<p>JANUARY 24 1/4 funds</p> <hr/> <p>Travel/Training election board wkrs</p> <p>order all ballots</p> <p>sign program contract</p> <p>initial advertising (print & video contracted)</p> <p>purchase supplies & postage to all precincts</p> <p>40 day notices sent out mass mailings</p>

<p>FEBRUARY 12 1/2 funds</p> <hr/> <p>Travel/Training election board wkrs</p> <p>airmail all remaining material</p> <p>contract for com- munications (election returns cable hoodups, sites)</p> <p>ballots separated & shipped from printer</p>
--

<p>FEBRUARY 20 3/4 funds</p> <hr/> <p>Travel/Training election board wkrs</p> <p>10 day notices sent out</p> <p>secondary advert's- ing contracted (print, radio, video)</p> <p>certify-mail all ballots to precincts</p>

<p>MARCH 13 Total funds</p> <hr/> <p>payment of all election workers, including: tally teams counting teams canvass boards</p> <p>rents for halls</p> <p>transportation of ballots, troopers</p> <p>polling place set- ups by contractors</p>

PRESIDENTIAL PARTY PRIMARY ELECTION
March 13, 1984

Background

In the 1980 legislative session, members of the state House and Senate were successful in getting statutory authority for Alaska's first Presidential party primary. AS 15.25.220-280 authorizes this primary for 1984. The primary was approved chiefly because of the argument that candidates would come to Alaska, campaign, and learn more about the state. This primary election was to be binding on the delegate selection process by the terms of the statute.

In May 1983, the U.S. Supreme Court issued its opinion in LaFollette vs. U.S., concluding that in order for a presidential primary election to be binding on political parties in the delegate selection process, the conduct of the election must comply with party rules. Both Democratic and Republican party rules require a CLOSED primary election before the results can bind the delegate selection process. In order to comply, the Division of Elections had hoped that a voter's party preference could be declared without physically changing his or her registration. This plan was rejected by both of the parties because it failed to comply with national party rules.

The Division of Elections then adopted what is known as the Massachusetts plan for presidential primaries. This requires registered party members to vote their party's ballot while non-partisans may choose which party to join on election day. As a result, only those voters who declare a party preference and are willing to have their voter registration changed will be allowed to vote on March 13 in Alaska.

Since 58% (151,500) of Alaska's voters are non-partisan or registered "other", a procedure was adopted to accommodate all voters; by allowing this 58% and the 1,017 registered Libertarians (who chose not to appear on the ballot) to declare a party affiliation up to and including election day, while requiring any Democrats or Republicans that wish to change their party affiliation to do so no less than 30 days prior to March 13.

Reasons for Repeal

- 1) Approximately \$.8 million would be saved by repeal of AS 15.25.220-280.
- 2) The method of voting is both objectionable and confusing to voters. Every letter and communication received on this issue has been vehemently opposed to the method of conducting the primary. Alaskans seem satisfied with the present, "blanket," open primary system of voting; they pride themselves on their status as informed independents.
- 3) The primary is an undue administrative burden on the many citizens that serve Alaska's polling places. In addition to the many hours of new training necessary to explain the primary to these workers, the sharp change in the regular rules of voting will focus undeserved criticism on the poll workers for a one-time method of primary election. Confusion over voter eligibility will also tend to discourage voters from casting a primary ballot. This problem is exacerbated in the absentee-by-mail voting process.
- 4) Only one of the nine major Presidential candidates have traveled to Alaska to campaign. It appears that the chief argument for the primary has not occurred. (Nine other states are also having primaries on this date.)
- 5) Alaska's delegate strength to the two major party conventions is so small, .4 of 1% of delegate votes, that spending up to \$1 million on such an election could easily be viewed as a waste of money by the majority of the electorate.
- 6) Since only one candidate will appear on each the Republican and Alaska Independence Party ballots, the secrecy of the vote is compromised.
- 7) If the primary is repealed, the political parties will return to the traditional methods of apportioning delegates by caucus and convention.

McAlpine advises halt to presidential primary

by Dean Fosdick
Associated Press

Juneau — Lt. Gov. Stephen McAlpine said Monday the presidential primary should be junked — and quickly — before more money is spent preparing for the March 13 election.

A month ago, McAlpine said he felt it was too late to repeal the law authorizing Alaska's first presidential primary despite his long opposition to the idea.

His statement Monday followed the pre-filing of two House bills calling for scrapping the election.

McAlpine expressed some irritation that lawmakers were moving to repeal the primary law after having adjourned the 1983 session without acting on a

Sheffield administration measure to kill the primary.

He called the law "well-intentioned" but "defective."

Because of a U.S. Supreme Court decision, the Alaska presidential primary will require non-partisans to declare a party affiliation before casting ballots.

"There's been some political fall-out for the legislature," McAlpine said, indicating that 58 percent of Alaska's 263,000 registered voters are non-partisan.

When lawmakers passed the measure last year, they didn't realize the Supreme Court would change the rules of the game, disallowing "open" primaries that allow cross-over voting, he said.

"Lawmakers are now recog-

nizing that if the 58 percent are not upset, they're at least dismayed," said McAlpine, who as lieutenant governor oversees elections. "The law is defective. It's well-intentioned but not well-produced.

"I'm not going to go down and knock on (legislators) doors to make a concerted effort to see it repealed," he said. "But we are recommending that the legislation be repealed. We will be happy to talk to lawmakers about it."

McAlpine said even though he would like to see the law killed, state officials must continue preparations for the election.

State election officials have said that 25 percent of the \$1 million appropriated for the election will have been spent by Jan. 24, 50 percent by Feb. 12 and 75 percent by Feb. 20.



Box 104073
Anchorage, AK
(907) 279-0050

Contact: Dick Randolph: 452-2206
or Duncan Scott: 279-0050

PRESS RELEASE

Chair
Dick Randolph
Fairbanks

Vice Chair
Ruth Reed
Wasilla

Secretary
Colleen Olds
Kodiak

Treasurer
Judy Clarke
Fairbanks

Membership
Susan Hickman
Eagle River

Cont. & By-Laws
Curtis Green
Anchorage

Platform
Andie Marrou
Homer

Nominations
Lydia Randolph
Fairbanks

Elections
Ben Olds
Kodiak

Vic's Committee
Steve DeLacey
Anchorage

Executive Director
Duncan Scott
Anchorage

The attached letter was mailed to each legislator as part of an effort to encourage them to act timely to cancel the March 13, 1984 primary.

"It is our plan to bring maximum public pressure to bear through, encouraging editorial comment, letters to the editor, talk show programs and direct appeal from thousands of Alaskans to their legislators", said Randolph.



Dec. 22, 1983

Box 104073

Anchorage, AK 99510

(907) 279-0050
Dear

As you are undoubtedly aware, the Alaskan Libertarian Party has requested and the Lt. Governor has agreed, that the name of our Presidential nominee, David Bergland not be included on the ballot for Alaska's Presidential Primary scheduled for March 13, 1984. We made this request because:

Chair
Dick Randolph
Fairbanks

Vice Chair
Ruth Reed
Wasilla

Secretary
Coileen Olds
Kodiak

Treasurer
Judy Clarke
Fairbanks

Membership
Susan Hickman
Eagle River

Const. & By-Laws
Curtis Green
Anchorage

Platform
Andre Marrou
Homer

Nominations
Lydia Randolph
Fairbanks

Elections
Ben Olds
Kodiak

Nat'l Committee
Steve DeLisio
Anchorage

Executive Director
Duncan Scott
Anchorage

1. We are absolutely opposed to forcing Alaskans, a majority of whom have chosen not to do so, to register with one of the official parties in order to exercise their right to vote.
2. We strongly disagree with spending \$1-2 million dollars of public money to assist private political parties in gaining publicity for themselves and their candidates.
3. We do not believe that this Presidential Primary will have any effect on who the national Republican or Democratic conventions select as their nominee. In fact it's our understanding that there is enough uncertainty about seating the delegates selected by this primary that both of these parties are planning to select their delegates in the traditional manner. If this is the case then any shred of justification for holding this primary evaporates.
4. Finally, I personally believe that if this election takes place, it's going to create an immense amount of frustration and animosity among Alaskans. Imagine the scene at each polling place as one would be voter after another are informed that if they have not previously shown a party affiliation they MUST now register a party affiliation or that if they have shown a party affiliation they can't change it, that that choice had to be made 30 days ago.

Without question, March 13th will be the most chaotic election day in Alaska's history and for what purpose.

The legislature has it within it's power to repeal this law and hence cancel this election. I most sincerely urge you to do so. Clearly the negatives far outweigh any arguable benefits. Only you; the members of the legislature, can prevent this waste and frustration. We are working to create a political environment where in repeal will be not only possible but popular and urge you to take the necessary action in time.

Most sincerely,

Dick Randolph
Chair, ALP

§ 15.13.010

adment, effective May 28.
d "state ballot counting
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§ 15.13.011

ELECTIONS

§ 15.13.020

chapter. The question of exemption from the requirements of this chapter may be submitted by the city council or borough assembly by ordinance or by initiative ordinance. Nothing in this chapter prohibits a municipality from regulating by ordinance campaign contributions and expenditures.

(b) Except as otherwise provided, this chapter applies to contributions, expenditures and communications made by a candidate, group, municipality or individual for the purpose of influencing the outcome of a ballot proposition or question as well as those made to influence the nomination or election of a candidate. (§ 1 ch 76 SLA 1974; am §§ 1, 2 ch 189 SLA 1975)

NOTES TO DECISIONS

Constitutionality. — In the case of First Nat'l Bank v. Bellotti, 435 U.S. 765, 98 S. Ct. 1407, 55 L. Ed. 2d 707, rehearing denied, 438 U.S. 907, 98 S. Ct. 3126, 57 L. Ed. 2d 1150 (1978), the supreme court of the United States has indicated in unmistakable terms that state disclosure laws pertaining to ballot issues are constitutional. Messerli v. State, Sup. Ct. Op. No. 2236 (File No. 4326), 626 P.2d 81 (1980).

When there is no showing that an individual must remain anonymous with respect to advertising as to ballot propositions because of the possibility of being subject to reprisals, economic or otherwise, the state campaign disclosure laws are not unconstitutional as applied to a contributor hoping to influence the outcome of a ballot issue because the objective of an informed electorate is sufficiently compelling to overcome an interest in anonymous political expression.

