

ALASKA LEGISLATURE COMMITTEE FILES 1987-1988 8672  
5510 SSTA EO 70 - SB 5

ARCHIVIST II A (Archival Management)  
ARCHIVIST II B (Records Management)

NATURE OF WORK

This class describes supervisory work in preserving manuscripts and archival records pertaining to the State's historical heritage or retained in the public's interest.

Employees in this class are responsible for planning, directing, coordinating, supervising and evaluating work in any one of the following three archival program areas: Program Development and Operation Services, Public Records Information Services, or Archival Technical Services. Work includes the supervision of subordinate professional, technical and/or clerical personnel employed in the section. Duties include stimulating and promulgating interest in the principles and methods of maintaining and using historical documents. Employees in this class are responsible for implementing assigned division policies and the coordination of administrative programs as directed by the State Archivist.

Distinguishing Factors: Positions in this class are distinguished from the higher State Archivist class by the lack of responsibility for the administration and direction of the Division of Archives and Public Records. Employees identified at this level supervise a section of the division as noted above.

"Supervision" is defined as: determining or interpreting work procedures for a group of workers, assigning specific duties to them, maintaining harmonious relations among them, and promoting efficiency; to oversee or control the work performance and conduct of others where there is opportunity for personal control or inspection of the work performed. The act of supervising is identified by the following characteristics: the making of work assignments, reviewing completed work, approving leave, establishing work standards and evaluating performance, selecting and training new employees, suggesting work improvement procedures and practices, and assisting in the interpretation of policy and the development of operational procedures.

SOME EXAMPLES OF WORK

Prepares recommendations for the State Archivist's consideration concerning policies, procedures, program plans, and project schedules.

Plans and directs the work of a staff of professional, technical, and/or clerical employees engaged in selecting, arranging, researching, restoring, microfilming and storing materials in the State archives.

Formulates and implements methods, techniques, and procedures as necessary to effect approved policies and program objectives.

Plans and supervises a system for the preservation of public records against physical deterioration, theft, or mutilation and supervises the restoration processes for damaged holdings.

Assigns and gives general direction to subordinate staff in the performance of archival duties.

Supervises, conducts, and performs historical research for the writing of books, magazine articles, other publications and correspondence on inquiries of an archival nature.

Speaks before professional or lay groups to promote interest in the preservation and use of public records.

Participate in formulating policies and procedures for the collection and disposal of public records.

Supervises the organization and arrangement of public, historical, and other records.

Conducts and participates in educational and training activities.

Represents the State Archivist at meetings and conferences.

Performs related work as assigned or required.

#### KNOWLEDGES, SKILLS AND ABILITIES

Through knowledge of the principles and practices used in collecting, administering, and disposing of public records.

Thorough knowledge of the laws and regulations pertaining to public records.

Thorough knowledge of the sources, methods, and techniques used in historical research.

Knowledge of the principles and practices of effective supervision and administration.

Ability to plan, organize, and supervise the work of others.

Ability to evaluate program effectiveness and make recommendations leading to the formulation of policies and procedures.

Ability to establish and maintain effective working relationships with others.

Ability to communicate effectively both orally and in writing.

#### MINIMUM PREPARATION FOR WORK

##### Education and Experience

Graduation from an accredited college or university with a Bachelor's degree in a social or behavioral science or related field which included the completion of the equivalent of 10 semester hours in archival studies or archival records management; or possession of an institute certificate in archival studies or archival records management; or completion of the equivalent of 16

semester hours in American History and the equivalent of four semester hours in \_\_\_\_\_ History or a closely related field;

AND

Three years of professional and technical experience in archival records preservation or archival records management at least one year of which must have been at the journeyman level of work.

Substitution

Professional or technical experience in records preservation or records management may be substituted for the required general education on a year-for-year basis.

Graduation from an accredited college or university with a Master's degree in the fields listed in the educational requirement may be substituted for one year of the required general experience.

## ARCHIVIST

### NATURE OF WORK

This is a multi-functioning range class describing work in preserving manuscripts and archival records pertaining to the State's historical heritage or retained in the public interest.

Employees in this class perform archival work to assure the preservation, availability, dissemination, and interest in historically accurate information. Work includes making recommendations relating to the collection and disposition of public records. Duties include the arranging, indexing, selecting, processing, searching, storing and preservation of public records. Employees in this class also participate in gathering and researching source data and preparing inquiries for such information. Work is reviewed in progress and upon completion for compliance with established procedures and guidelines.

Distinguishing Factors: Positions in the next higher Archivist class are distinguished from positions in this class by responsibility for supervision of one of the three following archives' sections: Public Records Information Services, Program Development and Operation Services, or Archival Technical Services.

### Range A

Employees in this range perform entry, first working level and advanced developmental duties and are assigned a limited phase of the full-performing assignment. The employee utilizes increasing degrees of independence at this level, perfecting the process of utilizing professional techniques and concepts beyond the mere application of detailed rules and procedures. Assignments are designed to expand practical experience and develop professional problems. Employees are expected to be competent in the application of standards procedures and requirements in the normal handling of professional problems, to raise questions about unusual or questionable areas and to suggest possible solutions. Work is reviewed periodically to verify general performance and conformance with required rules, regulations or guidelines and to evaluate the employee's professional growth.

### Range B

Employees in this range perform full-operating or journeyman duties requiring the application of the majority of standard techniques of the professional assignment to accomplish day-to-day responsibilities. Employees at this level are responsible for making decisions or recommendations which are subject only to minimal review. This is the full-performing level where the development and completion of non-standard reports and work and the interpretation and preparation of substantiated recommendations are required. As distinguished from Range A, employees in this range require the ability, initiative and other qualities necessary for independent action and authority based on a thorough knowledge and understanding of the techniques and concepts of the appropriate activity. Work is reviewed for technical accuracy, adequacy of professional judgment and appraisal of results. Employees are not advanced to

this range until their level of functioning is evaluated to be at this full-operating level.

#### SOME EXAMPLES OF WORK

Organizes, arranges, collects, preserves, and shelves public record archival materials.

Prepares finding aids and guides.

Participates in and recommends security and environment practices and procedures required for storage.

Provides access to public records for reference.

Performs professional public records search and reference.

Performs consultative staff assistance or advisory activities with respect to public records access, methods of storage, microfilming, research, use, and reference.

Provides for archival and records management program development for State and local agencies in the field to initiate, establish and implement a sound public records conservation program to effect economies in personnel, space and equipment use, and to ensure the preservation of permanently valuable records; provides advice, cost estimates, consultation, and operational instructions to set up and achieve compliance with authorized program action.

Performs complex records servicing, searching records for information requested, retrieval of records requested; researching and writing news releases; preparing drafts for publications; and does research and development historical background reports.

Participates in cataloging, indexing, filing, and inventorying of records.

Recommends procedures to facilitate the storage and retrieval of archival records.

Inventories and evaluates public records and makes recommendations for their disposal or transfer to the custody of the archives.

Participates in conducting systematic surveys of agency records and provides professional and technical advice to representatives of agencies and other groups in the maintenance and disposition of records.

Prepares indexes, guides, accession lists, bibliographies, and microfilm copies of documents as aids for seeking reference material.

Performs research and prepares historical reports and administrative histories of agencies and functions of government to facilitate use of public records.

Participates in, or oversees the preservation and repair of archival materials and holdings.

Examines and estimates the historical value of public and private documents.  
Performs related work as assigned or required.

#### KNOWLEDGES, SKILLS AND ABILITIES

Some knowledge of the sources, methods, and techniques used in historical research.

Ability to learn the principles and practices involved in the collection and disposition of public records.

Ability to learn the methods, techniques, and materials used in the care and preservation of permanent records.

Ability to learn the laws and regulations pertaining to public records.

Ability to perform historical research and evaluate and correlate source material.

Ability to establish and maintain effective working relationships with others.

Ability to make recommendations for collection or disposal of public records.

Ability to communicate effectively both orally and in writing.

#### MINIMUM PREPARATION FOR WORK

##### Education and Experience

Graduation from an accredited college or university with a Bachelor's degree in a social or behavioral science or related field which included the completion of the equivalent of 10 semester hours in archival studies or archival records management; or possession of an institute certificate in archival studies or archival records management; or the completion of 16 semester hours in American History and the equivalent of four semester hours in \_\_\_\_\_ History or a closely related field.

##### Substitution

Full-time paid professional or technical experience in archival records preservation or archival records management may be substituted for the required education on a year-for-year basis.

NOTE: Employees may be moved from range A to B based upon an evaluation of the functioning level of the employee relative to the range descriptions identified in the class specification and upon recommendation of the supervisor and approved by the appointing authority. Internal standards of movement within this multiple range class may be developed by the agency. Appointment above the A level will be at the discretion of the appointing authority based upon the determination that the applicant's work and training experience exceed the minimum requirement of the class.

SB

3

TESTIMONY

SENATOR MITCH ABOOD

SB 3 "An Act relating to motor vehicle registration and registration plates."

I WAS THE AUTHOR OF THE COMPREHENSIVE LAW ON DRUNK DRIVING, WHICH WENT INTO EFFECT IN 1983. ALMOST THREE YEARS OF WRITING THE BILL HAS ACHIEVED A TOUGH, ENFORCEABLE LAW WHICH WOULD SERVE AS A STRONG DETERRENT AGAINST DRIVING UNDER THE INFLUENCE OF DRUGS OR ALCOHOL.

OUR RESEARCH MADE IT APPARENT THAT WE WERE DEALING WITH BASICALLY TWO DIFFERENT KINDS OF DRUNK DRIVERS: THE MAJORITY FELL INTO THE "ONE TIME ONLY" CATEGORY. FOR THESE PEOPLE, THE EMBARRASSMENT AND SHAME OF SPENDING 72 HOURS IN JAIL AS WELL AS HAVING TO BEAR THE FINANCIAL BURDEN OF HIGH INSURANCE RATES, WAS ENOUGH OF A DETERRENT TO STOP ANY FURTHER FALLS FROM GRACE. BUT THERE WAS ANOTHER CORE GROUP OF PEOPLE FOR WHOM THESE MEASURES WERE INEFFECTIVE.

THE LEGISLATURE SPENT A GREAT DEAL OF TIME AND EFFORT ON THIS CORE GROUP. THESE WERE THE RECIDIVISTS -- YOU CAN BASICALLY CATEGORIZE THEM AS INDIVIDUALS WHO HAVE A PROBLEM WITH ALCOHOL DRUGS, OR IRRESPONSIBILITY. THEY CONTINUE TO DRIVE AND DRINK EVEN AFTER THEIR DRIVER'S LICENSE HAS BEEN REVOKED FOR DWI OR FOR ANY OTHER REASON FOR THAT MATTER.

PAGE TWO  
TESTIMONY SB 3

JAIL TIME AND REHABILITATION ARE NOT ENOUGH TO GET THESE PEOPLE OFF THE ROADS. TO THESE PERSONS, THE REMOTE THREAT OF IMPRISONMENT MAY BE LITTLE IF ANY DETERRENT. SB 3 WOULD ALLOW THE STATE THE OPTION TO GO ONE STEP FARTHER IN SOME CASES BY ALLOWING THE FORFEITURE OF THE MOTOR VEHICLE REGISTRATION AND LICENSE PLATES OF A DRUNK DRIVER IN CASES WHERE THAT DRIVER HAD A RECORD OF PRIOR DWI'S OR REFUSING THE BREATH TEST.

BUT THESE IRRESPONSIBLE PEOPLE ARE STILL GOING TO DRIVE A CAR! AT LEAST THERE IS NO DOUBT WHATSOEVER THAT IT IS AGAINST THE LAW AND THEIR RIGHT TO DRIVE HAS BEEN REMOVED ALONG WITH THE ABILITY TO GET IN HIS OWN CAR THEREFORE REMOVING THE IRRISISTIBLE TEMPTATION. NO CAR - NO DRIVE.



Alaska Court System  
State of Alaska

OFFICE OF ADMINISTRATIVE DIRECTOR

KARLA L. FORSYTHE  
STAFF COUNSEL

303 K Street  
Anchorage, Alaska 99501

(907) 264-8228

February 3, 1987

Senator Mitchell Abood  
Chairman, Senate State Affairs  
Committee  
P. O. Box V  
Juneau, Alaska 99811

Dear Senator Abood:

I am writing to bring to your attention some court-related concerns with Senate Bill 3, an act relating to motor vehicle registration and registration plates.

It appears that this measure would impact the courts in several ways. First, under new Section 28.35.039(a), registered owners would be required to surrender registration and registration plates to the court after a second or third DWI conviction or a conviction for driving with license revoked. Under paragraph (d) of that section, the court would be required to transmit the registration and registration plates to the department.

This section would require the court to take physical possession of plates and to mail or deliver them to the Department of Motor Vehicles. Although this is a procedure not currently undertaken by the courts and would result in additional clerical and postage costs, it appears that the court system could absorb these costs.

Under paragraph (e), the court will be required to obtain the names of all persons residing in the person's household who are seventeen years of age or older and forward these names to the Department of Motor Vehicles. Again, although this is a new procedure and could require new forms, it appears that the additional work could be absorbed.

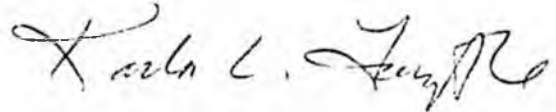
The third area of impact appears in paragraph (f). Under this paragraph, if an owner has surrendered registration and registration plates and subsequently wishes to sell a vehicle, the owner may apply to the court for permission to transfer title. If the court finds that the proposed sale is in good faith and for valid consideration and that the owner will no longer have custody and control of the vehicle, the court may grant permission to transfer ownership.

Senator Mitchell Abood  
February 3, 1987  
Page Two

The court system suggests that transfer applications be made to the Department of Motor Vehicles rather than the court. As you know, the primary function of courts is to adjudicate cases. The function of approving sales of vehicles is different from the function of deciding a case, and is not a judicial function. Additionally, because this requirement would most likely result in new court hearings, it appears that the paragraph could impose substantial new workload requirements on the courts. The court system will be in a better position to determine any fiscal impact after reviewing fiscal information from the Department of Motor Vehicles.

