

ALASKA LEGISLATURE

HOUSE and SENATE FINANCE COMMITTEE FILES, 2005-2006 2841

HB

83

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

REPORTED OUT
 MAY 01 2006
 SENATE FINANCE COMMITTEE

DATE: 2/1/06

FURTHER:

DATE TURNED
IN TO OFFICE: 5/1/06

Finance Committee considered CS FOR HOUSE BILL NO. 83(FIN)

HB 83 SEISMIC HAZARDS SAFETY COMMISSION

"An Act relating to the Alaska Seismic Hazards Safety Commission; and providing for an effective date."

and recommends:

- be replaced with S CS CS HB83 (FIN)
- adopt previous C CS FORTHCOMING ()
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

CS Senate Bill:
 Same Title
 New Title

SCS House Bill:
 Same Title
 Technical Title Change
 New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Ind.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Ind.	Zero	FN#
DNR	1/20/06				4

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	No REC	AMEND
<i>[Signature]</i>			<input checked="" type="checkbox"/>	
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
COCHAIR: <i>[Signature]</i>	<input checked="" type="checkbox"/>			
COCHAIR: <i>[Signature]</i>	<input checked="" type="checkbox"/>			

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: 4
Bill Version: SCS CSHB 83(STA)
(S) Publish Date: 2/1/06

Revision Date/Time (Note if correction): 1/20/06 Dept. Affected: Natural Resources
Title: An Act relating to the Alaska Seismic Hazards Safety Commission RDU: Resource Development
Component: Geological Development
Sponsor: Rep. LeDoux
Requester: (S) STA Component No.: 1031

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

Full-time	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

There is no fiscal impact to DNR associated with implementation of this legislation

Prepared by: Bob Swenson, Acting Director
Division: Geological & Geophysical Surveys
Approved by: Michael Menge, Commissioner
Agency: Natural Resources

Phone: 907-451-5001
Date/Time: 1/20/2006
Date: 1/20/2006

SENATE FINANCE
COMMITTEE

Amendment # 1

To Bill Number: HB 83

Sponsor: Wilken

Date: 5/16/06 Logged by: Robin

ADOPTED

24-LS0372X.1
Chenoweth/Bullock
4/30/06

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR WILKEN

TO: SCS CSHB 83(STA)

1 Page 2, lines 8 - 11:

2 Delete all material and insert:

3 "(4) "seismic hazard" means an earthquake-induced geologic condition
4 that is a potential danger to life and property; in this paragraph, "geologic condition"
5 includes strong ground shaking, landslide, avalanche, liquefaction, tsunami
6 inundation, fault displacement, and subsidence;"

SENATE FINANCE COMMITTEE
5 / 1 / 2006 COMMITTEE ACTION

Bill Number	HB 83		
Amendment	#1		
Motion	to adop		
<u>Motion by</u>	Wilken		
<u>Objection by</u>	Green		
Removed	✓		
<u>Second Objection by</u>			
<u>Committee Member</u>	Y	<u>Vote</u>	N
Senator Hoffman			
Senator Olson			
Senator Stedman			
Senator Bunde			
Senator Dyson			
Co-Chair Wilken			
Co-Chair Green			
<u>Tally</u>			
Yea			
Nay			
Absent			
MOTION	ADOPTE D		

SENATE CS FOR CS FOR HOUSE BILL NO. 83(FIN)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVES LEDOUX, GUTTENBERG, FOSTER

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the Alaska Seismic Hazards Safety Commission; and providing for
2 an effective date."

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

4 * Section 1. AS 44.37.065(b) is amended to read:

5 (b) The commission is composed of 11 [NINE] members appointed by the
6 governor for terms of three years. [A MEMBER HOLDS OFFICE UNTIL A
7 SUCCESSOR IS APPOINTED.] A vacancy is filled for the unexpired term.

8 * Sec. 2. AS 44.37.065(c) is amended to read:

9 (c) The governor shall appoint to the commission

10 (1) a representative from the University of Alaska;

11 (2) three representatives, each [A REPRESENTATIVE] from a local
12 government in a separate seismically active region of the state;

13 (3) a representative from the Department of Natural Resources;

14 (4) a representative from the Department of Military and Veterans'

Affairs;

(5) a representative from an appropriate federal agency;

(6) a representative of the insurance industry; and

(7) three members from members of the public who are expert in the fields of geology, seismology, hydrology, geotechnical engineering, structural engineering, emergency services, or planning.

* Sec. 3. AS 44.37.069 is amended by adding new paragraphs to read:

(4) "seismic hazard" means an earthquake-induced geologic condition that is a potential danger to life and property; in this paragraph. "geologic condition" includes strong ground shaking, landslide, avalanche, liquefaction, tsunami inundation, fault displacement, and subsidence;

(5) "tsunami" means a large ocean wave produced by an earthquake, landslide, or volcanic eruption.

* Sec. 4. AS 6.010(a)(9) is amended to read:

(9) Alaska Seismic Hazards Safety Commission (AS 44.37.065) - June 30, 2012 [2005].

* Sec. 5. The uncodified law of the State of Alaska is amended by adding a new section to read:

APPOINTMENT OF MEMBERS; TERM OF OFFICE. (a) The governor shall appoint 11 members to the Alaska Seismic Hazards Safety Commission.

(b) Notwithstanding AS 44.37.065(b), as amended by sec. 1 of the Act, four members appointed by the governor shall serve terms of four years, four members shall serve terms of three years, and three members shall serve terms of two years.

(c) A person who is a member of the commission immediately before the effective date of this Act

(1) shall hold office until the effective date of an appointment to that office under (a) of this section; and

(2) may be reappointed by the governor for a term in (b) of this section.

* Sec. 6. This Act takes effect immediately under AS 01.10.070(c).

Amend #1



Official Business

Alaska State Senate

Senate Finance Committee

Mail Stop 3100
State Capitol
Juneau, Alaska 99801-0182

FAX COVER SHEET

DATE: 5/1/06 TIME: 9:55am

TO: LEGAL

NUMBER OF PAGES, INCLUDING COVER SHEET: 2

FROM: ROBIN PAUL
SENATE FINANCE CMTE. ASST. SECRETARY
PHONE: 465-2618
FAX: 465-2187

NOTES: FINAL PLS: SCS CSHB83(FIN)

Version X plus

amendment #1 (24-150372/x.1)

(Attached)

Thank you!

Robin

THE
FOLLOWING
DOCUMENT(S)
ARE
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ORIGINAL
COPIES

from Dr. Gary Carver

Honorable Gabrielle LeDoux
Representative
State of Alaska

Gabrielle

Thanks for the call concerning the State of Alaska Seismic Hazards Safety Commission. I am particularly concerned that the Commission has never been filled and is facing expiration soon unless commissioners are appointed in the near future. Of all the states, none has a greater need for such a group.

Here are several contacts that may be very helpful. I suggest you contact them.

Representative Dave Guttenberg, House District 8 – Fairbanks. Rep. Guttenberg is also interested in the Seismic Hazards Safety Commission and has both information and expertise.

Commissioner Tom Irwin, Department of Natural Resources. I have been told he has reports and documents related to the Seismic Hazard Safety Commission that have not been released to the public but probably could be made available to members of the state legislature. Ph. 907-465-2400, email: <tom_irwin@dnr.state.ak.us>

Dr. Rod Combellick, Acting Director of the Division of Geological & Geophysical Surveys. Rod is very knowledgeable regarding the Seismic Hazards Safety Commission, the history of its formation, and a lot more. Ph. 907-451-5007, email <rod@dnr.state.ak.us>

Consider the following:

ALASKA IS EARTHQUAKE COUNTRY

Alaska is the most seismically active state in the union. For comparison, California, widely regarded as the benchmark state for earthquake hazards nationally, has experienced 16 magnitude 7 or larger earthquakes historically (since about 1900). A magnitude 7 or larger earthquake is very powerful and if such an earthquake occurs in a populated region will cause widespread and severe damage and may result in casualties. During the same period, Alaska has had 80 magnitude 7 or larger earthquakes, including the second- and third-largest worldwide, the 1964 magnitude 9.2 (Prince William Sound - Kodiak) and 1957 magnitude 9.1 (eastern Aleutian Islands) earthquakes. Both of these were larger than the recent earthquake in Indonesia that generated the catastrophic tsunami in the Indian Ocean, and both generated killer Pacific-wide tsunamis. Indeed, Alaska accounts for more than half of all the earthquakes that occur in the United States and about ten percent of all earthquakes worldwide.

MOST ALASKANS LIVE NEAR BIG ACTIVE FAULTS

Alaska's population is largely concentrated in the seismically active regions of the state. The largest and most active faults in Alaska (and North America) are the Aleutian subduction zone and the Queen Charlotte-Fairweather fault. The Aleutian subduction zone extends from northern Prince William Sound near Cordova and Seward southwest to Kodiak and further

west along the Pacific side of the Alaskan Peninsula and Aleutian chain. This is one of the largest faults in the world and one of the most active. It produced both the 1957 and 1964 earthquakes. The Queen Charlotte–Fairweather fault system extends through southeast Alaska from the Yakutat–Sitka area south past Juneau, Ketchikan and the other communities in the panhandle. The Queen Charlotte–Fairweather fault is the Alaska equivalent of California's San Andreas Fault, just as large, just as active, and for southeast Alaska communities, just as dangerous. Anchorage faces exposure to the Aleutian subduction zone, as illustrated by the damage it caused there in 1964. Anchorage and the Mat-Su valley are in close proximity to the large and highly active Castle Mountain fault and a host of potentially dangerous faults in northern Cook Inlet. Fairbanks also is located in an area of significantly high seismicity from buried active faults that lie beneath the Tanana lowlands.

ALASKANS HAVE BEEN "LUCKY" SINCE 1964

Although a number of strong earthquakes have occurred in Alaska since the devastating 1964 earthquake, all have fortunately been located far away from populated areas. This is somewhat remarkable considering the close correlation between population centers and our largest and most active faults. It is only a matter of time before we experience another serious earthquake that centers on one of our cities. Preparedness is the only antidote we have to mitigate our seismic exposure. The Seismic Hazards Safety Commission is a potentially invaluable asset in promoting the earthquake preparation essential to reduce our earthquake threat and reduce future losses to the state that, without effective mitigation measures, are inevitable.

RECENT LESSONS LEARNED (OR NOT LEARNED)

On Nov. 3, 2002 the Denali fault in the central Alaska Range ruptured and generated a magnitude 7.9 earthquake, the largest "continental" earthquake in North America in the past 150 years. Fortunately the Denali fault is located in a sparsely populated part of the state. However, the fault rupture intersected the Trans-Alaska Oil Pipeline and offset the pipeline about 18 feet. Much to the credit of Alyeska Pipeline Service Company, a thorough study of earthquake hazards to the pipeline was conducted prior to its construction. Where the pipeline crossed the Denali fault special engineering design was incorporated, which allowed the pipe to withstand the 18 feet of offset and strong shaking without failure. The pipeline was only briefly shut down and no oil was spilled. Without the special seismic design considerations the pipeline most certainly would have sustained significant damage and been off line for a much longer period at great cost to the state and the petroleum industry. Since the Denali fault-pipeline crossing is adjacent to the Delta River and the river was thawed and flowing at the time of the earthquake, a large oil spill could have been catastrophic, with oil entering the Delta River, the Tanana and Yukon rivers, and possibly the Bering Sea. The state of Alaska dodged that bullet only because of earthquake preparation in the form of knowledge and engineering design to accommodate the Denali fault hazard. Did we learn anything from this experience? Failure to establish a state Seismic Hazards Safety Commission would suggest we did not.

A REAL AND PRESENT NEED

One of the roles of a Seismic Hazards Safety Commission would be to provide a resource for state and local government officials and Alaskan communities that want assistance in acquiring information and guidance necessary to help mitigate earthquake hazards. For example, presently our community (Kodiak) has determined that there is significant cause to believe some of our schools may not be life-safe in the event of a strong local earthquake. To this end, the Kodiak Island Borough has raised funds through a voter-approved bond issued to investigate the earthquake safety of our schools. Inherent in this process is the need to follow complex FEMA guidelines and understand specialized technical information regarding earthquakes and engineering. Compliance with the FEMA regulations is necessary if we are to qualify for federal funds to accomplish mitigation goals. For almost a year our local government has been struggling with these issues without the necessary expertise and little in the way of sources for advice and guidance. Failure to meet strict FEMA requirements jeopardizes the possibility of federal financial support to mitigate our hazards. The Kodiak community has discovered first-hand how useful a Seismic Hazards Safety Commission would be and how difficult it is for small local governments in the state to dealing with the earthquake mitigation issue.

THE CLOCK IS TICKING

As Alaska grows and our state's infrastructure develops time is passing and the next severe earthquake is drawing closer. Meanwhile, no coherent statewide program is in place to specifically to promote and support earthquake preparedness, and no official group is available to assist Alaska's communities with the mitigation measures needed to reduce our exposure to this threat. Do we need to experience the potentially huge financial losses and casualties a large earthquake in an urban area will bring to our state before we take action to reduce the earthquake hazard? Mitigation pays great dividends and costs very little compared to such losses. However, it is effective only if the mitigation action is done before the earthquake. Alaska cannot afford to stand idly by and wait for the inevitable, the consequences are too great. Establishment of the Seismic Hazards Safety Commission is a powerful first step in saving Alaskan lives, property, and financial well-being. Failure to complete the process by appointing the commission is unconscionable.

Finally, what role could the Commission play in reducing earthquake related losses in the state? According to the Alaska Division of Legislative Audit, Audit Digest #10-20038-05 as posted on the State of Alaska Web Site:
<http://www.legaudit.state.ak.us/pages/digests/2005/20038dig.htm>

- The mitigation of seismic hazards refers to studying, identifying, and prioritizing actions that could be taken to reduce the impact of earthquakes. The most cited tangible mitigation measure has been modification of zoning and building codes. Accordingly, the actual implementation of many of the commission's earthquake mitigation recommendations would have to be done by local governments. Having local representatives as part of the commission may facilitate the implementation of the commission's recommendations.
- Many local governments adopted the International Building Code (IBC) and have, therefore, already been involved in deciding if they believe it is in the public's interest to

update local codes in conformity with IBC changes. Having more local government members would bring, to the commission, a sense of the local concerns about adding or modifying existing local ordinances for improved earthquake mitigation factors."

Local jurisdiction representation on the commission is very important, but I think it is unfortunate that the legislative audit report's emphasis is placed on the use of building codes and zoning to mitigate seismic hazards. Code and zoning regulation is only a small part of a wide range of possible approaches the commission might take to reduce our exposure to seismic hazards. Some critics of the Commission construe such regulation negatively. Other more important and potentially more useful commission approaches could include coordination of state wide education and awareness, development of links with local, state, and federal agencies including FEMA, the US Geological Survey, Association of Structural Engineers, and a host of private and government agencies that could provide a range of assistance to local officials, private industry, and Alaska citizens.

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Anchorage Daily News

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Tsunami warning system won't end threat to Alaska**BUOYS: Purpose of devices is to warn rest of Pacific of waves from earthquakes here.**

By TOM KIZZIA

Anchorage Daily News

(Published: January 15, 2005)

Alaskans shouldn't be lulled by the existence of high-seas buoys in the Pacific Ocean into thinking they are much better protected from danger than residents of Banda Aceh in Indonesia, according to earthquake and tsunami experts here.

 [Photo gallery](#)

The buoys that detect passing waves are subject to breakdown -- as evidenced by the fact that three of the six currently deployed have been out of service for a year.

More significantly, earthquake and tsunami experts said in recent interviews, those buoys are deployed to warn the rest of the Pacific Rim about tsunamis generated by earthquakes in unstable Alaska. An Alaska-generated wave would probably hit the shore here before it reaches the first buoy heading south.

"By the time it gets to the buoy, you better have everybody evacuated," said Paul Whitmore, the scientist-in-charge at the West Coast/Alaska Tsunami Warning Center in Palmer.

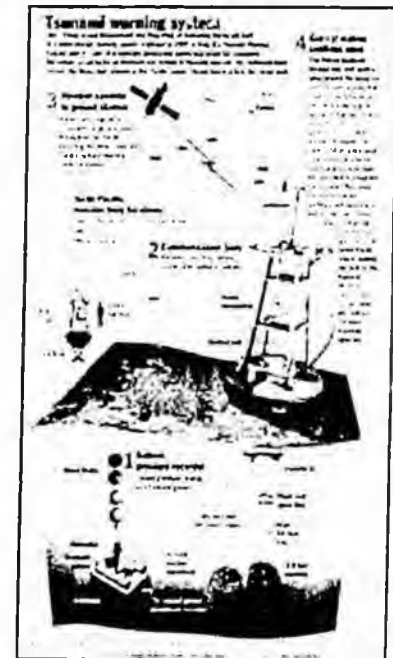
The situation is the same in the Indian Ocean. A buoy warning system there might have provided advance warning to Sri Lanka, which was hit several hours after the triggering earthquake Dec. 26. But it would not have alerted the coast of Sumatra, adjacent to the lift zone in the Andaman Sea.

An expanded buoy system in the Pacific, such as the one proposed Friday by the Bush administration, would provide more notice to Alaska of tsunamis coming from other places. But it would be unlikely to help with Alaska's own waves, whether generated by shifting subsea faults or landslides. Both kinds of waves proved devastating here during the 1964 earthquake.

What Alaska does have going for it, compared with the Indian Ocean nations, is a much more extensive deployment of seismometers and a notification system ready to put out alerts of a possible tsunami in a matter of minutes. Alaska also has a series of tidal gauges in coastal communities, helpful to some extent in confirming the existence of a wave as it passes, and a civil defense system drilled in the potential dangers to coastal towns. People have been told not to wait for a siren to evacuate.

"If the ground is shaking hard enough so that you have trouble standing, it's close," state seismologist Roger Hansen said. "I would say go to higher ground."

How high is high enough? Alaska is now mapping its tsunami danger zones. In Homer, for example, state and University of Alaska experts just released last month a new map showing the



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[Click on photo to enlarge](#)

expected high-water mark of waves generated by the two likeliest subsea earthquake hazards. The result was surprisingly good news, with only a small segment of the low-lying Homer Spit likely to get washed over. Even so, city officials said, they would evacuate the Spit if the Palmer center reported a wave heading into Cook Inlet.

"We're in the prevention business," Homer fire chief Bob Painter said.

The new "inundation map" is based on mathematical formulas -- accounting for such things as fault lines and sea bottom contours -- first worked out for Kodiak and calibrated against the actual waves that killed six people there after the 1964 Alaska earthquake. The numbers are run through a supercomputer at the University of Alaska Fairbanks. Similar hazard maps are being prepared for Seward and Sitka, Hansen said.

Anchorage is believed to have virtually no danger from long-distance tsunamis because it is at the end of Cook Inlet, whose long shallow straits would dissipate any wave's energy, Hansen said.

The new Homer map doesn't account for what has long been thought the most serious tsunami threat in the area, an eruption and landslide at Augustine Volcano about 60 miles away. Scientists have grown sharply divided over whether the island volcano presents a major tsunami threat.

Apart from Augustine, subsea landslides often trigger local tsunamis with little warning. Chris Waythomas, a hydrologist with the Alaska Volcano Observatory, said five of the seven fatal tsunamis in Alaska history were probably landslide-induced, including the most recent one, in Skagway in 1994.

The Pacific alert system for long-distance waves began to take shape after a 1946 earthquake in the Aleutians produced a wave that surprised Hawaii, killing 159 people along the waterfront in Hilo. Major waves from that quake hit Chile 12 hours later.

Prediction efforts took another big step forward after the magnitude-9.2 earthquake in Alaska in 1964, with establishment of a central information gathering point in Palmer. Most of the deaths caused by the 1964 quake were due to waves, including 10 as far away as Crescent City, Calif.

Today, the Palmer facility is hooked into 150 seismic sites around the world, including 50 outside the Pacific region. When these sites send information of a serious shake, employees notified by beepers are expected on the scene in five minutes. They assess the data and decide whether the quake may have generated a wave. An automatic warning system sends alarms to the National Weather Service, the Coast Guard and various emergency response agencies.

They won't know whether the subsea rumble really created a tsunami until they start to pick up information from tidal gauges at docks in a scattering of coastal towns. Some of those gauges feed information to Palmer via satellite steadily, while others beam data only every half hour, Hansen said.

