

ALASKA LEGISLATURE

937

HOUSE and SENATE FINANCE COMMITTEE FILES, 1993-1994

January 26, 1993  
Page 2

and home rule boroughs and unified municipalities the authority to establish service areas for police protection without a vote of the residents. A vote is currently required for second class boroughs and is often required under the charters of home rule boroughs and unified municipalities. The legislation would be drafted so as to remove and override all charter and statutory impediments to the formation by the local governing body of service areas for police protection purposes. Although I believe the Task Force recognized that such legislation would not, in itself, either establish or require the establishment of police protection service areas, it would remove the statutory and charter restrictions that may currently exist. I am sure that Barbara Blasco or one of her assistants in the governmental affairs section of the AG's office could provide you with legislation to implement this recommendation of the Task Force.

While most municipalities applaud the removal of restrictions on the exercise of municipal powers, the legislation discussed above might not be as universally acceptable to municipalities.

I share with most municipalities their concern for the understaffing and underbudgeting of your department and hope the legislature will see its way clear to provide you with the resources you need to serve our state.

Sincerely,

PRESTON THORGRIMSON  
SHIDLER GATES & ELLIS

By:



Gerald Lee Sharp

Enclosures

LTFR94LBURTON.115

*An ultimate state policy goal should be to maintain local choice without imposing unnecessary costs on the state. To this end the Task Force advocates that the administration adopt a much tougher policy line with municipalities that refuse to pay for basic public protection services. For example, the Department of Public Safety could guarantee a minimum level of trooper response, similar to that in unincorporated areas, but require a contractual arrangement with local authorities covering complete costs for state troopers to provide any higher level of response to a particular service area.*

*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 the 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 state must prosecute offenses charged under state laws. The Task Force position is that areawide police and prosecution services should apply to all classes of municipalities to encourage unified delivery. If the City and Borough of Juneau with a population of 28,965 provides prosecution services, then why not Kenai Peninsula Borough (40,802), Kodiak Island Borough (15,535), or Matanuska-Susitna Borough (41,797)? Withholding Municipal Assistance, with the Department of Law determining how much it costs to prosecute certain classes of misdemeanor offenses, is a dubious idea at best and seems like a prescription for endless legal disputes.*

*In place of punitive legislation, the Task Force endorses an approach that would provide incentives to provide local police and prosecution services. One solution would be to make (or, actually, to reimpose) public protection as a funding category within the Revenue Sharing program and to provide funding based on the number of police officers employed, criminal caseload or other criteria. Once a municipality accepted funding from the state for police or prosecution services, that service would become a continuing local responsibility. Municipal representatives on the Task Force, however, have concerns about the state's ongoing commitment to funding such services. They point to the funding history of the Revenue Sharing program, which the legislature has chronically underfunded and would like some guaranteed level of state aid if municipalities assume additional service responsibilities.*

15140 Mesa Place  
Anchorage, AK 99516  
April 3, 1993

Rep. Con Bunde  
State Capitol  
Juneau, AK 99801

BY FACSIMILE

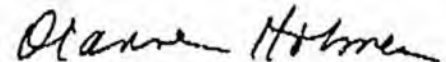
Dear Rep. Bunde:

There is a lot to be said for allowing communities to vote for and pay for the level of services they feel they need. With declining state revenues, I believe this type of government is the harbinger of what is to come. And the passage of HB 18 is exactly the kind of grass roots effort that speaks directly to this type of government.

Passage of HB 18 will not only help ensure some much needed revenue for the Dept. of Public Safety and will also show that you believe politics should not dictate good government.

There are also other reasons why HB 18 should pass and they deal with the difference in training of Troopers vs smaller community-based Public Safety departments. Training is very important for Public Safety officers. You may be aware that many smaller communities forced with paying for their own police can not and do not always provide quality and on-going training. The Troopers on the other hand have a good system for continuing training that helps ensure quality police service.

Sincerely,



Dianne Holmes  
345-1514

COPY

JOHN W. ABBOTT

Atto *at* Law  
F 88  
Anchorage, Alaska 99510

Office and Facsimile Number  
(907) 346-1039

April 3, 1993

**FACSIMILE TRANSMISSION SENT**  
**THIS DATE TO: (907) 465-3834**  
**CONFORMING COPY MAILED**

The Honorable Brian Porter  
Chair, House Judiciary Committee  
Capitol Rm. 122  
State Capitol  
Juneau, Alaska 99801-1182

Re: CS for House Bill N<sup>o</sup>. 18 (CRA); Hearing on Bill.

Dear Chairman Porter:

I am writing this letter to express my support for the above-referenced bill, and in lieu of testimony that would have been offered but for the last-minute cancellation of a scheduled teleconferenced hearing. I would like to have my comments read into the record and made available to all of the members of the House Judiciary Committee.

I am presently a resident in the lower hillside area, an area not presently included as a part of a police protection service area. For the most part, my neighborhood is not provided with police protection due to the limited response of the Alaska State Troopers and Anchorage Police Department. I would like to have police protection and am willing to pay a reasonable amount for such protection. I am unwilling to further subsidize the insatiable appetite of the Anchorage Police Department for new electronic and other toys. I have no desire to pour additional monies into the creation of a still greater bureaucracy

Letter to Representative  
Brian Porter, Members of  
House Judiciary Committee  
CS for HB 18 (CRA)  
April 3, 1993  
Page 1 of 3

by the APD. Unlike a majority of the members of the hillside Task Force, I have confidence about the level of professionalism of the APD. Notwithstanding, I am unwilling to subsidize police protection services in other areas and to perpetuate the growth of the APD administrative staff, resulting in a high cost for obtaining such police protection. Having said that, I would like to briefly state my reasons for favoring the enactment of HB 18.

As the members of the Committee may not be aware (excepting, of course, the Chair), the Charter resulting from the merger of the City of Anchorage and the Greater Anchorage Area Borough in 1975 provided, *inter alia*, that creation of a police protection service area required a vote of approval from a majority of the residents living in the proposed service area. On several occasions now, the residents of the lower and upper hillside areas have voted against the creation of a service area or areas. Maneuvering by the Anchorage Assembly continues to the present in an effort to force residents of the hillside area to pay for "protection" by the APD. In other words, certain members of the Assembly, the Fink administration and the Anchorage Police Department are unwilling to abide by the terms of the 1975 charter.

I, like many others living in the hillside areas, would like to have police protection available. However, I favor use of the Alaska State Troopers because of the high professionalism of that organization, its considerably lower cost, and insulation from local politics. This same approach is favored by the Southeast Anchorage Police Protection Task Force in its position paper dated March 31, 1993.

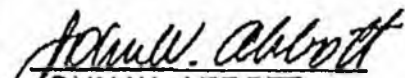
HB 18 is properly viewed as a reasonable alternative to what will certainly be a continued division between those residing in the hillside areas and the Fink administration and APD who favor subsidization of other police service areas by means of taxes imposed upon hillside residents (taxes based upon service plus subsidization as opposed to the actual cost of service for an area). Contracting with the Alaska State Troopers would provide for a fair and reasonable tax rate for the services performed and would provide a highly professional police organization presence in the area.

The continued practice of cross-subsidization is in all likelihood unlawful and is certainly unfair. Hillside residents already pay generally higher property taxes because of the tax assessed value of hillside homes. It is just not fair to assess a police service protection area tax that reflects both the cost of the service as well as payment to other service areas to lower those service area costs. This approach by the APD and the Fink administration has probably been the major stumbling block in achieving a positive vote for police protection in the hillside areas.

Letter to Representative  
Brian Porter, Members of  
House Judiciary Committee  
CS for HB 18 (CRA)  
April 3, 1993  
Page 2 of 3

To summarize, if passed, HB 18 will provide a method whereby hillside residents can obtain highly professional police protection at a fair and reasonable costs to taxpayers. The proposed method for collection of tax proceeds for payment to the State of Alaska (having the Municipality collect taxes for payment to the State) is a method used frequently in Alaska. The cost of protection would bear some resemblance to the cost of providing the service and would not include subsidization of another service area. Even in the absence of the provisions of the Municipal Charter, residents should have some voice in whether or not they accept a service and the reasonableness of the service cost. HB 18 will provide a method to this end. I strongly urge the support of the House Judiciary Committee members in voting "do pass" for this bill. Whether or not the bill passes legislative scrutiny, it should at least be presented to the full legislature for an up or down vote and should not die in committee.

Very truly yours,

  
JOHN W. ABBOTT

Letter to Representative  
Brian Porter, Members of  
House Judiciary Committee  
CS for HB 18 (CRA)  
April 3, 1993  
Page 3 of 3

**HB**

**28**

**HFIN**

**FILE**

# HOUSE COMMITTEE REPORT

(11)

Date Referred: April 15, 1993

FURTHER REFERRALS:

Date of Committee Action: 1/19/94

The FINANCE Committee considered:

HB 28

HOUSE BILL NO. 28

PENALTY FOR PROVIDING ALCOHOL TO A MINOR

"An Act relating to the penalty for providing alcoholic beverages to a person under the age of 21; and providing for an effective date."

RECOMMENDATIONS: [ ] the same title  
 be replaced with \_\_\_\_\_ [ ] 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)

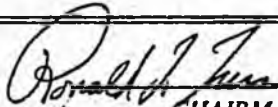
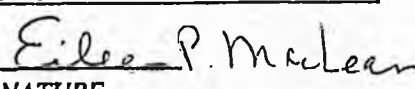
fiscal impact Courts, Corrections <sup>Rev</sup>

[ ] fiscal note(s) \_\_\_\_\_

zero fiscal note SDA, LAW, PS

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

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Ronald J. Linn</i>	X	<i>Eileen P. McKeen needs amendment</i>			
<i>Mark Hurling</i>	X	<del>_____</del>			
<i>Terry Martin</i>	Y				
<i>Paul Hamell</i>	X				
<i>John ...</i>	X				
<i>John ...</i>	✓				
<i>John ...</i>	✓				
<i>Mike ...</i>	✓				
<i>Gene ...</i>	X				
<i>Richard ...</i>	X				

   
 CHAIRMAN'S SIGNATURE

The bill makes the second or subsequent conviction for furnishing alcohol to a minor a class C felony. The first offense would remain a class A misdemeanor, as are all convictions under current law.