Messerli v. State, Sup. Ct. Op. No. 2236 (File No. 4326), 626 P.2d 81 (1980).

Initiative substantially similar to ch. 76, SLA 1974, correctly withheld from ballot. — Substantial similarity existed between ch. 76, SLA 1974, which enacted this chapter, relating to election campaigns, and an initiative relating to campaign contributions and expenditures, which was filed with the lieutenant governor prior to the regular 1974 session of the legislature. The act effectively displaced the initiative, and the lieutenant governor was correct in withholding the initiative from the ballot. Warren v. Boucher, Sup. Ct. Op. No. 1205 (File No. 2315), 543 P.2d 731 (1975).

For comparison of ch. 76, SLA 1974, and the initiative, see Warren v. Boucher, Sup. Ct. Op. No. 1205 (File No. 2315), 543 P.2d 731 (1975).

Sec. 15.13.011. Inapplicability to presidential primary. The provisions of this chapter do not apply to a presidential primary election conducted under AS 15.25.220 — 15.25.280. (§ 3 ch 20 SLA 1980)

Sec. 15.13.020. Alaska Public Offices Commission. (a) There is created in the Department of Administration the Alaska Public Offices Commission consisting of five members.

(b) The governor shall appoint two members of each of the two political parties whose candidate for governor received the highest number of votes in the most recent preceding general election at which a governor was elected. The two appointees from each of these two parties shall be chosen from a list of four names to be submitted by the central committee of each party.

(c) The four members selected under (b) of this section shall, by a majority vote, appoint the remaining fifth member of the commission.

Effect of amendments. — The 1980 amendment substituted "director" for "lieutenant governor" where it appears at the beginning of the first sentence and near the beginning of the third sentence, deleted "the same rate of" preceding "compensation" near the middle of the second sentence, and substituted "as provided in AS 15.15.380" for "paid elections judges" at the end of the second sentence.

The 1982 amendment, effective May 28, 1982, substituted "state ballot counting review" for "canvassing of the vote" in the first sentence and for "canvassing" in the fifth sentence.

Editor's notes. — This section was redrafted by the revisor of statutes to remove personal pronouns in conformity with AS 01.05.031(c) and § 4, Chapter 58, SLA 1982.

NOTES TO DECISIONS

Applied in *Silides v. Thomas*, Sup. Ct. Op. No. 1362 (File Nos. 3019, 3020, 3021), 559 P.2d 80 (1977).

Chapter 13. State Election Campaigns.

Section

- 10. Applicability
- 11. Inapplicability to presidential primary
- 20. Alaska Public Offices Commission
- 30. Duties of the commission
- 40. Contributions, expenditures and supplying of services to be reported
- 45. Investigations, hearings
- 50. Groups
- 60. Campaign treasurers
- 70. Contributions and expenditures; amount and form of payment

Section

- 80. Statement by contributor
- 90. Identification of communication
- 100. Expenditures before filing
- 110. Filing of reports
- 120. Penalty; limitations on actions
- 122. Legal counsel
- 125. Civil penalty; late filing of required reports
- 130. Definitions

Collateral references. — 25 Am. Jur. 2d, Elections, §§ 4-7, 10, 280-290.

29 C.J.S., Elections, §§ 2-4, 6, 118(7), 216(1)-216(5).

Sec. 15.13.010. Applicability. (a) This chapter applies in every election for governor, lieutenant governor, a member of the state legislature, a delegate to a constitutional convention, or judge seeking electoral confirmation. It also applies to every candidate for election to a municipal office in a city or borough with a population of more than 1,000 inhabitants according to the latest United States census figures or estimates of population certified as correct for administrative purposes by the Department of Community and Regional Affairs. A municipality may exempt its elected municipal officers from the requirements of this chapter if a majority of the voters voting on the question at any regular election, as defined by AS 29.78.010(14), or a special municipality-wide election called for that purpose, vote to exempt its elected municipal officers from the requirements of this

HB 460

(9) that the subscribers are qualified voters of the state or election or senate district in which the candidate resides,

(10) that the subscribers intend to vote for the candidate at the general election,

(11) that the subscribers request that the candidate's name be placed on the ballot,

(12) that the proposed candidate accepts the nomination and will serve if elected, with the statement signed by the proposed candidate,

(13) if the candidacy is for the office of the governor, the name of the candidate for lieutenant governor running jointly with him,

(14) the name of the candidate as he wishes it to appear on the ballot, and

(15) that the candidate is not a candidate for any other office to be voted on at the primary or general election and that he has not filed another nominating petition or declaration of candidacy for the office for which this petition is filed. (§ 5.55 ch 83 SLA 1960; am § 22 ch 80 SLA 1963; am § 140 ch 100 SLA 1980)

Effect of amendments. — The 1980 amendment added paragraphs (14) and (15).

Sec. 15.25.190. Placement of names on general election ballot. The director shall place the names and the political group affiliation of persons who have been properly nominated by petition on the general election ballot. (§ 5.56 ch 83 SLA 1960; am § 141 ch 100 SLA 1980)

Effect of amendments. — The 1980 amendment substituted "director" for "lieutenant governor" at the beginning of the section.

Sec. 15.25.200. Withdrawal of candidate's name. If a candidate nominated by petition dies or withdraws after the petition has been filed and before September 1 of the election year, the director shall not place the name of the candidate on the general election ballot. (§ 5.57 ch 83 SLA 1960; am § 142 ch 100 SLA 1980)

Effect of amendments. — The 1980 amendment substituted "director" for "lieutenant governor" near the middle of the section.

Article 3. Presidential Party Primary Election.

Section	Section
220. Presidential party primary election	250. Selection of delegates
230. Placing recognized names on the ballot	260. Delegates pledged
240. Petition for presidential candidate	270. No other elections on the same date
	280. Procedures for conduct of election

Article repealed effective July 1, 1985. — Section 4, ch. 20, SLA 1980, provides that this article is repealed on July 1, 1985.

Collateral references. — 25 Am. Jur. 29 C.J.S., Elections, §§ 89-105, 111(1)-148.

Sec. 15.25.220. Presidential party primary election. (a) The lieutenant governor shall call a presidential party primary election on the third Tuesday in April of a presidential election year.

(b) The lieutenant governor may conduct the presidential party primary election on a date different from the date set in (a) of this section if he sets the different date in a proclamation issued by September 1 of the year preceding the presidential election.

(c) The ballot shall be prepared and distributed by the lieutenant governor in the manner prescribed by AS 15.25.060. (§ 2 ch 20 SLA 1980)

Editor's notes. — For repeal of this section, see note following article analysis.

Sec. 15.25.230. Placing recognized names on the ballot. (a) The lieutenant governor shall place on the ballot the name of each candidate generally recognized throughout the United States as a candidate for nomination for President of the United States.

(b) The lieutenant governor shall announce on the last Tuesday in January of a presidential election year a list of candidates who will appear on the ballot. The lieutenant governor shall also notify each candidate that the candidate's name will appear on the ballot in this state.

(c) The lieutenant governor shall notify each candidate that he may withdraw his name from the ballot by filing with the lieutenant governor no later than the last Tuesday in February of a presidential election year a statement that he is not now and does not intend to become a candidate for the office of President of the United States at that presidential election and requesting the removal of his name. The name of a candidate withdrawing under this section may not appear on the ballot.

(d) If the lieutenant governor calls the presidential party primary election for a date different from the date set under AS 15.25.220(a),

(1) the announcement required by (b) of this section shall be made no later than the Tuesday that is 11 weeks before the date of the election; and

§ 15.25.200
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§ 22 ch 80

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(2) the statement required by (c) of this section shall be filed no later than the Tuesday that is seven weeks before the election. (§ 2 ch 20 SLA 1980)

Editor's notes. — For repeal of this section, see note following article analysis.

Sec. 15.25.240. Petition for presidential candidate. (a) Supporters of a candidate for nomination for President of the United States may file a petition to have the name of the candidate of their choice on the ballot. A petition under this section must be filed by the last Tuesday in February of a presidential election year and must contain the signatures of qualified voters residing in no less than two-thirds of the election districts of the state equal in number to five percent of the number of votes cast for the candidates for governor in the preceding election for governor. A petition under this section shall include (1) the full name of the candidate; (2) the name of the political group supporting the candidate; (3) the name of the political party in which the candidate is registered; (4) a statement that the subscribers are qualified voters of the state; and (5) a statement that the subscribers request that the candidate's name be placed on the ballot. The signature sheets shall also contain the printed name and residence address of each qualified voter whose signature appears on the petition.

(b) The lieutenant governor shall notify a candidate of the filing of a petition under this section and advise that he may withdraw his name from the ballot by filing with the lieutenant governor no later than the first Tuesday in March of a presidential election year a statement that he is not now nor does he intend to become a candidate for the office of President of the United States at that presidential election and requesting the removal of his name. The name of a candidate withdrawing under this subsection may not appear on the ballot.

(c) If the lieutenant governor calls the presidential party primary election for a date different from the date set under AS 15.25.220(a),

(1) the petition required by (a) of this section shall be filed no later than the Tuesday that is seven weeks before the date of the election; and

(2) the statement required by (b) of this section shall be filed no later than the Tuesday that is six weeks before the election. (§ 2 ch 20 SLA 1980)

Editor's notes. — For repeal of this section, see note following article analysis.

Sec. 15.25.250. Selection of delegates. (a) The political parties in the state shall select delegates to their national conventions according to the party's plan of organization. The final selection of delegates shall be held after the presidential party primary election.

no later
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(b) Each candidate who receives more than 15 percent of the votes cast in that party's primary is entitled to receive a proportionate number of delegate votes equal to the proportionate number of votes the candidate received in the primary after excluding the number of votes cast for candidates of his party who each received less than 15 percent of the votes in that party's primary. The proportions of delegate vote shall be expressed as fractional delegate votes or the nearest whole number of delegate votes as the rules of the particular national party or convention may provide. (§ 2 ch 20 SLA 1980)

Editor's notes. — For repeal of this section, see note following article analysis.

Sec. 15.25.260. Delegates pledged. A delegate selected under AS 15.25.250 must cast his vote to secure the nomination for the candidate to whom he is pledged until that candidate is nominated by the convention, receives less than 30 percent of the delegate votes for nomination by the convention, releases the delegates from the pledge, or until two convention nominating ballots have been taken. (§ 2 ch 20 SLA 1980)

Editor's notes. — For repeal of this section, see note following article analysis.