The deep-sea buoys in the Pacific can pass along more precise measures of a wave's size. But their most important role may be in calling off false alarms. Presumably a tsunami alert has already been issued by the time the wave passes the so-called DART buoys (for "Deep-ocean Assessment and Reporting of Tsunamis"), which are set in water several miles deep. The DART buoys have sensors on the ocean floor capable of gauging the pressure change of waves only half an inch tall as they pass. If no wave is detected, the alarms are called off, saving coastal evacuations that may cost tens of millions of dollars, officials say.

Indeed, the buoy system won kudos in November 2003 when they allowed Hawaii to cancel an evacuation after an ominous 7.5-magnitude quake in the western Aleutians.

"They're better for canceling warnings than issuing them," said Whitmore, at the Palmer center.

Unfortunately, the western Aleutian DART buoy that gave the all-clear in 2003 is currently out of service, as is the buoy off Unalaska and one other off the Oregon coast.

"Some of us on the steering committee are concerned that half the system is down now," state seismologist Hansen said, referring to a national tsunami hazard group made up of five Pacific rim states and three federal agencies.

One of the three broken DART buoys has already been pulled and repaired and is ready for redeployment when winter sailing weather allows, according to National Weather Service spokesman Greg Romano.

"We are taking steps to make it a more rugged system," Romano said.

Increasing the number of deep-sea buoys would provide faster information and would also help triangulate the source and direction of waves, Whitmore said. The wave off Sumatra was over a 600-mile zone, not simply from the quake's epicenter, he said.

For Alaskans near the source of a wave, though, more buoys may not be much help. The first seismographic report of a potential tsunami may be the only useful warning Alaska gets.

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SEAFOOD.COM NEWS [FAO Press statement] 13 January 2005, Washington and Rome -- The tsunami waves have had a devastating impact on the fisheries sector in many countries of the Indian Ocean, FAO said today.

In Sri Lanka, more than 7 500 fishers have been killed by the tsunami and over 5 600 are still missing. More than 5 000 Sri Lankan fishing families have been displaced and 80 percent of coastal fishing vessels have been completely destroyed or very seriously damaged, including around 19 000 boats. Ten out of the 12 main fishing harbours in the country have been completely devastated including infrastructure such as ice plants, cold rooms, workshops and slipways.

FAO has already sent fisheries experts to Sri Lanka to advise the government on the repair and rehabilitation of fishing harbours and infrastructure, fishing boats and fishing gear.

In the Nanggroe Aceh Darussalam Province of Indonesia, where 42 000 fishers and their families live, 70 percent of the small-scale fishing fleet have been destroyed. In Nias Island, about 800 fishing canoes have been destroyed. Two thirds of local fisherfolk from the capital Banda Aceh were killed by the waves.

Fish farming was severely affected in northern Sumatra with about 1 000 fish cage farms having been completely destroyed.

'FAO is currently assessing the damage and will help the government and local authorities to repair and replace fishing boats and gear and start with the initial repair of water fishponds and infrastructure so that fish production can be resumed as soon as possible,' said Jeremy Turner, Chief of the Fishery Technology Service.

In the affected coastal areas of Thailand, 386 fishing villages with a population of around 120 000 people have lost about 4 500 fishing boats, or their fishing gear has been seriously damaged. Most fishing boats are owned by small-scale, traditional fishers. The total damage to marine capture fisheries alone is estimated at around \$16.6 million.

Eight fishing harbours and their infrastructure have been seriously damaged. The affected aquaculture industry has suffered a serious setback. A total of around 15 800 fishing cages have been damaged, this has caused losses of about \$33 million. In some areas, seafood supplies have dropped by 90 percent since the tsunami.

FAO is preparing support measures for fisherfolk in six southern Provinces of Thailand providing essential fisheries inputs and assisting in the repair of damaged fishing vessels and damaged fishery infrastructure.

In the Maldives, where a very large part of the population depends on fishing for their livelihood, more than one third of all inhabited islands were severely damaged and hundreds of boats and harbours were destroyed. FAO is planning to assist the country with the repair and replacement of fishing boats, engines and fishing gear as well as with

the repair and rehabilitation of fisheries infrastructure.

In the state of Andhra Pradesh in India, fishers along the 1 000 km coastline were the worst hit by the tsunamis. Around 2 000 fishing boats and about 48 000 fishing gears were lost, about 300 000 fishers have lost their jobs. In the state of Tamil Nadu, 591 fishing villages and 30 islands of the Andaman and Nicobar islands have been badly affected by the tsunamis. India's seafood exports may decline by around 30 percent as a result of the tsunami.

In Myanmar, some 200 villages spread along the southern coast and heavily relying on fishing have been hit by tsunamis and lost fishing vessels, fishing gear and infrastructure. Some 17 seaside fishing villages have been reported as destroyed and at least 53 people as killed by the tsunamis. FAO is preparing for a long-term participation in relief and rehabilitation measures for the affected fishing communities.

In Malaysia, the livelihoods of about 6 000 fishers have been affected by the disaster.

In Somalia, around 2 600 fishing boats have been destroyed. FAO is assisting in damage and needs assessments and making preparations for the repair of damaged fishing vessels and for the provision of essential fishing inputs in six southern provinces of the country. FAO will also provide short-term financial aid and training in improved fishing techniques and boatbuilding to about 2 000 fishers.

In the Seychelles, coastal fish farms and the artisanal fisheries sector suffered extensively. A great number of fishing vessels were damaged or lost. The two fish processing plants and cold storage facilities located at the fishing port in Victoria were also affected by the tsunamis. FAO is preparing assistance programmes for the repair and replacement of fishing vessels and landing facilities and for the restoration of sustainable livelihoods in the fisheries sector.

The damage caused by the recent tsunamis in the fisheries and aquaculture sectors of the affected countries is worse and more complex than expected, Turner said.

FAO's Fisheries Department has embarked on a concerted effort to assist the fisheries and aquaculture sectors of the tsunami effected countries through relief and rehabilitation measures and projects.

LESSMEIER & WINTERS

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E-MAIL: lw@pcl.net

January 27, 2005

Representative Gabrielle LeDoux
State Capitol, Room 412
Juneau, Alaska 99801

Re: House Bill 84

Dear Representative LeDoux:

I am writing to you on behalf of State Farm Insurance Companies with respect to House Bill 84. State Farm supported the creation of the Alaska Seismic Hazards Safety Commission and supports your proposal to extend the Commission through another five years. If there is any assistance or information we can provide to you, please feel free to call.

Sincerely,



Sheldon E. Winters

SEW/caf
RepLeDoux01SEW.wpd

**Written Testimony by Dr. John L. Aho
In Support of the State of Alaska HB 83
Establishing the Alaska Seismic Hazards
Safety Commission**

I thank you for the opportunity to submit written testimony in support of HB 83, an act establishing the Alaska Seismic Hazards Safety Commission (ASHSC).

My name is Dr. John Aho and I reside at 2015 Shepherdia Drive in Anchorage, Alaska. I have over 30 years of engineering experience in Alaska having recently retired as a vice president and principal project manager with CH2M HILL. I have been involved as a designer and/or project manager in over 300 projects throughout the State and, during my career, have had the privilege of being actively involved in earthquake risk mitigation activities in Alaska. I currently serve on the Board of Directors of the Earthquake Engineering Research Institute.

As you know, Alaska is unique for having the highest earthquake hazard in the nation. Because of the high probabilities of strong ground motion, the high tsunami hazard, and the presence of very high risk infrastructure there is an increasing need for a Commission that has the goal to reduce earthquake risk by supporting the advancement of the science and practice of earthquake engineering, improving understanding of the impact of earthquakes, and promoting measures to reduce the harmful effects of earthquakes.

The ASHSC will be able to harness the expertise of committed earthquake professionals and interested individuals with opportunities to provide advice in the generation of valuable guidance documents, identify areas of seismic vulnerability that need attention by other agencies or the legislature, and evaluate seismic programs throughout State government. The ASHSC will provide an effective means of integrating public, private, local and state government input into important seismic decisions.

As the population of Alaska grows and the supporting infrastructure expands we have an increasing risk of loss of life and property due to damaging earthquakes. We have been extremely fortunate not to have suffered a devastating earthquake since 1964 but were certainly reminded of the potential for disaster by the 2002 Denali Earthquake. However, it is just a matter of time before a significant earthquake will cause damage and loss of life in one or more of Alaska's urban centers. We need the ASHSC now to provide leadership, and to ensure that as much as possible is done to reduce those damages. After an earthquake, we will need the ASHSC to provide wisdom and guidance for a rapid and full recovery.

For all these reasons, I urge you to recommend the establishment of the ASHSC through HB 83 and that you stand solidly behind this important piece of legislation. This legislation will have a positive effect on the safety of generations of Alaskans.

Dr. John L. Aho
2015 Shepherdia Drive
Anchorage, Alaska 99508

A Resolution of the Local Emergency Planning Committee Association (LEPCA) Urging the Alaska State Senate to pass HB 83, an Act extending the sunset date for the Alaska Seismic Hazards Safety Commission

WHEREAS, with more than 33,000 miles of shoreline, Alaska has been, in the past and will be in the future, devastated by earthquakes and tsunamis. Since about 1900, Alaska has had 80 magnitude 7 or larger earthquakes. This includes the second- and third- largest earthquakes worldwide, which were larger than the December 2004 earthquake in Indonesia; and

WHEREAS, Alaska accounts for more than half of all the earthquakes that occur in the U.S. and about ten percent of all earthquakes worldwide; and

WHEREAS, Alaska's population is growing and the state's infrastructure is developing; and

WHEREAS, the Alaska Seismic Hazards Safety Commission can play a vital role in reducing earthquake and tsunami related losses; and

WHEREAS, the Alaska Seismic Hazards Safety Commission can be a valuable asset in promoting earthquake preparation, which is essential to reducing Alaska's earthquake threat and future losses that without effective mitigation measures, are inevitable; and


WHEREAS, one of the roles of the Alaska Seismic Hazards Safety Commission is to provide a proactive resource for state and local government officials and Alaskan communities that want assistance in acquiring information and guidance necessary to help mitigate earthquake hazards; and

WHEREAS, House Bill 83 extends the sunset date for the Alaska Seismic Hazards Safety Commission to June 30, 2008.

NOW, THEREFORE BE IT RESOLVED that the Local Emergency Planning Committee Association (LEPCA) respectfully urges the Alaska State Senate to move HB 83 through the committee process and vote to extend the sunset date for the Alaska Seismic Hazards Commission to June 30, 2008 with the adoption of HB 83.


LEPCA Co-Chair

Sept 15 2005
Date


LEPCA Co-Chair

9/15/05
Date

**STATE EMERGENCY RESPONSE COMMISSION
RESOLUTION NUMBER 06-01**

**A RESOLUTION OF THE STATE EMERGENCY RESPONSE COMMISSION
SUPPORTING HOUSE BILL 83, RETAINING THE ALASKA SEISMIC HAZARDS
SAFETY COMMISSION**

WHEREAS, the State Emergency Response Commission (SERC) has determined there is no duplication of responsibility between its duties and that of the Alaska Seismic Hazards Safety Commission (ASHSC); and

WHEREAS, earthquakes and tsunamis continue to present hazards worldwide; and

WHEREAS, Alaska is located in one of the world's most active seismic zones; and

WHEREAS, the ASHSC, composed of knowledgeable professionals, was created primarily to:

- (1) Recommend goals and priorities for seismic and tsunami hazard risk mitigation to the public and private sectors;
- (2) Recommend policies to the Governor and the legislature, including needed research, mapping, and monitoring programs;
- (3) Offer advice on coordinating disaster preparedness and seismic and tsunami hazard risk mitigation activities of government at all levels, review the practices for recovery and reconstruction after a major earthquake or tsunami, and recommend improvements to mitigate losses from similar future events;
- (4) Gather, analyze, and disseminate information of general interest on seismic and tsunami hazard risk mitigation;
- (5) Establish and maintain necessary working relationships with other public and private agencies;
- (6) Review predictions and warnings issued by the Federal government, research institutions, and other organizations and persons and suggest appropriate responses at the State and local levels; and
- (7) Review proposed seismic and tsunami hazard notifications and supporting information from State agencies, evaluate possible socioeconomic consequences, recommend the Governor issue formal seismic and tsunami hazard notifications when appropriate, and advise State and local agencies of appropriate responses.



Regional Citizens' Advisory Council / "Citizens promoting environmentally safe operation of the Alyeska terminal and associated tankers."

In Anchorage: 3709 Spenard Road / Anchorage, Alaska 99503 / (907) 277-7222 / FAX (907) 277-4523

In Valdez: P.O. Box 3089 / 339 Hazelet Avenue / Valdez, Alaska 99686 / (907) 835-5957 / FAX (907) 835-5926

MEMBERS

Resolution 06-02

Alaska State
Chamber of
Commerce

Supporting Passage of House Bill 83
in the Legislature of the State of Alaska
Twenty-Fourth Legislature - Second Session

Alaska Wilderness
Recreation & Tourism
Association

WHEREAS, Section 5002 (a)(D) of the Oil Pollution Act of 1990 finds that a mechanism should be established which fosters the long-term partnership of industry, government, and local communities in overseeing compliance with environmental concerns in the operation of crude oil terminals;

Chugach Alaska
Corporation

City of Cordova

WHEREAS, the Prince William Sound Regional Citizens' Advisory Council, an independent non-profit corporation whose mission, as mandated by the Oil Pollution Act of 1990, is to promote environmentally safe operation of the Valdez Marine Terminal and associated tankers;

City of Homer

City of Kodiak

WHEREAS, Alaska is located in one of the most seismically active areas of the world;

City of Seldovia

City of Seward

WHEREAS, the most severe seismic event ever recorded in North America occurred in 1964 in the vicinity of the Valdez Marine Terminal;

City of Valdez

City of Whittier

WHEREAS, the Alaska Seismic Hazards Safety Commission was formed to "recommend goals and priorities for seismic hazard mitigation to the public and private sectors" and to "gather, analyze and disseminate information on seismic hazard mitigation," and to "establish and maintain necessary working relationships with public and private agencies;" and

Community of
Chenequa Bay

Community of
Tatitlek

WHEREAS, a severe seismic event has the potential to cause catastrophic oil spills;

Cordova District
Fishermen United

NOW, THEREFORE, BE IT RESOLVED, that because of the potentially catastrophic impacts of major seismic events on crude oil transportation in Prince William Sound, the Prince William Sound Regional Citizens' Advisory Council hereby supports the retention of the Alaska Seismic Hazards Safety Commission with the passage of House Bill 83.

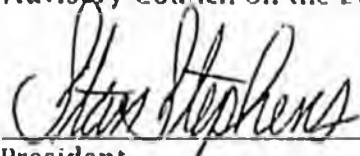
Kodiak Peninsula
Borough

Kodiak Island
Borough

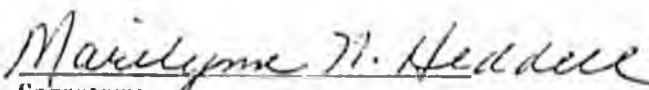
Kodiak Village Mayors
Association

PASSED AND APPROVED by the Prince William Sound Regional Citizens' Advisory Council on the 26 day of January, 2006.

Oil Spill Region
Environmental
Coalition



President



Secretary

Prince William Sound
Aquaculture
Corporation

HB

88

HFIN

FILE

FRANK H. MURKOWSKI
GOVERNOR

DEPARTMENT OF LAW
CRIMINAL DIVISION

District Attorney's Office
310 K Street, Suite 520
Anchorage, Alaska 99501

Telephone: (907) 269-6300
Fax: (907) 269-6321

February 18, 2005

Representative Mike Chenault
Co-Chair, House Finance Committee
Alaska Legislature
State Capitol, Room 507
Juneau, AK 99801

Representative Kevin Meyer
Co-Chair, House Finance Committee
Alaska Legislature
State Capitol, Room 515
Juneau, AK 99801

Re: H.B. 88 – automatic waiver of juveniles for weapons offenses

Dear Committee Chair:

During the House Judiciary Committee's consideration of the bill automatically waiving juveniles ages 16 and 17 to adult court for misconduct involving weapons in the first and second degrees, some members of the Judiciary Committee asked whether prosecutors have had difficulty utilizing discretionary waiver in juvenile cases. I have gathered information regarding our experience with discretionary waiver and I am writing to respond to those questions.

Since 2001, the prosecutors in juvenile cases in the Anchorage office of the Attorney General or the District Attorney have tried to use the discretionary waiver provisions of juvenile law in four cases. We were unsuccessful in three of the four. Two of the three unsuccessful applications were in murder cases; one was in an attempted murder case.

The four details of the four cases are as follows.

R.B. was a fourteen-year-old Anchorage resident who participated in the murder of Rachael Peace. While his eighteen-year-old accomplice strangled her to death, R.B. held his hand over Rachael Peace's mouth and nose. R.B. did not know Rachael Peace prior to night of her murder. R.B. and his accomplice later attempted to destroy the evidence of the crime by burning Rachael Peace's body at Crow Creek Pass near Girdwood, Alaska. The Division of Juvenile Justice in consultation with the Department of Law filed a petition to waive juvenile jurisdiction. Superior Court Judge Dan Hensley declined to waive juvenile jurisdiction.

J.W. was a fifteen-year-old from Kenai, Alaska, who got engaged in a verbal argument with the driver of a truck and, as the truck drove away, pulled a .357 out of his back pack and fired three shots at the driver. The shots struck the back of the cab of the truck. One bullet lodged behind the driver's seat, but did not penetrate any further. Two other bullets passed through the rear window of the truck. One of those bullets lodged in the passenger doorframe, almost striking the passenger. No one was hurt during the incident. A petition to waive juvenile jurisdiction was filed in Kenai. Superior Court Judge Hal Brown declined to waive juvenile jurisdiction.

P.T. was a fifteen-year-old Anchorage teenager who participated in the robbery and murder of Anchorage businesswoman, Chong Cho. Three robbers, two adults and P.T., robbed Ms. Cho of the day's receipts from her restaurant as she returned home from work. One of the robbers shot her in the head, killing her. Police did not have evidence identifying which of the three robbers did the shooting. A petition to waive juvenile jurisdiction was filed by the Division of Juvenile Justice and the Department of Law. Superior Court Judge John Reese declined to waive juvenile jurisdiction.

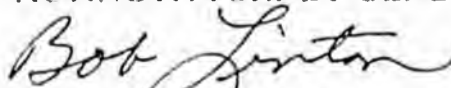
B.K. was a fifteen-year-old in Pilot Point, who shot his cousin in the head with a .22 rifle and sexually assaulted her as she lay dying. A petition to waive juvenile jurisdiction was filed. Superior Court Judge Fred Torissi waived juvenile jurisdiction.

Since judges would not waive juvenile jurisdiction in three out of four murder or attempted murder cases, we do not believe we would be successful in seeking discretionary waiver in a case of a drive-by shooting in which no one has actually been injured. If you would like any additional information regarding these cases, please let me know.

Sincerely,

SCOTT J. NORDSTRAND
ACTING ATTORNEY GENERAL

By:



Leonard M. Linton, Jr.
District Attorney

*Adopted Amendment 1
on page 1.*

adopted 3/17/07

24-GH1096\Y
Luckhaupt
3/17/05

n/o

CS FOR HOUSE BILL NO. 88()

**IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION**

*RO
3-21-05
no recommendation*

BY

**Offered:
Referred:**

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to certain weapons offenses involving minors; to aggravating factors in**
2 **sentencing for certain offenses committed on school grounds, on a school bus, at a**
3 **school-sponsored event, or in administrative offices of a school district; to mitigating**
4 **factors in sentencing for a defendant's assistance to authorities to detect, apprehend, or**
5 **prosecute other persons who committed an offense; and providing for an effective date."**

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

7 *** Section 1. The uncodified law of the State of Alaska is amended by adding a new section**
8 **to read:**

9 **SHORT TITLE. Sections 1 - 3 and 5 of this Act may be known as the School**
10 **Violence Prevention Act of 2005.**

11 *** Sec. 2. The uncodified law of the State of Alaska is amended by adding a new section to**
12 **read:**

13 **FINDINGS AND INTENT. (a) The legislature finds that**

*adopted
Amendment 1
Delete
Sec. 2
3-17-05*

1 (1) violent crime among the state's youth is of concern to Alaskans;

2 (2) the Department of Health and Social Services conducted a youth risk
3 behavior survey and found the following:

4 (A) 29.8 percent of male students in this state responding to the survey
5 reported carrying a weapon; this figure is higher than the national average;

6 (B) 11.8 percent of male students in this state responding to the survey
7 reported carrying a weapon, such as a gun, knife, or club, on school property within
8 the 30 days before taking the survey; this figure is higher than the national average;

9 (C) nearly 11 percent of high school students in this state responding
10 to the survey reported having been threatened or injured with a weapon, such as a gun,
11 knife, or club, on school grounds within the 12 months before taking the survey; and

12 (3) in 2003, 13 percent of students responding to a survey by the Anchorage
13 School District reported feeling unsafe at school; this figure is more than double the average
14 percentage of students nationwide who felt unsafe at school.