Thank you for considering these comments. If I can provide additional information or answer any questions, please let me know.

Sincerely,



Karla L. Forsythe  
Staff Counsel

KLF:bs

cc: Senator Rick Uehling  
Senator Jan Faiks  
Senator Willie Hensley  
Senator Joe Josephson  
Arthur H. Snowden, II, Administrative Director  
Susan Miller, Manager, Special Projects

2/3/87-6

BILL NO: SB 3

DATE: January 23, 1987

TITLE: An Act relating to motor vehicle registration and registration plates

CONTACT: Bill Brown 465-4335

DEPARTMENT OF PUBLIC SAFETY

The bill will require the court to collect the registration and license plates from some repeat DWI offenders, and some offenders convicted of driving while revoked. The person may then apply to the department for specially designed license plates to replace those surrendered to the court. The department would also be required to send letters to all persons 17 years of age or older residing in the defendant's household.

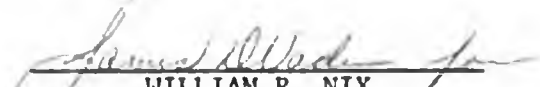
It is felt the special plates would deter the "revoked" driver from operating that specific vehicle during the time the special plates are displayed, however, not other vehicles owned by the person. It is unknown whether the possibility of receiving the special plates would deter an individual from driving while intoxicated.

The department recommends the following amendments:

- (1) Page 2, line 14: change AS 28.35.031 to AS 28.35.032. Section 032 is the criminal offense of refusal to submit to a chemical test of breath, not 031.
- (2) Page 2, line 25 and 26: delete all wording after "valid driver's license". For the offenses outlined in AS 28.35.039(a)(1) & (2), the person would not be eligible for a limited license, thus the last part of the sentence is unnecessary.
- (3) Page 2 and 3: delete section (e). The last sentence implies an action that may be taken, however, the action has already occurred as outlined in the first sentence. Thus, the letter would be unnecessary.

The bill will increase the workload on the courts and motor vehicles. The impact on motor vehicles would be the requirement to issue a temporary registration and special license plates; maintain separate records on these vehicles; and reissue regular registration and plates when the driver's license revocation has ended. As part of the motor vehicles decrement for FY88, the special programs unit is being reduced by 33% and the division will no longer issue some specialized license plates such as personalized (vanity) plates. There will be insufficient employees left in that unit to absorb the impact of this bill, and a part-time position is included in the fiscal note.

The department is neutral on this bill.

  
 WILLIAM R. NIX  
 Acting Commissioner

SECTIONAL ANALYSIS FOR SB 3

"An Act relating to motor vehicle registration and registration plates."

SECTION 1 - Adds a subsection which allows the Department of Public Safety to design and issue temporary, special license plates, numbered in a separate numerical series, to offenders of certain driving offenses.

SECTION 2 - Creates a new section to article 2 which requires the registered owner, including a registered joint owner, to surrender the registration and registration plates of a motor vehicle involved in the commission of:

- a. a second conviction with-in a five year period for driving while intoxicated; a third conviction within a ten year period for driving while intoxicated; refusal to submit to a breath test, or another law or ordinance with similar elements.
- b. driving after having your license revoked for driving while intoxicated. (This does not apply if the registered owner was not driving the car during the commission of the offense, unless the owner knew the driver was operating without a valid driver's license.

Robert J. Sundberg  
Commissioner

465-4371

October 22, 1986

Mr. Ray Lewis, Research Consultant  
Minnesota Criminal Justice System  
DUI Task Force  
University of Minnesota  
190 Law Center  
229 19th Avenue South  
Minneapolis, Minnesota 55455

RECEIVED  
OCT 23 1986


Dear Mr. Lewis:

In response to your letter of October 9, 1986, there are no court jurisdictions in Alaska that allow for the impounding of the license plates and registration certificates of motor vehicles owned or registered to individuals convicted of a DUI offense.

Although our State Statute does allow for the confiscation of a vehicle owned or registered to an individual that has three or more convictions for DUI, this sanction is seldom used. It is cumbersome because of the ownership complications involved.

However, confiscation of the license plates and registration certificates would seem to eliminate this problem and is certainly worth pursuing. Good luck.

Sincerely,

  
T. Michael Lewis, Program Director  
Alaska Highway Safety Planning Agency

bcc: Senator Mitch Aboud



UNIVERSITY OF MINNESOTA  
TWIN CITIES

Minnesota Criminal Justice System  
DWI Task Force  
190 Law Center  
229 19th Avenue South  
Minneapolis, Minnesota 55455  
~~(612) 975-3986~~

RECEIVED

OCT 14 1986

HIGHWAY SAFETY

625-55151

October 9, 1986

I. Michael Lewis, Program Director  
Department of Public Safety  
Patch N  
Bureau # 20811

Governor's Highway Safety Traffic Coordinator:

The courts in three Minnesota counties are regularly impounding the license plates and registration certificates of motor vehicles owned or registered to individuals convicted of Gross Misdemeanor DWI, Aggravated DWI, or driving after license withdrawal. The judges believe this practice has resulted in a reduction in the number of such cases in their jurisdictions. The Minnesota Criminal Justice System DWI Task Force has recommended that the legislature adopt a statute requiring all courts to follow this practice.

However, no centralized reporting system in Minnesota has been able to provide information on the increase or decrease of these offenses in response to implementation of the impoundment policy in individual jurisdictions. Do you know of any court jurisdictions in your state that regularly impounds the license plates and registration certificates of repeat DWI offenders? Has such a program ever been evaluated for effectiveness in reducing DWI recidivism? If so, would you please send me this information and the name of a contact person.

I am enclosing a memo regarding the present impounding practice in one southern Minnesota jurisdiction and the proposed statutory amendments for registration plate and certificate impoundment in Minnesota.

Thank you for your response,

*Ray Lewis*

Ray Lewis, Research Consultant  
Minnesota Criminal Justice System DWI Task Force

xcc: Senator Mitch Abood, w/attachments 10/86

DATE:

TO:

FROM: Five Judges of Olmsted & Dodge Counties

MEMORANDUM: Sentencing Sanctions of Surrender of Auto Registration Plates under M.S.A. 168.041 for Conviction of Second DWI.

In the sentencing of persons convicted of the second DWI (whether a misdemeanor or gross misdemeanor) we five judges of Dodge and Olmsted Counties have agreed upon a sanction requiring the surrender of auto registration plates during the period of time of revocation of the driver's license of the defendant by the Commissioner of Public Safety.

The reasoning behind this venture is roughly as follows:

1. Usually a defendant convicted of his first DWI seems to respect the revocation of driving privileges; he does not usually drive during the revocation period. There are exceptions of course.
2. However, some significant number of defendants convicted of their second DWI do drive unlawfully during the period of revocation of their driver's license. This group of drivers appear to offer greater hazard to the safety of the public using highways and streets; their identity is unknown oftentimes to law enforcement officers until they are involved in either a separate traffic violation (perhaps including a third DWI) or an auto collision involving injury or even death to others. The public deserves our special efforts to remove such high-risk drivers from the highways.
3. Identification of those high-risk drivers probably can be enhanced by:
  - A. Surrender of his auto registration plates.
  - B. Furnishing him the special series plates which may be readily identified by traffic law enforcement officers as the statute says in 168.041, subd. 6. This permits family members to drive his car and permits him to use his car for limited drivers license purposes as the Commissioner of Public Safety sees fit to issue.
  - C. Giving actual notice of his non-licensing status to the other drivers living in his household and informing them of their risk if they permit him to drive their auto.

Subdivision 1. When any person is convicted of driving a motor vehicle after the suspension or revocation of the drivers license or driving privileges of such person, the court shall require the registration plates and registration certificates of any motor vehicle involved in such violation owned by such person or registered in his name to be surrendered to the court. Upon surrender thereof the court shall issue a receipt therefor.

If the violator is not the owner of such motor vehicle, the court shall require the registration plates and the registration certificate of any motor vehicle used by the violator, with the permission of the owner who had knowledge of the fact that the violator's drivers license had been revoked or suspended prior to the commission of the offense, to be surrendered to the court.

Subd. 2. If any person is convicted of violating any law or municipal ordinance, except parking laws or ordinances, regulating the operation of motor vehicles on the streets or highways, and the record of such person so convicted shows a previous conviction for driving after suspension or revocation of his driver's license or driving privileges, the court may direct the commissioner of public safety to suspend the driver's license of such person for not exceeding one year. The court may also require the registration plates and registration certificates of any motor vehicles owned by the violator or registered in his name to be surrendered to the court.

Subd. 3. If a person is convicted of any offense which makes mandatory the revocation of the drivers license of such person, or is convicted of driving a motor vehicle without having a valid drivers license in force, the court may require the registration plates and registration certificates of any motor vehicle owned by such person or any motor vehicles registered in his name to be surrendered to the court.

discretionary  
surrender  
w/ DWI

Subd. 4. Except as provided in subdivision 6 or subdivision 7, the court shall retain custody of the surrendered plates and certificates until such time as the drivers license of the violator has been reissued or reinstated.

Subd. 5. At the time of ordering the surrender of the registration plates and registration certificates of a violator or owner, the court shall notify the registrar of motor vehicles of that fact. Except as provided in subdivision 6 or subdivision 7, no new or duplicate registration plates or new registration certificates shall be issued to such violator or owner until his plates and certificates are returned to him by the court.

Notice by Court  
to  
Registrar  
at State Level

Subd. 6. Any such violator or owner may apply to the registrar of motor vehicles for new registration plates which shall bear a special series number which may be readily identified by traffic law enforcement officers. A fee of \$3 shall accompany the application. The registrar of motor vehicles shall forthwith notify the court of such application. The court may return the registration certificate of such violator or owner to the registrar of motor vehicles, together with its consent to the issuance of such registration plates to such violator or owner. Thereupon the registrar of motor vehicles shall issue such new registration plates. Until the drivers license of such violator is reinstated, any new registration plates issued to him or to an owner whose plates have been impounded shall bear a special series number.

"Special series"  
plates  
available

Subd. 7. If an owner wishes to sell a motor vehicle during the time its registration plates and registration certificate are impounded or during the time its registration plates bear a special series number, he may apply to the court which impounded such plates and certificate, for consent to transfer title to the motor vehicle. If the court is satisfied that the proposed sale is in good faith and for a valid consideration, that the owner will thereby be deprived of the custody and control of the motor vehicle, and that the sale is not for the purpose of circumventing the provisions of this section, it may certify its consent to the registrar of motor vehicles and return the impounded registration plates and certificates. If during the time the registration plates and certificate of registration are impounded the title to said motor vehicle is transferred by the foreclosure of a chattel mortgage, the cancellation of a conditional sales contract, a sale upon execution, or by decree or order of a court of competent jurisdiction, the court shall order the license plates and registration certificate surrendered to the new owner and notify the registrar of motor vehicles of such action. The registrar of motor vehicles shall then transfer the registration plates and registration certificates to the new owner.

Subd. 8. Nothing contained in this section is intended to change or modify any provision of this chapter, with respect to the taxation of motor vehicles or the time within which the taxes thereon shall be paid.

Subd. 9. Any person who fails to surrender any impounded registration plates or registration certificates to the court upon demand or who operates any

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State of Minnesota, )

Plaintiff, )

SENTENCING ORDER

-vs- )

Scott )

File No. 5489

Defendant. )  
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September 23, 1982

## APPEARANCES:

Fred Suhlar, Rochester City Attorney, appeared as counsel on behalf of the State of Minnesota.David VanDerHayden, Attorney at Law, appeared as counsel on behalf of the Defendant.

Defendant present in court.

The Court makes the finding that the Defendant is guilty of the crime of Driving While Intoxicated, a gross misdemeanor for which the maximum penalty is one year in jail or a thousand dollar fine or both, upon his own plea of guilty and the Court makes the following disposition and sentence:

## IT IS ORDERED:

- I. That the Defendant pay a fine of three hundred dollars (\$300); said fine to be paid in installments of fifty dollars (\$50) on the first day of each month commencing October, 1, 1982.
- II. That the Defendant pay the assessment of thirty dollars (\$30) as provided by State law; said assessment to be paid forthwith.
- III. That the Defendant serve forty (40) days in the county jail upon the following terms and conditions:
  - A. That the Defendant serve ten (10) days in the county jail; said ten-day period may be served consecutively or on weekends from Fridays at 7:00 p.m. until Sundays at 7:00 p.m.
  - B. That the balance of the jail sentence (30 days) is suspended for a period of one year or during the period in which his driver's license is suspended or revoked, whichever is less, upon the following terms and conditions:
    1. That the Defendant is forbidden to drive any motor vehicle unless and until licensed to drive by the Commissioner of Safety, Driver's License Division.
    2. Pursuant to Minn. Stat. 168.041, Subd. (3) and (4), registration plates of all motor vehicles owned by the Defendant (and/or registered in his name) must be surrendered to the Clerk of this Court forthwith.

3. The Defendant is advised that pursuant to Minn. Stat. 168.041, Subd. (6) and (7), he may apply for substitute registration plates bearing a special series number (which may be readily identified by traffic law enforcement officers).
4. Additionally, the Defendant is required to identify under oath the person(s) now living in his household who are 17 years of age or more; the County Attorney or the City Attorney, whoever prosecuted this case, will provide actual written notice to those persons of the fact your driver's privileges are revoked until reinstated by the Commissioner of Public Safety, Driver's License Division.
5. The Defendant is further advised any person who allows him to drive his or her motor vehicle (knowing the Defendant's driver's license has been revoked) is himself or herself subject to prosecution and to forfeiture of registration plates under Minn. Stat. 168.041, Subd. (1).

Dated this 23<sup>rd</sup> day of September, 1982.

BY THE COURT:

O. Russell Olson  
Judge of District Court

cc: City Attorney  
County Jail  
Defense Attorney  
Defendant .

City of **ROCHESTER**  
— Minnesota 55901 —



FREDERICK S. SUHLER,

City Attorney

Room 1, City Hall

(507) 285-8066

September 24, 1982

David E. & Carol E.

