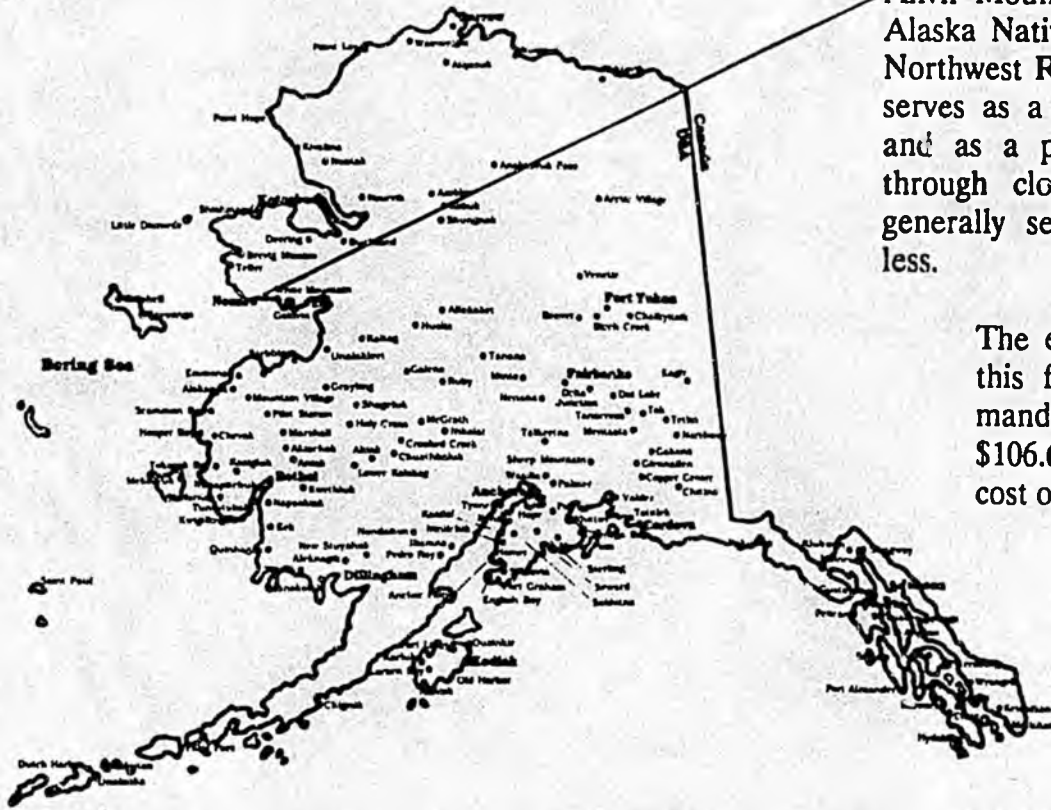


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Anvil Mountain Correctional Center



Anvil Mountain primarily houses Alaska Native prisoners from the Northwest Region of the state. It serves as a jail for all custodies, and as a prison for community through close custody prisoners generally serving three years or less.

The emergency capacity of this facility is 104 with a manday cost during FY90 of \$106.67 (Does not include cost of statewide programs).

This facility houses adult males and females, felons and misdemeanants, pretrial and sentenced prisoners in various custody levels. Anvil Mountain has a staff ratio (using total staff and emergency capacity) of 2.32. A comparison with other systems as to size and purpose reflects the following:

<u>Facility</u>	<u>Maximum Capacity</u>	<u>Total Staff</u>	<u>Prisoner Ratio To Staff</u>
Anvil Mountain	102	44	2.32:1
Hawaii Correctional Center	95	49	1.94:1
Barnstable Jail/Mass	102	41	2.49:1
Rutland Correctional Center/VT	99	59	1.68:1
St. Johnsbury C.C./Vermont	99	63	1.57:1

Cook Inlet Pretrial Facility



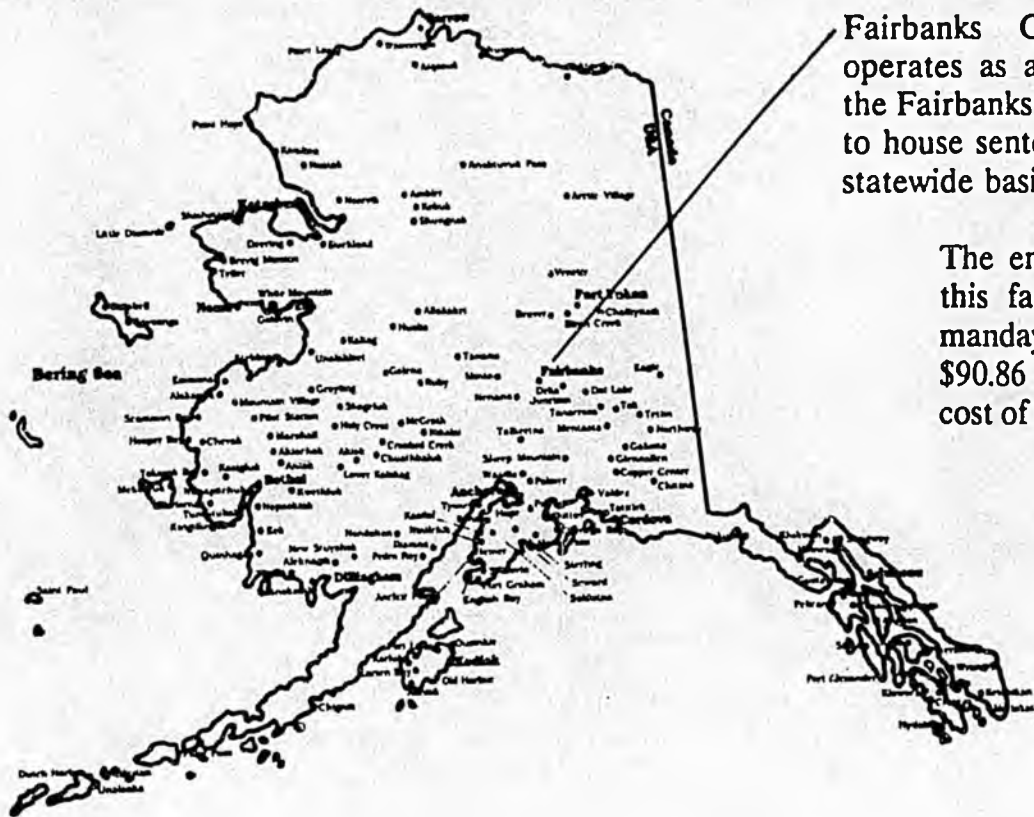
Cook Inlet Pretrial operates as the intake facility for all felony arrest in the Anchorage area as well as temporary housing for mental health case reviews.