15 (b) It is the intent of the legislature to further the important state interests of deterring
16 misconduct involving weapons by minors and eradicating crime in the schools of this state.

17 * Sec. 3. AS 12.55.155(c) is amended by adding a new paragraph to read:

18 (31) the offense is a violation of AS 11.41 or AS 11.46.400 and the
19 defendant directed the conduct constituting the offense against a person while the
20 person was on school grounds, on a school bus, at a school-sponsored event, or in the
21 administrative offices of a school district; in this paragraph,

22 (A) "school bus" has the meaning given in AS 11.71.900;

23 (B) "school district" has the meaning given in AS 47.07.063;

24 (C) "school grounds" has the meaning given in AS 11.71.900.

25 * Sec. 4. AS 12.55.155(d)(12) is amended to read:

26 (12) after commission of the offense for which the defendant is
27 being sentenced, the defendant assisted authorities to detect, apprehend, or prosecute
28 other persons who committed an offense;

29 * Sec. 5. AS 47.12.030(a) is amended to read:

30 (a) When a minor who was at least 16 years of age at the time of the offense is
31 charged by complaint, information, or indictment with an offense specified in this

1 subsection, this chapter and the Alaska Delinquency Rules do not apply to the offense
 2 for which the minor is charged or to any additional offenses joinable to it under the
 3 applicable rules of court governing criminal procedure. The minor shall be charged,
 4 held, released on bail, prosecuted, sentenced, and incarcerated in the same manner as
 5 an adult. If the minor is convicted of an offense other than an offense specified in this
 6 subsection, the minor may attempt to prove, by a preponderance of the evidence, that
 7 the minor is amenable to treatment under this chapter. If the court finds that the minor
 8 is amenable to treatment under this chapter, the minor shall be treated as though the
 9 charges had been heard under this chapter, and the court shall order disposition of the
 10 charges of which the minor is convicted under AS 47.12.120(b). The provisions of
 11 this subsection apply when the minor is charged by complaint, information, or
 12 indictment with an offense

13 (1) that is an unclassified felony or a class A felony and the felony is a
 14 crime against a person;

15 (2) of arson in the first degree; [OR]

16 (3) that is a class B felony and the felony is a crime against a person in
 17 which the minor is alleged to have used a deadly weapon in the commission of the
 18 offense and the minor was previously adjudicated as a delinquent or convicted as an
 19 adult, in this or another jurisdiction, as a result of an offense that involved use of a
 20 deadly weapon in the commission of a crime against a person or an offense in another
 21 jurisdiction having elements substantially identical to those of a crime against a
 22 person, and the previous offense was punishable as a felony; in this paragraph, "deadly
 23 weapon" has the meaning given in AS 11.81.900(b); or

24 (4) that is misconduct involving weapons in the

25 (A) first degree under

26 (i) AS 11.61.190(a)(1); or

27 (ii) AS 11.61.190(a)(2) when the firearm was

28 discharged under circumstances manifesting substantial and

29 unjustifiable risk of physical injury to a person; or

30 (B) second degree under AS 11.61.195.

*withdrawn
 amendment 3/17
 2*

delete line 30

*3/21 amendment passed etc 1
 stated*

31 * Sec. 6. The uncodified law of the State of Alaska is amended by adding a new section to

1 read:

2 APPLICABILITY. Sections 3 - 5 of this Act apply to acts committed on or after the
3 effective date of this Act.

4 * Sec. 7. This Act takes effect July 1, 2005.

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: CSHB 88 (FIN)
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: LAW
 Title Relating to penalties for certain RDU CRIMINAL
weapons offenses involving minors... Component CDCO
 Sponsor Governor
 Requester HFC Component No. _____

Expenditures/Revenues (Thousands of Dollars)
 Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	*****	*****	*****	*****	*****	*****

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

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	*****	*****	*****	*****	*****	*****

Estimate of any current year (FY2005) cost: 00
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

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

The legislation may or may not result in increased costs to the department.

Prepared by: House Finance Committee Phone 465-4945
 Date/Time 3/21/05 3:49 PM
 Approved by: Rep. Meyer, Co-Chair House Finance Committee Date 3/21/2005
Rep. Chenault, Co-Chair House Finance Committee

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: CSHB 88 (FIN)
() Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Health I Social Ser.
Title Relating to penallies for certain PDU Juvenile Justice
weapons offenses involving minors... Component Probation Services
Sponsor Governor
Requester HFC Component No. 2134

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	*****	*****	*****	*****	*****	*****

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

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	*****	*****	*****	*****	*****	*****

Estimate of any current year (FY2005) cost: 00

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The legislation may or may not result in increased costs to the department.

Prepared by: House Finance Committee

Phone 465 1945

Date/Time 3/21/05 3:48 PM

Approved by: Rep. Meyer, Co-Chair House Finance Committee
Rep. Chenault, Co-Chair House Finance Committee

Date 3/21/2005

HOUSE FINANCE COMMITTEE

DATE: 3-21-05

Amendment: 3

8

1

MEMBER

Favor

Oppose

MEMBER	Favor	Oppose
CROFT	✓	
FOSTER	✓	
HAWKER		✓
HOLM	✓	
JOULE	✓	
KELLY	✓	
MOSES	✓	
STOLTZE	✓	
WEYRAUCH	✓	
CHENAULT		
MEYER		

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: HB 88
(H) Publish Date: 1/19/05

Revision Date/Time (Note if correction): _____ Dept. Affected: LAW
Title: "An Act relating to penalties for certain weapons offenses involving minors; to delinquent minors..." RDU: CRIMINAL
Sponsor: _____ Component: CDCO
Requester: Governor Component No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill seeks to address the issue of school violence by adopting an aggravating factor in sentencing a person convicted of felony assault directed at a school employee. The bill would deter minors 16 years and older from committing felony offenses involving misconduct with weapons in the first and second degrees by holding them accountable to the same legal consequences as adults. Passage of this legislation will not have a foreseeable fiscal impact on the Department of Law.

Prepared by: Kathryn Daughhelee, Director Phone: 465-5427
Division: Administrative Services Date/Time: 1/18/05 3:14 PM
Approved by: Kathryn Daughhelee for Gregg D. Renkes, Attorney General Date: 1/18/2005
Agency: Department of Law

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 88
 (H) Publish Date: 1/19/05
 Dept Affected: Health & Social Services

Revision Date/Time (Note if correction):

Title WEAPONS OFFENSES INVOLVING MINORS
AND OFFENSES AGAINST SCHOOL
EMPLOYEES

RDU Juvenile Justice

Component Probation Services

Sponsor (RLS) BY REQUEST OF THE
GOVERNOR

Requester GOVERNOR

Component No. 2134

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1037 GF/Mental Health						
Other(Specify Type-do not abbreviate)						
Other(Specify Type-do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: _____

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This proposed legislation will not have a significant impact on workloads of the Division of Juvenile Justice staff. Therefore, this zero fiscal note is entered to reflect negligible fiscal impact.

Prepared by: Patty Ware
 Division: Juvenile Justice
 Approved by: Joel S. Gilbertson, Commissioner
 Agency: Department of Health and Social Services

Phone: 465-2112
 Date/Time: _____
 Date: 01/06/2005

24-GH1096F
Luckhaupt
3/14/05

CS FOR HOUSE BILL NO. 88()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

replaced with 9

A BILL
FOR AN ACT ENTITLED

1 "An Act relating to certain weapons offenses involving minors; to aggravating factors in
2 sentencing for certain offenses committed on school grounds, on a school bus, at a
3 school-sponsored event, or in administrative offices of a school district; to mitigating
4 factors in sentencing for a defendant's assistance to authorities to detect, apprehend, or
5 prosecute other persons who committed an offense; and providing for an effective date."

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

7 * Section 1. The uncodified law of the State of Alaska is amended by adding a new section
8 to read:

9 **SHORT TITLE.** Sections 1 - 3 and 5 of this Act may be known as the School
10 Violence Prevention Act of 2005.

11 * Sec. 2. The uncodified law of the State of Alaska is amended by adding a new section to
12 read:

13 **FINDINGS AND INTENT.** (a) The legislature finds that

1 (1) violent crime among the state's youth is of concern to Alaskans;

2 (2) the Department of Health and Social Services conducted a youth risk
3 behavior survey and found the following:

4 (A) 29.8 percent of male students in this state responding to the survey
5 reported carrying a weapon; this figure is higher than the national average;

6 (B) 11.8 percent of male students in this state responding to the survey
7 reported carrying a weapon, such as a gun, knife, or club, on school property within
8 the 30 days before taking the survey; this figure is higher than the national average;

9 (C) nearly 11 percent of high school students in this state responding
10 to the survey reported having been threatened or injured with a weapon, such as a gun,
11 knife, or club, on school grounds within the 12 months before taking the survey; and

12 (3) in 2003, 13 percent of students responding to a survey by the Anchorage
13 School District reported feeling unsafe at school; this figure is more than double the average
14 percentage of students nationwide who felt unsafe at school.

15 (b) It is the intent of the legislature to further the important state interest of deterring
16 misconduct involving weapons by certain minors, and in discouraging crime in the schools of
17 this state.

18 * Sec. 3. AS 12.55.155(c) is amended by adding a new paragraph to read:

19 (31) the offense is a violation of AS 11.41 or AS 11.46.400 and the
20 defendant directed the conduct constituting the offense against a person while the
21 person was on school grounds, on a school bus, at a school-sponsored event, or in the
22 administrative offices of a school district; in this paragraph,

23 (A) "school bus" has the meaning given in AS 11.71.900;

24 (B) "school district" has the meaning given in AS 47.07.063;

25 (C) "school grounds" has the meaning given in AS 11.71.900.

26 * Sec. 4. AS 12.55.155(d)(12) is amended to read:

27 (12) after commission of the offense for which the defendant is
28 being sentenced, the defendant assisted authorities to detect, apprehend, or prosecute
29 other persons who committed an offense;

30 * Sec. 5. AS 47.12.030(a) is amended to read:

31 (a) When a minor who was at least 16 years of age at the time of the offense is

1 charged by complaint, information, or indictment with an offense specified in this
2 subsection, this chapter and the Alaska Delinquency Rules do not apply to the offense
3 for which the minor is charged or to any additional offenses joinable to it under the
4 applicable rules of court governing criminal procedure. The minor shall be charged,
5 held, released on bail, prosecuted, sentenced, and incarcerated in the same manner as
6 an adult. If the minor is convicted of an offense other than an offense specified in this
7 subsection, the minor may attempt to prove, by a preponderance of the evidence, that
8 the minor is amenable to treatment under this chapter. If the court finds that the minor
9 is amenable to treatment under this chapter, the minor shall be treated as though the
10 charges had been heard under this chapter, and the court shall order disposition of the
11 charges of which the minor is convicted under AS 47.12.120(b). The provisions of
12 this subsection apply when the minor is charged by complaint, information, or
13 indictment with an offense

14 (1) that is an unclassified felony or a class A felony and the felony is a
15 crime against a person;

16 (2) of arson in the first degree; [OR]

17 (3) that is a class B felony and the felony is a crime against a person in
18 which the minor is alleged to have used a deadly weapon in the commission of the
19 offense and the minor was previously adjudicated as a delinquent or convicted as an
20 adult, in this or another jurisdiction, as a result of an offense that involved use of a
21 deadly weapon in the commission of a crime against a person or an offense in another
22 jurisdiction having elements substantially identical to those of a crime against a
23 person, and the previous offense was punishable as a felony; in this paragraph, "deadly
24 weapon" has the meaning given in AS 11.81.900(b); or

25 (4) that is misconduct involving weapons in the

26 (A) first degree under

27 (i) AS 11.61.190(a)(1); or

28 (ii) AS 11.61.190(a)(2) when the firearm was
29 discharged under circumstances manifesting substantial and
30 unjustifiable risk of physical injury to a person; or

31 (B) second degree under AS 11.61.195.

1 * Sec. 6. The uncodified law of the State of Alaska is amended by adding a new section to
2 read:

3 APPLICABILITY. Sections 3 - 5 of this Act apply to acts committed on or after the
4 effective date of this Act.

5 * Sec. 7. This Act takes effect July 1, 2005.



Division of Juvenile Justice Agency Mission (AS 47.12.010)

- Hold juvenile offenders accountable
- Promote safety and restoration of victims and communities
- Assist offenders and their families in developing skills to prevent crime



Juvenile System

- Delinquency Statutes/Reqs: AS 47.12; AS 47.14; 7AAC 52; 7 AAC 54;
- Jurisdiction: Minors under age 18
- Waiver into Adult Court (47.12.030(a)):
 - 3 Age 16-17
 - 2 Unclassified/Class A felonies against person
 - 3 Class B felonies against person with deadly weapon- prior adjudication of similar crime required

Juvenile System (continued)

- Dual Sentencing (47.12.065; 47.12.120(j); 47.12.160)
 1. Age 16-17
 2. Felonies against person AND prior adjudication
 3. Sexual Abuse Minor 2nd Degree
 4. Subject to both juvenile court order and adult sentencing guidelines
 5. Adult sentence invoked if commits felony or misdemeanor against person or fails to follow conditions

Detention in the Juvenile System

- ❖ Purpose (AS 47.12.240; 47.12.250):
 - Protect the minor or community
 - Ensure attendance at court hearing
- ❖ Detention Assessment Instrument (DAI)
- ❖ Detention Hearing within 48 hours
 - JPO primary responsibility/ with D.A.

Options in the Juvenile System Judgments and Orders (AS 47.12.120)

- ❖ **Minor found delinquent by judge**
 - DHSS Custody- locked institution
 - "Supervisory custody"/ released to parent
 - DHSS Custody/ placed in non-detention setting (foster care, residential care)
 - Restitution order only

DJJ Data (FY '04)

FY2004 Delinquency Referral Summaries

Charge Type	Number of Reports	Percent of Total
Against Persons	1,159	19%
Property	3,026	49%
Public Order	333	5%
Drug/Alcohol	679	11%
Weapon	67	1%
Miscellaneous offenses	925	15%
Total	6,189	100%

DJJ Data Continued (FY '04)

Charge Class	Number of Reports	Percent of Total
Felony	1,941	31%
Misdemeanor	3,381	55%
Violation/Other	37	1%
Conduct/Probation Violation	830	13%
Total	6,189	100%

DJJ Core Services (Probation)

- Intake Investigation (legal sufficiency)
- Detention screening and decision
- Initiate formal court action
- Probation supervision and accountability (formal and informal); Restitution and CWS
- Victim Contact and case information
- Supervision during re-entry (aftercare)



DJJ Core Services

Detention and Long-Term Treatment

- Eight DJJ secure facilities- 288 beds
- Short-term (30 days) detention pending court hearing
- Long-term institutionalization for serious offenders
- Transition/ Step-Down services (Re-Entry)
- Performance-Based Standards (FbS)



Selected DJJ Performance Measures

Re-offense Data

- Closed probation cases: Average 22% tracked for two years; adult offenses not included
- Release from Facility: Average 37% (one year), increases to 58% for two years; adult offenses included

Performance Measures (continued)

- Restitution Collection at time of case closure for informal cases: \$144,140.73 for FY '04 (90% collection rate)
- Community Work Service: 23,720 hours completed out of 24,739 ordered (96% success rate)

STATE OF ALASKA

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Sectional Analysis of CSHB 88(JUD) (School Violence Protection Act of 2005)

(Prepared by the Department of Law, March 2, 2005)

CSHB 88(JUD) would address certain weapons violations by children and assault and other crimes by adults in schools.

Sec. 1: *Short title:* This section establishes a short title for CSHB 88(JUD).

Sec. 2: *Findings and intent:* This section sets out the legislature's findings and intent.

Sec. 3: *Certain offenses as aggravating factors for sentencing:* This section amends AS 12.55.155(e), the list of aggravating factors to be considered at sentencing, to add to aggravating factors an offense that is a violation of AS 11.41 (Offenses Against the Person) or AS 11.46.400 (Arson in the First Degree), if the defendant "directed the conduct constituting the offense against a person" while the person was on school grounds, on a school bus, at a school-sponsored event, or in the administrative offices of a school district. The amendment also includes definitions of school bus, school district, and school grounds.

Sec. 4: *Waiver of 16- and 17-year old minors into adult court for certain weapons offenses:* This section amends AS 47.12.030(a), to add certain offenses under AS 11.61.190 and 11.61.195 (Misconduct Involving Weapons in the First or Second Degree) to the list of offenses for which 16- and 17-year old minors are automatically waived into adult court.

Sec. 5: *Applicability:* This section makes secs. 3 - 4 of the Act applicable to offenses committed on or after the effective date of the Act.

Sec. 6: *Effective date:* This section establishes an effective date of July 1, 2005.

Outcomes for 16- and 17-Year-Old Youths Referred to DJJ for Misconduct Involving Weapons I & II

February 11, 2005

The Legislature is currently considering a bill that would add Misconduct Involving Weapons (MIW) in the First and Second Degrees to the list of auto-waiter offenses in A.S. 47.12.030. The Legislature has asked for information on outcomes for youths currently charged with either of these offenses to help determine if these youths are indeed particularly dangerous and at high risk to reoffend, indicating the need for a different response than is currently provided through the juvenile justice system.

Sixteen youths ages 16-17 were referred to DJJ on a total of 26 charges over the two-year period FY 03-FY 04 for MIW 1 & 2 offenses. Some youths received multiple charges for this offense. For example, one youth was charged five times for MIW 2 because he discharged a gun into five different cars. In several cases the MIW 1 or 2 charge was eventually reduced to a lower-level MIW charge.

Of the 16 youths charged with this offense:

- 10 were adjudicated
- 6 were adjusted, diverted, placed on informal probation, or held in abeyance

Of those adjudicated:

- 5 were given institutional ("B-1") orders. Two remain in secure treatment at this writing.
- 3 were placed on formal probation ("B-2") orders.
- 1 was ordered to supervision with custody in a nonsecure setting. ("B-3" orders)
- 1 was given a restitution order only

Based on an examination of JOMIS and APSIN records:

- 1 of the youth have committed no further offenses following their disposition on the MIW referral. (Four did commit probation violations following their disposition, but these did not rise to the level of a new criminal offense.)
- One youth later committed a C Felony (Burglary 2) that was adjusted with a conference; as an adult he has been charged again with the same offense, which is pending.
- Two youths were charged as adults with Driving Under the Influence.
- One youth absconded while in aftercare and remains at large.

Further details on these cases follow:

Juvenile 1: charged with MIW 1 (2) in Sept. 2002. Shot at girlfriend's unoccupied car. B(1) Institutional order at McLaughlin Youth Center; released 10/20/03. No further referrals.

Juvenile 2: charged with MIW 1 (2) in Sept. 2002, but was eventually adjudicated on MIW 4 (reckless discharge), B(2) order and CWS. Successfully completed and released from supervision. No further referrals.

Juvenile 3: Charged with five counts of MIW 1 (2) in May 03 with several criminal mischief charges. Was adjudicated on charges of MIW 1, received a deferred B(1) and given opportunity to participate in Alaska Youth Military Academy. Violated probation and was institutionalized at MYC, where he remains.

Juvenile 4: charged with MIW 1 in Sept. 2002 for same incident as Juvenile 2. Had a history of criminal mischief charges. Received a deferred B(1) and given opportunity to participate in Alaska Youth Military Academy and placed in a foster home. Did violate probation but otherwise successfully completed AYMA program and discharged from custody in April 04. No further referrals.

Juvenile 5: Had a history of minor thefts and assaults. Out riding with friends and discharged gun into five unoccupied cars. Charges were reduced to MIW 4 and youth placed on formal probation. Placed on electronic monitoring, attended groups at AYPF, ordered to pay restitution of \$1,100. Did violate probation. However, he did pay restitution, kept up grades, got a job—successful closure in Nov. 2004. No further referrals.

Juvenile 6: No history. Committed a MIW 2 that was reduced to MIW 4. Received an adjudication with restitution order for \$100. Paid and case closed. No further referrals.