Rochester, MN 55901

Dear Mr. & Mrs. :

On September 23, 1982, your son, Scott appeared in the Olmsted County District Court before the Honorable O. Russell Olson for sentencing for his conviction of "driving a motor vehicle under the influence of alcohol". Because of the conviction, the Judge imposed as part of the sentence a requirement that your son was not to drive any motor vehicle under any circumstances unless his drivers license had been restored to him by the Commissioner of Public Safety of the State of Minnesota.

It would appear, based on information obtained by the Court during the sentencing proceeding, that you or other members of your family own motor vehicles which your son may have access to in the future.

I have been specifically instructed by the Judge to write you this letter and put you on notice that your son under the terms of this sentence is not to drive any vehicle until the drivers license is restored. You should also be advised that if you or any other person who knows he has no license permits him to drive under those circumstances, that a person allowing him to do so may be prosecuted.

If you have any questions with regard to this matter, please feel free to give me a call.

Sincerely,

Frederick S. Suhler, Jr.  
Rochester City Attorney

lks

cc: Judge Olson

As a condition of the suspension of a portion of this sentence (or during any probation), you are forbidden to drive any motor vehicle unless and until licensed to drive by the Commissioner of Public Safety, Driver's License Division.

Further,

IT IS ORDERED as follows:

(1) Pursuant to Minn. Stat. 168.041, Subd. (3) and (4), registration plates (and registration certificates) of all motor vehicles owned by you (and/or registered in your name) must be surrendered to the Clerk of this Court on or before the date of revocation of license by the Commissioner of Public Safety.

(2) You are advised that pursuant to Minn. Stat. 168.041, Subd. (6) and (7), you may apply for substitute registration plates bearing a special series number (which may be readily identified by traffic law enforcement officers).

(3) Additionally, you are required to identify under oath the person(s) now living in your household who are 17 years of age or more; the County Attorney or the City Attorney, whoever prosecuted this case, will provide actual written notice to those persons of the fact your driver's privileges are revoked until re-instated by the Commissioner of Public Safety.

(4) You are further advised any person who allows you to drive his or her automobile (knowing your driver's license has been revoked) is himself or herself subject to prosecution and additionally to forfeiture of registration plates under Minn. Stat. 168.041, Subd. (1).

## RECOMMENDATION TO THE LEGISLATURE FOR LEGISLATIVE ACTION #23

The Minnesota Criminal Justice System DWI Task Force recommends that the Minnesota Legislature adopt a statute that requires that license plates be impounded from individuals whose drivers licenses are revoked a second time within five years or a third time within ten years for violation of Minnesota's DWI Laws.

This recommendation is based on the following reasons:

1. Approximately 25 percent of all alcohol-related traffic fatalities in Minnesota involve a driver who has a prior DWI-related driver's license revocation.
2. Repeat violators of the DWI law have a very high probability of being chemically dependent.
3. Revoking the driver's license of a chemically dependent person does not stop them from driving. They must be separated from their vehicle until they deal with their chemical dependency.
4. Impounding the license plates of repeat DWI violators can make it more difficult for them to continue to drive after their license is revoked.
5. The impoundment law, as drafted by the Minnesota Criminal Justice System DWI Task Force, allows for the issuance of special plates so that other members of the repeat violator's household can continue to drive as well as allowing the repeat violator himself to drive if he obtains a limited drivers license.
6. An impoundment law directed at repeat violators is consistent with the philosophy that the criminal justice system should focus on repeat violators because of the high probability of their being involved in an alcohol-related accident.

The following amendments to the license plate impoundment statute, 168.041, resulted from Minnesota Criminal Justice System DWI Task Force recommendations. They passed out of committee but were not passed by the full legislature in 1986 due to time constraints. Only that portion dealing with registration plate and certificate impoundment has been reproduced below.

"Section 1. Minnesota Statutes 1984, section 168.041, is amended to read:

168.041 [IMPOUNDING REGISTRATION PLATES AND CERTIFICATES.]

Subdivision 1. When any person is convicted of driving a motor vehicle after the suspension or revocation of the driver's license or driving privileges of such person, the court shall require the registration plates and registration certificates of any motor vehicle involved in such violation owned by such person or registered in his name to be surrendered to the court. Upon surrender thereof the court shall issue a receipt therefor.

If the violator is not the owner of such motor vehicle, the court shall require the registration plates and the registration certificate of any motor vehicle used by the violator, with the permission of the owner who had knowledge of the fact that the violator's drivers had been revoked or suspended prior to the commission of the offense, to be surrendered to the court.

Subd.2. If any person is convicted of violating any law or municipal ordinance, except parking laws or ordinances, regulating the operation of motor vehicles on the streets or highways, and the record of such person so convicted shows a previous conviction for driving after suspension or revocation of his driver's license or driving privileges, the court may direct the commissioner of public safety to suspend the driver's license

of such person for not exceeding one year. The court may also require the registration plates and registration certificates of any motor vehicles owned by the violator or registered in his name to be surrendered to the court.

Subd. 3. Except as otherwise provide in subdivision 3a, if a person is convicted of any offense which makes mandatory the revocation of the driver's license of such person, or is convicted of driving a motor vehicle without having a valid driver's license in force, the court may require the registration plates and registration certificates of any motor vehicle owned by such person or any motor vehicles registered in his name to be surrendered to the court.

Subd. 3a. If a person's driver's license or driving privileges are revoked pursuant to a third violation of sections 169.121 or 169.123 within ten years, the court shall require the registration plates and registration certificates of any motor vehicle involved in the violation and owned by or registered in the name of the violator, including vehicles registered jointly in the name of the violator and the violator's spouse, to be surrendered to the court. An impoundment order shall be issued under this subdivision when the person appears in court on any criminal charge or civil driver's license matter arising out of the incident resulting in the most recent license revocation. If no criminal charge or civil license matter is initiated in court, the attorney general may initiate a registration plate and certificate impoundment proceeding, requesting an impoundment order under this subdivision. This proceeding shall be brought in municipal or county court in the jurisdiction where the

violation of section 169.121 or 169.123 occurred.

Subd. 4. Any registration plates surrendered to the court pursuant to this section shall be destroyed by the court. Any registration certificates surrendered to the court shall be forwarded to the registrar of motor vehicles by the court. Except as provided in subdivisions 5a, 6, or 7, no new registration plates may be issued to the person, violator, or owner until such time as the driver's license of the person, violator, or owner has been reissued or reinstated.

Subd. 5. At the time of ordering the surrender of the registration plates and registration certificates of the person, violator, or owner, the court shall notify the registrar of motor vehicles of that fact. The registration plates shall be destroyed by the court within three days of the date of surrender. When the registration plates are destroyed, the court shall notify the registrar of motor vehicles of that fact.

Subd. 5a. If the driver's license revocation which is the basis for a registration plate and certificate impoundment order is rescinded, upon application to the registrar of motor vehicles, the person whose registration plates and certificate have been impounded shall receive new plates and the certificate for the impounded vehicle at no cost. The application shall include a copy of the order rescinding the driver's license revocation.

Subd. 6. Any such person, violator, or owner may apply to the court which ordered the surrender of registration plates and certificates for new registration plates which shall bear a

special series number which may be readily identified by traffic law enforcement officers. The court may authorize the issuance of special plates if (1) a member of the person's, violator's, or owner's household has a valid driver's license, or (2) the person, violator, or owner has a limited license issued pursuant to section 171.30. If the court authorizes the issuance of special plates, it shall notify the registrar of motor vehicles and the registrar shall issue the special plates upon payment of a \$100 fee for each vehicle for which special plates are requested. Until the driver's license of such person, violator, or owner is reinstated or reissues, any new registration plates issued to him or to an owner whose plates have been ordered surrendered shall bear a special series number.

Subd. 7. If the owner wishes to sell a motor vehicle during the time its registration plates bear a special series number, he may apply to the court which ordered he surrender of such plates and certificate, for consent to transfer title to the motor vehicle. If the court is satisfied that the proposed sale is in good faith and for a valid consideration, that the owner will thereby be deprived of the custody and control of the motor vehicle, and that the sale is not for the purpose of circumventing the provision of this section, it may certify its consent to the registrar of motor vehicles. The registrar shall then transfer the registration certificate to the new owner upon proper application and shall issue new registration plates to the new owner. After the registration plates and certificate of registration have been surrendered to the court pursuant to this section, if the title to said motor vehicle is transferred by the

foreclosure of a chattel mortgage, the cancelation of a conditional sales contract, a sale upon execution, or by decree or order of a court of competent jurisdiction, the court shall order the registration certificate surrendered to the new owner. The registrar of motor vehicles shall then transfer the registration certificates to the new owner and shall issue new registration plates to the new owner.

Subd. 3. Nothing contained in this section is intended to change or modify any provision of this chapter, with respect to the taxation of motor vehicles or the time within which the taxes thereon shall be paid.

Subd. 9. Any person who fails to surrender any registration plates or registration certificates to the court upon demand pursuant to this section or who operates any motor vehicle on a street or highway at a time when a court has ordered the surrender of its registration plates and registration certificate is guilty of a misdemeanor.

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y STATE CAPITOL  
JUNEAU, ALASKA 99811  
907 465 3800

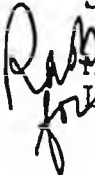
LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 7, 1987

SUBJECT: Motor vehicle registration  
CSSB 3 (State Affairs)

TO: Senator Mitch Abood

FROM:  Michael F. Ford  
Legislative Counsel

The following is a section by section analysis of SB 3:

Section 1 - Authorizes the Department of Public Safety to design and issue special registration plates.

Section 2 - Requires the surrender of registration and registration plates of a motor vehicle involved in certain repeat driving offenses. Establishes procedures for surrender of the registration and registration plates and for temporary registration and special plates. Requires a person who surrenders their registration and plates to identify certain family members, and requires the department to provide notice to the family members of the license revocation and the consequences of allowing a person without a driver's license to operate their vehicle. Allows transfer of ownership of the vehicle with permission of the department.

MFF:mkr  
m8/104

Original sponsor: Abood

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 3 (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 relating to motor vehicle registration and  
7 registration plates."

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

9 \* Section 1. AS 28.10.181 is amended by adding a new subsection to  
10 read:

11 (n) Vehicles used in certain driving offenses. The department  
12 shall design special registration plates, numbered in a separate  
13 numerical series, for issuance under this subsection. The department  
14 may, upon proper application, issue temporary registration and special  
15 registration plates designed under this subsection to a vehicle owner.  
16 The owner shall return the special registration plates to the depart-  
17 ment following expiration of the temporary registration or transfer of  
18 ownership of the vehicle.

19 \* Sec. 2. AS 28.35 is amended by adding a new section to art. 2 to  
20 read:

21 Sec. 28.35.039. FORFEITURE OF MOTOR VEHICLE REGISTRATION AND  
22 LICENSE PLATES. (a) In addition to any other penalty provided by  
23 law, the court shall require the registered owner, including an owner  
24 registered jointly with another owner, to surrender to the court the  
25 registration and registration plates of the motor vehicle involved in  
26 the commission of the following offenses:

27 (1) a second conviction within a five-year period or a  
28 third conviction within a 10-year period, for driving while intoxicat-  
29 ed under AS 28.35.030 or refusal to submit to a chemical test of

1 breath under AS 28.35.032, or another law or ordinance with substan-  
2 tially similar elements; or

3 (2) a conviction under AS 28.15.291 for driving a motor  
4 vehicle when that person's driver's license has been revoked and the  
5 revocation was imposed under AS 28.15.181(a)(5), or another law or  
6 ordinance with substantially similar elements.

7 (b) This section does not apply if the registered owner of the  
8 motor vehicle was not driving the vehicle during the commission of the  
9 offense, unless the vehicle was used with the permission of the owner  
10 and the owner knew, prior to the commission of the offense, that the  
11 person was operating the vehicle without a valid driver's license.

12 (c) For purposes of this section, convictions for driving while  
13 intoxicated under AS 28.35.030, and for refusal to submit to a chemi-  
14 cal test of breath under AS 28.35.032, if arising out of a single  
15 transaction and a single arrest, are considered one previous convic-  
16 tion.

17 (d) Registration and registration plates surrendered under this  
18 section shall be transmitted to the department, and may not be reis-  
19 sued by the department until the period of driver's license revocation  
20 imposed by the court is completed. A person who surrenders registra-  
21 tion or registration plates under this section may apply to the  
22 department for temporary registration and registration plates under  
23 AS 28.10.181(n). An application may not be accepted by the department  
24 unless a member of the applicant's household has a valid driver's  
25 license.

26 (e) A person required to surrender registration and registration  
27 plates under this section and whose driver's license has been revoked,  
28 shall also identify to the court all persons residing in the person's  
29 household who are 16 years of age or older. These names shall be

1 reported to the department along with the name of the person in the  
2 household whose driver's license has been revoked. The department  
3 shall provide to each named person written notice of the fact that the  
4 driver's license of the person identified in the report has been  
5 revoked, and that if a vehicle owner knowingly permits a person who  
6 does not have a valid driver's license to drive the owner's vehicle,  
7 the owner will be required to surrender the vehicle's registration and  
8 registration plates.

9 (f) An owner who has surrendered a motor vehicle registration  
10 and registration plates under (a) of this section, and who wishes to  
11 sell the vehicle, may apply to the department for permission to trans-  
12 fer title to the motor vehicle. The department may, after trans-  
13 ferring ownership of the vehicle, issue new registration and registra-  
14 tion plates. When title to a motor vehicle is transferred by foreclo-  
15 sure, conditional sale contract, execution sale, or by a court decree,  
16 the department shall transfer the registration to the new owner and  
17 may reissue the registration plates.

**STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE**

Bill Version: SB 3  
Publish Date: \_\_\_\_\_

REQUEST: \_\_\_\_\_

Revision Date: \_\_\_\_\_  
Title: An Act relating to motor vehicle registration and registration plates.  
Sponsor: Abood  
Requestor: Senate State Affairs

Agency Affected: Public Safety  
BRU: Motor Vehicles  
Components: Vehicle Services

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		15.5	16.0	16.5	17.0	17.5
TRAVEL						
CONTRACTUAL		8.6	8.9	9.2	9.5	9.8
SUPPLIES		.1	.1	.1	.1	.1
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>		<b>24.2</b>	<b>25.0</b>	<b>25.8</b>	<b>26.6</b>	<b>27.4</b>

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

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

**FUNDING: (Thousands of Dollars)**

GENERAL FUND		24.2	25.0	25.8	26.6	27.4
FEDERAL FUNDS						
OTHER						
TOTAL						

**POSITIONS:**

FULL-TIME						
PART-TIME		1	1	1	1	1
TEMPORARY						

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

This bill requires issuance of temporary registration and special license plates to violators convicted of specific offenses. Also requires letter be sent to all persons 17 years of age or older who reside with the violator when the violator's registration and license plates have been surrendered to the court.

Prepared by: Bill Brown Phone: 465-4335  
Division: Motor Vehicles Date: 1-23-87  
Approved by Commissioner: [Signature] Date: 1-27-87  
Agency: Public Safety

**Distribution (by preparer):**

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

JNK  
1/24/87

# CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SB 3

The cost breakdown is as follows:

Personal Services		
One Part-Time Motor Vehicle Rep. III, Range 10	15.5	15.5
Contractual		
1,140 special license plates @\$5.00 per set	5.7	
Postage for license plates @\$1.75 per set	2.0	
Postage for letters required in section 28.35.039(e). 1,800 x .22	.4	
Postage for general correspondence 1,140 x .22	.3	
Print temporary registrations 1,140 x .07	.1	
Print form letter	.1	
	Total	8.6
Commodities		
Normal office supplies	.1	<u>.1</u>
		TOTAL 24.2

A 3% inflation factor is included in subsequent fiscal year computations.

Position Title Motor Vehicle Representative III		No. of Positions 1	Range/Step 10B	Barg. Unit GCU
Time Status PPT	Staff Months 12	Location Anchorage		Election District 7-15
Type of Expenditure		Amount		
1	2	3		
Salary	11,172			
Benefits	4,293			
Premium Pay				
Other				
Total Personal Services		15.5		
Travel		-		
Contractual		8.6		
Commodities		.1		
Equipment		-		
Other		-		
Total Cost		24.2		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	24.2		
I-A Receipts	1006			
CIP Receipts	1061			
Other				

**Justification**

The Special Programs Unit of the Division of Motor Vehicles, which currently handles specialized license plate applications, is being reduced by 33% as a FY88 decrement. As a result the division will no longer issue some specialized plates, such as personalized (vanity) plates. This bill requires issuance of specialized license plates to certain law violators. This position would process the special applications; issue the registration and plates; maintain separate records on these vehicles; and reissue regular registration and plates when the driver's license revocation has ended. The position would also be responsible for collection and disposition of registration and license plates surrendered to the court, and the temporary registration and special plates surrendered after the revocation has ended. The position will process titles when the vehicle with special plates is sold during the revocation period.

**Request For  
New Position**

Agency Department of Public Safety  
 BRU Division of Motor Vehicles  
 Component Vehicle Services

Page 3 of 3  
 Revised Date

**FY 88**

BILL NO: CSSB 3(Trsp)

DATE: April 14, 1987

TITLE: An Act relating to motor vehicle registration and registration plates

CONTACT: Bill Brown  
465-4335

C  
MA

DEPARTMENT OF PUBLIC SAFETY

The bill will require the court to collect the registration and license plates from some repeat DWI offenders, and some offenders convicted of driving while revoked. The person may then apply to the department for specially designed license plates to replace those surrendered to the court. The department would also be required to send letters to all persons 16 years of age or older residing in the defendant's household. A \$25.00 fee will be charged for the special plates to cover the cost of the new program. It also reduces the number of metal license plates required for a motor vehicle from two to one, and increases drivers license and identification card fees by \$2.00.

It is felt the special plates would deter the "revoked" driver from operating that specific vehicle during the time the special plates are displayed. The letter sent to other household residents should deter the "revoked" drivers from operating other vehicles owned by the person. It is unknown whether the possibility of receiving the special plates would deter an individual from driving while intoxicated.

The one license plate will be displayed on the rear of the vehicle. Twenty states currently issue only one plate, and four others have introduced legislation to change to only one plate. This is a cost savings measure with a total annual savings of \$60,000. The \$2.00 increase in fees will produce approximately \$400,000 annually in additional revenue. Part of this revenue is to cover the costs of continuing to provide photographs on driver licenses and ID cards.

The special license plate portion of the bill will increase the workload on the courts and motor vehicles. The impact on motor vehicles would be the requirement to issue a temporary registration and special license plates; maintain separate records on these vehicles; and reissue regular registration and plates when the driver's license revocation has ended. As part of the motor vehicles decrement for FY88, the special programs unit is being reduced by 33% and the division will no longer issue some specialized license plates such as personalized (vanity) plates. There will be insufficient employees left in that unit to absorb the impact of this bill, and a part-time position is included in the fiscal note.

The department supports this bill.

*William R. Nix*  
WILLIAM R. NIX  
Acting Commissioner

RECEIVED  
APR 15 1987

STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE

REQUEST: \_\_\_\_\_

Bill Version: CSSB 3(Trsp)  
Publish Date: \_\_\_\_\_

Revision Date: \_\_\_\_\_  
Title: An Act relating to motor vehicle registration and registration plates.....  
Sponsor: Abood  
Requestor: Senate Finance

Agency Affected: Public Safety  
BRU: Motor Vehicles  
Components: Vehicle Services  
Field Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		7.8	16.0	16.5	17.0	17.5
TRAVEL						
CONTRACTUAL		(1.6)	(3.3)	(3.4)	(3.5)	(3.6)
SUPPLIES		.1	.1	.1	.1	.1
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		6.3	12.8	13.2	13.6	14.0

CAPITAL		(25.0)	(51.5)	(53.1)	(54.7)	(56.3)
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REVENUE		414.3	440.5	452.5	465.5	478.5
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FUNDING: (Thousands of Dollars)

GENERAL FUND		6.3	12.8	13.2	13.6	14.0
FEDERAL FUNDS						
OTHER						
TOTAL		6.3	12.8	13.2	13.6	14.0

POSITIONS:

FULL-TIME						
PART-TIME		1	1	1	1	1
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

The sections of law pertaining to increase in driver license and identification card fees are effective July 1, 1987.

The sections of law pertaining to one license plate, and the new special license plates are effective January 1, 1988.

Prepared by: Charles R. Hosack *CRH/MB* Phone: 269-5551  
Division: Motor Vehicles Date: \_\_\_\_\_

Approved by Commissioner: [Signature] Date: 4/13/87  
Agency: Public Safety

Distribution (by preparer):

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

*JAR*  
*4/13/87*

# CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSSB 3(Trsp)

This bill requires issuance of temporary registration and special license plates to violators convicted of specific offenses. It also requires a letter be sent to all persons 16 years of age or older who reside with the violator when the violator's registration and license plates have been surrendered to the court. In addition the bill reduces the number of license plates required on a motor vehicle from two to one, and increases driver licensing and identification card fees by \$2.00.

**EXPENDITURES:**

**Personal Services**

One part-time Motor Vehicle Rep III, Range 10	7.8	7.8
-----------------------------------------------	-----	-----

**Contractual**

570 special license plates @ \$4.00 each	2.3	
Postage for special plates @ \$1.10 each	.6	
Postage for letters required in section 28.35.039(e). 900 x \$.22	.2	
Postage for general correspondence 570 x \$.22	.1	
Print temporary registrations, 1,140 x \$.07	.1	
Print form letter	.1	
Savings - 332,500 less tabs @ \$.015 (1/2 year)	(5.0)	
	(1.6)	(1.6)

**Commodities**

Normal office supplies	.1	.1
		TOTAL 6.3

**CAPITAL:**

25,000 license plates @ \$1.00 (1/2 year)	(25.0)
-------------------------------------------	--------

**REVENUE:**

570 special license plates @ \$25.00	14.3
180,000 driver licenses and permits @ \$2.00	360.0
20,000 identification cards @ \$2.00	40.0
	414.3

A 3% increase in population and inflation is included for FY89 and subsequent years. No increase in number of special plates issued.

Position Title <b>Motor Vehicle Representative III</b>		No. of Positions <b>1</b>	Range/Step <b>10B</b>	Darg. Unit <b>GGU</b>
Time Status <b>PPT</b>	Staff Months <b>6</b>	Location <b>Anchorage</b>		Election District <b>7-15</b>
Justification				
<p>The Special Programs Unit of the Division of Motor Vehicles, which currently handles specialized license plate applications, is being reduced by 33% as a FY88 decrement. As a result the division will no longer issue some specialized plates, such as personalized (vanity) plates. This bill requires issuance of specialized license plates to certain law violators. This position would process the special applications; issue the registration and plates; maintain separate records on these vehicles; and reissue regular registration and plates when the driver's license revocation has ended. The position would also be responsible for collection and disposition of registration and license plates surrendered to the court, and the temporary registration and special plates surrendered after the revocation has ended. The position will process titles when the vehicle with special plates is sold during the revocation period. Will also be responsible to collect the required fee, and account for all monies received.</p> <p>(Figures on this form are for full year: They are cut in half for Page 2 because of effective date of 1-1-88 on special license plates.</p>				
Type of Expenditure		Amount		
<b>1</b>	<b>2</b>	<b>3</b>		
Salary	11,172			
Benefits	4,293			
Premium Pay				
Other				
Total Personal Services		15.5		
Travel		-		
Contractual		7.6		
Commodities		.1		
Equipment		-		
Other		-		
Total Cost		23.2		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	23.2		
I-A Receipts	1006			
CIP Receipts	1061			
Other				

**Request For  
New Position**

Agency Department of Public Safety  
 BRU Division of Motor Vehicles  
 Component Vehicle Services

Page 3 of 3  
 Revised Date

**FY 88**

DWI REVOCATION STATISTICS  
STATEWIDE 1984

Month	POLICE DEPTS.				STATE TROOPERS				Arrests	BAC						Tests	Refuse %	Ref	AVERAGE BAC AT ARREST
	Refuse	Tested	Total	%Ref	Refuse	Tested	Total	%Ref		Bac1	Bac2	Bac3	Bac4	Bac5	Bac6				
Jan	55	310	365	15.1%	20	137	166	17.5%	531	102	176	124	37	3	3	447	84	13.0%	0.109
Feb	64	292	356	18.0%	23	141	164	14.0%	520	91	194	116	25	3	2	433	87	16.7%	0.186
Mar	55	405	460	12.0%	33	224	257	12.8%	717	153	263	146	50	12	2	629	88	12.3%	0.186
Apr	48	367	415	11.6%	15	149	164	9.1%	579	119	217	126	43	11	0	516	63	10.9%	0.197
May	42	374	416	10.1%	21	216	237	8.0%	633	150	223	153	49	14	1	590	63	9.6%	0.187
Jun	52	372	424	12.3%	34	167	201	16.0%	625	130	202	140	46	9	3	539	86	13.8%	0.189
Jul	56	377	433	12.9%	38	196	234	16.2%	667	149	234	140	38	10	2	573	94	14.1%	0.184
Aug	46	340	386	11.9%	23	161	184	12.5%	570	135	180	134	42	10	0	501	69	12.1%	0.136
Sep	37	272	309	12.0%	26	120	146	17.0%	455	95	156	101	35	4	1	392	63	13.8%	0.187
Oct	54	300	354	15.3%	28	207	235	11.9%	589	117	218	127	33	10	2	507	82	13.9%	0.186
Nov	47	387	434	10.8%	29	155	184	15.8%	610	124	214	156	36	9	3	542	76	12.3%	0.188
Dec	46	469	515	8.2%	40	155	195	20.5%	710	181	252	138	43	9	2	624	86	12.1%	0.131
Total	602	4265	4867	12.4%	339	2028	2367	14.3%	7234	1546	2529	1610	490	107	21	6203	941	13.0%	0.186

DWI REVOCATION STATISTICS  
STATEWIDE 1985

Month	POLICE DEPTS.				STATE TROOPERS				Arrests	BAC						Tests	Refuse %	Ref	AVERAGE BAC AT ARREST
	Refuse	Tested	Total	%Ref	Refuse	Tested	Total	%Ref		Bac1	Bac2	Bac3	Bac4	Bac5	Bac6				
Jan	45	306	351	12.8%	23	161	184	12.5%	535	126	202	99	32	6	2	467	66	12.7%	0.152
Feb	41	230	271	15.1%	17	164	191	9.2%	452	92	166	39	35	4	1	394	58	12.0%	0.185
Mar	32	285	317	10.1%	34	206	240	14.2%	557	120	195	129	36	11	0	491	66	11.8%	0.167
Apr	37	249	285	13.0%	26	195	221	11.8%	506	104	178	118	36	6	1	443	63	14.0%	0.187
May	49	302	351	14.0%	33	192	225	14.7%	576	114	195	115	52	16	1	494	82	14.2%	0.191
Jun	39	271	310	12.6%	22	154	176	12.5%	485	122	179	117	39	5	1	425	61	12.6%	0.191
Jul	49	272	321	14.8%	29	146	175	16.6%	506	105	151	121	41	3	1	426	78	15.4%	0.190
Aug	39	317	356	11.0%	25	142	167	15.0%	523	105	169	126	40	11	2	459	64	12.2%	0.132
Sep	43	260	303	14.2%	17	146	163	10.4%	466	80	167	105	45	9	0	406	60	13.9%	0.192
Oct	34	269	303	11.2%	17	146	163	10.4%	466	109	157	99	41	2	1	415	51	10.9%	0.167
Nov	44	261	305	14.4%	15	133	148	10.1%	453	73	158	115	37	8	3	394	50	13.0%	0.194
Dec	53	394	437	12.1%	19	103	121	14.9%	558	93	214	128	37	9	1	487	71	12.7%	0.159
Total	505	3415	3920	12.0%	276	1988	2161	12.9%	6084	1216	2131	1061	476	105	14	5303	781	12.3%	0.139

