

ALASKA LEGISLATURE COMMITTEES 1983-1984 86/2

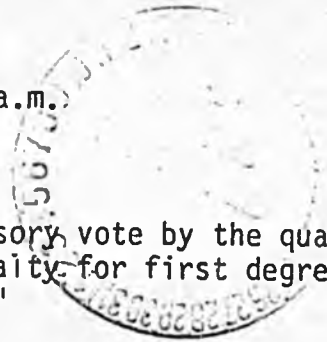
2446 HJ HB 235 - HB 279 2446

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POSITION PAPER

House Bill No. 235 a.m.



"An Act relating to authorizing an advisory vote by the qualified voters of the state on instituting death penalty for first degree murder; and providing for an effective date."

The capital punishment issue has historically been one of controversy nationwide. Placing the advisory question as to whether the Alaska Legislature should enact laws to institute death penalty for first degree murder on the ballot is viewed as an appropriate approach to resolving this issue.

Recommended by:

Roger V. Endell
for _____

Roger V. Endell, Director
Division of Adult Corrections

Date:

5/12/83

Approved by:

Robert London Smith

Robert London Smith, Ph.D.
Commissioner

Date:

5/13/83

I. REQUEST

Bill/Resolution No.: HB #235 a.m.
Title: "...advisory note.. death penalty"
Sponsor: Bussell
Requestor: Judiciary Committee

II. FISCAL DETAIL

Agency Affected: Health & Social Services
Program Category Affected: Justice
BRU, Program of Subprogram(s) Affected: Adult Corrections

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

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

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Roger C. Lange
Division: Adult Corrections

Phone: 465-3376
Date: May 10, 1983

Approved by Commissioner: Robert Gordon Smith
Department: Health & Social Services

Date: 5/13/83

Distribution:

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

FISCAL NOTE
House Bill No. 235 a.m.
Page 2

IV. ANALYSIS

The placement on a ballot of an advisory question which would institute death penalty for first degree murder would not result in any expenditures for Corrections.

If the advisory vote would result in legislation being passed to institute death penalty, there would be costs related to the legislation. These costs, however, would be identified on a fiscal for the specific bill as presented.

H0235
JR

Times
3-26-73

Capital punishment

Dear Editor:

The position of the Moral Majority and certain Christian organizations in Anchorage in favor of the death penalty is puzzling. Rather than argue that this attitude does not comport with

the teachings of the Prince of Peace, perhaps we would emulate the state-sanctioned death of their leader and execute here by means of crucifixion.

Sylvia L. Short
Anchorage

Rights

Dear Editor:

This evening's TV news report pictured Sen. Joe Josephson stating, "We must be very very careful to protect the rights of the A.P.I. residents to be different."

The recent murders of four teenagers in Russian Jack Park is the finest example of protect-

ing their rights to be different.

I would like to remind him that he should be equally careful to protect my right not to be murdered.

Edward M. Boyd
206 W. Northern Lights
Blvd.

POSITION PAPER

House Bill No. 235

"An Act relating to authorizing an advisory vote by the qualified voters of the state on instituting capital punishment for first degree murder; and providing for an effective date."

The capital punishment issue has historically been one of controversy nationwide. Placing the advisory question as to whether the Alaska Legislature should enact laws to institute capital punishment for first degree murder on the ballot is viewed as an appropriate approach to resolving this issue.

Recommended by: *for Roger C. L...*
Roger V. Endell, Director
Division of Adult Corrections

Date: March 12, 1983

Approved by: *Robert London Smith 4/18/83*
Robert London Smith, Ph.D.
Commissioner

I. REQUEST

Bill/Resolution No.: HB No. 235
 Title: " . . . advisory vote . . . on capital punishment
 Sponsor: Bussell
 Requestor: Judiciary Committee

II. FISCAL DETAIL

Agency Affected: Health & Social Services
 Program Category Affected: Admin. of Justice
 BRU, Program of Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES .						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES .						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

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

Not applicable.

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Roger C. Lange *Roger C. Lange* Phone: 465-3376
 Division: Adult Corrections Date: March 16, 1983
 Approved by Commissioner: Robert London Smith, Ph.D. Date: 4/18/83
 Department: N & SS

Distribution:

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- Copy to Department (for Governor introduced bills)
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IV. ANALYSIS

The placement on a ballot of an advisory question which would institute capital punishment for first degree murder would not result in any expenditures for Corrections.

If the advisory vote would result in legislation being passed to institute capital punishment, there would be costs related to the legislation. These costs, however, would be identified on a fiscal note for the specific bill as presented.

STATE OF ALASKA
FISCAL NOTE

Revision Date _____, 1983

I. REQUEST

Bill/Resolution No.: HB 235
 Title: Advisory Vote of Capital Punishment
 Sponsor: Rep Bussell
 Requestor: House Judiciary

II. FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: Crime ID
 BRU, Program of Subprogram(s) Affected: Alaska State Troopers

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

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

IV. ANALYSIS: Attach a separate page for any Analysis No Fiscal Impact Anticipated

Prepared By: Francis C. Allan
 Division: Alaska State Troopers

Phone: 269-5526
 Date: March 16, 1983

Approved by Commissioner: [Signature]
 Department: Public Safety

Date: 3/18/83

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
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3/8/83

STATE OF ALASKA
FISCAL NOTE

Revision Date , 1983

I. REQUEST

Bill/Resolution No.: HB 235
 Title: "...advisory vote...capital punishment"
 Sponsor: Repr. Bussell
 Requestor: House Judiciary Committee

II. FISCAL DETAIL

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

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

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

N/A

IV. ANALYSIS: Attach separate page for any Analysis

Prepared By: Richard I. Pegus, Director
 Division: Administrative Services Division

Phone: 465-3672
 Date: April 15, 1983

Approved by Commissioner: Richard I. Pegus
 Department: Department of Law

Date: April 15, 1983

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
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HB 235
Fiscal Note
Analysis

This bill provides for an advisory vote for instituting capital punishment for first degree murder. The bill itself, which only authorizes a vote, will not have a fiscal impact on the Department of Law. The department cannot speak to the cost of capital punishment legislation until such legislation is written and its form and substance are known.

Obviously, if capital punishment is reinstated there will be significant fiscal impact felt by Law, Public Safety, the Courts and, to a probably the greatest degree, Corrections. For instance, Utah's Attorney General has two attorneys who are assigned solely to capital punishment appeals. Based on this experience, we could probably expect that our department would have to annually expend between \$200.0 and \$250.0, in attorney costs, for its own appeals effort.

I. REQUEST

Bill/Resolution No.: HR 235
 Title: Advisory Vote on Capital Punishment
 Sponsor: Representative Bussell
 Requestor: House Judiciary

II. FISCAL DETAIL

Agency Affected: Office of the Governor
 Program Category Affected: Exec. Operation
 BRU, Program of Subprogram(s) Affected: Division of Elections

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

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


POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

III: SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL: Not provided.

IV. ANALYSIS: The passage of HB 235 will have no fiscal impact on the Division of Elections.

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Dana C. Coffman, Deputy Director Phone: 586-6181
 Division: Division of Elections Date: April 18, 1983
 Approved by Commissioner:  Date: 4-18-83
 Department: Lieutenant Governor

Distribution:

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- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
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EDM

FROM: SARAH RUE, 2003 PARKVIEW CIRCLE, ANCHORAGE 99501
H 277-6109 W 264-4531

WE DON'T NEED AN ADVISORY VOTE ON THE DEATH PENALTY AND WE
CERTAINLY DON'T NEED ANY LEGISLATION REINSTITUTING THE
DEATH PENALTY.



2/16 POM, MARCIE, ANC INFO MSG 8979

TO: ALL MEMBERS OF THE LEGISLATURE

FROM: KATHY GLIVA, 8203 COUNTRY WOODS DRIVE, ANCHORAGE 99502
349-3827

I'M STRONGLY OPPOSED TO THE DECOMPRESSION CHAMBER. I FIND IT
ARCHAIC AND INHUMANE.

EOM

H

B

247

Open hostility flares on judiciary panel

NEWS

4/20/63

By HARRY McFARLAND
The Associated Press

JUNEAU — Open hostility flared in a House Judiciary Committee meeting when a minority Democrat protested the lack of debate on one bill and the absence of testimony on another.

Rep. Don Clocksin, D-Anchorage, found himself looking at a committee substitute on a measure (HB247) he said

he hadn't read. Judiciary Chairman Charlie Bussell, R-Anchorage, asked immediately for a vote, saying that the information on the bill was contained in the member's packet.

"You're not even going to allow debate?" Clocksin asked.

Bussell said the committee had debated the bill, and the committee substitute was the

result of testimony. The measure was approved on a 4-1 vote.

A second measure (HB163) was introduced to the committee, with Bussell stating he saw no real need to have testimony.

"This is a travesty on the legislative process," Clocksin said. "It's a railroad."

Backed by other members

of the majority — including House Speaker Joe Hayes and House Majority Leader Ramona Barnes, both R-Anchorage — Bussell won his way, and the measure was approved on a 5-2 vote.

After the meeting, an angry Clocksin stormed up to Bussell, using foul language, demanding to know why he was being treated in such a manner.

MAR 29 1983

STATEMENT BY
ARTHUR HULL HAYES, JR., M.D.
COMMISSIONER
FOOD AND DRUG ADMINISTRATION
PUBLIC HEALTH SERVICE
DEPARTMENT OF HEALTH AND HUMAN SERVICES

BEFORE THE

SUBCOMMITTEE ON HEALTH AND THE ENVIRONMENT
COMMITTEE ON ENERGY AND COMMERCE
HOUSE OF REPRESENTATIVES

OCTOBER 15, 1982

FOR RELEASE ONLY UPON DELIVERY

Mr. Chairman:

I am here today to discuss with you the events surrounding the recent contamination of Extra-Strength Tylenol capsules and to share with you our thoughts and concerns regarding this tragic event. On behalf of Secretary of Health and Human Services Richard Schweiker and myself, I would like to acknowledge the excellent cooperation we have received from industry, State and local authorities, and the Federal Bureau of Investigation who have responded swiftly and effectively to this emergency.

Based on the September 30, 1982 report of deaths in Chicago by a Cook County medical examiner, the manufacturer of Tylenol, McNeil Consumer Products Co. of Fort Washington, Pennsylvania immediately removed the lot from the marketplace nationwide which had been linked to the deaths. On October 1, the manufacturer removed a second lot from the marketplace nationwide which had been linked to an additional death. In the greater Chicago area, all Extra-Strength Tylenol capsules were withdrawn.