Sec. 15.25.270. No other elections on the same date. The lieutenant governor may not schedule another state election on the date scheduled for the presidential party primary election. (§ 2 ch 20 SLA 1980)

Editor's notes. — For repeal of this section, see note following article analysis.

Sec. 15.25.280. Procedures for conduct of election. The provisions of this title regarding the conduct of a general election govern the conduct of the presidential party primary election, except to the extent that the provisions of AS 15.25.220 — 15.25.280 are inconsistent with those provisions. (§ 2 ch 20 SLA 1980)

Editor's notes. — For repeal of this section, see note following article analysis.

Chapter 30. National Elections.

Article

1. President (§§ 15.30.010—15.30.100)
2. United States Congress (§§ 15.30.110—15.30.120)

BILL SHEFFIELD
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

May 31, 1983

The Honorable Joe L. Hayes
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill to repeal the statutes that provide for a presidential party primary election. By a section of the Act that enacted those statutes, they are scheduled to be repealed as of July 1, 1985 -- i.e., after their first application. The attached bill would repeal them immediately.

I believe that the supporters of the bill enacting those statutes had hoped that a presidential primary would expose presidential candidates to Alaska and thus enhance Alaska's exposure to the rest of the country. However, considering the time and expense involved in coming to Alaska, and considering that Alaska has so few delegates to the national party conventions, it seems rather unlikely that presidential candidates would invest much money or effort in an Alaska campaign. Moreover, Alaska's vast geographical area would prevent many of our people from having any more contact with the candidates than they do now. It simply does not appear that the people of Alaska would derive any benefit from the current statutes -- either in terms of electing the president or in terms of collateral effects.

I also believe that it would be far more important to fund \$100,000 in the Governor's Office to bring Congressmen to Alaska this year and next year to visit our state, to look firsthand at our resources and our needs. This would allow them to understand us better and to relate to our special problems. Also, I am sure that the two major political parties in Alaska will be inviting their respective primary candidates to visit Alaska. I, as Governor, will be a congenial host to both parties.

In addition, the early date set for this presidential primary (third Tuesday in April) increases the probability that Alaska's primary would result in requiring our delegates to support a candidate who has withdrawn by the time the national party conventions are held. Alaskans could well be wasting their time and effort.

Finally, the cost of conducting the presidential party primary election -- estimated at \$1,047,600 -- cannot be justified. At a time of declining revenues, such an election, with little direct benefit to Alaskans, is far too expensive. My proposed FY 84 budget does not include money for this purpose, and I now urge repeal of the relevant statutes.

Sincerely,



Bill Sheffield
Governor

Introduced: 5/31/83
Referred: State Affairs,
Judiciary and Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2

HOUSE BILL NO. 430

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act repealing the statutes that require a presi-
7 dential party primary election; and providing for an
8 effective date."

9

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10

* Section 1. AS 15.13.011, AS 15.25.220 -- 15.25.280, and sec. 4, ch.

11

20, SLA 1980 are repealed.

12

* Sec. 2. This Act takes effect immediately in accordance with AS 01.-

13

10.070(c).

Original sponsors: Liska and Szymanski

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 444 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to offenses involving restraint of a
7 minor."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 11.41 is amended by adding a new section to read:

10 Sec. 11.41.340. UNLAWFUL RESTRAINT OF A MINOR. (a) A person
11 commits the crime of unlawful restraint of a minor if the person
12 takes, entices, or restrains a child under 12 years of age, under
13 circumstances not amounting to a violation of AS 11.41.300 - 11.41.-
14 330, with intent to temporarily conceal the child from the child's
15 lawful custodian.

16 (b) In a prosecution under (a) of this section, it is an affir-
17 mative defense that the defendant acted to protect the child from
18 physical harm.

19 (c) Unlawful restraint of a minor is a class A misdemeanor.

20 * Sec. 2. AS 11.41.370 is amended by adding a new paragraph to read:

21 (4) "entice" means to lure, tempt, attract, coax, or lead
22 astray; to draw on by exciting interest, by ruse or wiles, or by
23 persuasion, promises, or influence.
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STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 444
 Title: "...unlawful restraint
 a minor."
 Sponsor: Rep. Liska
 Requestor: Rep. Liska
 Date of Request: 1/12/84

FISCAL DETAIL

Agency Affected: Department of Law
 Program Category Affected: Administration of Justice
 BRU, Program or Subprogram(s) Affected: Prosecution

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		40.6	43.0	45.6	48.3	51.2
200 TRAVEL		4.8	5.1	5.4	5.7	6.0
300 CONTRACTUAL		6.0	6.4	6.8	7.2	7.6
400 SUPPLIES		4.5	3.2	3.4	3.6	3.8
500 EQUIPMENT		1.5	--	--	--	--
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	57.4	57.7	61.2	64.8	68.6
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	57.4	57.7	61.2	64.8	68.6
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

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

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Not specified by sponsor.

ANALYSIS: Attach a separate page for analysis

Prepared By: Richard I. Pegues, Director Phone: 465-3672
 Division: Administrative Services Date: 1/18/84
 Approved by Commissioner: Norman G. Gorsuch Date: 1/18/84
 Agency: Department of Law

Distribution (by Agency preparing fiscal note):

Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

12/1/83

Fiscal Note
Analysis
HB 444

January 18, 1984

This bill will provide class A misdemeanor punishment of individuals who unlawfully take, entice or restrain a child under 12 years of age, without rising to the level of child molesting or sexual abuse. The Municipality of Anchorage has a similar ordinance and municipal prosecutors report that they prosecute 20 to 25 such cases each year, based upon the evidence they are able to develop. The incidence of enticement complaints, in the municipality, is much higher averaging about 35 complaints per month.

The department estimates that 40 to 50 of these offenders will be prosecuted each year if this bill is enacted. Because restraint and enticement is not yet unlawful, in most of the state, no hard data on the statewide incidence rate is available. Cases involving young victims are difficult to prove because these victims are usually the prosecution's principal witnesses. Therefore developing these cases can often take a substantial amount of attorney time. The department believes, however, that use of a paralegal trained in assisting the victims of sensitive crimes will be just as effective in developing evidence and far more efficient in terms of state resources. A paralegal assistant, at Anchorage, will be needed, if the bill is enacted.

Fiscal Analysis - HB 444

This analysis assumes the addition of a Paralegal Assistant II (SR16), at Anchorage, to develop the evidence needed to prosecute unlawful restraint and enticement of children under 12 years of age. The position will be available to most of Southcentral Alaska and a modest travel budget is provided for that purpose. Costs beyond FY 85 have been calculated with a 6% inflation factor.

Personal Services	40,569
Travel - Paralegal travel 200 pm = 2,400	
Witness travel 200 pm = 2,400	4,800
Contractual - Staff communications/copying	
250 pm = 3,000	
Witness fees 25 each X 10 per mo.	
= 3,000	6,000
Commodities - Ongoing - expendables and	
library - 250 pm = 3,000	3,000
Commodities - Single time - new position 1,500	1,500
Equipment - Single time - new position 1,500	1,500
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Total	57,369

1.	POSITION TITLE Paralegal Assistant II				RANGE/STEP 16A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE									
	1		2		3					
	PERSONAL SERVICES									
5.	Salary		30,876							
6.	Benefits		5,064							
7.	Supplemental Benefits		1,893							
8.	Fixed Benefits		2,736							
9.	TOTAL PERSONAL SERVICES		01		40,569					
10.	Travel		02		4,800					
11.	Contractual		03		6,000					
12.	Commodities		04		4,500					
13.	Equipment		05		1,500					
14.	Other									
15.	TOTAL COST				57,369					
JUSTIFICATION										
<p>A paralegal assistant will be required to develop evidence to prosecute the crime of unlawful restraint or enticement of children under 12 years of age, if HB 444 is enacted. These cases are difficult to prosecute because of the young age of the victims who are normally the prosecution's principal witnesses. A paralegal, trained in the special techniques necessary to interview and prepare young victims for trial, is best suited for this task.</p>										
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004			57,369					
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR D&M USE ONLY										
4A KEY NUMBER _____										

13 REQUEST FOR
NEW POSITION

AGENCY DEPARTMENT OF LAW
PROGRAM ADMINISTRATION OF JUSTICE
BRU PROSECUTION
COMPONENT THIRD JUDICIAL DISTRICT

Page 1 of 1
Revised Date _____

FY 85

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST
 Bill/Resolution No.: HB 444
 Title: "...unlawful restraint
 a minor."
 Sponsor: Rep. Liska
 Requestor: Rep. Liska
 Date of Request: 1/12/84

FISCAL DETAIL
 Agency Affected: Department of Law
 Program Category Affected: Administration of Justice
 BRU, Program or Subprogram(s) Affected: Prosecution

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
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400 SUPPLIES		4.5	3.2	3.4	3.6	3.8
500 EQUIPMENT		1.5	--	--	--	--
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	57.4	57.7	61.2	64.8	68.6
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	57.4	57.7	61.2	64.8	68.6
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

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

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Not specified by sponsor.

ANALYSIS: Attach a separate page for analysis

Prepared By: Richard I. Pegues, Director Phone: 465-3672
 Division: Administrative Services Date: 1/18/84
 Approved by Commissioner: Norman G. Gorsuch Date: 1/18/84
 Agency: Department of Law

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

Fiscal Note
Analysis
HB 444

January 18, 1984

This bill will provide class A misdemeanor punishment of individuals who unlawfully take, entice or restrain a child under 12 years of age, without rising to the level of child molesting or sexual abuse. The Municipality of Anchorage has a similar ordinance and municipal prosecutors report that they prosecute 20 to 25 such cases each year, based upon the evidence they are able to develop. The incidence of enticement complaints, in the municipality, is much higher averaging about 35 complaints per month.

The department estimates that 40 to 50 of these offenders will be prosecuted each year if this bill is enacted. Because restraint and enticement is not yet unlawful, in most of the state, no hard data on the statewide incidence rate is available. Cases involving young victims are difficult to prove because these victims are usually the prosecution's principal witnesses. Therefore developing these cases can often take a substantial amount of attorney time. The department believes, however, that use of a paralegal trained in assisting the victims of sensitive crimes will be just as effective in developing evidence and far more efficient in terms of state resources. A paralegal assistant, at Anchorage, will be needed, if the bill is enacted.

