

ALASKA LEGISLATURE

HOUSE and SENATE FINANCE

COMMITTEE FILES, 1993-1994

936

10

**HB**

**4**

**SFIN**

**FILE**

# SENATE FINANCE COMMITTEE REPORT

DATE: 2/28/94

FURTHER:

DATE TURNED INTO OFFICE: 3-17-94

The Finance Committee considered CS FOR HOUSE BILL NO. 4(JUD)

"An Act relating to failure to report harm or assaults of the elderly or disabled."

and recommends:

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

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

adopts \_\_\_\_\_ Letter of intent

further referral to the \_\_\_\_\_

do pass

do not pass

no recommendation

individual recommendations

**NEW FISCAL NOTES**

Department	Date	Zero	Fiscal

**PREVIOUS FISCAL NOTES**

Department	Date	Zero	Fiscal
Admin #1631	2-17-94	✓	
Admin #43	2-17-94	✓	
DH#SS #254	1-31-94	✓	
DH#SS #258	1-31-94	✓	
DH#SS #255	1-31-94	✓	
DC#ED #1844	2-17-94	✓	

Appropriation No Fiscal Note

**DO PASS:**

George Sando  
[Signature]

**OTHER RECOMMENDATIONS:**

[Signature]

1. And do pass  
Co-Chair: Signature/Recommendation

2. Inve Advice - to Pass  
Co-Chair: Signature/Recommendation

# FISCAL NOTE

7  
 Bill Version: CSHB 4 (JUD)  
 (S) Publish Date: 2-28-94

STATE OF ALASKA  
 1994 LEGISLATIVE SESSION

Revision Date: 2/17/94  
 Title: Failure to report harm or assaults  
of the elderly or disabled.  
 Sponsor: Rep. Mackie  
 Requestor: House Judiciary

Department: Commerce and Economic Dev.  
 BRU: Occupational Licensing  
 Component: Operations

COMPONENT SERIAL NO. 1844

**Expenditures/Revenues**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0
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**FUND SOURCE**

(Thousands of Dollars)

FUND SOURCE	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
1002 Federal Receipts						
1003 GF Match						
1004 General Fund						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY 94) cost: \$ None

**POSITIONS**

POSITIONS	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME	0.0	0.0	0.0	0.0	0.0	0.0
TEMPORARY	0.0	0.0	0.0	0.0	0.0	0.0

**ANALYSIS:** (Attach a separate page if necessary)

CSHB 4 (JUD) amends the centralized licensing statutes (AS 08.01) by adding a new section to provide that a licensee who is convicted of failing to report abuse of an elderly or disabled person may subject their license to disciplinary proceedings or sanctions. The bill also mandates the court to notify licensing authorities upon conviction of a licensee.

(Continued on attached)

Prepared by: Jennifer Strickler, Administrative Officer  
 Division: Occupational Licensing  
 Approved by Commissioner: Paul Fuhs  
 Agency: Commerce and Economic Development

Phone: 465-2144  
 Date: 2/17/94  
 Date: \_\_\_\_\_

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CONTINUATION of FISCAL NOTE ANALYSIS  
FOR BILL/RESOLUTION NO. CSHB 4 (JUD)

In the event a conviction is reported and the report is considered by the licensing authority, the licensee is protected by due process under the Administrative Procedure Act; therefore, a hearing and other costs will be generated as part of the hearing process. Any action taken by the licensing authority will generate unanticipated and unbudgeted expense. The division must have flexibility to seek recuperation of these unbudgeted expenses through an increase in appropriation from the Legislative Budget and Audit Committee throughout the year; otherwise, any action taken under this bill will create a funding shortage in the authorized budget. This bill affects approximately 10,000 licensees and their possible failure to report abuse. If .001 of the licensees fail to report abuse, 10 investigative cases and/or licensing actions will be generated per year.

New funds are not requested at this time to carry out provisions of CSHB 4 (JUD), however, should convictions occur and reports be filed with the licensing authorities, it is the division's intent to seek increased appropriation through the LB&A process to recuperate costs associated with activities incurred under this bill.

# FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO: CSHB 4(JUD)

Revision Date: \_\_\_\_\_ Dept. Affected: Public Safety  
 Title: "An act relating to failure to report harm  
or assault of the elderly or disabled" BRU: Alaska State Troopers  
 Component: Detachments  
 Sponsor: Representative Mackie  
 Requestor: House Rules COMPONENT SERIAL NO. 799

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

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE FUND SOURCE:	0.0	0.0	0.0	0.0	0.0	0.0

**FUNDING: (Thousands of Dollars)**

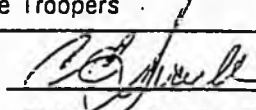
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

**POSITIONS:**

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

Estimate of current year (FY 93) impact: \$ \_\_\_\_\_

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

Prepared By: Francis C. Allan Phone: 262-5691  
 Division: Alaska State Troopers Date: 4/02/93  
 Approved by Commissioner:  Date: 4/02/93  
 Agency: Richard L. Burton, Dept. of Public Safety

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# FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO. CSHB 4 (JUD)

Revision Date: <u>03-23-93</u>	Dept. Affected: <u>Corrections</u>
Title: <u>"...adding an aggravating factor at sentencing."</u>	BRU: <u>Statewide Programs</u>
Sponsor: <u>Rep. Mackie</u>	Component: <u>Statewide Programs</u>
Requestor: <u>House Judiciary</u>	COMPONENT SERIAL NO. <u>1858</u>

**Expenditures/Revenues:**

(Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE FUND SOURCE						
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**FUNDING:**

(Thousands of Dollars)

FUNDING	FY94	FY95	FY96	FY97	FY98	FY99
1002 Federal Receipts						
1003 GF Match						
1004 GF	-0-	-0-	-0-	-0-	-0-	-0-
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

**POSITIONS:**

POSITIONS	FY94	FY95	FY96	FY97	FY98	FY99
FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: \$ -0-

**ANALYSIS:** (Attach a separate page if necessary)

CSHB 4 (Jud) removes Section 2 of H.B. 4, and therefore removes the fiscal impact on the Department of Corrections.

Prepared by: Dana LaTour, Special Assistant  
 Division: Office of the Commissioner  
 Approved by Commissioner: Lloyd G. Rupp  
 Agency: Office of the Commissioner

Phone: 465-3376  
 Date: 03/23/93  
 Date: 03/23/93

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FISCAL NOTE

BIL 8  
 Bill Version: CS HB 4 (JUD)  
 (S) Publish Date: 2-28-94

STATE OF ALASKA  
 1994 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_ Dept. Affected: Health and Social Services  
 Title: An Act relating to Failure to Report Harm BRU: Family & Youth Services  
Of the Elderly/Disabled Component: NRO  
 Sponsor: Representative Mackie  
 Requestor: S (JUD) COMPONENT SERIAL NO. 0255

Expenditures/Revenues: (Thousands of Dollars)

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

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES						
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FUND SOURCE (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY94) impact: 0.0

ANALYSIS: (Attach a separate page if necessary)

Alaska, like many states in the early 80's, passed but failed to fund a Protection of the Elderly statute. A decade after Alaska's law was passed, the Department still is not adequately funded for this mandate. There is concern over raising the penalty when mandated professionals fail to report abuse and neglect to elderly persons to the Department now as the existing response system is inadequate. This bill, if passed, would not directly create an additional workload on the Department.

Prepared by: Deborah R. Wing, Director *Deborah R. Wing* Phone: 465-3191  
 Division: Division of Family & Youth Services Date: 01/26/94  
 Approved by Commissioner: Margaret R. Lowe *Margaret R. Lowe* Date: 1-31-94  
 Agency: Department of Health & Social Services

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FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

B. Bill Version: CS HB 4 (JUD)  
(S) Publish Date: 2-28-94

Revision Date: \_\_\_\_\_ Dept. Affected: Health and Social Services  
Title: An Act relating to Failure to Report Harm BRU: Family & Youth Services  
Of the Elderly/Disabled Component: SERO  
Sponsor: Representative Mackie  
Requestor: S (JUD) COMPONENT SERIAL NO. 0258

Expenditures/Revenues:

(Thousands of Dollars)

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

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1008 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL - TIME						
PART - TIME						
TEMPORARY						

Estimate of current year (FY94) impact: 0.0

ANALYSIS: (Attach a separate page if necessary)

Alaska, like many states in the early 80's, passed but failed to fund a Protection of the Elderly statute. A decade after Alaska's law was passed, the Department still is not adequately funded for this mandate. There is concern over raising the penalty when mandated professionals fail to report abuse and neglect to elderly persons to the Department now as the existing response system is inadequate. This bill, if passed, would not directly create an additional workload on the Department.

Prepared by: Deborah R. Wing, Director  
Division: Division of Family & Youth Services  
Approved by Commissioner: Margaret R. Lowe  
Agency: Department of Health & Social Services

Phone: 465-3191  
Date: 01/26/94  
Date: 1-31-94

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FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

No. 10  
Bill Version: CSHB 4 (JUD)  
(S) Publish Date: 2-28-94

Revision Date: \_\_\_\_\_ Dept. Affected: Health and Social Services  
Title: An Act relating to Failure to Report Harm ARU: Family & Youth Services  
Of the Elderly/Disabled Component: SCRO  
Sponsor: Representative Mackie  
Requestor: S (JUD) COMPONENT SERIAL NO. 0254

Expenditures/Revenues:

(Thousands of Dollars)

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

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES						
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FUND SOURCE

(Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY94) impact: 0.0

ANALYSIS: (Attach a separate page if necessary)

Alaska, like many states in the early 80's, passed but failed to fund a Protection of the Elderly statute. A decade after Alaska's law was passed, the Department still is not adequately funded for this mandate. There is concern over raising the penalty when mandated professionals fail to report abuse and neglect to elderly persons to the Department now as the existing response system is inadequate. This bill, if passed, would not directly create an additional workload on the Department.

Prepared by: Deborah R. Wing, Director  
Division: Division of Family & Youth Services  
Approved by Commissioner: Margaret R. Lowe  
Agency: Department of Health & Social Services

Phone: 465-3191  
Date: 01/26/94  
Date: 1-31-94

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# FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

No. 11  
 BI: Bill Version: OSHB 4 (JUD)  
 (S) Publish Date: 2-28-94

Revision Date: \_\_\_\_\_ Dept. Affected: Administration  
 Title: "An Act relating to failure to report harm...." BRU: Office of Public Advocacy  
 Component: Office of Public Advocacy  
 Sponsor: Rep. Mackie  
 Requestor: (S) Jud COMPONENT SERIAL NO. 43

**Expenditures/Revenues** (Thousands of Dollars)

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

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ( )	0.0	0.0	0.0	0.0	0.0	0.0
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of current year (FY94) cost: none

**POSITIONS:**

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

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Brant McGee, Public Advocate Phone: 274-1684  
 Division: Office of Public Advocacy Date: \_\_\_\_\_  
 Approved by Commissioner: Nancy Bear Usura Date: 2/17/94  
 Agency: Administration

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# FISCAL NOTE

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STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILI Bill Version.. CSHB 4 (Jud)  
(S) Publish Date: 2-28-94

Revision Date: \_\_\_\_\_ Dept. Affected: Administration  
 Title: "An Act relating to failure to report harm...." BRU: Public Defender Agency  
 Component: Public Defender Agency  
 Sponsor: Rep. Mackie  
 Requestor: (S) Jud COMPONENT SERIAL NO. 1631

**Expenditures/Revenues** (Thousands of Dollars)

OPERATING EXPENDITURES	FY95	FY96	FY97	FY98	FY99	FY(10)
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of current year (FY94) cost: none

**POSITIONS:**

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

**ANALYSIS:** (Attach a separate page if necessary)

Prepared by: John Salemi, Public Defender Phone: 264-4400  
 Division: Public Defender Agency Date: \_\_\_\_\_  
 Approved by Commissioner: Nancy Bear Usura Date: 2/17/94  
 Agency: Administration

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# Alaska State Legislature

REPRESENTATIVE  
JERRY MACKIE



House of Representatives

ALASKA STATE CAPITOL  
JUNEAU, ALASKA 99801-1182  
(907) 465-4925

PO. BOX 795  
CRAIG, ALASKA 99921  
(907) 826-3008 OFFICE  
(907) 826-2930 HOME

## MEMORANDUM

TO: Senator Drue Pearce, Co-Chair  
Senate Finance Committee

Senator Steve Frank, Co-Chair  
Senate Finance Committee

FROM: Representative Jerry Mackie

DATE: February 23, 1994

RE: Scheduling HB 4

HB 4, an Act relating to failure to report harm or assaults of the elderly or disabled, has just passed the Senate Judiciary Committee, with a Finance referral.

HB 4 provides additional protections for the elderly and disabled by aligning the penalty for failure to report harm or assaults under the two statutes, amending the centralized licensing statute to provide that conviction for failure to report harm or assaults of the elderly or disabled may be considered grounds for disciplinary actions or sanctions by the appropriate licensing body, and requiring the court to report such convictions to the licensing entity.

I would respectfully request that you schedule HB 4 with HB 3, relating to home care providers, as they are companion bills. HB 4 has no fiscal impact.

Thank you.

# Alaska State Legislature



REPRESENTATIVE  
JERRY MACKIE

ALASKA STATE CAPITOL  
JUNEAU, ALASKA 99801-1182  
(907) 465-4925

PO. BOX 795  
CRAIG, ALASKA 99921  
(907) 926-3008 OFFICE  
(907) 826-2930 HOME

## House of Representatives

### SPONSOR STATEMENT FOR CSHB 4 (JUD)

HB 4, An Act relating to failure to report harm or assaults of the elderly or disabled, will place into state law deterrents to crimes against the elderly and disabled.