At the same time, the Food and Drug Administration (FDA) issued press releases on September 30 and October 1 (a press conference was also held on October 1) advising consumers not to use Extra-Strength Tylenol capsules until circumstances surrounding the deaths could be clarified. Additionally, FDA began sampling Extra-Strength Tylenol nationally on October 1. Sampling in the Chicago area had begun immediately upon learning of the Tylenol-related deaths on September 30.

FIELD ACTIONS

During the next four days, over a million and a half Tylenol capsules were sampled and tested. Over 1,100 FDA field personnel were committed to collecting and analyzing samples of Tylenol capsules and immediately investigating all reports of deaths or illnesses which might have been associated with the use of Tylenol. Samples were collected in practically all of the States and forwarded to our district laboratories for analysis. I would like to make special mention of the enormous task our analysts faced. Each individual capsule was physically examined and its ingredients chemically analyzed. It was truly an extraordinary effort.

In one instance, our field efforts may have, indeed, prevented an additional death. One bottle taken from the shelves by FDA in the Chicago area proved to be contaminated with cyanide. This was the only bottle containing cyanide that was not associated with a death. None of the capsules outside the Chicago area showed cyanide contamination.

In addition, both plants where the lots involved had been produced were inspected to insure that the contaminant had not been introduced into the product during the manufacturing process. The Philadelphia District Office began inspecting the Fort Washington, Pennsylvania plant on September 30 and the Houston District Office inspected the Round Rock, Texas plant on October 1. We concluded that the contamination was the result of tampering after the capsules had been

shipped to distribution points and, most likely, after they reached the retail shelves. Some of the reasons were:

- The only cases of injury and death associated with cyanide-contaminated capsules were in the Chicago area and had all occurred within three days--September 29 to October 1.
- The control numbers directly associated with the injuries and deaths were produced in two widely separated plants at three different times: Fort Washington, Pennsylvania and Round Rock, Texas in January, March, and April 1982.
- There was no uniformity in the amount of cyanide present in the capsules that were analyzed.
- FDA Laboratory testing of capsules containing cyanide revealed that the gelatin capsule begins to deteriorate 6 to 7 days after being in contact with the cyanide, and samples of capsules collected and analyzed by FDA from a Schaumburg, Illinois drug store and FDA analysis of capsules from victims' bottles revealed beginning stages of such deterioration.
- The first two control numbers implicated were both shipped to the Chicago area in mid-August 1982. The third lot was first shipped to distribution points in Pennsylvania in May 1982. Subsequent shipments of code 1801 MA were after that date and therefore all were available for adulteration in Chicago at about the same time.
- The bottle of capsules implicated in one death contained both Regular Strength and Extra-Strength capsules. Only the Extra-Strength capsules contained cyanide. Inspection of the plants revealed distinctly separate processes for the manufacture of the two kinds of capsules and these processes are physically separated one from the other.

-- Local law enforcement agencies have announced that they believe at this time that the tampering took place after the product left the manufacturing plant.

By October 4, FDA also had checked reports of more than twelve deaths or illnesses in areas other than Chicago and none proved to be related to Tylenol. On that same date FDA issued another press release to provide this updated information and to continue to advise against the use of nonprescription Tylenol capsules. Also, from the day the deaths were first reported, my colleagues and I utilized national TV and radio news programs, press conferences and other available means of communication to convey this message to the public.

As authorities continued to investigate the cyanide poisoning deaths in the Chicago area, a report of a Tylenol-related illness involving an Oroville, California man was received by FDA late on Monday evening, October 4. Field investigators were immediately assigned to the area to investigate the incident and acquire samples. Although the man recovered, subsequent analysis of the Extra-Strength Tylenol capsules from the bottle he had used revealed the presence of strychnine. At this time, although all contaminated Tylenol products were Extra-Strength Tylenol, retailers were notified nationwide on October 5 by the manufacturer to withdraw both Extra- and Regular Strength Tylenol capsules from their shelves. FDA also issued another press release on that date summarizing McNeil's announcement regarding the Oroville situation and restating its warning to consumers to avoid Extra-Strength and Regular nonprescription Tylenol capsules nationwide.

As of today, over 150 reports of deaths or illnesses that might have been related to the use of Tylenol capsules have been received by FDA from across the country. We have investigated each of these reports and have been unable to prove that any subsequent cases have been linked to the taking of contaminated Tylenol. We are continuing to monitor and follow up on additional reports we receive.

HEADQUARTERS ACTIONS

In addition to the efforts undertaken in the field and because of the continuing serious emergency involving the tampering with nonprescription drug products, I utilized our existing emergency procedures for headquarters personnel and 24-hour coverage was provided by the staff. I also created a formal emergency Task Force devoted to the Tylenol problem. The group met at least twice daily to review, discuss and direct the activities of headquarters and field personnel.

These events have, quite understandably, generated concern about package integrity and product security. After discussion with the Secretary, I conferred with The Proprietary Association, a trade association which represents a large number of nonprescription drug manufacturers, on October 3 suggesting that they organize an industry task force to address this problem. They agreed to do so and immediately established the Joint Committee on Product Security. I met with the Committee on October 5 to explore measures to improve product packaging in order to discourage tampering.

Further, a special Expert Technical Committee was appointed to develop standards for tamper-resistant packaging. This group met on

October 7 and 11 and reviewed technologies available to deal with this problem, and a number of packaging types were identified as tamper resistant by a definition developed by the group. An integral part of these discussions has been the availability of necessary packaging that are agreed upon. In addition, individual drug companies have been examining their own packaging to determine what can be done to develop and implement additional tamper-resistant procedures. As you know, the Board of Directors of The Proprietary Association met yesterday and received the report from the Expert Technical Committee. I am advised that Mr. Cope will discuss the substance of that report in his testimony.

There is a need for a Federal standard to implement the packaging requirement. Such requirements and their technical feasibility are the subject of discussion within FDA and The Proprietary Association.

Of concern to us has been the development of State and local laws or proposals to require some form of tamper-resistant packaging. These laws or proposals are an understandable response in the face of this tragic situation. It is important, however, that there not be conflicting laws affecting nationally distributed products in such a way that it is impracticable to market such products. Therefore on October 5, Secretary Schweiker requested FDA to immediately begin drafting a regulation that would require some kind of tamper-resistant packaging for nonprescription drugs. The Secretary stressed the need for uniform consistent standards that adequately protect the public while assuring the availability of nonprescription drug products nationwide.

FDA currently possesses the legal authority to promulgate regulations governing the design of containers to discourage or indicate the occurrence of tampering. Specifically, section 501(a)(2)(B) of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. sec. 351(a)(2)(B)] authorizes FDA to issue good manufacturing practice regulations (GMPs) for drug products.

GMPs are those measures that manufacturers take to assure that their drug products are of adequate quality, including measures to assure that products remain of adequate quality throughout the chain of distribution. This GMP authority has been used to require drug containers to guard against foreseeable external factors that could cause product deterioration or contamination. These regulations were not intended to cover tampering. Tampering has been uncommon and sporadic, and has therefore not been considered, until now, to be the type of threat to product integrity for which an industry-wide response is necessary. But, in the light of the recent events in Chicago and Oroville, it is clear that good manufacturing practices should now include the use of tamper-resistant packaging to discourage or indicate the occurrence of tampering. Such packaging is necessary to assure that over-the-counter (OTC) drug products meet Federal requirements for safety, quality, and purity at the time of purchase by the ultimate consumer.

It must be recognized that the initiatives described above will not happen overnight. Although we expect to publish the regulation in the near future, it is going to take time for industry to get the equipment in place in the plants and to begin marketing these products. It

should also be emphasized that a tamper-proof package is not possible. However, we believe that we can improve upon the packaging for these products using existing and developing technologies by making them more resistant to tampering of any sort. At the same time, we must help to educate consumers to be alert to signs that indicate tampering. Our goal in these efforts is to reduce the risk of injuries or deaths to consumers now and in the future. I want to assure you that Secretary Schweiker and I give this matter the highest priority.

CONSUMER INITIATIVES

Initiatives are underway by health professionals, the industry and FDA to develop ways in which we can best inform and educate the public about how critical it is for all of us to be as observant as possible with regard to the condition of the products we buy. We will be building upon our existing programs through cooperation with the private sector to develop ways to disseminate information and to impress upon consumers that they have a personal responsibility to heighten their sense of awareness in this area. In fact, the National Council on Patient Information and Education plans to form a group which will deal with various aspects on patient and consumer responsibility. We are working closely with the Council. The Council, headed by former Congressman Paul Rogers, held its first meeting on October 12, 1982.

INTERNATIONAL COMMUNICATIONS

We also undertook to disseminate information to the international community.

On Friday, October 1, the text of Dr. Novitch's statement at the noon press conference was sent by telegram to the World Health Organization (WHO) offices in Geneva, Copenhagen, and Washington. An all-post telex was sent Friday evening by the Department of State. That evening, a telex explaining events up to that time was also sent to 64 government drug regulatory authorities and WHO.

Over the next two days, we continued to provide WHO and the State Department with additional information as it became available and requested that the various health ministries be provided with this updated information. Another telex was sent to international drug regulatory authorities.

Further, on October 8, we again contacted the State Department updating domestic information on the Tylenol situation, listing the 11 foreign countries in which Tylenol capsule products are manufactured and/or marketed, and providing information on the Johnson and Johnson preferred method of disposing of bottled Tylenol capsules. We provided a list of the 11 foreign affiliates of Johnson and Johnson and explained that these affiliates had already established communications with the local health ministries regarding sales of Extra-Strength Tylenol capsules. We transmitted this same information to WHO Headquarters, WHO regional offices, and the European Economic Community. This information was also transmitted to international drug regulatory authorities.

The willful contamination of products intended to benefit consumers is repulsive to us all. I can assure you that the Secretary and I are personally committed to moving quickly to provide additional safeguards to help protect the public.

Thank you Mr. Chairman. This concludes my prepared testimony. I will be happy to answer any questions you may have.

HHS NEWS

MAR 29 1983

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
FOR RELEASE AT 8:00 A.M., EST
Thursday, November 4, 1982

Claire Dorrell - (202) 245-6343

HHS Secretary Richard S. Schweiker said today he has formally approved and sent to the Federal Register for publication uniform standards for nonprescription drug manufacturers to follow in providing tamper-resistant packaging for their products--effective within 90 days in many cases.