Fiscal Analysis - HB 444

This analysis assumes the addition of a Paralegal Assistant II (SR16), at Anchorage, to develop the evidence needed to prosecute unlawful restraint and enticement of children under 12 years of age. The position will be available to most of Southcentral Alaska and a modest travel budget is provided for that purpose. Costs beyond FY 85 have been calculated with a 6% inflation factor.

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Commodities - Ongoing - expendables and	
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Commodities - Single time - new position 1,500	1,500
Equipment - Single time - new position 1,500	1,500
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Total	57,369

1.	POSITION TITLE Paralegal Assistant II				RANGE/STEP 16A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP	
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT	LEG.			
3.	CONTINUATION LEVEL				JUSTIFICATION						
4.	TYPE OF EXPENDITURE				AMOUNT						
	1		2		3						
	PERSONAL SERVICES										
5.	Salary		30,876								
6.	Benefits		5,064								
7.	Supplemental Benefits		1,893								
8.	Fixed Benefits		2,736								
9.	TOTAL PERSONAL SERVICES		01		40,569						
10.	Travel		02		4,800						
11.	Contractual		03		6,000						
12.	Commodities		04		4,500						
13.	Equipment		05		1,500						
14.	Other										
15.	TOTAL COST				57,369						
	RECEIPT CODE	FUNDING SOURCE									
16.		Federal Receipts 1002									
17.		G.F. Match 1003									
18.		General Funds 1004			57,369						
19.		I-A Receipts 1005									
20.		Program Receipts 1020									
21.		Other									
FOR B&M USE ONLY											
4A KEY NUMBER _____											

A paralegal assistant will be required to develop evidence to prosecute the crime of unlawful restraint or enticement of children under 12 years of age, if HB 444 is enacted. These cases are difficult to prosecute because of the young age of the victims who are normally the prosecution's principal witnesses. A paralegal, trained in the special techniques necessary to interview and prepare young victims for trial, is best suited for this task.

13 REQUEST FOR
NEW POSITION

AGENCY DEPARTMENT OF LAW
PROGRAM ADMINISTRATION OF JUSTICE
BRU PROSECUTION
COMPONENT THIRD JUDICIAL DISTRICT

Page 1 of 1
Revised Date _____

FY 85

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: February 3, 1984

REQUEST:

Bill/Resolution No.: CS for SS for HB444(Jud)
Title: "An Act relating to unlawful restraint of a minor."
Sponsor: Judiciary Committee
Requestor: House Finance
Date of Request: February 3, 1984

FISCAL DETAIL:

Agency Affected: ADULT CORRECTIONS AGENCY
Program Category Affected: Administration of Justice
BRU, Program or Subprogram(s) Affected: Northern, Southcentral & Southeastern Regional Corrections

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
800 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-
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify Source)						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

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

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Not applicable.

ANALYSIS: Attach a separate page for any Analysis.

Prepared By: Roger C. Lange
Division: Administrative & Support

Phone: 465-3376
Date: February 3, 1984

Approved by Commissioner: William W. Ludwig
Department: ADULT CORRECTIONS AGENCY

Date: February 6, 1984

Distribution:

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency (ies)

FISCAL NOTE
CS for SS for H.B. No. 444 (Judiciary)
Page 2

IV. ANALYSIS

This bill would make it a class A misdemeanor of unlawful restraint of a minor to take, entice or restrain a child under 12 years of age.

The Department of Law estimates that there will be 40 to 50 persons prosecuted annually for this offense. Only a percentage of those persons charged and tried for any crime are convicted. Where there are no presumptive sentencing requirements, a convicted person rarely gets the maximum sentence allowable by law. The crime is a class A misdemeanor which carries a maximum sentence of 1 year on conviction.

Therefore, it is anticipated that there would be no appreciable fiscal impact on the Adult Corrections Agency if this bill is enacted.

DISTRICT COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

MCA
C
12/1/81

Filed in the Trial Courts
STATE OF ALASKA THIRD DISTRICT
JUDGE CASE # 81-86957

ANCHORAGE
MUNICIPAL CORPORATION

PLAINTIFF DEC 15 1981

CLERK OF THE TRIAL COURT
By [Signature] Deputy 81-7727 cr.

AMOS SINGLETARY JR.
8149 E. 5th
DOB 1-6-43 SSN 247-40-9044
AK-OL # 0391516

COMPLAINT

The undersigned complainant, Investigator M. BORRECCO, Juvenile Division personally appearing before the undersigned District Judge/Notary and being duly sworn states that on or about the following dates of 10 81 at or near Mt. View Residential Area Anchorage, Alaska, Third Judicial District, the defendant(s) AMOS SINGLETARY JR.

did unlawfully commit the following offense(s)

COUNT 1

ENTICEMENT: On 3-26-81 in the area of 9th and Klevin, the defendant did willfully and unlawfully accost another person or persons and entice them to enter his automobile for an unlawful purpose.

Which is in violation of Section 8.05.160, Anchorage Code of Ordinances.

This complaint is based on the statements of (S. S.), a minor female, age 10, that the defendant did call to her while sitting in his vehicle for her to come into his vehicle. The victim stated that the suspect ordered her to his vehicle, then exited his vehicle at which time she ran from the area. The victim further stated that the vehicle was an orange Chevy coupe. This complaint is further based on an investigation by the complainant that the suspect did own an orange Chevy coupe, Alaska license (AJY148) and further based on the M.O. involving suspect in numerous other similar incidents.

COUNT 2

ENTICEMENT: On 3-28-81 in the area of 16th and Valarian, the defendant did willfully and unlawfully accost another person or persons and entice them to enter his automobile for an unlawful purpose.

Which is in violation of Section 8.05.150, Anchorage Code of Ordinances.

This complaint is based on the statements of R. B., a minor female, age 17, M. W., a minor female, age 12, and F. S., a minor female age 15, that the

COMPLAINANT SIGNATURE & TITLE

SWORN TO AND SUBSCRIBED BEFORE ME
THIS _____ DAY OF _____ 19____

DISTRICT JUDGE/NOTARY

PAGE _____ OF _____

COMPLAINT CONTINUATION

defendant did follow and approach the victims in a white and maroon Blazer type vehicle, Alaska license (ALA369) and motion with his hand to the victims to enter his vehicle.

COUNT 3

ENTICEMENT: On 5-25-81 in the area of 3327 Richmond, the defendant did willfully and unlawfully accost another person or persons and entice them to enter his automobile for an unlawful purpose.

Which is in violation of Section 8.05.160, Anchorage Code of Ordinances.

This complaint is based on the statements of C. T., a minor female, age 15, that the defendant did approach her while in his vehicle, a white and maroon GMC, Alaska license ALA369, while she was walking to her residence. The victim stated that the suspect beeped his horn and asked her to get into the vehicle. The victim further stated that the suspect offered her a smoke of a marijuana cigarette and after she refused and entered her house she observed the vehicle in the area for a considerable time. This is further based on the check of the license number which was found to belong to AMOS SINGLETARY and further based upon the identification of the suspect from a photo line-up by the victim.

COUNT 4

ENTICEMENT: On 9-26-81 in the area of North Irwin and Peterkin, the defendant did willfully and unlawfully accost another person or persons and entice them to enter his automobile for an unlawful purpose.

Which is in violation of Section 8.05.160, Anchorage Code of Ordinances.

This complaint is based on the statements of K. T., a minor female, age 12, D. E., a minor female, age 13, and S. T., a minor female, age 17, that the defendant did attempt to get them into his vehicle by repeatedly stating "come in the car and I'll give you girls a good time". The victims further stated that the defendant had offered them a smoke of a joint and also some alcohol. This complaint is further based on the identification of the suspect by the victims at the time of the incident to an investigating officer and at the same time the defendant was driving a 1978 GMC Jimmy, Alaska license ALD369.

COUNT 5

ENTICEMENT: On 10-3-81 in the area of 436 N. Price Street, the defendant did willfully and unlawfully accost another person or persons and entice them to enter his automobile for an unlawful purpose.

COMPLAINANT SIGNATURE & TITLE

SWORN TO AND SUBSCRIBED BEFORE ME
THIS ____ DAY OF _____ 19 ____.

DISTRICT JUDGE/NOTARY

PAGE ____ OF ____

COMPLAINT CONTINUATION

Which is in violation of Section 8.05.160, Anchorage Code of Ordinances.

This complaint is based on the statements of M. V., a minor female, age 15, and T. A., a minor female, age 9, that the defendant did approach them in his maroon and white GMC Blazer type vehicle and attempt to convince them to enter his vehicle. The victim M. V. further stated that the suspect stated to her "can I meet you later" and "maybe we can go cruising and go out to parties". She further added that he has stated "maybe we can get high together" and has offered her some substance which she identified as appearing to be marijuana. Victim M. V. has stated that suspect has followed her on numerous occasions from school and has attempted on these occasions to get her to enter his vehicle. This complaint is further based on the identification of the suspect by both victims from a collection of photographs.

COUNT 6

ENTICEMENT: On 11-8-81 in the area of Park and Mt. View Drive, the defendant did willfully and unlawfully accost another person or persons and entice them to enter his automobile for an unlawful purpose.

Which is in violation of Section 8.05.160, Anchorage Code of Ordinances.

This complaint is based on the statements of V. P., a minor female, age 11, and W. H., a minor female, age 12, who stated that the defendant did approach them in his vehicle, which was an orange Blazer type vehicle and attempted to convince them to enter the vehicle with the pretense of giving a ride. The victims stated that when they refused the defendant stopped his vehicle and attempted to exit the vehicle near them at which time the victims ran off in fear that the defendant was going to grab them and pull them into the vehicle. This complaint is further based on the descriptions of the defendant and the defendant's vehicle as well as the M.O. of the defendant in other similar cases.

COUNT 7

ENTICEMENT: On 11-9-81 in the area of Price and Peterkin, the defendant did willfully and unlawfully accost another person or persons and entice them to enter his automobile for an unlawful purpose.

Which is in violation of Section 8.05.160, Anchorage Code of Ordinances.