DWI REVOCATION STATISTICS  
ANCHORAGE - 1984

Month	POLICE DEPT.				STATE TROOPERS				Tot Ref.	% Ref.	
	Refusals	Tested	Total	% Ref.	Refusals	Tested	Total	% Ref.			
Jan 84	22	100	202	10.9%	0	29	35	17.1%	237	20	11.0%
Feb	33	177	210	15.7%	4	24	38	10.5%	248	37	14.9%
Mar	17	228	245	6.9%	9	56	65	13.8%	310	26	8.4%
April	17	108	215	7.9%	8	56	64	12.5%	273	25	9.0%
May	12	199	211	5.7%	7	64	71	9.9%	270	19	6.7%
June	13	177	190	6.8%	13	62	75	26.3%	247	23	11.3%
July	11	173	184	6.0%	11	55	64	17.2%	238	22	9.0%
Aug	14	161	175	8.0%	8	34	42	10.0%	217	23	10.1%
Sept	10	110	120	8.3%	7	40	47	14.9%	167	17	10.2%
Oct	22	171	193	11.4%	10	46	56	17.9%	249	22	12.9%
Nov	18	235	253	7.1%	10	33	43	23.3%	296	28	9.5%
Dec	19	333	351	5.1%	5	17	22	22.7%	373	23	6.2%
Total	207	2342	2549	8.1%	100	504	604	16.6%	3152	307	9.7%

DWI REVOCATION STATISTICS  
ANCHORAGE - 1985

Month	POLICE DEPT.				STATE TROOPERS				Tot Ref.	% Ref.	
	Refusals	Tested	Total	% Ref.	Refusals	Tested	Total	% Ref.			
Jan	20	126	216	9.3%	0	43	45	4.4%	261	20	7.4%
Feb	17	154	151	11.2%	0	44	51	13.7%	205	24	11.0%
Mar	12	150	162	7.4%	10	43	53	18.9%	205	22	10.2%
April	11	150	161	6.8%	7	50	57	12.3%	170	18	8.3%
May	11	110	124	11.3%	0	48	47	15.6%	131	13	12.7%
June	7	93	105	6.7%	0	37	42	11.9%	147	15	10.2%
July	12	97	109	11.0%	3	29	34	14.7%	143	17	11.9%
Aug	10	112	120	8.7%	3	23	26	11.5%	143	11	7.6%
Sept	12	121	133	9.0%	4	30	34	11.8%	167	16	9.6%
Oct	5	112	117	4.3%	6	30	44	13.6%	161	11	6.0%
Nov	21	154	175	12.0%	3	30	41	7.3%	216	24	11.1%
Dec	22	261	283	7.8%	1	29	32	12.1%	316	26	8.2%
Total	161	1605	1856	8.7%	65	452	517	12.6%	2373	220	9.3%

DWI REVOCATION STATISTICS

FAIRBANKS  
1984

POLICE  
DEPT

STATE  
TROOPERS

Month	Refusals	Tested	Total	% Ref	Refusals	Tested	Total	% Ref	Arrests	Tot Ref	% Ref
Jan	4	24	20	14.3%	0	31	57	10.0%	05	10	11.0%
Feb	6	20	34	17.6%	10	32	62	16.1%	06	16	16.7%
Mar	6	27	33	18.2%	0	55	73	11.0%	106	14	13.2%
Apr	4	23	27	14.8%	2	22	24	8.3%	51	6	11.8%
May	5	26	31	16.1%	6	31	36	16.7%	67	10	14.0%
Jun	7	20	27	25.9%	0	24	30	0.0%	73	13	22.0%
Jul	5	19	24	20.8%	6	43	49	12.2%	75	11	15.1%
Aug	5	24	23	21.7%	4	40	52	7.7%	48	9	12.0%
Sep	6	24	30	20.0%	4	14	18	22.2%	67	10	20.0%
Oct	7	21	20	33.0%	0	31	40	0.0%	60	16	23.3%
Nov	6	24	30	20.0%	9	28	37	24.3%	67	15	22.4%
Dec	7	27	34	20.6%	19	50	69	27.5%	103	26	25.2%
Total	63	281	349	19.5%	88	450	547	16.1%	926	156	17.4%

DWI REVOCATION STATISTICS

FAIRBANKS  
1985

POLICE  
DEPT

STATE  
TROOPERS

Month	Refusals	Tested	Total	% Ref	Refusals	Tested	Total	% Ref	Arrests	Tot Ref	% Ref
Jan	4	13	17	23.5%	10	37	47	21.3%	64	14	21.0%
Feb	5	10	15	33.3%	4	31	35	11.4%	50	9	18.0%
Mar	6	10	16	37.5%	13	40	62	21.0%	78	19	24.4%
Apr	4	15	19	21.1%	6	43	49	12.2%	68	10	14.3%
May	7	30	37	18.9%	10	40	50	20.0%	67	17	19.0%
Jun	7	27	34	20.6%	3	33	36	8.3%	70	10	14.3%
Jul	6	20	26	23.1%	3	26	29	10.3%	55	9	16.4%
Aug	6	25	40	15.0%	5	32	37	13.5%	57	10	15.8%
Sep	4	17	19	21.1%	4	20	24	16.7%	43	7	16.3%
Oct	3	13	16	18.8%	4	22	26	15.4%	43	7	15.5%
Nov	10	13	16	61.5%	3	24	24	12.5%	40	5	12.5%
Dec	7	15	22	31.8%	3	23	26	11.5%	48	10	20.8%
Total	64	215	273	22.9%	67	338	465	14.4%	744	131	17.6%

## DWI REVOCATION STATISTICS

JUNEAU  
1954

Month	POLICE DEPT.				STATE TROOPERS				Tot Ref	% Ref
	Refusals	Tested	Total	%Ref	Refusals	Tested	Total	%Ref		
Jan 04	0	17	19	10.5%	0	8	8	0.0%	27	7.4%
Feb	2	5	5	0.0%	2	9	11	18.2%	16	12.5%
Mar	1	9	10	10.0%	5	15	20	25.0%	30	20.0%
April	2	13	15	13.3%	1	12	13	7.7%	28	10.7%
May	1	14	15	6.7%	1	18	19	5.3%	34	5.9%
June	1	12	13	7.7%	2	11	13	15.4%	26	11.5%
July	2	6	6	33.3%	4	15	19	21.1%	25	24.0%
Aug	1	15	16	6.3%	1	18	19	5.3%	35	5.7%
Sept	0	18	18	0.0%	2	16	18	11.1%	36	5.6%
Oct	3	9	12	25.0%	3	32	35	9.6%	47	12.8%
Nov	5	20	25	20.0%	0	22	22	0.0%	47	10.6%
Dec	2	17	19	10.5%	2	20	22	9.1%	41	9.0%
Total	20	152	173	11.6%	23	196	219	10.5%	392	11.0%

## DWI REVOCATION STATISTICS

JUNEAU  
1955

Month	POLICE DEPT.				STATE TROOPERS				Tot Ref	% Ref
	Refusals	Tested	Total	%Ref	Refusals	Tested	Total	%Ref		
Jan	3	19	21	14.3%	1	10	10	5.0%	48	10.0%
Feb	1	12	13	7.7%	2	24	26	7.7%	39	7.7%
Mar	2	28	30	6.7%	2	25	27	7.4%	57	7.0%
April	1	13	14	7.1%	1	26	27	3.7%	41	4.0%
May	2	15	17	11.1%	1	20	21	4.8%	39	7.7%
June	1	9	11	10.2%	0	22	22	0.0%	33	6.1%
July	1	6	7	14.3%	2	17	19	10.5%	26	11.5%
Aug	0	19	19	0.0%	1	13	14	7.1%	33	3.6%
Sept	1	15	16	6.3%	1	14	15	6.7%	31	6.5%
Oct	0	19	18	0.0%	1	11	12	8.3%	30	3.3%
Nov	1	9	10	10.0%	2	14	16	12.5%	26	11.5%
Dec	1	13	14	7.1%	1	8	9	11.1%	23	9.7%
Total	15	176	191	7.9%	15	212	227	6.6%	418	7.2%

DWI REVOCATION STATISTICS

KETCHIKAN 1984				POLICE DEPT				STATE TROOPERS			
Month	Refusals	Tested	Total	%Ref	Refusals	Tested	Total	%Ref	Arrests	Tot Ref.	% Ref.
Jan 04	0	0	0	0.0%	3	4	7	42.9%	16	3	10.0%
Feb	0	11	13	15.4%	0	2	2	0.0%	15	2	13.3%
Mar	0	12	12	25.0%	0	7	7	0.0%	19	3	15.8%
April	15	17	17	11.8%	0	6	6	0.0%	23	2	8.7%
May	17	19	19	10.5%	2	6	8	25.0%	27	4	14.8%
June	1	12	13	7.7%	2	2	4	50.0%	17	3	17.6%
July	2	13	15	13.3%	1	3	4	25.0%	19	3	15.8%
Aug	1	1	2	50.0%	2	3	5	40.0%	7	3	42.9%
Sept	2	6	8	25.0%	2	2	4	50.0%	12	4	33.3%
Oct	3	8	11	27.3%	0	6	6	0.0%	17	3	17.6%
Nov	0	5	5	0.0%	1	2	3	33.3%	8	1	12.5%
Dec	1	9	10	10.0%	0	9	9	0.0%	19	1	5.3%
Total	19	115	134	14.2%	13	52	65	20.0%	199	32	16.1%

DWI REVOCATION STATISTICS

KETCHIKAN 1985				POLICE DEPT				STATE TROOPERS			
Month	Refusals	Tested	Total	%Ref	Refusals	Tested	Total	%Ref	Arrests	Tot Ref.	% Ref.
Jan	2	4	6	33.3%	1	10	11	9.1%	17	3	17.0%
Feb	0	6	6	0.0%	0	11	11	0.0%	17	0	0.0%
Mar.	0	5	5	0.0%	2	19	21	9.5%	26	2	7.7%
April	0	7	7	0.0%	0	17	17	0.0%	14	0	0.0%
May	0	4	4	0.0%	0	10	10	0.0%	14	0	0.0%
June	1	8	9	11.1%	2	10	12	16.7%	21	3	14.3%
July	2	3	10	20.0%	2	12	14	14.3%	24	4	16.7%
Aug	0	14	14	0.0%	1	10	11	9.1%	25	1	4.0%
Sept	4	9	13	30.9%	7	10	12	16.7%	25	6	24.0%
Oct	4	8	12	33.3%	7	10	12	16.7%	24	6	25.0%
Nov	1	6	7	14.3%	0	6	6	0.0%	13	1	7.7%
Dec	2	6	8	25.0%	1	3	4	25.0%	12	3	25.0%
Total	16	65	101	15.8%	13	128	141	9.2%	242	29	12.0%

DWI REVOCATION STATISTICS  
SOLDOTNA  
1984

Month	POLICE DEPT.				STATE TROOPERS				Arrests	Tot Ref.	% Ref.
	Refusals	Tested	Total	%Ref	Refusals	Tested	Total	%Ref			
Jan 04	2	8	10	20.0%	0	14	22	36.4%	32	10	31.3%
Feb	0	10	10	0.0%	3	19	22	13.6%	32	3	9.4%
Mar	7	32	39	17.9%	3	23	26	11.5%	65	10	15.4%
April	2	27	29	6.9%	2	15	17	11.0%	46	4	8.7%
May	5	7	12	41.7%	1	26	27	3.7%	39	6	15.4%
June	2	19	21	9.5%	2	28	30	6.7%	51	4	7.8%
July	6	20	26	23.1%	3	19	22	13.6%	48	9	18.8%
Aug	4	20	24	16.7%	3	12	15	20.0%	39	7	17.9%
Sept	5	16	21	23.0%	3	10	13	23.1%	34	8	23.5%
Oct	4	11	15	26.7%	4	37	41	9.8%	56	8	14.3%
Nov	2	9	11	18.2%	6	17	23	26.1%	34	8	23.5%
Dec	2	0	2	0.0%	4	1	5	80.0%	7	6	85.7%
Total	41	179	220	19.0%	42	221	263	16.0%	483	83	17.2%

DWI REVOCATION STATISTICS  
SOLDOTNA  
1985

Month	POLICE DEPT.				STATE TROOPERS				Arrests	Tot Ref.	% Ref.
	Refusals	Tested	Total	%Ref	Refusals	Tested	Total	%Ref			
Jan	3	6	9	33.3%	4	13	17	23.5%	26	7	26.9%
Feb	1	11	13	15.4%	3	10	13	23.1%	26	5	19.2%
Mar	1	7	8	12.5%	2	4	6	33.3%	14	3	21.4%
April	3	13	15	13.3%	0	13	13	0.0%	28	2	7.1%
May	0	23	23	0.0%	5	15	20	25.0%	46	8	17.4%
June	0	20	20	0.0%	2	9	11	18.2%	36	7	19.4%
July	0	13	13	0.0%	7	15	22	31.8%	43	10	23.3%
Aug	2	14	16	12.5%	1	16	17	5.9%	33	3	9.1%
Sept	0	17	20	0.0%	2	8	10	20.0%	30	5	16.7%
Oct	1	15	16	6.3%	1	16	17	5.9%	33	2	6.1%
Nov	2	11	13	15.4%	0	15	15	0.0%	28	2	7.1%
Dec	3	8	11	27.3%	2	12	14	14.3%	25	5	20.0%
Total	20	162	193	15.5%	29	146	175	16.6%	368	52	16.0%

## DWI REVOCATION STATISTICS

CORDOVA  
1984POLICE  
DEPT.STATE  
TROOPERS

Month	Refusals	Tested	Total	%Ref	Refusals	Tested	Total	%Ref	Arrests	Total	Ref.	% Ref.
Jan 84	2	3	5	40.0%	0	0	0	0.0%	5	2	2	40.0%
Feb	2	1	3	66.7%	1	0	1	0.0%	4	3	3	75.0%
Mar	1	5	6	16.7%	0	0	0	0.0%	6	1	1	16.7%
April	1	1	2	50.0%	0	0	0	0.0%	2	1	1	50.0%
May	0	0	0	0.0%	0	0	0	0.0%	0	0	0	0.0%
June	0	3	3	0.0%	0	0	0	0.0%	3	0	0	0.0%
July	0	0	0	0.0%	0	0	0	0.0%	0	0	0	0.0%
Aug	1	0	1	0.0%	0	0	0	0.0%	1	1	1	100.0%
Sept	0	0	0	0.0%	0	0	0	0.0%	0	0	0	0.0%
Oct	2	3	5	40.0%	0	0	0	0.0%	5	2	2	40.0%
Nov	0	0	0	0.0%	0	0	0	0.0%	0	0	0	0.0%
Dec	0	1	1	0.0%	0	0	0	0.0%	1	0	0	0.0%
Total	9	17	26	24.6%	1	0	1	0.0%	27	10	10	37.0%

## DWI REVOCATION STATISTICS

CORDOVA  
1985POLICE  
DEPT.STATE  
TROOPERS

Month	Refusals	Tested	Total	%Ref	Refusals	Tested	Total	%Ref	Arrests	Total	Ref.	% Ref.
Jan	0	0	0	0.0%	0	0	0	0.0%	0	0	0	0.0%
Feb	0	1	1	0.0%	0	0	0	0.0%	1	0	0	0.0%
Mar	0	0	0	0.0%	0	0	0	0.0%	0	0	0	0.0%
April	1	0	1	0.0%	0	0	0	0.0%	1	1	1	100.0%
May	0	2	2	0.0%	0	0	0	0.0%	2	0	0	0.0%
June	0	2	2	0.0%	0	0	0	0.0%	2	0	0	0.0%
July	1	3	4	25.0%	0	0	0	0.0%	4	1	1	25.0%
Aug	0	1	1	0.0%	0	0	0	0.0%	1	0	0	0.0%
Sept	0	2	2	0.0%	0	0	0	0.0%	2	0	0	0.0%
Oct	0	1	1	0.0%	0	0	0	0.0%	1	0	0	0.0%
Nov	0	1	1	0.0%	0	0	0	0.0%	1	0	0	0.0%
Dec	0	4	4	0.0%	0	0	0	0.0%	4	0	0	0.0%
Total	2	17	19	0.0%	0	0	0	0.0%	19	2	2	10.5%

DWI REVOCATION STATISTICS

HOMER  
1984

POLICE  
DEPT.