Juvenile 7: Charged with shooting at a dwelling (MIW 2), along with criminal mischief, Assault 4, reckless endangerment. Charge reduced to MIW 4, adjudicated, received formal probation. Successfully completed 2/7/04. Charged with Driving Under the Influence as an adult.

Juvenile 8: Charged with MIW 2, shooting at a building, and reckless endangerment. Adjusted with a conference and case closure. No further referrals.

Juvenile 9: Youth was drunk, tried to kill himself but hit building instead. Charged with MIW 2. Placed on informal probation and received a behavioral health evaluation and services from NSBH. Completed informal probation successfully. No further referrals.

Juvenile 10: MIW 2 dismissed by judge as not legally sufficient. Youth had no other history. No further referrals.

Juvenile 11: referred for MIW 2 (involving drugs) and 4 and MICS charges. Adjudicated on MICS. Given a B3 order, placed in JYS, did not do well and violated probation conditions; transferred to Alaska Challenge Military Academy, completed and released from DISS custody on 9/28/04. No further referrals.

Juvenile 12: charged with MICS and MIW 2 (involving drugs); placed on diversion agreement given problems in establishing culpability (his friends likely set him up, but he was known to use drugs). Completed his CWS and diversion agreement successfully. Charged with Driving Under the Influence as an adult.

Juvenile 13: MIW 2 adjusted with community work service. Later committed Burg 2 (C Felony) that was adjusted with a conference in juvenile system; APSIN says current charge pending on Burg 2 committed on 1/16/2005.

Juvenile 14: Long history of criminal mischief, trespass, MIW, probation violations. Charged with MIW 2 (drug). Received a B(1) order and institutionalized at McLaughlin Youth Center. During transition to aftercare was placed in a foster home. Is now missing. Warrant out for his arrest.

Juvenile 15: Charged with attempted murder and waived to adult system. Because of difficulty in establishing attempted murder charge, judge agreed to reduced charges of MIW and Assault 3. Youth was referred back to the juvenile system and adjudicated on a B(1) institutional order. Currently serving term of treatment at Bethel Youth Facility.

Juvenile 16: Youth had been charged with MICS, petition was held in abeyance. Youth committed MIW charge as a probation violation. Youth moved to Seattle to live with grandparents and enroll in a substance abuse program. Reported to be doing well. No further referrals.

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Alaska Youth Risk Behavior Survey 2003



2003 Youth Risk Behavior Survey (YRBS)



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- The Alaska students who participated in the survey

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Introduction

As the State of Alaska moves into the 21st century, it is more important than ever to provide quality instruction to children across our state. Research tells us that many of our students struggle with issues and problems not addressed within the typical school day. In order to better understand and provide assistance with those issues, the Alaska Department of Health and Social Services conducted this survey to assess students' self-reported health risk behaviors.

With a better understanding of the risk behaviors that may lead to early morbidity and mortality; schools, agencies and communities will be better equipped to provide effective interventions, resources and quality prevention services. By addressing risk behaviors early and providing support and guidance, schools will provide students with a much greater opportunity to succeed in school and beyond.

This report describes the methods used to conduct and the results of the 2003 Alaska Youth Risk Behavior Survey (YRBS). The 2003 results are compared to the 1995 YRBS results for an overview of how risk behaviors have changed over the last several years among youth in Alaska. Where data are available, Alaska results are compared to U.S. 2001 YRBS results. The survey is intended to provide a better understanding of the health risk behaviors for students in public school settings. The YRBS asks students to self-report on their behaviors in six major areas of health that directly lead to morbidity and mortality in adult populations within our country.

How To Use This Report

The results of the YRBS can help detect changes in risk behaviors over time and provide an important piece of program evaluation. The information from the YRBS will identify and highlight the differences and similarities in risk behaviors among high school students in Alaska and the US. This information will help schools, communities and parents focus primary prevention efforts and better utilize limited resources.

Think of this report as a tool for starting discussions, for encouraging parent involvement, for educating the community, for planning and evaluating programs, for comparing Alaska students with other students nationwide and strengthening existing programs and policies.

- **Starting the Conversation.** Use this report to begin a conversation with young people about the personal choices they make or about the health of their community. Ask them if the results accurately reflect what they see happening around them. How do they explain the results? What ideas do they have about ways to promote healthy behaviors? From their perspective, what seems to be working and what isn't working?
- **Increasing Awareness.** This report provides an opportunity to make community members aware of the risks that their young people face. It can dispel myths and correct misinformation about the "average teenager." In addition, you can use the YRBS to **accentuate the positive**, and to celebrate the fact that many students are abstaining from behaviors that endanger their health and their ability to succeed.

- **Planning and Evaluating Programs.** The results of this report can serve as the basis for a school and/or community needs assessment. It can help identify strengths and weaknesses in current programs and can suggest strategies to address gaps in services to students. Identifying areas that need strengthening can expand professional development efforts within schools and in the larger community.
- **Alaska and National Comparisons.** The Centers for Disease Control and Prevention (CDC) conducts a biennial YRBS of a national sample of high school students. These results permit us to draw comparisons between Alaska and the nation.
- **Alaska Comparisons 1995 to 2003.** The Centers for Disease Control and Prevention provides a Trend Analysis Report to states who have conducted and received weighted data from the YRBS in multiple years. The report indicates where statistically significant trends exist for each standard YRBS question and helps states to determine if behaviors have increased, decreased, or stayed the same over time. We have noted the statistically significant changes throughout this document wherever applicable. They are noted with an * by the 2003 percentage value in the charts and graphs and stated as significant in the text.

Youth Risk Behavior Survey Background

The Youth Risk Behavior Survey (YRBS) is part of an epidemiological surveillance system that was established in 1988 by the U.S. Centers for Disease Control and Prevention (CDC) to help monitor the prevalence of behaviors that not only influence adolescent health, but also put youth at risk for the most significant health and social problems that can occur during adolescence and adulthood.

The YRBS specifically investigates behaviors related to the leading causes of mortality, morbidity and social problems among youth in the United States. Among deaths occurring to youths aged 10-24 years, 70% are due to intentional and unintentional injuries (motor-vehicle crashes, homicide, suicide and other unintentional injuries).¹ Results from the 2003 YRBS demonstrate that numerous high school students are engaging in these behaviors increasing their likelihood of dying from these four causes. Additionally, many behaviors that contribute to preventable adult deaths are initiated during adolescence. Among adults in the U.S. over 25 years of age, 64.6% of deaths are caused by cardiovascular disease (41.0%) and cancer (23.6%).¹ Behaviors related to these causes of death include: use of tobacco; excessive consumption of fats, calories and sodium; insufficient consumption of milk, fiber, fruits and vegetables; and insufficient physical activity.

Voluntary behaviors directly contribute to the deaths, diseases and social problems described above. Examples of risk behaviors include: carrying a weapon, physical fighting, suicide attempts, drinking or using drugs, lack of seatbelt or helmet use and unprotected sexual intercourse.

The YRBS survey examines six categories of adolescent behavior:

- behaviors that result in unintentional and intentional injuries;
- tobacco use;
- alcohol and other drug use;
- sexual behaviors that can result in HIV infection, other sexually transmitted diseases (STD's) and unintended pregnancies;
- dietary behaviors; and
- physical activity.

The YRBS high school survey was first implemented at the national level in 1990. Since that time CDC has sponsored national and state surveys in 1991, 1993, 1995, 1997, 1999, 2001 and, most recently, in 2003. Alaska first participated in the YRBS in 1995 at both the high school and middle school levels and obtained weighted (representative) statewide data. Due to external factors, the YRBS was not administered in 1997. It was administered in 1999, however the 1999 sample did not include the Anchorage School District, the state's largest school district. Without Anchorage, the data were not representative of the state as a whole. The survey was administered in 2001 with the participation of Anchorage, but not enough student responses statewide were collected, and so no data were analyzed. A major obstacle in 2001 was the active parental consent law that had just gone into effect at the end of the 1999 survey administration. In 2003 the survey was administered statewide with active parental consent and weighted (representative) data were obtained. Comparisons with 1995 data, the only other representative statewide data, are highlighted throughout this report.

Methodology

The 2003 YRBS was a replica of the 1995 YRBS with the exception that active parental consent was used in 2003 and additional questions were added. As a result, the 2003 survey results are comparable to 1995.

A two-stage sample design was used to select the students eligible for participation. The first stage consisted of selecting schools. Schools were selected with probability proportional to the size of their enrollment. Alaska has a large number of small schools, which means more schools were needed to obtain the number of students required for the desired precision. Once a school was selected, classes were selected as the second stage. Eligible classes were those where a student would be enrolled in one and only one class at a time. For example second period or required English. This gave each student an equal opportunity of being selected. At any time a school district, an individual school, a student's parents, or a specific student had the opportunity to decline to participate.

The samples were scientifically selected with each eligible student in the school population having an equal probability of being selected. This sampling process is most often referred to as probability sampling. The size of a sample is related directly to the size of the eligible population, the estimated student response rate, and the desired precision of the results. The eligible student population was determined from the official 2002 October enrollment counts reported by the Alaska Department of Education & Early Development. The enrollment count was edited to include only students in grades 9 through 12. The school list was edited to remove boarding, correspondence, home study, alternative, and correctional schools. A sufficient number of students were selected to give a plus or minus five percent margin of error for each question.

The numbers sampled in each stage were adjusted upward in anticipation that some schools and students would fail to participate. To ensure that sample results can be generalized to the total population, the overall participation rate (school participation rate multiplied by the student participation rate) must be equal to or greater than 60 percent. The overall 2003 high school YRBS participation rate exceeded 60 percent and the results are weighted to represent risk behaviors of all students enrolled in Alaska public high schools in grades 9-12.

At the classroom level, teachers were given a script to read to students that established guidelines for student privacy and anonymity and the importance of the survey. Each student was given an unmarked envelope in which to seal his or her survey before turning it in. These survey envelopes remained sealed until received at a central state collection site. No individual identifiers were recorded on the surveys or sealed envelopes.

The Centers for Disease Control and Prevention (CDC) and Westat, Inc, a CDC contractor, analyzed the state survey data. Analysis included performance of extensive edit checks to identify survey inconsistencies. When inconsistencies were found, responses were excluded from the analysis. For example, if a student reported in one question having never been in a physical fight, but then reported in another question being hurt in a physical fight, the data on that student were excluded for the two questions related to physical fighting. These inconsistencies occurred with a frequency of less than 2% on average. There were only 14 questions which had logic inconsistencies higher than 5% and all were less than 11%.

At the same time that Alaska implemented the YRBS, a national YRBS was conducted at the high school level. Because the results of the national YRBS 2003 survey were not available at the time this report was written, when applicable, 2001 national YRBS results were used for comparison.

Survey Limitations

The 2003 YRBS provides descriptive data on the who, what, where and when of the self-reported behaviors in a number of major risk categories. The YRBS survey does not attempt to answer the questions of why and how. The descriptive data apply only to students attending public high schools (grades 9-12) in Alaska.

Participation in the Statewide Survey

The high school sample was drawn with a desired precision of ± 5 percent. The high school sample included 42 schools from 19 districts and sought 2,175 completed questionnaires. The overall response rate was 62 percent with 90 percent of the schools and 68 percent of the students participating. The high school survey results can be generalized to the eligible students in grades 9 - 12. Table 1 provides a comparison of the sampled student characteristics to those characteristics in the statewide enrollment as well as the characteristics in the eligible population. As can be seen the adjusted weighted percentages closely mirror the percentages of students by sex and grade, but not race/ethnicity. This is because the gender/grade characteristics reported by each participating class were used to calculate the final weighted value.

Table 1: High School Student Demographic Characteristics

		% Total Statewide Enrollment	% Eligible for Sample Selection	% In Sample	Adjusted Weighted %
Sex	Female	48.1	47.8	47.9	48.1
	Male	51.9	52.2	51.4	51.9
	Refused Response	n/a	n/a	0.7	**
Grade	9th	29.7	30.2	34.4	30.0
	10th	25.6	25.8	21.1	25.7
	11th	22.7	22.8	24.4	22.7
	12th	22.0	21.2	18.4	21.1
	Other/Missing	n/a	n/a	1.6	0.5
Race/Ethnicity	Alaskan/American Native	23.0	22.9	19.9	23.0
	Asian/Pacific Islander	6.3	6.8	7.2	8.1
	African American/Black	4.3	4.4	2.9	1.8
	Hispanic	3.1	3.2	4.3	3.0
	White	61.4	61.5	60.7	61.4
	Multiple Races	2.0	1.2	4.2	2.7
	Refused Response	n/a	n/a	0.9	**

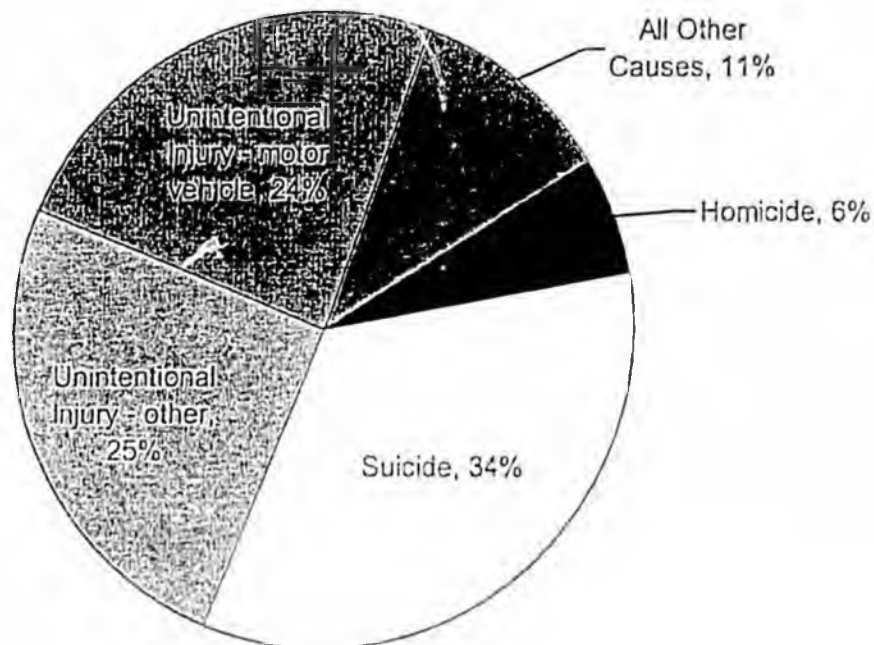
n/a indicates not available.
** indicates responses excluded from weighted calculations.

Section I: Injury

Background

Injuries are the leading causes of death among children, adolescents and young adults.¹ As shown in the accompanying graph, 89% of the deaths among young people in Alaska (ages 14-19 years) are attributable to injuries, including motor vehicle crashes, homicide, suicide and other unintentional injuries.

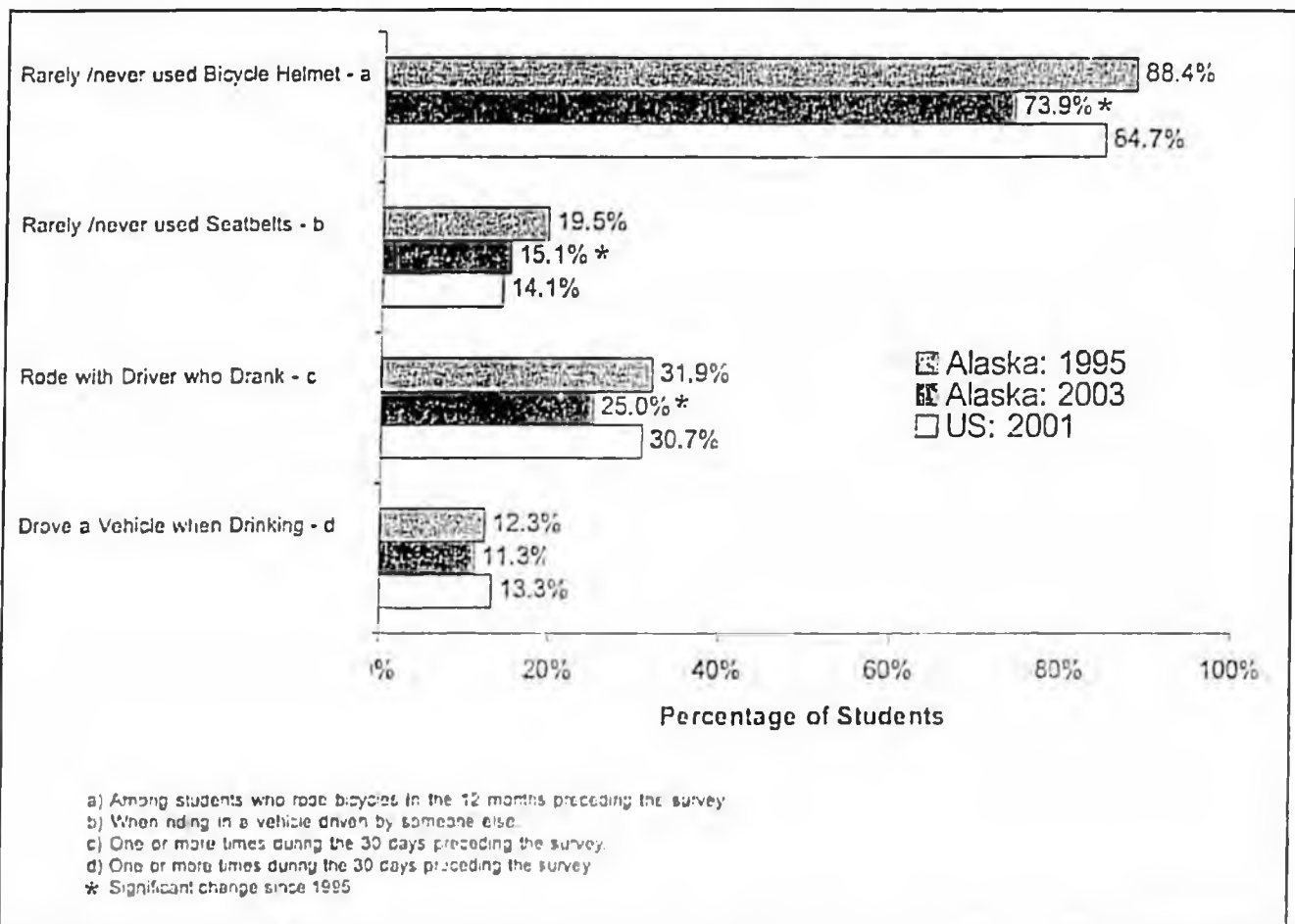
Percentage of Deaths by Cause Among Alaskans Aged 14-19 Years
1999-2001 (N=177)



Source: National Center for Health Statistics (NCHS), Vital Statistics System

Safety Behaviors Regarding Vehicles and Bicycles

Among high school students, only 15.1% report rarely or never using seatbelts. This is a decrease of about 4% from 1995. Among those who ride bicycles, 73.9% report not wearing helmets. Within the 30 days prior to the survey, 25.0% of students rode with an automobile driver who had been drinking alcohol, and 11.3% drove a vehicle when drinking alcohol, a significant decline for both from 1995.

