

ALASKA LEGISLATURE COMMITTEE FILES 1987-1988 8672

5059 HSTA HB 52 - HB 57

631

15. Liens. _____

Name & Address	Balance	Date Incurred	Payment Schedule
a. _____	_____	_____, 19__	\$_____ per mo.
_____	_____	_____	_____
b. _____	_____	_____, 19__	\$_____ per mo.
_____	_____	_____	_____
c. _____	_____	_____, 19__	\$_____ per mo.
_____	_____	_____	_____

16. Insurance coverage.

Names of	Insurance Company	Type of Insurance	Amount of Insurance	Premium Amount and Due Date
a. _____	_____	_____	_____	\$__ per __; Due _____
b. _____	_____	_____	_____	\$__ per __; Due _____
c. _____	_____	_____	_____	\$__ per __; Due _____

17. Description of instruments, radios, and appurtenant equipment and other paraphernalia.

Item	Model No.	Serial No.	Date of Purchase	Condition
a. _____	_____	_____	_____	_____
b. _____	_____	_____	_____	_____
c. _____	_____	_____	_____	_____
d. _____	_____	_____	_____	_____

DATED this ____ day of _____, 19__, at _____, Alaska.

Signature of Operator(Owner)

OPERATOR'S
SEIZURE INFORMATION
(VESSEL)

1. Name of vessel _____
2. Kind of vessel _____
3. Official U.S.C.G. No. _____
4. Port of Registry _____
5. ADF&G No. AK _____
6. Value when purchased \$ _____
7. a. Date of last reappraisal _____, 19__
- b. Value at last reappraisal \$ _____
- c. Name and address of appraiser _____
8. Estimated value today _____
9. Place and date of most recent overhauls or repairs
 _____, 19__
 _____, 19__
10. a. Name of owner _____
- b. Address of owner _____

 Tele. () ____ - ____

11. Names of others with a right, title or interest in vessel
 (e.g. Banks, NOAA, state, materialmen, supplies, crews
 wages, etc.)

Name & Address	Balance	Date Incurred	Payment Schedule
a. _____	_____	_____, 19__	\$ _____ per mo.

b. _____	_____	_____, 19__	\$ _____ per mo.

12. Insurance coverage.

FORM NO. 2 (cont.)

Names of	Insurance Company	Type of Insurance	Amount of Insurance	Premium Amount and Due Date
a. _____	_____	_____	_____	\$__per__; Due _____
b. _____	_____	_____	_____	\$__per__; Due _____
c. _____	_____	_____	_____	\$__per__; Due _____

13. Description of navigational equipment, fishing gear and other paraphernalia.

Item	Model No.	Serial No.	Date of Purchase	Condition
a. _____	_____	_____	_____	_____
b. _____	_____	_____	_____	_____
c. _____	_____	_____	_____	_____
d. _____	_____	_____	_____	_____
e. _____	_____	_____	_____	_____
f. _____	_____	_____	_____	_____
g. _____	_____	_____	_____	_____
h. _____	_____	_____	_____	_____
i. _____	_____	_____	_____	_____
j. _____	_____	_____	_____	_____
k. _____	_____	_____	_____	_____
l. _____	_____	_____	_____	_____

Alaska. DATED this _____ day of _____, 19__ at _____,

Signature of Operator

Operator's Printed Name

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

_____ JUDICIAL DISTRICT AT _____

STATE OF ALASKA,)
)
Plaintiff,)
)
vs.)
)
ONE RED AND WHITE PIPER)
airplane _____, Serial)
Number _____ and)
contents thereof, including)
appurtenant instruments,)
radios, and floats,)
Serial No.s _____ and _____,)
JOHN DOE and JANE DOE,)
)
Defendants.)
_____)

Civil No. _____

COMPLAINT FOR FORFEITURE AND DAMAGES
(AS 16.05.195)

The State of Alaska, through its Attorney General,
alleges as follows:

First Cause of Action

1. This is an action for forfeiture of Piper
N_____ [describe] and the contents of the aircraft,
including appurtenant instruments and radios. This action is
brought under AS 16.05.195.

2. On or about _____, 19____, in the
vicinity of _____,
Judicial District, State of Alaska, the above-described aircraft
was used by defendants _____
to [describe violation]

These actions constitute violations of fish and game regulations

3. AS 16.05.195 provides that aircraft and other paraphernalia or gear may be forfeited to the state upon judgment of a court of competent jurisdiction in an action in rem that the aircraft and paraphernalia or gear were used in or in aid of a violation of a fish or game statute or regulation.

4. On _____, 19___, pursuant to a seizure warrant issued on _____, 19___, the above-described aircraft, its floats and equipment were seized at _____, Alaska, _____ Judicial District, and the aircraft, floats and equipment are or will be within the jurisdiction of this court during the pendency of the proceedings in this matter.

WHEREFORE, the State of Alaska prays for:

I. Judgment forfeiting the above-described aircraft, floats, and equipment to and for the use of the State of Alaska.

II. Costs, attorney fees and such further relief as the Court may deem appropriate.

Second Cause of Action

1. The State of Alaska realleges and reaffirms the allegations of paragraphs 1 through 4 above.

2. This is an action for damages, for the value of [describe resource] taken in violation of Alaska fish and game statutes and

regulations. This action is brought under AS 16.05.195, which provides that an action for damages may be joined with an action for forfeiture of aircraft and equipment used in or in aid of a violation of an Alaska fish and game statute or regulation.

3. The defendants _____ are, and at all times relevant to this action have been, residents of _____, Alaska, _____ Judicial District.

4. On or about _____, 19____, in the vicinity of _____, _____ Judicial District, State of Alaska, defendant _____

[describe violation]

in violation of Alaska Fish and Game regulation _____

- the offense being [describe]

5. As a result of the actions of defendants _____ described above, the State of Alaska has been irreparably damaged by the illegal appropriation of _____ in an amount no less than \$_____.

WHEREFORE the State of Alaska prays for relief as follows:

I. Damages in an amount not less than \$_____ said damages to be proven more specifically at trial.

II. Costs, attorney fees and such further relief as

this Court may deem appropriate.

DATED at Anchorage, Alaska this _____ day of
_____, 19____.

ATTORNEY GENERAL

By:

Assistant Attorney General

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

_____ JUDICIAL DISTRICT AT _____

DIRECTIONS FOR SERVICE

STATE OF ALASKA,)
)
 Plaintiff,)
)
 vs.)
)
 ONE RED AND WHITE _____)
 airplane, N _____, Serial)
 Number _____ and contents)
 thereof, including appurtenant)
 instruments and radios, and floats,)
 Serial Nos. _____ and _____, and)
 _____,)
)
 Defendants.)
)

DATE:
 COURT NO.:
 SERVICE NO.:

Nature of Writ: COMPLAINT FOR FORFEITURE AND DAMAGES
 (AS 16.05.195) and SUMMONS

SERVE: One red and white _____
 airplane, N _____ Serial
 Number _____ and contents
 thereof, including appurtenant
 instruments and radios, and floats,
 Serial Nos. _____ and _____, by
 posting a copy of this complaint
 and summons upon said aircraft,
 located at the Fish and Wildlife
 Protection hangar, State of Alaska,
 Department of Public Safety, Lake
 Hood, Anchorage, Alaska.

Please make return of service to:
 Clerk of the Superior Court
 303 K Street
 Anchorage, Alaska 99501

with copy to:

Office of the Attorney General
1031 4th Avenue, Suite 200
Anchorage, Alaska 99501

ATTORNEY GENERAL

By: Assistant Attorney General

SEIZURE WARRANT FORMS

A civil forfeiture action must be coupled with actual or constructive seizure of the res. At least one state superior court judge has ruled that filing a notice of seizure and a lis pendens in the appropriate recording office is not sufficient constructive seizure. Physical seizure or chaining or immobilizing the equipment and attaching a copy of the complaint is appropriate. An item may be seized without a warrant under AS 16.05.190, but a subsequent seizure warrant should be obtained even in such a case in order to obtain judicial approval.

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

JUDICIAL DISTRICT AT _____

Warrant to Seize

IN THE NAME OF THE STATE OF ALASKA

TO ANY PEACE OFFICER AUTHORIZED TO EXECUTE WARRANTS

Sworn testimony has been given by _____
Alaska Fish and Wildlife Enforcement Officer, on _____
19__, that he has reason to believe that a [describe item]
registration number _____, is at this time at or near

Judicial District,
State of Alaska. Pursuant to AS 16.05.170, AS 16.05.190, and
AS 16.05.195, the aircraft:

1. Is evidence of the particular crime of _____
in violation of _____ and _____.
2. Is evidence of the particular crime of _____
in violation of _____.
3. May be forfeited to the State of Alaska under AS 16.05.195, upon determination by a court of competent jurisdiction, in a proceeding in rem, that the aircraft was used in or in aid of a violation of an Alaska Fish and Game statute or regulation.

I am satisfied that there is probable cause to believe that the aircraft so described above was used in or in aid of a violation of _____

I am satisfied that there are grounds for issuance of a warrant to seize the aircraft described above under AS 16.05.170 et seq., and AS 16.05.195, as well as on the other foregoing grounds.

I am satisfied that seizure of the above-described aircraft is necessary in order to insure that the aircraft will come within the jurisdiction of this court.

FORM NO. 5 (cont.)

YOU ARE HEREBY COMMANDED to seize the aircraft designated in this warrant above, registration number _____, serving this warrant between 7:00 a.m. and 10:00 p.m. Upon seizing said aircraft, you are commanded to hold it secure pending further court order, leaving a copy of this warrant, a copy of the supporting affidavits, if any, and a receipt for the property taken, and to prepare a written inventory of the property seized and to return this warrant and bring the property before me (or a receipt thereof) within ten (10) days of this date, as required by law.

(SEAL)

DATED: _____, 19____.

Judge/Magistrate

RETURN

I received the attached Warrant to Seize on _____,
19__, and have executed it as follows:

On _____, 19__, at _____ (a.m.)(p.m.),
I seized the property described in the warrant, and I left a copy
of the warrant (with) (at) _____.

The following is an inventory of the property taken pursuant to
the warrant:

This inventory was made in the presence of _____
_____ and of _____.

I swear that this inventory is a true and detailed account of all
property taken by me on the authority of this warrant.

Name and Title

SIGNED and SWORN to before me this _____, day of _____,
19__.

(SEAL)

Judge/Magistrate

NOTICE OF FORFEITURE

Vessels, airplanes, vehicles, fishing gear, hunting equipment, fish and game or parts of fish and game, including aquatic plants subject to civil forfeiture under AS 16.05.190 and .195 are typically subject to various claims of interest. To avoid allegations that persons claiming an interest in objects have been denied due process, a notice of forfeiture should be signed by the clerk of court and served upon all persons known to have an interest in the items. In addition, publication in local or industry newspapers giving notice of the criminal or civil forfeiture action provides further compliance with judicial due process standards of notice. Notice to lienholders or owners of record must also be provided before forfeiture in a criminal action, and the interest of an "innocent" lienholder who has taken all reasonable steps to insure that the item was not used illegally cannot be forfeited, State v. Rice, No. 13969 BE, (Superior Ct, Fairbanks May 16, 1979). A joint venture, however, may not be deemed an "innocent" third party. F/V American Eagle v. State, 620 P.2d 657 (Alaska 1980).

The Notice of Forfeiture summarizes the complaint and advises interested parties how to obtain copies of the complaint and how to file a claim to the res. This notice is a substitute for the more costly publication of the entire complaint.