Manufacturers could choose among various techniques--seals, shrink bands, and bubble or strip packs, for example--but would be required to highlight the barrier with a distinctive design that would be hard to duplicate. Each product would also have to prominently display an advisory that the product should not be purchased or used if the seal or barrier was not intact when the product was bought.

FDA Commissioner Arthur Hull Hayes Jr., M.D., said the regulation "allows manufacturers flexibility as to which methods of tamper-resistant packaging will be used. We realize new methods are being developed all the time, and we want to encourage new protection methods," said Dr. Hayes.

"While it is virtually impossible to make any package tamper-proof, it is possible to manufacture packages in such a way that tampering is much more difficult, and that if a product is tampered with, it can more easily be detected by a careful consumer," Schweiker said. "That is the intent of this regulation."

The regulation is a result of the tampering--the opening and refilling of Tylenol capsules with cyanide after they left the manufacturer--which killed seven people in the Chicago area at the end of September and other reports of product tampering since that time.

The regulation becomes effective in steps. The first effective date, in 90 days, requires tamper-resistant packaging on most nonprescription capsule and

(More)

liquid drugs (including eyedrops), except topical dermatologic products. The new packaging would also be required in 90 days on certain cosmetic products that may be susceptible to tampering, such as mouthwashes.

In 180 days tablets and suppositories--which are considered less susceptible to tampering--would be required to have tamper-resistant packaging, too. The delay is designed to ensure that the more susceptible products, such as liquids and capsules, have priority in obtaining the technology and machinery needed to make them secure.

Also at 180 days, the label statement and the distinctive design for barriers would be required. This delay recognizes the practical difficulties these features may pose, although some manufacturers may be able to beat the deadline by months. In fact some expect to begin marketing products in new tamper-resistant packages within the next few weeks. In 15 months, no over-the-counter drug could be sold without tamper-resistant packaging.

Since the Chicago deaths, FDA and the major manufacturers of nonprescription drugs have been working together to review what technology and machinery is available, and how to most effectively protect the public from product tampering.

"The manufacturers of over-the-counter drugs have been extremely cooperative in moving quickly toward better protection. They have acted responsibly and in good faith, and I believe this regulation will give them the uniform national standards they need," said Schweiker.

|||

NOTE REGARDING THE FOLLOWING FRAME(S) ON MICROFILM:
COMPLETE DOCUMENT IS AVAILABLE IN ORIGINAL FILES.
TITLE PAGE ONLY HAS BEEN FILMED.

Friday
November 5, 1982

MAR 29 1983

Food and Drug Administration

Part IV

**Department of
Health and Human
Services**

Food and Drug Administration

**Tamper-Resistant Packaging
Requirements; Certain Over-the-Counter
Human Drugs and Cosmetic Products;
Contact Lens Solutions and Tablets; Final
Rules**

§ 11.46.410

ALASKA STATUTES
(Effective January 1, 1980)

§ 11.46.480

Sec. 11.46.480. Criminal mischief in the first degree. (a) A person commits the crime of criminal mischief in the first degree if, having no right to do so or any reasonable ground to believe he has such a right,

(1) with intent to cause a substantial interruption or impairment of a service rendered to the public by a utility or by an organization which deals with emergencies involving danger to life or property, he damages or tampers with property of that utility or organization and causes substantial interruption or impairment of service to the public;

(2) with intent to damage property of another by the use of widely dangerous means, he damages property of another in an amount exceeding \$100,000 by the use of widely dangerous means; or

(3) he intentionally damages an oil or gas pipeline or supporting facility.

(b) Criminal mischief in the first degree is a class B felony. (§ 4 ch 166 SLA 1978)

Cross reference. — As to liability for destruction of property by minors, see AS 11.46.020. Am. Jur. reference. — 34 Am. Jur., Malicious Mischief, § 1 et seq.

STATE OF ALASKA
FISCAL NOTE

Revision Date _____, 1983

I. REQUEST
 Bill/Resolution No.: CS for HB #247(Jud.)
 Title: tampering with an item in commerce
 Sponsor: Rep. Eiska
 Requestor: Judiciary Committee

II. FISCAL DETAIL
 Agency Affected: Health & Social Services
 Program Category Affected: Justice
 BRU, Program of Subprogram(s) Affected: Adult Confinement

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		*	*	*	*	*
* See Analysis.						
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

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

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Roger C. Lange *Roger C. Lange* Phone: 465-3376
 Division: Adult Corrections Date: April 26, 1983

Approved by Commissioner: Robert Paul Smith, Ph.D. *Robert Paul Smith, Ph.D.* Date: 4/28/83
 Department: Health & Social Services

Distribution:

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

3/8/83

FISCAL NOTE

CS for House Bill No. 247 (Jud.)

Page 2

IV. ANALYSIS

There is no statistical data regarding the activity which would become a crime under this act. The Division has no information regarding the annual number of occurrences, arrests, or convictions for tampering with an item in commerce that is a food, drug, device, or cosmetic where physical injury is intended. Therefore, no estimate can be made regarding the fiscal impact of this proposed legislation.

STATE OF ALASKA
FISCAL NOTE

Revision Date , 1983

I. REQUEST
 Bill/Resolution No.: HB 247
 Title: "...tampering with...food, drug..."
 Sponsor: Rep. Liska
 Requestor: House Judiciary

II. FISCAL DETAIL
 Agency Affected: Department of Law
 Program Category Affected: Admin. of Justice
 BRU, Program of Subprogram(s) Affected: Prosecution

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

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

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Richard I. Pegues, Director Phone: 465-3672
 Division: Administrative Services Division Date: March 31, 1983
 Approved by Commissioner: Norman C. Gorsuch, Attorney General Date: March 31, 1983
 Department: Department of Law

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
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HB 247
Analysis

This bill makes tampering with an item in commerce that is a food, drug, device, or cosmetic a class B felony. There is no history of such tampering occurring in the state. After such tampering as the Tylenol poisoning in Chicago, however, this bill could serve to help prevent future similar occurrences from happening in Alaska by providing strict penalties for any tampering. Prosecutors believe that the incidence of tampering will be slight and, consequently, no measurable fiscal impact will result due to enactment of this legislation.

STATE OF ALASKA
FISCAL NOTE

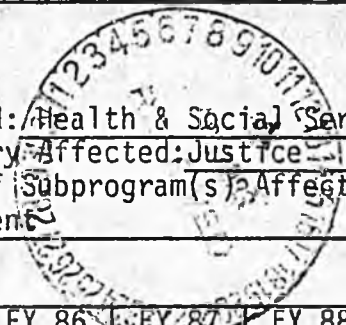
Revision Date _____, 1983

I. REQUEST

Bill/Resolution No.: House Bill No. 247
Title: "tampering with an item in commerce"
Sponsor: Rep. Liska
Requestor: Judiciary Committee

II. FISCAL DETAIL

Agency Affected: Health & Social Services
Program Category: Justice
BRU, Program of: Subprogram(s) Affected:
Adult Confinement



EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		*	*	*	*	*
* See Analysis.						
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

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

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Roger C. Lange *Roger C. Lange* Phone: 465-3376
Division: Adult Corrections Date: April 1, 1983
Approved by Commissioner: Robert London Smith Date: 4/7/83
Department: Health & Social Services

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
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IV. ANALYSIS

There is no statistical data regarding the activity which would become a crime under this act. The Division has no information regarding the annual number of occurrences, arrests, or convictions for tampering with an item in commerce that is a food, drug, device, or cosmetic where physical injury is intended. Therefore, no estimate can be made regarding the fiscal impact of this proposed legislation.

H B

261

ELECT - QUERY
0002 ALL SECTION EQ 22.15.190

S22.15.190 DOCUMENT= 1 OF 1

CHAPTER = 22.15
SECTION = 22.15.190
TITLE = 22

HEADINGS TITLE 22.
JUDICIARY.
CHAPTER 15.
DISTRICT COURTS.
ARTICLE 1.
DISTRICT JUDGES AND MAGISTRATES.

DESCRIPTION SEC. 22.15.190.

ATTACH LINE

EXT ASSIGNMENT OF DISTRICT JUDGES AND MAGISTRATES.
EACH DISTRICT JUDGE AND EACH MAGISTRATE SHALL HOLD COURT AT SUCH
TIMES AND PLACES AS ARE ASSIGNED BY THE PRESIDING JUDGE OF THE
SUPERIOR COURT OF THE DISTRICT. THE PRESIDING JUDGE IN ANY
JUDICIAL DISTRICT MAY ASSIGN ANY DISTRICT JUDGE OR MAGISTRATE
WITHIN THE DISTRICT TO SERVE TEMPORARILY IN ANY OTHER JUDICIAL
DISTRICTS. RULES AND PROCEDURES FOR TEMPORARY ASSIGNMENT
INCLUDING THE EMERGENCY SITUATION WHERE A SUPERIOR COURT JUDGE IS
NOT READILY AVAILABLE TO ASSIGN A DISTRICT JUDGE OR MAGISTRATE
SHALL BE AS PRESCRIBED BY THE SUPREME COURT.

HISTORY (SEC. 14 CH 184 SLA 1959; AM SEC. 3 CH 24 SLA 1966)

0601 * END OF DOCUMENTS IN LIST - ENTER RETURN OR ANOTHER COMMAND.

Committee on Judiciary

MEMORANDUM

TO: Representative Al Adams
Chairman, Committee on Finance

FROM: Representative Charlie Bussell *CB*
Chairman, Committee on Judiciary

DATE: March 14, 1983

RE: Alternative Solutions to the Peremptory
Disqualification Problem

Please note the enclosed House Bill 261 that I introduced March 11, 1983, in order to hopefully rush the legislative process along.

Thank you.

CB:lyn

Alaska State Legislature
House of Representatives

Al Adams
Chairman
Committee on Finance

Official Business

March 9, 1983

WHILE IN SESSION
Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-3706

OUT OF SESSION
P.O. Box 333
Kotzebue, Alaska 99752
(907) 442-3320

1024 W. 6th
Anchorage, Alaska 99501
(907) 274-0615

MEMORANDUM

TO: Representative Milo Fritz
✓ Representative Charlie Bussell

FROM: Representative Al Adams *AAA*

SUBJ: Alternative Solutions to the Peremptory
Disqualification Problem



For your information only, I would like to draw to your attention the enclosed bill, introduced by Senator Ray last Friday. It would help to alleviate the problem illustrated by Judge Hornaday's experience in Homer. The bill would not allow a district court judge to serve outside of his district for more than 90 days without his consent. Thus, a judge could not be transferred permanently to another location unless he consents to such an arrangement.