HB 4 will amend the protection of the elderly and disabled adult protection laws to consistently provide a penalty of a class B misdemeanor for conviction of failure to report a crime under these statutes; it would also require the court to report convictions to the appropriate licensing/regulatory entity. Conviction of a professionally licensed person for failure to report a crime against an elderly or disabled person could lead to disciplinary actions or sanctions.

Elderly and handicapped persons are more vulnerable and disproportionately damaged by crimes against them because they are less able to escape offenders and tend to suffer greater relative deprivation. Additionally, the elderly and disabled take longer to recover from the impacts of financial, emotional and physical abuse.

The senior citizen population in Alaska is rapidly growing; between the 1980 and 1990 census, four areas of the state have seen over 130% growth in the senior population (Anchorage, Kenai, Mat-Su and Haines); the statewide average growth for this population group is 93.7%. The number of seniors living alone has grown by 108%.

28 states have adult protection laws, although many of them are underfunded as our services are here in Alaska. About 200 reports of elderly abuse are made in Alaska each year; HB 4, if enacted, will provide both an incentive to report abuse and a deterrent to crimes against the elderly.

I believe this legislation is timely and urge your support.

# Alaska State Legislature



REPRESENTATIVE  
JERRY MACKIE

ALASKA STATE CAPITOL  
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## House of Representatives

### SECTIONAL ANALYSIS - HB 4

"AN ACT RELATING TO FAILURE TO REPORT HARM OR ASSAULTS OF THE ELDERLY OR DISABLED"

Section 1 Amends the centralized licensing statute by adding a new section which provides that conviction of a person licensed or regulated by a board or the department under the adult protection or protection of disabled persons statutes may be grounds for disciplinary actions or sanctions.

Section 2 Amends AS 47.24.010(c) to provide that a person required to report harm to an elderly person under the Protection of the Elderly statute who knowingly fails to report is guilty of a class B misdemeanor. The section also requires the court to report convictions under this section to the appropriate professional regulatory body.

Section 3 Amends AS 47.24.110(b) to provide that a person required to report physical and sexual assault of a disabled person under the Protection of the Disabled statute who knowingly fails to report the assault is guilty of a class B misdemeanor. The section also requires the court to report convictions under this section to the appropriate professional regulatory body.

§ 47.21.020

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§ 47.24.010 WELFARE, SOCIAL SERVICES & INSTITUTIONS § 47.24.010

Article 1. Protection of the Elderly.

Section

- 10. Reports of harm
- 20. Action on reports
- 30. Protective services
- 40. Review and referral
- 50. Confidentiality of reports

Section

- 60. Authority of the department
- 70. Regulations
- 75. Quarterly report
- 100. Definitions

Cross references. — For statement of SLA 1983, in the Temporary and Special legislative purpose in enacting AS Acts. 47.24.010 — 47.24.100, see § 1, ch. 36,

~~HS SECTION 21~~

Sec. 47.24.010. Reports of harm. (a) The following persons who, in the performance of their professional duties, have reasonable cause to believe that an elderly person has suffered harm shall, not later than 24 hours after first having cause for the belief, report the harm to the Department of Health and Social Services:

- (1) a physician or other licensed health care provider;
- (2) a mental health professional as defined in AS 47.30.915(11);
- (3) a pharmacist;
- (4) an administrator of a nursing home, residential care or health care facility;
- (5) a guardian or conservator;
- (6) a police officer;
- (7) a village public safety officer;
- (8) a village health aide;
- (9) a social worker;
- (10) a member of the clergy;
- (11) a staff employee of a project funded by the Older Alaskans Commission;
- (12) an employee of a homemaker program or home health aide program;
- (13) an emergency medical technician or a paramedic in the mobile intensive care program.

(b) A report of harm made under this section may include the name and address of the person reporting the harm and shall include

- (1) the name and address of the elderly person;
- (2) information relating to the nature and extent of the harm;
- (3) other information that the person reporting the harm believes might be helpful in an investigation of the case or in providing protection for the elderly person.

(c) A person who fails to comply with this section is guilty of a violation as defined in AS 11.81.900(b).

(d) This section does not prohibit a person listed in (a) of this section from reporting cases of economic or physical harm to an elderly person that have come to the person's attention in a nonprofessional capacity. This section does not prohibit any other person from reporting economic harm to an elderly person that the person has reasonable cause to believe is a result of theft, fraud, or coercion by a caretaker of the elderly person, or physical harm to an elderly person that the person has reasonable cause to believe is a result of abuse, neglect, or abandonment.

(e) If immediate action is necessary to protect the elderly person from imminent harm, the person shall make the report of harm to a police officer or a village public safety officer. The police officer or village public safety officer shall take immediate action to protect the elderly person and shall, at the earliest opportunity, notify the department.

(f) A person who, in good faith makes a report of economic or physical harm to an elderly person under AS 47.24.010 — 47.24.100, or who participates in judicial proceedings related to the submission of reports under AS 47.24.010 — 47.24.100, is immune from any civil or criminal liability that might otherwise be incurred or imposed.

(g) Failure to make a report under subsections (a) and (d) of this section is not the basis of civil liability unless otherwise provided by law.

(h) If a person makes a good faith report of harm under this section, an employer or supervisor of the person, or a public or private agency or entity that provides benefits, services, or housing to the person, may not discharge, demote, transfer, reduce the pay or benefits or work privileges of, prepare a negative work performance evaluation of, deny or withhold benefits or services, evict, or take other detrimental action against the person because of the report. The person making the report may bring a civil action for compensatory and punitive damages against an employer, supervisor, agency, or entity that violates this subsection. In the civil action there is a rebuttable presumption that the detrimental action was retaliatory if it was taken within 90 days after the report of harm was made. (§ 2 ch 36 SLA 1983; am § 4 ch 108 SLA 1988)

Effect of amendments. — The 1985 amendment added subsection (h).

Sec. 47.24.020. Action on reports. (a) Upon receiving a report of harm, the department shall promptly initiate an investigation to determine the economic or physical condition of the elderly person named in the report and whether action or services are needed for the protection of the elderly person. The department shall personally interview the elderly person during the investigation unless the elderly

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§ 47.24.030 WELFARE, SOCIAL SERVICES & INSTITUTIONS § 47.24.040

person is unconscious or otherwise physically or mentally impaired to such an extent as to be unable to respond to questions.

(b) The department shall prepare a written report of the investigation, including findings, recommendations, and a determination of whether and what kind of protective services are to be offered to the elderly person. Upon request, the person who reported harm to the elderly person shall be notified of the status of the investigation. The department shall provide to the Department of Law a copy of each report of an investigation of harm to an elderly person if the report of harm is confirmed to be true.

(c) The department shall immediately terminate an investigation under this section upon the request of an elderly person who is the subject of a report of harm. However, if the department has reasonable cause to believe that the elderly person is incapacitated, the department may petition the superior court under AS 13.26 for appointment of a guardian or temporary guardian for the elderly person for the purpose of obtaining consent to continue the investigation. (§ 2 ch 36 SLA 1983)

Sec. 47.24.030. Protective services. (a) The department shall provide available protective services to a harmed elderly person if and to the extent to which the elderly person consents. If the department has reasonable cause to believe that the elderly person lacks the capacity to consent to receiving protective services, it may petition the superior court under AS 13.26 for appointment of a guardian or temporary guardian for the elderly person for the purpose of obtaining consent.

(b) If an elderly person who has consented to receiving protective services is prevented by a caretaker from receiving the services, the department may assist the elderly person to petition the superior court for an injunction restraining the caretaker from interfering with the provision of protective services to the elderly person. (§ 2 ch 36 SLA 1983)

Sec. 47.24.040. Review and referral. The department shall, not later than 90 days after initiating the provision of protective services to an elderly person, initiate a review of the case to determine whether continuation or modification of protective services that are being provided is warranted. The department shall reevaluate the case every 90 days thereafter until the case is closed. (§ 2 ch 36 SLA 1983)

Sec. 47.24.050. Confidentiality of reports. (a) Investigation reports and reports of harm filed under AS 47.24.010 — 47.24.100 are confidential and are not subject to public inspection and copying under AS 09.25.110 — 09.25.125. However, in accordance with AS 47.24.010 — 47.24.100 and regulations adopted under AS 47.24.010 — 47.24.100, investigation reports may be used by appropriate governmental agencies inside and outside the state, in connection with investigations or judicial proceedings involving harm to an elderly person.

(b) The department shall disclose a report of harm if the elderly person who is the subject of the report consents in writing. The department shall, upon request, disclose the number of verified reports of harm that occurred at an institution for care of the elderly. (§ 2 ch 36 SLA 1983)

Sec. 47.24.060. Authority of the department. In performing its duties under AS 47.24.010 — 47.24.100, the department may, subject to the elderly person's consent, initiate actions necessary to assure the health, safety and welfare of an elderly person, including the transfer of the elderly person from a nursing home, residential care or health care facility. (§ 2 ch 36 SLA 1983)

Sec. 47.24.070. Regulations. Regulations to implement AS 47.24.010 — 47.24.100 shall be approved by the Older Alaskans Commission (AS 44.21.200) before adoption by the department. (§ 2 ch 36 SLA 1983)

Sec. 47.24.075. Quarterly report. The department shall submit to the Older Alaskans Commission each quarter a statistical report of the department's activities related to the protection of elderly persons in the state. The report may not disclose the identity of victims or perpetrators of the harm. (§ 2 ch 36 SLA 1983)

Sec. 47.24.100. Definitions. In AS 47.24.010 — 47.24.100

(1) "abandonment" means desertion of an elderly person by a caretaker;

(2) "abuse" means the infliction of physical pain or injury, the infliction of mental anguish that requires medical attention, or the deprivation by a caretaker of services that are necessary to maintain the physical and mental health of an elderly person;

(3) "caretaker" means a person who is responsible for the care of an elderly person as a result of a family relationship, or who has assumed responsibility for the care of an elderly person voluntarily, by contract, or by court order;

(4) "department" means the Department of Health and Social Services;

§ 47.24.110 WELFARE. SOCIAL SERVICES & INSTITUTIONS § 47.24.110

(5) "economic harm" means intentional economic exploitation of an elderly person resulting from theft, fraud, or coercion by a caretaker of the elderly person;

(6) "elderly person" means a resident of Alaska who is 65 years of age or older;

(7) "harm" means physical harm or economic harm;

(8) "incapacitated" means a person's ability to receive and evaluate information or to communicate decisions is impaired for reasons other than minority to the extent that the person lacks the ability to obtain the essential requirements for physical health or safety without court-ordered assistance;

(9) "neglect" means the failure by the caretaker of an elderly person to provide services necessary to maintain the physical and mental health of the elderly person;

(10) "physical harm" means injury to the person of an elderly person resulting from abuse, neglect or abandonment;

(11) "police officer" has the meaning given in AS 18.65.290;

(12) "protective services" means services intended to prevent or alleviate harm resulting from abuse, neglect, exploitation, or abandonment. (§ 2 ch 36 SLA 1983)

Article 2. Protection of Disabled Adults.

Section

110. Reports of physical or sexual assault

120. Immunity from liability; retaliation prohibited

~~SECTION 110~~ SECTION 120

Sec. 47.24.110. Reports of physical or sexual assault. (a) The following persons who, in the performance of their professional duties, have reasonable cause to believe that a disabled adult is a victim of assault under AS 11.41.200 — 11.41.230 or sexual assault under AS 11.41.410 — 11.41.420, and that the disabled adult is unable to report the crime, shall promptly report the crime to the nearest law enforcement agency:

- (1) a physician or other licensed health care provider;
- (2) a mental health professional as defined in AS 47.30.915;
- (3) a pharmacist;
- (4) an administrator or employee of a nursing home, residential care, or health care facility;
- (5) a caretaker of the disabled adult;
- (6) a guardian or conservator of the disabled adult;
- (7) a police officer as defined in AS 18.65.290;
- (8) a village public safety officer;
- (9) a village health aide;
- (10) a social worker;
- (11) a member of the clergy;

(12) a staff employee of a program or project serving disabled adults;

(13) a licensed foster care provider;

(14) a paid employee of a domestic violence and sexual assault program or a crisis intervention and prevention program as defined in AS 18.66.900;

(15) an employee of a homemaker program or home health aide program;

(16) an emergency medical technician or paramedic in the mobile intensive care program.

(b) A person who knowingly fails or refuses to make a report required under (a) of this section is guilty of a class B misdemeanor.

(c) In this section, "disabled adult" means a person 18 years of age or older who has a physical or mental disability, or physical or mental impairment, as defined in AS 18.80.300. (§ 3 ch 42 SLA 1988)

Sec. 47.24.120. Immunity from liability; retaliation prohibited. (a) A person who in good faith makes a report under AS 47.24.110, regardless of whether the person is required to do so, is immune from civil or criminal liability that might otherwise be incurred or imposed for making the report.

(b) An employer or supervisor of a person who in good faith makes a report under AS 47.24.110 may not discharge, demote, transfer, reduce pay or benefits or work privileges of, prepare a negative work performance evaluation of, or take other detrimental action against the person because the person made the report. The person making the report may bring a civil action for compensatory and punitive damages against an employer or supervisor who violates this subsection. In the civil action there is a rebuttable presumption that the detrimental action by the employer or supervisor was retaliatory if it was taken within 90 days after the report was made. (§ 3 ch 42 SLA 1988)

## Chapter 25. Public Assistance.

### Article

1. General Relief Assistance (§§ 47.25.120 — 47.25.300)
2. Aid to Families with Dependent Children Act (§§ 47.25.310 — 47.25.420)
3. Job Opportunity and Basic Skills Program (JOBS) (§§ 47.25.421 — 47.25.429)
4. Adult Public Assistance (§§ 47.25.430 — 47.25.615)
5. Food Stamp Program (§§ 47.25.975 — 47.25.990)

BACK-UP

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## Older Alaskans Commission

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### POSITION PAPER ON HOUSE BILL 4

"An Act relating to criminal offenses and penalties for offense involving the disabled or elderly"

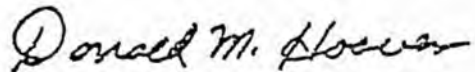
The Older Alaskans Commission supports passage of this bill.