The emergency capacity of this facility is 403 with a manday cost during FY90 of \$56.25 (Does not include cost of statewide programs).

This facility houses felony adult males, pretrial and sentenced prisoners in all custody levels. Cook Inlet Pretrial has a staff ratio (using total staff and emergency capacity) of 2.94. A comparison with other systems as to size and purpose reflects the following:

<u>Facility</u>	<u>Maximum Capacity</u>	<u>Total Staff</u>	<u>Prisoner Ratio To Staff</u>
Cook Inlet Pretrial	397	135	2.94:1
Sussex C.C./Delaware	372	155	2.40:1
Kettle Moraine C.C./Wisc.	375	226	1.66:1
Baltimore Detention/Maryland	380	147	2.59:1
Contra Costa County/California	386	135	2.86:1

Fairbanks Correctional Center



Fairbanks Correctional Center operates as an intake facility for the Fairbanks area as well as a unit to house sentenced prisoners on a statewide basis.

The emergency capacity of this facility is 194 with a manday cost during FY90 of \$90.86 (Does not include cost of statewide programs).

This facility houses males and females, pretrial and sentenced prisoners in all custody levels. Fairbanks Correctional Center has a staff ratio (using total staff and emergency capacity) of 1.87:1. A comparison with other systems as to size and purpose reflects the following:

<u>Facility</u>	<u>Maximum Capacity</u>	<u>Total Staff</u>	<u>Prisoner Ratio To Staff</u>
Fairbanks	183	98	1.87:1
Kuloni C.C./Hawaii	160	85	1.88:1
Middle Sex County Jail/Mass	165	75	2.20:1

Hiland Mountain Correctional Center



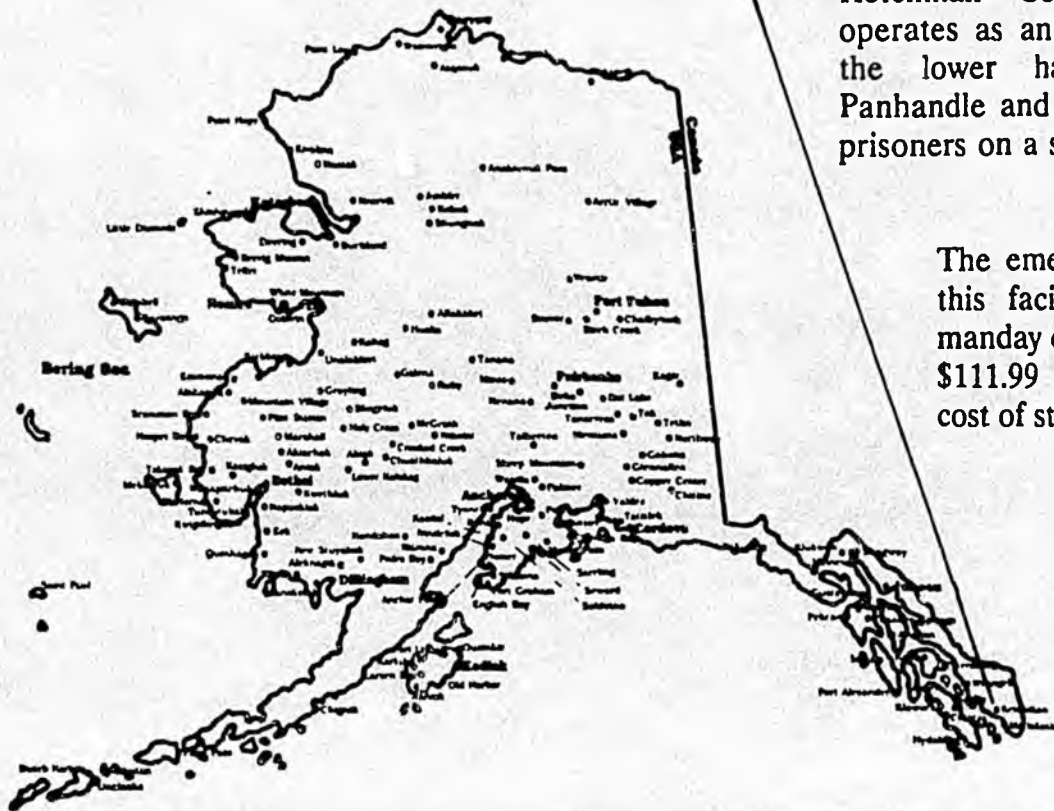
Hiland Mountain Correctional Center operates as a program unit with major emphasis being placed on sex offenders.

The emergency capacity of this facility is 230 with a manday cost during FY90 of \$65.45 (Does not include cost of statewide programs).

This facility houses male adult sentenced felon prisoners who are medium custody. Hiland Mountain Correctional Center has a staff ratio (using total staff and emergency capacity) of 2.85:1. A comparison with other systems as to size and purpose reflects the following:

<u>Facility</u>	<u>Maximum Capacity</u>	<u>Total Staff</u>	<u>Prisoner Ratio To Staff</u>
Hiland Mountain	225	79	2.85:1
Jackie Brannon C.C./OK	230	108	2.13:1
Omaha C.C./Neb	240	113	2.12:1

Ketchikan Correctional Center



Ketchikan Correctional Center operates as an intake facility for the lower half of Southeast Panhandle and handles sentenced prisoners on a statewide basis.