Each Notice of Forfeiture should allow an opportunity for the interested party to obtain a hearing for release of the res. Several state supreme courts have decided the state must

take the initiative to set up this hearing. Other states conclude the hearing is not mandatory. Alaska law does not require such a hearing (the omission is a major point on appeal in the F/V American Eagle v State, 620 P.2d 105 (Alaska 1980) cert denied, and State v. Rice, 626 P.2d 104 (Alaska 1981). Because petitions for release will always be entertained by our courts, the opportunity for a hearing should be confirmed.

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

_____ JUDICIAL DISTRICT AT _____

STATE OF ALASKA,)
)
Plaintiff,)
)
vs.)
)
THE F/V MR. WONDERFUL, its)
paraphernalia and gear, the)
proceeds of 52,349 pounds of)
king crab delivered pursuant)
to ADF&G Fish Ticket)
No. E 534219, LARRY EDFINGER)
and PAUL TATUM,)
)
Defendants.)
_____)

No. 3AN__ - __ CIV

NOTICE OF FORFEITURE

TO: The above-named defendants and all other persons claiming any right, title or interest in the F/V Mr. Wonderful, its paraphernalia and gear.

On _____, 19__ an action under AS 16.05.105. **

The complaint alleges the illegal taking, possession and transportation of king crab in waters subject to the jurisdiction of the State of Alaska on or about September 16, 1978.

You must file claim to the defendant items with the clerk of this court and with the Attorney General's Office on or

** For the forfeiture of the F/V Mr. Wonderful, its paraphernalia and gear and proceeds of 52,349 pounds of Alaska king crab landed on September 16, 1978 under ADF&G ticket No. E 534219 was commenced in the Superior Court in Anchorage.

before 20 days after service by mail or personal delivery or within 30 days after the last date of publication of this notice whichever is sooner. After filing your claim you must, within twenty (20) days after receiving a copy of the complaint, file with the court and serve on the Office of the Attorney General, State of Alaska, 420 L Street, Suite 100, Anchorage, Alaska, 99501, Telephone (907) 276-3550, your answer. If you fail to do so judgment will be entered for the relief demanded in the Complaint.

DATED this _____ day of _____, 19__ at Anchorage, Alaska.

Clerk of the Courts
303 K Street
Anchorage, Alaska 99501

RELEASES

A. AIRCRAFT.

In general, it is simpler not to release seized aircraft pending litigation unless directed otherwise by the court; however, if the case is likely to take a long time to resolve, or state storage facilities are full, it may be advisable to release under appropriate terms. A bond or other security, preferably in twice the value, should be posted in order to cover unforeseen problems and potential losses or liabilities. If an aircraft is not released, it should be carefully stored with the engine "pickled", and be kept under adequate custodial care.

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
JUDICIAL DISTRICT AT _____

STATE OF ALASKA,)
)
 Plaintiff,)
)
 vs.)
)

No. 3AN _____ - _____ CIV.

STIPULATION FOR RELEASE OF AIRCRAFT

I

This is an action for forfeiture of the above-described defendant items.

II

The known parties with an interest, right or title to the defendant items are:

1. (State of Alaska) _____
2. (Government bureaus) _____
 - a. Taxes _____
 - b. Loans _____
3. (Owner/Operator) _____
4. (Bank) _____
5. (Lienor or Mortgagor) _____
6. (Materialmen and Mechanics) _____
7. (Other) _____

III

The above-described aircraft was seized on _____, 19____, under (a warrant issued on _____ in the _____ court of _____ Alaska).

IV

It is presently in the best interests of all parties that the defendant items name in Exhibit A to this agreement be provided an opportunity to engage in lawful activities until _____, 19____, (or such time as a [district or superior] court decision on forfeiture is rendered).

THEREFORE the parties agree as follows:

1. Plaintiff, which has limited storage facilities, agrees to release, under the terms and conditions of this stipulation, the described aircraft with appurtenant instruments and radios, to the control and custody of _____, hereinafter referred to as "custodian", or his agent or designated employees. The aircraft is subject to and remains under the state's constructive seizure.

2. Custodian shall meet all obligations on the defendant items without delay. The obligations and dates of payments presently known are:

	<u>Lender</u>	<u>Total</u>	<u>Monthly Payments</u>	<u>Due Date</u>
a.	_____	_____	_____	_____
b.	_____	_____	_____	_____
c.	_____	_____	_____	_____

3. Each lender shall confirm receipt of each required payment in writing within five days of due date.

4. Custodian _____ as registered/joint-owner of the aircraft in _____, agrees to keep and maintain the aircraft within the State of Alaska and neither sell, dispose, nor otherwise encumber or diminish his ownership or equity in the aircraft unless specifically authorized by order of the court or upon stipulation with the state.

5. Custodian agrees to hold the state harmless for any damages or obligations which may occur after delivery to custodian under this agreement. Custodian agrees to abide by all orders of this court or any appellate court, interlocutory or final, and will deliver the aircraft to the state at such place and such time as may be directed to this court or any appellate court in the same or better condition as received from the state by virtue of this order, ordinary wear and tear excepted.

6. Custodian agrees to obtain insurance (hull and liability) on the items being delivered in an amount equal to their replacement value and to keep such a policy in force for the full replacement amount at all times.

7. The parties agree upon the following value of the defendant items listed in Exhibit A at the time of seizure.

<u>Date of Seizure</u>	<u>Value \$</u>
_____	_____
_____	_____

8. To secure the state's interest in the aircraft, custodian shall (post a bond in the amount of _____) or (deposit the sum of \$ _____ in cashier's check with the clerk of the court, _____, court, State of Alaska).

9. (Bond/deposit) shall be increased whenever there is an assessed increase in value of the defendant items equal to twenty percent of the value given in item number 7 above. Custodian agrees that in the event of the accidental loss of the aircraft, or substantial loss to the aircraft, or loss of the aircraft by theft or act of God, or otherwise, or his failure to return the aircraft upon court order forfeiting his interest in the aircraft, the (stipulated value of the aircraft on deposit as set forth in paragraph 70 or (bond) shall be forfeited to the State of Alaska. The state shall retain the accrued interest on the amount deposited. In the event of partial damage to the

aircraft, custodian shall either repair the damage, and restore the aircraft to the same or better condition which existed prior to the damage, to the satisfaction to the state, or forfeit that percent of the stipulated value required to restore the aircraft to the same condition which existed before the damage.

10. Custodian shall be penalized as follows for delay in delivery from the time custodian or his representative receives oral or written notice of a decision of forfeiture.

<u>Delay (Days)</u>	<u>Penalty</u>
a. 0-1	None
b. 2-3	5% of the value of paragraph or the value of <u>the returned items at time of</u> delivery, whichever is higher.
c. 4-5	10%
d. 6-7	50%
e. More than 7	Forfeiture of bond/value on deposit.

11. Custodian shall do no act with the aircraft, nor permit nor allow any act to be done by his agents or employees that could subject it to forfeiture or seizure by this state, any other state, federal or private authorities, and agrees to keep the aircraft current in annual inspections, and to keep and maintain the aircraft in accordance with all Federal Aviation Administration regulations and directives.

12. Custodian absolves the State of Alaska, its agents and employees, of any liability for damage that might have

occurred while the aircraft was in state custody, and further agrees to receive the aircraft as is and where is at the time of release.

13. In the event that improvements are made to the aircraft during the aircraft's release, including but not limited to the addition of avionics, overhauling or replacing the engine(s), repairing or replacing mechanical parts of the aircraft, refabricating, etc., beyond ordinary maintenance including annual and 100 hours inspections, the state will reimburse the custodian for any additional fair market value over that at the time of seizure, which is directly attributable to the improvements in the aircraft at the time of forfeiture, if the aircraft is forfeited in this action. If the parties cannot agree, the fair market value for the improvements shall be determined by the court.

14. This Stipulation and Release of the aircraft becomes effective only upon two days written notice to the undersigned Assistant Attorney General and to the Department of Public Safety, Fish and Wildlife Protection, the two days to be counted excluding legal holidays and weekends. After two days' notice, the aircraft shall be released only between the hours of 8 a.m. and 4 p.m., Monday through Friday.

DATED at _____, Alaska this _____ day of
_____, 19__.

Custodian

Plaintiff

Custodian Representative

Interested Parties

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

_____ JUDICIAL DISTRICT AT _____

State of Alaska,)
)
 Plaintiff,)
)
 vs.)
)
 F/V MR. WONDERFUL, its)
 paraphernalia and gear, the)
 proceeds of 52,349 pounds of)
 king crab delivered pursuant)
 to ADF&G Fish Ticket)
 No. E 534219, LARRY EDFINGER)
 and PAUL TATUM,)
)
 Defendants.)

No. JAN ___ - ___ CIV

STIPULATION FOR RELEASE OF VESSEL

I

This is an action for damages and forfeiture of the above-named defendant items.

II

The known parties with an interest, right, or title to the defendant items are:

1. State of Alaska _____
2. U.S. Government, NOAA _____
 - a. Taxes (fed. state) _____
 - b. Loans _____
 - c. etc. _____
3. (Owner/Operator) _____
4. (Bank) _____

- 5. (Crewmember's wage claims) _____
- 6. (Materialmen and suppliers) _____

III

It is presently in the best interest of all parties that the defendant items named in Exhibit A to this agreement have an opportunity to engage in lawful activities until _____, 19__ (or such time as a [district or superior] court decision on forfeiture is rendered).

Therefore the parties agree as follows:

1. The defendant items named in Exhibit "A" are released to the control and custody of _____, hereinafter referred to as "Custodian".

2. Custodian shall meet all obligations on the defendant items without delay. The obligations and dates of payments include:

	Lender	Total	Monthly Payment	Due Date
a.	_____	_____	_____	_____
b.	_____	_____	_____	_____
c.	_____	_____	_____	_____

3. Each lender shall confirm receipt of each required payment in writing to the state within five days of the due date.

4. No additional obligation may encumber the vessel without written permission of the state.
5. Custodian agrees to hold the state harmless for any damages or obligations that may occur after delivery to custodian under this agreement.
6. Custodian agrees to obtain insurance on the items being delivered in an amount equal to their full replacement value and to keep such a policy in force at all times.
7. The parties agree upon the following value of the defendant items listed in Exhibit A at the time of seizure.

Date of
Seizure

Total
Value

_____, 19__ \$ _____

8. Custodian posts a bond in the amount of \$ _____ to protect the interests of the state during the period of release.
9. Bond shall be increased whenever there is an increase in value of the defendant items equal to 20% of the value given in No. 7.
10. Upon a superior (district) court decision favorable to the plaintiff, the released items shall be immediately delivered to _____, Alaska within thirty (30) days of the date of the

10. court's decision. If the value of the released items exceeds the value given in paragraph 7, the bond less any penalty shall be exonerated upon delivery. If the value of the returned items is less than the value given in paragraph 7, the bond only in amount equal to the value of the returned items shall be exonerated.
11. Custodian shall be penalized as follows for delays in delivery:
- | | Delay
(days) | Penalty |
|----|-----------------|--|
| a. | 0-3 | None |
| b. | 4-7 | 5% of the value of paragraph 7 or 5% of the value of the returned items at time of delivery, whichever is higher. |
| c. | 7-14 | 10% of the value of paragraph 7 or 5% of the value of the returned items at time of delivery, whichever is higher. |
| d. | 14-30 | 50% of the value of paragraph 7 or 5% of the value of the returned items at time of delivery, whichever is higher. |
| e. | More than
30 | Forfeiture of bond in addition to defendant items. |
12. Upon a judgment in favor of the defendant items, the bond shall be exonerated and any remaining defendant items returned to the custodian.