This complaint is based on the statements of S. L., a minor female, age 12, and L. W., a minor female, age 9, that the defendant did approach them while in his vehicle an orange Chevy Monte Carlo, Alaska license BFH332, and attempted to entice them into his vehicle. Further based on the statement of the victim that the defendant gave her a roach clip and told her that he would give her money if

COMPLAINANT SIGNATURE & TITLE

SWORN TO AND SUBSCRIBED BEFORE ME
THIS ____ DAY OF _____ 19 ____

DISTRICT JUDGE / NOTARY

PAGE ____ OF ____

COMPLAINT CONTINUATION

she wanted it or if she needed any drugs or anything he could also get a hold of them for her. Further based on the identification of the suspect from a photo collection and the M.O. of the defendant as well as a registration check which showed the vehicle to belong to the defendant.

COUNT 8

ENTICEMENT: On 11-10-81 at the area of Clark Junior High School Parking Lot, the defendant did willfully and unlawfully accost another person or persons and entice them to enter his automobile for an unlawful purpose.

Which is in violation of Section 8.05.160, Anchorage Code of Ordinances.

This complaint is based on the statement of S. L., a minor female, age 12, that the defendant did approach her in his vehicle, a gold vehicle, Alaska license BFN332 and order her to come to his vehicle and attempt to convince her to enter it. Further based on the identification of the suspect by the victim who had had contact with the suspect the day before and in the same vehicle.

COUNT 9

ENTICEMENT: On 11-28-81 at the area of 400 N. Bragaw, the defendant did willfully and unlawfully accost another person or persons and entice them to enter his automobile for an unlawful purpose.

Which is in violation of Section 8.05.160, Anchorage Code of Ordinances.

This complaint is based on the statement of S. L., a minor female, age 12, that the defendant did approach her driving a red and white Blazer type vehicle, whom she had recognized as being the same subject who had attempted to entice her on previous occasions. The victim stated that the defendant attempted to convince her to enter the vehicle and when she chose a new area to walk through the subject drove up in another area and again contacted her attempting to get her to still enter the vehicle. This complaint is further based on the identification of the defendant at the time of the incident by the victim to a patrol officer who stopped the vehicle and obtained information from the driver/defendant.

COUNT 10

ENTICEMENT: On 11-9-81, at the area of Flower Street and Parsons, the defendant did willfully and unlawfully accost another person or persons and entice them to enter his automobile for an unlawful purpose.

Which is in violation of Section 8.05.160, Anchorage Code of Ordinances.

This complaint is based on the statement of F. S., a minor female, age 16, that she

COMPLAINANT SIGNATURE & TITLE

SWORN TO AND SUBSCRIBED BEFORE ME
THIS ____ DAY OF _____ 19 ____.

DISTRICT JUDGE/NOTARY

PAGE ____ OF ____

COMPLAINT CONTINUATION

and her friend, S. H., a minor female juvenile, were contacted by the defendant while waiting at a bus stop at which time he attempted to get them to enter his vehicle. Further based on the statements of the victim that the defendant, whom she was fearful of, made comments to her upon observing a police vehicle in the area, "don't let the police think something is going on around here". Further based upon the victim's description of the suspect and the suspect vehicle which she obtained a license from which was BFN332.

COUNT 11

ENTICEMENT: On 11-28-81 in the area of 425 N. Price Street, the defendant did willfully and unlawfully accost another person or persons and entice them to enter his automobile for an unlawful purpose.

Which is in violation of Section 8.05.160, Anchorage Code of Ordinances.

This complaint is based on the statements of V. G., a minor female, age 15, and D. H., a minor female, age 15, that the defendant did approach them while in his vehicle, a maroon and white Blazer type vehicle, Alaska license BGB944, and made comments such as "do you want to get high, do you want to get in the car and get high, do you want to come to my house and get high". The victim, V. G. and D. H., further stated that the defendant offered them some alcohol in a pop can, in addition to the marijuana. This complaint is further based on the description of the vehicle and suspect and M.O. of the suspect known to the victims and matching that of other cases involving suspect SINGLETARY.

COUNT 12

ENTICEMENT: On 12-13-81 in the 300 Block of Bragaw Street, the defendant did willfully and unlawfully accost another person or persons and entice them to enter his automobile for an unlawful purpose.

Which is in violation of Section 8.05.160, Anchorage Code of Ordinances.

This complaint is based on the statements of Melad'ee KING, a female adult, and P. E., a minor female, age 16, that the defendant did approach them while in his vehicle, a white and maroon GMC, Alaska license BFB944, and attempt to entice them into his vehicle by motioning them to the vehicle. This complaint is further based on the identification of the defendant by the victims whom they had observed in the area on numerous other occasions attempting to pick young female juveniles up, including themselves.

COUNT 13

ENTICEMENT: On 12-13-81 in the area of the 10-4 Cafe, Mt. View and Pine, the defendant did willfully and unlawfully accost another person or persons and entice

COMPLAINANT SIGNATURE & TITLE

SWORN TO AND SUBSCRIBED BEFORE ME
THIS ____ DAY OF _____ 19 ____

DISTRICT JUDGE/NOTARY

PAGE ____ OF ____

COMPLAINT CONTINUATION

them to enter his automobile for an unlawful purpose.

Which is in violation of Section 8.05.160, Anchorage Code of Ordinances.

This complaint is based on the statements of C. E., a minor female, age 13, L. A., a minor female, age 15, and D. E., a minor female, age 14, that the defendant did approach them in his vehicle, a red and white Blazer type vehicle, and attempt to entice them to his vehicle. Further based on the identification of the suspect by the victims from a photo collection and further based upon the identification by the victims of the suspect whom they had had prior contact with when he had attempted to entice them into his vehicle on other occasions.

COUNT 14

ENTICEMENT: On 12-13-81 at the area of 340E Tarwater, the defendant did willfully and unlawfully accost another person or persons and entice them to enter his automobile for an unlawful purpose.

Which is in violation of Section 8.05.160, Anchorage Code of Ordinances.

This complaint is based on the statement of C. W., a minor female, age 15, that the defendant did approach her in his vehicle, a white and red GMC, Alaska license BGB944, and attempt to entice her into his vehicle. Further based on the fact that the defendant was known to the victim from prior incidents where he had attempted to entice her, as well as other female juveniles in the area.

COUNT 15

ENTICEMENT: On 12-14-81 at the area of Mt. View Elementary at Bragaw and McPhee, the defendant did willfully and unlawfully accost another person or persons and entice them to enter his automobile for an unlawful purpose.

Which is in violation of Section 8.05.160, Anchorage Code of Ordinances.

This complaint is based on the statements of D. E., a minor female, age 14, and C. E., a minor female, age 12, that the defendant did approach them in his vehicle, a tannish brown coupe, and attempt to entice them into his vehicle by motioning and waving them to the vehicle. Further based on the identification of the suspect by both victims who recognized him from prior encounters where suspect has attempted to entice them into other vehicles that he has driven. Further based on identification of suspect from photo collection as being the one who attempted to entice them into his vehicle on this date.

COUNT 16

ASSAULT AND BATTERY: On 11-9-81, the area of Price and Peterkin, the defendant

COMPLAINANT SIGNATURE & TITLE

SWORN TO AND SUBSCRIBED BEFORE ME
THIS ____ DAY OF _____ 19 ____

DISTRICT JUDGE/NOTARY

PAGE ____ OF ____

COMPLAINT CONTINUATION

did willfully and unlawfully assault and batter the person of S. L., a minor female, age 12.

Which is in violation of Section 8.05.030, Anchorage Code of Ordinances.

This complaint is based on the statements of S. L., a minor female, age 12, that the defendant did assault and batter her by grabbing her arm against her will and attempt to pull her into his vehicle. This is further based on the identification of the suspect by the victim and statements of another female juvenile who witnessed the incident.

COURT 17

ASSAULT AND BATTERY: On 12-13-81 in the area of 3408 Tarwater, the defendant did willfully and unlawfully assault and batter the person of C. W., a minor female, age 15.

Which is in violation of Section 8.05.030, Anchorage Code of Ordinances.

This complaint is based on the statements of C. W. a minor female, age 15, that the defendant, identified from previous contacts by the victim, did assault her by grabbing her arm and attempting to draw her into his vehicle, causing the victim to sustain a sprained arm due to the force used by the defendant and the victims resistance.

[Handwritten Signature]

COMPLAINANT SIGNATURE & TITLE

[Handwritten Signature]

NOTARY
My Commission Expires
October 25, 1985

SWORN TO AND SUBSCRIBED BEFORE ME,
THIS ___ DAY OF __, 19__.

PAGE ___ OF ___

DATE FILED: 12/15/81

HEARING RECORD

DISTRICT COURT
IN THE STATE OF ALASKA
AT ANCHORAGE

STATE OF ALASKA
MUNICIPALITY
VS

3AN MR1-7727

DEFENDANT ANDS SINGLETARY, JR.

CHARGE CTS. I TRU 15; Enticement/CT.16 & 17;

DEFENDANT'S ADDRESS 7149 5th

PHONE 344-4721 STATUTE Assault and Battery
ORDINANCE 8.05.160/ 8.05.030

DEFENDANT'S EMPLOYMENT 1108 Alaska

PHONE 267-1248 REGULATION

DRIVERS LICENSE NO
PROSECUTING ATTORNEY

STATE

DATE OF OFFENSE 3/28/81

DEFENSE ATTORNEY

DATE OF BIRTH 1/6/43

ARRAIGNMENT DATE 12-15-81

JUDGE Ornelo

BAIL POSTED \$

PLEA

BAIL SET \$ 5,000

RECEIPT NUMBER

- NOT GUILTY Met.
- GUILTY
- NOLO CONTENDERE

CONDITIONS
 (1) A and to interview in his info
 (2) interview before - leave study
 (3) stay out of the way etc.