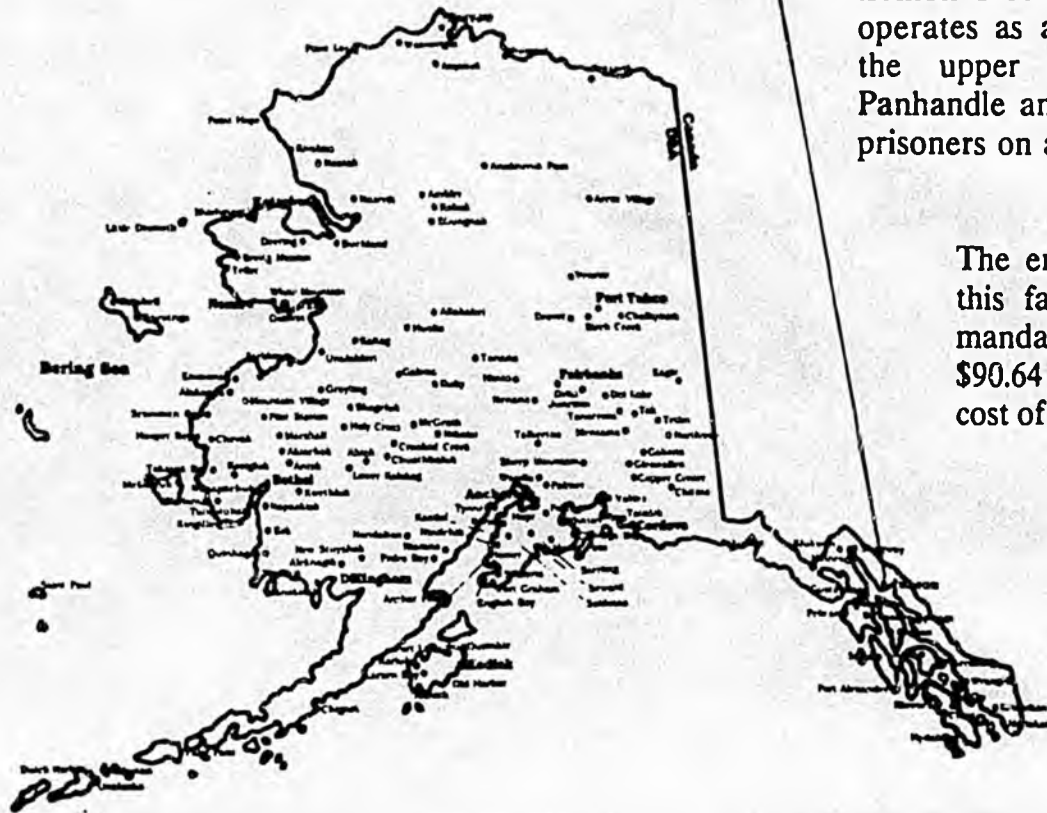
The emergency capacity of this facility is 59 with a manday cost during FY90 of \$111.99 (Does not include cost of statewide programs).

This facility houses male and female adult, pretrial and sentenced, felon and misdemeanor prisoners at all custody levels. Ketchikan Correctional Center has a staff ratio (using total staff and emergency capacity) of 1.23:1. A comparison with other systems as to size and purpose reflects the following:

<u>Facility</u>	<u>Maximum Capacity</u>	<u>Total Staff</u>	<u>Prisoner Ratio To Staff</u>
Ketchikan Correctional Center	53	43	1.23:1

Note: No other comparable facilities found.

Lemon Creek Correctional Center



Lemon Creek Correctional Center operates as an intake facility for the upper half of Southeast Panhandle and handles sentenced prisoners on a statewide basis.

The emergency capacity of this facility is 170 with a manday cost during FY90 of \$90.64 (Does not include cost of statewide programs).

This facility houses male and female adult, pretrial and sentenced, felon and misdemeanor prisoners at all custody levels. Lemon Creek Correctional Center has a staff ratio (using total staff and emergency capacity) of 1.71:1. A comparison with other systems as to size and purpose reflects the following:

<u>Facility</u>	<u>Maximum Capacity</u>	<u>Total Staff</u>	<u>Prisoner Ratio To Staff</u>
Lemon Creek	164	96	1.71:1
Kulani C.C./Hawaii	160	85	1.88:1
Middle Sex County Jail/Mass	165	95	1.74:1

Mat-Su Pretrial Facility



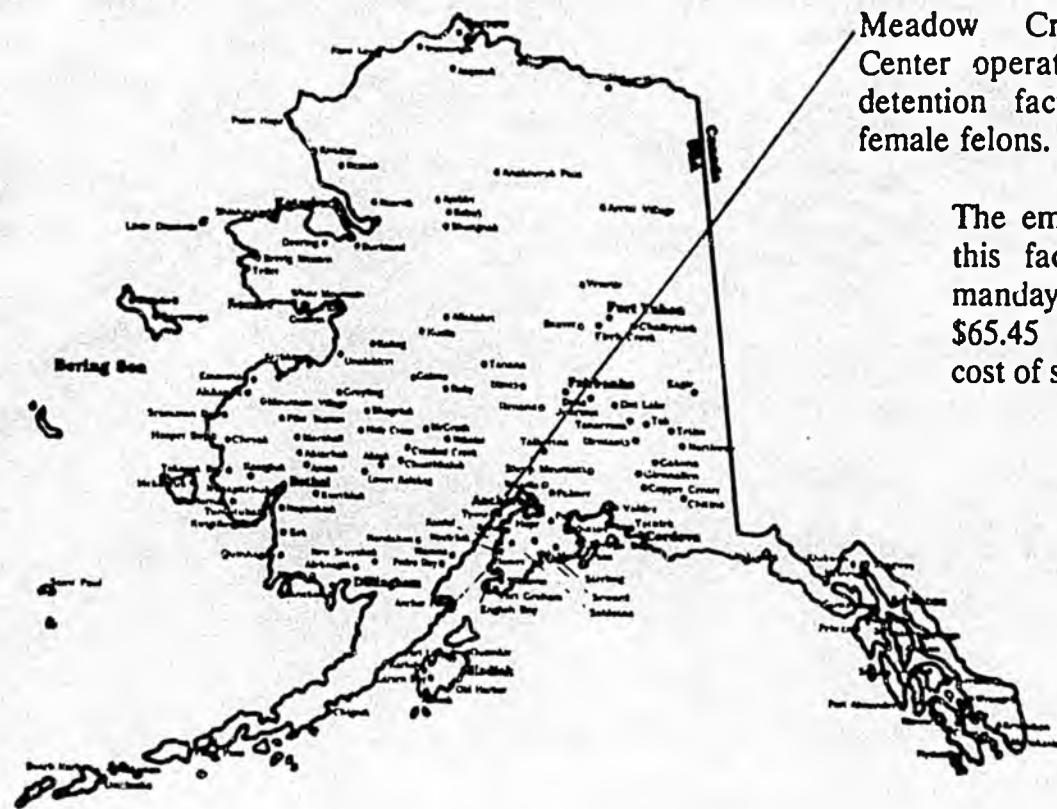
Mat-Su Pretrial was designed to provide prisoners from the Matanuska and Susitna Valleys to be in close proximity during pretrial status. This facility also functions as an overflow unit for Anchorage and temporary placement for the Palmer Correctional Center.