13. Custodian shall keep, maintain, and preserve the defendant items in accordance with applicable laws, regulations, and ordinances and generally accepted standards of the industry. The items shall be maintained in at least as good a condition as when seized. Improvements made with written approval of the state shall be credited to defendants and the agreed amount shall be paid or credited defendants upon a decision of forfeiture by the court.
14. In the event Custodian fails to maintain the vessel in as good a condition as when seized, the state shall repossess the vessel with or without notice. Custodian shall reimburse state for all repossession costs and maintenance, upkeep, or refurbishing costs.
15. Custodian shall keep the defendant items in the Third Judicial District unless otherwise authorized by order of this court or agreement of the parties.
16. On the first day of every month Custodian shall prepare a monthly summary, stating the location of the vessel and the activities of the defendant items, and deliver the summary to plaintiff and each interested party.

17. On the first day of every month Custodian shall prepare a proposed itinerary for that month and deliver the itinerary to plaintiff and each interested party.
18. The bond securing the release of the defendant items shall be forfeited to the plaintiff upon: 1) failure to deliver in accordance with paragraph 9; 2) loss or destruction or disability to use the defendant items for a period exceeding 30 days.

Forfeiture of bond is not cause for dismissal of the lawsuit.

1(a) _____
Custodian

2. _____
Plaintiff

1(b) _____
Custodian Representative

3(a) _____
Interested Parties

3(b) _____

3(c) _____

3(d) _____

ANCHORAGE ALCOHOL SAFETY ACTION PROGRAM

MISDEMEANOR SERVICES



ANNUAL REPORT

1984

ANCHORAGE ALCOHOL SAFETY ACTION PROGRAM

MISDEMEANOR SERVICES

ANNUAL REPORT

1984

Prepared by:

Emily McKenzie
Alaska ASAP Coordinator
AASAP Misdemeanor Services

Prepared for:

T. Michael Lewis
Program Director
Alaska Highway Safety
Planning Agency

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1984 ALASKA ASAP CASELOAD STATISTICS
1984 ANCHORAGE ASAP CASELOAD STATISTICS

AASAP Misdemeanor Services
941 West Fourth Avenue, 3rd Floor
Anchorage, AK 99501

(907 264-0735)

AASAP Staff:

Emily McKenzie, Alaska ASAP Coordinator

Pat Smith, Screener

Diana Mulholland, Screener

Maxine Blake, Screener

Judy Blair, Administrative Technician

Janet Ek, Administrative Assistant

Beth Stratton, Receptionist

Virginia Lammie, Clerk

Erika Henry, Clerk

Betty Young, Clerk

Viola Meining, Clerk

Adora Roberts, Clerk

ALASKA OVERVIEW

1984 PROGRAM STATISTICS

ADMINISTRATION

In 1984 ASAP offices were functioning in 18 different locations around the state:

Anchorage	Kodiak
Barrow (6 mos.)	Kotzebue (6 mos.)
Bethel	Mat-Su
Dillingham	Nome
Fairbanks	Petersburg (6 mos.)
Homer	Seward (6 mos.)
Juneau	Sitka
Kenai	Valdez (6 mos.)
Ketchikan	Wrangell (6 mos.)

These 18 offices opened a total of 8,799 new cases during the calendar year. Referral sources varied according to location, but usually included: prosecution, defense, probation, and Pre-Trial Diversion. Most cases are referred directly from the court.

Screenings were completed on 6,264 cases. Of those screened 4,943 were DWIs and 1,321 were other alcohol related offenses. Overall, 63% of these defendants were classified as problem drinkers and referred into treatment, either outpatient or residential. Most of these cases were prosecuted by the state's District Attorney's Office since only a few urban areas have city prosecutors.

ASAP TRAINING

ASAP Administration training was held twice during 1984. The first session was in Anchorage February 6-10th. Participants included staff from Anchorage, Bethel, Homer, Juneau, Ketchikan, Kodiak, Mat-Su, Nome, and Sitka.

Training was held again October 22-26th in Anchorage at the Sheffield Hotel. Participants included staff from: Anchorage,

Barrow, Bethel, Juneau, Ketchikan, Kodiak, Kotzebue, Mat-Su, Petersburg, Seward, and Wrangell.

Throughout the year we've had staff members come to Anchorage from outlying ASAPs for on-the-job training. This is especially important for newly hired Administrators who begin work months before formal training is scheduled. Within the next year an ASAP Administrator correspondence course will be developed, to allow new Administrators a way to begin formal training in their own office on the first day of work.

ON-SITE EVALUATION/TECHNICAL ASSISTANCE

If funding and scheduling permit, each ASAP office has an on-site evaluation once a year. Evaluations were completed on all ASAP offices funded for FY 84. Reports of these reviews were filed with Highway Safety Planning Agency, the State Office of Alcoholism and Drug Abuse, and the individual programs.

Evaluations are conducted on a fiscal year and are based on the state standards developed for the Alaska ASAP network.

COMMUNITY PARTICIPATION

Anchorage Mayor's DWI Task Force

The Alaska ASAP Coordinator was appointed to the Mayor's DWI Task Force in Anchorage. During the first few months of 1984 the task force continued to meet, both in committee and in one group, putting together recommendations. These were submitted to the Mayor in April. Among the recommendations was the call for a statewide Governor's task force.

Governor's DWI Task Force

In the Fall of 1984 the Governor appointed a DWI Task Force chaired by Representative Don Clocksin. The task force met in Anchorage November 27-29th at the Egan Convention Center. The Alaska ASAP Coordinator was one of a number of system personnel asked to testify. Staff support was provided by the Alaska Highway Safety Planning Agency and the State Office of Alcoholism and Drug Abuse.

Judicial Training

In December ASAP participated in the Alaska Court System's Magistrate Training held in Anchorage the week of December 3rd at the Holiday Inn. Magistrates from all over the state attended.

Also in December ASAP took part in the orientation for four new Anchorage District Court Judges: Michael White, Martha Beckwith, David Stewart and Ralph Stemp.

Meetings/Workshops/Committees

ASAP staff have participated in community meetings, workshops and committees during the last year. These have included the University of Alaska's Annual School on Addiction Studies, SOADA, MADD, and others.

This year the Alaska ACAP Coordinator was invited to participate on the UAA Annual School for Addiction Studies Planning Advisory Committee. This committee submits recommendations to the Center for Alcohol and Addiction Studies regarding the Annual School, acting as a community resource to the U.A.A. staff.

ASAP: Research/Information Resource

Each year a number of students from the Anchorage high schools, the University of Alaska, Alaska Pacific University and Anchorage Community College use the ASAP program as a source of term paper, thesis, and research information. Members of the staff are interviewed by students and statistics and journal articles are provided for school and university projects.

Information has been provided to the Municipality of Anchorage and alcohol treatment programs for comparison and research projects being initiated.

Television, radio and newspapers use ASAP as a resource in gathering background data. Media participation include two evening news features on KIMO-TV, an appearance on Good Morning Alaska during Drunk Driving Awareness Week, video footage on a KVAC-TV documentary, and newspaper interviews.

ANCHORAGE OVERVIEW

1984 PROGRAM STATISTICS

NEW CASES

During 1984, there were 4,316 new cases opened, a 35% increase over 1983. A total of 3,072 screenings were completed.

REFERRAL SOURCES

Sources of referral remained consistent with previous years. In 1984 about 99% of all new cases were referred from District Court. The remaining referral sources included: Division of Corrections, defense attorneys, prosecution, and child custody.

STATE/MUNICIPALITY CASES

In 1984 Anchorage Police Department DWI arrests totaled 2,250. This is a 36% increase over 1983. Predictions are that 1985 will continue with an increase due to DWI special enforcement and the new fast-track DWI court initially funded by the Alaska Highway Safety Planning Agency.

CHARGE WHEN REFERRED TO THE ANCHORAGE ASAP

During 1984, DWI cases accounted for 84% of the Anchorage ASAP caseload, compared to 81% in 1983 and 75% in 1982. The number of DWIs being handled continues to increase.

CLIENT CHARACTERISTICS

Personal Characteristics

Approximately 85% of all clients were male, the highest concentration were in the age category between 19 and 29. Caucasians accounted for 76% of the caseload; Alaskan Natives accounted for 16% of the caseload.

Over 71% of the referred offenders were employed, which is a 5%

increase over 1983. Only 19% had less than a high school education, with 2% falling in the unknown category.

Approximately 21% of the defendants interviewed made \$25,000 or more; 13% were between \$15-25,000; 9% between \$10-15,000. There was a 1% decrease in the number of individuals earning \$25,000 or more.

More than 26% of those interviewed were married, 16% were divorced, and 52% were single. The remainder were either separated, widowed, or their status was unknown.

Prior Criminal Record

For all cases screened, 67% had no prior DWI conviction. This represents a 2% increase over 1983. Approximately 31% had one or more DWIs when referred to AASAP, and in 2% of the cases prior records were not available.

SCREENINGS AND DRINKER CLASSIFICATION

Screenings were completed on 3,072 cases. Of these 2,176 were municipality cases (APD arrests) and 874 were state (AST arrests.) There were 22 cases from other sources.

According to established procedures, 67% of the cases for which screenings were completed were classified as Problem or Presumptive Problem drinkers. Only 30% showed no evidence of problem drinking, and 3% were unidentified.

EDUCATION AND TREATMENT REFERRALS

According to the established referral policy, only nonproblem drinkers are referred to Alcohol Information School. During 1984, 30% of the screened cases were referred directly to attend the eight hour course for alcohol information. Problem drinkers are referred to treatment at an approved alcohol treatment agency. This year 42% of those interviewed were referred to outpatient counseling, 14% were assigned to residential treatment. The remaining cases were sent for further evaluation or have their assignment pending.

CLIENT MONITORING AND FOLLOW-UP

During 1984 11,653 reports were processed from treatment agencies in monitoring the progress of cases in treatment. Over 4,200 letters were sent to defendants and 1,940 affidavits were filed in follow-up actions to achieve satisfactory outcomes.

The Anchorage ASAP staff made 139 court appearances to provide testimony regarding the defendant's participation in alcohol programs as part of the conditions of sentencing.

ASSIGNMENT COMPLETED/TERMINATED . . . CASES CLOSED

During the 1984 calendar year, 5,911 cases were closed by this office.

BACKGROUND AND PROGRAM DESCRIPTION

ALCOHOL AND HIGHWAY SAFETY

The Alaska Highway Safety Planning Agency is the state agency officially designated by the Governor for coordinating and planning a statewide highway traffic safety program. This agency is continuing a program for the development of a statewide alcohol and traffic safety program.

Typically, at least 55% to 65% of annual single-car fatalities involve alcohol impaired drivers and about 50% of all multiple car fatalities involve alcohol. There were 39 fatalities in Anchorage during 1984. Of these, 16 were alcohol related, 19 were not and 4 were unknown (as of January, 1985). Thirteen of these fatalities were pedestrians and 3 of the 13 were alcohol related.

In the past, the problem of the drinking driver has been seen primarily as the responsibility of legislation and police. Each agency has functioned individually, with minimal interagency involvement.

AASAP MISDEMEANOR SERVICES CONCEPT

AASAP uses the systems approach, requiring a close working relationship among all involved agencies: enforcement, prosecution, judicial, probation, corrections, rehabilitation, licensing, traffic records, public information/education and legislation. The emphasis is on the identification and special handling of problem-drinker-drivers after they have been apprehended and convicted.