BAIL EXORCATED

BAIL FORFEIT

BAIL REINSTATED

CALENDAR CALL DATE 1-5-82 661730

BAIL REVIEW DATE 12-16-81 3pm

JUDGE Other than Andrews BAIL REDUCED TO \$ (600. cash only)

CONDITIONS

(subject to further review)

CHANGE OF PLEA

- GUILTY
- NOLO CONTENDERE

INFORMATION ON CHARGE

TRIAL DATE (JURY) (NON JURY)

JUDGE

FINDINGS

- COURT
- JURY
- GUILTY
- NOT GUILTY

DISMISSAL

BENCH WARRANT

SUMMONS

SUSPENDED IMPOSITION OF SENTENCE FOR	CONDITIONS	<input type="checkbox"/> NO SIMILAR VIOLATIONS FOR	_____
		<input type="checkbox"/> PAY \$ _____	TO THE COURT REGISTRY
		<input type="checkbox"/> OTHER _____	
SENTENCE	FINE \$ _____	FINE SUSPENDED \$ _____	FINE DUE _____
	JAIL _____	SUSPENDED _____	REP. _____
CONDITIONS			
<input type="checkbox"/> NO SIMILAR VIOLATIONS FOR		<input type="checkbox"/> COMPLETE DEFENSIVE DRIVERS COURSE	
<input type="checkbox"/> COMPLY WITH RECOMMENDATIONS OF ALCOHOL SCREENING			
<input type="checkbox"/> OTHER _____			
DRIVERS LICENSE ACTION	<input type="checkbox"/> REVOKED	<input type="checkbox"/> SUSPENDED FOR _____	
	<input type="checkbox"/> LIMITED CONDITIONS		
DATE	12-15-81	JUDGE/MAGISTRATE	E. Ornelo

12-15-81 For Trip to interview - Ct denies P.D. entry to residence

12/16/81 Bail setting (subject to further review)

12/16/81 A waived atty for bail hearing - here + tried to contact atty while in custody.

STATE OF ALASKA

THE LEGISLATURE

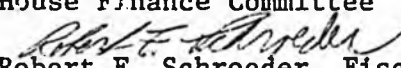
BUDGET AND AUDIT COMMITTEE

FINANCE DIVISION
POUCH WF-STATE CAPITOL
JUNEAU, ALASKA 99811
PHONE: (907) 465-3795

MEMORANDUM

DATE: February 3, 1984

TO: Representative Al Adams, Chairman
House Finance Committee

FROM:  Robert F. Schroeder, Fiscal Analyst
Legislative Finance Division

SUBJ: SSHB 444 - "An Act relating to unlawful restraint of a minor."

It appears to me that funding for the fiscal note by the Department of Law can be deferred. I have no reason to doubt the integrity of the fiscal note; but, I point your attention to the second sentence of paragraph two of the fiscal note analysis. The Department says ". . . no hard data on the statewide incidence rate is available."

I suggest that if the bill becomes law this Session, it will be approximately the beginning of 1985 (at least six months into the program) before the Department has an idea of the incidence rate, and if a significant cost is imminent, the Legislature will be in Session to deal with a supplemental appropriation request.

RFS:ro

MEMORANDUM

State of Alaska

TO: Louann Cutler
Professional Assistant
House Finance Committee

DATE: February 6, 1984

FILE NO:

TELEPHONE NO:

FROM: NORMAN C. GORSUCH
ATTORNEY GENERAL

SUBJECT: Suggested Amendments to
CS SSHB 444 (Jud)
Unlawful Restraint of
a Minor

DANIEL W. HICKEY
CHIEF PROSECUTOR

By: Gayle A. Horetski *G.A.H.*
Assistant Attorney General

As we discussed on Friday, I would suggest that CS SSHB 444, which is scheduled for a hearing before the House Finance Committee on February 7, 1984, be amended in three ways:

1) That the title of the bill be changed to read: "An act relating to unlawful restraint of a minor, and adding a definition of 'entice'".

2) That the word "temporarily" be added on line 13 of the bill. The relevant portion of the bill would then read: "with intent to temporarily conceal the child from the child's lawful custodian."

3) That the definition of the word "entice" shown below be substituted for the definition of that term now contained in section 2 of the bill.

Section 2 would then read:

Sec. 2. AS 11.41.370 is amended by adding a new paragraph to read:

(4) "entice" means to lure, tempt, attract, coax, or lead astray; to draw on by exciting interest, by ruse or wiles, or by persuasion, promises, or influence.

I have discussed these changes with the original sponsor of the bill, Representative John Liska, and he has indicated that he is in agreement with them. I believe that he is planning to offer them as amendments at the Finance Committee meeting on Tuesday, but you may wish to check with him to

confirm this. I plan to be at the meeting on February 7th in case the committee members have any questions about the bill.

Thank you for contacting me on this matter. Please give me a call at extension 3428 if you have any questions.

GAH/gb-01

ANCHORAGE TIMES 7 MAY 83
'Candyman' gets 8-year term

Robert Sauer, who earned the nickname "Candyman" for enticing young girls with candy and money, was sentenced to eight years in prison Thursday on four counts of sexual abuse of a minor.

Superior Court Judge Ralph Moody told Sauer, 63, "This is one of the most severe child molestation cases I've ever seen."

Moody said the prospects of rehabilitation were questionable for a man of Sauer's age, adding there was a clear need to remove him from the public.

"We can't tolerate crimes against children," he said.

Sauer, who was convicted by a jury Oct. 29, was sentenced to 14 years in prison, then ordered to serve eight years and placed on probation for the other six.

He was charged with engaging in sexual acts with four girls ranging in age from 7 to 11 from late 1981 until mid-1982.

ANC TIMES 18 MAY 83

Rodriquez lured students, witness says

by Jeff Berlner
Times Writer

Carlos "Chico" Rodriquez enticed West High School students into his web of pornography, burglary, drugs and sex, the jury in the Rodriquez trial was told Tuesday.

A former West High School student took the witness stand and declared that Rodriquez had told him, "I get a whole bunch of people from West."

The youth, now 21, said he had just had sex — at the invitation of Rodriquez — with a girl described as a West High student but a stranger to the boy, when Rodriquez made the remark.

The 1302 W. 26th Ave. home where Rodriquez lived and allegedly directed his ring of juvenile burglars, prostitutes and pornography stars is just a short distance from West High.

Now an Anchorage college student, the witness described how he willingly engaged in sex with Rodriquez after the man picked him up in a chance encounter. The young man said he had just left work at midnight one summer night in 1978 and

was walking to an all-night store when Rodriquez offered him a ride.

The youth acknowledged smoking marijuana with Rodriquez and consenting to have sex first with the girl Rodriquez had in his bedroom and then with Rodriquez himself. He said he returned later for more drugs and sex.

But it turned out that the Rodriquez house was apparently under surveillance. The young man, then 16 and enrolled in an Alaska State Trooper youth training program, was confronted by troopers about drug use and later picked out of a surveillance photo showing him entering Rodriquez' house.

However, this youth was characteristically different than the other prosecution witnesses who have testified against Rodriquez. Dressed in a three-piece suit and speaking articulately and forthrightly, the then-trooper trainee offered details about the several sexual encounters in no uncertain terms. He also described the movie studio set-up Rodriquez had to show and make

pornographic films.

The student's testimony was in contrast to that of other prosecution witnesses who, down and out, said they found refuge with Rodriquez and reluctantly traded sexual services for money and drugs. Or, in some cases, they said they were raped or tried to fight off the man's sexual advances. Most were homeless and in trouble with the law.

Tuesday Superior Court Judge Ralph Moody charged Defense Lawyer Mitchel Schapira with delving too deeply into the backgrounds of the troubled youths. Schapira, in an attempt to discredit the prosecution witnesses, has gone over and over their drug-using habits and their run-ins with authorities.

Moody ordered the jury out of the courtroom Tuesday morning while he threatened Schapira with legal sanctions if he continued a line of questioning, which made it appear as if the witnesses were on trial and not his client.

Rodriquez faces 28 felonies in the case and all 12 victims named in the indictment have testified.

Prosecutor Paul Olson is calling to the stand other witnesses to corroborate the stories told by the victims.

The only girl to testify became confused about which neighborhood the man she knew as "Romeo" really lived in and, although she could remember few details about the month she reportedly lived with Rodriquez, she told jurors she remembered his tattoo.

Another witness Tuesday told jurors that Rodriquez came to his aide at Chilkoot Charlie's when his car wouldn't start. He returned with Rodriquez to the older man's house to get some cables to jump-start the boy's car. But instead, the boy testified, Rodriquez jumped him. Rodriquez allegedly ripped down the boy's pants before the youth was able to knock the man down, run back to the bar and summon police. Officers found the boy hysterical and the Rodriquez home dark and deserted.

The teen told jurors that Rodriquez' house was full of drug paraphernalia and "looked like a whorehouse inside."

These children appeared on the role call at
the conclusion of the television movie

ADAM



Broadcast on NBC, October 10, 1983 9-11 p.m. N.Y.T.

If you think you have any information on the whereabouts of any of these children, or any other missing children, please call CHILD FIND, toll free (800) 431-5005 - in New York (914) 255-1848. All calls will be kept confidential.

Special thanks to NBC and Alan Landsburg Productions for making publication of this poster possible.



Debra Jenn Cole
D.O.B. 3/29/69



Ann Gotlib
D.O.B. 5/5/71



Cary Sayegh
D.O.B. 11/12/71



Reagan Uden
D.O.B. 5/25/70



Richard Uden
D.O.B. 11/22/68



Rickey Barnett
D.O.B. 11/26/79



Ryan Burton
D.O.B. 8/2/78



Eton Patz
D.O.B. 10/9/72



Holly Ann Hughes
D.O.B. 1/23/74



John David Gosch
D.O.B. 11/12/69



Rebecca Scott
D.O.B. 12/19/74



Taj Narbonne
D.O.B. 6/18/71



Charlotta Kinsey
D.O.B. 9/10/68



Cinda Leann Pallott
D.O.B. 5/13/68



Russell John Mart
D.O.B. 9/11/79



Jennifer Marteliz
D.O.B. 6/8/75



John Davies
D.O.B. 8/5/66



Tiffany Papeshi
D.O.B. 7/2/71



Valeria Stackie
D.O.B. 5/31/68



Sarah Avon
D.O.B. 1/6/75





Christia Lynn Forni
D.O.B. 1/18/73



Lisa Stock
D.O.B. 4/19/78



Wallace Guidroz
D.O.B. 3/24/80



Dea Scofield
D.O.B. 1/8/64



James Trotter
D.O.B. 6/12/65



Joanna Pierce
D.O.B. 12/29/68



Martyn Shirlen
D.O.B. 10/14/71



Jennifer Rose Lenkar
D.O.B. 8/12/79



Jennifer Swisher
D.O.B. 2/10/77



Raymond Fowler
D.O.B. 9/29/76



Ottum Day Staelling
D.O.B. 7/8/77



Kelly Junior Hallum
D.O.B. 11/17/75



Richard Wolansky
D.O.B. 2/19/77



Benjamin Martinez
D.O.B. 8/5/80



Justin Clark
D.O.B. 5/8/80



Sherene Shalhub
D.O.B. 6/22/72



Cynthia Clark
D.O.B. 12/22/74



Melissa Lamendola
D.O.B. 8/4/77



Edward Fitzpatrick
D.O.B. 12/27/75



Sean Fitzpatrick
D.O.B. 2/27/77



Melissa Hudman
D.O.B. 8/6/74



Miakka Gypsy Barton
D.O.B. 1/24/74



Jamie Humphrey
D.O.B. 2/25/76



Jorge Alfaro
D.O.B. 2/4/80



David Fawcett, Jr.
D.O.B. 5/28/78



Victoria Harrison
D.O.B. 7/25/80



Dale John Gervald
D.O.B. 4/17/79



Brian Harrison
D.O.B. 5/2/80



Kevin Lovelace
D.O.B. 4/19/79



James Diehl
D.O.B. 11/17/69



Shannan Ketran



Michael Heim



Nyleen Kay Marshall



Robert Joseph Fritz



Bryan Anthony McCane

Collateral references. — 1 Am. Jur. 2d, Abduction and Kidnapping, § 1 et seq. 1 C.J.S., Abduction, § 1 et seq.; 51 C.J.S., Kidnapping, § 1 et seq.

