

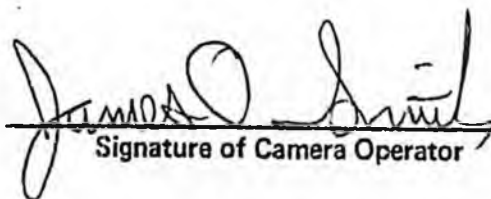
ALASKA LEGISLATURE COMMITTEE FILES 1985-1986 86/2


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SB 18

SENATE JOURNAL - PAGE 13- 4 1/14/85

SENATE BILL NO. 18 by Senators Vic Fischer, Halford, Sturgulewski, Kelly, Faiks, Coghill, Josephson and Kerttula, entitled:

"An Act establishing 'William A. Egan Day' on October 8 of each year."

was read the first time and referred to the State Affairs Committee, Labor and Commerce Committee and Finance Committee.

SB 18

SENATE JOURNAL - PAGE 79- 1 1/22/85

The State Affairs Committee considered SENATE BILL NO. 18 (establishing "William A. Egan Day" on October 8 of each year) and a majority of the committee recommended do pass. The report was signed by Senator Abood, Chairman and concurred in by Senators DeVries, Vic Fischer and Ray.

SENATE BILL NO. 18 was referred to the Labor and Commerce Committee.

SB 18

SENATE JOURNAL - PAGE 160- 3 1/29/85

The Labor and Commerce Committee considered SENATE BILL NO. 18 (establishing "William A. Egan Day" on October 8 of each year) and a majority of the committee recommended do pass. The report was signed by Senator Zharoff, Chairman and concurred in by Senators Bennett and Ray.

SENATE BILL NO. 18 was referred to the Finance Committee.

SB 18

SENATE JOURNAL - PAGE 277- 2 2/12/85

The Finance Committee considered SENATE BILL NO. 18 (establishing "William A. Egan Day" on October 8 of each year) and a majority of the committee recommended do pass. The report was signed by Senator Faiks, Co-Chairman and concurred in by Senators Kerttula, Halford, Paul Fischer, Eliason and Sackett.

SENATE BILL NO. 118 was referred to the Rules Committee.

SB 18

SENATE JOURNAL - PAGE 303- 3 2/14/85

The Rules Committee considered SENATE BILL NO. 18 (establishing "William A. Egan Day" on October 8 of each year) and recommended calendar February 18. The report was signed by Senator Kelly, Chairman and concurred in by Senators Coghill and Josephson.

The bill will appear on the February 18 calendar.

Senator Vic Fischer

(907) 465-4954



Alaska State Legislature
Pouch V • Juneau, Alaska 99811 • (907) 465-4954

February 8, 1985

To: Members, Senate Finance Committee
From: Senator Vic Fischer *VF*
Re: Senate Bill 18 - William A. Egan Day

Senate Bill 18 designates October 18 as a holiday in honor of William A. Egan, Alaska's first Governor.

Bill Egan's life reads like Alaska's history book. Born in Valdez in 1914, he graduated from Valdez High School in 1932 and went on to serve in the Territorial House of Representatives in 1941-43 and 1947-51 and in the Territorial Senate from 1953 to 1956.

In 1941 Bill Egan drafted the Statehood Referendum Act and later served as the President of the Constitutional Convention in 1955-56. He was elected Governor of Alaska in 1959-1966 and again in 1971-74.

Bill joined the U.S. Army in 1943 and was elected Mayor of Valdez the same year he was discharged, 1946. He was honored as Alaskan of the Year in 1971 and awarded an Honorary LL.D., from the University of Alaska in 1972.

SB 18 calls for William A. Egan Day to be observed by suitable ceremonies and exercises by civic groups and the public. It does not create a state holiday, nor does it require any expenditure of public funds: something Bill Egan would have supported.

At his death last year, thousands of Alaskans from all over the state and nation joined in ceremonies honoring Bill's lifetime of service to Alaska. SB 18 is a way of assuring that Bill Egan's contribution to building the state he loved is never forgotten.

/gb

CORRECTION

THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY

SB 18 SENATE JOURNAL - PAGE 13- 4 1/14/85

SENATE BILL NO. 18 by Senators Vic Fischer, Halford, Sturgulewski, Kelly, Faiks, Coghill, Josephson and Kerttula, entitled:

"An Act establishing 'William A. Egan Day' on October 8 of each year."

was read the first time and referred to the State Affairs Committee, Labor and Commerce Committee and Finance Committee.

SB 18 SENATE JOURNAL - PAGE 79- 1 1/22/85

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SENATE BILL NO. 18 was referred to the Labor and Commerce Committee.

SB 18 SENATE JOURNAL - PAGE 160- 3 1/29/85

The Labor and Commerce Committee considered SENATE BILL NO. 18 (establishing "William A. Egan Day" on October 8 of each year) and a majority of the committee recommended do pass. The report was signed by Senator Zharoff, Chairman and concurred in by Senators Bennett and Ray.

SENATE BILL NO. 18 was referred to the Finance Committee.

SB 18 SENATE JOURNAL - PAGE 277- 2 2/12/85

The Finance Committee considered SENATE BILL NO. 18 (establishing "William A. Egan Day" on October 8 of each year) and a majority of the committee recommended do pass. The report was signed by Senator Faiks, Co-Chairman and concurred in by Senators Kerttula, Halford, Paul Fischer, Eliason and Sackett.

SENATE BILL NO. 118 was referred to the Rules Committee.

SB 18 SENATE JOURNAL - PAGE 303- 3 2/14/85

The Rules Committee considered SENATE BILL NO. 18 (establishing "William A. Egan Day" on October 8 of each year) and recommended calendar February 18. The report was signed by Senator Kelly, Chairman and concurred in by Senators Coghill and Josephson.

The bill will appear on the February 18 calendar.

Senator Halford moved and asked unanimous consent that SENATE BILL NO. 18 (establishing "William A. Egan Day" on October 8 of each year) be held until the February 19 calendar. Without objection, it was so ordered.

Senator Ziegler moved and asked unanimous consent that he be added as a co-sponsor to SENATE BILL NO. 18. Without objection, it was so ordered.

Senator Vic Fischer

(907) 465-4954

Alaska State Legislature
Pouch V • Juneau, Alaska 99811 • (907) 465-4954



February 8, 1985

To: Members, Senate Finance Committee
From: Senator Vic Fischer *[Signature]*
Re: Senate Bill 18 - William A. Egan Day

Senate Bill 18 designates October 18 as a holiday in honor of William A. Egan, Alaska's first Governor.

Bill Egan's life reads like Alaska's history book. Born in Valdez in 1914, he graduated from Valdez High School in 1932 and went on to serve in the Territorial House of Representatives in 1941-43 and 1947-51 and in the Territorial Senate from 1953 to 1956.

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/gb

opinion

Anchorage Daily News



Winner: 1976 Pulitzer Prize Gold Medal for Public Service

Gerald E. Grilly
Publisher

Howard Weaver
Managing Editor

Steve Lindbeck
Editorial Page Editor

Katherine Fanning, Editor and Publisher 1971 to 1983
Lawrence Fanning, Editor and Publisher 1967 to 1971

Alaska's Only Morning Newspaper • Founded in 1948 by Norman C. Brown

Remembering Bill Egan

Bill Egan Day. It has a nice ring to it — an Alaskan ring.

A bill coming before the state Senate Monday calls for the creation of "Bill Egan Day" by commemorating the Oct. 8 birthday of Alaska's first governor. It would not create a state holiday, nor does it call for money to be spent on its behalf — things Alaska's much-beloved "Gov. Bill" would have poo-pooed — but it does set aside an official day for Alaskans to remember the contributions William Egan made to this state — and, before that, to this territory.

In a state full of pioneers and visionaries, it's hard to think of anyone who contributed more: When Alaska lobbied Congress for statehood, Bill Egan was there as one of three territorial representatives; when Alaska held its constitutional convention, Bill Egan was there as chairman; when Alaska became a state in 1959, it chose Bill Egan as its first governor; and when the Good Friday Earthquake wrought havoc, it was Gov. Egan who aggressively sought and got federal assistance to rebuild Southcentral's cities and businesses.

Simply put, Bill Egan had an influential hand in virtually every major decision affecting Alaska during his long political career. Time has shown his judgement was both sound and generous.

Sometimes it seems that special occasions abound on our calendars these days — holidays and celebrations commemorate countless visionary figures and legends. A day in honor of Bill Egan deserves inclusion on that calendar — not as a token, but as a very real example. SB 18, sponsored by Sen. Vic Fischer, helps us remember the example by remembering the man.

COMMEMORATING WILLIAM A. EGAN

A REPORT TO THE
ALASKA LEGISLATURE

Submitted by:

William A. Egan Senate Special Committee

Senator Vic Fischer, Co-Chair &

Senator Rick Halford, Co-Chair

January 31, 1985



Alaska State Senate
William A. Egan Committee

Vic Fischer, Co-Chair
Rick Halford, Co-Chair
Bettye Fahrenkamp
Frank Ferguson
Joe Josephson

Pouch V
Juneau, AK 99811
907-465-4954

January 31, 1985

The Honorable Don Bennett
President of the Senate
Alaska State Legislature
Juneau, Alaska

Dear Mr. President,

Senate Resolution 11, enacted in 1984, established the Senate Special Committee to Commemorate William A. Egan to:

- (1) "initiate a program to collect and conserve the records and memories of Governor Egan's historic role in Alaska's development;
- (2) "investigate the desirability, feasibility, and benefits of creating a William A. Egan School of Public Affairs; and
- (3) "investigate and delineate other appropriate commemoration of William A. Egan."

We herewith submit the committee report required by SR 11. Legislation relating to specific recommendations is being prepared and should be ready for review in the coming weeks.

Handwritten signature of Vic Fischer in cursive.

Senator Vic Fischer
Co-Chair

Handwritten signature of Rick Halford in cursive.

Senator Rick Halford
Co-Chair

A limited oral history project was begun by the committee to initiate a recording process. Sixteen people who as friends and associates could be expected to provide insight into one or more aspects of his life were interviewed. An additional 60 - 80 interviews would produce a well-rounded Egan oral history. Such an oral history project should be conducted from the repository where the personal papers are located.

The committee recommends that:

1. Egan papers be placed in the University of Alaska, Fairbanks manuscript collections.
2. An appropriation of \$125,000 be made to the University of Alaska, Fairbanks Archives and Manuscripts Department to establish an Egan archival collection and conduct the Egan oral history project.

SECTION TWO: EGAN SCHOOL OF PUBLIC AFFAIRS.

The idea of an Egan School has been developed and refined through the participation of knowledgeable Alaska scholars and practitioners in the public affairs field. This has been accomplished through work papers, interviews, and workshops.

The committee prepared an initial concept paper that was sent out for comment and followed up with some interviews. A more detailed discussion was developed as a result of the comments received and was the basis for a series of workshops held in Anchorage, Fairbanks, and Juneau.

At the workshops, three important ideas were introduced. These were: (a) the creation of a statewide faculty committee appointed by the university president to plan for the school, (b) the introduction of a mission statement via legislation, and (c) the establishment of a foundation to support statewide public affairs activities.

The committee chair made a presentation to the Board of Regents who favored the idea of an Egan School and wanted the university to assume responsibility of the planning effort.

The following approach is contemplated:

1a. A William A. Egan School of Public Affairs is established as living memorial to Bill Egan principally using existing components and resources of the University of Alaska. It will provide continuing education, training, public information, and research. The school would be located on the University of Alaska, Anchorage campus with strong ties to Juneau, Fairbanks, and other parts of the state.

b. The Egan School has its own dean and staff, a statewide focus, a standing advisory council, Alaska-oriented program specializations, cooperative arrangements with other parts of the university, a restructured mid-career program, special training programs, a research emphasis focused in the Institute for Social and Economic Research, and expansive public education programs.

EXECUTIVE SUMMARY

EGAN COMMITTEE: LEGISLATIVE REPORT

INTRODUCTION.