Assumptions:

1. The Department of Law estimates approximately 100 cases per year include sufficient evidence to prosecute for this crime. It is assumed that only ten percent of these offenses, or ten cases per year, would be second or subsequent offenses prosecuted as felonies.
2. Out of those ten felony cases per year, it is assumed that half would be sentenced to formal, supervised probation and half to incarceration. This assumption is based on the fact that this would be a first felony conviction in some cases, and a non-violent offense. A 1983 Judicial Council study indicated that approximately half the cases (2 out of 4) included in the study received probation rather than incarceration, for the misdemeanor offense of furnishing alcohol to a minor.
3. The Alaska Judicial Council study estimated the lowest mean sentence length of incarceration for a class C felony of this type to be 7.5 months, or 225 days. It is assumed that those sentenced to probation would be supervised for that period of time. It is assumed that those sentenced to incarceration would serve two thirds of the sentence, or 150 days, due to deduction for statutory good time.
4. Misdemeanants are not supervised by the department's probation officers, whereas these felony cases would result in formal supervision by the department. The average daily cost of probation/parole supervision is \$6 per day.
5. It is assumed that those convicted of this non-violent felony could be diverted to CRC beds for most of the period of incarceration. It is assumed that each felony case involving incarceration would require a state correctional bed for approximately 30 out of the 150 days. This would include booking upon arrest, any time served while awaiting sentencing, and a short period after sentencing for classification and processing for placement in a CRC bed. The average daily cost of incarceration in a Community Residential Center (CRC) is \$57 per day. The average daily cost of incarceration in a state correctional bed is \$113 per day.
6. Probation and state correctional center incarceration costs are reflected under "miscellaneous" on page 1 of the fiscal note. The daily costs of incarceration and supervision are composite numbers including some overhead costs and cannot be attributed to specific line items in this fiscal note.

# HOUSE COMMITTEE REPORT

(11)

Date Referred: April 15, 1993

FURTHER REFERRALS:

Date of Committee Action: 1/19/94

The FINANCE Committee considered:

HB 28

HOUSE BILL NO. 28

PENALTY FOR PROVIDING ALCOHOL TO A MINOR

"An Act relating to the penalty for providing alcoholic beverages to a person under the age of 21; and providing for an effective date."

RECOMMENDATIONS:

[ ] the same title

be replaced with \_\_\_\_\_

[ ] 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)

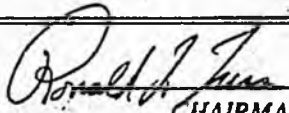
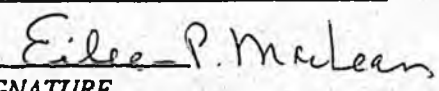
3  fiscal impact Courts, Corrections <sup>Rev</sup>

[ ] fiscal note(s) \_\_\_\_\_

4  zero fiscal note(s) DGA, LAW, PS

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

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Ronald J. Linn</i>	X	<i>Eileen P. McKeen needs amendment</i>			
<i>Mark Harley</i>	X	<del>_____</del>			
<i>Terry Martin</i>	Y				
<i>Frank Russell</i>	X				
<i>John ...</i>	X				
<i>John Hoff</i>	✓				
<i>John ...</i>	✓				
<i>Mike ...</i>	✓				
<i>Gene ...</i>	X				
<i>Richard ...</i>	X				


  
 CHAIRMAN'S SIGNATURE

# FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO. CSHB 28(JUD)

Revision Date:	<u>1/17/94</u>	Dept. Affected:	<u>Corrections</u>
Title:	<u>An Act RE: furnishing alcohol to a minor</u>	BRU:	<u>Statewide Operations</u>
Sponsor:	<u>Rep. Williams</u>	Component:	<u>All institutions, regional probation offices, Director C.C.</u>
Requestor:	<u>House Finance</u>	COMPONENT SERIAL NO.	<u>708-1884</u>

**Expenditures/Revenues**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	34.2	34.2	34.2	34.2	34.2	34.2
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	23.7	23.7	23.7	23.7	23.7	23.7
<b>TOTAL OPERATING</b>	<b>57.9</b>	<b>57.9</b>	<b>57.9</b>	<b>57.9</b>	<b>57.9</b>	<b>57.9</b>

<b>CAPITAL EXPENDITURES</b>	0	0	0	0	0	0
-----------------------------	---	---	---	---	---	---

<b>CHANGE IN REVENUES ( )</b>	0	0	0	0	0	0
-------------------------------	---	---	---	---	---	---

**FUND SOURCE**

(Thousands of Dollars)

FUND SOURCE	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	57.9	57.9	57.9	57.9	57.9	57.9
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
Other	0	0	0	0	0	0
<b>TOTAL</b>	<b>57.9</b>	<b>57.9</b>	<b>57.9</b>	<b>57.9</b>	<b>57.9</b>	<b>57.9</b>

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

**POSITIONS**

POSITIONS	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
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)

Please see the attached analysis.

Prepared by: Diane Schenker, Spec. Asst.  
 Division: Office of the Commissioner  
 Approved by Commissioner: J. Frank Prewitt, Jr.  
 Agency: Corrections

Phone: 465-3315/561-4426  
 Date: 1/17/94  
 Date: 1/17/94

The bill makes the second or subsequent conviction for furnishing alcohol to a minor a class C felony. The first offense would remain a class A misdemeanor, as are all convictions under current law.

Assumptions:

1. The Department of Law estimates approximately 100 cases per year include sufficient evidence to prosecute for this crime. It is assumed that only ten percent of these offenses, or ten cases per year, would be second or subsequent offenses prosecuted as felonies.
2. Out of those ten felony cases per year, it is assumed that half would be sentenced to formal, supervised probation and half to incarceration. This assumption is based on the fact that this would be a first felony conviction in some cases, and a non-violent offense. A 1983 Judicial Council study indicated that approximately half the cases (2 out of 4) included in the study received probation rather than incarceration, for the misdemeanor offense of furnishing alcohol to a minor.
3. The Alaska Judicial Council study estimated the lowest mean sentence length of incarceration for a class C felony of this type to be 7.5 months, or 225 days. It is assumed that those sentenced to probation would be supervised for that period of time. It is assumed that those sentenced to incarceration would serve two thirds of the sentence, or 150 days, due to deduction for statutory good time.
4. Misdemeanants are not supervised by the department's probation officers, whereas these felony cases would result in formal supervision by the department. The average daily cost of probation/parole supervision is \$6 per day.
5. It is assumed that those convicted of this non-violent felony could be diverted to CRC beds for most of the period of incarceration. It is assumed that each felony case involving incarceration would require a state correctional bed for approximately 30 out of the 150 days. This would include booking upon arrest, any time served while awaiting sentencing, and a short period after sentencing for classification and processing for placement in a CRC bed. The average daily cost of incarceration in a Community Residential Center (CRC) is \$57 per day. The average daily cost of incarceration in a state correctional bed is \$113 per day.
6. Probation and state correctional center incarceration costs are reflected under "miscellaneous" on page 1 of the fiscal note. The daily costs of incarceration and supervision are composite numbers including some overhead costs and cannot be attributed to specific line items in this fiscal note.

7. By making second and subsequent offenses into felonies, the bill will also impact the department by requiring probation officers to prepare Presentence Investigation Reports for the court prior to sentencing. Ten additional reports will not require a new position, but will increase the workload for current probation officers.

8. The state correctional system has been operating over emergency capacity for the past year. In addition to posing safety hazards, the department can be fined up to \$1,000 per day if found in contempt of court for violating population caps. If the assumptions or data upon which this fiscal note is based are inaccurate, and the impact of this bill is greater than anticipated, the current population crisis will be worsened.

Operating Expenses

**Probation supervision costs:**

225 days X 5 cases per year X \$6 per day supervision = \$ 6,750 per year

**State correctional center incarceration costs:**

30 days X 5 cases per year X \$ 113 per day = \$ 16,950 per year

**CRC incarceration costs:**

120 days X 5 cases per year X \$57 per day = \$ 34,200

**TOTAL: \$ 57,900**

## FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO. CS HB 28 (JUD)

Revision Date: \_\_\_\_\_ Dept. Affected: Alaska Court System  
 Title: An Act relating to the penalty for BRU: Trial Courts  
providing alcoholic beverages to a person under 21 Components: \_\_\_\_\_  
 Sponsor: Rep. Williams, Phillips, B. Davis ...  
 Requestor: House Finance COMPONENT SERIAL NO. 768

## EXPENDITURES/REVENUES (Thousands of Dollars)

OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	9.3	9.3	9.3	9.3	9.3	9.3
TRAVEL						
CONTRACTUAL	9.5	9.5	9.5	9.5	9.5	9.5
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	18.8	18.8	18.8	18.8	18.8	18.8

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ( )						
------------------------	--	--	--	--	--	--

## FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	18.8	18.8	18.8	18.8	18.8	18.8
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	18.8	18.8	18.8	18.8	18.8	18.8

## POSITIONS

FULL-TIME						
PART-TIME	1.0	1.0	1.0	1.0	1.0	1.0
TEMPORARY						

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

ANALYSIS: (Attach a separate page if necessary)  
See attached analysis.