Forcing another to transport one as constituting offense of kidnapping or of abduction, 62 ALR 200.

Fiction of loss of services as a condition of action for abduction of child, 72 ALR 847.

Kidnapping or other criminal offense by taking or removal of child by, or under authority of, parent, or one in loco parentis, 77 ALR 317.

Offense of abduction or kidnapping as affected by defendant's belief in legality of his act, 114 ALR 870.

Fraud or false pretenses, kidnapping by, 95 ALR2d 450.

What is harm within provisions of statutes increasing penalty for kidnapping where victim suffers harm, 11 ALR3d 1053.

Seizure or detention for purposes of committing rape, robbery, or similar offense as constituting separate crime of kidnapping, 43 ALR3d 699.

Necessity and sufficiency of showing, in kidnapping prosecution, that detention was with intent to "secretly" confine victim, 98 ALR3d 733.

Sec. 11.41.300. Kidnapping. (a) A person commits the crime of kidnapping if

- (1) the person restrains another with intent to
 - (A) hold the restrained person for ransom, reward, or other payment;
 - (B) use the restrained person as a shield or hostage;
 - (C) inflict physical injury upon or sexually assault the restrained person or place the restrained person or a third person in apprehension that any person will be subjected to serious physical injury or sexual assault;

(D) interfere with the performance of a governmental or political function; or

(E) facilitate the commission of a felony or flight after commission of a felony; or

- (2) the person restrains another
 - (A) by secreting and holding the restrained person in a place where the restrained person is not likely to be found; or
 - (B) under circumstances which expose the restrained person to a substantial risk of serious physical injury.

(b) In a prosecution under (a)(2)(A) of this section, it is an affirmative defense that

- (1) the defendant was a relative of the victim;
- (2) the victim was a child under 18 years of age or an incompetent person; and
- (3) the primary intent of the defendant was to assume custody of the victim.

(c) Except as provided in (d) of this section, kidnapping is an unclassified felony and is punishable as provided in AS 12.55.

§ 11.41.300

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§ 11.41.300

CRIMINAL LAW

§ 11.41.300

(d) In a prosecution for kidnapping, it is an affirmative defense which reduces the crime to a class A felony that the defendant voluntarily caused the release of the victim alive in a safe place before arrest, or within 24 hours after arrest, without having caused serious physical injury to the victim and without having engaged in conduct described in AS 11.41.410(a)(1) or (2) or 11.41.420. (§ 3 ch 166 SLA 1978; am § 7 ch 102 SLA 1980)

Cross references. — For punishment, see AS 12.55.125(b).

Effect of amendments. — The 1980 amendment inserted "or sexually assault him" following "injury upon him" near the beginning of subparagraph (a)(1)(C), and added "or sexual assault" at the end of sub-

paragraph (a)(1)(C).

Legislative history reports. — For a report on Chapter 102, SLA 1980 (HCS CSSB 511), see 1980 Senate Journal Supplement, No. 44, May 29, 1980, or 1980 House Journal Supplement, No. 79, May 28, 1980.

NOTES TO DECISIONS

Editor's notes. — Many of the cases cited in the notes below were decided under former AS 11.15.260.

The crime of kidnapping is designed to protect the general personal security of citizens both in their persons and property. Ladd v. State, Sup. Ct. Op. No. 1450 (File No. 2475), 568 P.2d 960 (1977), cert. denied, 435 U.S. 928, 98 S. Ct. 1498, 55 L. Ed. 2d 524 (1978).

Constitutionality of former statute. — See Levashakoff v. State, Sup. Ct. Op. No. 1446 (File No. 2830), 565 P.2d 504 (1977).

Scope of former statute. — See Crump v. State, Sup. Ct. Op. No. 2309 (File No. 4546), 625 P.2d 857 (1981).

For discussion of elements that were required to be proved under former AS 11.15.260, see Davis v. State, Ct. App. Op. No. 23 (File No. 5100), 635 P.2d 481 (1981).

Exemption. — The new criminal code, which states that it is an affirmative defense that defendant was a relative of the victim, provides for a broader exemption from the kidnapping statute than the absolute exemption for the abduction of a minor by his parent under former AS 11.15.260. Crump v. State, Sup. Ct. Op. No. 2309 (File No. 4546), 625 P.2d 857 (1981).

For case discussing the parental exemption contained in Alaska's former kidnapping statute, AS 11.15.260, Lythgoe v. State, Sup. Ct. Op. No. 2235 (File No. 4497), 626 P.2d 1082 (1980).

Liability of agent for person not entitled to custody of child. — Where a person, while acting as an agent for a parent

not entitled to custody, takes a child from one entitled to custody, the person can be convicted of both the substantive crime of kidnapping and conspiracy to kidnap. Crump v. State, Sup. Ct. Op. No. 2309 (File No. 4546), 625 P.2d 857 (1981).

Conspiracy to kidnap. — Conspiracy to kidnap is no longer defined as an offense in Alaska under the newly revised criminal code. Lythgoe v. State, Sup. Ct. Op. No. 2235 (File No. 4497), 626 P.2d 1082 (1980).

Separate crimes. — Rape, assault with a dangerous weapon, and kidnapping were separate crimes with separate elements. Lacy v. State, Sup. Ct. Op. No. 2039 (File No. 3741), 608 P.2d 19 (1980).

Separate sentences were called for where defendant's conduct in kidnapping and raping his victim and assaulting her with a deadly weapon constituted the commission of three distinct offenses, each of which violated a different societal interest. State v. Occhipinti, Sup. Ct. Op. No. 1405 (File No. 3084), 562 P.2d 348 (1977).

Sentences upheld. — See Morrell v. State, Sup. Ct. Op. No. 1577 (File No. 2790), 575 P.2d 1200 (1978); Post v. State, Sup. Ct. Op. No. 1642 (File No. 2851), 580 P.2d 304 (1978); Davis v. State, Ct. App. Op. No. 23 (File No. 5100), 635 P.2d 481 (1981); Williams v. State, Ct. App. Op. No. 139 (File No. 5676), 652 P.2d 478 (1982).

Sentence found excessive. — See Hintz v. State, Sup. Ct. Op. No. 2334 (File No. 3541), 627 P.2d 207 (1981).

Applied in Nukapigak v. State, Ct. App. Op. No. 90 (File No. 5820), 645 P.2d 215 (1982); Bidwell v. State, Ct. App. Op. No. 199 (File No. 6290), 656 P.2d 592

(1983); Baker v. State, Ct. App. Op. No. 202 (File No. 6961), 655 P.2d 1324 (1983); Reynolds v. State, Ct. App. Op. No. 262 (File No. 6890), 664 P.2d 621 (1983).

Cited in Nukapigak v. State, Sup. Ct. Op. No. 2667 (File No. 5820), P.2d (1983); Johnson v. State, Ct. App. Op. No. 267 (File No. 6662), 665 P.2d 566 (1983).

Sec. 11.41.320. Custodial interference in the first degree. (a) A person commits the crime of custodial interference in the first degree if the person violates AS 11.41.330 and causes the victim to be removed from the state.

(b) Custodial interference in the first degree is a class C felony. (§ 3 ch 166 SLA 1978)

Collateral references. — Fiction of loss of services as condition of action for abduction of child, 72 ALR 847.

taking or removal of child by, or under authority of, parent or one in loco parentis, 77 ALR 317.

Kidnapping or other criminal offense by

Sec. 11.41.330. Custodial interference in the second degree. (a) A person commits the crime of custodial interference in the second degree if, being a relative of a child under 18 years of age or a relative of an incompetent person and knowing that the person has no legal right to do so, the person takes, entices, or keeps that child or incompetent person from a lawful custodian with intent to hold the child or incompetent person for a protracted period.

(b) Custodial interference in the second degree is a class A misdemeanor. (§ 3 ch 166 SLA 1978)

Sec. 11.41.370. Definitions. In AS 11.41.300 — 11.41.370, unless the context requires otherwise,

(1) "lawful custodian" means a parent, guardian, or other person responsible by authority of law for the care, custody, or control of another;

(2) "relative" means a parent, stepparent, ancestor, descendant, sibling, uncle, or aunt, including a relative of the same degree through marriage or adoption;

(3) "restrain" means to restrict a person's movements unlawfully and without consent, so as to interfere substantially with the person's liberty by moving the person from one place to another or by confining the person either in the place where the restriction commences or in a place to which the person has been moved; a restraint is "without consent" if it is accomplished

(A) by acquiescence of the restrained person, if the restrained person is under 16 years of age or is incompetent and the restrained person's lawful custodian has not acquiesced in the movement or confinement; or

(B) by force, threat, or deception. (§ 3 ch 166 SLA 1978)

WHEN I was a child 30 years ago, I lived in a quiet suburb with a small road at the front and a large YMCA sports field at the back. We children played both on the road and in the field in confident safety. Cars drove slowly when children were about and everyone connected with the YMCA was considered to be trustworthy. From the age of six, I walked to school alone. I often "tricked up" conversations with strangers. No harm ever came to me.