Senate Resolution 11, enacted in 1984, created a Senate Special Committee to commemorate William A. Egan's career of public service to Alaska. Senators Fahrenkamp, Ferguson, Halford, and Josephson were appointed by then Senate President Jay Kerttula as committee members, and Senator Vic Fischer was appointed as the committee chair. The same committee membership continues in the Fourteenth Legislature, with Senators Vic Fischer and Rick Halford appointed as Co-Chairs by Senate President Don Bennett.

The Egan Committee has been asked to investigate three specific areas and to report its findings and recommendations to the Legislature by February 11, 1985. These topics are: (1) development of a program to collect Egan records and memories, including an oral history project, (2) establishment of an Egan School of Public Affairs, and (3) commemoration by statue, bust, or other memorial art form.

SECTION ONE: EGAN RECORDS AND MEMORIES.

The location of Egan's papers, possible repository sites, the oral history component, and committee findings and recommendations are discussed.

Bill Egan's personal papers in about 80 boxes are located in his Anchorage home. Neva Egan is in the process of sorting through these private records. With assistance, she will have them available for removal to a permanent repository by the end of the summer. Governor Egan's public records are located in Juneau at the State Archives. Related papers are scattered in many private collections and depositories.

There are four locations where the Egan papers might be placed in permanent repositories. These are the Alaska Historical Library in Juneau, the main branch of the Municipality of Anchorage's library system that is now under construction, the archives of the University of Alaska, Anchorage, and the archives of the University of Alaska, Fairbanks.

c. The University President appoints a statewide faculty task force to plan the Egan School of Public Affairs.

2. An Egan public affairs endowment or foundation will be established to support and enhance the public affairs activities on all university and community college campuses. The endowment would be supported by a state appropriation, supplemented by private matching funds. An advisory board appointed by the University President and Board of Regents should manage the endowment. Two endowed chairs and various faculty, student, and public service activities are to be supported by the foundation.

SECTION THREE: EGAN STATUE, BUST AND OTHER MEMORIALS.

Proposals to commission a statue in Juneau, place a bust in the Anchorage Egan Convention Center, and reproduce and distribute copies of these memorials to other Alaska communities and institutions are described. An appropriate art selection committee is suggested for each project that would include Mrs. Neva Egan and other family members.

Reproduction and distribution of these memorial pieces would be carried out by the Alaska State Council on the Arts. An executive supervisory committee would be established to coordinate the Egan memorial activities.

The committee intends that these proposals be pursued further by the Egan Committee during 1985. It is currently contemplated that:

1. An executive supervisory committee be established to coordinate the Egan memorial activities.
2. The Juneau Arts and Humanities Council commission a statue of Governor Egan (probable cost: \$100,000).
3. The Municipality of Anchorage select a suitable memorial art work of Bill Egan for the William A. Egan Convention Center (estimated cost: \$100,000). The Convention Center's art selection committee would choose the artist.
4. The Alaska State Council on the Arts reproduce and distribute copies of these Egan memorials, as well as support the activities of the supervisory committee (probable cost: \$30,000).

INTRODUCTION

Senate Resolution 11, enacted in 1984, created a Senate Special Committee to commemorate William A. Egan's career of public service to Alaska. Senators Fahrenkamp, Ferguson, Halford, and Josephson were appointed by then Senate President Jay Kerttula as committee members, and Senator Vic Fischer was appointed as the committee chair. The same membership continues in the Fourteenth Legislature, with Senators Vic Fischer and Rick Halford appointed as co-chairs by Senate President Don Bennett.

Born and raised in the Territory of Alaska, Egan was a longtime member of the territorial legislature and from the beginning of his legislative career an outspoken advocate of statehood. He was a member of the Territorial House of Representatives (1941-1943, 1947-1951), Mayor of Valdez (1946), and Speaker of House of Representatives (1951). As the statehood movement gathered strength and momentum in the 1950s, he was in the forefront of the struggle. As president of the Alaska Constitutional Convention, he exemplified Alaska's coming of age politically, and as a member of the Alaska Tennessee Plan delegation in Washington, D.C., he effectively pressed the case for statehood, for Alaskans' right to govern themselves. They elected him their first governor and twice returned him to office.

Egan left behind a legacy of high standards of public service and exemplified excellence in Alaska government. The work of the committee is to propose appropriate actions to honor this great Alaska leader and to preserve a full record of Bill Egan's public service and of the times in which he served.

The Egan Committee has been asked to investigate three specific areas and to report its findings and recommendations to the Legislature by February 11, 1985. These topics are: (1) development of a program to collect Egan records and memories, including an oral history project, (2) establishment of an Egan School of Public Affairs, and (3) commemoration by statue, bust, or other memorial art form. The committee report is divided into three sections discussing each topic area.

This report is submitted at this time to satisfy the requirements of Senate Resolution 11.

Following are descriptions of these facilities:

1. Alaska Historical Library, Juneau. The library, in existence for many decades, is located in the modern State Office Building. Its Alaska/Arctic research section collects and makes available to researchers primary and secondary source materials documenting the history and development of Alaska. Included in the section's extensive holdings are accounts of early voyages and explorations, manuscripts, government documents, maps, photos, and oral history tapes.

Library materials are stored in acid-free boxes and folders and do not circulate. Photocopies can be obtained. Access to materials is through staff. Up to 14 people can be seated comfortably in the research area. Mobile shelving on tracks permits maximum use of space available and can be brought together to safeguard materials. A constant temperature is maintained. The library has no sprinkler system; it relies in emergencies on a local fire station five to ten minutes away.

Phyllis DeMuth has directed the library for more than two decades. She is assisted by another librarian, a librarian assistant, and a clerical person.

The public records of Alaska's territorial governors, obtained on microfilm from the National Archives, are among the library's holdings. Some original records of Governors' A. P. Swineford and John Troy are in the library, as well as the photo collection of Governor George Parks. The library is soon to receive Parks' private papers. A small amount of Egan material is located here.

2. Anchorage Municipal Library, Main Branch. This new structure, now under construction at 36th Avenue and Denali Streets, is expected to be completed this fall. A cylindrical-shaped wing will house the library's extensive Alaskan collection and yet-to-be developed archives and manuscripts collections.

The Library Advisory Board early in 1984 authorized the library to undertake an archives and manuscripts program which will focus on, the collection of materials relevant to the history and development of Southcentral Alaska. Other materials are to be acquired "if they make a significant contribution to the collection on their own merit or supplement data already in the holding of the library".

The new building embodies the latest thinking regarding library design and should be an impressive facility. A halon fire suppression system, climate control system, a security force, and a vault for precious materials will safeguard library holdings. As at the other facilities mentioned above, there will be a restricted area for researchers in the archival unit and limited access to collections.

Keith Revelle, Anchorage municipal librarian, says the staff of the archives and manuscripts collections will, if funds are made available, consist of a professional archivist, archival librarian, and a technician. He says that the library will become the repository for the papers of Senator Ted Stevens and former Anchorage Mayor George Sullivan.

SECTION ONE:

EGAN RECORDS AND MEMORIES

A good beginning has been made in developing a program to collect "the records and memories" of William A. Egan, a program authorized by Senate Resolution 11. In this resolution, the Senate recognized the high standards of Bill Egan's lifelong public service and stressed the importance of preserving a full record of that service and time in history.

This section of the report describes the location of Egan's papers, assesses possible repository sites, reviews the oral history component, and presents committee findings and recommendations.

Egan Papers. Bill Egan's personal papers, in some 80 boxes of various sizes containing an estimated 75 cubic feet of records, are located in his Anchorage home. An opening of several boxes, at random with Mrs. Egan, revealed the collection includes speeches, inauguration films, promotional tapes urging ratification of the Alaska Constitution, records of the Alaska-Tennessee Plan, a variety of photos, confidential Governor's Office files, personal correspondence, and materials related to Egan's hometown of Valdez and the 1964 earthquake.

The collection would be ready for removal to a permanent repository by the end of next summer. With assistance, Mrs. Egan estimates she will have finished sorting through the papers by that time.

It should be noted that most of the public, as opposed to private, records of Governor Egan are located in Juneau. State Archives' holdings, totaling 182 cubic feet, include speeches, departmental reports, legislative audit reports, proclamations, reading files, and files on such subjects as legislation, extradition, international fisheries, and boards and commissions. Administrative orders of Governor Egan and certain other records remain in the Governor's Office.

Placement of Egan Papers. The committee considers placement of the papers in one repository only the first step -- but a basic, essential step -- in developing the program cited in SR 11. Once permanently placed, the papers would tend to draw in other materials relating to the Egan years. It is believed there is a considerable quantity of such material in private collections inside and outside the state.

There are four locations where the Egan papers might be placed, where they would be handled by professional archivists, kept secure, and made accessible to the public. These are the Alaska Historical Library in Juneau, the main branch of the Municipality of Anchorage's library system which is now under construction and expected to be completed in September 1985, and the archives of the University of Alaska, Anchorage and the archives of the University of Alaska, Fairbanks.

The heads of these facilities have indicated that they regard the Egan papers as an important collection and would like to obtain them. All expressed a willingness to organize and catalog this valuable resource at the earliest time for the public benefit.

Materials are stored in acid-free boxes, and standard archival procedures are followed, with direct access to the materials denied. Researchers must fill out forms to obtain information and may not take it from the premises. Copies of the documents and photos are available at a nominal cost. Up to 15 people can be seated comfortably in the existing reading area.

Paul H. McCarthy, archivist and head of the Alaska and Polar Regions Department, has been with the program from the beginning in 1965. He, an assistant archivist, two full-time, and one part-time employee oversee the archives and manuscripts collections.

Manuscript holdings -- including photos, microfilm and a large collection of oral history tapes -- documents a wide spectrum of Alaska's social and political history. Particularly strong with regard to political development, they include materials on the Alaska Constitutional Convention and the papers of E.L. (Bob) Bartlett, Nick Begich, Anthony J. Dimond, Mike Gravel, Ernest Gruening, Howard Pollock, and Ralph Rivers, all large collections. Some of them contain a small amount of Egan material.

Computers are now being used to develop inventories and other aids to assist researchers in finding materials in the collections. An oral history program is a regular activity of the department.

Oral History Project. To begin the task of collecting the "memories" as well as the records of Bill Egan, the committee has undertaken a limited oral history project, selecting for interview 16 persons who as friends and associates of Egan could be expected to provide good insight into one or more aspects of his life: Because of the location of staff, much of this initial interviewing was done in Southeastern Alaska. The tapes of these interviews, together with tape logs and brief biographical sketches of the interviewees, will be placed with the Egan papers.

Those interviewed by committee staff in this limited project were:

In Juneau:

Henry Benson, former territorial and state commissioner of labor;
John Dimond, retired Alaska Supreme Court Justice;
Marguerite Doucette, former cook in the Governor's House;
Harold Hansen, former legislator and director of international fisheries;
Katherine Nordale, delegate to the Alaska Constitutional Convention;
June Pilcher, longtime employee in Governor Egan's office;
Hugh J. Wade, first Alaska secretary of state;

In Ketchikan:

William Baker, former newspaper publisher and member of the Alaska Statehood Committee;
R.E. (Bob) Ellis, aviation pioneer and former legislator;
Doris Volzke, Democratic national committeewoman and longtime party worker;
Lew Williams, newspaper publisher, former member of the Alaska Judicial Council;

In Petersburg:

E.J. (Ernie) Haugen, longtime member of the state legislature;

3. University of Alaska, Anchorage. The Archives and Manuscripts Department, established in 1979, is located on the second floor of the Consortium Library in space originally occupied by offices, workrooms, and storerooms. The department now holds some 1,300 cubic feet of records and could accommodate up to 2,400 feet.

The building contains a sprinkler system, and relies on off-campus fire departments in emergencies. Manuscript holdings are stored in acid-free boxes. A fairly constant temperature is maintained, but humidification is a problem. To offset dryness, a number of movable, home-type humidifiers are used.