The emergency capacity of this facility is 79 with a manday cost during FY90 of \$94.95 (Does not include cost of statewide programs).

This facility houses adult males and females, pretrial and sentenced prisoners in all custody levels. Mat-Su Pretrial has a staff ratio (using total staff and emergency capacity) of 1.90. A comparison with other systems as to size and purpose reflects the following:

<u>Facility</u>	<u>Maximum Capacity</u>	<u>Total Staff</u>	<u>Prisoner Ratio To Staff</u>
Mat-Su Pretrial	76	40	1.90:1
Union Ave. Det Center/Conn.	70	44	1.59:1
Scott County Jail/Iowa	89	45	1.98:1
Ontario County Jail/N.Y.	88	45	1.96:1
Kauai Correction Center/HA	79	43	1.84:1

Meadow Creek Correctional Center



Meadow Creek Correctional Center operates as the primary detention facility for sentenced female felons.

The emergency capacity of this facility is 66 with a manday cost during FY90 of \$65.45 (Does not include cost of statewide programs).

This facility houses female adult sentenced felon prisoners at all custody levels. Meadow Creek Correctional Center has a staff ratio (using total staff and emergency capacity) of 2.82:1. A comparison with other systems as to size and purpose reflects the following:

<u>Facility</u>	<u>Maximum Capacity</u>	<u>Total Staff</u>	<u>Prisoner Ratio To Staff</u>
Meadow Creek	62	22	2.82:1
Wyoming Womens Center/WY	52	38	1.37:1
Nebraska Center for Women	84	58	1.45:1
Parkside C.C./NY	60	30	2.00:1
New Hampshire C.C. for Women	70	30	2.33:1

Palmer Medium Facility



Palmer Medium Facility operates as program unit for sentenced male prisoners.

The emergency capacity of this facility is 170 with a manday cost during FY90 of \$68.29 (Does not include cost of statewide programs).

This facility houses male adult sentenced prisoners from minimum to medium custody. The Palmer Medium facility has a staff ratio (using total staff and emergency capacity) of 2.21:1. A comparison with other systems as to size and purpose reflects the following:

<u>Facility</u>	<u>Maximum Capacity</u>	<u>Total Staff</u>	<u>Prisoner Ratio To Staff</u>
Palmer Medium	170	77	2.21:1
Columbus C.C./NC	156	61	2.56:1
Wayne C.C./NC	175	70	2.50:1
Minnesota C.C./MN	170	130	1.31:1
Carter County C.C./TN	180	86	2.09:1

Palmer Minimum Facility



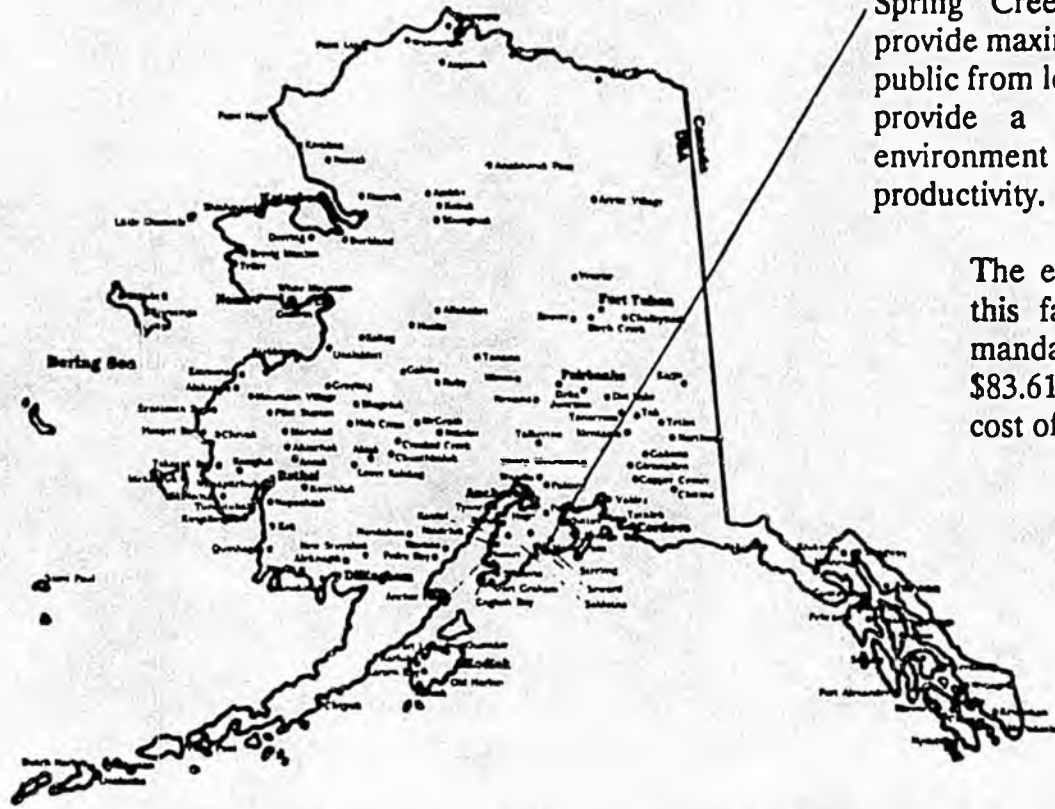
Palmer Minimum Facility operates as program unit for sentenced male prisoners.