Another solution, which I also think merits further attention, would be to raise minimum sentence levels for drunk driving convictions. This would go a long way towards achieving stricter penalties for drunk driving --- which I believe is the real impetus for public outcry regarding Judge Hornaday's transfer. Mitch Abood's HB 6 is an excellent vehicle for this kind of solution.

AA: lc
Enclosure

STATE OF ALASKA
FISCAL NOTE

Revision Date _____, 1983

I. REQUEST

Bill/Resolution No.: CS for HB 261
 Title: Assignment of Judges
 Sponsor: Bussell
 Requestor: House Judiciary

II. FISCAL DETAIL

Agency Affected: Alaska Court System
 Program Category Affected: Justice
 BRU, Program of Subprogram(s) Affected:

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL		10.0	10.6	11.2	11.9	12.6
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		10.0	10.6	11.2	11.9	12.6
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		10.0	10.6	11.2	11.9	12.6
FEDERAL FUNDS						
OTHER (Specify Source:)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

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

IV. ANALYSIS: Attach a separate page for any analysis

Prepared By: Richard P. Barrier, Deputy Admin. Director *Richard P. Barrier* Phone: 264-0545
 Division: Alaska Court System Date: 4/21/83

Approved by Commissioner: _____ Date: _____
 Department: _____

Distribution:

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

ANALYSIS FOR FISCAL IMPACT: CS FOR HB 261

The CS for HB 261 (Judiciary) stipulates that "a district judge who has been assigned to an established court within a judicial district may not be permanently reassigned by the presiding judge to another court within that judicial district." In the third judicial district, the presiding judge has stated that he plans to permanently reassign the Homer district judge to Anchorage. If this legislation prohibits the permanent reassignment of the Homer judge, the court will incur additional travel and per diem expenses to transport the Homer judge to Anchorage and Anchorage judges to Homer to cover disqualifications. The estimated cost of this travel and per diem is \$10,000/year.

HB

262

American Academy of Pediatrics



In support of Senate Bill 163 and House Bill 262

WHY DOES ALASKA NEED TOUGH

CHILD PASSENGER SAFETY LEGISLATION?

Alaska Chapter

Chairman Clinton B. Lillibridge, M.D. 4001 Dale Street, Suite 213 Anchorage, 99508

Alternate Chairman Tom Porter, M.D. Dept. of Pediatrics Box 7-741 Anchorage 99510

Secretary-Treasurer Charles Ryan, M.D. 3300 Providence Drive, Suite 206 Anchorage 99504

- 1. THE GREATEST KILLER of KIDS is the CAR/TRUCK
a. More children are killed by motor vehicles than by the next two greatest killers combined--more than birth defects, congenital heart lesions, brain malformations, leukemia, cancer, etc. together.
b. Children under age 6 are PHYSICALLY more susceptible to HEAD INJURY. Twenty-five percent of children's weight is in their head (compared to 9 percent for adult). When the vehicle slows suddenly, the child is thrown HEADFIRST into the dashboard like an arrow. The child's SKULL is more FRAGILE, and BRAIN DAMAGE occurs more easily.

- 2. WOULD INTENSE EDUCATION ACHIEVE GOOD RESULTS?
a. No. Several other states have spent hundreds of thousands of dollars on TV, newspaper, pediatric office teaching, etc. with NO MEASURABLE DIFFERENCE IN USAGE or death rate, because young people (parents) naively believe accidents always happen only to other people.

3. WOULD A TOUGH LAW INCREASE USAGE and SAVE LIVES?

Yes. Massachusetts Usage: Pre-Law 14% With Law 70%

Yes. Tennessee: Pre-Law 12 deaths/year With Law 1 death/year

Yes. Washington: Death rate over 10 years and 39,600 accidents is 13 times greater for children riding loose than restrained.

Clinton B Lillibridge MD

I. REQUEST

Bill/Resolution No.: HB 262 #
 Title: "...child safety devices..."
 Sponsor: Clocks in
 Requestor: _____

II. FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: Admin/Justice
 BRU, Program of Subprogram(s) Affected: Alaska State Troopers

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	0	0	0	0	0	0

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

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

Not identified by sponser

IV. ANALYSIS: Attach a separate page for any Analysis No fiscal impact is anticipated.

Prepared By: Francis C. Allan R.C.A. Phone: 269-5691
 Division: Alaska State Troopers MCK Date: 3-22-83
 Approved by Commissioner: R.J. Sundberg J. Lindberg Date: 3/29/83
 Department: Public Safety

Distribution:

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

I. REQUEST

Bill/Resolution No.: 262 #2
 Title: Use of Child Safety devices in motor, etc
 Sponsor: Clocks in, Szymanski & Koponen
 Requestor: _____

II. FISCAL DETAIL

Agency Affected: Health & Social Services
 Program Category Affected: _____
 BRU, Program of Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
200 TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
300 CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
400 COMMODITIES	-0-	-0-	-0-	-0-	-0-	-0-
500 EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

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

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Vernellia Randall
 Division: Public Health
 Approved by Commissioner: Robert Landa Smith, Ph.D.
 Department: Health & Social Services

Phone: 465-3104
 Date: 3/22/83

Date: 3/30/83

Distribution:

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

COMMITTEE REPORT

5/3

HOUSE

JUDICIARY

(7)

FURTHER: FINANCE

3/11/83

Date:

5/2/83

Mr. Speaker: HEALTH, EDUCATION AND SOCIAL SERVICES

The Committee on _____ has had HB 262

"An Act relating to child safety devices for motor vehicles; providing for a child safety loan program; and providing for an effective date." device

under consideration and reports it back as follows:

- [] do pass [] do not pass
[] do pass with attached amendments(s)
[] replace with CS for HB.262 (HESS) [X] same title [] new title
and recommends with original recommendation
[] AND attaches a "Letter of Intent" [] New Fiscal Note [2] Zero Fiscal Note Attached
[] reports it back without recommendation
[] referred to the _____ Committee

MEMBERS SIGNING DO PASS

Milo H. Fritz
Peter...
M.W. Miller
Michael...

MEMBERS HAVING OTHER RECOMMENDATIONS:

Walter Herrmann No Rec.
M... No Not Pass

CHAIRMAN

Milo H. Fritz



Judiciary Referral

WHY DOES ALASKA NEED TOUGH CHILD PASSENGER SAFETY LEGISLATION?

Alaska Chapter

Chairman Clinton B. Lillibridge, M.D. 4001 Dale Street, Suite 213 Anchorage, 99508

Alternate Chairman Tom Porter, M.D. Dept. of Pediatrics Box 7-741 Anchorage 99510

Secretary-Treasurer Charles Ryan, M.D. 3300 Providence Drive, Suite 206 Anchorage 99504

- 1. THE GREATEST KILLER of KIDS is the CAR/TRUCK
a. More children are killed by motor vehicles than by the next two greatest killers combined--more than birth defects, congenital heart lesions, brain malformations, leukemia, cancer, etc. together.
b. Children under age 6 are PHYSICALLY more susceptible to HEAD INJURY. Twenty-five percent of children's weight is in their head (compared to 9 percent for adult). When the vehicle slows suddenly, the child is thrown HEADFIRST into the dashboard like an arrow. The child's SKULL is more FRAGILE, and BRAIN DAMAGE occurs more easily.
2. WOULD INTENSE EDUCATION ACHIEVE GOOD RESULTS?
a. No. Several other states have spent hundreds of thousands of dollars on TV, newspaper, pediatric office teaching, etc. with NO MEASURABLE DIFFERENCE IN USAGE or death rate, because young people (parents) naively believe accidents always happen only to other people.

3. WOULD A TOUGH LAW INCREASE USAGE and SAVE LIVES?

Table with 3 rows and 3 columns. Columns: Yes, Pre-Law, With Law. Row 1: Massachusetts Usage: 14% (Pre-Law), 70% (With Law). Row 2: Tennessee: 12 deaths/year (Pre-Law), 1 death/year (With Law). Row 3: Washington: Death rate over 10 years and 39,600 accidents is 13 times greater for children riding loose than restrained.

Clinton B Lillibridge MD

American
Academy of
Pediatrics



In support of Senate Bill 163
and House Bill 262 JR

WHY DOES ALASKA NEED TOUGH
CHILD PASSENGER SAFETY LEGISLATION?

Alaska Chapter

Chairman
Clinton B. Lillibridge, M.D.
4001 Dale Street,
Suite 213
Anchorage, 99508

Alternate Chairman
Tom Porter, M.D.
Dept. of Pediatrics
Box 7-741
Anchorage 99510

Secretary-Treasurer
Charles Ryan, M.D.
3300 Providence Drive,
Suite 206
Anchorage 99504

1. THE GREATEST KILLER of KIDS is the CAR/TRUCK
 - a. More children are killed by motor vehicles than by the next two greatest killers combined--more than birth defects, congenital heart lesions, brain malformations, leukemia, cancer, etc. together.
 - b. Children under age 6 are PHYSICALLY more susceptible to HEAD INJURY. Twenty-five percent of children's weight is in their head (compared to 9 percent for adult). When the vehicle slows suddenly, the child is thrown HEADFIRST into the dashboard like an arrow. The child's SKULL is more FRAGILE, and BRAIN DAMAGE occurs more easily.
2. WOULD INTENSE EDUCATION ACHIEVE GOOD RESULTS?
 - a. No. Several other states have spent hundreds of thousands of dollars on TV, newspaper, pediatric office teaching, etc. with NO MEASURABLE DIFFERENCE IN USAGE or death rate, because young people (parents) naively believe accidents always happen only to other people.

3. WOULD A TOUGH LAW INCREASE USAGE and SAVE LIVES?

	<u>Pre-Law</u>	<u>With Law</u>
<u>Yes.</u> Massachusetts Usage:	14%	70%

	<u>Pre-Law</u>	<u>With Law</u>
<u>Yes.</u> Tennessee:	12 deaths/year	1 death/year

Yes. Washington: Death rate over 10 years and 39,600 accidents is 13 times greater for children riding loose than restrained.