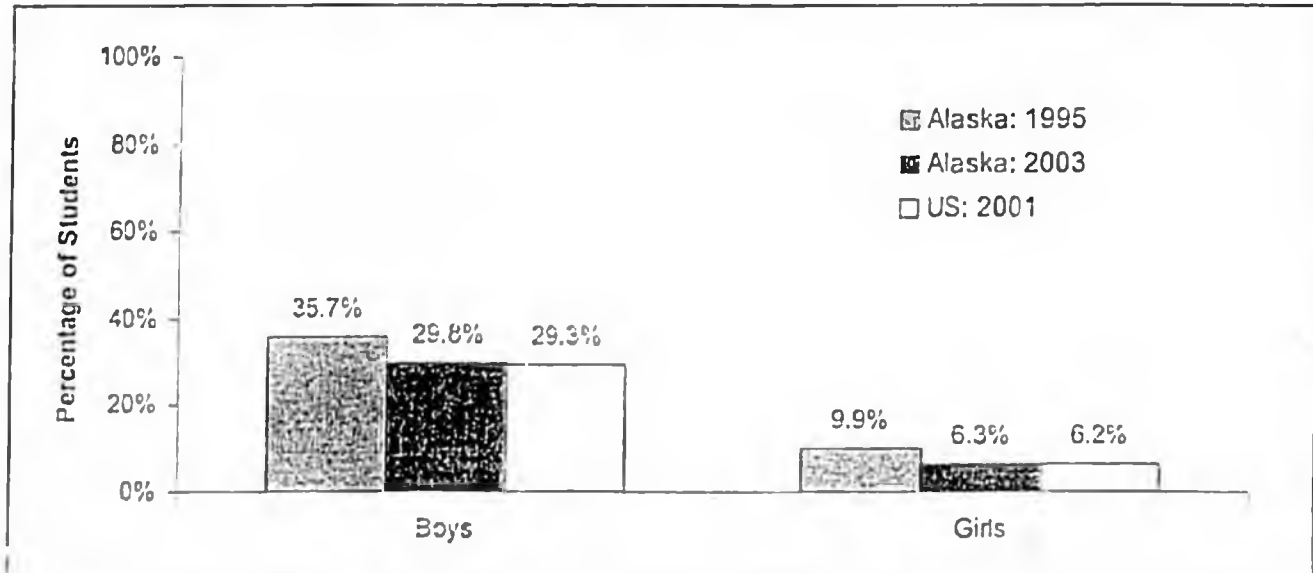


Healthy Alaskans 2010 Objective:

- ▶ Reduce to 20% the proportion of adolescents who ride in vehicle with a driver who has been drinking alcohol (percentage of high school students grades 9-12 who report riding at least once with a driver who had been drinking alcohol within the past 30 days)

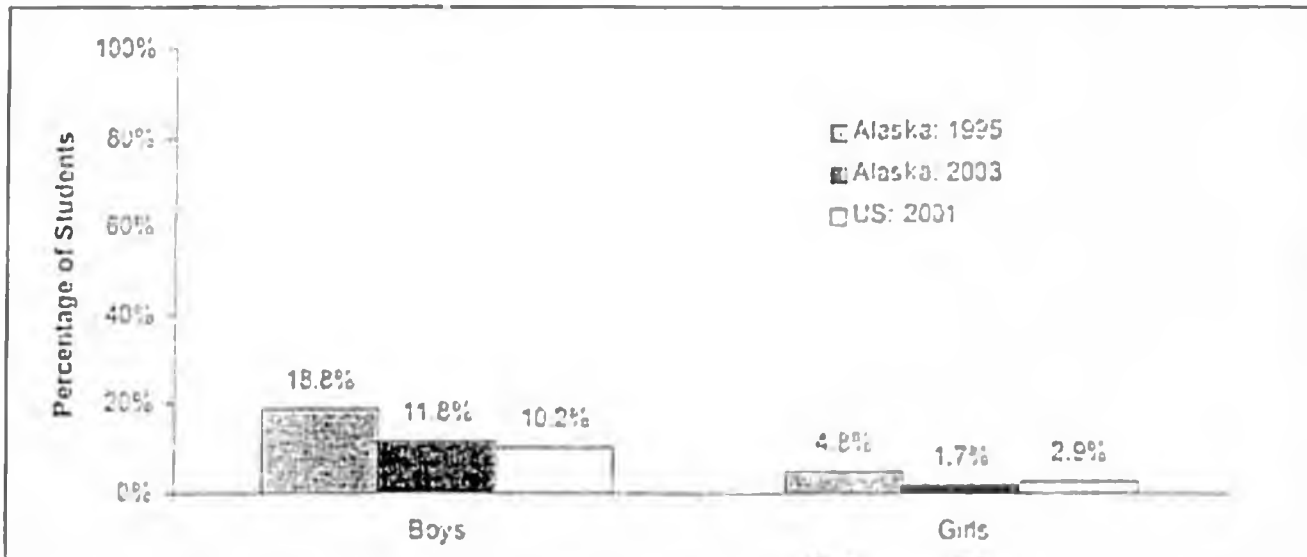
Carried a Weapon

About 6.3% of girls report carrying a weapon compared to 29.8% of boys. Both Alaska boys and girls report similar weapon carrying behavior as U.S. boys and girls. Significant decreases have occurred in weapon carrying behavior for combined sexes since 1995.



Carried a Weapon on School Property

Among Alaska high school students, 11.8% of boys and 1.7% of girls report having carried a weapon, such as a gun, knife or club, on school property in the previous 30 days. Both boys and girls show a significant decrease in weapon carrying on school property from 1995. In 2003 Alaska boys were somewhat (11.8%) more likely to report carrying a weapon on school property than were 2001 U.S. boys (10.2%).

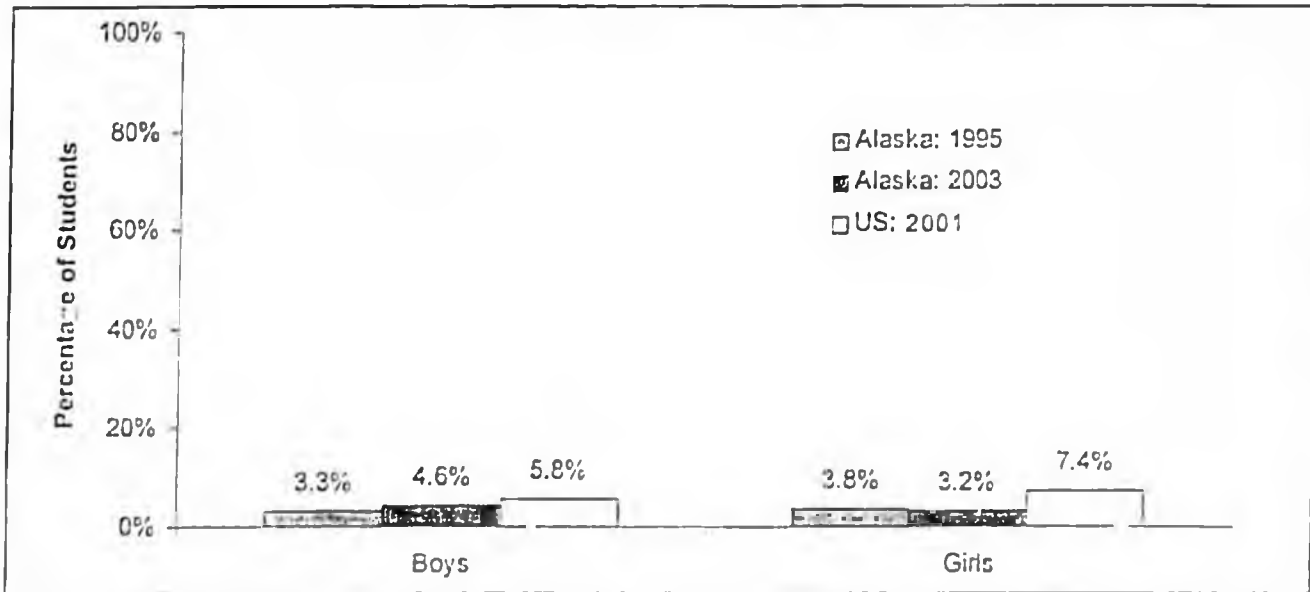


Healthy Alaskans 2010 Objective:

- ▶ Reduce to 3% weapon carrying by high school students on school property (percentage of students who carried a weapon on school property in the past 30 days)

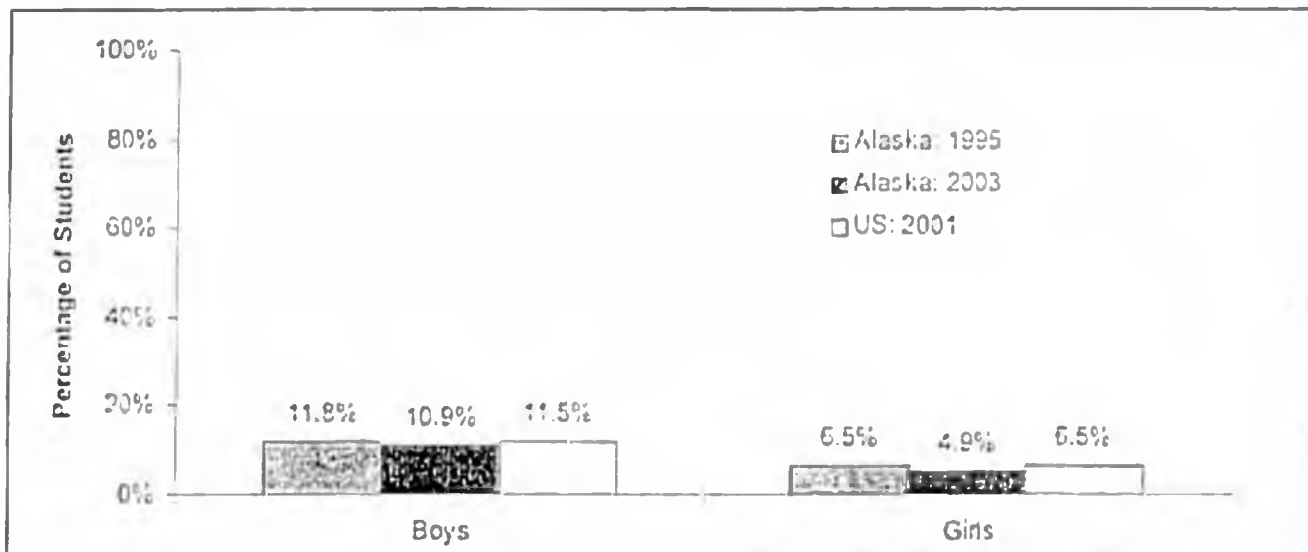
Did Not Go to School on One or More Days in Past 30 Days Because They Felt Unsafe

Among Alaska high school students fewer than 5% of either boys or girls did not go to school because they felt unsafe. Boys show a slight increase (1.3%) from 1995, as where among girls there appears to be no difference.



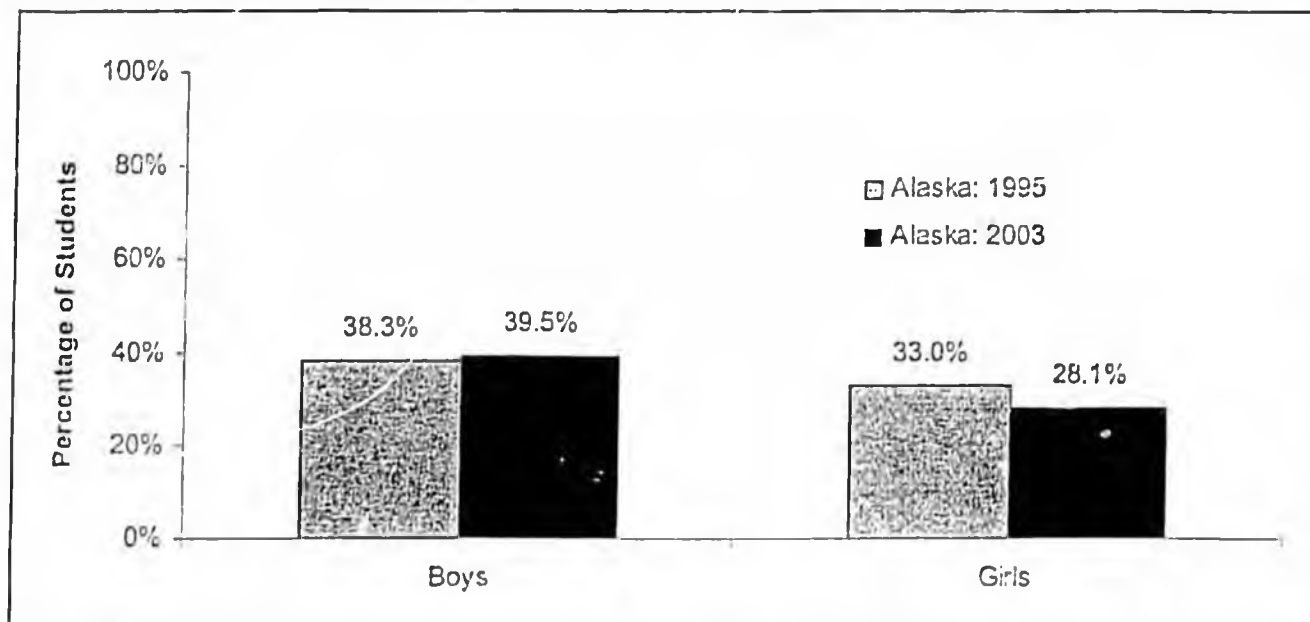
Threatened or Injured by a Weapon on School Property

Among Alaska high school students, 10.9% of boys and 4.9% of girls report having been threatened or injured with a weapon such as a gun, knife or club on school property within the past 12 months. There has been little or no change in this behavior since 1995. A smaller percentage of both Alaska boys and girls report having been threatened or injured with a weapon on school property than U.S. boys and girls report.



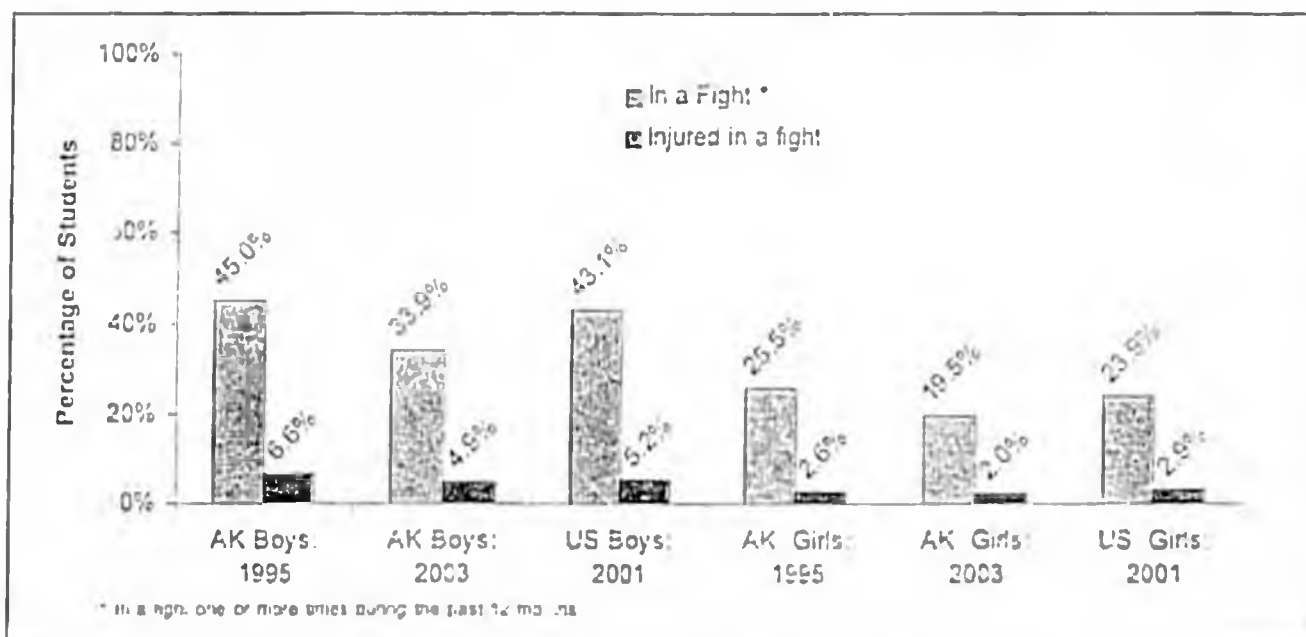
Had Property Stolen at School During Past 12 Months

Among Alaska high school boys, 39.5% report having had property stolen at school compared to 28.1% of girls. Although girls report a drop from 1995, boys show no real change.



Physical Fighting in Past Twelve Months

Among Alaska high school boys, 33.9% report having been in a physical fight within the past 12 months, and 4.9% report having been injured (requiring treatment by a doctor or nurse) in a physical fight. Girls are less likely to report physical fighting. Alaska high school students show a significant decrease in physical fighting since 1995. Alaska boys (33.9%) are significantly less likely to have reported being in a physical fight in the past 12 months than U.S. boys (43.1%).

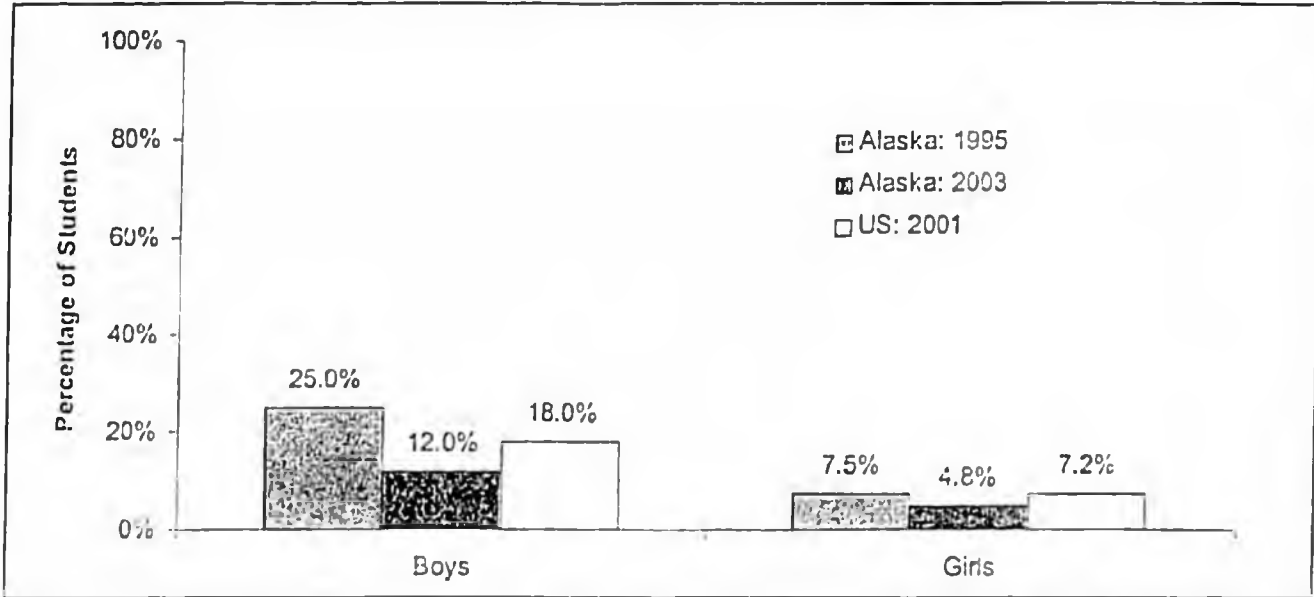


Healthy Alaskans 2010 Objective:

- ▶ Reduce to 20% physical fighting among high school students (percentage of students who have been in a fight in the past 12 months)

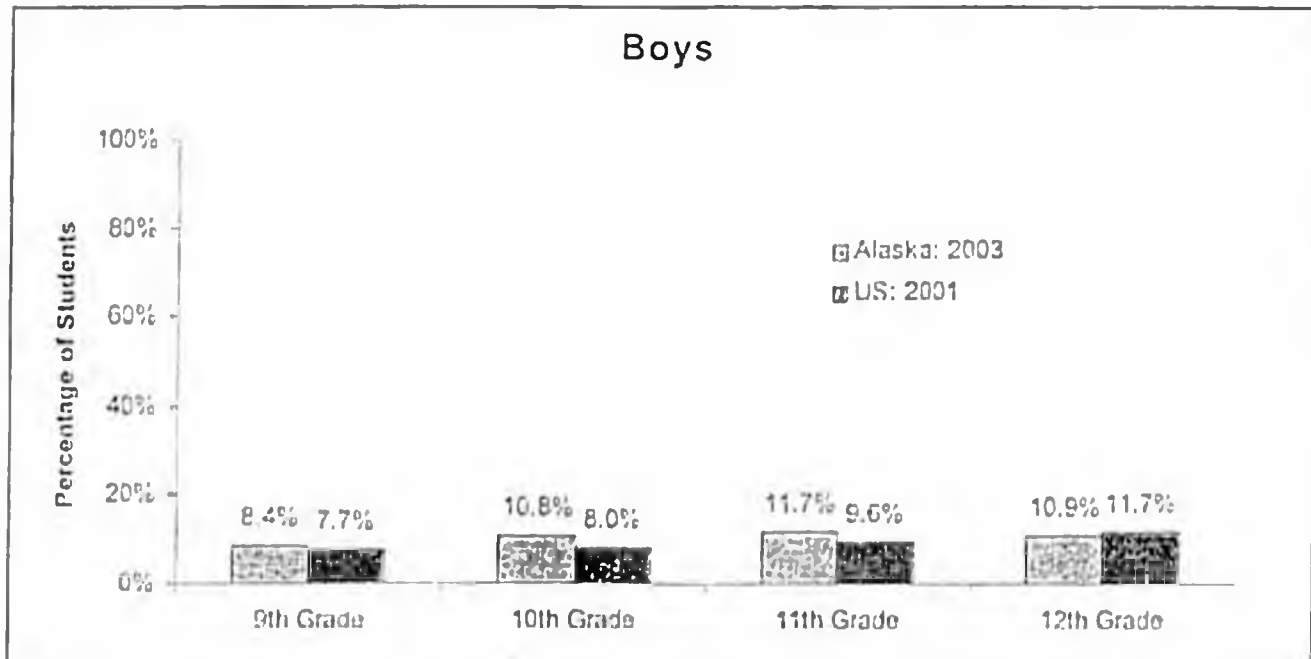
Physical Fighting on School Property in Past 12 Months

Physical fighting among high school boys on school property has decreased by over 50% since 1995, from 25.0% to 12.0%, well below 18.0% for U.S. boys. Among Alaska high school girls the drop is less significant, dropping from 7.5% in 1995 to 4.8% in 2003. When compared to 1995 data, significant changes have occurred for both sexes.