This bill would add an aggravating factor to the criminal sentencing statutes; specifically to recognize the aggravated harm done when any type of physical or financial criminal harm is perpetrated upon a senior citizen (over 65) or a mentally or physically impaired citizen.

In addition, this bill will expand and enhance Alaska's Elder Abuse Reporting Law. The bill will allow a professional or occupational licensing board to discipline or sanction a licensed professional who is convicted for a knowing failure to report abuse or an elderly or disabled person as required by law. (The Elder and Disabled Abuse reporting statutes list the specific health, social service, and legal professional categories which are required to report abuse.)

Finally, this bill strengthens the existing abuse reporting laws by making the criminal penalty language consistent with the current criminal code, and by adding to the elder abuse law the requirement that the person who fails to report must do so "knowingly" in order to be held to a criminal penalty (consistent with the disabled report law). The bill also adds new provisions that the court system will send notice of the conviction to the licensing board which regulates a professional convicted of failure to report abuse.

The Older Alaskans Commission believes that abuse of elders and disabled adults is a grievous problem that Alaska must better address. The Commission urges passage of HB 4.



Donald M. Hoover, Chairman  
Older Alaskans Commission

Dated: 3/22, 1993

## ELDER ABUSE

### WHO IS AN ELDERLY PERSON?

Under AS 47.24 an elderly person means a resident of Alaska who is 65 years of age or older.

### WHAT CONSTITUTES ELDER ABUSE?

Elder abuse means the infliction of physical pain or injury that requires medical attention, or the infliction of mental anguish that requires medical attention or the deprivation by a caretaker of services which are necessary to maintain the physical and mental health of an elderly person.

### WHO IS A CARETAKER?

AS 47.24 defines a caretaker as any individual who is responsible for the care of an elderly person as a result of family relationship or who has assumed responsibility for the care of an elder person voluntarily, by contract, or by court order.

### WHO SHOULD REPORT ELDER ABUSE?

Anyone who suspects that abuse may be occurring should report it. Additionally, the following persons are required to report suspected abuse within 24 hours: physicians or other licensed health care providers; mental health professionals; pharmacists; administrators of nursing homes, residential care or health care facilities; guardians/conservators; police officers; village public safety officers; village health aides; social workers; clergy; employees of a project funded by the Older Alaskans Commission; employees of a homemaker program or home health aide program; and emergency medical technicians or paramedics in the mobile intensive care program. Reports are confidential and persons reporting are immune from any civil or criminal liability.

### WHERE DO I REPORT ELDER ABUSE?

Call the nearest office of the Division of Family and Youth Services. If immediate action is necessary to protect the elderly person from imminent harm, report the harm to a police officer or a village public safety officer. The police officer will take immediate action to protect the elderly person and will notify the Division.

#### WHAT WILL THE DIVISION OF FAMILY AND YOUTH SERVICES DO?

The social worker interviews the suspected victim to verify the report and explain possible options for resolving the problem. Together, they will decide which steps to take. It is important to remember that the social worker may act only if the elderly person consents.

#### WHAT RIGHTS DOES THE ELDERLY PERSON HAVE?

The elderly person has the right to privacy and self-determination and to deny the need for services. If someone is unconscious or otherwise lacks capacity to give consent, the social worker may ask the court to appoint a guardian.

#### WHAT IF I'M ACCUSED OF ELDER ABUSE?

The social worker would talk with you and the elderly person to determine the extent of the problem and explore possible solutions. Depending on the circumstances, the elderly person may elect to file charges. In most instances however, the problems can be resolved with adequate support services.

#### WHAT HAPPENS AFTER THE INVESTIGATION?

The Division only provides services with the consent of the elderly person. If the person lacks capacity to give consent, or requests Division assistance, the social worker will provide supportive services to reduce stress and prevent further abuse.

#### WHAT TYPES OF SERVICES WOULD BE AVAILABLE TO THE ELDERLY PERSON AND HIS FAMILY?

Individual and family counseling, respite care, homemaker or home health aide services, transportation, home delivered meals, day activity center, adult residential care, adult foster homes, etc., may be provided. However, not all services are available in all communities. Occasionally it is necessary to request the appointment of a conservator or guardian to safeguard the individual and his resources.

#### WILL OTHER PEOPLE KNOW?

All information will be kept confidential. The elderly person must give consent for information to be shared.

## ADULT PROTECTIVE SERVICES

The state agency responsible to carry out adult protective services is the Division of Family and Youth Services or grantee in the case on Manniilaq or Kawarek. A protective services response generally should include the following activities:

- (1) the operation of a system to receive reports and referrals of suspected elder abuse, as defined by state law (i.e., abandonment, abuse, neglect, and economic harm); younger vulnerable adults are included under the division's Title XX Plan;
- (2) the investigation of cases of maltreatment by gathering evidence from the victim, family members, appropriate professionals, neighbors and friends, and others determined to be appropriate;
- (3) the substantiation or unsubstantiation of abuse reports based on evidence and agency policy;
- (4) the provision of emergency services to victims or their family members, as needed and as resources permit;
- (5) the administration of assessments, tests, or evaluations, as needed;
- (6) the preparation of legal procedures, as needed;
- (7) the referral of cases to treatment and rehabilitation programs, substitute care programs, long-term care programs, and law enforcement agencies, as appropriate;
- (8) arrangements for the removal of the victim or the perpetrator from the home, when necessary;
- (9) the provision of support, protective, and advocacy services;
- (10) the training of agency staff, related professions, and volunteers;
- (11) the administration of public awareness programs; and
- (12) the collection of statistics for clients and services.

There are currently three workers specializing in Adult Protective Services (two in Anchorage and one in Fairbanks). In all other areas of the state adult protective services are provided by staff who are assigned to provide protective services to both children and adults.

by  
*National Association of State Units on Aging*

Individual and collective advocacy is the essential core of the Older Americans Act and a central mission of the network of state and area agencies that the Act has established across the nation. The OAA network's primary purpose is to assure that individual older people have their civil rights, autonomy and dignity protected, their claims to entitlements honored and their contracts and covenants for care and benefits fulfilled. This responsibility is paramount with respect to those who are unable to secure and protect their own interests. This advocacy mission calls for enhanced federal, state and community leadership and action to design and implement comprehensive and coordinated elder rights systems for older persons.

In our increasingly complex society, we find continuing and growing evidence of threats to and violation of the rights of older persons:

□ The incidents of elder abuse and exploitation in domestic settings are estimated at approximately 1.5 million per year and only 1 in 8 individuals receives protective services. Law enforcement is reluctant to prosecute even serious cases. The interventions of key community services which address alcohol and substance abuse, domestic

violence, protective service and mental health are seldom linked. Health care professionals, financial institutions and other important gatekeepers are not adequately involved in prevention, reporting and assistance activities.

□ Approximately 2 million older persons reside in an estimated 90,000 long term care facilities with growing reports of abuse, loss of autonomy and complaints concerning the quality of care. Although enforcement of protections has been strengthened under OBRA, the full scope and spirit of the Nursing Home Reform Act has yet to be realized. The public is not knowledgeable of these new protections; residents are not aware of avenues of redress.

□ In growing numbers, older persons lose their rights often with no due process safeguards. Guardianship may be awarded with little or no consideration of alternative services or limited orders. The availability of training or support services for guardians and the courts are limited. Required reporting is not reviewed and the courts have little capacity to exercise oversight.

□ More than any other age group older persons rely on increasingly complex and

## Elder Rights

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changing public benefit programs, services and protections to meet income, housing, health and supportive service needs. Yet millions of older individuals eligible for benefits under the Supplemental Security Income (SSI), food stamp, Medicaid and the Qualified Medicare Beneficiaries (QMB) programs are not currently enrolled. Older people are shifted among various providers and levels of government in order to apply for or receive benefits. Restrictive eligibility criteria, exclusionary and complex application rules and appeal procedures deter too many eligible older people from pursuing benefits. In addition, insensitivity to racial and cultural issues further impedes access to benefits for many older persons.

□ In the paramount area of health care, millions of older people are denied benefits to which they are entitled under the Medicare program. Claims processing errors, denials of benefits, provider over billing and inconsistent Medigap coverage add substantially to the confusion older persons face in attempting to pay for their health care and results in substantial and unnecessary out-of-pocket costs.

□ Many older persons lose their autonomy and their financial, legal, or personal rights through actions outside the formal legal system. Family members, caregivers and medical and social service providers often assume power and control over the older person's choices and resources, both through quasi-legal transfers of authority and through failure to fully inform elders. As a result elders can not make a truly informed and dignified choice about services,

treatments, residential choices, and expenditures of their resources.

□ A growing number of private sector services and products are targeted to older consumers. Fraud and exploitation are on the rise in the marketing of insurance, retirement housing, investment and financial planning, private care management, homecare and medical services and supplies.

□ Opportunities for employment are constricted by discriminatory practices. The recent and dramatic 12% increase in the numbers of age discrimination cases brought before the Equal Employment Opportunity Commission in 1991 illustrates that discriminating practices continue to force older people into involuntary retirement, low wage jobs, and limited employment choices.

These growing and increasingly complex threats to, and violation of, the rights of older persons call for the development of a comprehensive system of programs, services, and protections at the community, state and national levels which assist older persons to:

- > Understand and exercise their rights.
- > Exercise choice through informed decisionmaking.
- > Benefit from support and opportunities promised by law.
- > Maintain autonomy consistent with capacity.
- > Resolve grievances and disputes through appropriate representation and assistance.

## A Call For Enhanced Leadership and Action

These emerging elder rights needs have resulted in recent years in numerous initiatives at the federal, state and community levels. Protections in federal law provide an important foundation for the rights of vulnerable citizens. The Older Americans Act, the Civil Rights Act of 1990, the Americans with Disabilities Act, the National Affordable Housing Act, the Spousal Impoverishment Protections, the Nursing Home Reform Amendments, the Age Discrimination Act, the Employee Retirement Income Security Act, the Age Discrimination in Employment Act — all include provisions to protect the rights of older persons. However, these laws are difficult to understand, not enforced uniformly and pose a significant challenge for older persons who want to take advantage of their protections.

At the state level, laws have addressed new issues such as guardianship reform, insurance regulation, consumer protection, financial exploitation, surrogate decisionmaking, advance directives, board and care regulation, and elder abuse intervention. However, progress in these areas has been uneven and incremental, often due to a lack of coordination among agencies and a lack of available resources to ensure enforcement and compliance.

At the community level, the demand for services provided under the long term care ombudsman program, legal assistance, insurance and benefits counseling, elder abuse/protective service, employment and consumer education initiatives far exceeds the capacity to respond. Though they constitute the vanguard for elder rights, these programs are severely constricted by limited resources.

Thus, today the rights of older persons are addressed by a collection of problem specific laws, programs and services — each with its own source of limited funds, its own plan, its own administrative mechanisms, delivery system and, ultimately, its own beneficiaries. While such specialization has merit, it also contributes to the current situation which:

- discourages coordination among the various laws/programs/services;
- remains unresponsive to the vulnerable older person with multiple problems;
- hinders effective management;
- encourages competition for resources;
- lacks flexibility in responding to changing needs and priorities;
- frustrates targeting of resources;
- discourages innovation, except around service specific issues;
- diffuses responsibility and accountability for advocacy; and
- duplicates outreach and access.

NASUA recommends that a systematic effort be undertaken across the nation to address the current and emerging threats to the rights of older persons; to assess the ability of current laws, programs and services to address these threats; to improve the effectiveness of those current protections and interventions; and to make recommendations for new laws and programs as well as new resource, design and implementation strategies. The success of

such an undertaking will require leadership by the Older Americans Act network and other appropriate agencies and organizations at the federal, state and community levels working in partnership to design and develop a truly comprehensive, coordinated and responsive elder rights system for older persons.

Further, NASUA recommends that this national effort be built upon the following framework for action:

- Establish consumer centered elder rights programs which facilitate choice, promote autonomy and support decisionmaking with a minimum of administrative intrusion or confusion.
- Inform and empower older persons to act on their own behalf in exercising their rights.
- Give priority to older persons unable to secure benefits to which they are entitled or protect their own interests.
- Establish a full continuum of laws, programs and services responsive to elder rights needs ranging from information to legal representation and advocacy.
- Secure adequate resources to supply needed services and to enforce laws and protections.
- Identify and address emerging elder rights issues and needs.
- Ensure that new elder rights initiatives be coordinated with and built upon the strengths of the existing infrastructure.

- Identify and respond to needs for collective advocacy on behalf of older persons.

- Respond flexibly to the complex rights and diverse needs of older persons.

The way in which each state will use this framework to build an effective elder rights system will vary according to its elders' needs, current structures and prevailing customs. However, across the country each state agency on aging must assume the primary leadership role in advocating for and designing such a system. It is the aging network which must serve as a vehicle to convey policy relevant information to older people; involve older persons and their families in expressing their values and preferences about the principles, benefits and organization of elder rights systems; and be a forum through which empowered and informed older people can influence the social, economic and political directions of their communities, states and country.

NASUA recognizes the complexity of this undertaking and the need for partnerships among a wide and diverse group of organizations and agencies to quickly advance the elder rights agenda of older persons. NASUA commits itself to this important partnership in meeting the challenges of developing national, state and community strategies to address the elder rights needs of the older population.

NASUA Board of Directors  
Adopted March 13, 1992

Housing and household statistics from the 1990 census show that for persons age 65 years and over, 74.3% of their housing units were owner occupied. Only 67.2% of housing units were owner occupied for the age group 35-64 years. In Alaska 22.1% of all households consist of one person living alone, with 13.7% of these households consisting of persons over the age of 65. The number of persons age 65 years or older living alone increased 108% from 1980-1990 from 2,758 to 5,737. The United States' 1990 figures show 39.1% of one person households are persons over the age of 65.