This approach concerns the implementation of effective and efficient techniques designed: to increase the early identification of problem drinkers to the courts and to rehabilitation agencies; to assure that appropriate information is used to make decisions regarding procedures to deal with problem-drinker-drivers, and; to assure a systematic action program to carry out these decisions and monitor and evaluate the operation of the entire system.

Immediate and satisfactory program effectiveness cannot be expected from the efforts of any one agency. The functions of associated agencies must be integrated and coordinated in order to attain satisfactory outcomes. The attempt to control problem-drinking-driving must be a permanent social commitment.

AASAP MISDEMEANOR SERVICES GOALS

The AASAP Misdemeanor Services is based on the attainment of these goals:

1. Routine court referrals of all persons convicted of DWI.
2. Referrals of alcohol involved defendants for offenses other than DWI.
3. Background investigations on all referrals to screen offenders for the early identification of problem drinkers.
4. Provide alcohol education/treatment recommendations and assignments as possible additional or alternative conditions of court sentence.
5. Monitor offender's alcohol education/treatment progress.
6. Monitor offender's program progress in judicial assignments other than alcohol education/treatment.
7. Provide active and timely follow-up action in cases of non-compliance with alcohol education/treatment condition of sentence.
8. Provide active and timely follow-up action in cases of non-compliance with program assignments ordered to ASAP for case management.
9. Provide monthly management information regarding program activities.
10. Provide overall program management to facilitate cooperation of highway safety, criminal justice and

Dennis —

Which pages should
be included w/ backup?

health care delivery systems.

11. Provide community resource for DWI and/or Criminal Justice and alcohol information statistics.
12. Provide standardization and coordination of the statewide ASAP network.
13. Provide evaluation and on-site technical assistance to each ASAP throughout Alaska.

The primary ASAP screening components are described below:

Background Investigation of Clients: This involves the collection of driving and criminal records, questionnaire information, structured interview information, medical and social service records.

Drinker Classification: This consists of an analysis of background information to categorize or screen offenders, according to the nature and degree of alcohol problems (problem drinkers and social drinkers.) The classification is not an attempt to label individuals as "alcoholic," but to identify categories for assignment.

Assignment and Referral: This involves a written report of the findings of the background investigation and screening for each client, and a determination of appropriate treatment modalities, if necessary, along with supporting justification and referral to the appropriate treatment agency.

Monitoring and Follow-up: Each client is monitored throughout the entire period of the assignment to determine compliance with education/treatment and other imposed sanctions, as part of court probation requirements. Follow-up activities involve the initiation of actions to achieve compliance.

The client tracking system provides the necessary information as to the number currently in each stage of the process and their participation status. Monthly reports on each individual, from education/treatment agencies, are required.

Monthly Reporting System: A management information system provides extensive data regarding the client flow and activities of the program (see appendix.) This information is also useful, along with the client file, as a basis for research and evaluation.

CLIENT REFERRALS TO AASAP: CLIENT FLOW AND PROCEDURES

Clients are referred to the office for a background investigation/screening/assignment. Most often, referrals come from District Court judges, as part of the condition associated with a suspended portion of the sentence.

At the time of the scheduled interview, which takes 45 minutes to an hour, the client completes a questionnaire and structured interview. Prior to the interview, additional background information is gathered which includes BAC at the time of arrest, prior traffic and criminal records, and the arresting officer's report.

This information, along with the questionnaire and interview results, is then scored and analyzed to determine drinker classification (Mortimer-Filkins procedure) - either non-problem or problem drinker.

Drinker classification is completed immediately following the interview. At the same time, an appropriate assignment is made. Clients are monitored from the time of their initial referral until completion of their assignment. Appropriate follow-up action is taken in case of non-compliance with conditions of sentence.

All education/treatment/rehabilitation assignments are made under the delegated authority of the court. At any time a defendant disagrees or feels he should not have to carry through with the assignment, a request can be made through this office for a hearing before the sentencing judge. The judge then rules on the individual case.

AASAP CLIENT REFERRAL POLICY FOR EDUCATION/TREATMENT

Non-problem drinkers may be referred to information/educatio.. activities.

Information/educational referrals are made only to programs/agencies that are approved as alcohol/drug treatment agencies or are approved by the Division of Motor Vehicles.

Problem drinkers may be referred to public and/or private alcohol treatment/rehabilitation resources that:

1. are approved by the State Office of Alcoholism and Drug Abuse, or
2. function within a state agency, (e.g. Division of Corrections), or
3. function within the federal government (e.g. military or Veterans Administration programs)

Assignments of individuals to particular agencies/treatment programs are based on consideration of:

1. background investigation results (treatment modalities suggested by screening procedures)
2. financial consideration, including third party payor capability (AASAP background investigation does not include complete financial investigation.)
3. availability or accessibility of programs and treatment modalities
4. eligibility for treatment modalities (e.g. veterans, military, etc.)
5. client preference from approved program list

BRIEF SUMMARY*

ANCHORAGE ALCOHOL SAFETY ACTION PROGRAM
CLIENT OUTCOME EVALUATION

JUNE, 1980

DENNIS KELSO, PH.D

The purpose of this investigation was to compare criminal rearrest rates of individuals who had been exposed to screening by the Anchorage Alcohol Safety Action Program (AASAP) and subsequent assignment to alcohol education or treatment with similar individuals who did not have this exposure. Thus, any significant differences in the rearrest rates may be attributed to the AASAP screening and alcohol education or treatment effects.

The basic function of the AASAP is to screen OMVI/DWI cases, referred by the court, into drinker classification categories so that appropriate decisions may be made about including alcohol education or treatment as an additional condition of sentencing and probation. In addition, the AASAP functions to monitor the progress of all cases, take follow-up action when necessary, and in general, provides post disposition caseload management for the court referred cases. The general purpose of these functions is to obtain early identification of problem drinkers so that the effectiveness of appropriate alcohol education or rehabilitation efforts might be increased through earlier intervention.

An AASAP Screened/Education group (non-problem drinkers) and an AASAP Screened/Treatment group (problem drinkers) was compared with a respective control group on measures of rearrest within a follow-up period of one year from the initial arrest. Survival rates (no rearrest during the designated period) were computed for analysis of group outcomes.

For problem drinkers, exposure to AASAP screening and alcohol treatment seems to make a definite difference in survival. The percentage of cases surviving for one year without rearrest for any criminal offenses in this group was significantly greater than for the control group. For non-problem drinkers, there was no significant difference between the AASAP/Education group and the control group in the percentage of cases surviving one year.

The findings of this investigation, however, are quite different from the findings of a similar investigation based on aggregate

data from several different ASAP demonstration programs nationwide. In fact, the findings are quite the opposite of the national findings, which report a difference in survival rate for social drinkers but not for problem drinkers.

The findings of the present investigation give reason for optimism in dealing with problem drinking drivers. The intended purpose of the AASAP drinker classification system and caseload management operations for OMVI/DWI cases is to achieve greater coordination between the criminal justice system and the alcohol treatment system to obtain more satisfactory outcomes. The application of the systems approach to produce a more effective drinking driver control system in Anchorage would appear to be successful.

In view of the basic similarities in intent and procedures between the national ASAPs and the Anchorage ASAP, and the positive findings for the Anchorage ASAP, it may be that the operations are just that more effective. Information observation indicates that the client monitoring and follow-up system of the Anchorage ASAP that accounts for the whereabouts and outcomes of each case to the court, (coordination between AASAP and the court, and between AASAP and treatment agencies) may have achieved an advanced and more effective stage of operation not achieved collectively by the national ASAP demonstration programs. In addition, it may also be that the nature of the AASAP operations and the Anchorage caseload volume are particularly well balanced to produce an effective program.

* Report prepared for: ALASKA HIGHWAY SAFETY PLANNING AGENCY
- Department of Public Safety - Pouch N - Juneau, AK
99811 - (907) 465-4371

Report prepared by: ALTAM ASSOCIATES - 1135 West Eighth,
Suite 6 - Anchorage, AK 99501 - (907) 274-9442

ALASKA ASAP
MISDEMEANOR SERVICES

CITY	NEW CASES	CASE MANAGE NO SCREEN
ANCHORAGE	4,316	249
BARROW (6 months)	4	0
BETHEL	198	6
DILLINGHAM	312	19
FAIRBANKS	925	147
HOMER	214	22
JUNEAU	578	0
KENAI	626	21
KETCHIKAN	250	16
KODIAK	309	80
KOTZEBUE (6 months)	31	36
MAT-SU	494	11
NOME	169	13
PETERSBURG (6 months)	4	0
SEWARD (6 months)	84	38
SITKA	221	37
VALDEZ (6 months)	59	0
WRANGELL (6 months)	5	0
TOTAL	8,799	695

ALASKA ASAP
MISDEMEANOR SERVICES

-----CLASSIFICATION-----

CITY	TOTAL SCREEN	PROBLEM		PRESUMPTIVE		NON-PROBLEM		UNIDENTIFIED	
		NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
ANCHORAGE	3,082	1,979	64%	94	3%	932	30%	77	3%
BARROW (6 mos.)	4	2	50%	0	0%	2	50%	0	0%
BETHEL	126	69	55%	19	15%	35	28%	3	2%
DILLINGHAM	143	98	68%	14	10%	30	21%	1	1%
FAIRBANKS	645	470	73%	30	5%	145	22%	0	0%
HOMER	146	76	52%	6	4%	45	31%	19	13%
JUNEAU	433	252	58%	24	6%	149	34%	8	2%
KENAI	511	254	50%	18	3%	236	46%	3	1%
KETCHIKAN	214	147	68%	12	6%	55	26%	0	0%
KODIAK	224	144	64%	14	6%	65	29%	1	1%
KOTZEBUE (6 mos.)	31	18	58%	5	16%	8	26%	0	0%
MAT-SU	342	223	65%	12	3%	106	31%	1	1%
NOME	147	100	68%	26	18%	21	14%	0	0%
PETERSBURG (6 mos.)	4	4	100%	0	0%	0	0%	0	0%
SEWARD (6 mos.)	38	18	47%	8	21%	11	29%	1	3%
SITKA	136	87	64%	16	12%	23	17%	10	7%
VALDEZ (6 mos.)	33	10	30%	7	21%	16	49%	0	0%
WRANGELL (6 mos.)	5	5	100%	0	0%	0	0%	0	0%
TOTAL	6,264	3,956	63%	305	5%	1,879	30%	124	2%

ALASKA ASAP
MISDEMEANOR SERVICES

CITY	NUMBER OF DWI'S	OTHER
ANCHORAGE	2,583	499
BARROW (6 mos.)	3	1
BETHEL	53	73
DILLINGHAM	58	85
FAIRBANKS	518	127
HOMER	108	38
JUNEAU	316	117
KENAI	464	47
KETCHIKAN	134	80
KODIAK	179	45
KOTZEBUE (6 mos.)	5	26
MAT-SU	324	18
NOME	49	98
PETERSBURG (6 mos.)	4	0
SEWARD (6 mos.)	28	10
SITKA	87	49
VALDEZ (6 mos.)	28	5
WRANGELL (6 mos.)	2	3
TOTAL	4,943	1,321

ANCHORAGE ASAP MISDEMEANOR SERVICES

CASELOAD STATISTICS

<u>CASELOAD SUMMARY</u>	<u>1983</u>	<u>1984</u>
New Cases Added	3198	4316
Screenings Completed	2439	3072
Cases Closed	1984	5911
Case Management Only / No Screening	334	317
Cases Reassigned	971	1730
Cases Transferred	71	118