The emergency capacity of this facility is 130 with a manday cost during FY90 of \$68.29 (Does not include cost of statewide programs).

This facility houses male adult sentenced prisoners who are minimum custody. The Palmer Minimum facility has a staff ratio (using total staff and emergency capacity) of 4.33:1. A comparison with other systems as to size and purpose reflects the following:

<u>Facility</u>	<u>Maximum Capacity</u>	<u>Total Staff</u>	<u>Prisoner Ratio To Staff</u>
Palmer Minimum	130	30	4.33:1
Powder River C.C./OR	150	51	2.94:1
Watauga C.C./NC	128	32	4.00:1
Rutherford C.C./NC	142	44	3.23:1
Mecklenburg C.C./NC	138	49	2.82:1

Spring Creek Correctional Center



Spring Creek was designed to provide maximum protection to the public from long-term prisoners; to provide a living and working environment that will permit productivity.

The emergency capacity of this facility is 428 with a manday cost during FY90 of \$83.61 (Does not include cost of statewide programs).

This facility houses adult male sentenced prisoners in close or maximum custody levels. Spring Creek has a staff ratio (using total staff and emergency capacity) of 1.99. A comparison with other systems as to size and purpose reflects the following:

<u>Facility</u>	<u>Maximum Capacity</u>	<u>Total Staff</u>	<u>Prisoner Ratio To Staff</u>
Spring Creek	412	207	1.99:1
Oak Park Heights/Minn	400	303	1.32:1
Oklahoma State Penitentiary	494	501	0.99:1
Mecklenburg C.C./Virginia	335	346	0.96:1
Kirkland C.C./S.C.	448	285	1.57:1

Wildwood Correctional Center



The Wildwood Correctional Center operates as a program unit for sentenced male prisoners.

The emergency capacity of this facility is 210 with a manday cost during FY90 of \$70.81 (Does not include cost of statewide programs).

This facility houses male adult sentenced prisoners who are minimum to close custody. The Wildwood Correctional Center has a staff ratio (using total staff and emergency capacity) of 2.72:1. A comparison with other systems as to size and purpose reflects the following:

<u>Facility</u>	<u>Maximum Capacity</u>	<u>Total Staff</u>	<u>Prisoner Ratio To Staff</u>
Wildwood	204	75	2.72:1
Arizona State Prison-Yuma	205	104	1.97:1
Halifax C.C./Virginia	207	67	3.09:1
Putnam C.C./Florida	208	153	1.36:1

Wildwood Pretrial Facility



Wildwood Pretrial was designed to provide prisoners from the Kenai Peninsula to be in close proximity to family during pretrial status.

The emergency capacity of this facility is 113 with a manday cost during FY90 of \$70.81 (Does not include cost of statewide programs).

This facility houses adult males and females, pretrial and sentenced prisoners in all custody levels. Wildwood Pretrial has a staff ratio (using total staff and emergency capacity) of 3.39:1. A comparison with other systems as to size and purpose reflects the following:

<u>Facility</u>	<u>Maximum Capacity</u>	<u>Total Staff</u>	<u>Prisoner Ratio To Staff</u>
Wildwood Pretrial	112	33	3.39:1
Barnstable Jail/Mass.	102	41	2.49:1
Cumberland County Jail/Maine	112	66	1.70:1
Merrimack County Jail/N.H.	108	46	2.35:1
Roanoke County Jail/Virginia	104	60	1.73:1

Yukon-Koskokwim Correctional Center



YKCC was designed to provide prisoners from the interior to be in close proximity during pretrial status as well as for short sentences.

The emergency capacity of this facility is 92 with a manday cost during FY90 of \$94.87 (Does not include cost of statewide programs).

This facility houses adult males and females, pretrial and sentenced prisoners in all custody levels. Yukon-Kuskokwim Correctional Center has a staff ratio (using total staff and emergency capacity) of 1.96. A comparison with other systems as to size and purpose reflects the following:

<u>Facility</u>	<u>Maximum Capacity</u>	<u>Total Staff</u>	<u>Prisoner Ratio To Staff</u>
Yukon-Kuskokwim	88	45	1.96:1
Rutland C.C./Vermont	99	59	1.68:1
Hunterdon County Jail/Conn.	82	42	1.95:1
Scott County Jail/Iowa	89	45	1.98:1
Sussex C.C./New Jersey	88	71	1.24:1

Overview

Dept. of

Public Safety

DEPARTMENT OF PUBLIC SAFETY
HOUSE FINANCE OVERVIEW OUTLINE

FY 92 NET CHANGE SUMMARY:

FY 92 GF Adjusted Base	83,642.8	821	PFT	67	PPT
FY 92 GF Governor's Request	<u>78,426.2</u>	<u>790</u>		<u>20</u>	
		(31)		(47)	
ADJUST OMB PACS To Remain Within Vacancy Guidelines		<u>(15)</u>		<u>(11)</u>	
Net General Fund Reduction	<u>(5,216.6)</u>	<u>(46)</u>	PFT	<u>(58)</u>	PPT

1. Basic philosophy Used to establish budget priorities:

All Public Safety Programs Are Basic... The department provides police protection; fish and wildlife enforcement; motor vehicle services; fire prevention services; forensic and other statewide criminal justice services; shelter, assistance, counseling to victims of domestic violence and other crimes.

All of these services affect Alaskan basic life safety and security.

The Department reduced several services rather than eliminate one basic service.

2. Possible legislative changes needed

Hillside - Anchorage Police Department would assume coverage. If Hillside residents do not vote to pay for local police protection, perhaps a modified version of last session's SB 456 - An Act requiring certain general law and home rule cities to provide police protection and law enforcement services;

Mandatory Insurance - repeal the mandatory insurance law (AS 28.22). The financial responsibility program (AS 28.20) will continue which accomplishes most of the goals of the mandatory insurance program. The financial responsibility program provides more incentive for the liable party to settle claims.

3. Changes in service level... see budget impact summary attached.

4. Highlight projects or programs which have been expanded.

No projects or programs have been expanded.