There is no single explanation for the large increase in Alaska's older population during the 1980s. However, the primary factor is likely the aging of the population that migrated to Alaska during the post statehood period. Alaska's median age has increased from 22.9 in 1970 to 29.4 in 1990. The United States' median age in 1990 was 32.9 years. Other factors that have contributed to keeping Alaska's older population in Alaska include improved health care and long term care facilities, elimination of Alaska's income tax, the Permanent Fund Dividend program, the Longevity Bonus program, and property and sales tax exemptions.

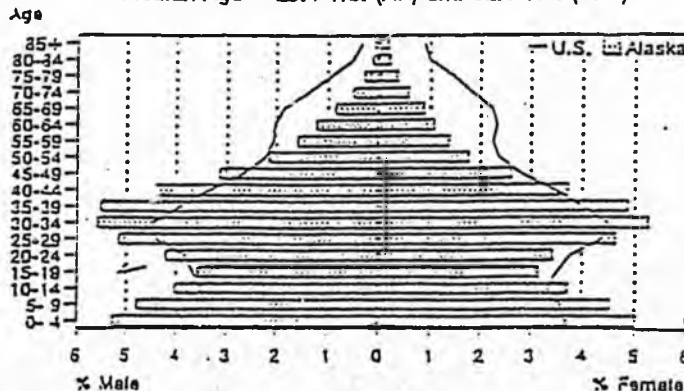
Table 1  
Population Comparison for  
Persons 65 Years and Older for the  
State/Census Areas/Boroughs — 1980 & 1990

	1980	1990	Change 1980-90	Percent
Alaska	11,547	22,369	10,822	93.72
Aleutians East Borough	45	58	13	29.39
Aleutians West C.A.*	62	62	20	32.26
Anchorage Borough	3,520	8,258	4,738	134.60
Bethel C.A.	431	657	226	52.44
Bristol Bay Borough	25	42	17	66.00
Dillingham C.A.	122	205	83	68.03
Fairbanks North Star Borough	1,276	2,540	1,264	99.06
Haines Borough	78	182	104	133.33
Juneau Borough	771	1,364	593	76.91
Kenai Peninsula Borough	827	2,015	1,188	143.65
Ketchikan Gateway Borough	642	907	265	41.28
Kodiak Island Borough	255	425	170	66.67
Lake and Peninsula Borough	47	85	38	80.85
Matanuska-Susitna Borough	730	1,866	1,136	155.62
Nome C.A.	339	419	80	23.60
North Slope Borough	148	197	49	33.11
Northwest Arctic Borough	249	281	32	12.95
Prince of Wales-Outer Ketchikan C.A.	151	216	65	43.05
Sitka Borough	361	492	131	36.29
Skagway-Yakutat-Angoon C.A.	192	235	43	22.40
Southeast Fairbanks C.A.	142	223	81	57.04
Valdez-Cordova C.A.	295	463	168	56.95
Wade Hampton C.A.	178	258	80	44.94
Wrangell-Petersburg C.A.	353	507	154	43.63
Yukon-Koyukuk C.A.	308	392	84	27.27

\*C.A. = Census Area  
Source: 1990 Census of Population and Housing, STF1A

### Alaska and U.S. Population Percent Distribution by Age and Sex 1990

Median Age = 29.4 Yrs. (AK) and 32.9 Yrs. (U.S.)



Alaska Dept. of Labor, Research and Analysis  
Demographics Unit

## ADULT PROTECTIVE SERVICES

### INCIDENCE

In the fall of 1990, the Division of Family and Youth Services in collaboration with the Older Alaskan's Commission sponsored the first Adult Protective Services Conference held in Alaska. More than 100 concerned Alaskans attended.

Dr. Sue Parkins of St. Vincent Medical Center of Toledo, Ohio, spoke on Elder Abuse: A Front Line and National Perspective. She noted that Alaska's reporting of abused and neglected elders and other vulnerable adults is higher than reporting in other states. Yet she also noted that the actual incidence of abuse and neglect to elders is believed to be much higher than the number reported in any state.

Alaska's abused and neglected vulnerable adult profile can be seen in the attached chart of statistics. Due to a transition in statistical record keeping, adult protective services reports of harm statistics after 1989 are not available.

In the 1990 conference, Dr. Parkins indicated nationally there are 9.8 incidents reported per 1000 seniors or about 10 per thousand. About one in eight cases of abuse are actually reported, so perhaps 80 cases per 1000 seniors would reflect actual incidence of abuse and neglect. National incidence data for abused disabled adults younger than age 65 is not available, however, about 1/3 of adult protective services cases nationally and in Alaska are under age 65. Conferees set about exploring actual incidence and an Alaskan response to the problem. Rough projections done in 1990 for Alaska's elder abuse situation follow:

CITY	# SENIORS	PROJECTED ELDER ABUSE/YEAR
Statewide	20,000	1,600
Anchorage	7,300	584
Fairbanks	2,300	184
Mat-Su	1,600	128
Kenai	1,900	152
Juneau	1,200	96
Bethel	700	56
Wrangell/Petersburg	500	40

All other communities in Alaska: probably fewer than 40 cases of elder abuse. These figures do not include abused vulnerable adults under age 65.

DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
Division of Family and Youth Services

Adult Protective Services Reports of Harm\*

<u>Number of Reports:</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>	<u>1988</u>	<u>1989</u>	<u>Ave.</u>	<u>%</u>
65 and over:	137		155	275	226	198	54
60 - 64	21		40	28	39	32	9
18 - 60	37		122	135	143	134	37
<u>Sex of Victim:</u>							
Male	85		118	185	161	137	38
Female	160		199	303	247	227	62
<u>Type of Harm:</u>							
Abandonment	10	11	11	17	7	11	3
Abuse	128	117	65	171	126	121	34
Economic Harm	40	69	153	127	98	93	26
Neglect	67	129	100	173	177	129	37
<u>Relationship of Perpetrator to Victim:</u>							
Wife	18		8	7	8	10	4
Husband	41		30	40	31	36	14
Son	40		24	43	64	43	17
Daughter	16		18	19	41	24	10
Other Male Family Member	32		10	30	34	27	10
Other Female Family Member	25		15	19	25	21	8
Other Male	31		64	46	63	51	20
Other Female	20		38	62	51	43	17
<u>Did the Victim Request That the Investigation be Terminated?</u>							
Yes	61		80	117	163	105	44
No	116		85	160	183	136	56
<u>Type of Report</u>							
Mandatory	38		123	169	151	133	67
Other	63		79	77	48	67	33
<u>Was the Report Confirmed?</u>							
Yes	142	202	152	150	222	174	62
No	31	74	145	124	129	105	38

REPORTS OF HARM\*

	<u>65 and older</u> (all ages combined)	<u>60-65</u>	<u>18-59</u>	<u>TOTAL</u>
FY84				72
FY85	137	21	87	245
FY86	98	39	195	332
FY87	155	40	122	317
FY88	275	28	185	488
FY89	226	39	143	408

\*Due to a transition in data collection to Proper Reports of Harm to adults data is not available after FY89.

## ADULT PROTECTIVE SERVICES CLIENTS AND DFYS SERVICES

<u>Age</u>	<u>FY87</u>	<u>FY88</u>	<u>FY89</u>	<u>FY90*</u>	<u>FY91*</u>
18-59	609	577	568	362	279
60 & up	1326	1326	1272	894	846
<u>Sex</u>					
Female	1268	1289	1256	810	725
Male	666	656	625	446	400
<u>Race</u>					
AK Native	792	790	672	461	483
Black	58	59	69	42	36
Caucasian	1020	1000	976	603	511
Unknown	65	91	117	148	178
<u>Services Turnover</u>					
<u>Clients Exiting</u>					
System in the FY	556	430	445	177	137
Clients Began in the FY	301	487	446	122	50
Clients Continued Thru to the next FY	554	543	569	871	853
Clients Interrupted During the FY	87	47	51	2	3
Clients Entered and Exited in the FY	437	428	371	84	86
<u>Homemaker Services</u>					
Number of Clients	1260	1430	1363	76	61
<u>Adult Foster Care</u>					
Number of Clients	27	41	38	28	28
<u>Adult Residential Care</u>					
Number of Clients	66	69	70	77	63

\*Homemaker Services were transferred to Public Health in FY90, resulting in a substantial drop in DFYS delivered homemaker services to "at risk" elders and vulnerable adults under the APS program. In addition beginning in FY90 social workers began to transition from the mainframe data system to a new system called Prober. Figures given for FY 90 and 91 are fewer than actual cases, as some cases were recorded only in the new Prober system and are not represented here.

**HB**

**18**

**HFIN**

**FILE**

# HOUSE COMMITTEE REPORT

(11)

Date Referred: April 7, 1993

FURTHER REFERRALS:

Date of Committee Action: 1/24/94

The FINANCE Committee considered:

HB 18

HOUSE BILL NO. 18

FEES FOR POLICE PROTECTION BY STATE

"An Act relating to police protection service areas in municipalities."

**RECOMMENDATIONS:**

be replaced with CS HB 18 (CRA)  the same title  
 a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) \_\_\_\_\_

APPROVES PREVIOUS: (Dept/Date) \_\_\_\_\_

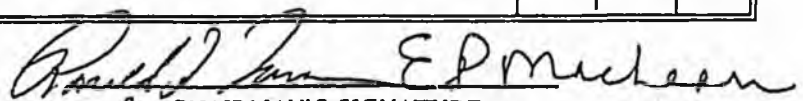
fiscal impact DPS

fiscal note(s) \_\_\_\_\_

zero fiscal note \_\_\_\_\_

zero fiscal note(s) \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<u>Tay Brown</u> <sup>BROWN</sup>	✓	<u>Eileen P. Maclean</u> <sup>Maclean</sup>	✓		
		<u>Ronald J. Larson</u> <sup>Larson</sup>		X	
		<u>Mark Hanley</u> <sup>Hanley</sup>		X	
		<u>Terry Martin</u> <sup>Martin</sup>		Y	
		<u>Sean R. Pannell</u> <sup>Pannell</sup>	X		
		<u>Ben Grussendorf</u> <sup>Grussendorf</sup>	X		
		<u>Tom Hoffman</u> <sup>Hoffman</sup>		✓	
		<u>Mike Navarre</u> <sup>Navarre</sup>	✓		
		<u>Gene Theriault</u> <sup>Theriault</sup>		✓	

  
 Co-CHAIRMAN'S SIGNATURE  
Larson
Maclean

CS FOR HOUSE BILL NO. 18(CRA)  
 IN THE LEGISLATURE OF THE STATE OF ALASKA  
 EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Offered: 3/22/93

Referred: Judiciary, Finance

Sponsor(s): REPRESENTATIVE BUNDE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to police protection service areas in municipalities."

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

3 \* Section 1. AS 29.10.200 is amended by adding a new paragraph to read:

4 (51) AS 29.35.495 (police protection service areas)

5 \* Sec. 2. AS 29.35 is amended by adding a new section to article 7 to read:

6 Sec. 29.35.495. POLICE PROTECTION SERVICE AREAS. (a) The  
 7 residents of an area in a municipality may file a petition with the municipal clerk for  
 8 formation of a police protection service area for services to be provided by the  
 9 Department of Public Safety. The petition form shall be supplied by the clerk at the  
 10 request of a voter. The petition must describe the boundaries of the proposed service  
 11 area and the additional police protection services to be provided by the Department of  
 12 Public Safety in the area and shall be signed by a number of voters residing in the  
 13 proposed service area equal to at least 10 percent of the number of residents in the  
 14 area who voted in the last regular election.

1 (b) Upon receipt of a petition that meets the requirements of (a) of this section,  
2 the municipal clerk shall submit the petition to the commissioner of public safety.  
3 Within 30 days after receipt of the petition the commissioner shall notify the clerk of  
4 what the estimated actual cost of providing the services in the proposed service area  
5 each month will be for a three-year period.

6 (c) Upon receipt by the clerk of notification of the estimated actual cost of  
7 providing the additional services in the proposed police protection service area, the  
8 question of forming the proposed service area and of levying assessments to cover that  
9 estimated cost shall be placed before the voters residing in the proposed service area  
10 during the next regular or special election held in the municipality. If the question is  
11 approved by a majority of those voting on the question, the service area is formed and  
12 the commissioner of public safety shall provide the additional services in that area.

13 (d) The governing body shall levy assessments in the service area to finance  
14 the additional police protection services in an amount equal to the estimated actual cost  
15 provided by the commissioner of public safety. Payments shall be made to the  
16 commissioner by the municipality on a yearly or monthly basis, as determined by the  
17 commissioner. The municipality may deduct a reasonable fee from assessments for  
18 administrative or other costs incurred by the municipality.

19 (e) At least once every three years an election shall be held by the  
20 municipality in a police protection service area formed under this section on the  
21 question of continuation of the service area. The commissioner of public safety shall  
22 submit a revised notice of the estimated actual cost of providing the services during  
23 the next three years for inclusion with the question. If the question is not approved  
24 by a majority of the residents voting on the question, the service area is dissolved 120  
25 days after certification of the election. If the question is approved, the rate of  
26 assessments shall be adjusted by the municipality based upon the commissioner's  
27 notice.

28 (f) This section applies to home rule and general law municipalities.

# FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO: CSHB 18(CBA)

Revision Date: \_\_\_\_\_ Dept. Affected: Public Safety  
 Title: "An Act relating to police protection service areas in municipalities" BRU: Alaska State Troopers  
 Sponsor: Representative Bunde Component: Detachments  
 Requestor: (H) Finance COMPONENT SERIAL NO. 799

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

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	1,919.7	1,919.7	1,919.7	1,919.7	1,919.7	1,919.7
TRAVEL	72.0	72.0	72.0	72.0	72.0	72.0
CONTRACTUAL	1,171.7	633.5	633.5	633.5	633.5	633.5
SUPPLIES	32.0	32.0	32.0	32.0	32.0	32.0
EQUIPMENT	634.7	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	957.5	664.3	664.3	664.3	664.3	664.3
<b>TOTAL OPERATING</b>	<b>4,787.6</b>	<b>3,321.5</b>	<b>3,321.5</b>	<b>3,321.5</b>	<b>3,321.5</b>	<b>3,321.5</b>

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

REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	4,787.6	3,321.5	3,321.5	3,321.5	3,321.5	3,321.5
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>4,787.6</b>	<b>3,321.5</b>	<b>3,321.5</b>	<b>3,321.5</b>	<b>3,321.5</b>	<b>3,321.5</b>

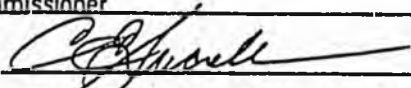
Estimate of current year (FY 94) impact: \$ \$50,000 Recruiting Costs

POSITIONS:

FULL-TIME	29	29	29	29	29	29
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

See attached analysis.

Prepared By: C.E. Swackhammer Phone: 465-4322  
 Division: Deputy Commissioner Date: 1/12/94  
 Approved by Commissioner:  Date: 1-12-94  
 Agency: Richard J. Burton, Dept. of Public Safety

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### Assumptions

The area of Anchorage known as the Hillside (to include other areas such as Girdwood) is the home of about 40,000 citizens, a population equivalent to a small town. Prior to determining the size of the law enforcement presence, the demographics of the area must be reviewed. This area is primarily residential, with some small businesses and a small area of light manufacturing. There is one high school, one junior high school and five elementary schools. There is one bar in the area. The residential area consists of one large trailer court (400+ units), an area of primarily rental units and the majority of the population living in single family residences, in the mid to upper income level.

Suitable patrol presence on an average shift is three units, with a supervisor who is proactive and provides occasional initial response as well as backup for the three primary patrol units. Two followup investigators and three clerical positions support the patrol presence. The volume of calls in an area of this type will support the additional two dispatcher positions.

To administer a unit with twenty-two commissioned personnel and five civilians would require a First Sergeant and Lieutenant for a total of twenty-nine positions.

Costs not specifically associated with individual positions include the cost of leasing a substation (\$228.7), 911-Emergency telephone service from APD under a contract (\$60.0) and indirect management and administrative costs of 25% (\$957.5).

FIRST YEAR COSTS:

	4 x Sergeant	2 x Invest.	16 x Trooper	1 x Lieut.	1x F/Sgt.	3 x Clerk	2 x Disp.	Other*	Total
Pers. Serv.	\$316.5	\$143.4	\$1,104.8	\$78.5	\$73.8	\$109.8	\$92.9	-	\$1,919.7
Travel	12.0	6.0	48.0	3.0	3.0	-	-	-	72.0
Contractual	59.1	17.7	236.6	8.8	14.8	4.8	3.0	826.9	1,171.7
Supplies	3.9	1.9	15.4	1.0	1.0	7.8	1.0	-	32.0
Equipment	<u>103.9</u>	<u>47.4</u>	<u>406.1</u>	<u>22.8</u>	<u>26.0</u>	<u>28.0</u>	<u>0.5</u>	<u>-</u>	<u>634.7</u>
<b>TOTAL</b>	<b>\$495.4</b>	<b>\$216.4</b>	<b>\$1,810.9</b>	<b>\$114.1</b>	<b>\$118.6</b>	<b>\$150.4</b>	<b>\$97.4</b>	<b>\$826.9</b>	<b>\$3,830.1</b>

Management and Administration Overhead @ 25% 957.5

**TOTAL** \$4,787.6

PFT 29

\* Other costs include:

Substation base	
(10,300 sq ft x \$1.85/per=)	\$228.7
911 Emergency Contract	60.0
Academy	<u>538.2</u>
	<u>\$826.9</u>

Investigator I  
Anchorage  
FY 95

PERSONAL SERVICES

Salary - Range 77, Step A, including 120 hours of overtime	\$49,987
Benefits	<u>21,725</u>
Total Personal Services	\$71,712

TRAVEL AND PER DIEM

Average - Training, Transfer costs, etc.	3,000
--	-------

CONTRACTUAL

Telephone/Postage, \$85 per mo	1,020
Photo processing, \$40 per mo	480
PSEA Physical exam, average	325
HWCF Vehicle - Class 116 - Yearly Operating/Replacement costs per SEF	<u>7,020</u>
Total Contractual	8,845

SUPPLIES & MATERIALS

Replacement uniforms, jackets, hats, handcuffs, etc. \$2,091 x 15% replaced yearly	314
Film supplies, office supplies, etc.	325
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>
Total Supplies & Materials	964

EQUIPMENT

Vehicle - SEF Class 116P, (unmarked)	16,800
Car radio with siren	3,000
Portable radio	2,000
Office furniture - desk, chair, etc.	1,100
Firearms - S&W .4006 & Rem 870P	<u>782</u>
Total Equipment	<u>23,682</u>

TOTAL COST	\$108,203
------------	-----------

State Trooper  
Anchorage  
FY 95

PERSONAL SERVICES

Salary - Range 76, Step A, including 120 hours of overtime	\$48,001
Benefits	<u>21,046</u>
Total Personal Services	\$69,047

TRAVEL AND PER DIEM

Average - Training, Transfer costs, etc.	3,000
--	-------

CONTRACTUAL

Telephone/Postage, \$85 per mo	1,020
Photo processing, \$40 per mo	480
PSEA Physical exam, average	325
HWCF Vehicle - Class 115 - Yearly Operating/Replacement costs per SEF	<u>12,960</u>
Total Contractual	14,785

SUPPLIES & MATERIALS

Replacement uniforms, jackets, hats, handcuffs, etc. \$2,091 x 15% replaced yearly	314
Film supplies, office supplies, etc.	325
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>
Total Supplies & Materials	964

EQUIPMENT (one time cost)

Vehicle - SEF Class 115P	20,000
Car radio	2,100
Portable radio	2,000
Officer furniture - (shared)	500
Firearms - S&W .4006 & Rem 870P	<u>782</u>
Total Equipment	<u>25,382</u>

TOTAL COST	\$113,178
------------	-----------

Sergeant  
Anchorage  
FY 95

PERSONAL SERVICES

Salary - Range 78, Step A, including 120 hours of overtime	\$55,515
Benefits	<u>23,612</u>
Total Personal Services	\$79,127

TRAVEL AND PER DIEM

Average - Training, Transfer costs, etc.	3,000
--	-------

CONTRACTUAL

Telephone/Postage, \$85 per mo	1,020
Photo processing, \$40 per mo	480
PSEA Physical exam, average	325
HWCF Vehicle - Class 115 - Yearly Operating/Replacement costs per SEF	<u>12,960</u>
Total Contractual	14,785

SUPPLIES & MATERIALS

Replacement uniforms, jackets, hats, handcuffs, etc. \$2,091 x 15% replaced yearly	314
Film supplies, office supplies, etc.	325
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>
Total Supplies & Materials	964

EQUIPMENT

Vehicle - SEF Class 115P, (unmarked)	20,000
Car radio	2,100
Portable radio	2,000
Officer furniture - desk, chair, etc.	1,100
Firearms - S&W .4006 & Rem 870P	<u>782</u>
Total Equipment	<u>25,982</u>

TOTAL COST	\$123,858
------------	-----------

Clerk Typist III  
FY 95

PERSONAL SERVICES

Salary - Clerk III - Range 8, Step A, including 120 hours of overtime	\$24,237
Benefits	<u>12,350</u>
Total Personal Services	\$36,587

CONTRACTUAL

Telephone/Postage, \$50 per mo	600
Repair and maintenance on micro computer	500
Utilities	<u>500</u>
Total Contractual	1,600

SUPPLIES & MATERIALS

Computer paper	500
Registration forms	1,000
Stationary, copy machine paper, etc.	<u>1,100</u>
Total Supplies & Materials	2,600

EQUIPMENT

Desk	500
Chair	225
Computer table	600
Micro computer with printer	<u>8,000</u>
Total Equipment	<u>9,325</u>

TOTAL COST	\$50,112
------------	----------

Dispatcher II  
Anchorage  
FY95

PERSONAL SERVICES

Salary - Range 12, Step A, including 120 hours of overtime benefits	\$31,860 <u>14,610</u>
Total Personal Services	\$46,470

CONTRACTUAL

Utilities	500
Repair Maintenance of Radio Equipment	<u>1,000</u>
Total Contractual	\$1,500

SUPPLIES AND MATERIALS

Stationery, copy machine paper, etc.	\$ 500
--------------------------------------	--------

EQUIPMENT

Chair	<u>\$ 225</u>
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TOTAL COST	\$48,695
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Lieutenant  
Anchorage  
FY 95

PERSONAL SERVICES

Salary - Range 22, Step A,	\$55,872
Benefits	<u>22,620</u>
Total Personal Services	\$78,492

TRAVEL AND PER DIEM

Average - Training, Transfer costs, etc.	3,000
--	-------

CONTRACTUAL

Telephone/Postage, \$85 per mo	1,020
Photo processing, \$40 per mo	480
Physical exam, average	325
HWCF Vehicle - Class 116 - Yearly	
Operating/Replacement costs per SEF	<u>7,020</u>
Total Contractual	8,845

SUPPLIES & MATERIALS

Replacement uniforms, jackets, hats, handcuffs, etc.	
\$2,091 x 15% replaced yearly	314
Film supplies, office supplies, etc.	325
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>
Total Supplies & Materials	964

EQUIPMENT

Vehicle - SEF Class 116	16,800
Car radio	2,100
Portable radio	2,000
Officer furniture - (shared)	1,100
Firearms - S&W .4006 & Rem 870P	<u>782</u>

Total Equipment	22,782
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TOTAL COST	\$114,083
------------	-----------

First Sergeant  
Anchorage  
FY 95

PERSONAL SERVICES

Salary - Range 21, Step A,	\$52,344
Benefits	<u>21,517</u>
Total Personal Services	\$73,861

TRAVEL AND PER DIEM

Average - Training, Transfer costs, etc.	3,000
--	-------

CONTRACTUAL

Telephone/Postage, \$85 per mo	1,020
Photo processing, \$40 per mo	480
Physical exam, average	325
HWCf Vehicle - Class 115 - Yearly	
Operating/Replacement costs per SEF	<u>12,960</u>
Total Contractual	14,785

SUPPLIES & MATERIALS

Replacement uniforms, jackets, hats, handcuffs, etc.	
\$2,091 x 15% replaced yearly	314
Film supplies, office supplies, etc.	325
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>
Total Supplies & Materials	964

EQUIPMENT

Vehicle - SEF Class 115	20,000
Car radio	2,100
Portable radio	2,000
Officer furniture - (shared)	1,100
Firearms - S&W .4006 & Rem 870P	<u>782</u>

Total Equipment	<u>25,982</u>
-----------------	---------------

TOTAL COST	\$118,592
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Position Title <b>Clerk Typist III</b>		Number of Positions <b>3</b>	Range/Step <b>8/A</b>	Bargaining Unit <b>ASEA</b>
Time Status <b>PFT</b>	Staff Months <b>12</b>	Location <b>Anchorage (statewide)</b>	Election District <b>18</b>	
Type of Expenditure		Amount		
<b>1</b>	<b>2</b>	<b>3</b>		
Salary*	<b>24,237</b>			
Benefits*	<b>12,350</b>			
Premium Pay (Included in Above)				
Other				
<b>Total Personal Services</b>		<b>36,587</b>		
Travel				
Contractual		<b>1,600</b>		
Commodities		<b>2,800</b>		
Equipment		<b>9,325</b>		
Other				
<b>Total Cost</b>		<b>50,112</b>		
Funding Source For Total Cost				
Federal Receipts	<b>1002</b>			
G.F. Match	<b>1003</b>			
General Fund	<b>1004</b>			
Program Receipts/GF	<b>1005</b>	<b>50,112</b>		
I-A Receipts	<b>1007</b>			
CIP Receipts	<b>1061</b>			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				
Justification These three positions will provide general clerical support for the nineteen commissioned officers assigned to Hillside duty under the contract. Duties will include typing case reports, correspondence, filing, etc.				

**REQUEST FOR  
NEW POSITION**

AGENCY Department of Public Safety

BRU Alaska State Troopers

COMPONENT Detachments

FY 95

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Revised Date

(1792) POSITION.NEW

Position Title Investigator I		Number of Positions 2	Range/Step 77/A	Bargaining Unit PSEA
Time Status PFT	Staff Months 12	Location Anchorage (statewide)	Election District 18	
Type of Expenditure		Amount		
1	2	3		
Salary*	49,987			
Benefits*	21,725			
Premium Pay (Included in Above)				
Other				
Total Personal Services		71,712		
Travel		3,000		
Contractual		8,845		
Commodities		964		
Equipment		23,682		
Other				
Total Cost		108,203		
Funding Sources For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005	108,203		
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				
Justification These two positions will be required to provide investigative services including follow-ups on initial Trooper contacts.				