BACKGROUND INVESTIGATIONS/SCREENING:

DRINKER CLASSIFICATION SUMMARY:

Problem Drinker	1669	68.4%	1973	64.2%
Presumptive Problem Drinker	91	3.7%	94	3.0%
Non-Problem Drinker	627	25.7%	928	30.2%
Unidentified	52	2.1%	77	2.5%

STAGE OF BACKGROUND INVESTIGATIONS/SCREENING:

Post-Sentence	2314	94.8%	2867	93.3%
Pre-Sentence	74	3.0%	149	4.8%
Deferred Prosecution	15	0.6%	14	0.4%
Suspended Imposition of Sentence	24	0.9%	34	1.1%
Child Custody Investigation	8	0.3%	1	0.0%
Other	4	0.1%	7	0.2%

AASAP MISDEMEANOR SERVICES

CASELOAD STATISTICS

SOURCE OF REQUEST FOR BACKGROUND
INVESTIGATION/SCREENING:

	<u>1983</u>		<u>1984</u>	
Anchorage Court	2237	91.7%	2655	86.4%
Outside Anchorage Court	178	7.2%	395	12.9%
Defense Attorney	5	0.2%	0	0.0%
Defendant	2	0.0%	0	0.0%
Prosecution	10	0.4%	14	0.4%
Division of Corrections	1	0.0%	0	0.0%
Child Custody	5	0.2%	1	0.0%
Other	1	0.0%	7	0.2%

ORIGIN OF CASE:

Municipality	1953	80.0%	2176	70.8%
State	479	19.6%	874	28.4%
Federal	0	0.0%	1	0.0%
Other	7	0.2%	21	0.6%

AASAP MISDEMEANOR SERVICES

CASELOAD STATISTICS

<u>CHARGE AT TIME OF AASAP REFERRAL:</u>	<u>1983</u>		<u>1984</u>	
City DWI	1582	64.8%	1844	60.0%
State DWI	400	16.4%	729	23.7%
DWI Reduced to Reckless Driving	65	2.6%	60	1.9%
Reckless Driving	13	0.5%	37	1.2%
Careless Driving	44	1.8%	14	0.4%
Drunk on Roadway	11	0.4%	3	0.0%
Drinking in Public	4	0.1%	2	0.0%
Shoplifting/Removal of Merchandise	27	1.1%	22	0.7%
Trespass	33	1.3%	40	1.3%
Assault	66	2.7%	104	3.3%
Malicious Destruction of Property	18	0.7%	22	0.7%
Disorderly Conduct	46	1.8%	33	1.0%
Others	124	5.0%	162	5.2%
No Charge	6	0.2%	0	0.0%

PRIOR DWI CRIMINAL CONVICTIONS:

No Prior DWI	1590	65.1%	2060	67.0%
One Prior DWI	480	19.6%	644	20.9%
Two Prior DWIs	156	6.3%	208	6.7%
Three Prior DWIs	68	2.7%	49	1.5%
More Than Three Prior DWIs	40	1.6%	47	1.5%
Information Not Available	105	4.3%	64	2.0%

AASAP MISDEMEANOR SERVICES

CASELOAD STATISTICS

<u>TREATMENT REFERRALS:</u>	<u>1983</u>		<u>1984</u>	
Alcohol Information School/Education	623	25.5%	908	29.5%
Outpatient Counseling	1128	46.2%	1,290	41.9%
Inpatient Residential Treatment	135	5.5%	118	3.8%
Alcoholics Anonymous	72	2.9%	33	1.0%
Evaluation	403	16.5%	651	21.1%
AASAP Correspondence	25	1.0%	15	0.4%
Assignment Pending	37	1.5%	48	1.5%
Other	12	0.4%	7	0.2%
No Assignment	4	0.1%	2	0.0%

CASELOAD MONITORING AND FOLLOW-UP ACTIVITIES:

Total Follow-up Reports Processed	8709	11,653
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NON-COMPLIANCE ACTIVITY:

Fail to Satisfy/Letter to Defendant	2316	3,998
Non-Compliance Affidavits Prepared/Filed	1721	1,940
AASAP Court Appearance	97	139

AASAP MISDEMEANOR SERVICES

CASELOAD STATISTICS

<u>TOTAL CASES TERMINATED:</u>	<u>1983</u>	<u>1984</u>
ASAP Completed	1658	4921
ASAP Terminated/Uncompleted	263	716
Other	63	274

CLIENT CHARACTERISTICS:

Sex:

Male	2050	84.0%	2599	84.6%
Female	389	15.9%	473	15.3%

Race:

Caucasian	1809	74.1%	2349	76.4%
Black	99	4.0%	115	3.7%
Native	408	16.7%	495	16.1%
Other	99	4.0%	76	2.4%
Unrecorded	24	0.9%	37	1.2%

Employment Status:

Employed	1608	65.9%	2189	71.2%
Unemployed	770	31.5%	786	25.5%
Unknown	61	2.5%	97	3.1%

AASAP MISDEMEANOR SERVICES

CASELOAD STATISTICS

<u>CLIENT CHARACTERISTICS CONT.:</u>	<u>1983</u>	<u>1984</u>
Family Income:		
\$45,000	223	253
\$40,000 - 45,000	49	28
\$35,000 - 40,000	67	94
\$30,000 - 35,000	79	89
\$25,000 - 30,000	117	177
\$20,000 - 25,000	153	173
\$15,000 - 20,000	193	235
\$10,000 - 15,000	287	286
\$5,000 - 10,000	283	339
\$5,000 or less	316	297
Unknown	672	1101
	9.1%	8.2%
	2.0%	0.9%
	2.7%	3.0%
	3.2%	2.8%
	4.7%	5.7%
	6.2%	5.6%
	7.9%	7.6%
	11.7%	9.3%
	11.6%	11.0%
	12.9%	9.6%
	27.5%	35.8%
Education:		
0-11	512	594
12 or GED	1170	1486
12+	575	762
College Degree	147	178
Unknown	35	52
	20.9%	19.3%
	47.9%	48.3%
	23.5%	24.8%
	6.0%	5.7%
	1.4%	1.6%

AASAP MISDEMEANOR SERVICES

CASELOAD STATISTICS

<u>CLIENT CHARACTERISTICS CONT.:</u>	<u>1983</u>	<u>1984</u>
Age:		
19 or under	79 3.2%	92 2.9%
20 - 29	1199 49.1%	1547 50.3%
30 - 39	647 26.5%	857 27.8%
40 - 44	183 7.5%	226 7.3%
44 - 49	135 5.5%	146 4.7%
50 - 59	156 6.3%	150 4.8%
60 and Older	40 1.6%	54 1.7%
 Marital Status:		
Married	645 26.4%	804 26.1%
Divorced	509 20.9%	481 15.6%
Separated	110 4.5%	129 4.1%
Widowed	37 1.5%	27 0.8%
Single	1116 45.7%	1588 51.6%
Unknown	22 0.9%	41 1.3%

HB

56



Official Business

Alaska State Legislature

House

Pouch V
State Capitol
Juneau, Alaska 99811

STATE AFFAIRS COMMITTEE

HOUSE BILL 56

CONTENTS OF FILE

1. PROPOSED CS HB 56
2. PROPOSED LETTER OF INTENT
3. FISCAL NOTE, CS HB 56
4. HOUSE BILL 56
5. FISCAL NOTE, HB 56
6. LETTER FROM ROBERT MANNERS TO REPRESENTATIVE FRAN ULMER,
DATED FEBRUARY 10, 1987

HOUSE COMMITTEE REPORT

(7)

Date referred: 1/19/87

FURTHER REFERRALS: Finance

DATE: 2-13-87

The State Affairs Committee has considered HB 56

"An Act establishing Martin Luther King, Jr., Day as a legal holiday."

RECOMMENDS:

- replace with CS ~~SI~~ HB 56 the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: 2-13-87 letter of intent

ATTACHES NEW FISCAL NOTE(s):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published _____
- zero with analysis

SIGNING DO PASS:

Wm. [unclear]

Larry Martin

Dave Douley

[unclear]

[unclear]

SIGNING OTHER RECOMMENDATIONS:

[Signature]
Chairman's signature

1314 SMC RD

Sitka, AK. -99835

February 19, 1988

Representative - Fran Ulmer

Alaska State Legislature

P.O. Box V (MS 3100)

Juneau, AK. 99811

Dear Mr. Ulmer:

I am an eighth grader at Blatchley Middle school. My mom works at Borden's grocery store and my dad works for Alaska Airlines. My Bill is HB 56 and it's about making Mr. Martin Luther King Junior's birthday a legal holiday. I am with that bill. I am with it because Martin Luther King fought for our country in many ways and he stood up for the black and the poor. When he died, he died for us, and I feel that when you die,

→

the best way to die, is
to die by saving someone
elses life, and that's
what he did.

I also believe that you
should vote for Bill HB-56
to make it a legal
holiday. Many people
will remember Martin
Luther King, If your vote
is given for it.

Thank you very much for
your time, and your vote
today, will make Martin
Luther King a non-forgotten
legend tomorrow. I would
feel appreciated from
your response. Thank you.

Sincerely yours,

Jannie Stallings

Original sponsor: Rules/Governor

IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

CS FOR HOUSE BILL NO. 56 (State Affairs)

IN THE LEGISLATURE OF THE STATE OF ALASKA

FIFTEENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act establishing the birthday of Martin Luther King, Jr., and Presidents' Day as legal holidays."

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

* Section 1. AS 44.12.010 is amended to read:

Sec. 44.12.010. LEGAL HOLIDAYS. The following days are legal holidays:

- (1) the first of January, known as New Year's Day;
- (2) the third Monday of January, known as the birthday of Martin Luther King, Jr. [THE 12TH OF FEBRUARY, KNOWN AS LINCOLN'S BIRTHDAY];
- (3) the third Monday in February, known as Presidents' Day [WASHINGTON'S BIRTHDAY];
- (4) the last Monday of March, known as Seward's Day;
- (5) the last Monday in May, known as Memorial Day;
- (6) the fourth of July, known as Independence Day;
- (7) the first Monday in September, known as Labor Day;
- (8) the eighteenth of October, known as Alaska Day;
- (9) the 11th of November, known as Veterans' Day;
- (10) the fourth Thursday in November, known as Thanksgiving Day;
- (11) the 25th of December, known as Christmas Day;
- (12) every Sunday;
- (13) every day designated by public proclamation by the President of the United States or the governor of the state as a legal



Official Business

Alaska State Legislature

House

P.O. BOX V
State Capitol
Juneau, Alaska 99811


HOUSE STATE AFFAIRS COMMITTEE

CSHB 56 (SA)

The House State Affairs Committee has heard House Bill 56, establishing Martin Luther King, Jr. day as an official holiday, and has replaced the original bill with CSHB 56 (SA).

By replacing HB 56 with a committee substitute, the House State Affairs Committee has established Martin Luther King, Jr. day as an official holiday. The committee substitute also combines Washington's and Lincoln's birthdays into a single Presidents' Day holiday, thus avoiding an increase in the total number of legal holidays.

Recognizing that holidays are a negotiated benefit with the State's bargaining units, the State Affairs Committee does not intend to interfere with the negotiations process. In approving a zero fiscal note, however, the State Affairs Committee intends that there be no increase in total holidays for employees covered by collective bargaining or those exempt from collective bargaining.