STATE  
TROOPERS

Month	Refusals	Tested	Total	%Ref	Refusals	Tested	Total	%Ref	Arrests	Tot	Ref.	%	Ref.
Jan 84	2	9	11	18.2%	0	0	0	0.0%	11	2	18.2%		
Feb	0	10	10	0.0%	0	1	1	0.0%	11	0	0.0%		
Mar	1	10	11	9.1%	0	1	1	0.0%	12	1	8.3%		
April	1	14	15	6.7%	0	0	0	0.0%	15	1	6.7%		
May	3	16	19	15.8%	0	0	0	0.0%	19	3	15.8%		
June	3	12	15	20.0%	0	2	2	0.0%	17	3	17.6%		
July	2	15	17	11.8%	1	1	2	50.0%	19	3	15.8%		
Aug	0	16	16	0.0%	0	0	0	0.0%	16	0	0.0%		
Sept	2	11	13	15.4%	2	1	3	66.7%	16	4	25.0%		
Oct	1	10	11	9.1%	0	1	1	0.0%	12	1	8.3%		
Nov	1	9	10	10.0%	0	0	0	0.0%	10	1	10.0%		
Dec	1	5	6	16.7%	0	0	0	0.0%	6	1	16.7%		
Total	17	127	154	11.0%	3	7	10	30.0%	164	20	12.2%		

DWI REVOCATION STATISTICS

HOMER  
1985

POLICE  
DEPT.

STATE  
TROOPERS

Month	Refusals	Tested	Total	%Ref	Refusals	Tested	Total	%Ref	Arrests	Tot	Ref.	%	Ref.
Jan	1	5	6	16.7%	0	0	0	0.0%	6	1	16.7%		
Feb	2	5	7	28.6%	0	0	0	0.0%	7	1	14.3%		
Mar	1	11	11	9.1%	0	0	0	0.0%	11	0	0.0%		
April	0	7	7	0.0%	0	0	0	0.0%	7	0	0.0%		
May	3	11	14	21.4%	0	3	3	0.0%	17	3	17.6%		
June	1	10	11	9.1%	0	0	0	0.0%	11	1	9.1%		
July	2	12	14	14.3%	1	2	3	33.3%	17	3	17.6%		
Aug	4	15	19	21.1%	0	0	0	0.0%	19	4	21.1%		
Sept	2	8	10	20.0%	0	1	1	0.0%	11	2	18.2%		
Oct	4	2	4	50.0%	0	0	0	0.0%	4	2	50.0%		
Nov	4	6	10	40.0%	0	0	0	0.0%	10	4	40.0%		
Dec	0	7	7	0.0%	0	0	0	0.0%	7	0	0.0%		
Total	21	97	120	17.5%	1	6	7	0.0%	127	22	17.3%		

DWI REVOCATION STATISTICS

KENAI  
1984

POLICE  
DEPT

STATE  
TROOPERS

Month	Refusals	Tested	Total	Wet	%	Refusals	Tested	Total	Wet	%	Arrests	Total	Wet	%
Jan 84	2	7	0	2	28.6%	0	0	0	0	0%	0	0	0	0%
Feb	4	12	0	2	16.7%	0	0	0	0	0%	10	22	2	9.1%
Mar	2	15	0	2	13.3%	0	0	0	0	0%	22	27	2	7.4%
April	3	20	0	2	10.0%	0	0	0	0	0%	27	33	2	6.1%
May	4	22	0	2	9.1%	0	0	0	0	0%	30	37	2	5.4%
June	4	22	0	2	9.1%	0	0	0	0	0%	40	47	2	4.3%
July	7	42	0	2	4.8%	0	0	0	0	0%	42	51	2	3.9%
Aug	1	31	0	2	6.5%	0	0	0	0	0%	21	28	2	7.1%
Sept	4	17	0	2	11.8%	0	0	0	0	0%	19	24	2	8.3%
Oct	1	7	0	0	0%	0	0	0	0	0%	1	7	0	0%
Nov	1	1	0	0	0%	0	0	0	0	0%	1	1	0	0%
Dec	0	0	0	0	0%	0	0	0	0	0%	0	0	0	0%
TOTAL	34	212	273	19	8.9%	0	0	0	0	0%	273	51	10.5%	

DWI REVOCATION STATISTICS

KENAI  
1985

POLICE  
DEPT

STATE  
TROOPERS

Month	Refusals	Tested	Total	Wet	%	Refusals	Tested	Total	Wet	%	Arrests	Total	Wet	%
Jan	0	0	0	0	0%	0	0	0	0	0%	0	0	0	0%
Feb	0	0	0	0	0%	0	0	0	0	0%	0	0	0	0%
Mar	0	0	0	0	0%	0	0	0	0	0%	0	0	0	0%
April	0	0	0	0	0%	0	0	0	0	0%	0	0	0	0%
May	0	0	0	0	0%	0	0	0	0	0%	0	0	0	0%
June	0	0	0	0	0%	0	0	0	0	0%	0	0	0	0%
July	0	0	0	0	0%	0	0	0	0	0%	0	0	0	0%
Aug	0	0	0	0	0%	0	0	0	0	0%	0	0	0	0%
Sept	0	0	0	0	0%	0	0	0	0	0%	0	0	0	0%
Oct	0	0	0	0	0%	0	0	0	0	0%	0	0	0	0%
Nov	0	0	0	0	0%	0	0	0	0	0%	0	0	0	0%
Dec	0	0	0	0	0%	0	0	0	0	0%	0	0	0	0%
TOTAL	0	0	0	0	0%	0	0	0	0	0%	0	0	0	0%

DWI REVOCATION STATISTICS

Month	KODIAK POLICE DEPT 1981				STATE TROOPERS				Tot Ref.	% Ref.
	Refusals	Tested	Total	% Ref.	Refusals	Tested	Total	% Ref.		
Jan	0	12	20	25.0%	0	0	0	0.0%	0	25.0%
Feb	0	6	11	45.5%	0	0	0	0.0%	0	45.5%
Mar	0	19	22	13.6%	0	2	2	0.0%	2	12.5%
April	0	24	26	7.7%	1	0	1	0.0%	1	11.1%
May	0	6	6	0.0%	1	6	7	14.3%	7	7.7%
June	0	6	10	20.0%	2	7	9	22.2%	9	21.1%
July	0	4	4	0.0%	1	3	3	33.3%	3	14.3%
Aug	0	7	7	0.0%	1	0	0	0.0%	0	0.0%
Sept	0	15	17	11.8%	0	0	0	0.0%	0	11.8%
Oct	0	16	19	15.8%	3	1	4	75.0%	4	20.5%
Nov	0	30	33	9.1%	0	2	2	0.0%	2	6.1%
Dec	0	27	30	10.0%	1	9	10	10.0%	10	10.0%
Total	0	177	205	13.7%	6	29	35	23.7%	34	15.2%

DWI REVOCATION STATISTICS

Month	KODIAK POLICE DEPT 1983				STATE TROOPERS				Tot Ref.	% Ref.
	Refusals	Tested	Total	% Ref.	Refusals	Tested	Total	% Ref.		
Jan	1	7	8	12.5%	1	0	1	100.0%	1	12.5%
Feb	0	1	1	0.0%	0	10	10	0.0%	0	0.0%
Mar	0	1	1	0.0%	0	0	0	0.0%	0	0.0%
April	0	1	1	0.0%	1	1	2	50.0%	2	33.3%
May	0	0	0	0.0%	0	0	0	0.0%	0	0.0%
June	0	0	0	0.0%	0	0	0	0.0%	0	0.0%
July	0	0	0	0.0%	0	0	0	0.0%	0	0.0%
Aug	0	10	10	0.0%	1	4	5	20.0%	5	50.0%
Sept	0	0	0	0.0%	0	0	0	0.0%	0	0.0%
Oct	0	1	14	7.1%	0	0	0	0.0%	0	0.0%
Nov	0	10	10	0.0%	0	0	0	0.0%	0	0.0%
Dec	0	10	10	0.0%	1	1	2	50.0%	2	20.0%
Total	1	72	80	12.5%	5	43	48	10.4%	48	21.5%

DWI REVOCATION STATISTICS

Month	SEWARD POLICE DEPT				STATE TROOPERS				Arrests	Tot Ref	% Ref
	Refusals	Tested	Total	%Ref	Refusals	Tested	Total	%Ref			
Jan 04	0	3	2	0.0%	1	0	1	0.0%	3	3	100.0%
Feb	5	8	5	40.0%	0	1	1	0.0%	6	33	33.3%
Mar	7	11	7	27.3%	0	0	0	0.0%	11	27	27.3%
April	7	17	7	21.4%	0	0	0	0.0%	7	71	71.4%
May	6	13	6	33.3%	0	1	1	0.0%	13	28	60.6%
June	11	15	11	22.7%	0	4	4	0.0%	15	20	60.0%
July	10	20	10	50.0%	0	1	1	0.0%	21	16	16.1%
Aug	7	10	7	70.0%	0	0	0	0.0%	10	30	60.0%
Sept	5	5	5	100.0%	0	0	0	0.0%	5	0	0.0%
Oct	1	1	1	100.0%	0	0	0	0.0%	1	0	0.0%
Nov	2	2	2	100.0%	0	0	0	0.0%	2	0	0.0%
Dec	10	12	10	83.3%	0	0	0	0.0%	12	16	66.7%
Total	27	75	102	26.5%	1	7	2	12.5%	110	23	25.5%

DWI REVOCATION STATISTICS

Month	SEWARD POLICE DEPT				STATE TROOPERS				Arrests	Tot Ref	% Ref
	Refusals	Tested	Total	%Ref	Refusals	Tested	Total	%Ref			
Jan	2	3	5	40.0%	0	0	0	0.0%	5	2	40.0%
Feb	1	3	4	25.0%	0	0	0	0.0%	7	11	11.1%
Mar	2	5	4	20.0%	0	0	0	0.0%	7	23	23.3%
April	1	3	9	11.1%	0	0	0	0.0%	1	11	11.1%
May	6	15	21	28.0%	0	0	0	0.0%	15	6	6.7%
June	4	11	1	28.7%	0	0	0	0.0%	11	4	11.1%
July	1	9	0	10.0%	0	0	0	0.0%	11	1	1.1%
Aug	1	11	11	9.9%	0	0	0	0.0%	12	0	0.0%
Sept	4	7	11	36.4%	0	1	1	0.0%	4	4	100.0%
Oct	0	3	3	0.0%	0	0	0	0.0%	1	1	100.0%
Nov	1	0	1	0.0%	0	0	0	0.0%	1	1	100.0%
Dec	1	7	8	0.0%	0	1	1	0.0%	9	11	11.1%
Total	24	81	105	22.9%	1	4	5	2.0%	110	25	22.7%

DWI REVOCATION STATISTICS

BITKA  
1984

POLICE  
DEPT

STATE  
TROOPERS

Month	Refusals	Tested	Total	%Ref	Refusals	Tested	Total	%Ref	Arrests	Tot Ref	% Ref
Jan '84	3	6	9	33.3%	0	0	0	0.0%	0	3	33.3%
Feb	3	8	11	27.3%	0	0	0	0.0%	11	3	27.3%
Mar	1	8	9	11.1%	0	0	0	0.0%	9	1	11.1%
April	3	8	11	27.3%	0	0	0	0.0%	11	3	27.3%
May	4	14	18	22.2%	0	0	0	0.0%	16	2	12.5%
June	4	14	18	22.2%	0	0	0	0.0%	18	4	22.2%
July	2	10	12	16.7%	0	0	0	0.0%	10	2	20.0%
Aug	0	10	10	0.0%	0	0	0	0.0%	10	0	0.0%
Sept	1	10	11	9.1%	0	0	0	0.0%	11	1	9.1%
Oct	2	15	17	11.8%	0	0	0	0.0%	17	2	11.8%
Nov	1	12	13	7.7%	0	0	0	0.0%	13	1	7.7%
Dec	4	17	17	23.5%	0	0	0	0.0%	17	4	23.5%
Total	26	126	152	17.1%	0	0	0	0.0%	152	26	17.1%

DWI REVOCATION STATISTICS

BITKA  
1985

POLICE  
DEPT

STATE  
TROOPERS

Month	Refusals	Tested	Total	%Ref	Refusals	Tested	Total	%Ref	Arrests	Tot Ref	% Ref
Jan	1	17	18	5.6%	0	0	0	0.0%	18	1	5.6%
Feb	3	10	13	23.1%	0	1	1	0.0%	14	3	21.4%
Mar	5	11	16	31.3%	0	0	0	0.0%	16	5	31.3%
April	2	4	6	33.3%	0	0	0	0.0%	6	2	33.3%
May	1	9	10	11.1%	0	0	0	0.0%	9	1	11.1%
June	1	9	10	10.0%	0	0	0	0.0%	10	1	10.0%
July	1	10	11	9.1%	0	0	0	0.0%	11	1	9.1%
Aug	0	4	4	0.0%	0	0	0	0.0%	4	0	0.0%
Sept	0	5	5	0.0%	0	0	0	0.0%	5	0	0.0%
Oct	1	4	5	20.0%	0	0	0	0.0%	5	1	20.0%
Nov	0	3	3	0.0%	0	0	0	0.0%	3	0	0.0%
Dec	1	4	5	20.0%	0	0	0	0.0%	4	1	25.0%
Total	16	82	104	15.4%	0	1	1	0.0%	105	16	15.2%

DWI REVOCATION STATISTICS

VALDEZ  
1984

POLICE  
DEPT.