Clinton B. Lillibridge MD

STATE OF ALASKA
FISCAL NOTE

Revision Date _____, 1983

I. REQUEST

Bill/Resolution No.: CSHB 262(HESS)
 Title: "...Child Safety Devices..."
 Sponsor: Clocksini, Szymanski, Koponen
 Requestor: House Judiciary

II. FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: Admin/Justice
 BRU, Program of Subprogram(s) Affected: Alaska State Troopers

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

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

Not identified by sponsor

IV. ANALYSIS: Attach a separate page for any Analysis No fiscal impact is anticipated.

Prepared By: Michael Korhonen Phone: 269-5646
 Division: Alaska State Troopers Date: 5-9-83
 Approved by Commissioner: R.J. Sundberg Date: 5/13/83
 Department: Public Safety

Distribution:

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- Copy to Department (for Governor introduced bills)
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- Copy to Requestor (if different from Sponsor)

3/8/83

MSG 83-00015214 PRTY 1 05/05/83 14:36:00 ORIG: LA01 IN= 0019 OUT= 0133
FROM: SHIRLEE ANC LIO 2 TO: POMS JUNEAU INFO
TARGET: LJHL SUBJ: POM

OR

TO: REPRESENTATIVE BUSSELL

FROM: PHYLISS JONES, 5800 GLENN HIGHWAY, ANCHORAGE 9950
H 333-6233



I URGE YOU TO VOTE FOR HOUSE BILL, 262.



HB

270

POSITION PAPER

CS for SS for House Bill No. 270

"An Act relating to child pornography."

CS for SS for House Bill No. 270 raises the penalty for exploitation of a minor from a Class C felony to a Class B felony in AS 11.41.455. House Bill No. 270 also adds a new section, Sec. 11.61.125, to Alaska State Statutes which makes distribution of child pornography a Class C felony. The Department estimates that one additional medium security bed will be necessary to house offenders convicted of unlawful exploitation of a minor and/or distribution of child pornography.

Recommended by: for Roger V. Endell, Director
Division of Adult Corrections

Date: 4-12-83

Approved by: Robert London Smith
Robert London Smith, Ph.D.
Commissioner

Date: 4/14/83

STATE OF ALASKA
FISCAL NOTE

Revision Date _____, 1983

I. REQUEST

Bill/Resolution No. CS for SS H.B. #270
Title: "An Act relating to child porno."
Sponsor: HESS Committee
Requestor: Judiciary Committee

II. FISCAL DETAIL

Agency Affected: Health & Social Services
Program Category Affected: Justice
BRU, Program of Subprogram(s) Affected: Adult Confinement

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		2.4	5.1	5.4	5.7	6.1
400 COMMODITIES		2.5	5.3	5.6	6.0	6.3
500 EQUIPMENT						
600 LAND & STRUCTURES			-	-	-	-
700 GRANTS, CLAIMS, ETC		.2	.2	.3	.3	.4
TOTAL OPERATING		5.1	10.6	11.3	12.0	12.8
CAPITAL	-0-	146.0	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	151.1	10.6	11.3	12.0	12.8
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

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

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

The source of funds to offset the fiscal impact of this bill has not been identified by the sponsor.

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Roger C. Lange *Roger C. Lange* Phone: 465-3376
Division: Adult Corrections Date: April 11, 1983
Approved by Commissioner: Robert Landon Smith, M.D. Date: 4/14/83
Department: Health & Social Services

Distribution:

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

3/8/83

FISCAL NOTE

CS for SS for House Bill No. 270

Page 2

IV. ANALYSIS

A. Assumptions

Based on conversations with Department of Law staff, it is assumed that there will be one additional Class B felony conviction and four Class C felony convictions per year. It is assumed all will be first time offenders. Therefore it is estimated that 50% of the Class B and 20% of the Class C felony offenders will receive terms of confinement. This will result in approximately 1.5 person years per year of jail time will be served.

It is further assumed that the distributors of child pornography will remove these materials from their visible stock and convictions for distribution of child pornography will decrease from the original estimate of four per year.

Therefore, it is estimated that one additional medium security bed will be required if this proposed legislation is enacted.

B. Program Summary

1. Positions - An average of one position is required for every 2½ beds. Since only one bed is requested in the fiscal note, no positions are identified as being needed.
2. Other expenditures
 - a. Contractual Services
Medical care and counseling services \$2400
 - b. Commodities
Food and clothing \$2500
 - c. Grants
Inmate gratuities for kitchen, janitorial or other assigned tasks \$200.

C. Impact

There will be no significant economic or local government as a result of passage of this bill.



ADMINISTRATIVE OFFICES
325 WEST POTTER DRIVE, ANCHORAGE, ALASKA 99502



Judiciary Committee
Alaska State House of Representatives
Pouch V
Juneau, Alaska 99811

April 30, 1983

Further reference House Bill # 270.
This is addendum to Book Cache packet dated April 23, 1983.

Attached is a copy of page S 316 of The Congressional Record of January 26, 1983 containing S.57, A bill to amend title 18 of the United States Code relating to the sexual exploitation of children; to the Committee on the Judiciary in the United States Senate.

I have highlighted that portion of the Congressional Record that deals with the reference we have made in our letter of April 23 regarding Senator Spector's proposal for an affirmative defense.

We continue to be concerned about protection of children. We are also concerned about the protection of the First Amendment rights of all citizens. Since it appears that the amendment proposed to the U.S. Senate will be adopted, it would seem appropriate that similar language be included in either HB 270 or SB 221.

If further information can be of assistance please call.

Sincerely,

Russ Riemann
President

(2) thousands of children including large numbers of runaway and homeless youth are exploited in the production and distribution of pornographic materials; and

(3) the use of children as subjects of pornographic materials is harmful to the physiological, emotional, and mental health of the individual child and to society.

Sec. 3, Chapter 110 of title 18, United States Code, is amended to read as follows:

"CHAPTER 110—SEXUAL EXPLOITATION OF CHILDREN

"Sec. 2251. Definitions for chapter.

"Sec. 2252. Sexual exploitation of children.

"Sec. 2253. Certain activities relating to material involving the sexual exploitation of minors.

"Sec. 2254. Defense.

"§ 2251. Definitions for chapter

"For the purposes of this chapter, the term—

"(1) 'minor' means any person under the age of eighteen years;

"(2) 'sexually explicit conduct' means actual or simulated—

"(A) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex;

"(B) bestiality;

"(C) sadomasochistic abuse (for the purpose of sexual stimulation);

"(D) masturbation; or

"(E) lewd exhibition of the genitals or public area of any person;

"(3) 'simulated' means the explicit depiction of any conduct described in clause (2) of this section which creates the appearance of such conduct and which exhibits any uncovered portion of the genitals or buttocks;

"(4) 'producing' means producing, directing, manufacturing, issuing, publishing, or advertising; and

"(5) 'visual or print medium' means any film, photograph, negative, slide, book, magazine, or other visual or print medium.

"§ 2252. Sexual exploitation of children

"(a) Any person who knowingly employs, uses, persuades, induces, entices, or coerces any minor to engage in, or who has a minor assist any other person to engage in, any sexually explicit conduct for the purpose of producing any visual or print medium depicting such conduct, shall be punished as provided under subsection (c), if such person knows or has reason to know that such visual or print medium will be transported in interstate or foreign commerce or mailed, or if such visual or print medium has actually been transported in interstate or foreign commerce or mailed.

"(b) Any parent, legal guardian, or person having custody or control of a minor who knowingly permits such minor to engage in, or to assist any other person to engage in, sexually explicit conduct for the purpose of producing any visual or print medium depicting such conduct shall be punished as provided under subsection (c) of this section, if such parent, legal guardian, or person knows or has reason to know that such visual or print medium will be transported in interstate or foreign commerce or mailed or if such visual or print medium has actually been transported in interstate or foreign commerce or mailed.

"(c) Any person who violates this section shall be fined not more than \$75,000 or imprisoned not more than 10 years, or both, but, if such person has a prior conviction under this section, such person shall be fined not more than \$150,000 or imprisoned not less than 2 years nor more than 15 years, or both.

"§ 2253. Certain activities relating to material involving the sexual exploitation of minors

"(a) Any person who—

"(1) knowingly transports or ships in interstate or foreign commerce or mails any visual or print medium, if—

"(A) the production of such visual or print medium involves the use of a minor engaging in sexually explicit conduct; and

"(B) such visual or print medium depicts such conduct; or

"(2) knowingly receives any visual or print medium that has been transported or shipped in interstate or foreign commerce or mailed, if—

"(A) the production of such visual or print medium involves the use of a minor engaging in sexually explicit conduct; and

"(B) such visual or print medium depicts such conduct;

shall be punished as provided in subsection (b) of this section.

"(b) Any person who violates this section shall be fined not more than \$75,000 or imprisoned not more than 10 years, or both, but, if such person has a prior conviction under this section, such person shall be fined not more than \$150,000 or imprisoned not less than two years nor more than 15 years, or both.

"§ 2254. Defense

"In any prosecution brought under this chapter for the production or distribution of a visual or print medium depicting sexually explicit conduct as defined in section 2251 (1)(2)(D) or (E), it shall be an affirmative defense that the medium, when taken as a whole, possesses serious literary, artistic, scientific, social, or educational value."

Sec. 4, Section 1981 of title 18, United States Code, is amended in clause (1)(B) by inserting after "section 1955 (relating to the prohibition of illegal gambling businesses)," the following: "sections 2252 and 2253 (relating to the sexual exploitation of children)."

Sec. 5, Section 1984 of title 18, United States Code, is amended in subsection (c) by striking out "his business or" and inserting in lieu thereof "his person, business, or".

By Mr. SPECTER:

S. 58. A bill to authorize incarceration in Federal prisons of convicts sentenced to life imprisonment under the habitual criminal statute of a State; to the Committee on the Judiciary.

S. 58—INCARCERATION UNDER HABITUAL OFFENDER STATUTES

Mr. SPECTER. Mr. President, I now send to the desk two bills which are meant to supplement the Armed Career Criminal Act of 1983, which I just introduced.

The first of these bills, S. 58, grants the Attorney General authority to incarcerate in Federal facilities persons convicted and sentenced to life imprisonment in State courts under their habitual offender statutes.

Permitting these persons to be transferred to Federal prisons will encourage more prosecutions under State career-criminal statutes. These statutes normally allow judges to sentence habitual offenders for significant periods in order to keep them from engaging in further criminal activity. Often, local district attorneys have task forces specially created to target career criminals. Unfortunately however, long-term incarceration of these criminals is nearly impossible due to already crowded State prison conditions. Prisoners are sometimes set free early to

make room for the continuing stream of newly convicted persons.

By holding persons sentenced to life imprisonment under a State's career criminal statute, the Federal Government is reducing the burden of overcrowding caused by prisoners serving long sentences.

Recent statistics show that the State prison population continues to increase at an alarming rate. Since 1975 the total U.S. prison population grew by only 1.2 percent. In the first 9 months of 1982, the State prison population exploded with a 10.4-percent rate of increase over 1981 prison population figures. Over the same 9 month period, the Federal prison population increased only 4.5 percent, much of that attributed to unsentenced prisoners under the jurisdiction of the U.S. Immigration and Naturalization Service.