Fran Ulmer, Chair
House State Affairs Committee

2-13-87

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

3

Bill Version: CSHB 56 SA
Publish Date: _____

REQUEST

Revision Date: February 13, 1987
Title: An Act establishing Martin Luther King, Jr., Day as a legal holiday.
Sponsor: Rules by request of Governor
Requestor: House State Affairs

Agency Affected: All Agencies
BRU: _____
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
OPERATING						
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

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

POSITIONS:	0	0	0	0	0	0
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 See attached.

Prepared By: Michael P. McMullen *Michael P. McMullen* Phone: _____
Division: Office of the Commissioner Date: February 13, 1987

Approved by Commissioner: Garrey Peska *Garrey Peska* Date: 2/13/87
Agency: Department of Administration

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)
Senate Secretary

FISCAL NOTE ANALYSIS

FOR CSHB 56 SA

This Fiscal Note is prepared based on the motion adopted by the House State Affairs Committee on February 11 to amend the bill to provide for Martin Luther King, Jr., Day as a State holiday on the third Monday in January; combine Lincoln's Birthday and Washington's Birthday holidays as President's Day on the third Monday in February; and adopt a Letter of Intent that there would not be a net increase in State employee holidays. This Fiscal Note is prepared before the final versions of CSHB 56 SA and the committee Letter of Intent have been adopted.

Based on no net increase in holidays for State employees, the Fiscal Note reflects a zero cost.

A Letter of Intent is the mildest manner in which the Legislature can advise the Executive Branch of its desires regarding an issue subject to collective bargaining. A Letter of Intent maintains the maximum reliance on the collective bargaining process to achieve a result consistent with the will of the Legislature. Accordingly, the Department of Administration will give full consideration to the Letter of Intent in bargaining sessions. To the extent that any agreement addresses changes in holidays that result in a net cost increase, those costs will be considered costs of the contract. Necessary funding will be addressed under existing statutory mechanisms dealing with contract costs. In any event, those costs will not be attributable to the passage of CSHB 56 SA. The Fiscal Note properly shows a zero cost for this reason.

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

5

No. 1

REQUEST _____

Bill Version: HB 56
Publish Date: HOUSE 1/19/87

Revision Date: 1/9/87
Title: An Act establishing Martin Luther King, Jr., Day as a legal holiday
Sponsor: Ruies
Requestor: Governor

Agency Affected: All agencies
BRU: _____
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	-0-	423.6	423.6	423.6	423.6	423.6
TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
SUPPLIES	-0-	-0-	-0-	-0-	-0-	-0-
EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
GRANTS, CLAIMS	-0-	-0-	-0-	-0-	-0-	-0-
MISCELLANEOUS	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL OPERATING	-0-					

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	352	352	352	352	352
FEDERAL FUNDS	-0-	17.4	17.4	17.4	17.4	17.4
OTHER	-0-	54.2	54.2	54.2	54.2	54.2
TOTAL	-0-	423.6	423.6	423.6	423.6	423.6

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 See attached.

Prepared By: Bruce Cummings
Division: Labor Relations

Phone: 465-4404
Date: 1/9/87

Approved by Commissioner: Garrey Peska
Agency: Department of Administration

Date: 1/15/87

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)
Senate Secretary



NEA-ALASKA

AFFILIATED WITH THE NATIONAL EDUCATION ASSOCIATION

6

ANCHORAGE REGIONAL OFFICE

1411 W 33RD AVENUE
ANCHORAGE, ALASKA 99503
(907) 274-0536

JUNEAU OFFICE

105 MUNICIPAL WAY, SUITE 302
JUNEAU, ALASKA 99801
(907) 586-3090

FAIRBANKS REGIONAL OFFICE

2118 CUSHMAN STREET
FAIRBANKS, ALASKA 99701
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Anchorage, Alaska 99504

Pam McCarl
Region VI Director
2115 Sorbus Way
Anchorage, Alaska 99508

Pam Reynolds
Region VI Director
8031 Evans Circle
Anchorage, Alaska 99507

Dave Schwantes
Region VI Director
8148 E. 4th Avenue
Anchorage, Alaska 99504

Peg Stout
Region VI Director
6208 E. 34th Avenue
Anchorage, Alaska 99504

February 10, 1987

TO: Rep. Fran Ulmer, Chair

RE: House Bill No. 56; "An Act establishing Martin Luther King, Jr., Day as a legal holiday."

NEA-Alaska supports HB 56 and encourages its passage.

As individuals it is appropriate for all of us to acknowledge the unique moral strength of a person who never stopped pursuing his beliefs and ideals, and who never gave up on people, even his enemies.

As Americans, Dr. King's effort reminds us of a true form of patriotism, one designed to eliminate our social evils, thus making us a stronger multicultural nation.

As teachers our nation's history constantly reminds us of the benefits which we enjoy as a result of the struggles and sacrifices by those who have preceded us.

The fact that Dr. King is more of a contemporary than others who have been honored in this way makes his legacy no less significant to all of us.

Respectfully submitted,

Robert Manners
Executive Secretary

BM44/dl



Alaska State Legislature

Official Business

Pouch V
State Capitol
Juneau, Alaska 99811

February 24, 1986

Reverend & Mrs. Alonzo Patterson
855 East 20th Avenue
Anchorage, Alaska 99501

Dear Reverend & Mrs. Patterson:

While the wonderful memories of the first national holiday honoring Dr. Martin Luther King, Jr. are fresh in the minds of Alaskans, we would like to take the opportunity to personally congratulate you and thank you for the role you played in this successful celebration. Your energetic leadership, combined with the dedication of thousands of Alaskans from Ketchikan to Barrow, produced a first class celebration which was a fitting tribute to the man and his principles.

For our part, we are happy to report that House Bill 475, that establishes an official state holiday, unanimously passed the House State Affairs Committee on February 12 and has now moved to the House Finance Committee. Senate Bill 347 is currently in the Senate State Affairs Committee. Both of these bills need your active support, so please send letters or public opinion messages to Governor Sheffield and all members of the Legislature. They need to hear your views.

We have enclosed a reproduction of the citation honoring Dr. King and the Alaska observance of the holiday passed by the Fourteenth Alaska State Legislature on January 15, 1986, Dr. King's birthday. We hope you will enjoy having it as a remembrance of the first national holiday.

Thank you again for all you have contributed to the people of Alaska.

Sincerely,

Senator Vic Fischer

Senator Joe Josephson

Representative Don Clocksin

Enclosure



HEDLAND, FLEISCHER &
 1016 WEST 6TH AVENUE, SUITE 400 • ANCHORAGE, ALAS

MESSAGE

TO [Sen. Vic Fisher]
 [Anch. AK.]

DATE - 12/9/85

Dear Vic:
 I hereby request that
 you sponsor a State Holiday
 on the B-day of the
 renowned leader, Martin
 Luther King. Sincerely,
 Hugh F. Fleischer

BY Hugh F. Fleischer

DATE

Vic -
 Clocksin is introducing
 a bill to make Martin L
 King's b-day a state holiday
 High wants you to do
 the same on the Senate
 side

Abby

[Handwritten signature]

12/15/85

WORK ORDER # 4-1485

TERESA BARNISTER
 SIGNED requested 12/16/85
 by G. Baum

INSTRUCTIONS TO SENDER:

1. KEEP YELLOW COPY. 2. SEND WHITE AND PINK COPIES WITH CARBON INTACT.

INSTRUCTIONS TO RECEIVER:

1. WRITE REPLY. 2. DETACH STUB, KEEP PINK COPY, RETURN WHITE COPY TO SENDER.

ates from
 I inclusion
 the Daily
 usion. Of
 ial for the

Daily News was so adamantly opposed to giving each candidate an equal opportunity to be heard. It seems that the more liberal of our two papers stands against the philosophy of fairness and

steers unrecognized by media

disasters around the country, too.

Because people don't know what we do in a disaster, since we don't get credit in the media for "A Red Cross shelter was opened at" or "Red Cross provided emergency food service at" or, in a current case — the health department and state healthy agency who are jointly sponsoring the diphtheria clinics statewide are doing so with over 300 Red Cross volunteer nurses and PA's — denoting their time and skill — and no one gives us any recognition in the TV, radio, or news spots.

Be nice to us, or we may go away.

Steve Brown
 Anchorage

in adoption bill

identifying information includes health history, cultural or tribal heritage, a physical description of the biological parents, the existence of biological siblings, etc.

The dilemma inherent in adoption records legislation is, of course, the need to balance the rights and wishes of all parties to the adoption, and it is those provisions which have been the subject of the most discussion in the five years that various versions of this bill have been before the Alaska legislature. It is those provisions which the conference committee on HCSSB187 will also be addressing. There are no easy answers, but the important progressive elements of this bill must not be overlooked in that

side, we voters are the ones who must ultimately form our opinions and make our choices. But how can we do this if we don't even get a chance to hear all the candidates?

I tend to side with the ideals of a democratic system which allows all credible candidates the opportunity to be heard. I disagree with subjective and arbitrary criteria which muzzles democracy and limits the choice of the people.

Maureen O. Keefe
 4314 Beechcraft

No vote for Fischer's liberalized vacation

Dear Editor:

Sen. Vic Fischer's socialist, liberal heart must be touched.

State employees, along with federal employees and teachers, get 10 weeks of paid vacation and he wants to add one more day to it. Nuts.

Let them all donate a day's pay to the homeless people on the street. That would be a humanitarian thing to do.

Sorry, Mr. Fischer, you don't have my vote.

Dietmar Kubbe 3/11/86
 2121 Dolly Varden Times

Little thought given to victims

Dear Editor:

Rosanne Pagano's article on page B-2 of last Saturday's paper regarding a sex abuse case is a perfect reason for mandatory sentencing.

Much thought for the criminal and his rehabilitation and just passing mention for the victims isn't my idea of justice.

Is responsibility for one's action a thing of the past?

the money for conservation. His concern is that the Exxon bonanza will be just a good excuse for Congress to go along with Reagan budget requests to choke off energy-conservation assistance for the states.

On a spot survey, I found New York and Massachusetts set to use almost all the cash for conservation. Gov. Thomas Kean (R-N.J.) said he'd do the same because "we have plenty of valid energy conservation needs to which we can put the money to use, within the court guidelines."

And Gov. Toney Anaya (D-N.M.) said he welcomed the court guidelines: "They give me a measure of protection against my own conservative legislature, which would otherwise use the money to supplant existing conservation programs."

The toughest question may be: What sense does energy conservation make in times of apparent abundance? The smart answer is: Plenty, maybe more than ever.

Energy analysts predict today's cheap energy prices may be short-lived. The American Petroleum Institute projects a perverse scenario: Lower prices, discouraging U.S. oil exploration at the same time it induces Americans to use more petroleum will increase dependency on foreign oil. By the early 1990s, OPEC may be positioned again to dictate higher prices because this country will have no other major source.

"Oil prices are going to turn around, maybe in two or three years," says New Mexico's Anaya. "The drop now is more of a political issue in the Middle East than an economic issue in the world."

Anaya's solution: Plan now, when we don't have a crisis, to promote energy alternatives, to develop conservation programs, "so that when the next turnaround comes in oil, we won't be facing a crisis." Not only would that make sound domestic sense, it would "send a signal out to the Middle East that they aren't going to manipulate our economy."

ONE WOULD think the governors, who've been making a big show of their long-term, preventive approaches to every problem from social services to education, would understand that philosophy. The question is — will all of them and, perhaps more critically, will their legislatures?

WHAT IS WHY THE EXXON MONEY in the hole for states to maintain, and energy conservation programs so vital strength and economic futures.