Prepared by: C. S. Christensen III, Staff Counsel *CSC* Phone: 264-8228  
 Agency: Alaska Court System Date: 01/17/94

Approved by: Arthur H. Snowden, II, Administrative Director *AS* *CSC*  
 Agency: Alaska Court System Date: 01/17/94

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

## CSHB 28 (JUD)

The House Judiciary Committee Substitute for House Bill 28 would raise the penalty for furnishing alcoholic beverages to persons under the age of 21 from a Class A misdemeanor to a Class C felony, if the defendant has previously been convicted of the same offense.

The Department of Law has estimated that approximately 200 complaints regarding furnishing alcoholic beverages to minors are received each year. 100 of these have sufficient evidence for prosecution. Law has not estimated the number of these complaints which involve repeat offenders, but the Department of Corrections puts this number at ten per year.

This fiscal note assumes that the Department of Law will prosecute an additional ten Class C felony cases each year, with an average trial length of four days, including jury selection and deliberation.

Alaska Court SystemFiscal AnalysisCS HB 28 (JUD)Personal Services

	<u>Salary</u>	<u>Benefits</u>	<u>Total</u>
Pro Tem Superior Court Judge, 3 month FPT, Anchorage	\$12,075	\$6,898	\$18,973
Less existing judicial funding - 10 trials at 2 days plus 1 day file review	6,142	3,562	<u>9,704</u>
Increase in judicial resources			\$9,269

Ten additional felony trials of 4 days each and one additional day of file review will require additional judicial resources.

Contractual

Jury fees - with the increase in seriousness of this crime, trial length is expected to increase from 2 days at the misdemeanor level to 4 days at the felony level. Misdemeanor juries are typically comprised of 6 members and one alternate. A felony trial requires 12 jurors and an alternate. Ten trials are expected a year. Jury fees are expected to increase as follows:

10 felony trials - 12 jurors at \$25 a day for 4 days	\$12,000		
Less existing funding for 10 misdemeanor trials - 7 jurors at \$25 a day for 2 days		<u>3,500</u>	
Increase in jury fees			<u>\$9,500</u>
Estimated Total Cost			<u><u>\$18,769</u></u>

# FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO: CSHB 28(JUD)

Revision Date: \_\_\_\_\_ Dept. Affected: Public Safety  
 Title: "An act relating to the penalty for providing  
alcoholic beverages to a person under 21" BRU: Alaska State Troopers  
 Sponsor: Representative Williams Component: Detachments  
 Requestor: H. FIN COMPONENT SERIAL NO. 799

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

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE FUND SOURCE:						

**FUNDING: (Thousands of Dollars)**

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

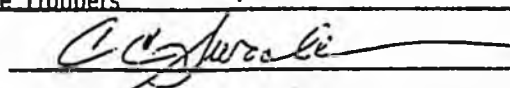
Estimate of current year (FY 94) impact: \$ 0.00 \_\_\_\_\_

**POSITIONS:**

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

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

No significant fiscal impact upon the Alaska State Troopers is anticipated.

Prepared By: Francis C. Allan Phone: 269-5691  
 Division: Alaska State Troopers Date: 01/14/94  
 Approved by Commissioner:  Date: 01/17/94  
 Agency: Richard L. Burton Dept. of Public Safety

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

For further distribution information call the Governor's Legislative Office

FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO. CSHB 28(JUD)

Revision Date: \_\_\_\_\_  
 Title: 'An Act relating to the penalty for pro-  
viding alcoholic beverages to a person under...'  
 Sponsor: Representative Williams  
 Requestor: House Finance

Department Affected: Administration  
 BRU: Office of Public Advocacy  
 Component: Office of Public Advocacy  
 COMPONENT SERIAL NO. 43

EXPENDITURES/REVENUES:

(Thousands of Dollars)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

CHANGE IN REVENUES ( )	0	0	0	0	0	0
------------------------	---	---	---	---	---	---

FUNDING SOURCE:

(Thousands of Dollars)

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 94) 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  
 Division: Office of Public Advocacy

Phone: 274-1684  
 Date: \_\_\_\_\_

Approved by Commissioner: Nancy Bear Usara  
 Agency: Administration

Date: 1/14/94

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

FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO. CSHB 28 (JUD)

Revision Date: January 11, 1994  
Title: "...penalty for providing alcoholic beverages to a person under the age of 21..."  
Sponsor: Representative Williams  
Requestor: Representative Williams

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

EXPENDITURES/REVENUES:

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

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

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

FUNDING:

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

POSITIONS:

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

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

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

Prepared by: Richard I. Pegues, Director Phone: 465-3672  
Division: Administrative Services Division Date: January 11, 1994  
Approved by Commissioner: Bruce M. Botelho, Acting Attorney General  
Agency: Department of Law Date: January 11, 1994

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

FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO. CSHB 28 (JUD)

ANALYSIS CONTINUATION:

The House Judiciary Committee Substitute for HB 28 would raise the penalty for furnishing alcoholic beverages to persons under the age of 21 to a Class C felony from a Class A misdemeanor, if the person has previously been convicted of the same offense within the preceding five years. Because the increased penalty would be limited to repeat offenders, the potential number of felony prosecutions should be less than the 100 prosecutions that were estimated in our earlier fiscal note of January 28, 1993. Consequently, and for the reasons previously stated in the January 28, 1993 fiscal note, a fiscal impact is not being shown.

See attached 1-28-93 FN (Fiscal Note)

FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO. HB 28

ANALYSIS (Continued):

This bill amends AS 04.16.051 and AS 04.16.180(a) to raise the penalty for furnishing an alcoholic beverage to a person under the age of 21 years from a class A misdemeanor to a class C felony.

About 2,000 misdemeanor liquor violations are referred to the Department of Law for prosecution each year. Most of these are minor consuming complaints and about 10 percent, or 200 of these complaints, involve furnishing alcoholic beverages to minors. About one-half of this latter number of complaints, or 100, will include evidence sufficient enough to permit us to bring a felony prosecution.

Although bringing a felony prosecution is somewhat more time-consuming and costly than bringing a misdemeanor prosecution, when the work that will be caused by this bill is spread throughout the entire criminal division we cannot show a significant fiscal impact at any particular location. However, in a time of substantially diminishing resources, such as now, we strongly caution against creating additional workload for our prosecutors. Any new workload can only be handled at the expense of decreasing prosecutorial efforts in other areas, such as violent crimes and drug trafficking.

# FISCAL NOTE

STATE OF ALASKA

BILL NO. CS HB25 (Jud)

1994 LEGISLATIVE SESSION

Revision Date: January 18, 1994 - Correct error when updating prior fiscal note. Dept. Affected: Revenue  
 Title: That signs warn of the penalty for providing beverages to a person BRU: Alcoholic Beverage Control Board  
under the age of 21. Component: \_\_\_\_\_  
 Sponsor: House Judiciary Committee  
 Requestor: House Finance Committee COMPONENT SERIAL NO. 0100

**Expenditures/Revenues:**

(Thousands of Dollars)

OPERATING	FY85	FY86	FY87	FY'8	FY88	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	2.0	0.8	0.8	0.8	0.8	0.8
SUPPLIES	0.2	0.1	0.1	0.1	0.1	0.1
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>2.2</b>	<b>0.9</b>	<b>0.9</b>	<b>0.9</b>	<b>0.9</b>	<b>0.9</b>
CA/ITAL	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	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	2.2	0.9	0.9	0.9	0.9	0.9
1006 GF/MHTA						
Other						
<b>TOTAL</b>	<b>2.2</b>	<b>0.9</b>	<b>0.9</b>	<b>0.9</b>	<b>0.9</b>	<b>0.9</b>

**POSITIONS:**

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

Estimate of current year (FY84) impact: \$ \_\_\_\_\_

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

See attached cost analysis for initial and annual issuance of warning signs to liquor licensees and permittees.

Prepared by: Director Patrick L. Shanrock Phone: (907) 277-8838  
 Division: Alcoholic Beverage Control Board Date: January 18, 1994  
 Approved by Commissioner: Daniel J. Boxwinkel Date: 1/18/94  
 Agency: Department of Revenue

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

CS RB28 (Jud) Page 2 of 2  
 Attachment to fiscal note  
 Alcoholic Beverage Control Board  
 Based on March '91 estimate for signs warning of danger from  
 smoking during pregnancy.

<u>Initial Issue</u>	<u>Number of Licenses</u>
Beverage dispensary	179
Restaurant or eating place	314
Club license	81
Brewery	3
Package Store	454
Common Carrier	175
Recreational Site	19
Pub license	1
Winery	0
Community license	3
Club caterer's permit	1
Theater site license	2
Restaurant caterer's permit	5
	<hr/>
Total	1,737
Assume 2 signs per premises	x2
	<hr/>
	3,474

<u>Annual Issue</u>	
Caterer's permit	629
Special events permits	89
Club caterer's permit	6
Restaurant caterer's permit	5
wear and tear	50
	<hr/>
	770
	x2
	<hr/>
	1,558

	<u>Initial</u>	<u>Annual</u>
Approx. \$175. per thousand		
Initial: \$175 x 3,474	608	
Annual : \$175 x 1,558		272
Postage		
Initial: \$.75 x 1,737	1,303	
Annual : \$.75 x 779		584
Envelopes		
Initial: \$.12 x 1,737	208	
Annual : \$.12 x 799		93
Letters	26	
	<hr/>	
	2,145	<hr/>
		949

FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO. CSHB 28(JUD)

Revision Date: January 18, 1994  
Title: 'An Act relating to the penalty for providing alcoholic beverages to a person under...'  
Sponsor: Representative Williams  
Requestor: House Finance

Department Affected: Administration  
BRU: Public Defender Agency  
Component: Public Defender Agency  
COMPONENT SERIAL NO. 1631

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

CHANGE IN REVENUES ( )	0	0	0	0	0	0
------------------------	---	---	---	---	---	---

FUNDING SOURCE: (Thousands of Dollars)

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 94) 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  
Division: Public Defender Agency

Phone: 279-7541  
Date: \_\_\_\_\_

Approved by Commissioner: Nancy Bear Usura  
Agency: Administration

Date: 1/18/94

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

CS FOR HOUSE BILL NO. 28(JUD)  
 IN THE LEGISLATURE OF THE STATE OF ALASKA  
 EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 4/15/93  
 Referred: Finance

Sponsor(s): REPRESENTATIVES WILLIAMS, Phillips, B.Davis, Nicholia, Olberg, Bunde, Kott

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the penalty for providing alcoholic beverages to a person  
 2 under the age of 21; and providing for an effective date."