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety

BRU Alaska State Troopers

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Revised Date

Position Title <b>State Trooper</b>		Number of Positions <b>13</b>	Range/Step <b>76/A</b>	Bargaining Unit <b>PSEA</b>
Time Status <b>PFT</b>	Staff Months <b>12</b>	Location <b>Anchorage (statewide)</b>	Election District <b>18</b>	
Type of Expenditure		Justification		
Amount		These positions will provide general police services typical of a municipal police department (more services than are generally expected from a standard Trooper).		
<b>1</b>	<b>2</b>	<b>3</b>		
Salary*	48,001			
Benefits*	21,046			
Premium Pay (Included in Above)				
Other				
<b>Total Personal Services</b>		<b>69,047</b>		
Travel		3,000		
Contractual		14,785		
Commodities		964		
Equipment		25,382		
Other				
<b>Total Cost</b>		<b>113,178</b>		
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005	113,178		
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety

FY 95

BRU Alaska State Troopers

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COMPONENT Detachments

Revised Date

(1/92) POSITION.NEW

Position Title Sergeant, Public Safety			Number of Positions 1	Range/Step 78/A	Bargaining Unit PSEA
Time Status PFT	Staff Months 12		Location Anchorage (statewide)	Election District 18	
Type of Expenditure			Justification This position will act as the relief Sergeant to the Anchorage Post of 'B' Detachment that will be required when AST contracts for additional services.		
		Amount			
1	2	3			
Salary*	55,515				
Benefits*	23,612				
Premium Pay (Included in Above)					
Other					
Total Personal Services		79,127			
Travel		3,000			
Contractual		14,785			
Commodities		964			
Equipment		25,982			
Other					
Total Cost		123,858			
Funding Source For Total Cost					
Federal Receipts	1002				
G.F. Match	1003				
General Fund	1004				
Program Receipts/GF	1005	123,858			
I-A Receipts	1007				
CIP Receipts	1061				
Other					
* Personal Services Salary and Benefits Costs are from PACS calculations.					

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety

BRU Alaska State Troopers

COMPONENT Detachments

FY 95

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Revised Date

(1/92) POSITION.NEW

Position Title Dispatcher II			Number of Positions 2	Range/Step	Bargaining Unit ASEA
Time Status PFT	Staff Months 12		Location Anchorage (statewide)	Election District 18	
Type of Expenditure			Justification		
Amount			Two additional dispatchers will be required to provide full dispatching services to the Hillside area.		
1	2	3			
Salary*	31,860				
Benefits*	14,610				
Premium Pay (Included in Above)					
Other					
Total Personal Services		46,470			
Travel					
Contractual		1,500			
Commodities		500			
Equipment		225			
Other					
Total Cost		48,695			
Funding Source For Total Cost					
Federal Receipts	1002				
G.F. Match	1003				
General Fund	1004				
Program Receipts/GF	1005	48,695			
I-A Receipts	1007				
CIP Receipts	1061				
Other					
* Personal Services Salary and Benefits Costs are from PACS calculations.					

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety

FY 95

BRU Alaska State Troopers

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COMPONENT Detachments

Revised Date

(1/92) POSITION.NEW

Position Title Lieutenant, P.S.		Number of Positions 1	Range/Step 22/A	Bargaining Unit SU
Time Status PFT	Staff Months 12	Location Anchorage (statewide)	Election District 18	
Type of Expenditure		Amount		
1	2	3		
Salary*	55,872			
Benefits*	22,620			
Premium Pay. (Included in Above)				
Other				
Total Personal Services		78,492		
Travel		3,000		
Contractual		8,845		
Commodities		964		
Equipment		22,782		
Other				
Total Cost		114,083		
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005	114,083		
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				

Justification  
This position will provide management of the new unit to include contract compliance.

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety

FY 95

BRU Alaska State Troopers

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COMPONENT Detachments

Revised Date

(1/92) POSITION.NEW

Position Title First Sergeant, P.S.		Number of Positions 1	Range/Step 21/A	Bargaining Unit SU
Time Status PFT	Staff Months 12	Location Anchorage (statewide)	Election District 18	
Type of Expenditure		Amount		
1	2	3		
Salary*	52,344			
Benefits*	21,517			
Premium Pay (Included in Above)				
Other				
Total Personal Services		73,861		
Travel		3,000		
Contractual		14,785		
Commodities		964		
Equipment		25,982		
Other				
Total Cost		118,592		
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005	118,592		
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				

Justification  
This position will be needed to provide supervision of the shift and relief sergeants as well as the two investigators and the clerical staff.

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety

BRU Alaska State Troopers

COMPONENT Detachments

FY 95

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Revised Date

# FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

No. 1  
Bill Version: CSHB 18 (CRA)  
(H) Publish Date: 3/22/93

Revision Date: \_\_\_\_\_ Dept. Affected: Public Safety  
Title: "An Act relating to police protection service areas in municipalities." BRU: Alaska State Troopers  
Sponsor: Representative Bunde Component: Detachments  
Requestor: Representative Bunde COMPONENT SERIAL NO. 799

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

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	1,885.8	1,885.8	1,885.8	1,885.8	1,885.8	1,885.8
TRAVEL	72.0	72.0	72.0	72.0	72.0	72.0
CONTRACTUAL	1,165.4	633.0	533.0	633.0	633.0	633.0
SUPPLIES	68.2	68.2	68.2	68.2	68.2	68.2
EQUIPMENT	624.2	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	953.9	664.7	664.7	664.7	664.7	664.7
<b>TOTAL OPERATING</b>	<b>4,769.5</b>	<b>3,323.7</b>	<b>3,323.7</b>	<b>3,323.7</b>	<b>3,923.7</b>	<b>3,323.7</b>

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	4,769.5	3,323.7	3,323.7	3,323.7	3,323.7	3,323.7
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>4,769.5</b>	<b>3,323.7</b>	<b>3,323.7</b>	<b>3,323.7</b>	<b>3,323.7</b>	<b>3,323.7</b>

POSITIONS:

FULL-TIME	29	29	29	29	29	29
PART-TIME						
TEMPORARY						

Estimate of current year (FY 93) impact: \$ \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary.)

See attached analysis.

Prepared By: C. E. Swackhammer Phone: 465-4322  
Division: Commissioner's Office Date: 3/17/93  
Approved by Commissioner: *Richard L. Burton* Date: 3/17/93  
Agency: Richard L. Burton, Dept. of Public Safety

**PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE**

For furn

Office

Department of Public Safety  
Fiscal Note - HB 18  
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### Assumptions

The area of Anchorage known as the Hillside (to include other areas such as Girdwood) is the home of about 40,000 citizens, a population equivalent to a small town. Prior to determining the size of the law enforcement presence, the demographics of the area must be reviewed. This area is primarily residential, with some small businesses and a small area of light manufacturing. There is one high school, one junior high school and five elementary schools. There is one bar in the area. The residential area consists of one large trailer court (400+ units), an area of primarily rental units and the majority of the population living in single family residences, in the mid to upper income level.

Suitable patrol presence on an average shift is three units, with a supervisor who is proactive and provides occasional initial response as well as backup for the three primary patrol units. Two followup investigators and three clerical positions support the patrol presence. The volume of calls in an area of this type will support the additional two dispatcher positions.

To administer a unit with twenty-two commissioned personnel and five civilians would require a First Sergeant and Lieutenant for a total of twenty-nine positions.

Costs not specifically associated with individual positions include the cost of leasing a substation (\$228.7), 911-Emergency telephone service from APD under a contract (\$60.0) and indirect management and administrative costs of 25% (\$953.9).

**FIRST YEAR COSTS:**

	<u>4 x Sergeant</u>	<u>2 x Invest.</u>	<u>16 x Trooper</u>	<u>1 x Lieut.</u>	<u>1x F/Sgt.</u>	<u>1 x Clerk</u>	<u>3 x Disp.</u>	<u>2 x Other*</u>	<u>Total</u>
Pers. Serv.	\$317.2	\$143.7	\$1,073.0	\$78.8	\$74.1	\$109.1	\$89.9	-	\$1,885.8
Travel	12.0	6.0	48.0	3.0	3.0	-	-	-	72.0
Contractual	35.7	17.9	251.5	15.7	15.7	4.8	3.0	821.1	1,165.4
Supplies	9.9	4.9	39.6	2.5	2.5	7.8	1.0	-	68.2
Equipment	<u>90.9</u>	<u>47.2</u>	<u>405.2</u>	<u>26.2</u>	<u>26.2</u>	<u>28.0</u>	<u>0.5</u>	<u>-</u>	<u>624.2</u>
<b>TOTAL</b>	<b>\$465.7</b>	<b>\$219.7</b>	<b>\$1,817.3</b>	<b>\$126.2</b>	<b>\$121.5</b>	<b>\$149.7</b>	<b>\$94.4</b>	<b>\$821.1</b>	<b>\$3,815.6</b>
Management and Administration Overhead @ 25%									953.9
<b>TOTAL</b>									<b><u>\$4,769.5</u></b>
<b>PFT</b>									<b>29</b>

\* Other costs include:

Substation base (10,300 sq ft x \$1.85/per=)	\$228.7
911 Emergency Contract	60.0
Academy	<u>532.4</u>
	<u>\$821.1</u>

CSHS 18(C2A)  
Do. 1

Investigator I  
Anchorage  
FY 94

PERSONAL SERVICES

Salary - Range 77, Step A, including 120 hours of overtime	\$49,987	
Benefits	<u>21,874</u>	
Total Personal Services		\$71,861

TRAVEL AND PER DIEM

Average - Training, Transfer costs, etc.		3,000
--	--	-------

CONTRACTUAL

Telephone/Postage, \$85 per mo	1,020	
Photo processing, \$40 per mo	480	
PSEA Physical exam, average	325	
PSEA Cloth. Allowance, \$53 per mo	636	
HWCF Vehicle - Class 116P - Yearly Operating/Replacement costs per SEF	<u>6,480</u>	
Total Contractual		8,941

SUPPLIES & MATERIALS

Initial Issue - uniforms with accessories - jacket, hats, handcuffs, etc,	1822	
Film supplies, office supplies, etc.	325	
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>	
Total Supplies & Materials		2,472

EQUIPMENT

Vehicle - SEF Class 116P, (unmarked)	16,800	
Car radio with siren	3,000	
Portable radio	1,900	
Office furniture - desk, chair, etc.	1,100	
Firearms - S&W .4006 & Rem 870P	<u>782</u>	
Total Equipment		<u>23,582</u>

TOTAL COST		\$109,856
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PERSONAL SERVICES

Salary - Range 76, Step A, including 120 hours of overtime	\$46,418	
Benefits	<u>20,645</u>	
Total Personal Services		\$67,063

TRAVEL AND PER DIEM

Average - Training, Transfer costs, etc.		3,000
--	--	-------

CONTRACTUAL

Telephone/Postage, \$85 per mo	1,020	
Photo processing, \$40 per mo	480	
PSEA Physical exam, average	325	
PSEA Clothing Allowance, \$53 per mo	636	
HWCF Vehicle - Class 115C - Yearly Operating/Replacement costs per SEF	<u>13,260</u>	
Total Contractual		15,721

SUPPLIES & MATERIALS

Initial Issue - uniforms with accessories - jacket, hats, handcuffs, etc.	1,822	
Film supplies, office supplies, etc.	325	
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>	
Total Supplies & Materials		2,472

EQUIPMENT (one time cost)

Vehicle - SEF Class 115P	20,000	
Car radio	2,000	
Portable radio	1,900	
Officer furniture - (shared)	500	
Firearms - S&W .4006 & Rem 870P	<u>927</u>	
Total Equipment		<u>25,327</u>

<b>TOTAL COST</b>		<b>\$113,583</b>
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Sergeant  
Anchorage  
FY 94

PERSONAL SERVICES

Salary - Range 78, Step A, including 120 hours of overtime	\$55,515	
Benefits	<u>23,779</u>	
Total Personal Services		\$79,293

TRAVEL AND PER DIEM

Average - Training, Transfer costs, etc.		3,000
--	--	-------

CONTRACTUAL

Telephone/Postage, \$85 per mo	1,020	
Photo processing, \$40 per mo	480	
PSEA Physical exam, average	325	
PSEA Clothing Allowance, \$53 per mo	636	
HWCF Vehicle - Class 116P - Yearly Operating/Replacement costs per SEF	<u>6,480</u>	
Total Contractual		8,941

SUPPLIES & MATERIALS

Initial Issue - uniforms with accessories - jacket, hats, handcuffs, etc.	1,822	
Film supplies, office supplies, etc.	325	
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>	
Total Supplies & Materials		2,472

EQUIPMENT

Vehicle - SEF Class 116P, (unmarked)	16,800	
Car radio	2,000	
Portable radio	1,900	
Officer furniture - desk, chair, etc.	1,100	
Firearms - S&W .4006 & Rem 870P	<u>927</u>	
Total Equipment		<u>22,727</u>

**TOTAL COST**

**\$116,433**

Clerk Typist III  
FY 94

PERSONAL SERVICES

Salary - Clerk III - Range 8, Step A, including 120 hours of overtime	\$24,237	
Benefits	<u>12,145</u>	
Total Personal Services		\$36,382

CONTRACTUAL

Telephone/Postage, \$50 per mo	600	
Repair and maintenance on micro computer	500	
Utilities	<u>500</u>	
Total Contractual		1,600

SUPPLIES & MATERIALS

Computer paper	500	
Registration forms	1,000	
Stationary, copy machine paper, etc.	<u>1,100</u>	
Total Supplies & Materials		2,600

EQUIPMENT

Desk	500	
Chair	225	
Computer table	600	
Micro computer with printer	<u>8,000</u>	
Total Equipment		<u>9,325</u>

TOTAL COST

\$49,907

Dispatcher II  
Anchorage  
FY94

PERSONAL SERVICES

Salary - Range 12. Step A,  
including 120 hours of overtime  
Benefits

\$30,803  
14,158

Total Personal Services

\$44,961

CONTRACTUAL

Utilities  
Repair Maintenance of Radio Equipment

500  
1,000

Total Contractual

\$1,500

SUPPLIES AND MATERIALS

Stationery, copy machine paper, etc.