As in Juneau, standard archival procedures are followed to protect the collections. Documents may not be removed from the premises, but copies will be made for researchers. Up to eight people can be accommodated at one time. Only staff have direct access to collections. Present quarters are considered inadequate, and the department has requested that it be moved to the main floor of the library where it could utilize compact shelving and thereby increase its holding capacity.

Dennis F. Walle has headed the department since its establishment and is archivist and manuscripts curator. He came to Alaska from South Dakota where he was state archivist. The department has a regular staff of a full-time archivist (Walle), a full-time assistant, and a half-time photographer. Part-time student assistants and volunteers are used from time to time.

The department collects records on the history and development of Alaska, focusing primarily on Southcentral Alaska. It currently has more than 200 collections, including the papers of Victor C. Rivers, a territorial legislator and delegate to the Alaska Constitutional Convention, former legislator Genie Chance, former Anchorage Borough Chairman John Asplund, longtime Anchorage resident Lucy Cuddy, human rights activist and legislator Willard Bowman, Richard Tighe Harris, a founder of Juneau, and the records of such organizations as the Alaska Center for the Environment, Alaska Black Caucus, and Anchorage Chamber of Commerce.

4. University of Alaska, Fairbanks. The archives and manuscripts collections in the Alaska and Polar Regions Department were formally established with professional staff in 1965. They are located on the lower level of the Rasmuson Library in new facilities specially constructed to house them.

A 12,000 square foot addition now under construction and scheduled for completion in July will nearly double the existing area and accommodate the library's Alaskan collection, the world's largest collection of Alaska books, periodicals and maps, now located on another level. With the addition, most Alaska materials will be consolidated on one level.

The archives and manuscripts collections, as well as other departmental collections, including rare books and maps which are stored in a vault, are safeguarded by temperature and humidity controls and a sprinkler system and linked directly to the University Fire Department, a block away for quick response in emergencies.

1. Repository at Fairbanks. The Egan papers should be placed in the University of Alaska, Fairbanks manuscript collections.

While all four archival facilities investigated are well organized and professionally directed, UAF's Alaska and Polar Regions Department, located in spacious quarters constructed specifically for the purpose of preserving the records of Alaska's past, is the outstanding facility. Its comparatively large staff has had considerable experience in dealing with large manuscript collections such as those of Bartlett, Begich, Dimond, Gravel, Gruening, Pollock and Rivers -- important collections relating to what might be called Alaska's modern political era.

The Egan papers would be a significant, appropriate addition. The department is the only facility of its kind in the state which maintains a professionally staffed oral history program.

2. Appropriation to UAF. The legislature should appropriate \$125,000 to the University of Alaska, Fairbanks, Archives and Manuscripts Department to establish an Egan archival collection and conduct an Egan oral history project.

Eldor Lee, delegate to the Alaska Constitutional Convention;
John Longworth, member of the first three state legislatures;

In Fairbanks:

John Butrovich, territorial and state senator, candidate for
Alaska-Tennessee Plan delegation in 1956 and for governor in the first
state election; and
Frank Chapados, member of the first two state legislatures.

Oral history, involving the tape recording of interviews with people knowledgeable on subjects of particular interest, affords insights into the past that may not be gained from other documentary accounts. Such interviews, in contrast with specific historical research, "are intended for the widest possible use, both present and future," says Willa K. Baum, director of the University of California's Regional Oral History Office in Berkeley. "Therefore, the scope of the subjects discussed is usually wider than for specific research. The resulting tapes must be then preserved and processed in such a way as to make them usable and accessible."

The interviews conducted to date by committee staff are just a beginning. There are literally scores of people who can speak knowledgeably about Bill Egan the public servant and individual.

The committee has concluded that the interviewing of an additional 60 to 30 people would produce a well-rounded Egan oral history. In consultation with committee staff, Baum recommended that such an oral history project be conducted from the repository where the personal papers are located. Interviewers must do research on their subject and the papers would be prime research material.

FINDINGS.

In the interest of developing a comprehensive record of the life and public service of the state's first governor, the committee finds that:

1. The Egan papers should be processed and made available for public use at an early date.
2. A sustained effort should be made to broaden the collection, including publicizing the placement of the collection in a particular repository and contacting former state officials and others who had been close to Egan who may have materials of historic value.
3. The collection should be microfilmed and film placed in major repositories around the state, so as to preserve it and share it widely.
4. A long-range, intensive oral history project should be undertaken to gain further insight into Egan the man, and such a project should be centered where his papers are placed, as discussed above.

RECOMMENDATIONS.

The committee recommends that:

In addition, each workshop produced at least one major new idea that furthered the work of the committee. The Anchorage workshop recommended that the president of the university, in consultation with the chancellors, appoint an internal statewide faculty committee to develop the planning of the Egan School. The Juneau workshop recommended that the Egan Committee prepare a statement of mission for the school for inclusion in Title 14 of the Alaska Statutes. And the Fairbanks workshop suggested an endowed Egan foundation for public affairs as a funding mechanism for statewide public affairs programs in Alaska.

Board of Regents. On November 8, the committee chair appeared before the Educational Policy and Program Committee of the University of Alaska Board of Regents. The chair presented a summary of the committee's work to date for the Board's information. The Educational Committee agreed that the university should assume responsibility for planning an Egan School, and it asked the Egan Committee to pursue the idea of an Egan foundation.

Visit to schools of public affairs. Four public affairs programs in other states were visited in late November. The committee chair visited University of Colorado at Denver's School of Public Affairs, New York University Graduate School of Public Affairs, Hubert H. Humphrey Institute of Public Affairs at the University of Minnesota, and University of Washington's Graduate School of Public Affairs.

Particularly helpful were the comments of Harlan Cleveland, director of the the Humphrey Institute. He stressed the importance of separating a university's public affairs program from the business program, though both programs need to maintain a close working relationship in order to explore issues of common interest, such as public and private sector cooperation. Dr. Cleveland found in his experience that an independent public affairs program is better able to develop and pursue teaching, research and service tasks and missions unique to the public sector.

Committee Papers. During the course of committee research, several papers and summaries were produced and circulated for comment. The heart of the committee's research is contained in the discussion paper (October 13, 1984) and a summary of Egan Committee workshops (November 5, 1984).

The papers and summaries prepared by the Egan Committee and listed below are available upon request. Copies of these papers as well as the committee's files of research, working papers, and information from other universities and state agencies will be made available to the University of Alaska committee appointed to plan the Egan School.

1. "William A. Egan School of Public Affairs: Concept Paper," July 25, 1984.
2. "Egan School of Public Affairs Prospectus, Working Draft," September 13, 1984.
3. "Summary of Concept Paper Comments," September 14, 1984.
4. "Egan School of Public Affairs Discussion Paper," October 18, 1984.
5. "Egan School Workshop Minutes," Anchorage, October 24; Juneau, October 25; Fairbanks, October 31.
6. "Summary of Egan Committee Workshops," November 5, 1984.

SECTION TWO:

EGAN SCHOOL OF PUBLIC AFFAIRS

Among its responsibilities, the Egan Committee is charged to "investigate the desirability, feasibility, and benefits of creating a William A. Egan School of Public Affairs." This section recounts the work of the committee toward that goal and presents the findings and recommendations of the committee.

The idea of an Egan School has been developed and refined through the participation of knowledgeable scholars and practitioners in the public affairs field in Alaska. From the beginning, the committee recognized the importance of building upon in-state experience in recommending a plan for a comprehensive statewide public affairs program. This has been accomplished through a series of papers, questionnaires, interviews, workshops, and comments as summarized below.

Outside schools. Initial committee research began with investigation of public affairs programs in other states. Several schools were selected for their size, their quality, and their focus on state and local government. The committee obtained specific information about their programs and advice in setting up new programs.

Concept paper. Based on this preliminary information, the committee prepared a concept paper outlining briefly the case for a public affairs school in Alaska with a statewide focus. The paper was sent to 150 people around the state--to both scholars and practitioners in public affairs--along with a questionnaire asking for replies to specific issues raised in the concept paper.

More than fifty people provided written comments on the concept paper. Responses were very positive, expressing great interest in an Egan School and including many critical ideas and thoughts. Follow-up interviews with members of the academic community and state and local government officials elicited further comments and suggestions.

Discussion paper. As interest in the Egan School idea grew, requests for details increased. A more detailed discussion paper was prepared as a direct outgrowth of the comments received. The paper discussed the need for better coordinated public affairs programs, documented the inadequacy of present programs, described the instructional, research and training components of an Egan School, and proposed alternative models of organization for the school.

Workshops. The discussion paper was the basis for a series of workshops in Anchorage, Fairbanks, and Juneau. The workshops examined the concept of a public affairs program in Alaska and developed specific recommendations for program implementation. Over fifty individuals from the university system, state government, and private non-profit organizations attended these workshops and provided valuable suggestions and comments.

b. School structure. The Egan School would have its own dean and administrative staff responsible to the chancellor. The school would develop close working arrangements with the business school and other departments, while remaining structurally and operationally distinct.

c. Advisory council. A standing advisory council would be formed to assist the dean of the Egan School in program development and review. The council would consist of people from outside the university with local and statewide perspective on public affairs. Members of the council could be designated by the Governor, legislative leaders, the Chief Justice of the Alaska Supreme Court, and local government officials. The role of the council would include reporting to the Board of Regents.

d. Program specializations. The Egan School would focus on those public affairs areas that have special Alaska significance including land and resource management, nonprofit management and policy, public/private sector interaction, public finance, and rural self-government.

e. Existing programs. Existing parts of Alaska's public affairs educational resources would be expanded and strengthened in the Egan School through more systematically organized and delivered programs.

1. The university's MPA programs would incorporate existing university resources to broaden the range of study available for comprehensive public affairs education.
2. Concentrations in the graduate degree would be extended by reciprocal agreements with programs in justice studies, social work, and others.
3. Joint appointments would be made between departments where appropriate.
4. The department of political science at the University of Alaska, Anchorage would be part of the same organizational unit as the public administration program.
5. Library holdings need to be expanded.

f. Mid-career student. The MPA degree program of the Egan School would be re-structured to better accommodate the mid-career student.

1. Academic certificate programs would be established in several public affairs concentrations in recognition of the demand for continuing education for practitioners and as a bridge to the graduate degree.
2. More flexible degree completion requirements would be developed for the MPA program.

FINDINGS.

In the interest of developing a school of public affairs, the committee finds that:

1. In view of the importance of the public and non-profit sectors in Alaska's life and economy, a much greater understanding of public affairs, public values, and public services is called for.
2. There is a great need for increased access to academic instruction in public affairs-related fields at pre-career and mid-career levels.
3. There is a tremendous, unsatisfied demand for rural training programs to teach public sector management to officials and employees of Alaska's small governments.
4. There is a need for a broad program of public outreach and education to increase public understanding of Alaska policy issues.
5. There is a need for continuous, integrated research on short and long term public policy issues of the state.
6. Although components of public affairs instruction exist in the state at UAA, UAF, UAJ, the community colleges, and Rural Education, a comprehensive academic program in public affairs currently does not exist in Alaska.

CONCLUSIONS.

The committee concludes that:

1. Establishment of School. An Egan School of Public Affairs would be a desirable addition at the University of Alaska to serve the growing professional needs of state government, the training needs of local government, the information needs of the public, and the research needs of the public sector, and to constitute a truly living memorial to Bill Egan.
2. University task force. The University of Alaska President, in consultation with the chancellors, would appoint a statewide faculty task force to plan an Egan School of Public Affairs. The task force will recommend initial organization and operational plans to the president, the chancellors, and the Board of Regents.
3. Basic concepts. Based on the committee's research and the experience of other schools of public affairs, the following are suggested elements for the Egan School.
 - a. Statewide scope. The Egan School would be statewide in nature with an administrative base in Anchorage and close program ties to the University of Alaska, Juneau and the University of Alaska, Fairbanks. The overall theme and focus for the school would be on Alaska policies and issues.

special courses and seminars not normally available, assist others with teaching and research, and give public lectures and workshops in their area of expertise, including visits to other parts of the state.