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

4 \* Section 1. AS 04.16.051 is amended by adding a new subsection to read:

5 (d) A person acting with criminal negligence who violates this section is guilty  
 6 of a class C felony if, within the five years preceding the violation, the person has  
 7 been previously convicted under

8 (1) this section; or

9 (2) a law or ordinance of this or another jurisdiction with elements  
 10 substantially similar to this section.

11 \* Sec. 2. AS 04.16.180(a) is amended to read:

12 (a) Except as provided in AS 04.11.015, AS 04.16.051, 04.16.200 - 04.16.210  
 13 [AS 04.16.200 - 04.16.210], and AS 04.21.065, a person who violates a provision of  
 14 this title or a regulation adopted by the board is guilty, upon conviction, of a class A

1 misdemeanor. Each violation is a separate offense.

2 \* Sec. 3. AS 04.21.065(a) is amended to read:

3 (a) A holder of one of the following types of licenses or permits shall post on  
4 the licensed or designated premises two separate [A] warning [SIGN OR] signs as  
5 described in (b) of this section:

6 (1) beverage dispensary license;

7 (2) restaurant or eating place license;

8 (3) club license;

9 (4) brewery license; this paragraph applies only to a brewery that  
10 permits a person to sample portions of the brewery's product;

11 (5) package store license;

12 (6) common carrier dispensary license;

13 (7) recreational site license;

14 (8) community liquor license;

15 (9) pub license;

16 (10) winery license; this paragraph applies only to a winery that permits  
17 a person to sample portions of the winery's product;

18 (11) caterer's permit;

19 (12) special events permit;

20 (13) conditional contractor's permit;

21 (14) another license or permit issued by the board authorizing  
22 consumption of alcoholic beverages.

23 \* Sec. 4. AS 04.21.065(b) is amended to read:

24 (b) The [A] warning signs [SIGN] required by (a) of this section must be at  
25 least 11 inches by 14 inches and the lettering must be at least one-half inch high  
26 and in contrasting colors. The first sign must read, [IN LETTERING AT LEAST  
27 ONE-HALF INCH HIGH AND IN CONTRASTING COLORS,] "WARNING:  
28 Drinking alcoholic beverages such as beer, wine, wine coolers, and distilled spirits or  
29 smoking cigarettes during pregnancy can cause birth defects." The second sign must  
30 read, "WARNING: A person who provides alcoholic beverages to a person under  
31 21 years of age, if convicted under AS 04.16.051, could be imprisoned for up to

1        five years and fined up to \$50,000." The license or permit holder shall display the  
2        signs in a manner that would make them conspicuous to a person who will be  
3        purchasing or consuming alcoholic beverages or smoking cigarettes on the licensed or  
4        designated premises.

5        \* Sec. 5. This Act takes effect July 1, 1993.

# Alaska State Legislature



During Session:  
State Capitol  
Juneau, AK 99801-1182  
(907) 465-3424  
Fax (907) 465-3793

In Ketchikan:  
352 Front Street  
Ketchikan, AK 99901  
(907) 247-4672  
Fax (907) 225-8546

Committees:  
House Resources,  
Chairman  
Community &  
Regional Affairs  
Labor & Commerce

Representative William K. Williams

January 18, 1994

**Testimony provided to the House Finance Committee  
by prime sponsor Rep. Bill Williams on House Bill 28,  
relating to the penalty for providing alcoholic  
beverages to a person under the age of 21.**

Honorable Co-chairs, members of the committee, thank you for hearing this bill today.

House Bill 28 is based on legislation first introduced during the 1992 legislative session by former Representative Cheri Davis in response to the tragic alcohol-related deaths of two youths in the community of Ketchikan. The purpose of the legislation is to strengthen the penalty for providing alcoholic beverages to a person under the age of 21.

Currently, furnishing alcohol to a minor is a misdemeanor carrying a maximum penalty of one year in prison and a \$5,000 fine. As introduced, House Bill 28 changed the penalty for this offense to a class "C" felony with a maximum penalty of five years in prison and a \$50,000 fine.

Provisions incorporated by the Judiciary Committee in its version of the bill would make providing alcohol to a minor a class "C" felony on the second offense, if the offender had been convicted within the past five years.

The aim of this legislation is to create stiffer penalties for providing alcoholic beverages to minors, thus strengthening the deterrent effect of the law and enforcement efforts.

I appreciate the committee hearing this bill today, and urge your favorable consideration. Thank you.

# 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 11, 1994

**SUBJECT:** Sectional Summary of CSHB 28(JUD)

**TO:** Representative Bill Williams

**FROM:** Michael F. Ford *M.F.*  
Legislative Counsel

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

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Provides that a person who provides alcohol to a minor in violation of AS 04.16.051 is guilty of a class C felony if, within the previous five years, the person has a prior conviction for the same offense.

Section 2. Technical amendment to add a statutory reference.

Section 3. Requires two separate warning signs as described in sec. 4.

Section 4. Requires separate warning signs regarding the danger of drinking and the penalty for providing alcohol to a minor.

Section 5. Effective date.

MFF:gc  
94-015.glc

WJD

8-LS0287E.1  
Ford  
1/13/94

A M E N D M E N T

OFFERED IN THE HOUSE  
TO: CSHB 28(JUD)

BY REPRESENTATIVE WILLIAMS

Page 1, lines 6 - 10:

Delete all material.

Insert "of a class C felony if

(1) within the five years preceding the violation, the person has been previously convicted under

(A) this section; or

(B) a law or ordinance of this or another jurisdiction with elements substantially similar to this section; or

(2) a person receives a serious physical injury or dies as a result of the furnishing or delivery of the alcoholic beverage; in this paragraph, "serious physical injury" has the meaning given in AS 11.81.900(b)."

The new provision contained in this proposed amendment is subsection (2), which states that if someone dies or is seriously injured as a result of alcoholic beverages being furnished to a minor, the person who furnished the alcohol to the minor would have committed a felony (even if it was the first offense).

BILL NO: CSHB 28(JUD)

DATE: January 15, 1994

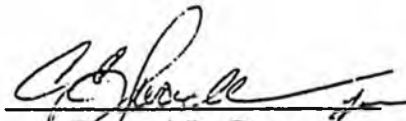
TITLE: "An Act relating to the  
Penalty for Providing  
Alcohol to a Minor

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

CSHB 28(JUD) amends AS 04.16.051, furnishing alcoholic beverages to persons under 21 by making this offense a Class C felony. This proposed legislation will affect anyone who furnishes or delivers (not just sells) alcohol to a person under the age of 21 years.

Currently the courts view this crime as a most serious misdemeanor for sentencing purposes. Creating a felony for this offense will require presentation of the case before a Grand Jury and intake by the District Attorney's office. This law would go from a most serious misdemeanor to being viewed by the judicial system as a minor felony offense. Additional time will be necessary for court preparation and testimony for the investigating trooper.

This bill will have no effect on the way that crime is investigated or reported to the court system.

  
Richard L. Burton  
Commissioner

Back-up



# Ketchikan High School

2610 Fourth Avenue • Ketchikan, Alaska 99901-5799 • (907) 225-9815

March 23, 1993

To Whom It May Concern:

This letter is to state our support of H.B. 28 which would make furnishing alcohol to a minor a felony. Our High School and our community has suffered greatly because of the tragic consequences of our students being furnished alcohol by adults. This bill would be a step in the right direction in deterring such destructive action.

Sincerely,

Bob Hewitt  
Vice-Principal

Don Pennington  
Principal

Jeanneane Henry  
3812 Baranof  
Ketchikan, Ak. 99901  
(907) 225-2428

Rep. Ron Larson  
Co-Chairman  
Finance Committee  
Alaska State Legislature  
Juneau, Ak.

Representative Larson,

I am writing to urge you to pass HB 28 out of your committee in a timely manner so this bill has a chance to get through the Senate and become law and perhaps save a young life from death or possible drug addiction.

My son Joshua Smith and his friend Mike Nygard were killed Dec. 31, 1991 in a horrible accident after an adult in this community furnished a group of teens ranging from 15-17 with a large amount of alcohol. I can tell you as a mother there is no way of measuring the emotional costs to our family and to those who know us and to the youth in the community.

The financial costs to our family has devastated us. The cost to the State on this case is way above an average misdemeanor case. I have compiled stats. on teen drinking and the teens say they can get anyone hanging around the bars to buy or older friends. The stats. from Loren Jones office on what alcohol related problems cost the state is a crisis in itself. What I have found is 98% of teens have used alcohol, many on a reg. basis. Yet the Dept. of Law sites only 100 cases with enough evidence to prosecute in the entire state. The reality is by the time an individual is charged with furnishing the first time this person has possibly furnished 8-10 times prior to being caught. It is also true responsible citizens in the "90,s" do not provide drugs to minor. ALCOHOL IS A DRUG, a legal drug for those over 21 but it is a drug. Considering that 98% of the crime is alcohol or other drug related, the cost to the state of Alaska is already out of control. The purpose of this bill is to set a standard and to educate these possible offenders as well as sending a message to our youth. It is clear that the law that is in place is not effective. It is possible that increasing the consequences will not only decrease the number of furnishing cases but the minor consuming as well. The long term goal is a healthy society, healthy people cost the state less than the dysfunctional families caught in drug abuse. I do not suggest that this bill will be the end to minor consuming or all alcohol problems but it is a step in the right direction.