The States need help from the Federal Government to reduce overcrowded conditions. This bill provides this assistance by allowing special targeting efforts to be directed at career criminals.

I ask unanimous consent that the bill be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 58

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) Congress finds that—

(1) career criminals commit a large percentage of the violent and major felonies afflicting society, causing immeasurable physical injury to innocent persons and damage, destruction, or loss to their property estimated at billions of dollars annually, thereby terrorizing law-abiding citizens, disrupting the community, and undermining respect for law;

(2) the continuing criminal activity of career criminals adversely affects interstate commerce;

(3) despite prior convictions for serious offenses, many repeat offenders are placed on probation or sentenced to unduly short terms of imprisonment by State judges, to the detriment of public safety;

(4) many repeat offenders cannot reasonably be rehabilitated and, unless incarcerated for life, will commit further felonies;

(5) many States have "habitual criminal" statutes providing for life sentences for repeat offenders, upon subsequent felony convictions;

(6) many State prison systems are severely overcrowded, understaffed, and unable to confine convicts sentenced to life imprisonment under such statutes in a safe, secure, and humane manner;

(7) State judges may be deterred by the lack of sufficient prison space, staff, and funding from imposing life sentences for repeat offenders as provided by State law, and the legislatures in those States without habitual criminal statutes may be dissuaded by such considerations from enacting such statutes;

(8) the interests of justice and public safety would be served if State authorities felt free to impose life sentences for repeat major offenders unrestrained by such considerations;

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REQUEST

Bill/Resolution No.: House Bill No. 275
Title: "An Act relating to estab. of prison fac.
Sponsor: Reps. Larson & Lacher
Requestor: House HESS

FISCAL DETAILS

Agency Affected: Health & Social Services
Program Category Affected: Admin. of Justice
BRU, Program of Subprogram(s) Affected: Adult Confinement

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES .						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES .						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

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

REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
----------------	-----	-----	-----	-----	-----	-----

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

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

Not applicable.

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Roger C. Lanoe *Roger C. Lanoe*
Division: Adult Corrections

Phone: 465-3376
Date: March 23, 1983

Approved by Commissioner: Robert L. Anderson, M.D. *Robert L. Anderson, M.D.*
Department: Health & Social Services

Date: 3/30/83

Distribution:

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

COMMITTEE REPORT
HOUSE

5/9

JUDICIARY

FURTHER:

(7)

3/18/83

Date:

5/6/83

Mr. Speaker:

HEALTH, EDUCATION AND
SOCIAL SERVICES

The Committee on

has had HB 275

"An Act relating to the establishment of prison facilities."

under consideration and reports it back as follows:

do pass

do not pass

do pass with attached amendments(s)

replace with CS for HB 275 (New)

same title
 new title

and recommends passed with attached amendments

AND attaches a "Letter of Intent"

New Fiscal Note

reports it back without recommendation

Zero Fiscal Note Attached

referred to the _____

Committee

MEMBERS SIGNING
DO PASS

IT

MEMBERS HAVING
OTHER RECOMMENDATIONS:

MacLennan No Rec
Miller No Rec
Miller No Rec
Adair No Rec
Wilo Koponen No Rec
Do not pass

CO- MacLennan
CHAIRMAN
CO- Wilo Koponen

H B

279

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

I. REQUEST

Bill/Resolution No.: HB 279
 Title: An Act Amending JRS & PERS
 Sponsor: Bussell
 Requestor: _____
 Date of Request: _____

II. FISCAL DETAIL

Agency Affected: Alaska Court System
 Program Category Affected: _____
 BRU, Program of Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES	508.9	549.6	593.5	641.0	692.3	747.7
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	508.9	549.6	593.5	641.0	692.3	747.7
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	508.9	549.6	593.5	641.0	692.3	747.7
FEDERAL FUNDS						
OTHER (Specify Source)						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						
TOTAL						

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

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: J.K. Humphreys, Director Phone: 465-4460
 Division: Retirement & Benefits Date: 11-9-83
 Approved by Commissioner: Lisa Rudd Date: _____
 Department: Administration

Distribution:

- Original to Legislative Finance
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- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

9/14/83

State of Alaska

Fiscal Note

HB 279

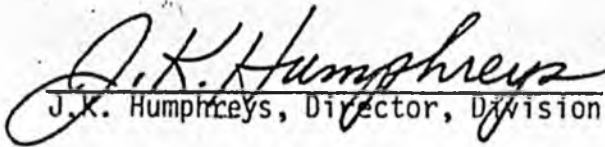
IV Analysis: This is a revised fiscal note for HB 279.

- o This bill would effect PERS by reducing PERS cost to the court systems by 13.18% of magistrates covered payroll of \$966,690 (\$21,015 average X 46 magistrates) for FY 84.
- o This bill would effect JRS by increasing JRS cost to the court systems by 65.82% of the magistrates covered payroll of \$966,690 for FY 84.
- o The net effect of this bill would be an increase in cost to the state of 52.64% (65.82% - 13.18%) of the magistrates covered payroll or \$508,900 (\$966,690 X 52.64%) for FY 84.
- o This revision is a result of new salary data provided by the Alaska Court System.

Position Paper

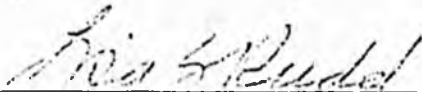
HB 279

The Department strongly opposes this bill. This bill would transfer the magistrates from the PERS to the Judicial Retirement System. It would serve no apparent, useful public purpose to offset the much higher costs to the State. The rationale which has been advanced for the extraordinary benefits provided judges and justices--that they are necessary to attract and retain first-rate attorneys who would earn more money in private practice--does not appear to apply in the case of Magistrates. Magistrates are presently provided adequate coverage under the PERS.



J.K. Humphreys, Director, Division of Retirement & Benefits

5/4/83
Date



Lisa Rudd, Commissioner of Administration

5/5/83
Date

STATE OF ALASKA
FISCAL NOTE

Revision Date May 4, 1983

I. REQUEST

Bill/Resolution No.: HB 279
 Title: An Act Amending JRS & PERS
 Sponsor: Bussell
 Requestor:

II. FISCAL DETAIL

Agency Affected: Alaska Court System
 Program Category Affected:
 BRU, Program of Subprogram(s) Affected:

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL		508.9	549.6	593.5	641.0	692.3
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		508.9	549.6	593.5	641.0	692.3
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		508.9	549.6	593.5	641.0	692.3
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

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

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: J.K. Humphreys Director Phone: 465-4460
 Division: Retirement & Benefits Date: 5-4-83
 Approved by Commissioner: Lisa Rudd, Commissioner Date: 5-4-83
 Department: Administration

Distribution:

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- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

3/8/83

State of Alaska

Fiscal Note

HB 279

IV Analysis: This is a revised fiscal note for HB 279.

- o This bill would effect PERS by reducing PERS cost to the court systems by 13.18% of magistrates covered payroll of \$966,690 (\$21,015 average X 46 magistrates) for FY 84.
- o This bill would effect JRS by increasing JRS cost to the court systems by 65.82% of the magistrates covered payroll of \$966,690 for FY 84.
- o The net effect of this bill would be an increase in cost to the state of 52.64% (65.82% - 13.18%) of the magistrates covered payroll or \$508,900 (\$966,690 X 52.64%) for FY 84.
- o This revision is a result of new salary data provided by the Alaska Court System.

FROM THE DESK OF IRIS A. LATHROP

Judiciary Referral

P.O. BOX 187, TOK, ALASKA 99780
907-883-5172



The Honorable Charlie Bussell
Alaska State Legislature
Pouch V, Mail Stop 3100
Juneau, Alaska 99811

Dear Representative Bussell:

Re: House Bill #279
Magistrate's Retirement

I wish to thank you for introducing the subject bill on behalf of the Alaska Association of Magistrates. It is a good feeling to know that the magistrates have your support.

If you wish information from me as to why I feel magistrates should be included in the judicial retirement system, I would be more than happy to send copies of letters I have sent to individual legislators this year as well as in the past. I am hesitant to burden you with more reading material than time will permit.

Again, my appreciation for your support of this bill.

Sincerely,

A handwritten signature in cursive script that reads "Iris A. Lathrop".

Iris A. Lathrop

HB-279

Association of Alaska Magistrates
Box 735
Wrangell, Alaska 99929
March 15, 1983

To: Sen. Bill Ray
Sen. Joe Josephson
Sen. Richard Eliason
Sen. Robert Ziegler, Sr.
Sen. Fritz Pettyjohn
Sen. Don Bennett
Sen. John Sackett
Sen. Frank Ferguson
Sen. Jan Faiks
Sen. Vic Fischer
Sen. Bob Mulcahy
Sen. Pappy Moss
Rep. Charlie Bussell
Rep. John Liska
Rep. Joe Hayes
Rep. Ramona Barnes

Rep. Hugh Malone
Rep. Donald Clocksin
Rep. Ron Wendte
Rep. Al Adams
Rep. Robert Bettisworth
Rep. Vern Hurlbert
Rep. Sam Pestinger
Rep. Ben Grussenbort
Rep. Terry Martin
Rep. Jerry Ward
Rep. Joe Flood
Rep. John Lindauer
Rep. Jim Duncan
Rep. Fred Zharoff
Rep. Jack McBride



Enclosed are copies of materials and correspondence relating to Senate Bill 20. Senator Ziegler sponsored this bill and it is now co-sponsored by Senator Moss. A companion bill will be filed in the House within the next few days.

On behalf of the magistrates in the State of Alaska I ask your support of this bill. If you have any questions, please contact me at 874-2311 or 874-3989; a board member of the Association (listing attached); or your local magistrate.

Thank you for your interest and assistance.