7. Endowment: Funded activities. In addition, the endowment would be used to fund the critical activities necessary for a coherent, statewide public affairs educational program including:

- a. Stipends to encourage graduate student participation in teaching, research, public service, and internships in public affairs.
- b. Faculty fellowships to encourage innovative teaching and curriculum development.
- c. Travel grants to allow faculty to bring instruction to larger areas of the state as well as to retain a sense of statewide mission.
- d. Research grants to allow timely study of state issues.
- e. Scholarships to attract and retain academically promising undergraduates.
- f. Public seminars and speaker series to enhance the level of public education on important state issues.
- g. Library holdings to augment the educational and research capacities of the university.

8. Advisory board. An advisory board appointed by the president and Board of Regents would manage the endowment. This advisory board would consist of public officials, faculty, Regents, the school's dean, the chancellor for the school, and others deemed appropriate by the president and the Regents.

g. Training certificates. Training certificate programs in the basics of public sector management would be established in the Egan School to serve rural and other small government needs. Joint efforts with the Department of Community and Regional Affairs, the university's Cooperative Extension, the Municipal League, the Alaska Native Leadership Program, and others interested in improving the training of local officials would be coordinated through this training certificate program.

h. Research. Public affairs research activities of the Egan School would be focused in the Institute of Social and Economic Research (ISER), and ISER would be more closely integrated into the university's public affairs program in Anchorage. Joint research efforts with other units of the university would be encouraged. Flexible opportunities for "buying out" teaching and other obligations in order to do research would be developed. Research would be action oriented and be used as teaching tools and classroom examples where possible.

i. Public education. Public education programs in the Egan School would be expanded to include publications, workshops, lectures, seminars, and similar activities in order to increase the public's knowledge of critical issues and help shape policy development.

4. Establishment of Endowment. An endowment would be established in William A. Egan's name to provide the statewide benefits of an enhanced public affairs program at the University of Alaska. Such an endowment would not be used as a substitute for established maintenance levels of support for public affairs faculty and programs.

5. Appropriation to Endowment. The endowment in Egan's name should be funded in part by the legislature and managed in perpetuity within the university system. The endowment would be initiated by a state appropriation, as funds are available, and private supplemental funds should be sought by the university.

6. Endowed chairs. Two endowed chairs would be established through the foundation in order to provide the public sector perspective and academic excellence necessary to a vibrant program.

a. One endowed chair would be established for visiting academic scholars. The infusion of academic excellence and fresh perspective provided by such scholars would benefit students and faculty in the public affairs program.

b. The other chair would be reserved for practitioners in public affairs. Filled by elected or appointed officials for the public sector for short or long term teaching and training the holder of this chair would provide the experience and perspective of a working official in public affairs.

c. Housed at the University of Alaska, Anchorage, both chairs would rotate to Fairbanks, and Juneau. Holders of the chair would contribute to established courses at the university, teach

art form selected in both Juneau and Anchorage to honor Egan should be suitable for reproduction at equivalent or reduced sizes. These reproductions could then be distributed to Alaska's public schools, museums, and other public facilities.

The Alaska State Council on the Arts would be designated as the group responsible for the creation and distribution of the reproductions. This effort would be supported by a supplemental appropriation to the Council.

Special Considerations. Coordination of the memorial program, criteria for selecting the artists, and costs are important issues that affect all program components.

In order to avoid potential duplication and misunderstanding of these separate memorial projects, it would be appropriate to establish an executive supervisory committee. This executive committee would consist of members of the Anchorage convention center art selection committee, the Juneau Egan statue selection committee, and Alaska State Council on the Arts. Mrs. Egan and other family members also would be members of the supervisory committee. This committee would assure that the Egan memorial activities would be pursued in a coordinated and efficient manner.

There has been some concern about whether or not to require the selection of Alaska artists only. Depending upon the art form chosen, there may be only one or two Alaska artists with the ability and experience to do such an important work. It is possible that these artists either may be unavailable or unacceptable. The supervisory committee should be asked to resolve this issue and instruct the sponsoring agencies accordingly before any request for art proposals is made.

Cost estimates for completion of a bronze statue and bust range from \$100,000 to \$200,000. Cost estimates for other art forms and materials are assumed to be no more than this amount. Reproduction expenses will vary widely dependent upon the art medium. An estimate for 300 plaster miniatures of the bust is about \$15,000.

FINDINGS.

In order to accomplish appropriate commemoration of William A. Egan, the committee finds that:

1. Because of his major contributions to the battle for Alaska statehood, and because he laid the foundations for the State of Alaska as its first governor, serving an unprecedented three terms as the chief executive of the state, William A. Egan is indeed an appropriate public servant worthy of commemoration by the creation of a representative statue and bust, or other suitable art work.
2. These commemorative symbols will preserve for posterity an important aspect of state history.
3. Appropriate locations for Egan memorials are available in Anchorage and Juneau, and in other schools, facilities, and museums across the state.

SECTION THREE:

EGAN STATUE, BUST AND OTHER MEMORIALS

For thousands of years, leaders and great people have been honored by statues created in their memory. A founding father of Alaska statehood, statesman, and life-long Alaskan, Bill Egan was a man who would be and should be honored by such a permanent memorial.

Senate Resolution 11 charges the committee to "investigate ... the commissioning of a statue to be placed in the state capital, a bust to be located in the William A. Egan Center in Anchorage, and other appropriate memorials." A discussion of the proposed Egan memorials, followed by committee's findings and recommendations is presented below.

Egan Statue. An Egan statue in Juneau has been proposed by the Senate Resolution. The Juneau Arts and Humanities Council is the organization designated by the Juneau community to conduct such projects. A committee nominated and staffed by the Juneau Arts and Humanities Council would be the appropriate group to select the artist and site for such a representative statue.

It is important to assure that the memorial piece is satisfactory to the Egan family. Mrs. Neva Egan and other Egan family members should be requested to participate in the committee's deliberations.

The funding mechanism would be an appropriation to the Juneau Arts and Humanities Council.

Egan Bust. As indicated in the Senate Resolution, the Egan Convention Center is to be the location of a memorial to Bill Egan in Anchorage. An Art Selection Committee for the William A. Egan Convention Center has been created under the Municipality of Anchorage's (MOA) 1% art program. Administered by the Capital Projects office, this program has established art selection committees for each major facility.

The Egan Convention Center Art Selection Committee would be the appropriate body to select the artist for a commemorative work of Governor Egan in this building. As in Juneau, Mrs. Neva Egan and other family members would be asked for their advice in choosing the artist.

Although a bust has been suggested, because of the recently commissioned art works already found in the convention center, the committee and Mrs. Egan may decide that a portrait, statue, photographic display, or other art form may be a more suitable memorial.

The funding mechanism would be an appropriation to the Municipality of Anchorage. The MOA's Capital Projects 1% Art Program would staff and administer the project.

Other Appropriate Memorials. Because Governor Egan had such an instrumental role in the development of the state, and many friends and acquaintances throughout Alaska, other appropriate memorials should be made available to Alaska communities and institutions. With this in mind, the

4. Public agencies exist that are experienced, capable, and knowledgeable about completing commemorative art projects.

CONCLUSIONS.

The committee intends that these proposals be pursued further by the Egan Committee during 1985. It is currently contemplated that:

1. Supervisory Committee. An executive supervisory committee should be established to coordinate the Egan memorial activities.

2. Egan Statue. The Juneau Arts and Humanities Council commission a statue of Governor Egan. Cost estimates for a representative statue are \$100,000.

3. Anchorage Convention Center. The Municipality of Anchorage select a suitable memorial art work of Bill Egan for the William A. Egan Convention Center. The Municipality's 1% Art program will staff this effort and the Convention Center's art selection committee will select the artist. Expenditures are expected to be no more than \$100,000.

4. State Arts Council. The Alaska State Council on the Arts reproduce and distribute copies of these Egan memorials to other Alaska institutions and communities. The State Council shall also staff and support the activities of the supervisory committee. These expenses are estimated to be about \$30,000.

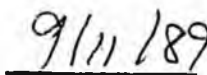


RECORDS CERTIFICATION



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Commentary: CSSB 74 (Jud)

Section 1 of CSSE 74 (Jud) transfers administrative and regulatory authority for the state's alcohol breath testing program from the Department of Health and Social Services (DHSS) to the Department of Public Safety (DPS). This transfer would improve the administration of Alaska's breath testing program by eliminating unnecessary confusion, expense, and duplication of effort, and would help to ensure that the state's breath test program is conducted in the most efficient and legally defensible manner.

Transfer of the breath test program to the DPS was one of the secondary recommendations made by the Governor's Task Force on Drunk Driving in January of this year. In the interests of consolidation of resources and administrative efficiency, both DPS Commissioner Robert Sundberg and DHSS Commissioner John Pugh have recommended that the transfer be made. This change is also supported by the Department of Law.

Under existing law, DHSS possesses regulatory authority for the state's breath test program. Much of the responsibility for the actual administration and day-to-day functioning of the program rests with DPS, however. Historically, DPS has purchased and distributed the breath test instruments, repaired the instruments, purchased and distributed necessary supplies, and conducted the training of breath test operators and supervisor-instructors. This defacto division of functions between the two departments has led to some unfortunate difficulties in the administration of the present program. Since there is no one office or agency with clear administrative oversight authority over the breath test program, some uncertainty about areas of responsibility and lines of authority has developed. Occasionally some necessary duties have "fallen between the cracks." As a direct result of this lack of a centralized oversight authority prosecutors have had to dismiss numerous DWI prosecutions and have had to defend scores of DWI cases on appeal.

Alaska's first "implied consent" statute (requiring all persons suspected of drunken driving to consent to a chemical test to determine blood alcohol content) was adopted in 1969. AS 28.35.033(d) made the Department of Health and Social Services (at that time called the Department of Health and Welfare) responsible for approving "satisfactory techniques, methods, and standards of training" for analysis of the alcohol content of a DWI arrestee's breath sample. This responsibility was given to DHSS at that time because there was no other state agency which had

either the facilities or the technical expertise to perform this function.

In 1978 a state forensic crime laboratory was established in the Department of Public Safety to provide essential scientific support services to local law enforcement officers and state troopers throughout the state. Since that time the state crime laboratory has performed a steadily increasing array of scientific functions and analyses. The laboratory now employs four full time chemists who routinely analyze suspected controlled substances and have testified in numerous criminal trials. In recent years laboratory personnel have begun conducting analyses of diverse crime scene evidence, including physical evidence in arson cases, urine and blood testing, foot print comparisons, and some limited fiber, trace, and serological analyses.

In 1983 and 1984 the legislature appropriated 5½ million dollars to DPS to build and equip a sophisticated new crime laboratory facility in Anchorage. Construction of that facility is underway, and is expected to be complete by September of this year. The new laboratory will provide expanded testing capabilities in the areas of forensic chemistry, serology, toxicology, firearms identification, and trace evidence identification.

In light of this expansion of the public safety laboratory, it makes administrative and public policy sense to transfer the responsibility for administration of Alaska's alcohol breath testing program to the DPS laboratory. Transfer of this function to the DPS laboratory would be consistent with the national trend in DWI law enforcement and breath testing. Currently, over half of the states in the country have placed full administrative responsibility for their alcohol breath test programs with their departments of public safety. Several of these states, such as Texas, Minnesota, New York, New Jersey, and Michigan, have sophisticated programs which serve as models for other states. In only about ¼ of the states does administrative oversight authority for the state breath test program remain in the department of public health.

Section 3 of CSSB 74 (Jud) provides that existing breath test regulations will remain in effect until new regulations are adopted by the Department of Public Safety, and section 4 establishes a special effective date of July 1, 1985. This special effective date has been included because it will be necessary to transfer some resources from DHSS to DPS when the bill takes effect. July 1st is the beginning of the new fiscal year, and a convenient point at which to transfer positions.