(2)

We are all responsible for allowing this problem to escalate to epidemic proportions and now it is our responsibility to find solutions. The United States Congress made the drinking age 21 after research that included emotional and physical development. It is my right under the Constitution to expect that our youth are protected from adults who are not interested in their well being or if they grow into adulthood or not. Nationwide there is a movement on youth and crime, focused on protection, stopping dangers in young lives before it is too late. When James C. Porter furnished alcohol to my son and other teens he was not thinking of the rights of my son, to grow up in spite of bad choices all teens make, he was not thinking of the rights of those who loved him. Any act an adult commits that violates a child or a youth and their right to life liberty and the pursuit of happiness is not a misdemeanor because this implies it is minor. Death is not minor, and it is always a possibility when teens or younger drink

I am aware that this committee is concerned with the budget and the declining revenue, I too am concerned, however Public Safety is a no. one priority. I realize many people complain about the declining revenue and program cuts yet do not offer any solutions. I am enclosing a list of suggestions which I support to this committee. I have been a resident for 20 yrs. in Aug. and would like to see the economy stable for all who love this state as I have. My son that was killed was born in Fairbanks, he is buried here. My other son was born here, most of my adult life has been spent here. I have an investment in this state and would like to contribute to a healthy and prosperous future for my son and daughter and their children. I am committed to the ideal that Joshua's death will bring about a healthy change for other youth and families.

I am enclosing a copy of Mr. Porter's sentence. Today at 4:00 I will be attending another hearing for him. This is related to a criminal act committed while in jail for his third probation violation while under this charge. One includes a DWI. After 2 yrs he has not completed his community service and has continued to commit drug related crimes. In another state before he furnished here he was ordered by the court to complete alcohol screening. He fled to Alaska and is now in our system. If the other state would have dealt with the problem perhaps the boys would be alive and we would not be assuming the emotional and financial burden. He, like most furnishers have a drug problem. He, like most are not deterred by a misdemeanor.

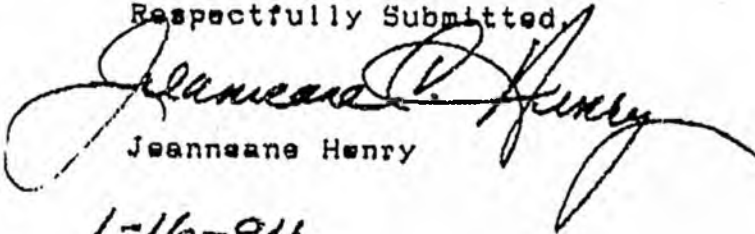
Cheri Davis, a former State Rep. who is now employed by Alaskans for Drug Free Youth, informed me they were writing to Judge Zervos because after 2 yrs. Mr. Porter has not completed his community service and has, from her perspective, learned nothing from this experience. They have filed numerous affidavits with apparently no results. Had Mr. Porter had a probation officer it may have saved the state money in the long run.

I urge you to consider the long term results of this bill which I

③

believe will end up saving lives and revenue. I wish you to consider all the hidden costs to the residents and the state when alcohol problems are allowed to run amuck and it is clear to anyone who reads the paper or listens to the news it has run amuck in our state.

Respectfully Submitted,



Jeannene Henry

1-16-94

Ⓟ

**HB**

**28**

**SFIN**

**FILE**

# SENATE FINANCE COMMITTEE REPORT

DATE: 3/22/94

FURTHER:

DATE TURNED INTO OFFICE: 4-19-94

The Finance Committee considered CS FOR HOUSE BILL NO. 28(JUD) am

"An Act relating to the penalty for providing alcoholic beverages to a person under the age of 21; and providing for an effective date."

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

Appropriation No Fiscal Note

**PREVIOUS FISCAL NOTES**

Department	Date	Zero	Fiscal
DOR	1/18/94		2.2
Courts	1/17/94		18.8
DOC	1/17/94		57.9
DOA (ODA)	1/14/94	0	
DOA (POA)	1/18/94	0	
DPS	1/17/94	0	
DeLaw	1/11/94	0	

DO PASS: Tim Kelly  
John Kelly  
John Kelly

OTHER RECOMMENDATIONS:  
Please see No Recommendation

1. Tim Kelly  
 Co-Chair: Signature/Recommendation

2. True Lance - No Rec  
 Co-Chair: Signature/Recommendation

FISCAL NOTE

No. 12

Bill Version: CSHB 28 (JUD)

(H) Publish Date: 1/21/94

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

Revision Date: January 11, 1994

Title: "...penalty for providing alcoholic beverages to a person under the age of 21..."

Sponsor: Representative Williams

Requestor: Representative Williams

Department Affected: Department of Law

BRU: Prosecution

Component: All

COMPONENT SERIAL NO. 0085 through 0090

EXPENDITURES/REVENUES:

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

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

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

FUNDING:

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

POSITIONS:

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

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

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

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

Phone: 465-3672  
Date: January 11, 1994

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

Date: January 11, 1994

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

FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO. CSHB 28 (JUD)

ANALYSIS CONTINUATION:

The House Judiciary Committee Substitute for HB 28 would raise the penalty for furnishing alcoholic beverages to persons under the age of 21 to a Class C felony from a Class A misdemeanor, if the person has previously been convicted of the same offense within the preceding five years. Because the increased penalty would be limited to repeat offenders, the potential number of felony prosecutions should be less than the 100 prosecutions that were estimated in our earlier fiscal note of January 28, 1993. Consequently, and for the reasons previously stated in the January 28, 1993 fiscal note, a fiscal impact is not being shown.

See attached 1-28-93 FN (Fiscal Note)

# FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

No. 11  
Bill Version: CSHB 28 (JUD)  
(H) Publish Date: 1/21/94

Revision Date: \_\_\_\_\_ Dept. Affected: Public Safety  
Title: "An act relating to the penalty for providing BRU: Alaska State Troopers  
alcoholic beverages to a person under 21 Component: Detachments  
Sponsor: Representative Williams  
Requestor: H. FIN COMPONENT SERIAL NO. 799

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

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

**FUNDING: (Thousands of Dollars)**

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

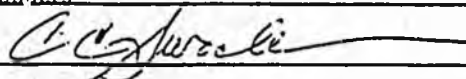
Estimate of current year (FY 94) impact: \$ 0.00 \_\_\_\_\_

**POSITIONS:**

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

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

No significant fiscal impact upon the Alaska State Troopers is anticipated.

Prepared By: Francis C. Allan Phone: 269-5691  
Division: Alaska State Troopers Date: 01/14/94  
Approved by Commissioner:  Date: 01/17/94  
Agency: Richard L. Burton, Dept. of Public Safety

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

For further distribution information call the Governor's Legislative Office

**COMMITTEE COPY**

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

FISCAL NOTE

No. 10  
Bill Version: CSHB 28 (JUD)  
(H) Publish Date: 1/21/94

Revision Date: January 18, 1994  
Title: 'An Act relating to the penalty for pro-  
viding alcoholic beverages to a person under...'  
Sponsor: Representative Williams  
Requestor: House Finance

Department Affected: Administration  
BRU: Public Defender Agency  
Component: Public Defender Agency  
COMPONENT SERIAL NO. 1631

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONNEL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

CHANGE IN REVENUES ( )	0	0	0	0	0	0
------------------------	---	---	---	---	---	---

FUNDING SOURCE: (Thousands of Dollars)

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTI	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 94) 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  
Division: Public Defender Agency

Phone: 279-7541  
Date: \_\_\_\_\_

Approved by Commissioner: Nancy Bear Usery  
Agency: Administration

Date: 1/18/94

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

FISCAL NOTE

No. 9

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BI Bill Version: CSHB 28 (JUD)

(H) Publish Date: 1/21/94

Revision Date: \_\_\_\_\_

Department Affected: Administration

Title: "An Act relating to the penalty for providing alcoholic beverages to a person under..."

BRU: Office of Public Advocacy

Sponsor: Representative Williams

Component: Office of Public Advocacy

Requestor: House Finance

COMPONENT SERIAL NO. 43

EXPENDITURES/REVENUES:

(Thousands of Dollars)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

CHANGE IN REVENUES ( )	0	0	0	0	0	0
------------------------	---	---	---	---	---	---

FUNDING SOURCE:

(Thousands of Dollars)

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 94) 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 *NBU*

Date: 1/14/94

Agency: Administration

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

For further distribution information call the Governor's Legislative Office

# FISCAL NOTE

No. 8

Bill Version CSHB 28 (JUD)

(H) Publish Date: 1/21/94

**BII**

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

Revision Date:	<u>1/17/94</u>	Dept. Affected:	<u>Corrections</u>
Title:	<u>An Act RE: furnishing alcohol to a minor</u>	BRU:	<u>Statewide Operations</u>
Sponsor:	<u>Rep. Williams</u>	Component:	<u>All institutions, regional probation offices, Director C.C.</u>
Requestor:	<u>House Finance</u>	COMPONENT SERIAL NO.	<u>708-1884</u>

**Expenditures/Revenues**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	34.2	34.2	34.2	34.2	34.2	34.2
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	23.7	23.7	23.7	23.7	23.7	23.7
<b>TOTAL OPERATING</b>	<b>57.9</b>	<b>57.9</b>	<b>57.9</b>	<b>57.9</b>	<b>57.9</b>	<b>57.9</b>

CAPITAL EXPENDITURES	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

CHANGE IN REVENUES ( )	0	0	0	0	0	0
------------------------	---	---	---	---	---	---

**FUND SOURCE**

(Thousands of Dollars)

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	57.9	57.9	57.9	57.9	57.9	57.9
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
Other	0	0	0	0	0	0
<b>TOTAL</b>	<b>57.9</b>	<b>57.9</b>	<b>57.9</b>	<b>57.9</b>	<b>57.9</b>	<b>57.9</b>

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

**POSITIONS**

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

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

Please see the attached analysis.