STATE  
TROOPERS

Month	Refusals	Tested	Total	%Ref	Refusals	Tested	Total	%Ref	Arrests	Tot Ref.	% Ref.
Jan 84	2	8	10	20.0%	0	0	0	0.0%	10	2	20.0%
Feb	1	3	3	33.3%	0	0	0	0.0%	4	3	75.0%
Mar	1	2	2	50.0%	0	0	0	0.0%	2	1	50.0%
April	1	1	1	100.0%	0	0	0	0.0%	2	1	50.0%
May	1	9	10	10.0%	0	0	0	0.0%	10	1	10.0%
June	5	7	12	41.7%	0	0	0	0.0%	12	5	41.7%
July	3	4	7	42.9%	0	0	0	0.0%	7	3	42.9%
Aug	1	3	4	25.0%	0	0	0	0.0%	4	1	25.0%
Sept	2	12	14	14.3%	0	0	0	0.0%	14	2	14.3%
Oct	0	9	9	0.0%	0	0	0	0.0%	9	0	0.0%
Nov	0	6	6	0.0%	0	0	0	0.0%	6	0	0.0%
Dec	2	7	9	22.2%	0	0	0	0.0%	9	2	22.2%
Total	20	60	80	22.7%	1	0	1	0.0%	89	21	23.6%

DWI REVOCATION STATISTICS

VALDEZ  
1985

POLICE  
DEPT.

STATE  
TROOPERS

Month	Refusals	Tested	Total	%Ref	Refusals	Tested	Total	%Ref	Arrests	Tot Ref.	% Ref.
Jan	0	6	6	0.0%	0	0	0	0.0%	6	0	0.0%
Feb	2	3	3	40.0%	0	0	0	0.0%	3	2	40.0%
Mar	0	2	2	0.0%	0	0	0	0.0%	0	0	0.0%
April	2	3	3	40.0%	0	0	0	0.0%	3	2	40.0%
May	1	3	4	25.0%	0	0	0	0.0%	4	1	25.0%
June	1	3	6	16.7%	0	0	0	0.0%	6	1	16.7%
July	1	3	6	16.7%	0	0	0	0.0%	6	1	16.7%
Aug	0	3	3	0.0%	0	0	0	0.0%	3	0	0.0%
Sept	1	3	4	25.0%	0	0	0	0.0%	4	1	25.0%
Oct	1	7	8	12.5%	0	1	1	0.0%	9	1	11.1%
Nov	0	4	4	0.0%	0	0	0	0.0%	4	0	0.0%
Dec	0	2	2	0.0%	0	0	0	0.0%	2	0	0.0%
Total	9	46	55	16.4%	0	1	1	0.0%	56	9	16.1%

DWI REVOCATION STATISTICS

PALMER  
1984

POLICE  
DEPT.

STATE  
TROOPERS

Month	Refusals	Tested	Total	%Ref	Refusals	Tested	Total	%Ref	Arrests	Tot Ref.	% Ref.
Jan	1	7	8	12.5%	5	2	31	16.1%	30	6	15.4%
Feb	1	6	7	14.3%	3	10	21	14.3%	20	4	14.3%
Mar	1	2	3	33.3%	8	42	50	10.0%	43	9	17.0%
April	0	3	3	0.0%	1	35	36	2.3%	41	1	2.4%
May	0	10	10	0.0%	4	54	58	6.9%	76	4	5.3%
June	0	17	17	0.0%	4	42	46	8.7%	63	4	6.3%
July	2	9	11	18.2%	9	49	58	15.5%	69	11	15.9%
Aug	0	25	25	0.0%	5	42	47	10.6%	72	5	6.9%
Sept	1	6	7	14.3%	6	31	37	16.2%	44	7	15.9%
Oct	1	7	8	12.5%	2	45	47	4.3%	55	3	5.3%
Nov	2	6	8	25.0%	3	47	50	6.0%	58	5	8.6%
Dec	1	3	4	25.0%	9	44	53	17.0%	57	10	17.5%
Total	10	111	121	8.3%	59	475	534	11.0%	655	69	10.5%

DWI REVOCATION STATISTICS

PALMER  
1985

POLICE  
DEPT.

STATE  
TROOPERS

Month	Refusals	Tested	Total	%Ref	Refusals	Tested	Total	%Ref	Arrests	Tot Ref.	% Ref.
Jan	2	5	7	28.6%	4	39	37	10.5%	44	6	13.6%
Feb	1	6	7	14.3%	1	33	34	2.9%	41	2	4.9%
Mar	1	12	13	7.7%	3	55	58	5.2%	72	4	5.6%
April	1	13	14	7.1%	11	34	45	24.4%	50	12	20.3%
May	4	17	21	19.0%	7	41	48	14.6%	69	11	15.9%
June	3	13	16	19.2%	8	32	40	20.0%	56	11	19.6%
July	2	7	9	22.2%	6	34	40	15.0%	49	8	16.3%
Aug	4	19	23	17.4%	10	41	51	19.6%	74	14	18.9%
Sept	4	16	20	20.0%	2	20	31	6.5%	31	6	11.0%
Oct	2	10	12	16.7%	1	34	35	2.9%	56	3	5.4%
Nov	1	6	7	14.3%	8	32	40	20.0%	47	9	19.1%
Dec	0	3	3	0.0%	5	23	28	17.9%	31	5	16.1%
Total	25	137	162	15.4%	66	421	407	13.0%	640	91	14.0%

AGE, SEX AND RACE OF PERSONS ARRESTED  
 UNDER 18 YEARS OF AGE  
 STATEWIDE TOTALS  
 1983

		TOTAL UNDER 18	WHITE	BLACK NATIVE	OTHER	
MURDER/NONNEG. MANSL.	01A	2	1	0	1	0
MANSLAUGHTER BY NEGLIGENCE	01B	2	1	0	1	0
FORCIBLE RAPE	02	29	10	0	14	5
ROBBERY	03	10	4	2	1	3
AGGRAVATED ASSAULT	04	75	42	6	24	3
BURGLARY	05	489	320	7	130	32
LARCENY/THEFT	06	1623	1226	141	203	51
MOTOR VEHICLE THEFT	07	196	151	6	30	9
OTHER ASSAULTS	08	141	87	10	29	15
ARSON	09	17	12	0	4	1
FORGERY & COUNTERFEITING	10	14	9	1	3	1
FRAUD	11	15	14	0	1	0
EMBEZZLEMENT	12	5	4	0	1	0
STOLEN PROPERTY	13	15	12	3	0	0
VANDALISM	14	234	176	7	34	17
WEAPONS	15	39	33	2	4	0
PROSTITUTION & COMM. VICE	16	2	2	0	0	0
SEX OFFENSES	17	34	22	0	10	2
DRUG OFFENSES	18	336	280	19	24	13
GAMBLING	19	0	0	0	0	0
OFFENSES AGAINST FAMILY	20	1	0	1	0	0
DRIVING UNDER THE INFLUENCE	21	97	70	0	22	5
LIQUOR LAWS	22	1146	643	10	256	237
DISORDERLY CONDUCT	24	69	42	4	20	3
ALL OTHER OFFENSES	26	361	296	11	38	16
CURFEW	28	333	184	1	56	92
RUNAWAY	29	64	51	0	7	6
TOTAL		5349	3694	231	913	511

AGE, SEX AND RACE OF PERSONS ARRESTED  
18 YEARS OF AGE AND OVER  
STATEWIDE TOTALS  
1983

		TOTAL	BLACK	OTHER		
		WHITE	NATIVE			
MURDER/NONNEG. MANSL.	01A	46	23	3	11	9
MANSLAUGHTER BY NEGLIGENCE	01B	2	0	1	0	1
FORCIBLE RAPE	02	159	78	11	45	25
ROBBERY	03	87	45	22	16	4
AGGRAVATED ASSAULT	04	841	461	48	259	73
BURGLARY	05	418	250	28	112	28
ARMED ROBBERY/THEFT	06	1470	853	128	334	155
OR VEHICLE THEFT	07	172	80	3	57	32
OTHER ASSAULTS	08	1455	766	85	440	164
ARSON	09	14	11	0	3	0
FORGERY & COUNTERFEITING	10	70	40	21	6	3
FRAUD	11	273	164	19	72	18
EMBEZZLEMENT	12	5	5	0	0	0
STOLEN PROPERTY	13	29	20	3	6	0
VANDALISM	14	475	276	17	132	50
WEAPONS	15	293	187	18	59	29
PROSTITUTION & COMM. VICE	16	202	89	103	7	3
SEX OFFENSES	17	220	107	5	98	10
*DRUG OFFENSES	18	440	351	23	54	12
GAMBLING	19	0	0	0	0	0
OFFENSES AGAINST FAMILY	20	42	23	2	15	2
DRIVING UNDER THE INFLUENCE	21	4280	3415	97	528	240
LIQUOR LAWS	22	1078	419	6	465	188
DISORDERLY CONDUCT	24	1039	501	52	369	117
ALL OTHER OFFENSES	26	1620	821	74	507	218
TOTALS		14732	8984	761	3603	1384

SB

4

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of JAN. 28, 1987 5-DAY NOTICE  
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: TRANSPORTATION

\*\*FISCAL NOTE(S) ATTACHED 1 \*\*  
IN ACCORDANCE WITH AS 24.08.035  
(see below)

1/19/87

DATE TURNED INTO OFFICE 2/9/87

Mr. President:

STATE AFFAIRS Committee considered SB 4

relating to outdoor advertising.

and recommended:

replace with CS SB 4 (STATE AFFAIRS)  same title  
 attached amendment(s) and  new title

do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

letter of intent adopted and attached

\*\* Committee  attached or  adopted fiscal note(s)  
 zero  fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Signature]  
[Signature]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Signature]  
Chairman signature and recommendation

Committee Backup Attached

**STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE**

**REQUEST:** February 2, 1987

Bill Version: Senate Bill No. 4  
Publish Date: \_\_\_\_\_

Revision Date: \_\_\_\_\_  
Title: An Act relating to outdoor advertising  
Sponsor: Fahrenkamp  
Requestor: Abood

Agency Affected: DOT&PF  
BRU: \_\_\_\_\_  
Components: \_\_\_\_\_

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

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

**FUNDING:** (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

There is no fiscal impact to the Department. Revenues received from franchise should offset departmental expenditures.

*John P. Thompson* 2/3/87

Prepared by: Milton H. Lentz  
Division: Engineering & Operations Standards

Phone: 465-2985  
Date: 2/3/87

Approved by Commissioner: *Robert A. ...*  
Agency: Transportation and Public Facilities

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

**Distribution (by preparer):**

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




## Dept. of Transportation & Public Facilities

# Position Paper

**BILL NO:** Senate Bill No. 4

**TITLE:** An Act relating to outdoor advertising

**APPROVED:**   
Rocky Gutierrez  
Commissioner  
**DATE:** February 3, 1987

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The intent of Senate Bill No. 4 under paragraph (3) would allow advertising on bus benches or bus shelters if the State determines that advertising would not impair or inhibit the free flow of traffic.

The language of Senate Bill No. 4, however, excludes the words...and visible from the main-traveled way...from Sec. 19.25.105(a) which are present in the existing statutes and a part of the federal regulations. Federal laws 23 U.S.C 101(a) (the urban area definition) and 23 U.S.C. 131 (the Act) and Federal Regulation 23 CFR Subpart G, which provide distance requirements affecting commercial signs are very explicit. In summary, such signs are currently controlled within 660 feet of the highway right of way designated urban areas. Outside of urban areas, signs are controlled to limits of visibility.

Paragraph (3)(b) implies that outdoor advertising may not be erected or maintained beyond 660 feet of the nearest edge of the right of way of an interstate, primary or secondary highway if the outdoor advertising impairs or inhibits the free flow of traffic. This language does not conform to the federal regulations and may jeopardize federal-aid funding.

Although the Federal Highway Administration has changed its position on outdoor advertising to allow advertising on transit-related facilities, we must bear in mind that this change in State statutes would require specific requirements for the control of such advertising to meet federal requirements.

The Department does not object to transit-related outdoor advertising providing it furnishes a public service. It is, however, the Department's position that additional consideration should be given to the language used in establishing distance requirements for the control of outdoor advertising or signs.

SB 4 An Act relating to outdoor advertising by Senator  
Fahrenkamp

Background

Commercial advertising is commonly found on the sides of buses and on bus shelters and bus benches along bus routes within municipal right of ways. Typically, an advertising firm will supply the benches and shelters at no cost to the municipality in return for the privilege of placing them at bus stops and along bus routes and selling advertising space on them. In this manner a public need and convenience is fulfilled at no cost to government.