\$ 500

EQUIPMENT

Chair

\$ 225

TOTAL COST

\$47,186

Lieutenant  
Anchorage  
FY 94

PERSONAL SERVICES

Salary - Range 22, Step A,	\$55,872	
Benefits	<u>22,886</u>	
Total Personal Services		\$78,758

TRAVEL AND PER DIEM

Average - Training, Transfer costs, etc.		3,000
--	--	-------

CONTRACTUAL

Telephone/Postage, \$85 per mo	1,020	
Photo processing, \$40 per mo	480	
Physical exam, average	325	
Clothing Allowance, \$53 per mo	636	
HWCF Vehicle - Class 115 - Yearly		
Operating/Replacement costs per SEF	<u>13,260</u>	
Total Contractual		15,721

SUPPLIES & MATERIALS

Initial Issue - uniforms with accessories - jacket, hats, handcuffs, etc,	1,822	
Film supplies, office supplies, etc.	325	
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>	
Total Supplies & Materials		2,472

EQUIPMENT

Vehicle - SEF Class 115P	20,000	
Car radio	2,000	
Portable radio	1,900	
Officer furniture - (shared)	1,100	
Firearms - S&W .4006 & Rem 870P	<u>927</u>	
Total Equipment		26,227

**TOTAL COST**

**\$126,173**

First Sergeant  
Anchorage  
FY 94

PERSONAL SERVICES

Salary - Range 21, Step A,	\$52,344	
Benefits	<u>21,741</u>	
Total Personal Services		\$74,085

TRAVEL AND PER DIEM

Average - Training, Transfer costs, etc.		3,000
--	--	-------

CONTRACTUAL

Telephone/Postage, \$85 per mo	1,020	
Photo processing, \$40 per mo	480	
Physical exam, average	325	
Clothing Allowance, \$53 per mo	636	
HWCF Vehicle - Class 115 - Yearly		
Operating/Replacement costs per SEF	<u>13,260</u>	
Total Contractual		15,721

SUPPLIES & MATERIALS

Initial Issue - uniforms with accessories - jacket, hats, handcuffs, etc,	1,822	
Film supplies, office supplies, etc.	325	
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>	
Total Supplies & Materials		2,472

EQUIPMENT

Vehicle - SEF Class 115P	20,000	
Car radio	2,000	
Portable radio	1,900	
Officer furniture - (shared)	1,100	
Firearms - S&W .4006 & Rem 870P	<u>927</u>	
Total Equipment		26,227

<b>TOTAL COST</b>		<b>\$121,505</b>
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Position Title Clerk Typist III		Number of Positions 2	Range/Step 8/A	Bargaining Unit ASEA
Time Status PFT	Staff Months 12	Location Anchorage (statewide)	Election District 18	
Type of Expenditure		Amount		
1	2	3		
Salary*	24,237			
Benefits*	12,145			
Premium Pay (Included in Above)				
Other				
Total Personal Services		36,382		
Travel				
Contractual		1,600		
Commodities		2,600		
Equipment		9,325		
Other				
Total Cost		49,907		
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005	49,907		
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				

**Justification**  
 These two positions will provide general clerical support for the nineteen commissioned officers assigned to Hillside duty under the contract. Duties will include typing case reports, correspondence, filing, etc.

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
 BRU Alaska State Troopers  
 COMPONENT Criminal Investigation Bureau

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 Revised Date

FY 94

CSHS 181024

(1/92) POSITION.NEW

Position Title <b>Investigator I</b>		Number of Positions <b>1</b>	Range/Step <b>77/A</b>	Bargaining Unit <b>PSEA</b>
Time Status <b>PFT</b>	Staff Months <b>12</b>	Location <b>Anchorage (statewide)</b>	Election District <b>18</b>	
Type of Expenditure		Amount		
<b>1</b>	<b>2</b>	<b>3</b>		
Salary*	49,987			
Benefits*	21,874			
Premium Pay (Included in Above)				
Other				
<b>Total Personal Services</b>		<b>71,861</b>		
Travel		3,000		
Contractual		8,941		
Commodities		2,472		
Equipment		23,582		
Other				
<b>Total Cost</b>		<b>109,856</b>		
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005	109,856		
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				
Justification This position will be required to provide investigative services including follow-ups on initial Trooper contacts.				

**REQUEST FOR  
NEW POSITION**

AGENCY Department of Public Safety  
 BRU Alaska State Troopers  
 COMPONENT Criminal Investigation Bureau

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 Revised Date \_\_\_\_\_

**FY 94**

12/1/93

(1/92) POSITION.NEW

Position Title <b>State Trooper</b>		Number of Positions <b>13</b>	Range/Step <b>76/A</b>	Bargaining Unit <b>PSEA</b>
Time Status <b>PFT</b>	Staff Months <b>12</b>	Location <b>Anchorage (statewide)</b>	Election District <b>18</b>	
Type of Expenditure		Justification		
		These positions will provide general police services typical of a municipal police department (more services than are generally expected from a standard Trooper).		
Amount				
1	2	3		
Salary*	46,418			
Benefits*	20,645			
Premium Pay (Included in Above)				
Other				
<b>Total Personal Services</b>		<b>67,063</b>		
Travel		3,000		
Contractual		15,721		
Commodities		2,472		
Equipment		25,327		
Other				
<b>Total Cost</b>		<b>113,583</b>		
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005	113,583		
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety

BRU Alaska State Troopers

COMPONENT Criminal Investigation Bureau

FY 94

Page 13 of 18  
Revised Date

CS/HS 18 (C-24)

(1/92) POSITION.NEW

Position Title <b>Sergeant, Public Safety</b>		Number of Positions <b>1</b>	Range/Step <b>78/A</b>	Bargaining Unit <b>PSEA</b>
Time Status <b>PFT</b>	Staff Months <b>12</b>	Location <b>Anchorage (statowide)</b>		Election District <b>18</b>
Type of Expenditure		Justification		
		This position will act as the relief Sergeant to the Anchorage Post of 'B' Detachment that will be required when AST contracts for additional services.		
	Amount			
<b>1</b>	<b>2</b>	<b>3</b>		
Salary*	55,515			
Benefits*	23,779			
Premium Pay (Included in Above)				
Other				
<b>Total Personal Services</b>		<b>79,293</b>		
Travel		3,000		
Contractual		8,941		
Commodities		2,472		
Equipment		22,727		
Other				
<b>Total Cost</b>		<b>116,433</b>		
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005	116,433		
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
 BRU Alaska State Troopers  
 COMPONENT Criminal Investigation Bureau

FY 94

Page 14 of 18  
 Revised Date

CSHB 18(DRA)

(1/92) POSITION.NEW

Position Title <b>Corporal</b>		Number of Positions <b>4</b>	Range/Step <b>77/A</b>	Bargaining Unit <b>PSEA</b>
Time Status <b>PFT</b>	Staff Months <b>12</b>	Location <b>Anchorage (statewide)</b>	Election District <b>18</b>	
Type of Expenditure		Justification		
1	2	3	<p>These four positions will act as both shift supervisors and providers of direct general police services as situations and work load dictates. Each will supervise three on-duty trooper positions.</p>	
Salary*	49,987			
Benefits*	21,874			
Premium Pay (Included in Above)				
Other				
<b>Total Personal Services</b>		<b>71,861</b>		
Travel		<b>3,000</b>		
Contractual		<b>15,721</b>		
Commodities		<b>2,472</b>		
Equipment		<b>25,327</b>		
Other				
<b>Total Cost</b>			<b>118,381</b>	
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005		<b>118,381</b>	
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
 BRU Alaska State Troopers  
 COMPONENT Criminal Investigation Bureau

FY 94

Page 15 of 18  
 Revised Date \_\_\_\_\_

CS HAS 13C(24)  
 2.1

(1/92) POSITION.NEW

Position Title Dispatcher II		Number of Positions 2	Range/Step	Bargaining Unit ASEA
Time Status PFT	Staff Months 12	Location Anchorage (statewide)	Election District 18	
Type of Expenditure		Justification		
1	2	3	Two additional dispatchers will be required to provide full dispatching services to the Hillside area.	
Salary*	30,803			
Benefits*	14,158			
Premium Pay (Included in Above)				
Other				
Total Personal Services		44,961		
Travel				
Contractual		1,500		
Commodities		500		
Equipment		225		
Other				
Total Cost		47,186		
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005	47,186		
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
BRU Alaska State Troopers  
COMPONENT Criminal Investigation Bureau

FY 94

Page 16 of 18  
Revised Date

CS HB 18(CAN)  
No. 1

(1/92) POSITION.NEW

Position Title Lieutenant, P.S.		Number of Positions 1	Range/Step 22/A	Bargaining Unit SU
Time Status PFT	Staff Months 12	Location Anchorage (statewide)	Election District 18	
Type of Expenditure		Amount		
1	2	3		
Salary*	55,872			
Benefits*	22,886			
Premium Pay (Included in Above)				
Other				
Total Personal Services		78,758		
Travel		3,000		
Contractual		15,721		
Commodities		2,472		
Equipment		26,227		
Other				
Total Cost		126,178		
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005	126,178		
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				

Justification  
This position will provide management of the new unit to include contract compliance.

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
BRU Alaska State Troopers  
COMPONENT Detachment

FY 94

Page 17 of 18  
Revised Date

CS HS 18 (CAA)  
No. 1

(1/92) POSITION.NEW

Position Title First Sergeant, P.S.		Number of Positions 1	Range/Step 21/A	Bargaining Unit SU
Time Status PFT	Staff Months 12	Location Anchorage (statewide)	Election District 18	
Type of Expenditure		Justification		
		This position will be needed to provide supervision of the shift and relief sergeants as well as the two investigators and the clerical staff.		
Amount				
1	2	3		
Salary*	52,344			
Benefits*	21,741			
Premium Pay (Included in Above)				
Other				
Total Personal Services		74,085		
Travel		3,000		
Contractual		15,721		
Commodities		2,472		
Equipment		26,227		
Other				
Total Cost		121,505		
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005	121,505		
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
BRU Alaska State Troopers  
COMPONENT Detachments

FY 94

Page 18 of 18  
Revised Date

No. 1 (4/2/94)

House of Representatives

SPONSOR STATEMENT  
HOUSE BILL 18

This bill authorizes residents within a borough or municipality to petition for the formation of a service area with defined boundaries, for the purpose of police protection. Police services will be provided by the Department of Public Safety. Property owners within service areas will be assessed for the contracted amount by their local governments, who will in turn reimburse The Department of Public Safety.

The possibilities for police protection service areas within boroughs under HB 18 are practically limitless. Residents in any geographical location within a borough could petition for a service area, and if the majority of residents within the area voted favorably on the measure, they would get the police service.

Residents of boroughs that already provide police protection on an area wide basis could presumably take advantage of the opportunity created by this bill, on the grounds that they want more or less police protection than the borough is providing. For example, a neighborhood in the Mendenhall Valley of Juneau could petition for a service area to obtain the patrol of a state trooper to supplement municipal police service.

Most residents of municipalities and boroughs that are currently without a local police department are currently served by the State Troopers at no cost to the residents. There is always the possibility that enactment of HB 18 would create an incentive for the Department of Public Safety to hasten the process of withdrawing from areas without local police service that have property tax resources. That is, in response to budgetary belt-tightening, the department might reduce services to areas with property tax resources with the expectation of obtaining a reimbursement contract with a new service area. Many communities will probably want to compare the costs and benefits of forming a local police force with that of trooper service through a service area. HB 18 would give The Department of Public Safety the opportunity to

shift the cost of services it now provides from its general fund appropriation to the beneficiaries of its services. If this were to happen, more service areas might be formed than would otherwise be the case.

The fiscal note that accompanies this packet is highly questionable, in my opinion. The Department of Public Safety has totally ignored the statewide ramifications of this legislation, and has instead chosen to direct their fiscal note at only the Anchorage Hillside area. There are less than 10,000 Anchorage Hillside residents effected by this legislation, and Girdwood currently has a trooper both patrolling and living in the area. The department assumes a level of service that has not been requested in any negotiations with any agency. Additionally, the department of public safety is unable to statistically support the number of additional personnel they have deemed necessary in this fiscal note. Therefore, the fiscal note would be, in my estimation, a negative fiscal note, because it would generate revenue for the department.

This bill addresses a need that is statewide. If this bill is enacted any area of the state has the right to form a service area and pay for the level of protection they feel is necessary. HB 18 would fill a gap for many communities throughout the state, I urge the passage of the legislation.

1/14/94

House of Representatives

SECTIONAL ANALYSIS  
HOUSE BILL 18

**Section 1:** Amends AS 29.10.200 by adding a new paragraph to read:  
(51) AS 29.35.495 (police protection service areas)

**Section 2:** Amends AS 29.35 by adding a new section to article 7. Section  
29.35.495 POLICE PROTECTION SERVICE AREAS .

(a) This section allows residents of an area in a municipality to file a petition for the formation of a police protection service area. The boundaries must be described in the petition, and the additional police protection services to be provided by the Department of Public Safety in the area shall be signed by at least 10% of the voters in the proposed service area.

(b) Upon receipt of the petition the Commissioner of Public Safety has 30 days to notify the clerk of the estimated actual cost of providing the services in the proposed service area.

(c) Upon receipt of the estimated actual cost of providing the additional services in the proposed service area, the question of levying assessments to cover the estimated cost shall be placed before the voters residing in the proposed special service area during the next regular or special election held in the municipality.

(d) The governing body shall levy assessments to finance additional police protection services in the amount equal to the estimated actual cost from the Dept. of Public Safety. Payment shall be made to the commissioner by the municipality or borough.

(e) At least once every three years an election shall be held by the municipality in a police protection service area that has been formed. The Commissioner of Public Safety shall submit a revised notice of the estimated actual cost of providing the services during the next three years for inclusion. If the question is not approved by a majority of residents voting, the service area shall be dissolved 120 days after certification of the election. If the question is approved, the rate of assessments shall be adjusted by the municipality.

(f) This section applies to home rule and general law municipalities.

**BILL NO:** HB 18

**DATE:** March 17, 1993

**TITLE:** "An Act relating to police protection service areas in municipalities"

**CONTACT:** C.E. Swackhammer  
Deputy Commissioner  
465-4322

HB 18 allows residents of a municipality to form a police protection service area in which the Department of Public Safety will provide a specified level of police protection funded by assessments upon the residents.