Prepared by:	<u>Diane Schenker, Spec. Asst. <i>Diane Schenker</i></u>	Phone:	<u>465-3315/561-4426</u>
Division:	<u>Office of the Commissioner</u>	Date:	<u>1/17/94</u>
Approved by Commissioner:	<u>J. Frank Prewitt, Jr. <i>J. Frank Prewitt</i></u>	Date:	<u>1/17/94</u>
Agency:	<u>Corrections</u>		

The bill makes the second or subsequent conviction for furnishing alcohol to a minor a class C felony. The first offense would remain a class A misdemeanor, as are all convictions under current law.

Assumptions:

1. The Department of Law estimates approximately 100 cases per year include sufficient evidence to prosecute for this crime. It is assumed that only ten percent of these offenses, or ten cases per year, would be second or subsequent offenses prosecuted as felonies.
2. Out of those ten felony cases per year, it is assumed that half would be sentenced to formal, supervised probation and half to incarceration. This assumption is based on the fact that this would be a first felony conviction in some cases, and a non-violent offense. A 1983 Judicial Council study indicated that approximately half the cases (2 out of 4) included in the study received probation rather than incarceration, for the misdemeanor offense of furnishing alcohol to a minor.
3. The Alaska Judicial Council study estimated the lowest mean sentence length of incarceration for a class C felony of this type to be 7.5 months, or 225 days. It is assumed that those sentenced to probation would be supervised for that period of time. It is assumed that those sentenced to incarceration would serve two thirds of the sentence, or 150 days, due to deduction for statutory good time.
4. Misdemeanants are not supervised by the department's probation officers, whereas these felony cases would result in formal supervision by the department. The average daily cost of probation/parole supervision is \$6 per day.
5. It is assumed that those convicted of this non-violent felony could be diverted to CRC beds for most of the period of incarceration. It is assumed that each felony case involving incarceration would require a state correctional bed for approximately 30 out of the 150 days. This would include booking upon arrest, any time served while awaiting sentencing, and a short period after sentencing for classification and processing for placement in a CRC bed. The average daily cost of incarceration in a Community Residential Center (CRC) is \$57 per day. The average daily cost of incarceration in a state correctional bed is \$113 per day.
6. Probation and state correctional center incarceration costs are reflected under "miscellaneous" on page 1 of the fiscal note. The daily costs of incarceration and supervision are composite numbers including some overhead costs and cannot be attributed to specific line items in this fiscal note.

7. By making second and subsequent offenses into felonies, the bill will also impact the department by requiring probation officers to prepare Presentence Investigation Reports for the court prior to sentencing. Ten additional reports will not require a new position, but will increase the workload for current probation officers.

8. The state correctional system has been operating over emergency capacity for the past year. In addition to posing safety hazards, the department can be fined up to \$1,000 per day if found in contempt of court for violating population caps. If the assumptions or data upon which this fiscal note is based are inaccurate, and the impact of this bill is greater than anticipated, the current population crisis will be worsened.

Operating Expenses

Probation supervision costs:

225 days X 5 cases per year X \$6 per day supervision = \$ 6,750 per year

State correctional center incarceration costs:

30 days X 5 cases per year X \$ 113 per day = \$ 16,950 per year

CRC incarceration costs:

120 days X 5 cases per year X \$57 per day = \$ 34,200

TOTAL: \$ 57,900

# FISCAL NOTE

No. 7  
Bill Version: CSHB 28 (JUD)  
(H) Publish Date: 1/21/94

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO

Revision Date: \_\_\_\_\_ DepL Affected: Alaska Court System  
 Title: An Act relating to the penalty for BRU: Trial Courts  
providing alcoholic beverages to a person under 21 Components: \_\_\_\_\_  
 Sponsor: Rep. Williams, Phillips, B. Davis ...  
 Requestor: House Finance COMPONENT SERIAL NO. 768

### EXPENDITURES/REVENUES (Thousands of Dollars)

OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	9.3	9.3	9.3	9.3	9.3	9.3
TRAVEL						
CONTRACTUAL	9.5	9.5	9.5	9.5	9.5	9.5
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
<b>TOTAL OPERATING</b>	<b>18.8</b>	<b>18.8</b>	<b>18.8</b>	<b>18.8</b>	<b>18.8</b>	<b>18.8</b>

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ( )						
------------------------	--	--	--	--	--	--

### FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	18.8	18.8	18.8	18.8	18.8	18.8
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>18.8</b>	<b>18.8</b>	<b>18.8</b>	<b>18.8</b>	<b>18.8</b>	<b>18.8</b>

### POSITIONS

FULL-TIME						
PART-TIME	1.0	1.0	1.0	1.0	1.0	1.0
TEMPORARY						

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

ANALYSIS: (Attach a separate page if necessary)  
 See attached analysis.

Prepared by: C. S. Christensen III, Staff Counsel *CS* Phone: 264-8228  
 Agency: Alaska Court System Date: 01/17/94

Approved by: Arthur H. Snowden, II, Administrative Director *AS* *CS*  
 Agency: Alaska Court System Date: 01/17/94

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

## CSHB 28 (JUD)

The House Judiciary Committee Substitute for House Bill 28 would raise the penalty for furnishing alcoholic beverages to persons under the age of 21 from a Class A misdemeanor to a Class C felony, if the defendant has previously been convicted of the same offense.

The Department of Law has estimated that approximately 200 complaints regarding furnishing alcoholic beverages to minors are received each year. 100 of these have sufficient evidence for prosecution. Law has not estimated the number of these complaints which involve repeat offenders, but the Department of Corrections puts this number at ten per year.

This fiscal note assumes that the Department of Law will prosecute an additional ten Class C felony cases each year, with an average trial length of four days, including jury selection and deliberation.

Alaska Court SystemFiscal AnalysisCS HB 28 (JUD)Personal Services

	<u>Salary</u>	<u>Benefits</u>	<u>Total</u>
Pro Tem Superior Court Judge, 3 month PPT, Anchorage	\$12,075	\$6,898	\$18,973
Less existing judicial funding - 10 trials at 2 days plus 1 day file review	6,142	3,562	<u>9,704</u>
Increase in judicial resources			\$9,269

Ten additional felony trials of 4 days each and one additional day of file review will require additional judicial resources.

Contractual

Jury fees - with the increase in seriousness of this crime, trial length is expected to increase from 2 days at the misdemeanor level to 4 days at the felony level. Misdemeanor juries are typically comprised of 6 members and one alternate. A felony trial requires 12 jurors and an alternate. Ten trials are expected a year. Jury fees are expected to increase as follows:

10 felony trials - 13 jurors at \$25 a day for 4 days	\$13,000	
Less existing funding for 10 misdemeanor trials - 7 jurors at \$25 a day for 2 days	<u>3,500</u>	
Increase in jury fees		<u>\$9,500</u>
Estimated Total Cost		<u>\$18,769</u>

No. 6 -- CORRECTED  
Bill Version: CSHB 28 (JUD)  
(H) Publish Date: 1/24/94

# FISCAL NOTE

BII

## STATE OF ALASKA 1994 LEGISLATIVE SESSION

Revision Date: January 18, 1994 - Correct error when updating prior fiscal note. Dept. Affected: Revenue  
 Title: That signs warn of the penalty for providing beverages to a person BRU: Alcoholic Beverage Control Board  
under the age of 21. Component: \_\_\_\_\_  
 Sponsor: House Judiciary Committee  
 Requestor: House Finance Committee COMPONENT SERIAL NO. 0100

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	2.0	0.8	0.8	0.8	0.8	0.8
SUPPLIES	0.2	0.1	0.1	0.1	0.1	0.1
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>2.2</b>	<b>0.9</b>	<b>0.9</b>	<b>0.9</b>	<b>0.9</b>	<b>0.9</b>
<b>CAPITAL</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>REVENUE FUND SOURCE:</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>

FUNDING: (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	2.2	0.9	0.9	0.9	0.9	0.9
1006 GF/MHTA						
Other						
<b>TOTAL</b>	<b>2.2</b>	<b>0.9</b>	<b>0.9</b>	<b>0.9</b>	<b>0.9</b>	<b>0.9</b>

POSITIONS:

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

Estimate of current year (FY94) impact: \$ \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary.)

See attached cost analysis for initial and annual issuance of warning signs to liquor licensees and permittees.

Prepared by: Director Patrick L. Shanrock Phone: (907) 277-8838  
 Division: Alcoholic Beverage Control Board Date: January 18, 1994  
 Approved by Commissioner: Daniel J. Rawinski Date: 1/18/94  
 Agency: Department of Revenue

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

CS HB28 (Jud) Page 2 of 2  
 Attachment to fiscal note  
 Alcoholic Beverage Control Board  
 Based on March '91 estimate for signs warning of danger from  
 smoking during pregnancy.