The Reagan administration won't reap the whirlwind for failing to conserve the states will be; so will many of the voters and legislators. Their responsibility miss.

Berry's World

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© 1986 by NEA, Inc. *Jim B*

Notice...

State recognizes King holiday

JUNEAU — Activities ranging from essay contests to renaming streets are scheduled around Alaska next month to commemorate the first national holiday in honor of slain civil rights leader Martin Luther King Jr.

The third Monday in January has been set aside as the official federal holiday for King, who was gunned down on a Memphis motel balcony April 18, 1968.

"Festivities will begin on Jan. 15th, his birthday, but the official federal holiday is Jan. 20th," said Jim Kelly, a special assistant to Gov. Bill Sheffield who is helping to coordinate the activities.

"All kinds of recognition programs are being planned across the country, most of them symbolizing his philosophies of love and peace," Kelly said. "It's not being planned as a black type thing, but a people type thing."

A variety of events have been scheduled in Anchorage, Juneau, Fairbanks and Sitka, he said.

"Some of them will begin the 15th, with presentations, memorial services and essays in schools," Kelly said. "Sunday will be a big day with a celebration planned at Sullivan Arena in Anchorage.

"We're expecting 8 to 10,000 people," he said. "The Rev. Ralph Abernathy, head of the Southern Christian Leadership Conference and King's right-hand man, will be keynote speaker. A 600-voice choir will sing and that will be broadcast later in rural areas."

An Anchorage street is to be renamed for King with ceremonial ribbon-cutting and parade, tributes are scheduled in both houses of the Alaska legislature, films and exhibits will be set up in public buildings around Juneau and the original cast of the off-Broadway play "I Have a Dream" will perform in Fairbanks, Kelly said.

ALASKA
You'll Read

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

No. 1

Bill Version: HB 56
Publish Date: HOUSE 1/19/87

REQUEST _____

Revision Date: 1/9/87 Agency Affected: All agencies
Title: An Act establishing Martin Luther King, Jr., Day as a legal holiday BRU: _____
Sponsor: Rules Components: _____
Requestor: Governor

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
OPERATING						
PERSONAL SERVICES	-0-	423.6	423.6	423.6	423.6	423.6
TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
SUPPLIES	-0-	-0-	-0-	-0-	-0-	-0-
EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
GRANTS, CLAIMS	-0-	-0-	-0-	-0-	-0-	-0-
MISCELLANEOUS	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL OPERATING	-0-					
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	352	352	352	352	352
FEDERAL FUNDS	-0-	17.4	17.4	17.4	17.4	17.4
OTHER	-0-	54.2	54.2	54.2	54.2	54.2
TOTAL	-0-	423.6	423.6	423.6	423.6	423.6

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 See attached.

Prepared By: *Bruce Cummings* Phone: 465-4404
Division: Labor Relations Date: 1/9/87

Approved by Commissioner: *Garrey Peska* Date: 1/15/87
Agency: Department of Administration

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)
Senate Secretary

BILL = CSSSHB475(SA)
ROOT = HB0475
BILL ROOT: HB0475
BILL NUMBER: CSSSHB475(SA)
INTRODUCED: 2/14/86
REFERRED: FINANCE
ORIG SPONSOR: CLOCKSIN, UEHLING, KOPONEN, ET AL
SPONSOR: BY THE STATE AFFAIRS COMMITTEE
BILL HEADING: IN THE HOUSE

Call Nevette
Died in H finance
As far as I know

X

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 475 (STATE AFFAIRS)
IN THE LEGISLATURE OF THE STATE OF ALASKA
FOURTEENTH LEGISLATURE - SECOND SESSION
A BILL

TITLE: FOR AN ACT ENTITLED:

CSSSHB475SA DOCUMENT= 5 OF 7 PAGE = 2 OF 3

"AN ACT RELATING TO LEGAL HOLIDAYS."
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
* SECTION 1. AS 44.12.010 IS AMENDED TO READ:
SEC. 44.12.010. LEGAL HOLIDAYS. THE FOLLOWING
DAYS ARE LEGAL HOLIDAYS.
(1) THE FIRST OF JANUARY, KNOWN AS NEW
YEAR'S DAY;
(2) (THE THIRD MONDAY OF JANUARY) KNOWN AS
MARTIN LUTHER KING DAY (THE 12TH OF FEBRUARY, KNOWN AS
LINCOLN'S BIRTHDAY);
(3) THE THIRD MONDAY IN FEBRUARY, KNOWN AS
PRESIDENTS' DAY (WASHINGTON'S BIRTHDAY).
(4) THE LAST MONDAY OF MARCH, KNOWN AS
SEWARD'S DAY;
(5) THE LAST MONDAY IN MAY, KNOWN AS
MEMORIAL DAY;
(6) THE FOURTH OF JULY, KNOWN AS
INDEPENDENCE DAY,
(7) THE FIRST MONDAY IN SEPTEMBER, KNOWN AS
LABOR DAY;

3115 spent
9635 10000000
311 9635 10000000

CSSSHB475SA DOCUMENT= 5 OF 7 PAGE = 3 OF 3

(8) THE EIGHTEENTH OF OCTOBER, KNOWN AS
ALASKA DAY;
(9) THE 11TH OF NOVEMBER, KNOWN AS VETERANS'
DAY,
(10) THE FOURTH THURSDAY IN NOVEMBER, KNOWN
AS THANKSGIVING DAY,
(11) THE 25TH OF DECEMBER, KNOWN AS CHRISTMAS
DAY;
(12) EVERY SUNDAY,
(13) EVERY DAY DESIGNATED BY PUBLIC
PROCLAMATION BY THE PRESIDENT OF THE UNITED STATES OR THE
GOVERNOR OF THE STATE AS A LEGAL HOLIDAY.
* SEC. 2. AS 44.12.045 IS REPEALED.
END OF DOCUMENT

\$31,800
June 30 87

SHB574FIN DOCUMENT= 6 OF 7 PAGE = 42 OF 106
GENERAL FUND TO THE DEPARTMENT OF COMMUNITY AND REGIONAL
AFFAIRS FOR PAYMENT AS A GRANT UNDER AS 37.05.316 TO THE
LEAGUE OF UNITED LATIN AMERICAN CITIZENS FOR THE HISPANIC
SERVICES AND INFORMATION AGENCY PROJECT IN ANCHORAGE
FOR THE FISCAL YEAR ENDING JUNE 30, 1987.

* SEC. 116. THE SUM OF \$35,000 IS APPROPRIATED FROM THE
GENERAL FUND TO THE DEPARTMENT OF COMMUNITY AND REGIONAL
AFFAIRS FOR PAYMENT AS A GRANT UNDER AS 37.05.316 TO THE
FAIRBANKS NATIVE ASSOCIATION TO SUPPORT THE COMMUNITY
PLANNING PROGRAM FOR THE FISCAL YEAR ENDING JUNE 30, 1987.
* SEC. 117. THE SUM OF \$40,000 IS APPROPRIATED FROM THE
GENERAL FUND TO THE DEPARTMENT OF NATURAL RESOURCES FOR
CONSTRUCTION AND MAINTENANCE OF FIREWOOD ACCESS ROADS AND
BRIDGES IN DISTRICT 14. *Chap 120*
* SEC. 118. THE SUM OF \$15,000 IS APPROPRIATED FROM THE
GENERAL FUND TO THE DEPARTMENT OF COMMUNITY AND REGIONAL
AFFAIRS FOR PAYMENT AS A GRANT UNDER AS 37.05.316 TO THE
MARTIN LUTHER KING STATE HOLIDAY COMMISSION FOR OPERATIONS
FOR THE FISCAL YEAR ENDING JUNE 30, 1987.
* SEC. 119. THE SUM OF \$170,000 IS APPROPRIATED FROM THE

12/7800
1987
STATUS PROCEL

SAVED FOR FINANCE - SAVED FOR FINANCE

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

No. 1

REQUEST

Bill Version: HB 56
Publish Date: HOUSE 1/19/87

Revision Date: 1/9/87
Title: An Act establishing Martin Luther King, Jr., Day as a legal holiday
Sponsor: Rules
Requestor: Governor

Agency Affected: All agencies
BRU: _____
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	-0-	423.6	423.6	423.6	423.6	423.6
TRAVEL	-0-	-0-	-0-	-0-	0-	-0-
CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
SUPPLIES	-0-	-0-	-0-	-0-	-0-	-0-
EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
GRANTS, CLAIMS	-0-	-0-	-0-	-0-	-0-	-0-
MISCELLANEDUS	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL OPERATING	-0-					

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	352	352	352	352	352
FEDERAL FUNDS	-0-	17.4	17.4	17.4	17.4	17.4
OTHER	-0-	54.2	54.2	54.2	54.2	54.2
TOTAL	-0-	423.6	423.6	423.6	423.6	423.6

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 See attached.

Prepared By: *Bruce Cummings* Phone: 465-4404
Division: Labor Relations Date: 1/9/87

Approved by Commissioner: Garrey Peska Date: 1/15/87
Agency: Department of Administration

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)
Senate Secretary

Assumptions:

1. Creation of one additional holiday will result in a productivity loss worth \$1.96 million in Executive, Judicial and Legislative branches (.38% of straight-time payroll) but will not require additional funding for the day of absence, per se.
2. \$423,600 in additional funds will be necessary for Executive branch overtime/benefits, based on agency survey.
3. No payroll increases in ensuing fiscal years; no increase in overtime in ensuing fiscal years.
4. Funding distribution of General Fund at 83.1%, federal funds at 4.1%, and "other" funds at 12.8%.
5. Does not include costs for University of Alaska or non-State employers.

DOCUMENT = CSSSHB475(SA)
BILL = HB0475
ROOT = HB0475
ILL ROOT: HB0475

ILL NUMBER: CSSSHB475(SA)

INTRODUCED: 2/14/86

REFERRED: FINANCE

RIG SPONSOR: CLOCKSIN, UEHLING, KOPOMEN, ET AL

SPONSOR: BY THE STATE AFFAIRS COMMITTEE

ILL HEADING: IN THE HOUSE

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 475 (STATE AFFAIRS) IN THE LEGISLATURE OF THE STATE OF ALASKA FOURTEENTH LEGISLATURE - SECOND SESSION A BILL

TITLE: FOR AN ACT ENTITLED.

CSSSHB475SA DOCUMENT= 5 OF 7 PAGE = 2 OF 3

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

* SECTION 1. AS 44.12.010 IS AMENDED TO READ:
SEC. 44.12.010. LEGAL HOLIDAYS. THE FOLLOWING DAYS ARE LEGAL HOLIDAYS.

- (1) THE FIRST OF JANUARY, KNOWN AS NEW YEAR'S DAY;
- (2) (THE THIRD MONDAY OF JANUARY,) KNOWN AS MARTIN LUTHER KING DAY (THE 12TH OF FEBRUARY, KNOWN AS LINCOLN'S BIRTHDAY);
- (3) THE THIRD MONDAY IN FEBRUARY, KNOWN AS PRESIDENTS' DAY (WASHINGTON'S BIRTHDAY);
- (4) THE LAST MONDAY OF MARCH, KNOWN AS SEWARD'S DAY;
- (5) THE LAST MONDAY IN MAY, KNOWN AS MEMORIAL DAY;
- (6) THE FOURTH OF JULY, KNOWN AS INDEPENDENCE DAY;
- (7) THE FIRST MONDAY IN SEPTEMBER, KNOWN AS LABOR DAY;

CSSSHB475SA DOCUMENT= 5 OF 7 PAGE = 3 OF 3

- (8) THE EIGHTEENTH OF OCTOBER, KNOWN AS ALASKA DAY;
- (9) THE 11TH OF NOVEMBER, KNOWN AS VETERANS' DAY;
- (10) THE FOURTH THURSDAY IN NOVEMBER, KNOWN AS THANKSGIVING DAY;
- (11) THE 25TH OF DECEMBER, KNOWN AS CHRISTMAS DAY;
- (12) EVERY SUNDAY;
- (13) EVERY DAY DESIGNATED BY PUBLIC PROCLAMATION BY THE PRESIDENT OF THE UNITED STATES OR THE GOVERNOR OF THE STATE AS A LEGAL HOLIDAY.