5. Note any proposed capital budget items... the Governor continues to review the capital budget.

6. Explain any major reorganizations affecting your department. None identified.

DEPARTMENT OF PUBLIC SAFETY
FY 92 OPERATING BUDGET IMPACT
(All General Funds)

DIVISION OF FISH & WILDLIFE PROTECTION: (\$ 1,061.6) (47 PPT/Sea)

Delete 47 Part-time/Seasonal Fish & Wildlife Protection Aides;
Force 6 PFT positions vacant to meet underfunding requirement;

70 % Sportfish patrol cut Juneau and Ketchikan Area; 50 % patrol
cut Susitna River Area; 25 % cut Prince William Sound; 20 % patrol
cut Kuskokwim Area; No Sport Patrol Kodiak Area; no stakeout teams;

No response to complaints outside scheduled duty; reduced
commercial fisheries enforcement; Reduce transfers; two posts,
Hoonah and Nome, will not be filled, coverage thru roving patrol
from nearest post;

Ground 1 Grumman Goose, No aircraft patrol, South East-Vessel
patrol only; Eliminate PV Vigilant from Bristol Bay Patrol,
Aircraft patrol only; 25 % overall Enforcement Patrol reduction

DIVISION OF FIRE PREVENTION: (\$ 148.6) (1 PFT)

Delete 1 PFT position to meet underfunding requirement; reduce
construction building plan reviews and inspections;

No Marine Shipboard firefighting program, 1 less firefighter I
training session; No Instructor or Hazardous Material Courses.

HIGHWAY SAFETY PLANNING AGENCY: (\$ 10.0)

Reduce field monitoring of projects; reduce training.

DIVISION OF MOTOR VEHICLES: (\$ 330.3) (8 PFT & 11 PPT/Seasonal)

Delete 8 PFT and 11 PPT/Seasonal positions to meet underfunding
requirement; only "at fault" reviews thru Financial Responsibility
Program; will not review each reported accident;

Increased Microfilm document processing backlogs; delays in
filming, film processing, and data entry which has exceeded 5-6
Months; microfilm service is used routinely by DMV, the general
public, and police agencies for basic research;

Reduce Office Hours statewide; close Eagle River office; delay
filling special plate orders; Reduce accounting staff and ability
to verify documents and revenue depositing activities; delays in
processing reimbursements of motor vehicle taxes to participating
municipalities.

DIVISION OF ALASKA STATE TROOPERS: (\$ 2,796.0) (36 PFT)

Reduce enforcement personnel by 36 PFT (Delete 32 CSO positions
and 4 PFT State Troopers); Force 15 PFT Trooper positions vacant
to meet underfunding requirements;

(Continued)

DIVISION OF ALASKA STATE TROOPERS:

(Continued)

Withdraw 28 Trooper positions from field service to perform CSO functions; close Ft. Yukon, Cordova, and Sand Point posts; Increase response time to accidents and crimes by 20%; Eliminate funding for the Child Exploitation Grant, the Anchorage Police Department has assumed the full cost of the Unit; Reduce Training travel; reduce on-site crime area response;

Eliminate 88 Fleet vehicles, establish car pool; eliminate take-home car program; delay in accident responses; increased mileage for remaining vehicles resulting in increased repair/maintenance; delay movement of prisoners; no Alcohol Reward funds for villages; reduce "Buy Money" for investigative work;

Withdraw patrol service from Anchorage's Hillside area, Girdwood, Indian, and the Elmendorf AFB and Fort Richardson military bases; the Anchorage Police Department will assume enforcement duties in the Greater Anchorage Area.

VILLAGE PUBLIC SAFETY OFFICER PROGRAM: (\$ 196.1) (1 PFT)

Eliminate 3 contract VPSO positions and 1 State Trooper position to meet underfunding needs; reduce Aircraft Charter and Leasing funds; fewer contacts of VPSOs by Troopers; less training and evaluation oversight.

ALASKA POLICE STANDARDS COUNCIL: (\$ 13.6)

Reduce Municipal Police Training; reduce field travel.

VIOLENT CRIMES COMPENSATION BOARD: (\$ 20.0)

Reduce grants.

DOMESTIC VIOLENCE AND SEXUAL ASSUALT: (\$ 357.8)

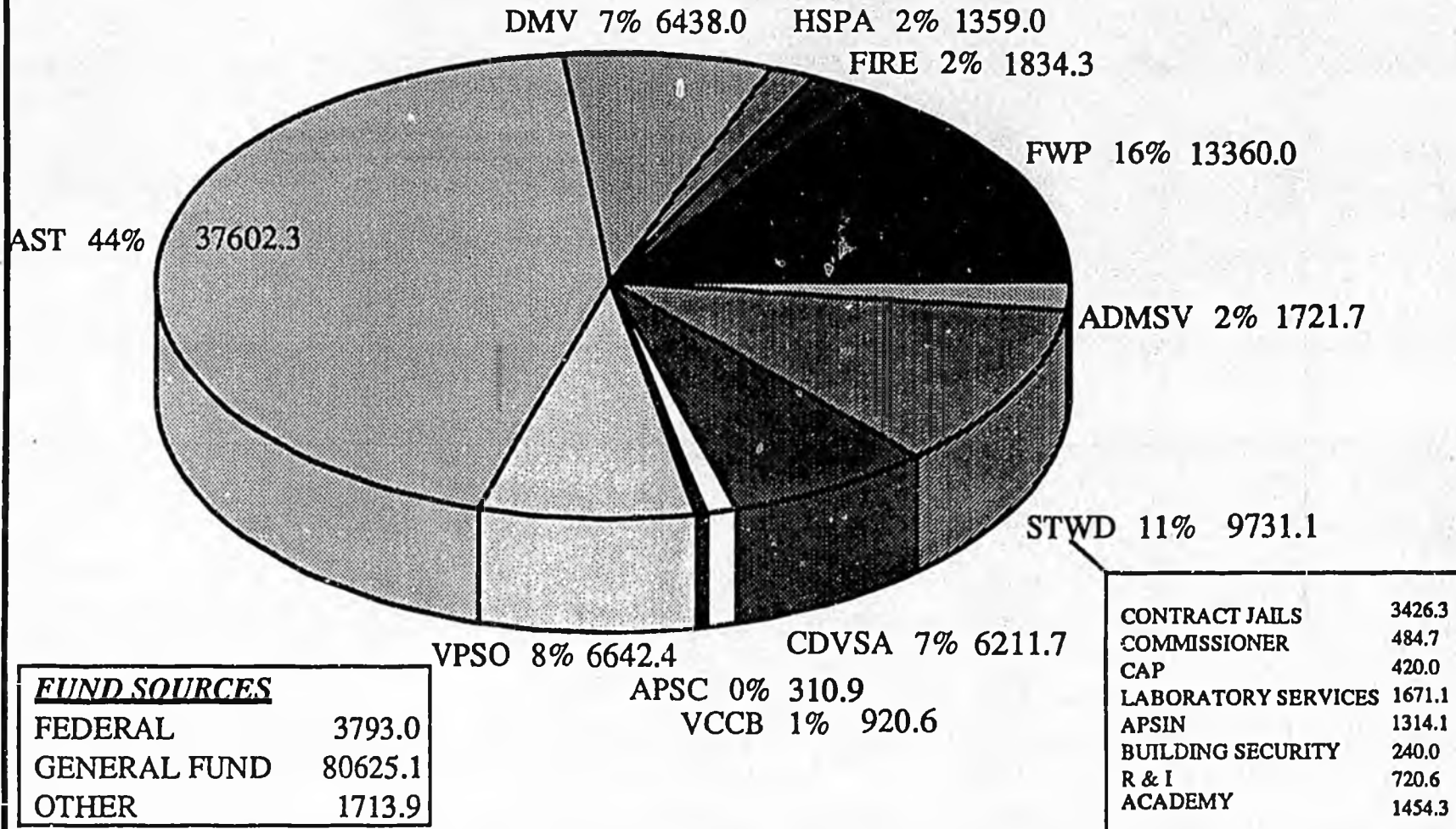
Programs that may be reduced or cut include: services providing immediate safety to victims, program staffing, program service levels, outreach programs, statewide training, and staff training.