It has been the position of the Governor and the Commissioner of Public Safety to withdraw Troopers from urban areas which are authorized to provide police protection on their own, and to concentrate the Department's resources in rural and unorganized areas of the State. This bill runs counter to that position, allowing residents of organized municipalities to require police protection from Troopers. Those areas forming service areas would have a contractual right to a certain level of service from Troopers that rural citizens would not share. Many rural communities have never had a local Trooper, and other communities have lost their Trooper Posts as budget cuts have forced the Department to reduce services.

The Department is concerned about potential problems raised by HB 18 including:

The process for establishing a service district, including the requirements that such contracts may impose on the Department to hire (or layoff) employees bypasses the Legislature;

The bill does not provide any information on what happens if the assessment accepted by the voters is insufficient to fund the level of service contracted, (who makes up the difference?);

There would be a loss of local control over police protection as there would be no local setting of policies, and no enforcement of local ordinances;

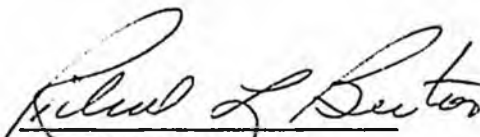
The Department could experience a highly variable demand for Troopers as municipalities adopt and reject service areas, requiring hiring and training efforts in some years and layoffs in others;

Individual Troopers could find that employment with the Department was less predictable, less stable, and therefore less desirable due to the uncertainty that any given service area contract would be extended; and,

Because of the long lag time in selecting, hiring, and training Troopers, adoption of service area contracts could mean reduced services to the rest of the citizens served by the Department.

The Task Force on Governmental Roles, formed under SCS CS HCR 17 (CRA) by the 17th Legislature, examined the functions of state, federal, and local governments and made recommendations as to the appropriate roles and relationships of the different levels of government with respect to several governmental functions. The Task Force was composed of House and Senate members, representatives of the executive branch, representatives from the Municipal League, and a representative from the unorganized borough. In their final report the Task Force made the following recommendation: "...To encourage and facilitate the implementation of police protection and to generate economies of scale, the Task Force advocates a change in Title 29 to permit assemblies of unified municipalities and home rule boroughs to establish service areas for police protection, notwithstanding charter provisions that place restrictions on the service area formation process. Authority to form service areas for police protection should also be given to general law boroughs. This would resolve the Hillside problem and prevent similar situations in other municipalities. ..." The Department feels that the approach recommended by the Task Force is better public policy, as it avoids several of the potential problems raised by HB 18.

The Department of Public Safety opposes the bill.

A handwritten signature in cursive script, reading "Richard L. Burton". The signature is written in dark ink and is positioned above a horizontal line.

Richard L. Burton  
Commissioner

**DIVISION OF LEGAL SERVICES**  
**LEGISLATIVE AFFAIRS AGENCY**  
**STATE OF ALASKA**

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

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

MEMORANDUM

January 22, 1994

**SUBJECT:** Police Protection Service Areas (HB 18)

**TO:** Representative Con Bunde

**FROM:** Tamara Brandt Cook  
Director TBC

HB 18 sets up a procedure whereby residents of an area in a municipality may form a police protection service area with the services to be provided by the Department of Public Safety. You have asked whether the bill violates Article X, sec. 5 of the state constitution. While it is possible that a court would find the bill invalid under that section, it is more likely that the bill would withstand constitutional scrutiny.

Article X, sec. 5 provides in full

Section 05. Service Areas. Service areas to provide special services within an organized borough may be established, altered, or abolished by the assembly, subject to the provisions of law or charter. A new service area shall not be established if, consistent with the purposes of this article, the new service can be provided by an existing service area, by incorporation as a city, or by annexation to a city. The assembly may authorize the levying of taxes, charges, or assessments within a service area to finance the special services.

The purpose behind this provision was to ensure centralized planning and coordination of governmental functions by limiting the taxing power to governmental units with broad rather than specialized concerns. (State v. Alex, P. 2d 203 (Alaska 1982); Alaska Constitutional Convention Proceedings, Pages 2699-2700) While the court has considered Article X, sec. 5 in several other cases, it has not identified a service area formed in a borough in violation of this section. (Concerned Citizens v. Kenai Peninsula Borough, 527 P. 2d 447 (Alaska 1974)); Falks v. Fairbanks North Star Borough, 648 P. 2d 597 (Alaska 1982); Fairbanks North Star Borough v. College Utilities Corporation, 689 P. 2d 460 (Alaska 1984)) For this reason, the relationship between the authority granted to form a service area and the limitation on the formation of a service area is uncertain.

The second sentence of Article X, sec. 5 prohibits formation of a new service area if the service could be provided by an existing service area, by incorporation as a city, or by annexation to a city. If HB 18 is enacted, it is possible that a court would conclude that some service areas formed under the authority of that statute are, nonetheless, invalid because the service could have been provided by an existing service area or city. Other service areas formed under the authority of HB 18 might be perfectly fine. In short, I believe that HB 18 does not violate the limitation on formation of service on its face, but that the constitutional restriction on formation of service areas will limit the application of HB 18 in certain circumstances.

In addition, Art. X, sec. 5 authorizes the formation of service areas by the assembly. While it is true that under existing law the exercise of a power on a service area basis is subject to voter approval in many cases (AS 29.35.490), an ordinance is required for service area formation and that requires assembly action. Under HB 18 a police protection service area is formed by petition and vote of the residents of the area. The assembly plays no role in the formation of the service area. This seems questionable under the first sentence of Article X, sec. 5.

But, once again, it is not clear to me that the outcome of a challenge to HB 18 on this theory is a foregone conclusion. The constitutional language does not say only an assembly may form a service area, and formation of a service area is "subject to the provisions of law." However, to lessen the possibility of an adverse decision based upon this provision, HB 18 could be modified to give a greater role to the assembly in the formation of police protection service areas.

Lastly, you have asked how HB 18, if enacted, would affect a home rule municipality. Because the section added by this bill, AS 29.35.495, specifically serves as a limit on home rule authority, the statute would control over any conflicting provisions that might be contained in the charter of a home rule municipality. That is, even if the charter contains restrictions on the formation of a service area or on the types of functions that can be performed on a service area basis, residents would be able to form a service area under AS 29.35.495.

TBC:lmb  
94-017.lmb

Backup

# METRO

ANCHORAGE DAILY NEWS

SECTION B



BILL ROTH / Anchorage Daily News

homes farther north. This one landed recently at Westchester.

## Troopers trim duty in Wasilla

### Cutbacks force move

By PAMELA DOTO  
Daily News reporter

Alaska State Troopers will stop patrolling Wasilla next month — a move that has some residents skittish about the city's vulnerability to crime.

Trooper administrators, who have been planning the move since January, say budget cutbacks will force them to direct their attention elsewhere. Besides, the town of 4,400 should have its own police force like neighboring Palmer, said trooper director Col. John Murphy.

"As far as we're concerned, it's time for Wasilla to start paying its own way," Murphy said.

Troopers now patrol the city limits and respond to routine calls, like thefts, car accidents and burglaries. They even arrest an average of 30 drunken drivers in the city each month.

But that will stop May 1. Troopers will still be able to arrest some drunken drivers while they're patrolling the highways, but not as many. And they won't respond to any more thefts, minor accidents and burglaries.

Wasilla residents can do the paperwork themselves and mail a report to troopers if they want them to investigate, troopers said.

If the situation is life-threatening or a major crime, however, troopers will still respond, Murphy said.

But, "It's our belief that they should have their own police department," he said.

Murphy said the cutbacks will be similar to how the troopers now handle the Hillside area, which they stopped patrolling early last winter.

There are only three troopers and one sergeant for each shift to patrol an area

## Raise tuition rates

### will undergo reorganization

full-time resident semester, up from

at or below the comparable institu-

discussed raising tuition to \$65 per

dent, criticized wasteful university spending and said it was time for regents to begin finding other ways to cut the budget.

"The students are serious," he said. "It's time to roll up our sleeves and get to work."

Students have also lobbied legislators, regents and Gov. Wally Hickel for additional building maintenance funding.

# Peninsula prison may see job cuts

The Associated Press

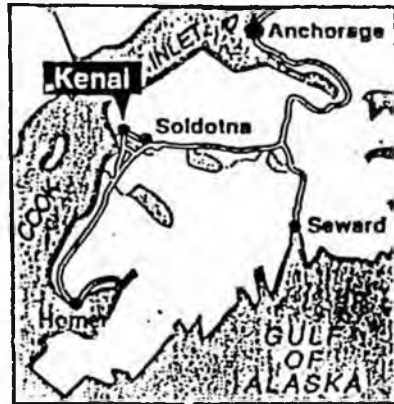
**KENAI** — The Department of Corrections says it could meet more than half its goal of \$7.5 million in budget cuts by closing most of the Wildwood medium-security prison.

The move would eliminate 60 area jobs.

Frank Prewitt, deputy commissioner of the Department of Corrections, said the prison would operate with 50 or fewer inmates while renovations were made to enlarge the institution for eventual reopening later.

Wildwood Correctional Center houses about 200 prisoners.

Although about 150 corrections jobs are headed for layoffs statewide, the Ke-



KEVIN POWELL / Anchorage Daily News

na's Wildwood prison will be hardest hit, Prewitt said.

Ken Brown, Wildwood superintendent, said workers found out Wednesday they may be out of a job.

"They're demoralized and

angry," Brown said. "They feel as though it's politics, and politics is an unseemly business."

Prewitt said Wildwood workers with seniority might move to other state prisons if they want to relocate. Some of the staff cuts may be accomplished through an early retirement program, he added.

The proposal has upset local politicians who say it's a state Senate attempt to keep jails open in the Matanuska and Susitna valleys and Anchorage.

Wildwood expansion would use prison labor. The project is part of a five- to 10-year plan being pursued separate from the budget-cutting exercise.

"In the short haul, it is a tough hit for the Kenai community," Prewitt said.

Wildwood Pre-Trial Facility, which employs 40 people and houses offenders before they are sentenced, would remain open during prison renovations.

Sentenced inmates serving time at the medium-security prison would be housed elsewhere in the state.

Prewitt said space would open up perhaps as soon as July when minimum-security prisoners are released to halfway houses, electronic monitoring programs or other community programs.

"We're getting to the point where we've about settled on this plan," Prewitt said.



Murder suspect Ch

# WASILLA: Troopers to stop patrolling Valley town

Continued from Page B-1

their efforts in areas that cannot support a police force, like Big Lake. That community has had a spree of burglaries and other crimes.

"We haven't been able to give it enough attention," Trooper Capt. Pat Kasnick said.

Wasilla residents have twice voted down a proposal to establish their own police force.

But Mayor John Stein said support for a police

department is growing because Wasilla is maturing into a family-oriented community.

"Residents are beginning to feel a little insecure," Stein said.

Still, Stein said not everyone wants Wasilla to have its own police, and the support he's seen so far isn't enough to get a proposal on the table.

Some residents have a frontier attitude toward public safety, he said.

"There are a lot of people that arm themselves and

their homes," he said.

A police force would cost the city anywhere from \$500,000 to \$600,000 a year and would double residents' property tax rate, Stein said.

The city's business community — made up of about 700 stores and shops — is receptive to having their own police protection. Many merchants, however, can't even vote on the issue because they don't live in Wasilla, said Cheryl Riggs, vice president of the city's chamber of commerce.

"I think the city of Wasilla is pretty volatile," Riggs said. "It doesn't have the protection it really needs for a first-class city."

Murphy said there may be a lot of changes statewide in the areas troopers will actively patrol because of the budget cuts. And if residents don't like it, they should let state lawmakers know, he said.

"The citizens of this state have to make a decision on what's important to them," Murphy said. "We're going to do what we can with what we have."

# Lawyer seeks v

By GAIL RANDALL  
Daily News reporter

A lawyer for Ch worker accused of last summer, said moved somewhere rural community.

"I think it w Glennallen," said Smithart's case la Dleni withdrew. "

Smithart's trial Lemaire disapp

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DEPARTMENT OF PUBLIC SAFETY  
COMMISSIONER'S OFFICE  
Juneau, Alaska

JAN 28 1993

January 26, 1993

Richard L. Burton, Commissioner  
Department of Public Safety  
P.O. Box 111200  
Juneau, AK 99811-1200

Re: Legislation with respect to the exercise of municipal police protection powers.

Dear Dick:

As usual, it was delightful and refreshing to see you again at the SWAMC Conference and to be able to exchange ideas and concerns with you. With regard to the problem perceived by the state of the municipal assumption of police protection, I enclose for your review Section IVB of the Final Report of the Task Force on Governmental Roles. This section of the report deals with the relationship of the state and municipalities in the area of police protection, criminal prosecution and jails.

The Task Force was formed under SCS CS HCR 17 (CRA) of the 17th Legislature. The task of the Task Force was to examine the functions of state, federal and local governments and to make recommendations as to the appropriate roles and relationships of the different levels of government with respect to the different governmental functions. The committee focused almost exclusively on the state/local relationships. Because the governor vetoed the appropriation for the Task Force, it was unable to address all the governmental functions in which there is an interface between the state and municipalities. However, it did address some of the public safety issues, and that part of the report is included. I was one of two public members appointed to the Task Force by the governor. The other members of the Task Force consisted of Senate and House members, persons appointed by the Municipal League, persons representing the executive branch and a person representing an unincorporated community in the unorganized borough.

The committee recommendation with respect to the police protection power issue is in the second paragraph on page 25 of the final report. This position was something of a compromise between the administration's position that all municipalities over a certain size should be required to provide police protection and the position of the municipalities that they should not be forced to undertake a state function they are unwilling to assume. If legislation were adopted to implement this recommendation, it would have the effect of placing squarely in the hands of the assembly of second class