* SEC. 2. AS 44.12.045 IS REPEALED.
END OF DOCUMENT

SHB574FIN DOCUMENT= 6 OF 7 PAGE = 42 OF 106

GENERAL FUND TO THE DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS FOR PAYMENT AS A GRANT UNDER AS 37.05.316 TO THE LEAGUE OF UNITED LATIN AMERICAN CITIZENS FOR THE HISPANIC SERVICES AND INFORMATION AGENCY PROJECT IN ANCHORAGE FOR THE FISCAL YEAR ENDING JUNE 30, 1987.

* SEC. 116. THE SUM OF \$35,000 IS APPROPRIATED FROM THE GENERAL FUND TO THE DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS FOR PAYMENT AS A GRANT UNDER AS 37.05.316 TO THE FAIRBANKS NATIVE ASSOCIATION TO SUPPORT THE COMMUNITY PLANNING PROGRAM FOR THE FISCAL YEAR ENDING JUNE 30, 1987.

* SEC. 117. THE SUM OF \$40,000 IS APPROPRIATED FROM THE GENERAL FUND TO THE DEPARTMENT OF NATURAL RESOURCES FOR CONSTRUCTION AND MAINTENANCE OF FIREWOOD ACCESS ROADS AND BRIDGES IN DISTRICT 11 - *Chpp 140*

* SEC. 118. THE SUM OF \$15,000 IS APPROPRIATED FROM THE GENERAL FUND TO THE DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS FOR PAYMENT AS A GRANT UNDER AS 37.05.316 TO THE MARTIN LUTHER KING STATE HOLIDAY COMMISSION FOR OPERATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 1987.

* SEC. 119. THE SUM OF \$170,000 IS APPROPRIATED FROM THE

*Call Nevette
Died in H finance*

As far as I know

SAVED FOR FUTURE PURPOSE

*3115 spent
9635 income
3115
9625
income*

\$31,800

*June 30 87
Opval.*

*12,750
1987*

STATUS PENDING



CALL 4708.9
Jim Hauck
→

GSCSHB195FI DOCUMENT# 1 OF 7 PAGE # 42 OF 264
* SEC. 85. SECTION 34, CH. 107 SLA 1983 PAGE 75, LINE
25 IS AMENDED TO READ:

APPROPRIATION ITEMS	GENERAL FUND
NEWTOK-GRAVEL ACQUISITION (ED 25)	
2,500	2,500
(60,000)	(60,000)

* SEC. 86. THE SUM OF \$16,800 IS APPROPRIATED FROM THE
GENERAL FUND TO THE OFFICE OF THE GOVERNOR FOR THE
ESTABLISHMENT AND OPERATION OF THE MARTIN LUTHER KING,
JR. STATE HOLIDAY COMMISSION IN SUPPORT OF THE FEDERAL
HOLIDAY COMMISSION FOR THE FISCAL YEAR ENDING JUNE 30, 1986.

* SEC. 87. SECTION 286, CH. 50, SLA 1980, PAGE 54, LINE
18 IS AMENDED TO READ:

APPROPRIATION ITEMS	GENERAL FUND
YUKON-KUSKOKWIM HEALTH CORPORATION (ED 17)	
243,000	243,000
(380,000)	(380,000)

HB

57



Official Business

Alaska State Legislature

House

P.O. BOX V
State Capitol
Juneau, Alaska 99811

STATE AFFAIRS COMMITTEE

SPONSOR SUBSTITUTE FOR HOUSE BILL 57

FILE CONTENTS

1. SS HB 57: AN ACT ESTABLISHING THE ALASKA CHILDREN'S TRUST FUND TO PROVIDE A CONTINUING SOURCE OF REVENUE FOR GRANTS TO COMMUNITY-BASED PROGRAMS FOR THE PREVENTION OF CHILD ABUSE AND NEGLECT; AND PROVIDING FOR AN EFFECTIVE DATE.
2. FISCAL NOTE, OFFICE OF THE GOVERNOR: -0-
3. LETTER FROM GEORGE BROWN, M.D. (WITH ATTACHMENT) TO REPRESENTATIVE ULMER
4. "CHILDREN'S TRUST FUNDS," PREPARED BY THE NATIONAL COMMITTEE FOR PREVENTION OF CHILD ABUSE
5. "CHILDREN'D TRUST FUND," BY THOMAS L. BIRCH
6. CHILDREN'S TRUST FUND LEGISLATION, PREPARED BY THE NATIONAL CONFERENCE OF STATE LEGISLATURES, FEBRUARY 1985
7. MEMORANDUM FROM EDWARD HEIN TO REPRESENTATIVE GOLL, DATED 2/24/87, SECTIONAL ANALYSIS OF SS HB 57
8. FISCAL NOTES, DEPARTMENT OF REVENUE
9. FISCAL NOTE AND POSITION PAPER, DEPARTMENT OF PUBLIC SAFETY

HOUSE COMMITTEE REPORT

(7)

Date referred: 2/18/87

FURTHER REFERRALS: HESS
Finance

DATE: 2-27-87

The State Affairs Committee has considered SSHB 57

"An Act establishing the Alaska children's trust fund to provide a continuing source of revenue for grants to community-based programs for the prevention of child abuse and neglect; and providing for an effective date."

RECOMMENDS:

- replace with CS HB 57(SA) the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- 1 fiscal impact same as previous fiscal note published _____
- 3 zero fiscal note same as previous zero fiscal note published _____
- 1 zero with analysis

SIGNING DO PASS:

[Signature]

[Signature]

Cliff Davidson

Dave Douley

Frank Ulmer

SIGNING OTHER RECOMMENDATIONS:

Terry Martin - needs a realistic fiscal note

Frank Ulmer
Chairman's Signature

BILL NO: SS HB 57

DATE: February 24, 1987

TITLE: An Act establishing the Alaska children's trust fund to provide a continuing source of revenue for grants to community-based programs for the prevention of child abuse and neglect; and providing for an effective date

CONTACT: Barbara Miklos
Executive Director
Council on Domestic
Violence and
Sexual Assault

DEPARTMENT OF
PUBLIC SAFETY

REVENUE

SS HB 57 establishes a children's trust fund which will provide a continuing source of revenue for grants to community-based programs for the prevention of child abuse and neglect. Prevention programs are crucial in protecting children and are often the first to receive budget cuts. This fund will not make up for the reductions to these programs but will provide a small but stable source of income that is greatly needed. Many states have established similar funds which guarantee that at least some prevention of child abuse and neglect programs will be funded even in times of economic hardship. Utilizing the staff of an existing agency will provide a cost-effective way to review, award and monitor these grants.

The Council has some concerns about the legislation including the fact that there will be additional costs created by this legislation which cannot be absorbed by the present budget, and there is no mechanism in the bill to address these costs. The following parts of Section 37.14.220 will create additional costs; the Council would suggest that these sections be revised or a mechanism established in the legislation to enable the board to recover costs from the trust fund: The board is to (1) hold regular and special meetings it considers necessary, (3) monitor approved programs and projects for compliance with AS 37.14.200-37.14.270 and provide operational and performance evaluations of programs and projects receiving financial assistance, and (7) keep minutes of each meeting of the board and send a certified copy of the minutes of each meeting of the board to the Governor and the Legislative Budget and Audit Committee. Also, even if meetings are held in conjunction with established Council meetings, the meetings for this board will require additional time for which at least public members should be compensated.

Other items of concern are whether it will be feasible for Council staff who are employees of the Department of Public Safety to work for a board in the Department of Revenue. Also, although the board is not solely comprised of Council members, the majority of the members are on the Council on Domestic Violence and Sexual Assault and there might be concerns from potential applicants that the different missions of the board and Council might create conflict. Lastly, by only providing for use of income from the fund which will be realized in a minimum of three years, there will be no opportunity to promote contributions to the fund and no evidence of results from contributions for quite a while. This may inhibit subsequent contributions.

This legislation addresses an important need in Alaska; therefore, the Council on Domestic Violence and Sexual Assault supports SS HB 57.



William R. Nix
Acting Commissioner

Original sponsors: Goll, Brown,
Ellis, et al.

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 57 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska children's trust
7 fund to provide a continuing source of revenue for
8 grants to community-based programs for the prevention
9 of child abuse and neglect; and providing for an
10 effective date."

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

12 * Section 1. AS 37.14 is amended by adding new sections to read:

13 ARTICLE 4. ALASKA CHILDREN'S TRUST FUND.

14 Sec. 37.14.200. ALASKA CHILDREN'S TRUST FUND ESTABLISHED. (a)

15 The Alaska children's trust fund is established as a separate endow-
16 ment trust fund of the state.

17 (b) The principal of the fund consists of

18 (1) permanent fund dividend contributions made under
19 AS 37.14.210;

20 (2) legislative appropriations to the fund; and

21 (3) gifts, bequests, and contributions of cash or other
22 assets from a person.

23 (c) The net income of the fund shall be determined by the com-
24 missioner of revenue in accordance with investment accounting princi-
25 ples and in a manner that preserves the distinction between principal
26 and income.

27 Sec. 37.14.210. CONTRIBUTION TO THE ALASKA CHILDREN'S TRUST
28 FUND. The Department of Revenue shall prepare the permanent fund
29 dividend application to allow an applicant to contribute all or a part

1 of a dividend to the Alaska children's trust fund. The department
2 shall pay contributions directly to the fund.

3 Sec. 37.14.220. ALASKA CHILDREN'S TRUST FUND BOARD ESTABLISHED.

4 (a) The Alaska Children's Trust Fund Board is established in the
5 Department of Revenue. The board is composed of the commissioners of
6 revenue, health and social services, education, and public safety, the
7 attorney general, and the governor, or their designees, and the three
8 public members of the Council on Domestic Violence and Sexual Assault.

9 (b) The three public members of the Council on Domestic Violence
10 and Sexual Assault shall serve on the board without compensation.
11 They are not entitled to travel expenses, but they are entitled to per
12 diem under AS 39.20.180 for each day or portion of a day spent in
13 actual meeting for which they are not otherwise entitled to per diem
14 as members of the council. Other members serve without compensation
15 and are not entitled to per diem or travel expenses.

16 (c) The board shall elect a member to chair the board.

17 (d) The staff of the Council on Domestic Violence and Sexual
18 Assault serves as the staff of the board.

19 Sec. 37.14.230. POWERS AND DUTIES OF BOARD. The board shall

20 (1) hold regular meetings and special meetings it considers
21 necessary; if a meeting is held, it shall be held in the same general
22 location and on the same dates, or on a date or dates immediately
23 preceding or following, a regular meeting of the Council on Domestic
24 Violence and Sexual Assault;

25 (2) award grants from the net income of the fund to com-
26 munity-based programs and projects that the board finds will aid in
27 the prevention of child abuse and neglect;

28 (3) monitor approved programs and projects for compliance
29 with AS 37.14.200 - 37.14.270;