DPS STATEWIDE SUPPORT BRU: (\$ 930.4) (3 PFT)

A base funding shortfall of \$ 670.0 for reimbursements to local Jail Operators will result in 11 Contracts not being fully funded, the Department of Corrections will have to pick up prisoner housing; prisoner transportation costs will not be fully covered, the Alaska State Troopers will have to transport all prisoners and may be required to request an FY 92 Supplemental to cover the costs; travel cuts will reduce on-site Jail inspections; fewer contacts with contracting municipalities;

Eliminate Sitka Academy State Trooper Recruit Training funds; reduce CAP Search and Rescue capability; delete 1 Accounting Technician in Administrative Services to meet underfunding needs; Crime Lab: Discontinue Autopsy work and 1 PFT autopsy position; Discontinue Breath Alcohol Testing program and 1 PFT criminalist; results in delay of forensic services statewide.

FY 91 CONFERENCE BRU PERCENTAGES ALL FUNDING SOURCES



TRANSITION REPORT

Alaska Department of Public Safety

August 20, 1990

TRANSITION REPORT
DEPARTMENT OF PUBLIC SAFETY

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ALASKA STATE TROOPERS

History

The Alaska State Troopers (AST) came into being in 1941 as the Alaska Highway Patrol, under the Alaska Highway Commission. In 1953 the Alaska Highway Patrol became the Territorial Police, in 1959 the Alaska State Police, and in 1967 the Alaska State Troopers, a Division of the Department of Public Safety. Organized into six Detachments and three Bureaus, the Division has 420 authorized positions. These include 258 State Troopers, 32 Court Service Officers, and 130 non-commissioned (civilian) positions. These personnel are assigned to 42 locations statewide.

The main function of the Division of Alaska State Troopers is to preserve the peace, enforce the law, prevent and detect crime, and protect life and property. The Division and its members are empowered to pursue and apprehend offenders and obtain legal evidence necessary to ensure the conviction of such offenders. These duties include specialized criminal investigation, alcohol and narcotics law enforcement, oversight of village public safety officers, search and rescue, and the enforcement of laws regulating the operation of motor vehicles to improve safety on the highways of the State.

The Alaska State Troopers have law enforcement authority throughout Alaska, except in McKinley National Park and on the Annette Island Indian Reservation. In those jurisdictions, the troopers can respond at the express invitation of the local authority. The Alaska State Troopers cooperate with federal, borough, municipal, and village law enforcement and criminal justice agencies in all matters concerning law enforcement and criminal prosecutions.

Key Policy Issues

Short Range Issues

1. One of the most immediate challenges AST faces is the replacement of experienced mid and top level supervisors and criminal investigators who were lost as a result of the Retirement Incentive Program. AST must provide critical management training and rebuild the depth of knowledge in the criminal investigation units. This will be addressed through both in-state and out-of-state training programs. Recurrent training such as intoximeter, radar operation, emergency first aid, and officer safety also must be provided.

2. Fifty percent of the vehicles in the "L" car portion of AST's vehicle fleet exceed their economic useful lives, and are inefficient, unreliable, and approaching the point where they are unsafe. These cars cannot be replaced, however, because of shortfalls in the Highway Working Capital Fund. Division personnel are looking into the possibility of leasing vehicles to replace these "L" cars which, for the most part, are used by investigative personnel.
3. The Division must develop a flexible plan to respond to external factors that will impact law enforcement, such as native sovereignty, subsistence, and native lands trespass complaints. These issues must be addressed in cooperation with the Attorney General's Office.
4. Enforcement methods relating to alcohol and drug laws in the rural areas require close evaluation. The alcohol information reward program established by the Legislature in 1988 has not produced the benefits envisioned. The Division is considering the establishment of a toll free number and a program similar to the "Crime Stoppers" program.
5. The Rural Trooper Housing Program portion of the FY 91 operating budget is not covered by rental receipts and is subsidized by general fund money. The recommended solution to this problem is to change the present Public Safety Employees Association (PSEA) bargaining unit agreement to allow for the recovery of actual costs. The lack of housing in some rural areas is becoming critical. If we are to assign troopers (and their families) to rural areas, we must ensure that housing is available.
6. In a pending lawsuit, the State is challenging a 24% pay increase awarded to Court Service Officers (CSOs) by an arbitrator. If the court rules in favor of the PSEA, the Division must reevaluate the role and responsibilities of the Court Service Officers. The CSO job class originally was developed to save money. If the arbitrator's award stands, these limited-duty positions, which have received only two weeks of structured training, will be paid the equivalent of state trooper recruits.