Section 2 of the bill addresses a problem which has surfaced as a result of the Court of Appeals decision in Bass v. Municipality of Anchorage, Op. No. 429 (Alaska Ct. App., December 14, 1984). Bass overturned his car in a one-car accident in September of 1983. When the police arrived at the scene of the accident Bass appeared to be extremely intoxicated. Bass had been injured in the accident, and so was immediately taken to a hospital. Because Bass was required to remain at the hospital for several hours, he could not be taken to the police station for a breath test.

After consulting with the municipal prosecutor, the investigating officer asked Bass to provide a sample of his blood for analysis to determine alcohol content. Bass refused, but a blood sample was taken over his objections. The sample was taken under the authority of AS 28.35.-035(b), which allows a blood alcohol test to be administered to a DWI suspect who is "unconscious or otherwise in a condition rendering that person incapable" of refusing a breath test.

The appellate court held that Bass, who was injured and hospitalized but not unconscious, did not fall under the "narrow language" of AS 28.35.035 and therefore suppressed the result of the defendant's blood alcohol test (0.243). The amendment to AS 28.35.035(b) contained in section 2 of this bill would plug this "loophole" and allow collection of essential evidence of the blood alcohol level of a DWI suspect who cannot be transported to the police station for a breath test.

POSITION PAPER

CS FOR SENATE BILL NO. 74 (Judiciary)

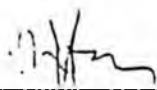
For "An act relating to driving while intoxicated; and providing for an effective date."

Under the existing statute, the Department of Health and Social Services is authorized to approve satisfactory techniques, methods, and standards of training necessary to ascertain the qualifications of individuals to conduct the analysis of the amount of alcohol in an individuals breath or blood.

This bill in part provides for the transfer of this overview function from the Department of Health and Social Services to the Department of Public Safety.

The Department of Health and Social Services supports the passage of this bill.

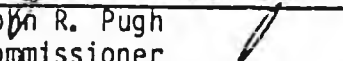
Recommended by:


Robert I. Fraser, M.D.
Director
Division of Public Health

Date:

3/28/85

Approved by:


John R. Pugh
Commissioner
Department of Health and
Social Services

Date:

4-1-85

WORK. 55/
SBS 74

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date:

REQUEST

Bill/Resolution No.: CSB 74 (Jud)
Title: "An Act relating to driving while intoxicated....."
Sponsor: Sen. Abood
Requestor: Sen. Finance Committee
Date of Request: 4-3-85

FISCAL DETAIL

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

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES		47.2	50.0	53.0	56.2	59.6
200 TRAVEL		2.5	2.7	2.9	3.1	3.3
300 CONTRACTUAL		14.3	15.2	16.1	17.1	18.1
400 SUPPLIES		4.8	5.1	5.4	5.7	6.0
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		68.8	73.0	77.4	82.1	87.0

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND		68.8	73.0	77.4	82.1	87.0
FEDERAL FUNDS						
OTHER						
TOTAL		68.8	73.0	77.4	82.1	87.0

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

This fiscal note reflects the transfer of the breath test program from the Department of Health & Social Services to the Department of Public Safety. 6% inflation factor included in fiscal note.

Prepared By: James D. Vaden *JVD*
Division: Deputy Commissioner

Phone: 465-4322
Date: 4-3-85

Approved by Commissioner: *James D. Wash*
Agency: Public Safety

Date: 4-3-85

Distribution (by Agency preparing fiscal note):

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

*Transfer of funds
between Depts.
FROG 1/84*

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: 4/4/85

REQUEST
 Bill/Resolution No.: CSSB 74 (Jud)
 Title: An Act relating to driving while intoxicated
 Sponsor: Abood
 Requestor: Senate Finance Committee
 Date of Request: April 4, 1985

FISCAL DETAIL Public Safety
 Agency Affected: Health and Social Services
 Program Category Affected: State Health Services and Administration of Justice
 BRU, Program or Subprogram(s) Affected: Alaska State Troopers/State Health Services, Laboratories

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
500 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		-0-				

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND		-0-				
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

The legislation transfers responsibility for the blood/breath alcohol program from DHSS to Public Safety. DHSS currently has 1 full time position at a cost of 68.8 (47.2 personal services, 2.5 travel, 14.3 contractual, 4.8 commodities) which will be transferred to Public Safety. The net result is zero.

Prepared By: Jan Faiks, Co-Chairman Phone: 465-4523
 Division: Senate Finance Committee Date: April 4, 1985

Approved by Commissioner: _____ Date: April 4, 1985
 Agency: _____

Distribution (by Agency preparing fiscal note):

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

7/1/84

DEPARTMENT OF PUBLIC SAFETY
POSITION PAPER - CSSB 74 (JUD) AM

April 16, 1985

Support

CSSB74(JUD)AM - "An Act relating to driving while intoxicated; and providing for an effective date."

The Department of Public Safety supports passage of this bill. It is needed to provide and support a unified cohesive breath test program in Alaska.

Analysis

Several problems have plagued the breath test program since its inception in 1964.

The majority of the problems relate to the administration of the program and the priority level assigned to resolve the problem.

At present, the Department of Public Safety provides the instruments and training to both Troopers and local Police Departments. Health and Social Services provides program administration, instrument certification and officer certification.

However, as with the training, most instruments are certified by police officers trained as technicians.

When problems occur, the agencies charged with operation are not always advised. This is also true of the Department of Law. If everyone was current, possibly appeals and adverse decisions by the Court could be avoided through a change in procedures, training or expert forensic testimony.

The Attorney General and Commissioners of Health & Social Services and Public Safety met and agreed this program could best be administered by Public Safety.

Public Safety has moved the administration of the Alaska Crime Laboratory from the Division of State Troopers to the Commissioner's office.

A director of the Crime Laboratory, Mr. George Taft, has been appointed. Mr. Taft was in charge of the Texas Department of Public Safety Crime Laboratory for years and has the expertise and resources to administer this program.

The one Chemist III assigned to this program at H&SS has numerous other responsibilities. (See analysis H&SS CSSB 74).

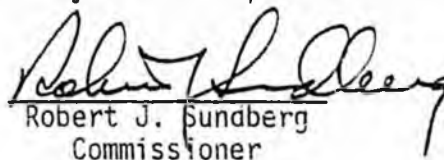
The State Crime Laboratory has other chemists that can assist and be consulted with to resolve problems. Other chemists in the State Crime Laboratory will be available to provide expert forensic testimony when the primary chemist is not available.

Most importantly, there will be a one window concept for maintenance, training, certification and procedures that comply with the court's requirements for introduction of intoximeter results into evidence.

The Department of Public Safety and the Department of Law have an excellent line of communications which will keep both agencies and users current in regard to operational changes or training needs.

The relationship between local police and Troopers will insure that instruments which are not currently certified will not be used and that training will be delivered as needed.

This program will be a priority of the Department of Public Safety.


Robert J. Sundberg
Commissioner

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: CS SB 74
Title: Driving while Intoxicated

Sponsor: Judiciary
Requestor: _____
Date of Request: 3/21/85

FISCAL DETAIL

Agency Affected: Health & Social Services
Program Category Affected: Public Health

BRU, Program or Subprogram(s) Affected: _____
State Health Services, Laboratories

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES		<47.2>				
200 TRAVEL		<2.5>				
300 CONTRACTUAL		<14.3>				
400 SUPPLIES		<4.8>				
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		<68.8>				
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		<68.8>				
FEDERAL FUNDS						
OTHER						
TOTAL		<68.8>				

POSITIONS:

FULL-TIME		<1.0>				
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

In FY 77 and 78 attempts were made to fund a support position in the Section Chiefs office; however, the requests were never approved. The Section of Laboratories obtained some General Fund monies mid-year in FY 77 to fund an Administrative Assistant. However, only a small amount of the time was devoted to the blood/breath alcohol program, the major portion of time being spent on budgetary, fiscal (Cont.)

Prepared By: Robert I. Fraser, M.D.
Division: Public Health

Phone: 465-3090
Date: March 28, 1985

Approved by Commissioner: [Signature]
Agency: Dept. of Health & Social Services

Date: 4-1-85 JCC

Distribution (by Agency preparing fiscal note):

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

7/1/84

FISCAL NOTE

CS SB 74 (Continued)

and purchasing of laboratory supplies. As this position was not funded for DWI activities, it is not appropriate to transfer any portion.

The Chemist III position located at the Southeast Regional Public Health laboratory has for the last year been used primarily for DWI related activities. Although the majority of the chemist's time has been devoted to supporting the DWI program, plans are well underway to expand the laboratory capability as the DWI activities taper down. Should the Public Health Laboratories lose the Chemist position, there will be no one on our staff to operate and maintain scientific equipment purchased for the purpose of assessing and monitoring compounds that may have significant impact on the public's health. We have been expanding our testing capabilities for analysis of pesticides in food and water. Chlorinated hydrocarbon analysis would monitor the impact upon individual health as well as community health during episodes of acute contamination resulting from accidental spills. Example: transformer contamination in the community of Kake that occurred several years back, samples could not be analyzed in state. The Section of Laboratories also uses Chemist positions in a consulting capacity to medical laboratories engaged in clinical chemistry. Chemists are also used to speciate anaerobic bacteria using fatty acid analysis techniques. Significant improvements in identification of other microorganisms are also in the initial planning stages. Public Health Laboratory operations could support the Department of Labor by developing testing activities related to contaminants in the work place. A recent example of the need for additional support activity in this area was in monitoring ethylene oxide levels in medical laboratories. Our Public Health Laboratory also has a need to monitor heavy metal contamination found in drinking water, as well as monitoring these contaminants in our food chain.

It should be noted, the removal of the Chemist III position eliminates any ability for our laboratory system to perform any Public Health Toxicology activities.

This reduction includes a Chemist III and supporting funding. The original amount was authorized in CH 139 SLA 82 p. 11, ln. 8, and has been adjusted to reflect the Legislature's annual appropriation. This includes personal services funding at 3.1% V&T, a travel reduction of 21.8%, contractual services increase of 2.1% and commodities reduction of 3.2%.

We expect equipment transfers to be minimal. Very little line 500 equipment was purchased specifically for the DWI program. For example, a gas chromatograph used from time to time in the DWI area is a device intended for use primarily in the general microbiology area and would not be transferred with other equipment obtained for DWI work.

FY 83 Dec

04-06-20-01-00 (06-31-1-06-01-00)

STATE OF ALASKA -- COMPONENT_BUDGET_SUMMARY

13:17

6/10/82

AGENCY: DEPARTMENT OF HEALTH & SOCIAL SERVICES
 CATEGORY: HEALTH

PROGRAM: LABORATORIES
 SUB-PROGRAM: REGIONAL LABS

EXPENDITURES & FUNDING	FISCAL YEAR 1983												
	(01) FY81 ACT	(02) FY82 ATH	(03) FY82 RP	(04) FY82 SUP	(05) CONT.	(06) REQUEST	(07) GOV AMD	(08) GOVERNOR	(09) HOUSE	(10) SENATE	(11) F.C.C.	(12) BILLS	(13) HOUSE 2
01 PERS. SERV.	1031.6	1239.8			1178.0	1258.1	1187.3	1267.4	1108.1	1187.3		38.5	1108.1
02 TRAVEL	10.8	22.2			20.2	35.2	20.2	35.2	20.2	20.2		3.2	20.2
03 CONTRACTUAL	287.1	102.3			167.7	199.7	167.7	199.7	180.2	167.7		14.0	180.2
04 COMMODITIES	164.4	181.0			222.4	238.4	222.4	238.4	222.4	222.4		9.0	222.4
05 EQUIPMENT	.2	8.0			50.0	80.0	50.0	80.0	50.0	50.0			50.0
06 LANDS/BLDGS													
07 GRANTS, CLMS													
08 MISC.													
* TOTAL EXPEND	1494.1	1553.3			1638.3	1811.4	1647.6	1820.7	1580.9	1647.6		60.7	1580.9
09 I-A TRANSFER	3.8	4.9			5.1	13.2	13.2	13.2	13.2	13.2			13.2
10 FED. RECEIPT	25.0	42.4											
11 G. F. MATCH													
12 GENERAL FUND	1433.5	1468.8			1596.2	1769.3	1605.5	1778.6	1538.8	1605.5		60.7	1538.8
13 PGM RECEIPTS	35.6	42.1			42.1	42.1	42.1	42.1	42.1	42.1			42.1
14 OTHER FUNDS													
15 FULL TIME	27.0	33.0			33.0	36.0	33.0	36.0	33.0	33.0		1.0	33.0
16 PART TIME	4.0	4.0			4.0	4.0	4.0	4.0	4.0	4.0			4.0
17 TEMPORARY													
18 STAFF MONTHS	327.0	420.0			420.0	456.0	420.0	456.0	420.0	420.0			420.0

NEW POSITIONS

TITLE	LOCATION	TYPE	REQ	S&B COST	OTH.COST	TOT.COST	FED.FUND	GEN.FUND	OTH.FUND	GV	HS	SN	FC	FN
1 CLERK TYPIST III	JUNEAU	FULL	1	23.3	.4	23.7		23.7						1
2 LABORATORY ASSISTANT II	JUNEAU	FULL	1	23.3	.4	23.7		23.7						1
3 MICROBIOLOGIST II	JUNEAU	FULL	1	33.6	9.0	42.6		42.6						1
* NEW POSITION TOTALS			3	80.2	9.8	90.0		90.0						3

REVISED PROGRAMS, GOVERNOR AMENDMENTS, SUPPLEMENTAL & SPECIAL APPROPRIATIONS AND FISCAL NOTES...