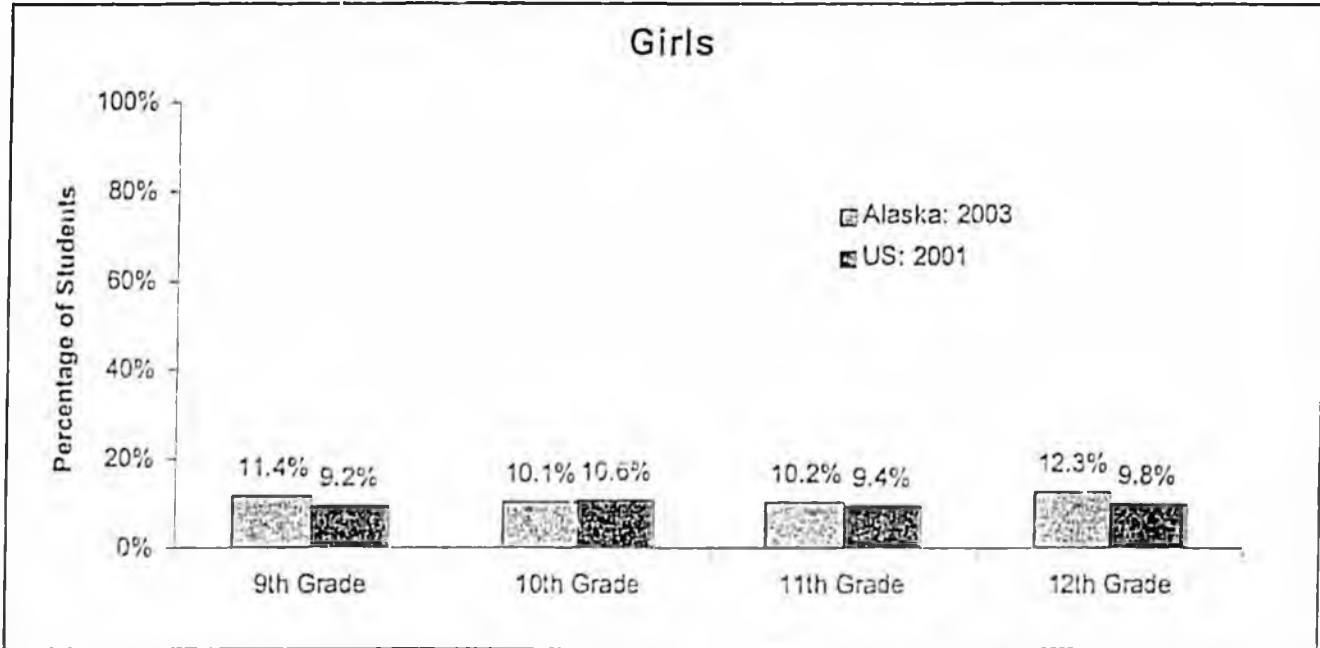
Ever Been Hit, Slapped or Physically Hurt on Purpose During the Past 12 Months

In 2003, among Alaskan high school students (both genders), 10.8% report ever having been slapped or physically hurt by their boyfriend or girlfriend. This is slightly higher than U.S. 2001 students report at 9.5%. Alaska tenth and eleventh grade boys also report a higher rate than U.S. tenth and eleventh grade boys.



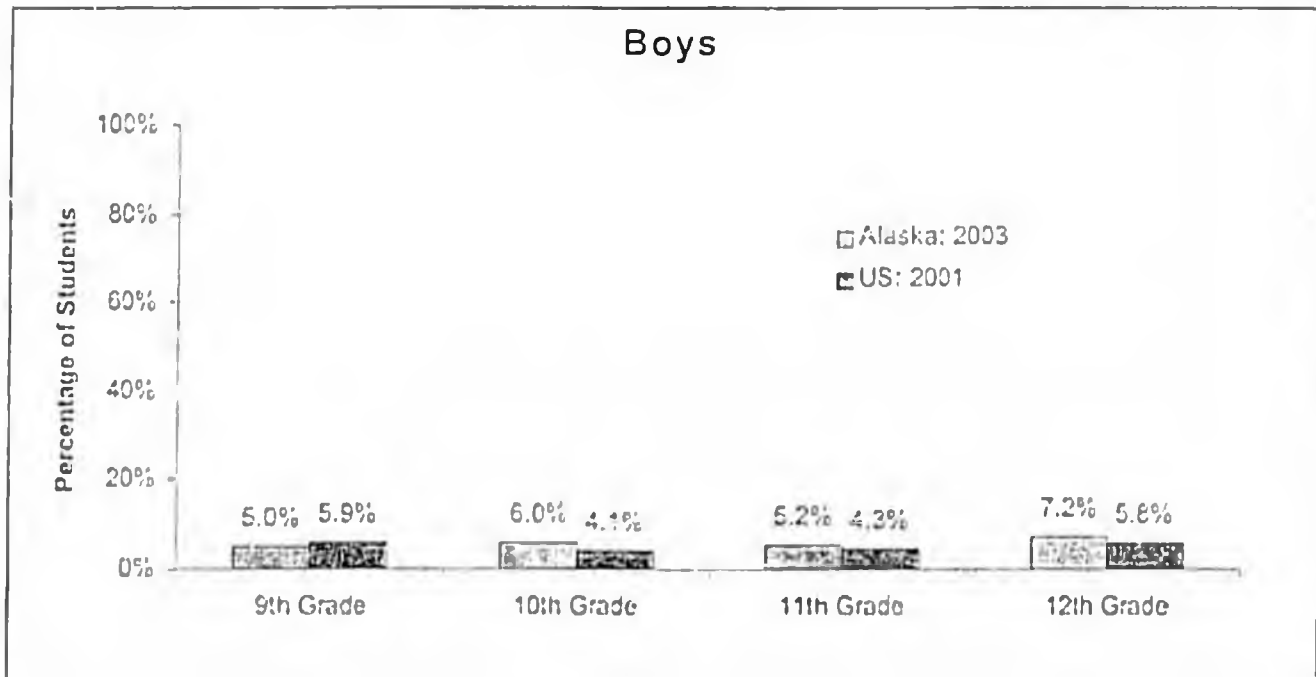
Ever Been Hit, Slapped or Physically Hurt on Purpose During the Past 12 Months

Twelfth grade Alaska girls (12.3%) report being slapped or hit at a slightly higher rate than U.S. girls (9.8%).



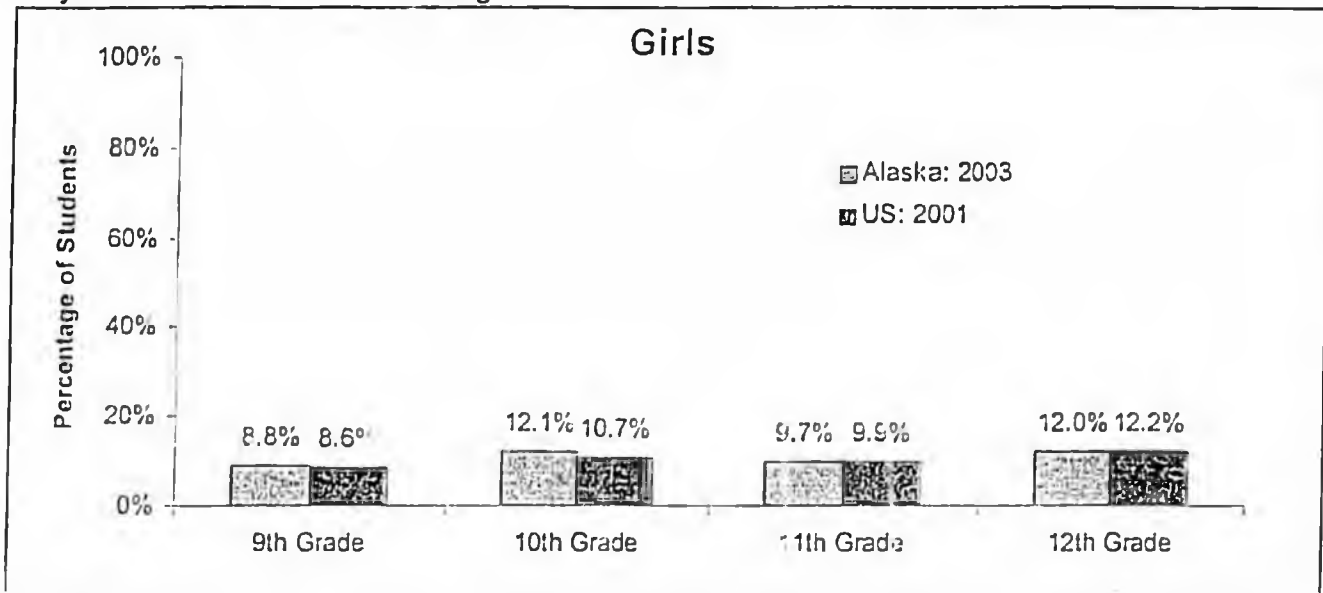
Physically Forced to Have Sex When They Did Not Want to

With the exception of tenth grade boys, Alaska boys are similar to U.S. boys in reporting that they were forced to have sex when they did not want to.



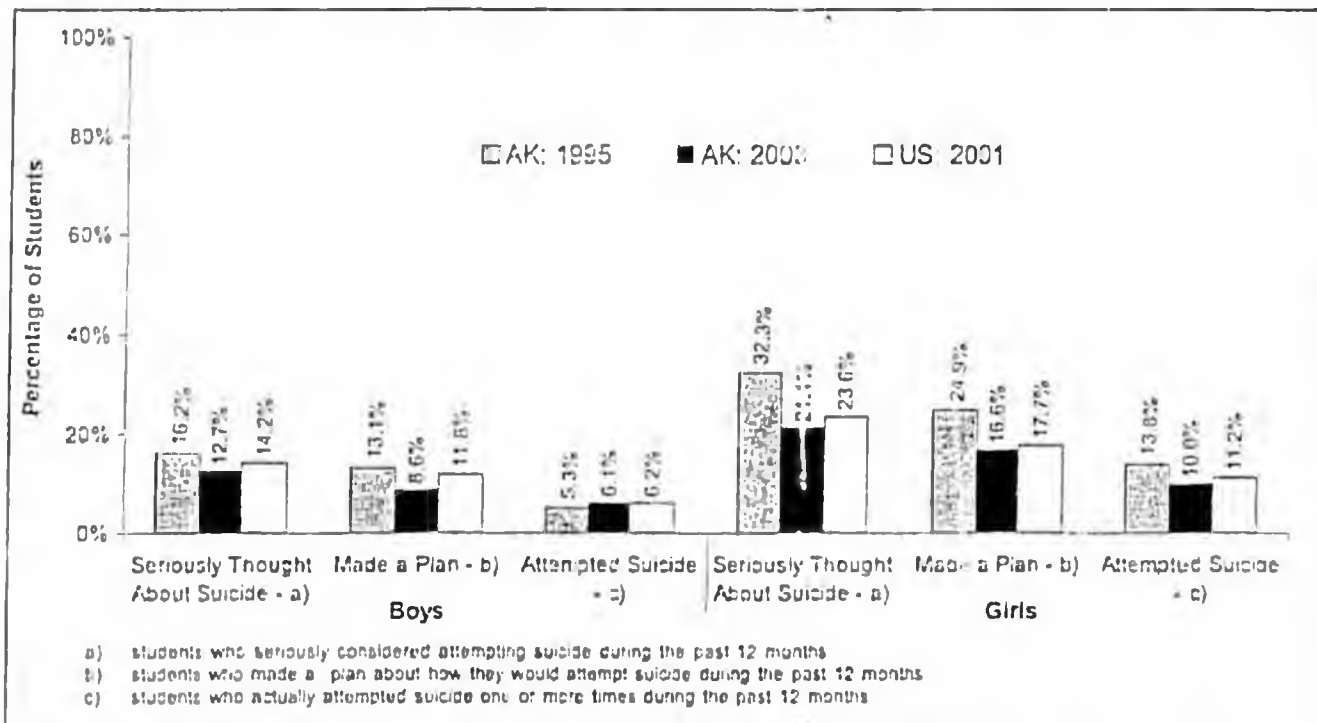
Physically Forced to Have Sex When They Did Not Want to

Ninth and tenth grade Alaska girls are more likely to report having been forced to have sex when they did not want to than are U.S. girls.



Suicide

Girls are more likely to report suicide thoughts, plans and attempts within the past 12 months than are boys. Among Alaska girls, 21.1% have seriously thought about suicide, 16.6% have made a plan and 10.0% report suicide attempts. Among Alaska boys, 12.7% have seriously thought about suicide, 8.6% have made a plan and 6.1% report suicide attempts. Significantly fewer Alaska students report having made a plan to commit suicide in 2003 than in 1995.



Healthy Alaskans 2010 Objective:

- ▶ Reduce to 1% the rate of suicide attempts among adolescents (percentage of high school students grades 9-12 who attempted suicide requiring medical attention in the past 12 months)

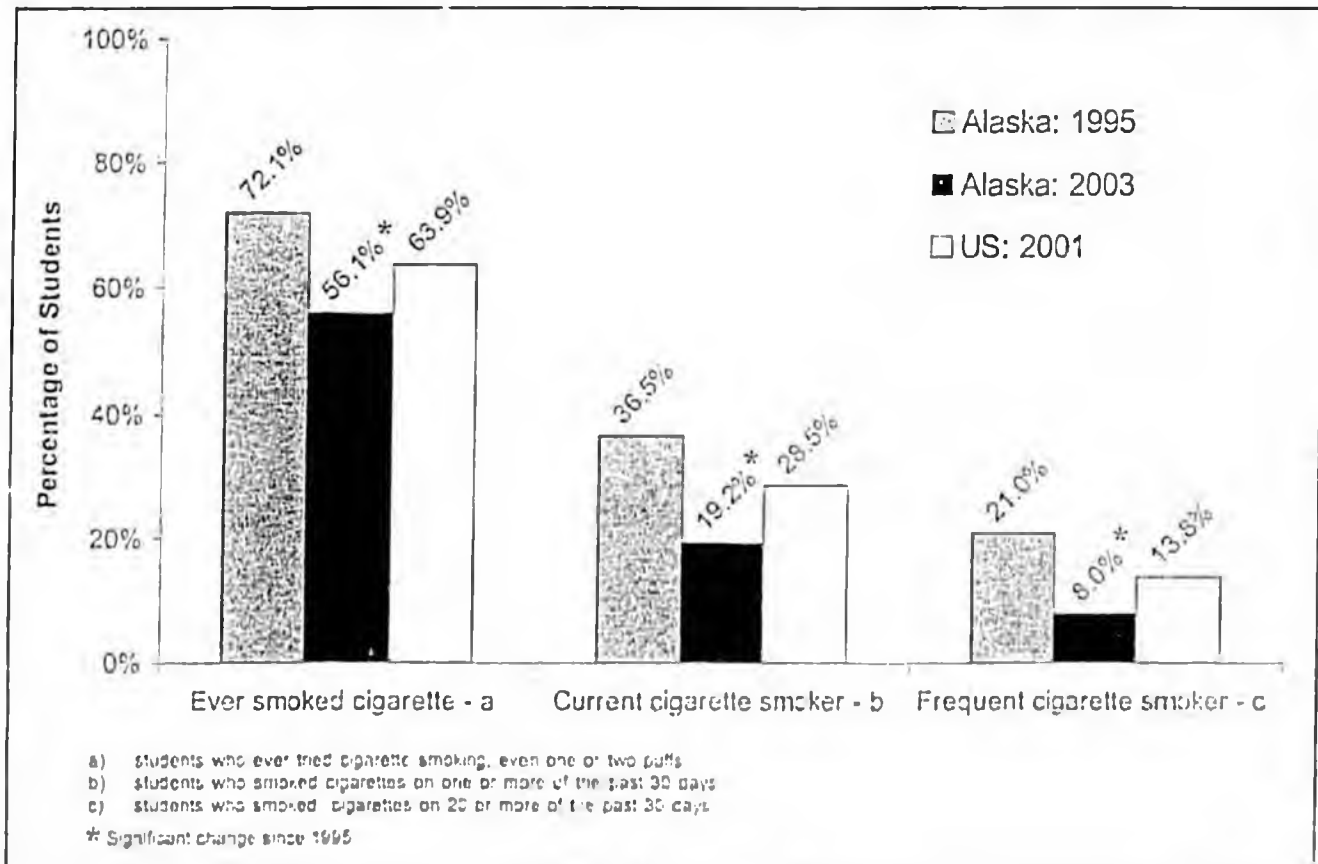
Section II: Tobacco Use

Background

Tobacco is the leading preventable cause of premature mortality in the United States. The majority of Alaska smokers (80%) began smoking between the ages of 10 and 20 years.² Alaskans have been working to decrease youth tobacco use through increasing the tax on tobacco products, education of young people, enforcement of laws restricting sales to minors, and a statewide ban on self-service tobacco displays. The 2003 YRBS data show a marked decrease in youth tobacco use.

Cigarette Smoking

Since the 1995 YRBS, significant reductions in the percentage of students who have ever smoked, currently smoke or are frequent smokers have occurred for both boys and girls. Among Alaska students, 19.2% report current smoking, compared to 36.5% in 1995, and frequent smokers fell from 21.0% in 1995 to 8.0% in 2003. The percentage of Alaska students reporting any cigarette use is significantly below that of U.S. students.