<u>Initial Issue</u>	<u>Number of Licensees</u>
Beverage dispensary	179
Restaurant or eating place	314
Club license	81
Brewery	3
Package Store	454
Common Carrier	175
Recreational Site	19
Pub license	1
Winery	0
Community license	3
Club caterer's permit	1
Theater site license	2
Restaurant caterer's permit	5
Total	<u>1,737</u>
Assume 2 signs per premises	x2
	<u>3,474</u>

<u>Annual Issue</u>	
Caterer's permit	629
Special events permits	89
Club caterer's permit	6
Restaurant caterer's permit	5
wear and tear	50
	<u>770</u>
	x2
	<u>1,558</u>

Approx. \$175. per thousand	<u>Initial</u>	<u>Annual</u>
Initial: \$175 x 3,474	608	
Annual : \$175 x 1,558		272
Postage		
Initial: \$.75 x 1,737	1,303	
Annual : \$.75 x 779		584
Envelopes		
Initial: \$.12 x 1,737	208	
Annual : \$.12 x 799		93
Letters	26	
	<u>2,145</u>	<u>949</u>

# Alaska State Legislature



Committees:  
House Resources,  
Chairman  
  
Community &  
Regional Affairs  
  
Labor & Commerce

Representative William K. Williams

During Session:  
State Capitol  
Juneau, AK 99801-1182  
(907) 465-3424  
Fax (907) 465-3793

In Ketchikan:  
352 Front Street  
Ketchikan, AK 99901  
(907) 247-4672  
Fax (907) 225-8546

## MEMORANDUM

TO: Rep. Drue Pearce, Co-Chair  
Senate Finance Committee

FROM: Rep. William K. Williams

DATE: March 21, 1994

RE: Request for hearing on ~~HB 28~~

*Bill*

I would like to request that you schedule for a hearing before the Senate Finance Committee House Bill 28, relating to changing the penalty for providing alcoholic beverages to a person under the age of 21.

Accompanying this request is a packet of information supporting the proposed legislation. Please don't hesitate to call me if you have any questions or need further information. Thank you for your consideration.

# Alaska State Legislature



Representative William K. Williams

During Session:  
State Capitol  
Juneau, AK 99801-1182  
(907) 465-3424  
Fax (907) 465-3793

In Ketchikan:  
352 Front Street  
Ketchikan, AK 99901  
(907) 247-4672  
Fax (907) 225-8546

Committees:  
House Resources,  
Chairman  
Community &  
Regional Affairs  
Labor & Commerce

Feb. 4, 1994

## SPONSOR STATMENT CSHB28(Jud)am, relating to the penalty for providing alcoholic beverages to a person under the age of 21

House Bill 28 is based on legislation first introduced during the 1992 legislative session in response to the tragic alcohol-related deaths of two youths in the community of Ketchikan. The purpose of the legislation is to strengthen the penalty for providing alcoholic beverages to a person under the age of 21.

Currently, furnishing alcohol to a person under 21 is a misdemeanor carrying a maximum penalty of one year in prison and a \$5,000 fine. The provisions of CSHB 28(Jud)am change the penalty for the second or subsequent violations of the law to a class "C" felony, with a maximum penalty of five years in prison and a \$50,000 fine, if the offender had been convicted within the past five years. CSHB28(Jud)am also requires a warning sign to be posted in places where alcoholic beverages are sold.

The purpose of this legislation is to create stiffer penalties for providing alcoholic beverages to young people, thus strengthening the deterrent effect of the law and enforcement efforts.

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

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

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

MEMORANDUM

January 11, 1994

SUBJECT: Sectional Summary of CSHB 28(JUD)  
TO: Representative Bill Williams  
FROM: Michael F. Ford *M.F.*  
Legislative Counsel

*only change  
in CSHB 28(Jud)am  
is effective date.*

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

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Provides that a person who provides alcohol to a minor in violation of AS 04.16.051 is guilty of a class C felony if, within the previous five years, the person has a prior conviction for the same offense.

Section 2. Technical amendment to add a statutory reference.

Section 3. Requires two separate warning signs as described in sec. 4.

Section 4. Requires separate warning signs regarding the danger of drinking and the penalty for providing alcohol to a minor.

Section 5. Effective date.

MFF:gc  
94-015.glc

*Floor amendment adopted*

8-LS0287E.2 ✓  
Ford  
1/25/94

A M E N D M E N T

OFFERED IN THE HOUSE  
TO: CSHB 28(JUD)

BY REPRESENTATIVE WILLIAMS

Page 3, line 5:

Delete "1993"

Insert "1994"

Back-up



# Ketchikan High School

2610 Fourth Avenue • Ketchikan, Alaska 99901-5799 • (907) 225-9815

March 20, 1973

To Whom It May Concern:

This letter is to state our support of H.B. 28 which would make furnishing alcohol to a minor a felony. Our High School and our community has suffered greatly because of the tragic consequences of our students being furnished alcohol by adults. This bill would be a step in the right direction in deterring such destructive action.

Sincerely,

*Bob Hewitt*  
Bob Hewitt  
Vice-Principal

*Don Pennington*  
Don Pennington  
Principal



To the Finance Committee

I respectfully submit the following suggestions :

In view of the increasing cost of alcohol related crimes and problems in the State and in view that the revenue from the sale of alcohol and license,s do not begin to cover those cost, I suggest increasing sales tax and designate that revenue to cover alcohol problems including treatment.

In view of declining revenue I suggest inmates work in some way to help pay for thier stay while in Jail and do not need cable tv.

In view of the minor consuming problem and the high number of arrests , we provide some consequences for even first offenders rather than a trip to probation and a " don,t do it again ". When consequences become unappealing offenders numbers will go down and possibly we may see fewer adult offender in years to come. At the present nothing much happens to youth untill it is really out of hand. Sending one clear strong message will save sending the same lame one over and over.

I suggest we look to some creative and innovative ideas concerning consequences as alternatives to jail time for those incarcerated for alcohol or other drug related crimes.

Ketchikan needs another State Trooper, when the youth of our community are drinking out of city limits the Troopers can not even arrest them , thus another message is sent which may cost the state in the end.

Considering the Three Strike,s Your Out Bill that other states are going to adopt.

I also suggest that allowing victims to have more input in consequences for the perpetrator and allowing inneraction for those who wish it.

Alcoholism is of epidemic proportion , it would be cost effective to implement tough laws against abuse and treatment for those who will accept it. Looking to the future is dealing with the root of the problem & prevention. Bandaid,s after the fact is throwing good money after bad as the problem will just keep reoccurring. As a state we can not afford to continue to bandaid

As a resident I am willing to activly lobby for any positive change as outlined above.

Thank you for taking the time to read this.

*Jeannene Henry*  
1-16-94

# House approves bill to stem alcohol abuse

By BRIAN S. AKRE  
Associated Press Writer

JUNEAU—The House has approved legislation that would increase penalties for providing alcohol to minors, and a bill to allow creation of youth-run courts that hear charges against juveniles.

The alcohol measure would make second or subsequent convictions of furnishing alcohol to a minor a felony, rather than a misdemeanor. The maximum sentence would increase from one year to five years in prison, and could include up to a \$50,000 fine.

Supporters say the change is needed

to deter adults from buying alcohol for juveniles. Critics say the extra cost of prosecuting the violators for felonies and jailing them longer would be better used for education.

The total extra cost of prosecuting and jailing the estimated 10 violators a year who would fall under the bill was estimated at about \$79,000 a year.

The bill was first submitted in 1992 by then-Rep. Cheri Davis, R-Ketchikan, in response to the deaths of two 17-year-old Ketchikan boys who were involved in a drunken driving accident. An adult had bought the boys a large quantity of  
*See 'Alcohol,' page A-3*

## In brief

### Taylor recovering

State Sen. Robin Taylor, R-Wrangell, is recovering today in a Bellingham hospital from a successful back operation.

The operation to relieve the pain from the pressure of a compressed disc was undertaken Friday morning.

Taylor will be in the hospital until Monday. He will remain in the Puget Sound area a few days for recovery.

Before returning to Juneau Feb. 6, he will attend a special meeting of the Western States Legislative Forestry Task Force to interview applicants for the executive director position.

While Taylor was out, some Republicans tried to force a bill out of committee without Taylor's knowledge. The bill involves moving the Legislature from Juneau to Anclorage. See story, page A-3.

## Alcohol

Continued from page A-1

alcohol the night they died.

The latest version of the bill was introduced last year by Rep. Bill Williams, D-Saxman. The House passed House Bill 28 on Thursday without opposition, sending it to the Senate.

The bill would also require that liquor establishments post two signs in prominent places. One sign would warn that the use of either alcohol or cigarettes during pregnancy can cause birth defects. The second sign would warn of the potential penalties of furnishing alcohol to a minor.

Jeanne Henry of Ketchikan, who has battled hard for the measure, said she was pleased with the action.

"I am very very pleased that it got

through and I am hoping that it will quickly go through the Senate," Henry said.

"It's a big step in the right direction," she added.

Henry's son, Joshua Smith, and Michael N. Nygard, both 17, were killed in a motorcycle accident on North Tongass Highway New Year's Eve several years ago. Both minors were intoxicated.

If passed, the law would take effect July 1, 1994.

House Bill 195, approved Friday, would allow youths who have committed a minor offense, such as shoplifting, to choose to go before a court of their peers instead of a regular juvenile court.

The consent of parents and juvenile authorities would be required.

Anchorage has had a youth court since 1989 and it has been considered a success, said Rep. Joe Sifton, D-Fairbanks and the bill's prime sponsor.

Students who would serve as volunteer judges, jurors and attorneys would undergo training and have to pass a youth court bar exam. Legal advisers

would be available to help the students prepare for trial.

The legislation makes the youth courts optional for each community, which can tailor the program to its own needs and resources, Sifton said.

The House passed the bill without opposition and referred it to the Senate.

The Ketchikan Daily News contributed to this report.

Jeanneane Henry  
 3812 Baranof  
 Ketchikan, Ak. 99801  
 (907) 225-2428

Rep. Ron Larson  
 Co-Chairman  
 Finance Committee  
 Alaska State Legislature  
 Juneau, Ak.

Representative Larson,

I am writing to urge you to pass HB 28 out of your committee in a timely manner so this bill has a chance to get through the Senate and become law and perhaps save a young life from death or possible drug addiction.

My son Joshua Smith and his friend Mike Nygard were killed Dec. 31, 1991 in a horrible accident after an adult in this community furnished a group of teens ranging from 15-17 with a large amount of alcohol. I can tell you as a mother there is no way of measuring the emotional costs to our family and to those who know us and to the youth in the community.