FISCAL NOTES: SB 611 \$60.7 f

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: CSSB 74(JUD)AM
 Title: "An Act relating to driving while intoxicated..."
 Sponsor: Sen. Abood
 Requestor: House State Affairs
 Date of Request: 4-16-85

FISCAL DETAIL

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

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES		47.2	50.0	53.0	56.2	59.6
200 TRAVEL		2.5	2.7	2.9	3.1	3.3
300 CONTRACTUAL		14.3	15.2	16.1	17.1	18.1
400 SUPPLIES		4.8	5.1	5.4	5.7	6.0
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		68.8	73.0	77.4	82.1	87.0

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND		68.8	73.3	77.4	82.1	87.0
FEDERAL FUNDS						
OTHER						
TOTAL		68.8	73.3	77.4	82.1	87.0

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

This fiscal note reflects the transfer of the breath test program from the Department of Health & Social Services to the Department of Public Safety. 6% inflation factor included in fiscal note.

Prepared By: James D. Vaden Phone: 465-4322
 Division: Deputy Commissioner Date: 4-16-85

Approved by Commissioner: *Robert L. Berg* Date: 4-17-85
 Agency: Public Safety

Distribution (by Agency preparing fiscal note):

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

7/1/84

INTRODUCTION OF BILLS (Senate)(cont'd)

SB 72 (cont'd)

courts of the state unless otherwise ordered by supreme court rule." Does not provide for an effective date (takes effect 90 days after Governor signs bill).

Introduced January 22 and referred to Health, Education & Social Services, Judiciary, Finance.

Drunk Drivers
(identifi-
cation)

SENATE BILL NO. 73, by Senator Abood. Amends AS 12.25 (Arrest) by adding a new section allowing the arresting officer to fingerprint and photograph a person who is arrested for an offense committed while the person is driving a motor vehicle if the officer has probable cause to believe the person was driving while intoxicated. Would apply to pilots and boat operators also.

Fingerprints obtained under the new law would have to be sent to the FBI along with information about the arrest.

Does not provide for an effective date (takes effect 90 days after Governor signs bill).

Introduced January 22 and referred to State Affairs, Judiciary, then Finance.

Drunk Driving
(Influence of
drugs)

~~SENATE BILL NO. 74~~ by ~~Senator Abood~~. Would extend drunk driving laws to persons driving under the influence of ~~drugs~~ or a combination of liquor and controlled substances. New section is added providing a person convicted for drunk driving or for refusing to take the breath test may not receive credit for all or part of a mandatory sentence for time spent in a residential alcohol treatment or rehabilitation program. ~~Adds new language relating to the breath test, stating that if a person is at a location rendering the person incapable of providing a breath sample, a chemical test may be administered to determine the amount of alcohol in the breath or blood.~~

(Amends AS 28.35.030, 28.35.032, and 28.35.035.)

~~Does not provide for an effective date (takes effect 90 days after Governor signs bill).~~

Introduced January 22 and referred to State Affairs, Judiciary, Finance.

Driver's
Licenses
(suspension of
privilege to
obtain)

SENATE BILL NO. 75, by Senator Abood. Amends drunk driving laws by adding language establishing that a person has a revokable "privilege," not a right, to obtain a driver's license. Would require all applicants for a license to state whether their privilege to obtain a license had ever been revoked in another state.

Amends provisions relating to chemical breath tests (AS 28.15.165). Law now reads that those who register drunk or refuse to submit to the test must be provided with a notice stating the state's

COMMITTEE REPORTS (Senate)(cont'd)

SB 43 (cont'd)

The Judiciary version, instead of establishing a separate agency, would establish a Legislative Research Division within the Legislative Affairs Agency. The Division would have a permanent research staff with a research director to be appointed by the Executive Director of LAA. Effective immediately.

Eliminates policy committee and prohibition against staff members joining or supporting a partisan political organization.

Fish Records
(release of
confidential)

SENATE BILL NO. 70, (see page 95). Reported back to the Senate on February 7 by State Affairs with the committee recommending it be replaced with a State Affairs CS and that it do pass. Concurring: Abood (Chairman), DeVries, Vic Fischer, Ray and Kelly. To Resources.

The State Affairs CS would only allow release of fish tickets and fish ticket information to the Division of Fish and Wildlife Protection in the Dept. of Public Safety. The original bill would have allowed release by the Dept. of Fish and Game of "any of its records or reports" to that agency.

Drunk Drivers
(identifica-
tion)

SENATE BILL NO. 73, (see page 96). Reported back to the Senate on February 8 by State Affairs with the committee recommending it be replaced with a State Affairs CS and that it do pass. Concurring: Abood (Chairman), DeVries and Ray. To Judiciary.

The State Affairs version directs law enforcement agencies to send two sets of fingerprints to the Alaska State Troopers, Scientific Crime Detection Laboratory, rather than sending just one set directly to the F.B.I. Remainder identical to original bill.

~~Drunk Drivers~~
(influence of
drugs)

~~SENATE BILL NO. 74~~ (see page 96). Reported back to the Senate on February 8 by State Affairs with the committee recommending it be replaced with a State Affairs CS and that it do pass. Concurring: Abood (Chairman), DeVries and Ray. To Judiciary.

The State Affairs CS makes a ~~minor wording correction to new~~ language relating to ~~time spent in treatment program~~: "A person convicted under this section may not receive credit toward all or part of a minimum mandatory sentence for time spent in a residential alcohol treatment or rehabilitation program."
"minimum" added by CS.

Vets' Employ-
ment Pre-
ference

SENATE BILL NO. 81, (see page 102). Reported back to the Senate on February 5 by State Affairs with the committee recommending it do pass. Concurring: Abood (Chairman), DeVries, Ray, Kelly and Vic Fischer. To Finance.

COMMITTEE REPORTS (Senate)(cont'd)

SB 40 (cont'd)

The Resources CS is a completely new bill and is almost identical to Sen. Kerttula's SB 154, allowing agricultural production credits.

Sets up a temporary production credit program for Alaska agricultural products which would terminate on December 31, 1994. The credits could be applied against interest due on agricultural loans and interest due on the sale of agricultural land.

The annual credit for the years 1984 through 1988 would be 20 percent of the total sales as documented by the farmer on his federal tax return (IRS Schedule F, form 1040). The portion of total sales as documented by the farmer that may be claimed for 1989 and each subsequent year shall decrease by two percentage points each year. Effective immediately.

~~Drunk Driving~~ SENATE BILL NO. 74, (see pages 96;225). Reported back to (influence of drugs) the Senate on March 20 by Judiciary with the committee recommending it be replaced with a Judiciary substitute and the majority signing "do pass." Concurring: Rodey (chmn.), Faiks and Kelly. Ziegler signed "no recommendation." To Finance.

~~The Judiciary CS is a completely different bill.~~

--Sec. 1 amends AS 28.35.033(d) to ~~transfer from the Dept. of Health and Social Services to the Dept. of Public Safety~~ responsibility for establishing methods for administering chemical ~~breath or blood tests~~, and for approving satisfactory techniques, methods, and standards for training people to administer them.

--Sec. 2 amends AS 38.25.035(g) to provide that ~~if a person is injured~~ the person is considered not to have withdrawn the implied consent and a ~~chemical test may be administered~~ to determine the amount of alcohol in the person's breath or blood. ~~The injured person need not be arrested before a test may be administered.~~ (Present law only applies to persons that are "unconscious or otherwise in a condition rendering that person incapable of refusal.")

--Sec. 3 provides that Department of Health and Social Services regulations governing breath tests remain in effect until revoked or amended by the Department of Public Safety.

--Sec. 4 makes bill effective July 1, 1985.

State Grants SENATE BILL NO. 90, (see page 112). Reported back to the (power of C&ED to administer) Senate on March 18 by Labor & Commerce with the committee recommending it do pass. Concurring: Zharoff (Chmn.), Eliason and Ray. To Finance.

Criminal Cases SENATE BILL NO. 99, (see page 118). Reported back to the (broadening state's right to appeal) Senate on March 20 by Judiciary with the majority recommending it do pass. Concurring: Rodey (Chairman), Faiks, Kelly and Halford. Ziegler signed "no recommendation." To Rules.

COMMITTEE REPORTS (Senate)(cont'd)

SSSB 26 (cont'd)

FACILITIES. The Commissioner [of Corrections] shall notify each community council established by municipal charter or ordinance of the department's plans to locate a prison facility or to contract for the operation of a halfway house or other rehabilitation program in the area represented by the community council."

--Adds new Sec. 6 requiring the Department of Natural Resources give notice to community councils of the following actions: (1) classification or reclassification of state land and the closing of land to mineral leasing or entry; (2) zoning of land under applicable law; (3) a decision regarding the sale, lease, or disposal of an interest in state land or resources; and (4) a competitive disposal of an interest in state land or resources. Notice must be given if the land in question is within the area represented by the council.

Legislative
Research
Agency
(establishing)

SENATE BILL NO. 43, (see pages 17;224). Reported back to the Senate on April 4 by Finance with the majority recommending the Judiciary substitute do pass. Concurring: Faiks (Co-Chairman), Halford, Paul Fischer, Eliason and Sackett. Ferguson signed "no recommendation." To Rules.

~~Drug Abuse~~
(influence of
drugs)

~~SENATE BILL NO. 74 (see pages 96;225;278)~~ Reported back to the Senate on April 4 by Finance with the committee recommending the Judiciary CS do pass. Concurring: Faiks (Co-Chairman), Halford, Ferguson, Paul Fischer, Eliason and Sackett. To Rules.

Chiropractic
Services
(under
medicaid)

SENATE BILL NO. 109, (see page 165). Reported back to the Senate on April 3 by Health, Education & Social Services with the committee recommending it be replaced with a HESS substitute and as follows: Fahrenkamp (Chairman) signed "do pass if funding worked out." Josephson and Sturgulewski signed "do pass." DeVries signed "do pass if funding is available." To Finance.

The HESS substitute includes a different definition of "chiropractic services." Defined as including "only services that are provided by a chiropractor licensed under AS 08.20 that consist of treatment by means of manual manipulation of the spine and x-rays necessary for treatment."

Admin.
Journal
(continuing)

SENATE BILL NO. 157, (see page 264). Reported back to the Senate on April 3 by State Affairs with the committee recommending it be replaced with a State Affairs substitute and the majority recommending it do pass. Concurring: Abood (Chairman), DeVries, Vic Fischer and Kelly. Ray signed "no recommendation." To Finance.

The State Affairs CS makes the following changes:

--calls for weekly publication of the journal, rather than the first and third Monday of each month.