Sincerely,

Linda Hartshorn
Secretary/Treasurer

ASSOCIATION OF ALASKA MAGISTRATES

BOARD MEMBERS

First District

Linda Hartshorn, Secretary/Treasurer
Box 869
Wrangell, Alaska 99929

874-2311 or 874-3989

Marilyn Hanson
P.O. Box 910
Sitka, Alaska 99835

747-6271

Second District

Marie Beans
Box 211
Mt. Village, Alaska 99632

591-2149

Lowell Anagick
Box 185
Unalakleet, Alaska 99684

624-3015

Third District

Jess Nicholas
Pouch I
Kenai, Alaska 99611

283-3110

Sheldon Sprecker, President
Box 86
Glennallen, Alaska 99588

822-3405 or 822-3726

Brian Johnson
Box 860
Palmer, Alaska 99645

745-4284

Fourth District

Alice Lathrop
Box 187
Tok, Alaska 99780

883-5171

Barbara Macfarlane
Box 41
Healy, Alaska 99743

683-2213 or 683-2589



Trial Courts

State of Alaska

FIRST JUDICIAL DISTRICT
P. O. BOX 869
WRANGELL, ALASKA
99929

March 10, 1983

Senator Robert H. Ziegler, Sr.
pouch: V
Juneau, Alaska 99811

Dear Senator Ziegler:

Enclosed are copies of a letter and Senate Bill 20 which were sent to each magistrate in the state. I am also enclosing copies of the information received from Alaska Court System fiscal officer Bob Fisher and Supreme Court Order No. 544 relating to magistrate salaries.

It seems the lack of enthusiasm for this bill is based on the thought that magistrates are not judges, per se, and an aversion to the administrative paperwork which would inevitably follow passage of the bill. We feel we are judges and would hazard a guess that most persons who have come before us would be of the same opinion. In support of our stand we offer the following:

Buckalew v Holloway 604 P2d 240 (1979)

Alaska Supreme Court determination that magistrates are "judges" within the meaning of Article IV, Section 4 of the Alaska Constitution.

AS 22.15.020

Number of district court judges and magistrates listed for the district court of each judicial district.

AS 22.15.100 and 22.15.110

Lists functions, powers and additional duties of district court judges and magistrates.

AS 22.15.120

Limitations on proceedings which a magistrate may hear.

AS 22.15.220(c)

Requirement that district judges and magistrates must file an affidavit monthly to receive salary.

AS 22.15.240

Appeals from magistrate judgments are handled the same as those from a district court judge judgment.

Senator Robert H. Ziegler, Sr.
March 10, 1983
Page Two

AS 22.20.010

Judicial officer defined. "The term 'judicial officer' means a supreme court justice, including the chief justice, a judge of the court of appeals, a judge of the superior court, a district court judge and a magistrate."

Criminal Rule 56(b)

Definitions. "Magistrate" includes magistrates, district court judges, superior court judges and any other judicial officer authorized by law to conduct a preliminary examination of a person accused of a crime.

Administrative Rule 21(b)

Requirement of magistrate to wear black judicial robe as do all other judges.

Administrative Rule 24(f)

Assignment of Judicial Officer. "In this rule, 'judicial officer' means a superior court judge, district court judge or magistrate."

Administrative Rule 28(b)

Judicial vacations and leave outlined for district court judges and magistrates.

AS 22.25.010(g)

Magistrates not included as "judges" under the judicial retirement system.

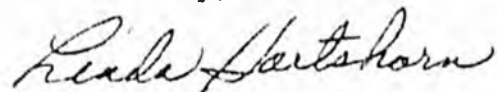
The last citation is the only one which excludes magistrates as judges. We feel the duties we perform are those of a district court judge with some jurisdictional limitations. We are on 24-hour call, as required by statute and rule, to perform "judicial" functions. Many of us sit as masters in superior court matters and are standing masters in children's cases.

I have copied those sections of the statutes and rules pertaining to jurisdiction, duties, etc., and would make these available to you if you so desire.

Mr. Van Doran has agreed to supply me with a copy of the fiscal note on this bill as soon as your office receives it. I spoke with Bob Fisher yesterday and he said the fiscal note should be in Juneau by tomorrow.

Thank you for your continued support of the magistrates.

Sincerely,



Linda Hartshorn
Magistrate

THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 544

Relating to Magistrate
Salaries.

IT IS ORDERED:

Supreme Court Order No. 451 is rescinded and the following is adopted as the magistrate salary schedule:

1. There are established six salary levels for magistrate posts. The base annual salary for each level is as follows:

Magistrate I	\$10,161
Magistrate II	\$14,335
Magistrate III	\$20,430
Magistrate IV	\$31,291
Magistrate V	\$39,832
Magistrate VI	\$46,476

Geographic cost of living adjustments shall be provided in accordance with applicable statutes.

2. Each magistrate location has been assigned to a salary level based on the number of hours which the court system expects the magistrate at that location to work in order to accomplish the estimated court workload at that location. The minimum number of hours of work required of the magistrates in each salary level are as follows:

<u>Salary Level</u>	<u>Hours Per Week (annual average)</u>
Magistrate I	15
Magistrate II	20
Magistrate III	27.5
Magistrate IV	37.5
Magistrate V	37.5
Magistrate VI	37.5

This is an annual average of the weekly work hours. Seasonal variations in workload at certain locations will require the magistrates at those locations to work longer hours during some parts of the year and shorter hours during other parts of the year.

The salaries listed in section 1. above are for the number of hours per week listed in section 2. plus 24-hour on-call availability for emergencies. These salaries also include compensation for full-time attendance at all required training courses.

3. Magistrate positions are allocated to the salary levels as follows:

<u>Magistrate VI</u>		
Konai	Kodiak	Palmer
<u>Magistrate V</u>		
Glennallen	Seward	Sitka

Magistrate IV

Barrow	Haines	Tok
Bethel	Kotzebue	Unalaska
Cordova	Nenana/Healy	Wrangell
Craig	Nome	
Dillingham	Petersburg	

Magistrate III

Cold Bay	Hoonah
Ft. Yukon	Naknek
Galena	Yakutat

Magistrate II

Aniak	Selawik	Skagway
Delta Jct.	Seldovia	

Magistrate I

Angoon	Kiana	Pt. Hope	Shungnak
Emmonak	McGrath	Sand Point	Tununak
Gambell	Mekoryuk	Savoonga	Unalakleet
Hooper Ldy	Mt. Village	St. Mary	Whittier
Keke	Noorvik	St. Paul Island	

4. Step increases.

A. Frequency and amount.

All magistrates are eligible for step increases of 3.5% annually for the first five years of their service. The procedure for granting step increases shall be patterned after that which applies to classified employees except that part-time magistrates will not be required to work 1,950 hours before being eligible to receive an annual raise. There will be a total of five steps of annual increases followed by longevity steps after the seventh, ninth, fourteenth and eighteenth years of continuous employment at one salary level.

If a magistrate's salary level is raised, the magistrate's salary step within the higher level will be determined by the same method used for classified employees (see Personnel Rule 6.02.03).

B. Criteria for receiving step increases.

1. Tenure - one year.
2. Written approval by presiding judge stating that the magistrate is performing adequately.
3. Passing scores on all correspondence courses required for that level in that region of the state (required by either the presiding judge or the administrative director).

4. For Magistrates I through V: written verification by the presiding judge that the following are being adequately maintained:
 - a. dockets
 - b. indexes
 - c. library books (that is, that the Statutes, Administrative Code and Rules are kept up to date)
 - d. case files and the case numbering system
 - e. tape recordings of formal hearings and the binder for duplicate copies of all log notes
 - f. accounting records (receipts, revenue deposits, trust deposits, trust checks and proper recording of all accounting data on the case dockets)

C. Implementation.

All magistrates who are in office on January 1, 1981 will start at Step A of their designated salary level. The anniversary date for all such magistrates will be January 16. The anniversary date of all magistrates hired or promoted after January 1, 1981 will be the 16th of the month following their date of hire or promotion.

5. Review of Classification.

All magistrate positions shall be reviewed annually by the director of personnel to assure correct classification. These reviews shall be based on statistical evaluation of duties accomplished by each magistrate. The magistrate salary at every location must be re-evaluated by the director of personnel whenever a vacancy occurs. Vacancies may not be advertised until the salary for that position has been re-evaluated and any recommended changes for reclassification of the position have been approved by the chief justice.

6. Change in Classification.

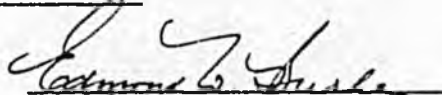
The director of personnel shall recommend to the chief justice salary increases based upon reclassification of magistrate positions after first conferring with the area court administrator and the presiding judge of the judicial district in which the magistrate is located. The director of personnel shall recommend to the chief justice that a magistrate position be refilled at a lower level upon the position becoming vacant, after first conferring with the area court administrator and presiding judge for that judicial district.

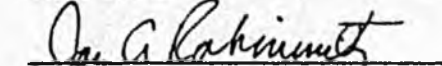
7. Compensation for part-time magistrates asked to do extra work.

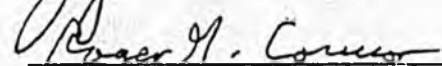
If a part-time magistrate (Levels I, II and III) is asked to serve in another court location to replace another magistrate or a district court judge for a period of time, the part-time magistrate must receive compensation for the additional hours worked.

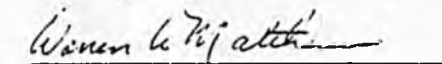
DATED: September 24, 1982

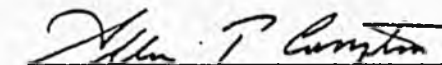
EFFECTIVE DATE: March 16, 1982


Chief Justice


Justice


Justice


Justice


Justice

March 9, 1983

Dear Fellow Magistrates:

As most of you know, the Association of Alaska Magistrates has had a bill in the legislature the past several years to include magistrates in the Judicial Retirement System. Senator Robert Ziegler has introduced Senate Bill 20 in the thirteenth legislature on our behalf. A copy of that bill is enclosed for your information.

The contribution rate under the Judicial Retirement System (JRS) is 7% as compared to the 4.25% we currently pay under the Public Employees Retirement System (PERS). Under SB 20, to receive credit for service as a magistrate prior to July 1, 1983, the magistrate must:

- 1) withdraw from PERS
- 2) receive a refund of contributions under PERS
- 3) elect to receive credit for service prior to July 1, 1983, and
- 4) make retroactive contributions for service as a magistrate after January 3, 1959.

Retroactive contributions may be set up as a payroll deduction over a reasonable period of time.

Following is my understanding of the differences between PERS as outlined in AS 39.35 and JRS as outlined in AS 22.25:

PERS - Contribution rate is 4.25% of base salary

Benefits paid:

- 1) Age 55 with 5 years of service; or
- 2) 30 years of service; or
- 3) Early retirement at 50 years of age and 5 years of service with adjustment for early retirement

Computation of benefits:

2% of average monthly wage for 3 high years times years of service
PLUS COLA (if remain in Alaska) of \$50.00 or 10% of the benefit, whichever is greater
PLUS medical insurance coverage

JRS - Contribution rate is 7% of base salary

Benefits paid:

- 1) Mandatory retirement at 70 years of age
- 2) Age 60 with 5 years of service
- 3) Early retirement at 55 years of age or 20 years of service with adjustment for early retirement

Computation of benefits:

5% for each year of service (up to 15 years or 75%) times base monthly wage paid incumbents at the time of the benefit payment
PLUS medical insurance coverage

Please read the statutes cited above for further information on the two plans.