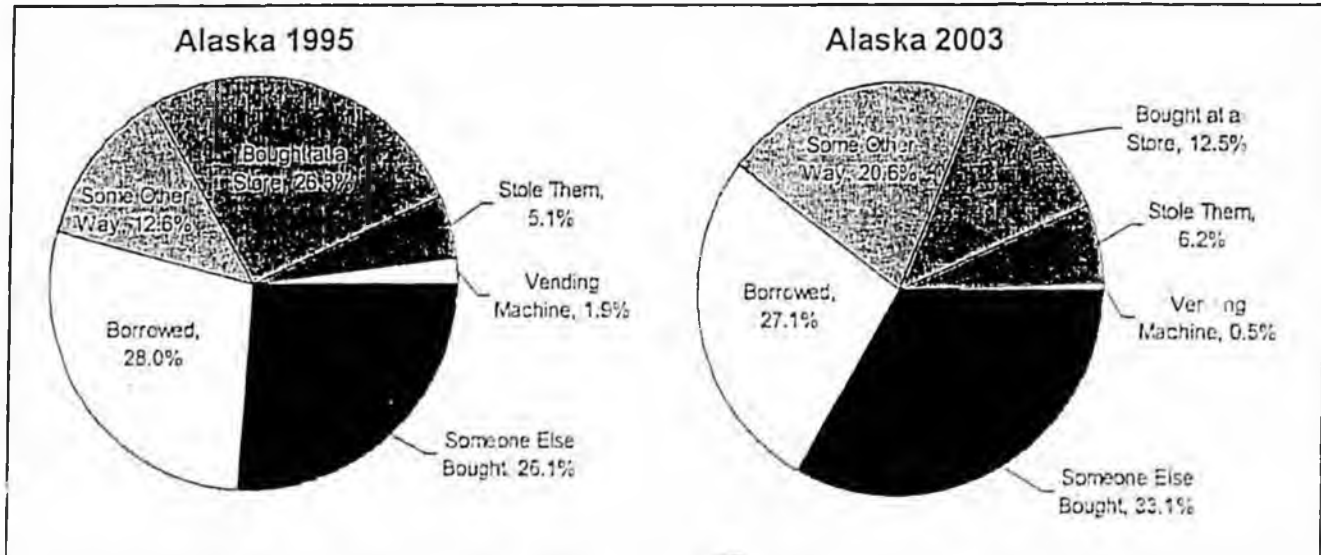


Healthy Alaskans 2010 Objective:

- ▶ Reduce to 17% cigarette smoking by adolescents (percentage of high school students grades 9-12 who have smoked cigarettes on one or more of the past 30 days)

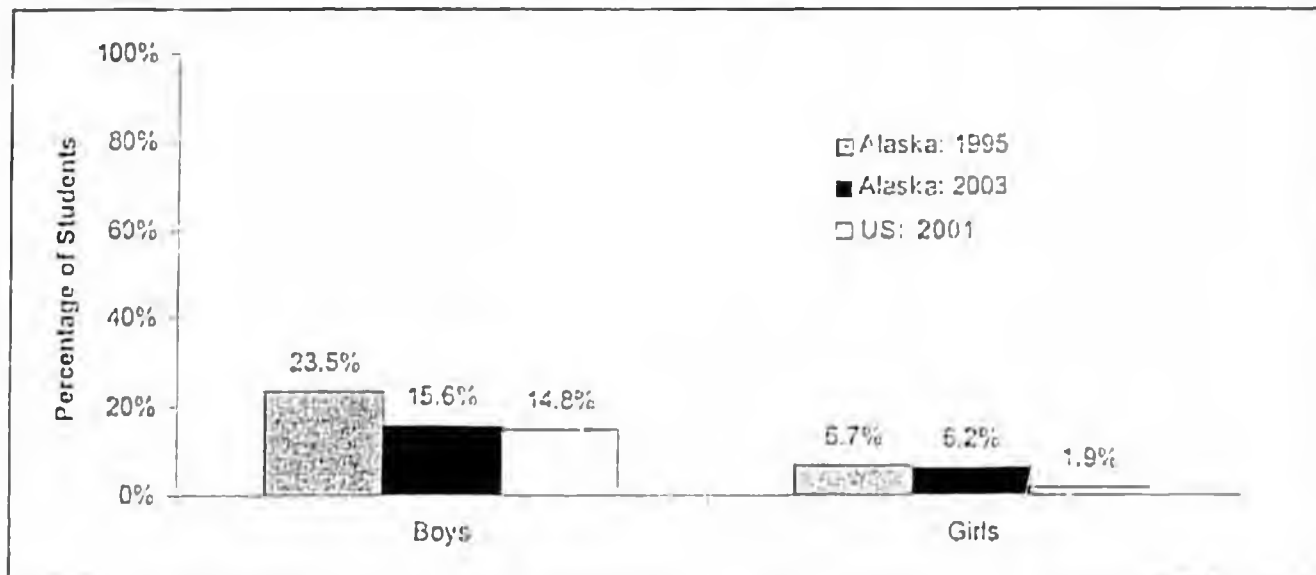
Where are Students Getting Cigarettes?

Among Alaska students, 12.5% report purchasing cigarettes at a store, a reduction of over 50% from 26.3% in 1995. This compares to 13.1% of U.S. students who report purchasing cigarettes at a store. The majority of students report getting their cigarettes by borrowing them from someone else (27.1%) or having someone else buy them (33.1%).



Chewing Tobacco and Snuff

Among Alaska boys, 15.6% report having used chewing tobacco or snuff in the 30 days prior to the survey. This is a decline of about 8.0% from 1995. There is relatively no change for girls between 1995 (6.7%) and 2003 (6.2%). However, Alaska girls (6.2%) are far more likely to report use of chewing tobacco or snuff the 30 days prior to the survey than are U.S. girls (1.9%). Overall, significantly fewer Alaska students report using chewing tobacco and snuff in 2003 than in 1995.

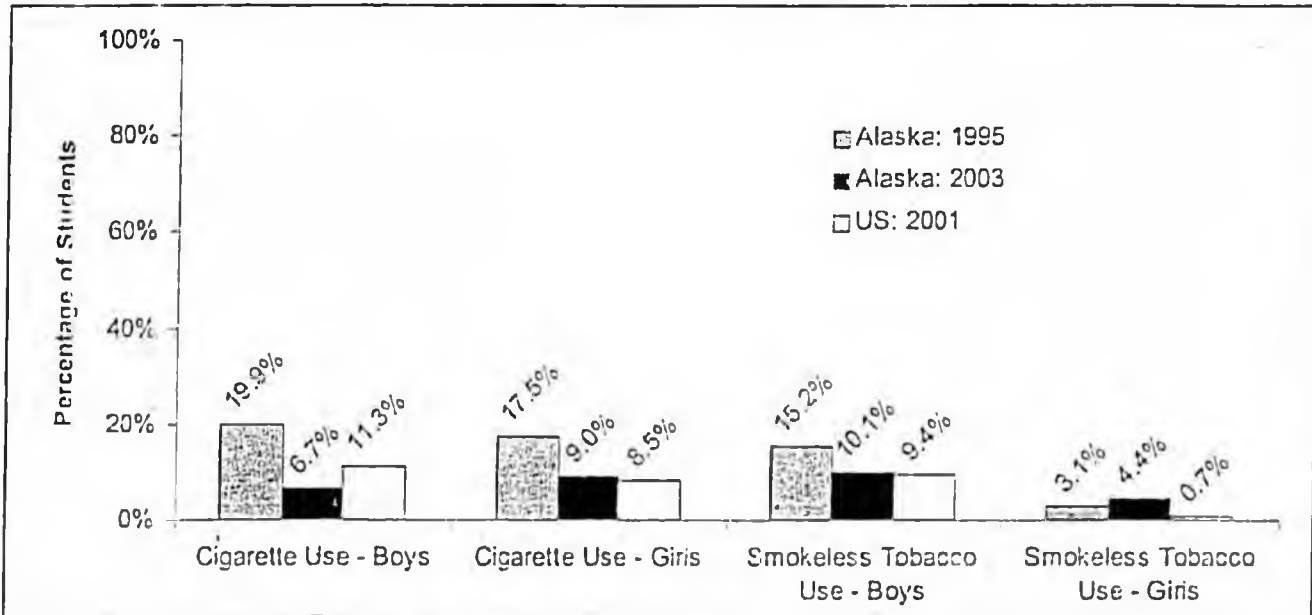


Healthy Alaskans 2010 Objective:

- ▶ Decrease to 8% the proportion of high school students who have used smokeless tobacco on one or more of the past 30 days.

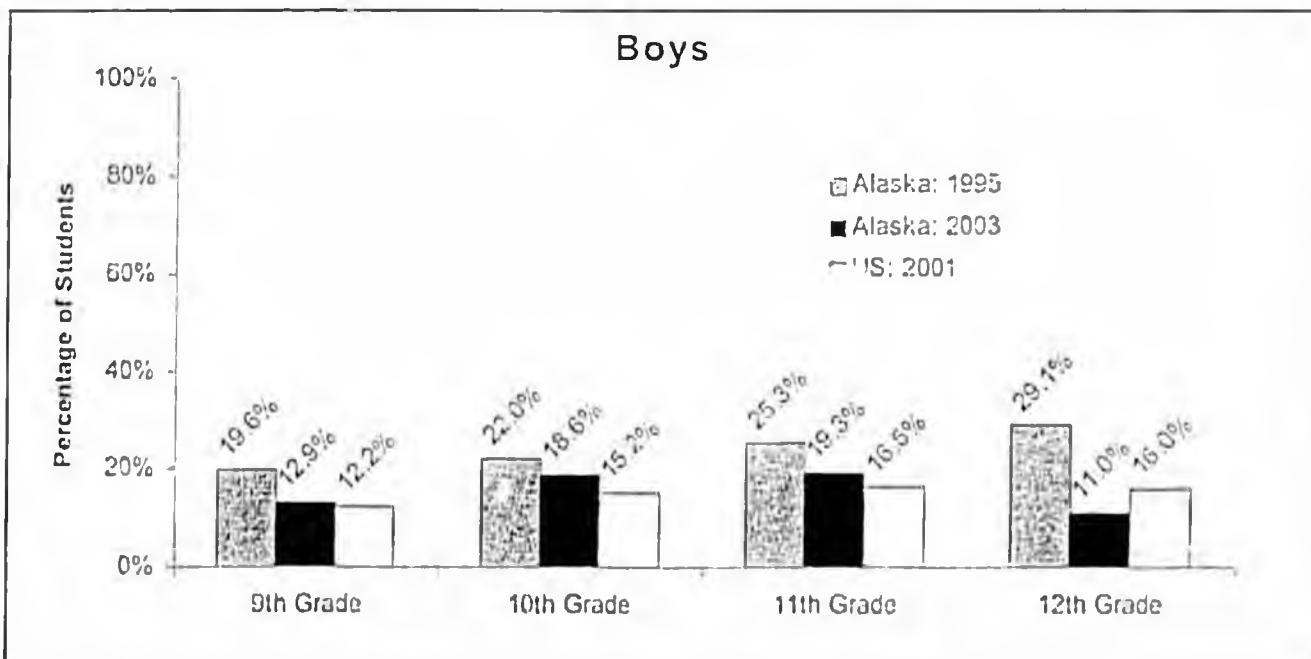
Cigarette and Chewing Tobacco Use on School Property

The percentage of Alaska high school boys who report the use of cigarettes on school property fell from 19.9% in 1995 to 6.7% in 2003. For smokeless tobacco, use for boys fell from 15.2% in 1995 to 10.1% in 2003. Similar decreases can be seen among Alaska girls as well. While the percentage of Alaska boys (6.7%) who report smoking cigarettes on school property has fallen below that for U.S. boys (11.3%), the percentage of Alaska girls (4.4%) who report the use of smokeless tobacco on school property is still more than six times that of U.S. girls (0.7%). Since 1995 cigarette use on school property has significantly decreased.



Chewing Tobacco and Snuff

The percentage of boys in 2003 who report using chewing tobacco or snuff in the 30 days prior to the survey has declined at all grade levels from 1995, with the largest decline occurring in the twelfth grade.



Healthy Alaskans 2010 Objective:

- ▶ *Reduce to 17% cigarette smoking by adolescents (percentage of students grades 9-12 who have smoked cigarettes on one or more of the past 30 days).*
- ▶ *Decrease to 20% the proportion of high school students who have used any tobacco products in the past 30 days (percentage of students grades 9-12 who have smoked cigarettes or cigars or used chewing tobacco or snuff on one or more of the past 30 days).*
- ▶ *Increase to 60% smoking cessation attempts among adolescents (percentage of students grades 9-12 who smoked twenty or more of the past 30 days who have ever tried to quit).*

Section III - Drug and Alcohol Use

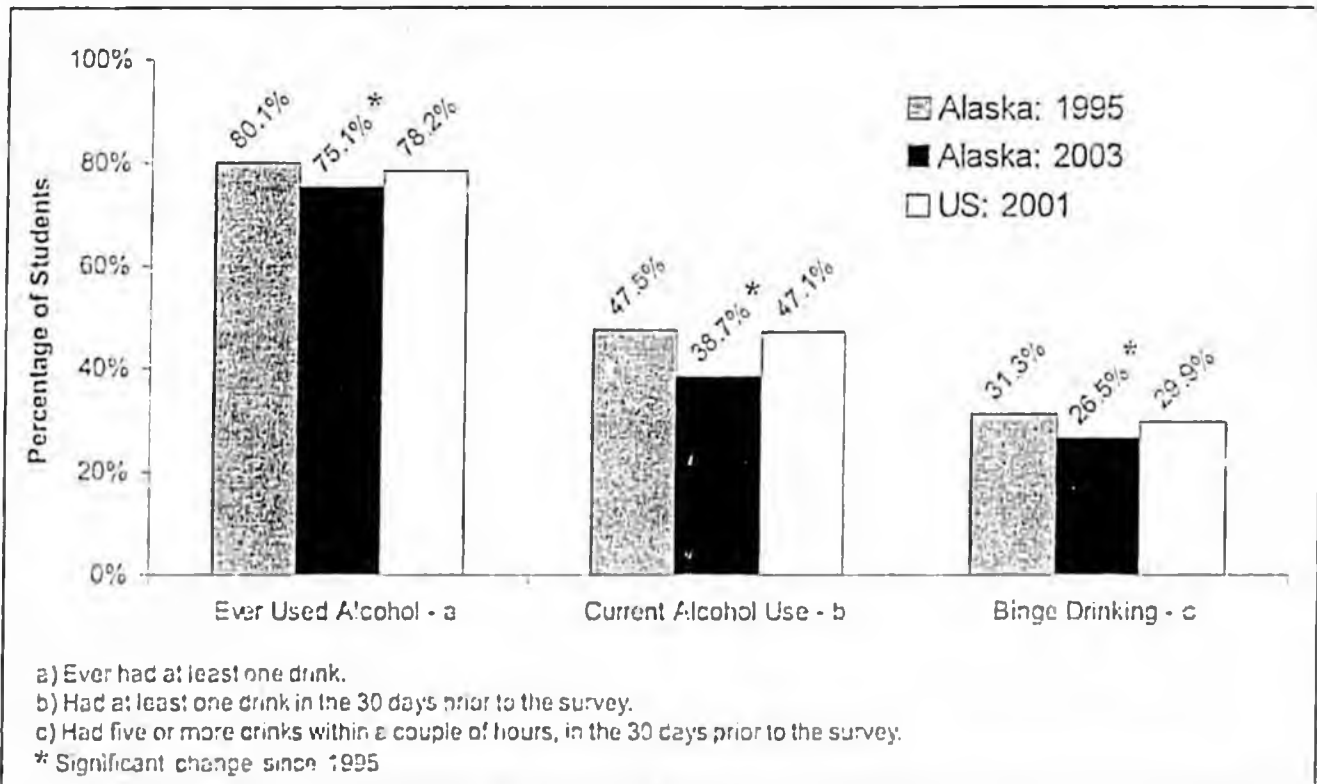
Background

Alcohol and drug abuse are major contributing factors in homicides, suicides and motor vehicle crashes, which are the leading causes of death and disability among young people in the U.S. and in Alaska. Heavy drinking and drug abuse among youth are linked to physical fights, destroyed property, job problems, school failure, delinquency, unwanted pregnancies and transmission of sexually transmitted diseases.³

An estimated 29.9% of Alaska adults report binge drinking (having five or more drinks on an occasion, one or more time in the past month). Alaska's rate of binge drinking is among the highest in the U.S.⁴

Use of Alcohol by High School Students

Among Alaska high school students, 38.7% report having had at least one drink of alcohol in the past 30 days, a decrease from 47.5% in 1995. The percentage of students reporting binge drinking and having ever consumed alcohol also showed significant declines. Rates for binge drinking and ever used alcohol are similar to the U.S., while rates for current alcohol use are significantly lower than the U.S.

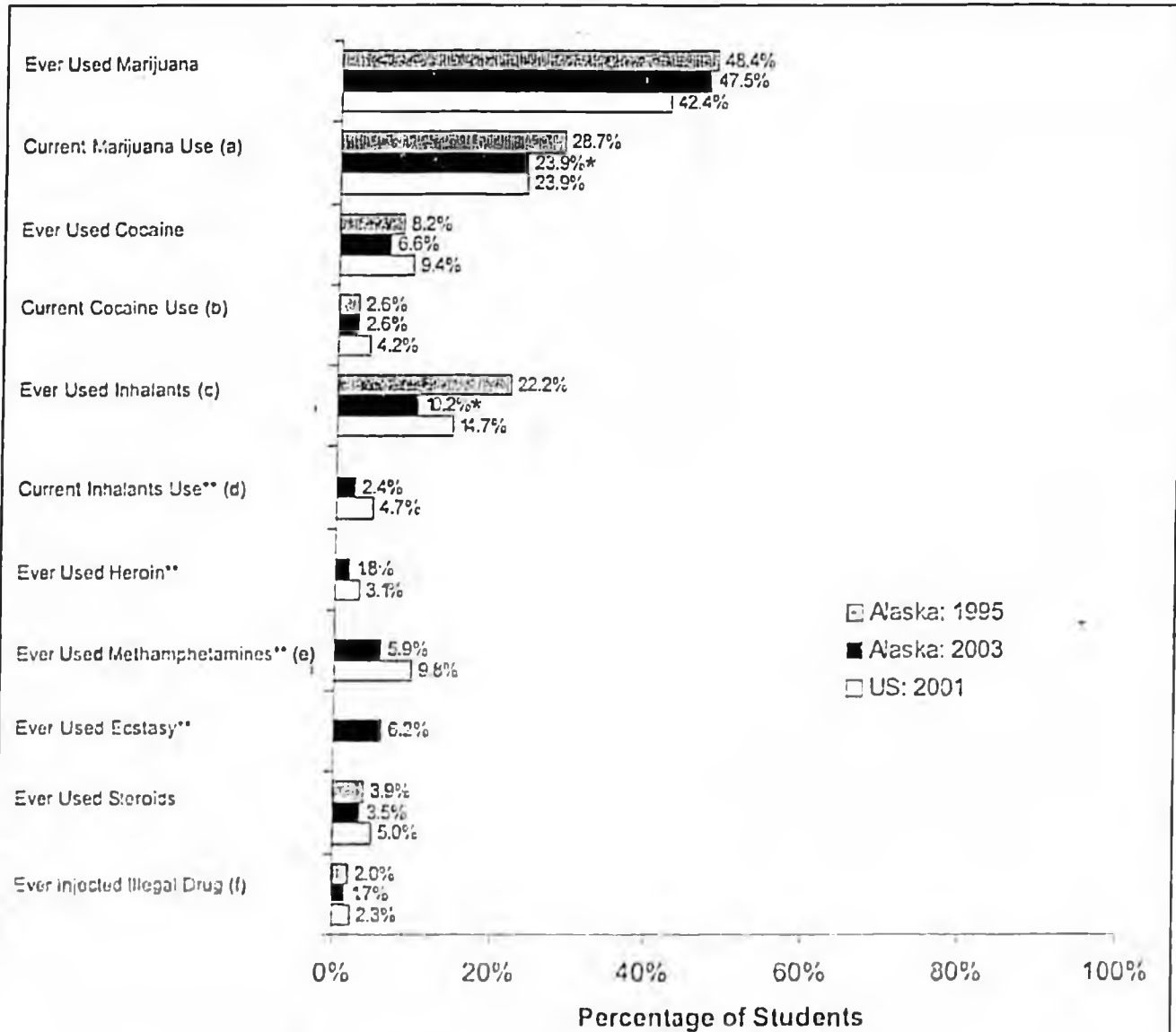


Healthy Alaskans 2010 Objective:

- ▶ Reduce to 30% binge drinking among adolescents (percentage of students grades 9-12 who consume 5 or more alcoholic drinks in a row within a couple of hours, at least once in the 30 days prior to the survey).
- ▶ increase the average age of first use of alcohol among adolescents grades 9-12 to 16.1 years of age (mean age in years, based on students reporting having at least one drink of alcohol in life).

Use of Drugs by High School Students

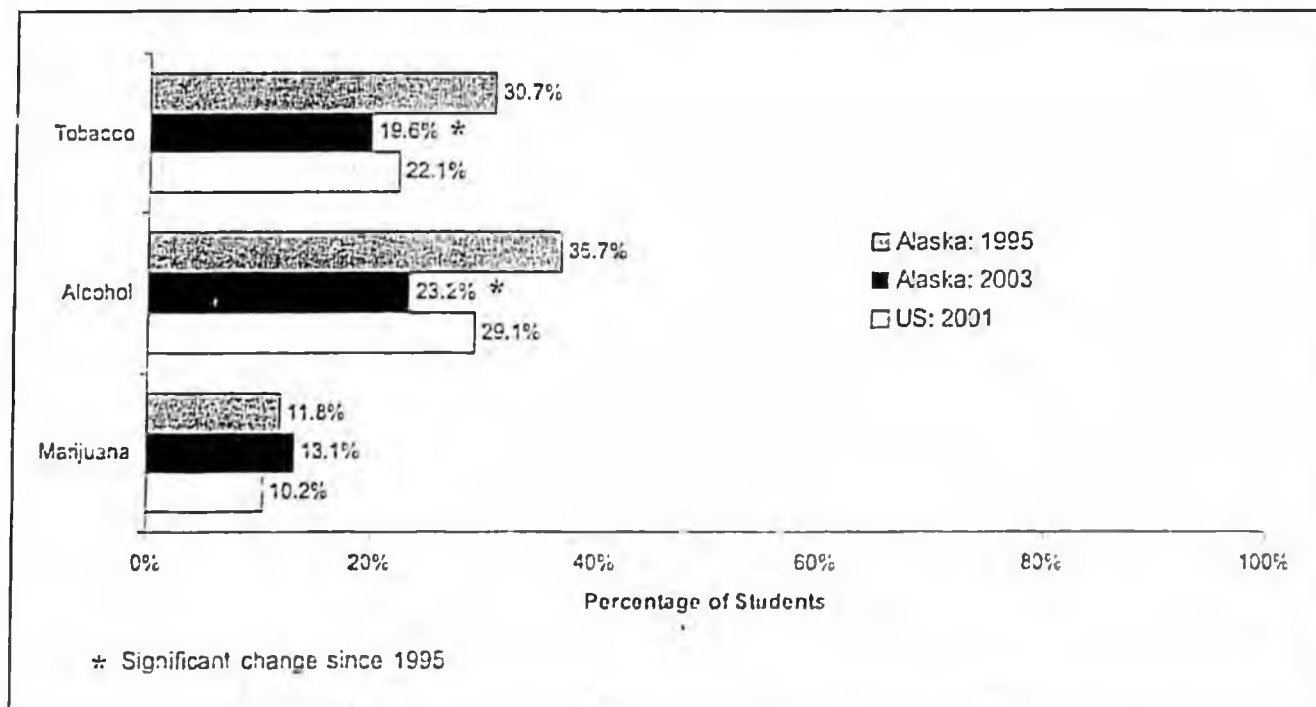
The most common drug (excluding alcohol) used by Alaska high school students remains marijuana. However, fewer students in 2003 report having ever used or being current users of marijuana than in 1995. Alaska students who report ever using inhalants has fallen from 22.2% in 1995 to 10.2% in 2003, and this is below the 14.7% of U.S. students who report ever using inhalants.