--requires meeting notices be published even if the meeting has

BILLS PASSED IN THE SENATE

Car Theft/
Jovriding
(heavier
penalties)

SENATE CS FOR CS FOR HOUSE BILL NO. 17 (STATE AFFAIRS),
(see pages 40;284;287;332;355;382;433). Reported back to
the Senate on April 10 by Judiciary with the majority of the
committee recommending the State Affairs CS do pass. Concur-
ring: Kelly (Vice-Chairman), Halford and Faiks. Ziegler signed
"no recommendation." To Rules.

On April 11 the Senate State Affairs CS was adopted and the bill
passed, 19-0-1. Excused: Coghill.

Boys' State
(19th annual)

HOUSE CONCURRENT RESOLUTION NO. 13, (see pages 375;515;548
Reported back to the Senate on April 9 by State Affairs with
the committee recommending it do pass. Concurring: Abood (Chmn.),
DeVries, Ray, Kelly and Vic Fischer. To Rules.

Passed the Senate on April 11, 19-0-1. Excused: Coghill.

Girls' State
(17th annual)

HOUSE CONCURRENT RESOLUTION NO. 14, (see pages 376;515;548
Reported back to the Senate on April 9 by State Affairs with
the committee recommending it do pass. Concurring: Abood
(Chairman), DeVries, Ray, Kelly and Vic Fischer. To Rules.

Passed the Senate on April 11, 19-0-1. Excused: Coghill.

Driving While
Intoxicated

CS FOR SENATE BILL NO. 74 (JUD) (AMENDED), (see pages 96;225;
478;554). Before the Senate on April 11. Held one day in
second reading.

April 12 the Judiciary CS was adopted.

Am. 1 by Josephson and Ray was adopted. It rewrites section
relating to obtaining a blood sample from an injured accident
victim in order to determine blood alcohol content. Original read:

(b) A person who is unconscious, injured, or otherwise in a
condition rendering that person incapable of providing a breath sample
[REFUSAL] is considered not to have withdrawn the consent provided
under AS 28.35.031(a) and a chemical test may be administered to
determine the amount of alcohol in that person's breath or blood. A
person who is unconscious, injured, or otherwise incapable of
providing a breath sample [REFUSAL] need not be placed under arrest
before a chemical test may be administered.

Rewritten to read:

(b) A person who is unconscious, has received
an injury which prevents the person from providing a
breath sample within a reasonable period, or who is
[OR] otherwise in a condition or at a location ren-
dering that person incapable of providing a breath
sample within a reasonable period [REFUSAL] is con-
sidered not to have withdrawn the consent provided
under AS 28.35.031(a) and a chemical test may be
administered to determine the amount of alcohol in
that person's breath or blood. A person [WHO IS
UNCONSCIOUS OR OTHERWISE INCAPABLE OF REFUSAL] need
not be placed under arrest before a chemical test
may be administered under this section.

BILLS PASSED IN THE SENATE (cont'd)

CSSB 74 (Jud)am (cont'd)

Passed, 15-1-3-1. Nays: Ziegler. Excused: Coghill, Eliason, Sackett. Absent: Vic Fischer. The effective date was adopted.

Rights of the
Terminally
Ill

CS FOR SENATE BILL NO. 140 HESS)(AMENDED), (see pages 222; 440;560;616). Before the Senate April 9 in second reading. Am. 2 by Josephson was adopted by unanimous consent. It deletes language on p. 4 relating to falsification or forging of a declaration and inserts:

"(d) A person who falsifies or forges the declaration of another person or wilfully conceals or withholds personal knowledge of a revocation under AS 18.12.020, with the intent to cause a withholding or withdrawal of life-sustaining procedures contrary to the wishes of the other person or declarant, and thereby directly causes life-sustaining procedures to be withheld or withdrawn and death to be hastened violates AS 11.41.100."

(Note: AS 11.41.100 is the crime of first degree murder.)

Technical Am. 3 by Eliason was adopted by unanimous consent. Corrects an incorrect statute reference.

Failed to pass, 10-9-1. Nays: Coghill, DeVries, Faiks, Ferguson, Paul Fischer, Kelly, Kerttula, Ray, Zharoff. Absent: Rodey. Ray gave notice of reconsideration.

Sen. Eliason brought up the reconsideration on April 10.

Am. 4 by Josephson and DeVries was adopted by unanimous consent. Changes subsection (c) under "Treatment of Qualified Patients" to read: "[UNLESS THE DECLARATION PROVIDES OTHERWISE, THE] The declaration of a qualified patient known to the attending physician to be pregnant is given no effect as long as it is probable that the fetus could develop to the point of live birth with continued application of life-sustaining procedures." Bracketed material deleted by amendment.

Am. 5 by Josephson and Eliason was adopted by unanimous consent. Changes provisions relating to transfer of patients. Amended to read: "An attending physician who is unwilling to comply with the requirements of AS 18.12.030 or who is unwilling to comply with the declaration of a qualified patient under AS 18.12.040 shall [TAKE ALL REASONABLE STEPS TO EFFECT THE TRANSFER OF THE DECLARANT TO ANOTHER PHYSICIAN] withdraw as attending physician but the withdrawal is effective only when the services of another attending physician have been obtained." Underlined material added, bracketed material deleted.

The bill then passed on reconsideration, 15-5. Nays: Coghill, DeVries, Paul Fischer, Kelly, Kerttula. The effective date was adopted.



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.


Signature of Camera Operator


Date

S B

7 5

COMMITTEE REPORT

4/28

HOUSE

JUDICIARY

(7)

FURTHER: FINANCE

3/25/85

Date: 4/25/86

The Committee on STATE AFFAIRS has had CSSB 75(SA)

"An Act relating to suspension of the privilege to obtain a driver's license."

under consideration and recommends:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title

and recommends

- AND ~~attaches a~~ ^{encloses Senate State Affairs} "Letter of Intent" New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached
- referred to the _____ Committee *New (1986)*

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

COMMITTEE REPORT
HOUSE

4/28

JUDICIARY

(7)

FURTHER: FINANCE

3/25/85

Date: 4/25/85

The Committee on STATE AFFAIRS has had CS 75(SA)

"An Act relating to suspension of the privilege to obtain a driver's license."

under consideration and recommends:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a ^{enclosed Senate State of Maine} "Letter of Intent" New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached
- referred to the _____ Committee *House (1986)*

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

DEPARTMENT OF PUBLIC SAFETY

POSITION PAPER - CSSB75(SA)

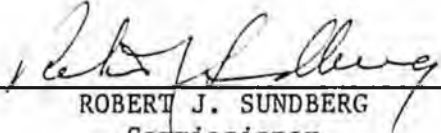
Support

April 23, 1986

CSSB75(State Affairs), An Act relating to suspension of the privilege to obtain a driver's license.

This bill addresses a problem brought to our attention by the Alaska Court of Appeals decision in the case of Francis vs Municipality of Anchorage in 1982, and Roberts vs State of Alaska in 1985. Those decisions held that a person who had never applied for a driver's license could not be charged with driving while license suspended if stopped for driving after the State had issued a suspension. Francis had been suspended following an accident for which he failed to establish financial responsibility. Roberts had been suspended for DWI, accumulation of points, and failure to provide proof of financial responsibility. The court held that since the defendant had never had a license, there was nothing for the Division of Motor Vehicles to suspend. The most the defendant could be charged with was for driving without a valid license.

In the Roberts decision the Court of Appeals decision contains the following sentence. "At this stage we believe that the solution for any problems stemming from the current statutory language should properly be resolved through legislative action rather than by the process of judicial interpretation."


ROBERT J. SUNDBERG
Commissioner

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : CS SB 75 (S.A.)
 Title : An Act relating to suspension
of the privilege to obtain a driver's
license.
 Sponsor : Abood
 Requestor : House State Affairs
 Date of Request : 4/18/86

FISCAL DETAIL

Agency Affected : Public Safety
 BRU : Motor Vehicles

 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

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

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

FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

r No fiscal impact

K. Miles

Prepared by : *BB* Bill Brown
 Division : Motor Vehicles

Phone : 465-2650
 Date : 4-18-86

Approved by Commissioner : *S. Williams*
 Agency : Public Safety

Date : 4/18/86

Distribution (by Agency preparing fiscal note):

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

Alaska State Legislature



SENATE LETTER OF INTENT

The State Affairs CS for SB 75 is drafted to provide that a person's "privilege to obtain a license" may be suspended or revoked in the same manner and under the same conditions as a person's driver's license may be suspended or revoked under existing law.

In the case of Francis v. Municipality of Anchorage, 641 P.2d 226 (Alaska App. 1982), the Alaska Court of Appeals held that a person who had never applied for a driver's license could not be charged with the misdemeanor crime of driving while license suspended (DWLS) for driving after the Department of Motor Vehicles (DMV) had suspended a person's "privilege to drive" following an accident for which the person failed to establish financial responsibility. The court held that since the defendant had never had a license, there was nothing for DMV to suspend, and the most that the defendant could be charged with was driving without a valid license.

Driving without a valid license in violation of AS 28.15.011 carries a maximum penalty of 90 days in jail, a \$500 dollar fine, or both (see AS 28.35.320(a) and (b)). In contrast, DWLS carries a maximum penalty of one year in jail, a \$5,000 dollar fine, or both (see AS 28.15.291(d)). Additionally, a conviction for driving without a valid license does not require the mandatory minimum sentences which must be imposed following a conviction for DWLS (see AS 28.15.291(a) and (c)).

The intent of this legislation is fulfilled, in the most part, by section 4. This section provides that all court or department actions relating to a suspension or revocation of a driver's license, all Title 28 procedures relating to a suspension or revocation of a driver's license, and all Title 28 references to the suspension or revocation of a license also apply to the "privilege to obtain a driver's license." This method was chosen in preference to adding or privilege to obtain a license in each of the 70 odd places where "revocations" or "suspension" of a "license" or "driver's license" is mentioned throughout Title 28.

The only place in Title 28 where the language "or privilege to obtain a license" is added is in the section establishing the crime or driving while license suspended or revoked (AS 28.15.291). The Committee felt that special notice should be given in this section because it is a criminal statute concerning the offense in question.

ADOPTED BY THE SENATE 3/22/85.



RECORDS CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.


Signature of Camera Operator


Date

SB

oo

1

BILL SHEFFIELD
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

h 8

January 22, 1985

The Honorable Don Bennett
President of the Senate
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Senator Bennett:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the definition of "veteran" for purposes of veterans' preference rights for state employment. This bill conforms the current definition of veteran found in AS 39.25.150(19)(A) to the federal definition in 5-U.S.C. sec. 2108.

In essence, the bill extends the period of time of active duty in the United States armed forces which qualifies an individual as a veteran for employment preference. The Alaska statute currently sets November 7, 1975 as the service cut-off date for qualifying as a veteran, while federal law establishes October 14, 1976 as the date. The bill amends AS 39.25.150(19)(A) to reflect the October 14, 1976 date, thereby conforming the federal and state periods of service for being considered a veteran to receive employment preference rights.

Sincerely,

A handwritten signature in cursive script that reads "Bill Sheffield".

Bill Sheffield
Governor

DOL 1.097 = 77-704-05

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST
Bill/Resolution No.: SB 81
Title: Veterans Employment
Preference
Sponsor: _____
Requestor: Military & Vets Affairs
Date of Request: 30 August 1984

FISCAL DETAIL
Agency Affected: Military & Veterans Affairs
Program Category Affected: Public
Protection
BRU, Program or Subprogram(s) Affected:
Veterans Affairs

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		-0-	-0-	-0-		

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL		-0-	-0-	-0-		

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Would conform Alaska's definition of veterans to that used by the federal government in the administration of the Veteran's Preference Program.