Examples of approximate monthly retirement benefits based on 5 years of service and current base monthly salaries are:

		PEPS	JRS
Magistrate I	(15 hours/week)	\$ 84.67	\$211.50
Magistrate II	(20 hours/week)	119.40	298.50
Magistrate III	(27.5 hours/week)	170.20	425.50
Magistrate IV	(37.5 hours/week)	260.70	651.75
Magistrate V	(37.5 hours/week)	331.90	829.75
Magistrate VI	(37.5 hours/week)	387.30	968.25

The information provided to me indicates that the average age of the magistrates is 42 years with an average length of service of 6.87 years. There are 49 positions authorized by Supreme Court Order No. 54 and they are distributed as follows:

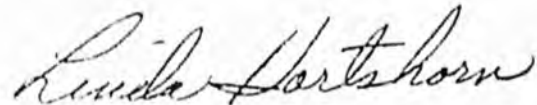
Magistrate I	19
Magistrate II	5
Magistrate III	6
Magistrate IV	13
Magistrate V	3
Magistrate VI	3

The Senate Judiciary Committee has set up a teleconference with the magistrates at 11:30 A.M. on March 25, 1983 in Anchorage. They will hear testimony at that time from one or two magistrates but we ask that everyone attend, if possible. This was coordinated at our request and will determine if Senate Bill 20 goes from the Judiciary to the Finance Committee with a "do pass" recommendation.

We will have a meeting of the Association of Alaska Magistrates in the early part of the conference week and can discuss the issue further at that time. Please jot down any other issues you wish to discuss.

I look forward to seeing all of you at the conference. It promises to be a good experience with varied topics and beneficial discussion periods.

Sincerely,



Linda Hartshorn
Secretary/Treasurer
Association of Alaska Magistrates

PCN	CLASS	COURT	TITLE	INCUMBENT	RANGE/STEP	MONTHLY SALARY	ANNUAL SALARY	SERVICE
8109	X017	AKA	MAGISTRATE IV	HANSON		2,793	33,516	9.50
8111	X019	AKB	MAGISTRATE IV	HARTSHORN		2,793	33,516	10.00
8110	X017	AKA	MAGISTRATE IV	REDEKER		2,793	33,516	5.70
8101	X010	AEA	MAGISTRATE III	DENNIS		1,762	21,144	4.50
8102	X019	CEB	MAGISTRATE IV	HEINMILLER		2,687	34,644	14.75
8103	X010	AWA	MAGISTRATE III	SAVLAND		1,885	22,620	11.50
8104	X016	AKR	MAGISTRATE I	CHENEY		907	10,884	9.50
8105	X016	ARK	MAGISTRATE I	VACANT		907	10,884	
8106	X017	CKA	MAGISTRATE II	WURLEY		1,322	15,864	3.10
8107	X017	CJA	MAGISTRATE II	GALLAGHER		1,322	15,864	4.30
8108	X016	ARD	MAGISTRATE I	HOWARD		907	10,884	2.30
82015	X017	HIA	MAGISTRATE IV	VACANT		3,105	37,260	
8201	X019	MEA	MAGISTRATE IV	KRUSS		3,429	41,148	5.50
8202	X019	KAA	MAGISTRATE IV	SINKEY		3,429	41,148	8.00
203	X016	JWB	MAGISTRATE I	VACANT		1,152	13,824	
204	X016	ENC	MAGISTRATE I	KAMERUFF		1,121	13,452	11.50
205	X016	HSA	MAGISTRATE I	APANGALOOK		1,152	13,824	15.15
206	X016	ESA	MAGISTRATE I	NAPOLLEON <i>Naney</i>		1,152	13,824	7.00
207	X016	KUD	MAGISTRATE I	HENRY		1,113	13,356	1.10
208	X016	KBC	MAGISTRATE I	HARVEY		1,113	13,356	2.40
209	X016	KYA	MAGISTRATE I	LISBOURNE		1,152	13,824	2.30
210	X016	EWG	MAGISTRATE I	ANDREWS		1,121	13,452	5.90
211	X016	HSD	MAGISTRATE I	GOLOGERGEN		1,152	13,824	4.00
212	X017	KDA	MAGISTRATE II	BALLOT		1,570	18,840	9.00
214	X016	HQA	MAGISTRATE I	ANAGICK		1,152	13,824	15.50
215	X016	LXA	MAGISTRATE I	VACANT <i>Arrest</i>		1,152	13,824	
217	X016	EWU	MAGISTRATE I	JEANS		1,121	13,452	11.20
218	X016	KCA	MAGISTRATE I	DOUGLAS		1,152	13,824	1.10
3018	X015	CAA	MAGISTRATE VI	MCKRIDE		4,289	51,468	1.90
302	X015	DWA	MAGISTRATE VI	NICHOLAS		4,289	51,468	21.80
303	X015	ECF	MAGISTRATE VI	JOHNSON		4,148	49,776	3.70
304	X020	USA	MAGISTRATE VI	PECK		3,676	44,112	7.50
309	X019	DAA	MAGISTRATE IV	ASHMAN		3,246	38,952	9.00
307	X010	BIA	MAGISTRATE III	HEIKER		2,171	26,052	10.50
308	X019	DWA	MAGISTRATE IV	WENTWORTH		3,070	36,840	7.00
310	X020	HCE	MAGISTRATE V	SPIRECKER		3,916	46,992	11.90
312	X010	CKA	MAGISTRATE III	SHAWBACK		2,193	26,316	3.40
313	X016	CEC	MAGISTRATE I	RUKUVISHNIKOFF		1,091	13,092	6.30
314	X015	HSD	MAGISTRATE IV	HAKALA		1,091	13,092	4.30
315	X016	CYA	MAGISTRATE I	KASHEVARUF		1,332	15,984	2.20
317	X016	DSH	MAGISTRATE I	HARRIS <i>Vacant</i>		905	10,860	
319	X020	DBC	MAGISTRATE I	VACANT		1,091	13,092	
306	X016	BKA	MAGISTRATE I			1,152	13,824	

CLASS	COURT	TITLE	INCUMBENT	RANGE/ STEP	MONTHLY SALARY	ANNUAL SALARY	SERVICE
X016	HJI	MAGISTRATE IV	MACFARLANE		3,429	41,148	8.50
X019	HEB	MAGISTRATE IV	LATHROP		3,076	36,912	9.40
X016	KJA	MAGISTRATE III	SMYTH		2,317	27,804	3.50
X016	HYC	MAGISTRATE III	JACKSON		2,238	26,856	.40
X017	JJB	MAGISTRATE II	HARDING		2,518	30,216	9.00
			MCMAHON		1,625	19,500	5.00
			VACANT		1,113	13,356	
X017	EQB	MAGISTRATE II	VACANT		1,113	13,356	5.80
X016	JKC	MAGISTRATE I	VACANT		1,121	13,452	
X016	EZA	MAGISTRATE I	SMITH		1,083	12,996	
X016	UHB	MAGISTRATE I	VACANT		1,113	13,356	11.20
X016	UJA	MAGISTRATE I	VACANT		1,121	13,452	
X016	JKD	MAGISTRATE I	LINCOLN		1,113	13,356	
X016	UHU	MAGISTRATE I	VACANT				
X016	JKA	MAGISTRATE I					

* 1,215,424 6.83 year average

Average age - 42 years

STATE OF ALASKA
FISCAL NOTE

Revision Date 1983

I. REQUEST

Bill/Resolution No.: HB 279
 Title: An Act Amending JRS and PERS
 Sponsor: Bussell
 Requestor: _____

II. FISCAL DETAIL

Agency Affected: Alaska Court System
 Program Category Affected: _____
 BRU, Program of Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES		625.2	675.2	729.2	787.5	850.5
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		625.2	675.2	729.2	787.5	850.5
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
GENERAL FUND		625.2	675.2	729.2	787.5	850.5
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

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

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

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: J.K. Humphreys, Director Phone: 465-4460
 Division: Retirement & Benefits Date: 4-8-83

Approved by Commissioner: Liss Rudd, Commissioner Date: 4-8-83
 Department: Administration

Distribution:

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

3/8/83

THE LEGISLATURE OF THE STATE OF ALASKA
THIRTEENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 279Title An Act Authorizing Participation by Magistrates in the Judicial Retirement System

Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Alaska Court System

Program Category Affected _____

BRU, Program, or Subprogram(s) Affected _____

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
100 RETIREMENT BENEFITS		781.7	844.2	911.7	984.6	1,063.3
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
700 STATE/TRS MATCHING						
TOTAL		781.7	844.2	911.7	984.6	1,063.3

FUNDING (Thousands of Dollars)

GENERAL FUND	781.7	844.2	911.7	984.6	1,063.3
FEDERAL FUNDS					
*OTHER FUNDS:					
PERS					
TRS					

* 4% Veterans; 12% Fish & Game; 26% Highway; 58% Airport

POSITIONS

FULL TIME					
PART TIME					
TEMPORARY					

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

- To fund this bill, the state cost would be 65.82% of the FY 84 covered payroll for magistrates.
- Estimate the FY 84 covered payroll of magistrates to be \$1,187,720.
- Estimate 46 magistrates with an average of 6.5 years service per member would be affected.

THE LEGISLATURE OF THE STATE OF ALASKA
THIRTEENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 279Title An Act Authorizing Participation by Magistrates in the Judicial Retirement System

Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Alaska Court System

Program Category Affected _____

BRU, Program, or Subprogram(s) Affected _____

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
100 RETIREMENT BENEFITS		(156.5)	(169.0)	(182.5)	(197.1)	(212.9)
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
700 STATE TRS MATCHING						
TOTAL		(156.5)	(169.0)	(182.5)	(197.1)	(212.9)

FUNDING (Thousands of Dollars)

GENERAL FUND		(156.5)	(169.0)	(182.5)	(197.1)	(212.9)
FEDERAL FUNDS						
*OTHER FUNDS:						
PERS						
TRS						

* 4% Veterans; 12% Fish & Game; 6% Highway; 58% Airport

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

1. This bill would reduce the state cost to PERS by 13.18% of covered payroll for magistrates.
2. Estimate the FY 84 covered payroll of magistrates to be \$1,187,720.