However, under existing state law, DOT/PF cannot allow such transit related advertisement to be placed within or near state right of ways along interstate, primary, and secondary highways. There are strict state and federal restrictions on advertising along roadways, dating back to the Federal Aid Highway Act and the federal Beautification Act. The Federal Highway Administration is responsible for enforcing the laws and regulations pertaining to outdoor advertising. The Administration has allowed other states to permit transit related advertising along federal aid highways. FHWA recognized that this form of advertising is an attractive fiscal proposition for local governments and in the interest of promoting mass transit as a way of making it more convenient and thus more appealing.

Purpose

SB 4 rewrites AC 19.25.105 LIMITATIONS ON OUTDOOR ADVERTISING to include a new exception to allow advertising in or along state right-of-ways on bus benches and bus shelters. Current law does not make an exception for this form of advertising. The proposed Section 105 also incorporates new language suggested by Legal Services to clarify existing statutes.

Sectional Analysis

Section 19.25.105 LIMITATIONS ON OUTDOOR ADVERTISING

(a) Notwithstanding the exceptions below in (a)(1) to (a)(3), outdoor advertising is prohibited within 660 feet of the right of way.

Existing law would allow ads within 660 feet that are not visible from the main highway, plus certain exceptions similar to ones maintained in this proposal. Under this new subsection (a), signs that are not visible from the main highway would be prohibited.

(a)(1) Combines previous subsections (a)(1), (a)(3), and (a)(4).

(a)(2) Changes "signs, displays and devices" to "signs".

SB 4 continued

(a)(3) This is the new subsection that contains the crux of the bill's purpose. As long as advertising on bus benches or bus shelters would not "impair or inhibit" the free flow of traffic and conform to federal standards as would be required by subsection (c), they would be allowed in or along the right of ways of interstate, primary, or secondary highways.

(b) This subsection deals with signs beyond 660 feet of the nearest edge of a right-of-way. Previous law prohibited signs "with the purpose of their message being read from that travel way". The new subsection simply says "impairs or inhibits the free flow of traffic."

(c) This subsection requires that all advertising conform to federal standards. This requirement was found only in previous statute subsection (a)(1).

Provided by Senator Fahrenkamp's office



# Fairbanks North Star Borough

Mayor: Juanita Helms

February 3, 1987

Senator Mitch Abood  
Chairman  
Senate State Affairs Committee  
Room 423, Capitol Building  
Alaska State Legislature  
Pouch V (MS 3100)  
Juneau, Alaska 99811

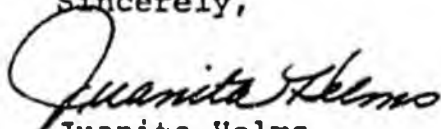
Dear Senator Abood:

I support and urge the Alaska State Legislature to pass SB4, "An Act Relating to Outdoor Advertising".

A private enterprise is presently providing bus benches and bus shelters to the residents of the borough who use public transportation. This is a service used and appreciated by bus riders borough-wide. It is also a service that the borough government would not be able to provide.

I whole-heartedly support the concept of the public and private sectors collaborating to provide additional services to the public and additional opportunities for private enterprise to be successful. Passage of SB4 will allow this collaboration to continue.

Sincerely,

  
Juanita Helms  
Borough Mayor

Original sponsor: Fahrenkamp

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 4 (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 relating to outdoor advertising."

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

8 \* Section 1. AS 19.25.105(a) is amended to read:

9 (a) Outdoor [NO OUTDOOR] advertising may not be erected or  
10 maintained within 660 feet of the nearest edge of the right-of-way and  
11 visible from the main-traveled way of the interstate, primary, or  
12 secondary highways in this state except the following:

13 (1) directional and other official signs and notices which  
14 include, but are not limited to, signs and notices pertaining to  
15 natural wonders, scenic and historic attractions, which are required  
16 or authorized by law, and which shall conform to federal standards for  
17 interstate and primary systems;

18 (2) signs, displays, and devices advertising the sale or  
19 lease of property upon which they are located or advertising activi-  
20 ties conducted on the property;

21 (3) signs determined by the state, subject to concurrence  
22 of the United States Department of Transportation, to be landmark  
23 signs, including signs on farm structures, or natural surfaces, of  
24 historic or artistic significance, the preservation of which would be  
25 consistent with the provisions of this chapter;

26 (4) directional signs and notices pertaining to schools;

27 (5) advertising on bus benches or bus shelters if the state  
28 determines that the advertising conforms to state and federal stan-  
29 dards for interstate and primary highway systems.

SB

57

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 1.21.87 5-DAY NOTICE  
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: FINANCF

\*\*FISCAL NOTE(S) ATTACHED 1 \*\*  
IN ACCORDANCE WITH AS 24.08.035  
(see below)

1/19/87

DATE TURNED INTO OFFICE 3-19-87

Mr. President:

STATE AFFAIRS

Committee considered SB 5

establishing procedures to be followed when estimated state revenue will be insufficient to provide for appropriations during a fiscal year.

and recommended:

[ ] replace with CS \_\_\_\_\_ [ ] same title  
[ ] attached amendment(s) and [ ] new title

[ ] do pass

[ ] do not pass

[ ] no recommendation

[ ] individual recommendations

further referral to Judiciary Comte

[ ] letter of intent adopted and attached

\*\* Committee  attached or [ ] adopted fiscal note(s)  
 zero [ ] fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MacDonald & Gadsden  
Gov. Parks needs constitutional  
examination  
Willie Henry  
Gov. Joseph - needs examination in  
Judiciary Committee and possible  
constitutional amendment.  
Rich/Leahy/NO REC

Don Mitt  
Chairman's signature and recommendation

[ ] Committee Backup Attached

Too complex and rigid. Need simpler legislative involvement in revenue shortfalls. Sent to JACOM.  
JACOM

# Alaska State Legislature

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

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



Senator Mitch Abood  
CHAIRMAN

## Senate Committee on State Affairs

### MEMORANDUM

TO: Senator Mitch Abood, Chairman  
Senate Committee on State Affairs

FROM: Committee Staff

DATE: January 27, 1987

SUBJECT: Drafting error on SB 5, "An Act establishing procedures to be followed when estimated state revenue will be insufficient to provide for appropriations during a fiscal year."

There is an incorrect reference to a subsection which appears in SB 5.

Page 1, line 15 after 'under', delete 'AS 37.07.105(d)', insert 'AS 37.07.105(e)'.

STATE OF ALASKA  
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY  
LEGISLATIVE REFERENCE LIBRARY

May, 1988

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

Mary Van Nimwegen

Senate State Affairs  
January 28, 1987

8  
STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE

REQUEST: \_\_\_\_\_

Bill Version: SB 5  
Publish Date: \_\_\_\_\_

Revision Date: \_\_\_\_\_  
Title: An Act establishing procedures to be ...  
estimated state revenue...insufficient...  
Sponsor: Sen. Jack Coghill  
Requestor: Senate State Affairs

Agency Affected: Legislative Affairs Agency  
BRU: Legislative Council  
Components: Session Expenses

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

No additional funds anticipated if a special session was called for a period of 2-3 days. Hopefully the Session Expenses component would have approximately \$40-50,000 to cover a 2-3 day session. If a special session was lengthy and costly, then a supplemental would need to be appropriated to cover those costs.

Prepared by: Pamela A. Stoops, Manager *Pamela A. Stoops*  
Division: Administrative Services

Phone: 465-3850  
Date: 01/26/87

Approved by: Warren W. Endicott, Executive Director *Warren W. Endicott*  
Agency: Legislative Affairs Agency

Date: 1/26/87

Distribution (by preparer):

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

**OFFICE OF THE GOVERNOR**

**OFFICE OF MANAGEMENT AND BUDGET**

**DIVISION OF POLICY**

P.O. BOX AD  
JUNEAU, ALASKA 99811  
PHONE: (907) 465-3568

March 16, 1987

The Honorable Mitch Abood  
Chairman, Senate State Affairs  
Alaska State Legislature  
P.O. Box V  
Juneau, AK 99811

Dear Senator Abood:

SUBJECT: SB 5, "Establishing procedures to be followed..."

Senate Bill 5 establishes procedures to be followed when estimated State revenue will be insufficient to provide for appropriations during a fiscal year.

It is easy to recognize and be sympathetic with the concerns which prompted the introduction of Senate Bill 5. However, the bill itself, as drafted, raises problems of flexibility and time limits in which action has to be taken.

The following discussion points out those problems vividly. If the bill had been in effect during this fiscal year, the following would have occurred when the prior administration recognized that would be a \$600 to \$900 million deficit:

- (1) The bill sets aside any restrictions on capital projects appropriations, about \$337 million for FY 87;
- (2) The bill sets aside any restrictions on municipal grants, about \$150 million for FY 87;
- (3) With approximately \$1,206.9 million left in revenues and non-excluded appropriations totalling over \$2,092.5 million, a pro rata

across-the-board restriction of about 42% would have been made, with no differentiation among agencies or priorities;

- (4) The 42% restriction would have impacted . . . general obligation bond debt, school debt retirement, education foundation formula, municipal assistance, revenue sharing, and operating agencies, such as Public Safety, Corrections, and Health & Social Services whose services may be critical to public health and safety.

In essence, the bill sets up two classes of appropriations, with CIP/municipal grants having a "sacredness" not given to other State obligations. This approach fails to take into consideration the State's legal obligations, such as general obligation debt, and the criticalness of entitlement programs, for example, to individuals' wellbeing. Across-the-board restrictions, like across-the-board reductions, are not prudent. Some government functions are, in fact, more critical than others. Thus, the bill, if implemented under the terms of the fiscal emergency of last fall, would have had severe and unanticipated consequences.

Further, the bill then provides the release of the restrictions on the 15th day of the first regular session that occurs after the effective date of the restrictions order. That automatic release ignores the reality that both revenues and immediate cash flow might not be then available -- as they were not available this January.

Also, the bill does not consider what cash reserves are on hand for the Governor to use in an emergency of this nature, and what flexibility does he/she have in case of an emergency. The budget reserve bill passed last session set up procedures which make it difficult to deal with a true emergency. Given the roller coaster rise-and-fall of oil revenues, it seems that more flexibility rather than less will provide best for the State's stability.

The other sections of the bill speak to the Legislature's ability to call itself into session -- an ability which already exists, although it was not exercised last fall. If the committee wishes to

March 16, 1987

proceed further with this legislation, it may want to investigate an automatic call into session 15 or 30 days after a governor has issued an executive order restricting or reducing general fund appropriations due to revenue shortfalls.

Thank you for this opportunity to comment on the proposed legislation.

Sincerely,

MARY HALLORAN

Mary Halloran  
Director

MH/dmc/87D-281

cc: Senator Jack Coghill  
Alaska State Legislature

George Sullivan, Legislative Lobbyist  
Bob Evans, Legislative Assistant  
Office of the Governor

Senator John B. (Jack) Coghill  
Alaska State Legislature

Pouch V  
Juneau, Alaska 99811  
(907) 465-4921

Box 55028  
North Pole, Alaska 99705  
(907) 488-0862



January 24, 1987

TO: Members of the Senate  
State Affairs Committee

FROM: Senator Jack Coghill

RE: SB 5, "An Act establishing procedures to be followed when  
when estimated state revenue will be insufficient to  
provide for appropriations during a fiscal year."

I believe it is the legislature's job to react to revenue problems. Article IX, Sect. 13 of the Constitution gives total and absolute power of expenditure of state funds to the legislature. As the representatives closest to the people, we must look after their welfare. If we as members do not react to severe downturns of the economy we are not fulfilling our mandated role.

To safeguard that mandate, this bill sets up additional procedures under the Executive Budget Act and under Title 24 regarding special sessions.

I was greatly dismayed this past interim about how the budget shortfalls were handled by the executive branch. It is my intent through this legislation to prevent the usurpation of legislative powers by any future executive officer.

While the executive branch should have the flexibility to deal with budget shortfalls, this power must have limits. I believe this bill will achieve that goal.

As we have witnessed, the executive did not evenhandedly apply budget reductions between the agencies. This bill requires that the executive apply the cuts equally to each agency, and direct legislative appropriations are left untouched. It is my belief that the executive should not have control over projects that solely emanate from the legislature.

These provisions will prevent the executive from the serious danger of rewriting the budget to promote its own spending priorities.

The executive must also inform the presiding officers of both houses if state revenues experience a 10 percent shortfall. If this occurs, the presiding officers must conduct a poll of their respective members regarding a special session.

I would appreciate your due consideration of this legislation.

# **CORRECTION**

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

SB

5

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 1.21.87 5-DAY NOTICE  
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: FINANCE

\*\*FISCAL NOTE(S) ATTACHED 1 \*\*  
IN ACCORDANCE WITH AS 24.08.035  
(see below)

1/19/87

DATE TURNED INTO OFFICE 3.19.87

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STATE AFFAIRS Committee considered SB 5

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- replace with CS \_\_\_\_\_  same title
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- letter of intent adopted and attached

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[] zero [] fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Amendments to Goodrich

Gov. Fair needs constitutional examination

Willie Henry

Gov. Propper - needs examination in Judiciary Committee and possible constitutional amendment.

Rich/Le/ly/NO REC

Sen. Matt Alford is Rec  
Chairman signature and recommendation

[ ] Committee Backup Attached

Too complex And Rigid. Need simpler legislative involvement in revenue shortfalls. Sent to JUDICIARY COM

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Senator Mitch Abood  
CHAIRMAN

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FROM: Committee Staff

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Senate State Affairs  
January 28, 1987

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BRU: Legislative Council

Sponsor: Sen. Jack Coghill

Requestor: Senate State Affairs

Components: Session Expenses

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LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

<b>CAPITAL</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
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<b>REVENUE</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
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**FUNDING: (Thousands of Dollars)**

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

No additional funds anticipated if a special session was called for a period of 2-3 days. Hopefully the Session Expenses component would have approximately \$40-50,000 to cover a 2-3 day session. If a special session was lengthy and costly, then a supplemental would need to be appropriated to cover those costs.

Prepared by: Pamela A. Stoops, Manager  
Division: Administrative Services

Phone: 465-3850

Date: 01/26/87

Approved by: Warren W. Endicott, Executive Director  
Agency: Legislative Affairs Agency

Date: 1/26/87

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