Prepared By: Richard L. Rountree Phone: 465-4600
Division: Administrative and Support Services Date: 8 January 1984

Approved by Commissioner ^{for P.A.O.} Major General E. G. Pagano Date: 8 January 1984
Agency: Military & Veterans Affairs

Distribution (by Agency preparing fiscal note):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

7/1/84

STATE OF ALASKA

DEPARTMENT OF ADMINISTRATION

OFFICE OF THE COMMISSIONER

BILL SHEFFIELD, GOVERNOR

POUCH C (MS 0200)
JUNEAU, ALASKA 99811
PHONE: (907) 465-2200

February 26, 1985

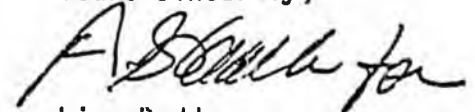
Honorable Jan Faiks
Co-Chairman
Senate Finance Committee
Pouch V
Juneau, AK 99811

Dear Madam Co-Chairman:

I am pleased to transmit a revised Fiscal Note on SB 81, "an act relating to the definition of veteran." The Forms Management Section of the Division of General Services & Supply has determined that funds will be available this fiscal year to pay for the reprinting of the State Employment Application form. Therefore, the Division of Personnel will not need the \$5.0 thousand initially requested for printing costs. The Fiscal Note has been reduced accordingly from \$6.0 to \$1.0. The \$1.0 for display ads in a newspaper is still needed.

I urge your earliest consideration of SB 81 because we are at the point of reordering forms for this program. Prompt legislative action will allow changes to be made immediately and will avoid either the complete consumption of the supply of Applications or the expense of destroying a newly printed supply and reprinting them.

Yours sincerely,



Lisa Rudd
Commissioner

LSR/mms
12/4D1/0222-07
Enclosure

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: February 22, 1985
Page 1 of 1

REQUEST
Bill/Resolution No.: SB 81
Title: Definition of veteran for purposes of employment preference.
Sponsor: Rules at request of Governor
Requestor: Senate State Affairs
Date of Request: January 31, 1985

FISCAL DETAIL
Agency Affected: Administration
Program Category Affected: Centralized Administrative Services
BRU, Program or Subprogram(s) Affected: Personnel

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	1.0	0	0	0	0	0
400 SUPPLIES	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	0	0	0	0	0	0
800 MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	1.0	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	1.0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	1.0	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

ANALYSIS: (Attach a separate page if necessary)

Cost of running 2" x 4" display ad in newspapers
 around the State to notify applicants of the change. - \$1,017
 Assumes an effective date in FY 85.

This revised fiscal note reflects the decision of Forms Management to pay the cost of reprinting the State Employment Application form with current funds.

Prepared By: Frank Rave *Frank Rave* Phone: 465-4430
 Division: Personnel Date: 2/25/85

Approved by Commissioner: Lisa Rudd *Lisa Rudd* Date: 2-26-85
 Agency: Department of Administration *Joe*

- Distribution (by Agency preparing fiscal note):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)

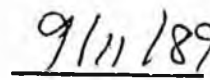


RECORDS CERTIFICATION



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Signature of Camera Operator


Date

S B

Q 7

COMMITTEE REPORT

HOUSE

5/1

(7)

FURTHER: JUDICIARY

3/25/85

Date: April 30, 1985

The Committee on STATE AFFAIRS has had CSSR 87 (Jud)

"An Act relating to forfeiture of weapons used to commit a crime."

under consideration and recommends:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- 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

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Robert J. Jenks

[Signature]

[Signature]

[Signature]

CHAIRMAN



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

0297

January 24, 1985

The Honorable Don Bennett
President of the Senate
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Senator Bennett:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that will authorize a court to order the forfeiture to the Department of Public Safety (DPS) of a deadly weapon possessed or used by a defendant during the commission of a crime. As used in the bill, "deadly weapon" means any firearm (including a pistol, revolver, rifle, or shotgun) or anything designed for and capable of causing death or serious physical injury, including a knife, an axe, a club, metal knuckles, or an explosive.

Although current law authorizes the forfeiture of weapons used to commit fish and game offenses (AS 16.05.195) or offenses involving controlled substances (AS 17.30.110), there is no statutory provision that expressly allows a court to order, as part of a defendant's sentence, the forfeiture of a weapon used to commit crimes such as assault robbery, or murder. AS 11.61.200 prohibits a felon, during the five years immediately following his "unconditional discharge" (i.e., release from custody or parole or probation) for a felony, from knowingly possessing "a firearm capable of being concealed on his person," and AS 12.55.080 gives a court broad powers to determine and impose reasonable probation conditions (such as no possession of firearms during the period of probation); however, neither of these statutes specifically authorizes a court to order the forfeiture of a weapon used to commit a crime.

To address this surprising omission in existing law, sec. 1 of this bill adds a new paragraph to the general sentencing provisions in AS 12.55.015(a) to authorize a court to order the forfeiture of a weapon as part of a defendant's sentence following conviction. Forfeiture would not be required in every case, but could be imposed at the court's discretion.

297

In sec. 2, the bill allows the remission of forfeited weapons to innocent third parties who prove an ownership interest in the weapon. Also, under sec. 2 of the bill, forfeited weapons must either be destroyed or used by DPS for training, ballistics, or other law enforcement purpose.

Passage of this bill will authorize our courts to remove from the hands of a convicted criminal a weapon used to commit a crime. This will at least prevent the convicted person from using that weapon to commit another crime in the future. I urge your prompt and favorable action on this bill.

Sincerely,



Bill Sheffield
Governor

003 1003 1 012 11

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 97
 Title: "...forfeiture of weapons
 used to commit a crime..."
 Sponsor: RULES COMMITTEE
 Requestor: Senate State Affairs
 Date of Request: 2-6-85

FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: Administration of Justice
 BRU Program or Subprogram(s) Affected: Alaska State Troopers

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE						

FUNDING: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

See attached analysis.

Prepared By: Francis C. Allan *F.C.A.* Phone: 269-5691
 Division: Alaska State Troopers Date: 2/4/85
 Approved by Commissioner: R. J. Sundberg Date: 2-6-85
 Agency: Department of Public Safety

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

7/1/84

DEPARTMENT OF PUBLIC SAFETY
POSITION PAPER -CSSB 97(JUD) AM

Support


March 26, 1985

CSSB 97(SA) - "An Act relating to forfeiture of weapons used to commit a crime.

This legislation adds a new paragraph to the general sentencing provisions statute which would authorize a court to order the forfeiture, as part of a defendant's sentence upon conviction, of a deadly weapon which was possessed or used by a defendant during the commission of crime.

It is common to encounter persons who are convicted of violent crimes repeating similar offenses. By being able to hinder such individuals from obtaining the "tools" to commit such crimes, an added degree of safety for the public can thus be provided.

Law enforcement agencies often spend a considerable effort returning knives, clubs, axes, etc. from evidence storage back to individuals who have committed violent crimes. Certainly this effort can be better expended if the weapons can be disposed of at the discretion of the State. Some of the weapons will be used by the Alaska State Troopers Scientific Crime Detection Laboratory for ballistics purposes.


Robert J. Sundberg
Commissioner

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 97
 Title: "An Act relating to forfeiture of weapons used to commit a crime"
 Sponsor: Senate Rules/Governor
 Requestor: Governor's Ofc./OMB
 Date of Request: 12/18/84

FISCAL DETAIL

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

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
FULL-TIME	-0-	-0-	-0-	-0-	-0-	
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

This bill amends AS 12.55.015(a) to give the court the discretionary power to order the forfeiture of a weapon as part of a defendant's sentence following conviction. Although prosecutors will have the added responsibility of advocating forfeiture, when appropriate, this advocacy duty can be accomplished without additional expense.

Prepared By: Richard I. Pegues, Director Phone: 465-3672
 Division: Administrative Services Date: 12/19/84
 Approved by Commissioner: Norman C. Gorsuch Date: 12/19/84
 Agency: Department of Law

Distribution (by Agency preparing fiscal note):

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

Alaska State Legislature

INTERIM OFFICE
1024 WEST SIXTH AVENUE
ANCHORAGE, ALASKA 99501
(907) 274-2843

IN SESSION:
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4714



Senator Mitch Abood
CHAIRMAN

Senate Committee on State Affairs

TO: ROGER LEWIS
SENATE JUDICIARY COMMITTEE

FROM: ELAINE BALES *Elaine Bales*
COMMITTEE SECRETARY

DATE: MARCH 11, 1985

SUBJ: AMENDMENTS TO CSSR 97 (SA)

As we discussed this afternoon, Ms. Nelson was correct. Senator Abood did move to change 60 days to 30 days. It is highlighted on Pg 2 of my minutes for February 20, 1985.

PRK

Ask Abood

Abood this on the

file tomorrow

COMMITTEE REPORTS (Senate)(cont'd)

Forfeiture
of Weapons
Used in a
Crime

SENATE BILL NO. 97, (see page 116). Reported back to the Senate on February 25 by State Affairs with a majority of the committee recommending it be replaced with a CS and that it do pass. Concurring: Abood (Chairman), DeVries, Vic Fischer and Kelly. Ray had no recommendation. To Judiciary.

The original version, in Sec. 2, added new sections relating to remission of forfeited property to AS 33.30 (Prison Facilities and Prisoners). Under the State Affairs version, these sections, with one change, are added to AS 12.36 (Disposition of Recovered or Seized Property). Change is as follows:

The State Affairs version requires the state to return a weapon "within 60 days after the final disposition of the case," if it is proven that the person is entitled to keep a forfeited weapon. Under the original, the state would have been required to return the weapon immediately.

Makes a drafting change to the amendment to AS 12.55.015--no change in effect of amendment (Sec. 1 of original).

Child Care
Centers
(in public
buildings)

SENATE BILL NO. 165, (see page 291). Reported back to the Senate on March 1 by Health, Education & Social Services with the majority signing do pass. Concurring: Fahrenkamp (Chmn.), Sturgulewski and Josephson. Paul Fischer signed "do not pass without amendments." DeVries signed "no recommendation." To Finance.

Political
Contributions
by Minors

SENATE BILL NO. 173, (see page 294). Reported back to the Senate on February 26 by State Affairs with the committee recommending it be replaced with a State Affairs CS and that it do pass. Concurring: Abood (Chmn.), DeVries, Vic Fischer and Kelly. To Finance.

The State Affairs substitutes "individual under the age of 18" for "individual under the age of majority" throughout the bill.

Disaster
Relief for
St. Paul

SENATE BILL NO. 186, (see page 296). Reported back to the Senate on February 28 by State Affairs with the committee recommending it do pass. Concurring: Abood (Chmn.), Kelly, Vic Fischer and DeVries. To Finance.

Fairbanks
Annexation
(disapproval)

SENATE JOINT RESOLUTION NO. 17, (see page 299). Reported back to the Senate on March 1 by Community & Regional Affairs with the committee recommending as follows: Sen. DeVries (Chairman), and Sen. Coghill signed "do pass." Sens. Sturgulewski, Ferguson and Vic Fischer signed "do not pass." To Rules.

BILLS PASSED IN THE SENATE

Sewer System
Failure
(Haines)

CS FOR HOUSE BILL NO. 143 (FINANCE), (see pages 183; 249; 267; 287). Reported back to the Senate on February 26 by Finance with the committee recommending it do pass. Concurring: Faiks (Co-Chairman), Kerttula, Halford, Paul Fischer,

Alaska State Legislature

INTERIM OFFICE
1024 WEST SIXTH AVENUE
ANCHORAGE, ALASKA 99501
(907) 274-2843



Senator Mitch Abood
CHAIRMAN

IN SESSION:
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4714

Senate Committee on State Affairs

TO: ROGER LEWIS
SENATE JUDICIARY COMMITTEE
FROM: ELAINE BALES *Elaine Bales*
COMMITTEE SECRETARY
DATE: MARCH 11, 1985
SUBJ: AMENDMENTS TO CSSB 97 (SA)

As we discussed this afternoon, Ms. Nelson was correct. Senator Abood did move to change 60 days to 30 days. It is highlighted on Pg 2 of my minutes for February 20, 1985.

PMK

Ask Abood

Abood this on the

floor tomorrow

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

HSA 3-19-85 1:30 pm