- a) Used marijuana one or more times in the 30 days preceding the survey.
- b) Used cocaine on one or more days in the 30 days prior to the survey.
- c) Ever sniffed glue, breathed contents of spray cans or inhaled paints or sprays to get high
- d) Used inhalants on one or more days in the 30 days prior to the survey.
- e) Ever used methamphetamines (speed, crystal, crank, or ice).
- f) Ever used a needle to inject an illegal drug.
- ** Asked in 2003 only
- * Significant change since 1995

Use of Tobacco, Alcohol or Marijuana Before the Age of 13

Among Alaska high school students, 23.2% report having had a first drink of alcohol before age 13, a decrease from 36.7% in 1995. Alaska students reporting use of marijuana before age 13 has risen from 11.8% in 1995 to 13.1% in 2003. Alaska boys are more likely than Alaska girls to report use alcohol, tobacco or marijuana before age 13.

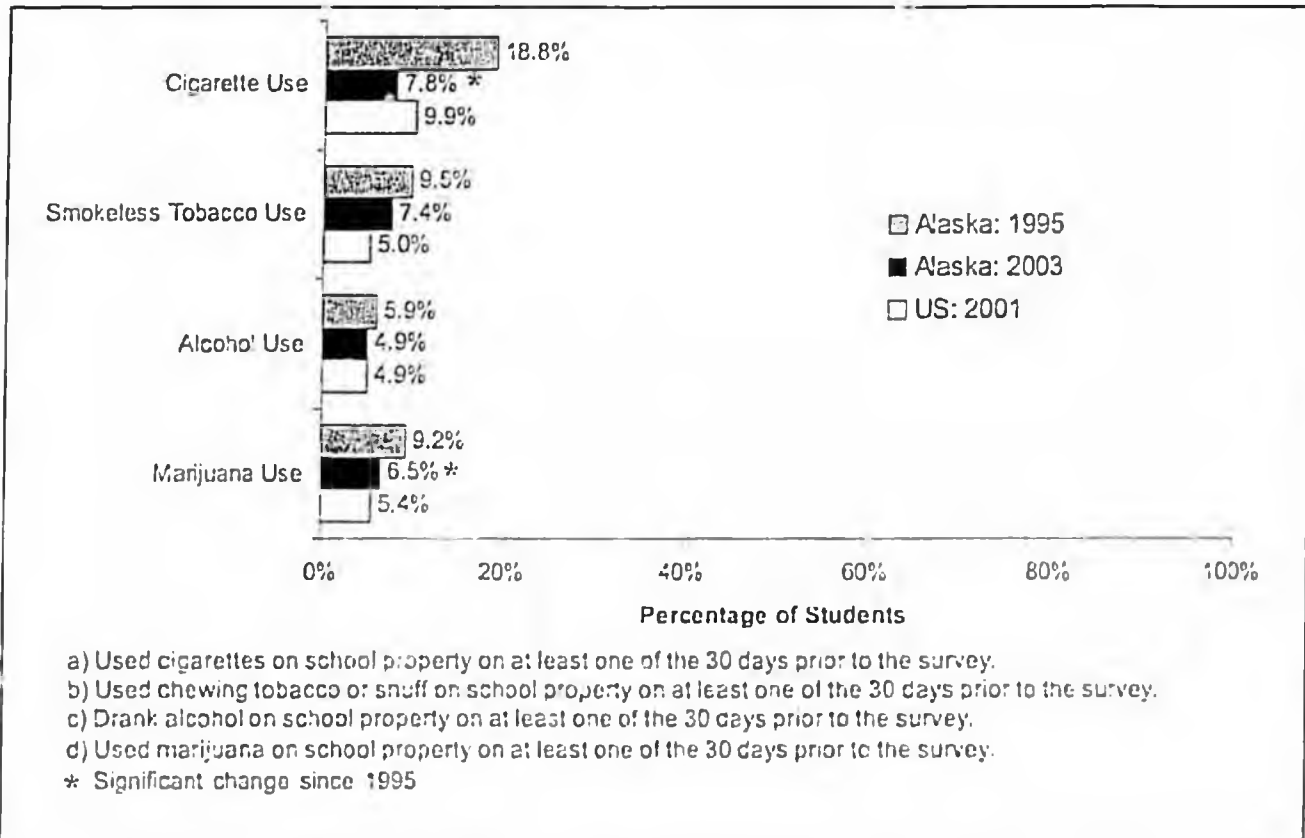


Healthy Alaskans 2010 Objective:

- ▶ Increase the average age of first use of marijuana among adolescents grades 9-12 to 17.4 years of age (mean age in years, based on students using marijuana at least once in lifetime).
- ▶ Reduce to 4% the proportion of adolescents who have used illegal steroids (percentage of students grades 9-12 who have ever used steroids pills or shots).
- ▶ Reduce to 2% inhalant use among high school students (percentage of students grades 9-12 who sniffed glue, breathed the contents of aerosol spray cans, or inhaled any paints or sprays to get high 1 or more times in past month).
- ▶ Increase to 60% the proportion of adolescents not using alcohol or illicit drugs during the past 30 days (percentage of students grades 9-12 who have not used alcohol, marijuana or cocaine in the past 30 days).
- ▶ Increase the average age of first use of alcohol among adolescents grades 9-12 to 16.1 years (mean age in years, based on students reporting having at least one drink of alcohol in life)

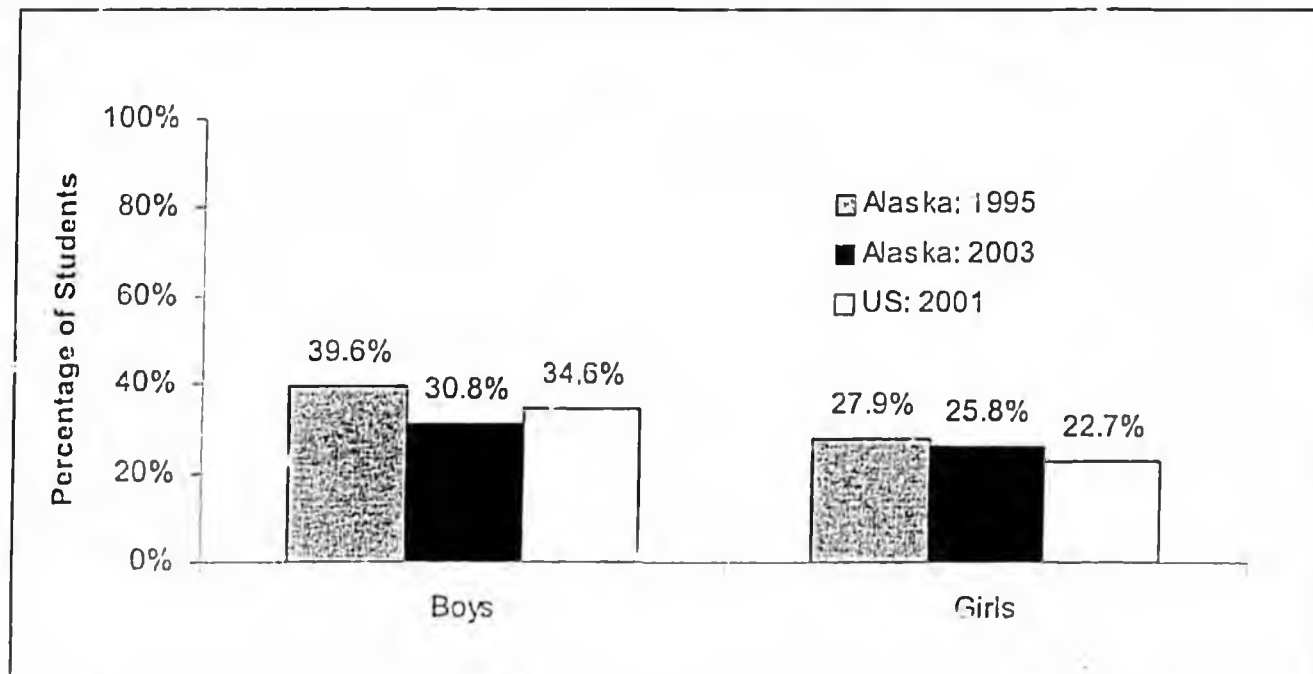
Tobacco, Alcohol, and Drug Use on School Property

While the use of tobacco, alcohol and marijuana still takes place on school property, the percentages of Alaska students reporting having used tobacco (cigarette and smokeless), alcohol or marijuana on school property on at least one of the 30 days prior to the survey has declined for all three categories since 1995. The most significant decline is among those students who report cigarette use on school property (18.8% in 1995 to 7.8% in 2003). Alaska students are less likely to use cigarettes on school property than are U.S. students. Alaska students are more likely to use smokeless tobacco and marijuana than are U.S. students on school property. Rates for alcohol use on school property for Alaska students (4.9%) are equal to those for U.S. students (4.9%).



Students Who Were Offered, Sold, or Given Drugs on School Property

Among Alaska high school boys, 30.8% report having been offered, sold or given illegal drugs on school property during the past 12 months prior to the survey, down from 39.6% in 1995 and still under the U.S. rate for boys of 34.6%. Alaska girls have seen similar decreases (27.9% in 1995 to 25.8% in 2003), but are slightly higher than reported rates for U.S. girls (22.7%). Since 1995, significantly fewer Alaska students have been offered, sold or given drugs on school property.



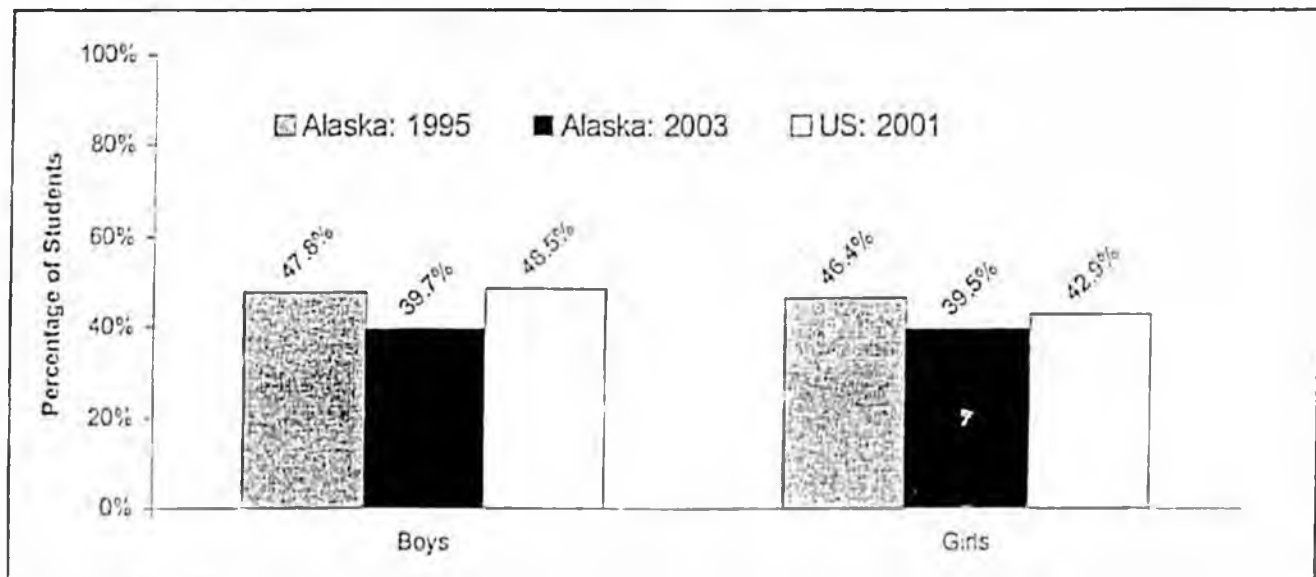
Section IV - Sexual Behaviors

Background

Early sexual activity can be associated with unintended pregnancy and sexually transmitted diseases, including HIV infection. Sexually transmitted diseases can lead to infertility, pelvic inflammatory disease, and other complications. HIV infection, which can lead to AIDS, is not curable and preventive efforts are the only means of decreasing the spread of the disease. In 2001 and 2002, Alaska reported the highest Chlamydia case rates in the U.S. Since 1996, individuals aged 15-24 accounted for 70% to 74% of the total Chlamydia cases in Alaska. Gonorrhea case rates in Alaska continue to rise as well. Of the total Gonorrhea cases in Alaska since 1996, individuals aged 15-24 have accounted for 44% to 53% of the total cases.⁵

Ever Had Sexual Intercourse

About forty percent of Alaska high school students report ever having had intercourse. The rates for Alaska high school students have fallen significantly since 1995. Alaska rates for both boys (39.7%) and girls (39.5%) are lower than U.S. rates for boys (48.5%) and girls (42.9%).

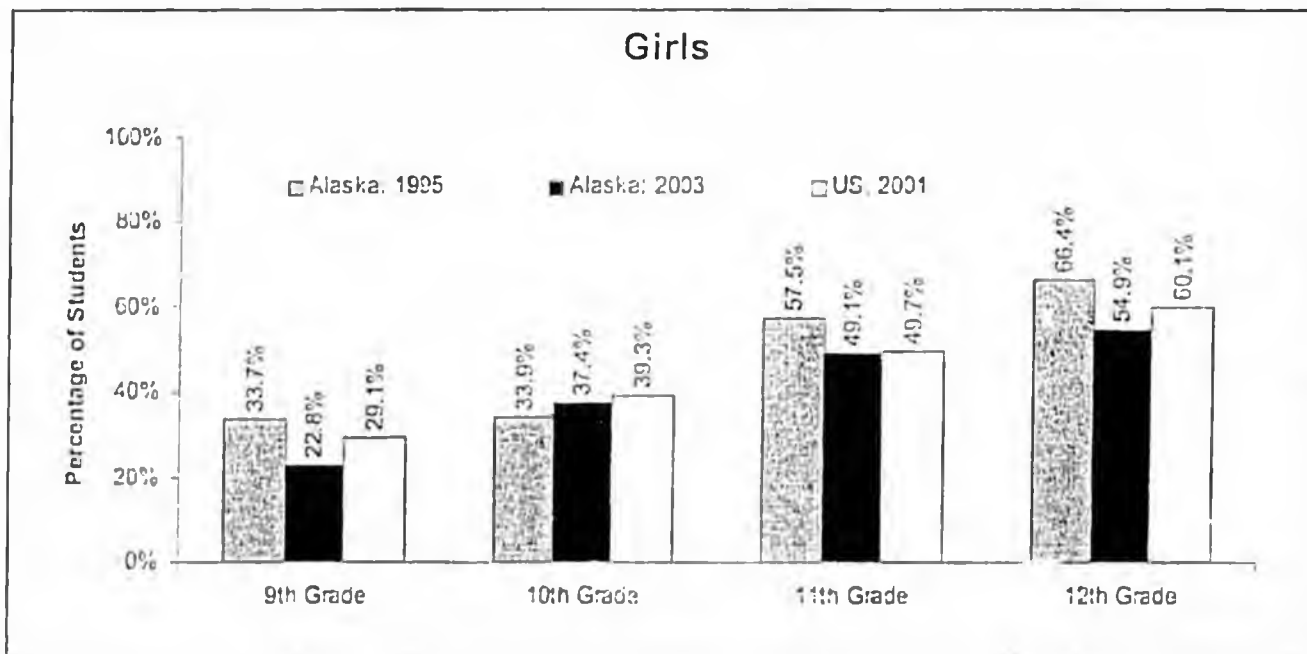
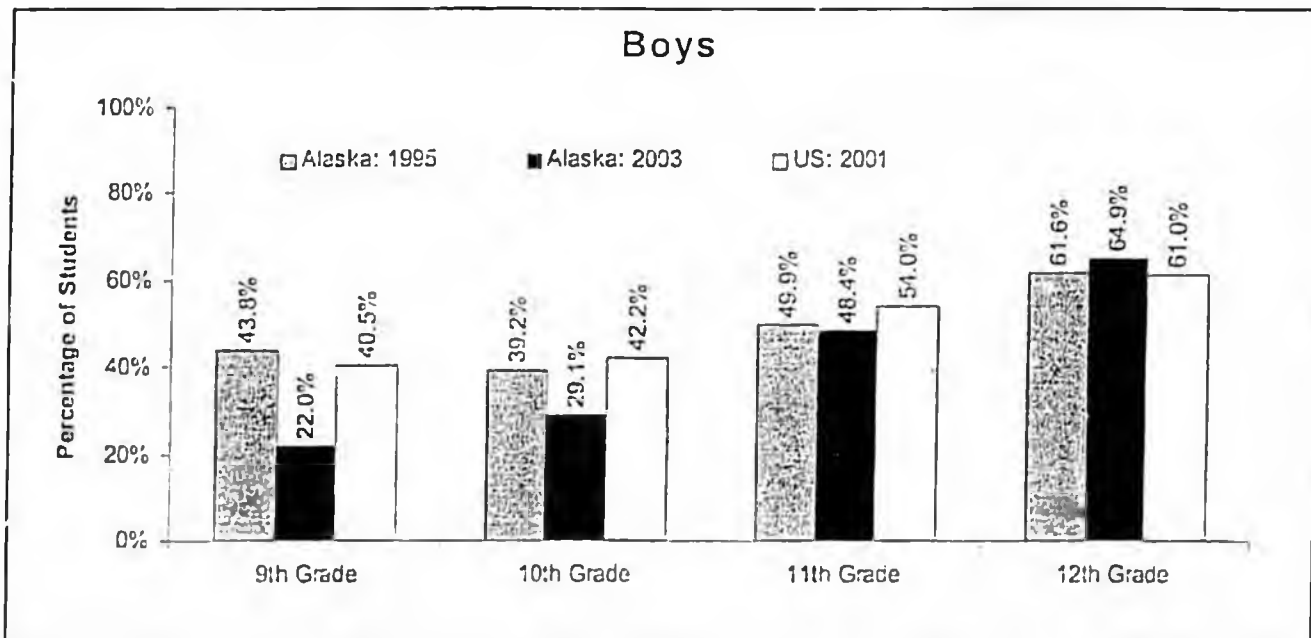


Healthy Alaskans 2010 Objective:

- ▶ Increase to 65% the proportion of adolescents who abstain from sexual intercourse (percentage of high school students grades 9-12 who have never had intercourse)

Ever Had Sexual Intercourse - Grade and Gender

The percentage of Alaska students reporting having ever had sexual intercourse increases from 22.4% in the ninth grade to 60.0% in the twelfth grade. Significantly fewer ninth graders in 2003 reported having ever had sexual intercourse than did in 1995, suggesting a delayed initiation of sexual intercourse amongst Alaska high school students. With the exception of twelfth grade boys, both Alaska boys and girls for all grades have lower rates than U.S. boys and girls for reporting ever had sexual intercourse.



Healthy Alaskans 2010 Objective:

- ▶ Increase to 85% the proportion of high school students who respond they have never had sexual intercourse before age 15 years