The financial costs to our family has devastated us. The cost to the State on this case is way above an average misdemeanor case. I have compiled stats. on teen drinking and the teens say they can get anyone hanging around the bars to buy or older friends. The stats. from Loren Jones office on what alcohol related problems cost the state is a crisis in itself. What I have found is 98% of teens have used alcohol, many on a reg. basis. Yet the Dept. of Law sites only 100 cases with enough evidence to prosecute in the entire state. The reality is by the time an individual is charged with furnishing the first time this person has possibly furnished 8-10 times prior to being caught. It is also true responsible citizens in the "90,s" do not provide drugs to minor. ALCOHOL IS A DRUG, a legal drug for those over 21 but it is a drug. Considering that 98% of the crime is alcohol or other drug related, the cost to the state of Alaska is already out of control. The purpose of this bill is to set a standard and to educate these possible offenders as well as sending a message to our youth. It is clear that the law that is in place is not effective. It is possible that increasing the consequences will not only decrease the number of furnishing cases but the minor consuming as well. The long term goal is a healthy society, healthy people cost the state less than the dysfunctional families caught in drug abuse. I do not suggest that this bill will be the end to minor consuming or all alcohol problems but it is a step in the right direction.

2

We are all responsible for allowing this problem to escalate to epidemic proportions and now it is our responsibility to find solutions. The United States Congress made the drinking age 21 after research that included emotional and physical development. It is my right under the Constitution to expect that our youth are protected from adults who are not interested in their well being or if they grow into adulthood or not. Nationwide there is a movement on youth and crime, focused on protection, stopping dangers in young lives before it is too late. When James C. Porter furnished alcohol to my son and other teens he was not thinking of the rights of my son, to grow up in spite of bad choices all he was not thinking of the rights of those who loved him. Any act an adult commits that violates a child or a youth and their right to life liberty and the pursuit of happiness is not a misdemeanor because this implies it is minor. Death is not minor, and it is always a possibility when teens or younger drink

I am aware that this committee is concerned with the budget and the declining revenue, I too am concerned, however Public Safety is a no. one priority. I realize many people complain about the declining revenue and program cuts yet do not offer any solutions. I am enclosing a list of suggestions which I support to this committee. I have been a resident for 20 yrs. in Aug. and would like to see the economy stable for all who love this state as I have. My son that was killed was born in Fairbanks, he is buried here. My other son was born here, most of my adult life has been spent here. I have an investment in this state and would like to contribute to a healthy and prosperous future for my son and daughter and their children. I am committed to the ideal that Joshua's death will bring about a healthy change for other youth and families.

I am enclosing a copy of Mr. Porter's sentence. Today at 4:00 I will be attending another hearing for him. This is related to a criminal act committed while in jail for his third probation violation while under this charge. One includes a DWI. After 2 yrs he has not completed his community service and has continued to commit drug related crimes. In another state before he furnished here he was ordered by the court to complete alcohol screening. He fled to Alaska and is now in our system. If the other state would have dealt with the problem perhaps the boys would be alive and we would not be assuming the emotional and financial burden. He, like most furnishers have a drug problem. He, like most are not deterred by a misdemeanor.

Cheri Davis, a former State Rep. who is now employed by Alaskans for Drug Free Youth, informed me they were writing to Judge Zervos because after 2 yrs. Mr. Porter has not completed his community service and has, from her perspective, learned nothing from this experience. They have filed numerous affidavits with apparently no results. Had Mr. Porter had a probation officer it may have saved the state money in the long run.

I urge you to consider the long term results of this bill which I

believe will end up saving lives and revenue. I wish you to consider all the hidden costs to the residents and the state when alcohol problems are allowed to run amuck and it is clear to anyone who reads the paper or listens to the news it has run amuck in our state.

Respectfully Submitted,

*Jeannene D. Henry*  
Jeannene Henry

1-16-94

Ⓟ

**HB**

**41**

**HFIN**

**FILE**



# FISCAL NOTE

No. 5

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO :

Bill Version: CSHB 41 (L&C)  
(H) Publish Date: 2/10/93

Revision Date: \_\_\_\_\_  
Title: "An Act relating to civil liability  
for skiing accidents..."  
Sponsor: Representatives Phillips, Hudson, Porter  
Requestor: Representative Phillips

Department Affected: Labor  
BRU: Labor Standards & Safety  
Component: Mechanical Inspection  
COMPONENT SERIAL NO. 346

**EXPENDITURES/REVENUES:**

(Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
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						
---------	--	--	--	--	--	--

REVENUE FUND SOURCE:						
----------------------	--	--	--	--	--	--

**FUNDING:**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipt						
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 (FY93) impact: \$ None

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

Prepared by: Donald G. Study, Director Phone: 465-6003  
Division: Labor Standards and Safety Date: 1/22/93

Approved by Commissioner: Charles W. Mahlen  
Agency: Department of Labor Date: 1/25/93

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

FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

No. 4  
Bill Version: CSHB 41 (L&C)  
(H) Publish Date: 2/10/93

Revision Date: January 22, 1993  
Title: "... relating to liability for skiing accidents, operations of ski areas..."  
Sponsor: Representative Phillips  
Requestor: House Labor & Commerce

Department Affected: Department of Law  
BRU: Legal Services  
Component: Operations  
COMPONENT SERIAL NO. 0093

EXPENDITURES/REVENUES:

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-

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

REVENUE						
FUND SOURCE:						

FUNDING:

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

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

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

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

*Richard I. Pegues*

Prepared by: Richard I. Pegues, Director  
Division: Administrative Services Division  
Approved by Commissioner: Charles E. Cole, Attorney General  
Agency: Department of Law

Phone: 465-3672  
Date: January 22, 1993  
Date: January 22, 1993

**COMMITTEE COPY**

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

## FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO. HB 41(L+C)

No. 4

ANALYSIS (Continued):

This bill adds a new chapter to AS 05 that defines the responsibilities of ski area operators and defines the responsibilities of skiers using ski areas. The bill further defines the liabilities of both ski operators and skiers, and the bill excludes comparative negligence or comparative fault analysis where an injury is the result of an inherent risk of skiing. The bill has the effect of reversing Hiibschman v. City of Valdez. The bill should not have a direct fiscal impact on the Department of Law, because the state is not a ski area operator in the sense of commercially or municipally operated ski areas.

It should be noted, however, that dedicated trails on state lands, or in state parks, may fall within the definition of ski area when the trails are used for cross country skiing. The bill does require ski area operators to extensively mark skiing routes with signs. It is doubtful that the Department of Natural Resources will have adequate funds for staff to comply with this requirement. Failure to do so could result in liability for the state in the event of an accident. Consequently, the Department of Law could be called upon to defend such liability claims at some time in the future. The department's defense costs are passed on to the Division of Risk Management in cases involving personal injury claims. We cannot predict these possible costs at this time, because information is not available which would indicate the number or severity of future claims.

FISCAL NOTE

No. 3

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

Bill Version: CSHB 41 (L&C)

(H) Publish Date: 2/10/93

Revision Date: \_\_\_\_\_

Title: An Act relating to civil liability for skiing accidents . . . .

Sponsor: Reps. Phillips, Hudson, Porter

Requestor: Labor and Commerce, Judiciary, Finance

Department Affected: Commerce and Economic Development

BRU: Insurance

Component: Insurance Operations

COMPONENT SERIAL NO. 354

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

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

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

FUNDING:

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	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 (FY93) impact: 0.0

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

Prepared by: Dave Walsh

Division: Insurance

Phone: 465-2515

Date: January 21, 1993

Approved by Commissioner: Paul Fuhs

Agency: Commerce and Economic Development

Date: 1-22-93

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

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

FISCAL NOTE

No. 2

Bill Version: CSHB 41 (L&C)

(H) Publish Date: 2/10/93

Revision Date: \_\_\_\_\_ Department Affected: Alaska Court System  
 Title: An Act relating to civil liability for BRU: Trial Courts  
skiing accidents... Components: \_\_\_\_\_  
 Sponsor: Phillips  
 Requestor: Labor & Commerce COMPONENT SERIAL NO. 000 | 000 | 000 | 768

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

FUNDING: (Thousands of Dollars)

GENERAL FUNDS	0.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel *CSC* Phone: 284-8228  
 Division: Alaska Court System Date: 01/22/93

Approved by: Arthur H. Snowden, II, Administrative Director *AS* *CSC* Date: 01/22/93  
 Agency: Alaska Court System

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

Rev 1/83

Page 1 of 1

TOTAL P.02

COMMITTEE COPY

FISCAL NOTE

No. 1

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

Bill Version: CSHB 41 (L&C)  
(H) Publish Date: 2/10/93

Revision Date: 9-Feb-93 Department Affected: Natural Resources  
Title: Ski Liability, Safety and Responsibility BRU: Resource Development  
Components: Land Development  
Sponsor: Representative Phillips  
Requestor: House Labor and Commerce Committee Component Serial No. 431

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND&STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS,CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE fund source:	N/A	N/A	N/A	N/A	N/A	N/A

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME	NONE	NONE	NONE	NONE	NONE	NONE
PART-TIME	NONE	NONE	NONE	NONE	NONE	NONE
TEMPORARY	NONE	NONE	NONE	NONE	NONE	NONE

Estimate of current year (FY93) Impact: \$ No fiscal impact anticipated

ANALYSIS:

The only additional DNR responsibilities proposed under the bill (and this was proposed by DNR) is that DNR employees can enforce the six specific listed violations. No additional fiscal impacts are anticipated if the bill is approved.

Prepared by: Ron Swanson, Director Phone: 762-2692  
Division: Land Development Date: 9-Feb-93  
Approved by Commissioner: Glenn A. Olds Date: 9-Feb-93  
Agency: Department of Natural Resources

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