"You cannot bring up children wrapped in cotton wool," is an old saying, and a reasonable one. Dr Spock and the other child experts warn mothers against the dangers of over-protecting their children. Over-protection turns children into anxious and neurotic adults. Children must learn independence and self-confidence by dealing with life at large.

The recent spate of appalling child murders in the north of England—as well as the rape and assault of little girls in London parks—has served to remind parents of a chilling truth that is gradually becoming obvious in our times: The days of safe childhood seem to be over. We cannot, it seems, raise our children with the freedom of movement and social trust that prevailed in our own childhood. We are gradually realising that children today have to be accompanied to and from school until they are 11 or 12; perhaps with girls until they are 16.

Parents are coming to understand, in identifying with the suffering of the little victims parents, that young children are no longer safe anywhere without adult supervision: not in parks, not on roads, not in the most remote sorts of places. Even remote playgrounds especially designed for children need a protective adult eye. Children cannot be sent on shopping errands with an easy mind any more.

Sanguine advice from the child experts about not being neurotically over-protective towards children is all very reasonable and balanced; but the world we are coming to inhabit seems no longer either balanced or reasonable. We may have no choice but to see our children grow up anxious and insecure from over-careful protection; the alternative is to risk their not growing up at all.

This spreading attitude of cautiousness is exemplified by a Home Office film soon to be shown in schools, called "Say No to Strangers." It replaces the more mildly named earlier film, entitled "Never Go With Strangers." The film warns children never to accept anything from a stranger; never to get a lift from a stranger; never to play out with a stranger; never to go to school.

Why innocent children are in danger



Even so, some teachers and parents consider the film too bland, since it doesn't spell out in stark detail what can happen to a child in sexual assault or murder. And psychologists point out that not all children are assaulted or killed by strangers, sometimes the attacker is a person they know. Can you teach children to be wary about speaking even to an apparent friend of the family without imbuing in them a wholehearted misanthropy, a complete distrust of everyone, and a destruction of the innocence that is the sweetest aspect of the child?

Obviously, children have always had to learn prudence. Many traditional fairy-tales are elliptical warnings to children about the dangers of the big wide world. The child psychologist Bruno Bettelheim thinks it is essential that girls be told "Little Red Riding Hood," because it is such an effective way of explaining, through metaphor and symbol, that there are wicked wolves around who will prey on small girls unless they take precautions. "Hansel and Gretel," "Goldilocks," and "Beauty and the Beast" all express childish fears which are very real; the fear of losing the protection of adults, the fear of being alone in an alien world, the fear of the animal aspect of the male which must be neutralised through some magic power. The child has always had to learn to come to terms with the dangers of life, but there must also be trust: there must also be safe havens, good

fairies, helping huntsmen, woodcutters who are kindly godmothers, rescue princes.

It is when all of life is threatening and frightful that it becomes such a bleak outlook for children.

Part of the reason why the world has become a less safe place for children is the sex revolution. The ethic of the revolution is that the sex revolution should be free of taboos; sexuality itself should be "value-free." In itself it is neither good nor evil... it simply exists. Sexual activity between consenting individuals, in its nature, is unnauseous. Thus states a recent book bearing the endorsement of several doctors, plus Alna Birk, counsellor at Greengross and agony aunt Claire Rayner. When given out with such authority that sexuality has no moral basis, it must have a spillover effect on sick minds.

Similarly, the National Council for Civil Liberties is campaigning for a lowering of the age of consent, and for the removal of some incest taboos—such as that between brother and sister. However, well-meaning their aim, there is bound to be a response among a sizeable minority that we really have come to the point where "anything goes." There are adults whose sexual fantasies revolve around children—the pornography of paedophile information exchange—and there are people whose urges lead them to kill. Such people must be affected by a climate of opinion that denounces sexual repressions. When fundamental taboos are stripped away uncontrolled individuals may tend to ask themselves "Why should not I do my own thing?"

The libertarian argument that the problems arising in a free society are worth the freedoms. But freedom is always a matter of balancing conflicting rights and interests. And what many people feel is that we are experiencing today, a massive decrease in the freedom of the majority to raise their families with trust and optimism that the whole human being is good. Every day, there is evidence against this accumulation.

1.05.160 Enticement.

Anch. Municipal code

It is unlawful for any person to accost another person or persons and entice or attempt to entice such other person or persons into any automobile, building, bushes, wooded or secluded area, or any remote public or private place for any unlawful purpose. (Adapted from GAAB 18.05.010M).

Crime heats up in warm weather

by Mary Kay Ritz
Times Writer

Indecent exposure and child enticement are a couple of the seasonal crimes that soar as the weather warms.

Certain crimes flourish under the cloak of darkness. Investigators call crimes such as burglaries and armed robberies "winter" crimes.

On the other side of the equinox, "spring" crimes include indecent exposure, child enticement and assaults on joggers and bicyclists.

In a sample two-week period in March, police were called to investigate 15 cases of sexual assault or attempted sexual assault on adults and an additional seven involving children.

Last week, police investigated two separate cases of child enticement, the luring of children for illicit purposes.

In one case, a man near a construction site uttered obscenities and performed indecent acts in front of children, police said.

This spring, cases of child enticement already are on the rise, Officer Jim Rehmann said.

Enticement cases are most frequent during the months of March through May, said former juvenile unit officer, Maggie Borrecco.

Now that spring is here, parents are more likely to warn children about "bad men," and means of luring children into possible danger have become more creative, Lt. David L. Sherbahn said.

Sherbahn, who heads the police department's sexual assault unit, said the familiar "candy, little

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Crimes

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girl?" approach has given way to "help me catch my burny rabbit in the woods." There have been cases of persons posing as religious representatives luring children as well, he said.

Children are not the only victims of spring criminals.

Anchorage police investigators Sherbahn and William Dennis work on cases of sexual assault, a crime they say is not isolated in spring, but more likely to occur in spring-like weather.

Both investigators and Alaska State Trooper investigator Sgt. Wayne Starr said the reason is simple: more women and children are outside as the weather warms up.

Joggers are also likely to be targets of attack.

Female joggers and bicyclists who wander from well-lit, open areas in the early morning and late evening are prime targets, Dennis said.

The best way to avert the danger of assaults, Dennis said, is to jog with someone else.

Boy offered ride

Anchorage police reported a case of child enticement in South Anchorage Friday involving a 10-year-old boy.

The boy said a man offered him a ride home, but he became frightened and jumped from the car. The boy hid in the woods until the suspect left.

Abduction attempted

An unidentified man tried to abduct an 8-year-old girl at a bus stop Thursday afternoon.

The girl told Anchorage police that she had just gotten off a People Mover bus at 3:39 p.m. near Lake Ridge Road when the man stopped his car and motioned her over to his car. As the man began to leave the

car, the girl ran to her house and told her parents. The father then called police.

The girl said man was about 40-years-old and drove a blue Dodge pickup that was dirty and had several small dents.

2 sentenced for crimes committed while drunk

By JANE PRICHARD
Daily News reporter

Two men were sentenced in unrelated cases Friday for crimes they committed during what they claimed were alcohol-induced blackouts.

In one case, Isom Chaney, 49, was sentenced to two years in jail and four years probation for arson. Chaney doused his ex-wife's trailer with 10 gallons of gasoline last July, causing an explosion and a fire.

"After this ordeal I know I want to stop drinking," Chaney told sentencing Judge J. Justin Ripley.

"Society won't tolerate simpleminded alcoholic-induced vengeance," Ripley said before imposing Chaney's sentence, which includes a \$36,000 restitution payment.

In the other case, Rex Weston, 23, was sentenced to one year in jail and 18 months probation for grabbing a jogger and a child in a park last September.

According to court papers, Weston accosted a woman jogger but let her go when another runner appeared. He later snatched a 7-year-old girl and carried her upside down toward the woods.

Witnesses chased Weston and he dropped the girl.

Youngsters outside must remain alert

Knight-Ridder Newspapers

With missing-children cases receiving more publicity these days, concerned officials involved in child care are making a greater effort to alert children and parents to possible problems and how to avoid them.

Here are 12 safety tips that parents might want to share with their children.

- Walk tall; look strong and be alert to your surroundings.

- Avoid walking alone. Walk with friends when possible.

- Occasionally vary your route home, but be sure to discuss any changes with parents in advance.

- Do not wear earphones on the street. They block out street noise and make you a good target.

- Do not go into empty buildings. Do not go into any building if you think you are being followed.

- Check to see if you are being followed by looking at reflections in store windows or by crossing the street.

- Never talk about how much money you are carrying.

- Do not hesitate to give up your possessions if someone threatens you.

- Trust your instinct. If you get a funny feeling, something might be wrong.

- Know where local stores are in your neighborhood. They are a good place to run to when you need help.

- Know that it's all right to say "no." Don't answer questions from strangers over the telephone.

- It's OK to run away and to scream, bite, hit or kick someone who is trying to hurt you.

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MISSING CHILDREN OF AMERICA, INC.

JAN 23 1984

"A National Network To Locate MISSING CHILDREN"

FACTS ABOUT CHILD ABDUCTION

150,000 children are "missing" in America every year.*

100,000 children are victims of parental abductions.*

More children die each year by the hand of a parent than by that of a stranger.*

50,000 children are taken each year by strangers.*

60% of those children who are "missing" will be abandoned, neglected, or abused.*

90% of these "missing" children will never see their other parent or parents again.*

10% of these children will be found dead.*

Thousands of children die each year unidentified (listed as Jane or John Doe).

Child abduction/kidnapping is a felony in all but two states, where the crime is treated as a misdemeanor.

Child snatching is often a crime of vengeance.

Psychologists tell us that the damage which takes place in a child's life during an abduction (even if only for a few hours) cannot be repaired.

MISSING CHILDREN OF AMERICA is the only national organization whose aim is to have chapters in every state so that information, contacts, and victim names can be shared in an effective communication network.

MISSING CHILDREN OF AMERICA registers any missing child, whether a stranger abduction, runaway, parental abduction (by either parent whether possessing legal custody or not), including those already registered with other agencies.

MISSING CHILDREN OF AMERICA shares photographs of missing children with any group or individual who may be of aid in locating those children.

MISSING CHILDREN OF AMERICA offers assistance to parents free of charge. At parent's option, a professional investigative service may be activated which, for a one-time fee, will provide continuing investigation until child is located or leads are exhausted.

*These statistics provided by the American Bar Association.