Long Range Issues

1. Recruitment and retention of qualified minorities in the Alaska State Troopers has continued to be problematic. New, creative, non-traditional methods of recruitment must be considered in future efforts.
2. In the long run, the citizens of the State must decide the level of law enforcement service that should reasonably be provided in communities of varying size and character. Changes in law enforcement in some locations, such as the "Hillside" area of Anchorage, the City of Wasilla, and some rural communities, may increase or decrease the need for AST resources in the future.
3. If projects such as the Trans-Alaska Gas Pipeline, the opening of the haul road to private vehicles, and ANWR occur, the State must develop a plan to upgrade statewide communications capabilities and enforcement personnel, especially along the pipeline corridor and the Dalton Highway.

Legislative Issues

1. Present State laws allowing the forfeiture of property used in violation of drug laws are cumbersome, confusing, outdated, and internally inconsistent. As a result, most forfeiture actions in Alaska are handled by the U. S. Attorney's Office in federal court; the State or local communities receive only a percentage of the proceeds that could be used to bolster drug enforcement efforts. The federal government has also indicated an intention to restrict the routine use of the federal forfeiture process for what are essentially local cases. A well-drafted, effective forfeiture law, including a provision for an administrative forfeiture process, should be introduced and adopted as soon as possible.
2. Enforcement of the State's laws regarding commercial motor vehicles is fragmented, with the AST enforcing safety and equipment laws, but the Department of Commerce operating the highway scale houses. An impartial, objective review of the present situation should be made by a person or group without a "turf" interest in the issue. This is an area where increased effectiveness and a reduction in costs could probably be achieved by a consolidation of all commercial vehicle enforcement-related functions in one agency.

DIVISION OF FISH & WILDLIFE PROTECTION

HISTORY

Prior to statehood, fish and wildlife law enforcement was carried out by the U.S. Department of Fisheries and then the Territorial Department of Fish & Game. With Statehood, the Protection Division was established within the Department of Fish & Game. Twenty full-time officers were assigned to thirteen offices throughout the state. By the end of 1962, there were 33 commissioned protection officers within the division.

As Alaska's population continued to grow and the pressure on her fish and game resources increased throughout the 1960's and 1970's, the Division continued to expand within the Department of Fish & Game. In 1972, Governor William A. Egan signed Executive Order #16, which transferred the Division of Protection to the Alaska Department of Public Safety, in keeping with its full-time law enforcement duties. By 1983, the Division of Fish & Wildlife Protection had grown to 117 commissioned Fish & Wildlife Troopers, enforcing the laws governing a fishing and hunting industry worth hundreds of millions of dollars a year to Alaska.

Commercial and recreational values for Alaska fish and game resources as a whole have continued to rise dramatically. Alaskan ports, such as Unalaska and Kodiak, are traditionally among the top ten in the country for value of fishery products landed. As the profit that can be made from illegal harvest of resources has grown, so has the clamor for enforcement presence to protect the rights of the honest fisherman. In addition, other resource-oriented activities such as Native Land claims, expanding restrictions in hunting lands, and growing subsistence use are placing an increased emphasis on the need for effective fish and wildlife law enforcement.

Unfortunately, the decline in state revenues in the mid-1980's has resulted in a 25% cut in enforcement positions in the Division. There are currently 88 commissioned positions within Fish & Wildlife Protection, stationed in 33 posts throughout the state.

KEY POLICY ISSUES

Long Range Issues

1. Enforcement Capabilities: The most pressing issue facing this division is the lack of adequate enforcement personnel and equipment. The pressure on Alaska's renewable resources has been increasing greatly. Commercial landings of fish in the three ports of Unalaska, Kodiak, and Petersburg have increased 221% (374.9 million pounds to 831.0 million pounds) between 1987 and 1989. Commercial fleets are expanding into new fisheries and becoming more competitive in traditional fisheries. There has been a dramatic increase in commercial participation in big game and sport fishing harvests. During this same time, Fish & Wildlife Protection Troopers have decreased from 117 positions to 88 positions. Many of our fish and wildlife resources cannot survive enforcement neglect. As oil revenue declines, the importance of renewable resources to the state's economy grows. The users of those resources have been vocal in their support for more enforcement of the regulations passed to protect those resources. The need is apparent.

The other area where the resource user is out-pacing the enforcement officer is in equipment. Especially in highly competitive commercial fisheries, the fishing fleets have been capitalizing with larger and faster boats. Some of the equipment Fish & Wildlife Protection depends on to enforce those fisheries is growing old and is no longer adequate to compete with high-tech violators.

2. Subsistence: The subsistence issue has been a growing problem for our enforcement personnel. Over the past two years, individuals and groups have been conducting "fish-ins" in order to emphasize their view points -- generally their contentions have been that they have a right to unrestricted harvest of a resource. Most of these demonstrations have been peaceful, but they require a lot of personnel and time which could be better spent protecting the resources. The present dichotomy between federal and state subsistence laws will make this problem even greater. The boundaries between federal and non-federal lands are often difficult to locate. When there are different seasons, or different regulations about who is a legal hunter, the enforcement problem is compounded.
3. Sovereignty: During the past couple of years there has been an increasing push for "native sovereignty" in the bush, particularly in the Yukon-Kuskokwim Delta. There have been at least two incidents which developed into physical confrontations. One was in Quinahagak, where a FWP Trooper investigating the illegal killing of numerous caribou was prevented by a crowd of villagers from leaving the village with any of the evidence he had accumulated. The locked area where the evidence (two snowmachines and some guns) was stored was opened and the evidence was stolen. The situation was resolved only after a contingent of State Troopers responded from Bethel.

The other incident occurred in Tanunuk. A Trooper was in the village to serve two arrest warrants from the Bethel court. The villagers prohibited him from serving the warrants, telling him that the State had no authority in their village. Since he was alone, he left the village. State Troopers from Bethel later returned to the village to make the arrests.

The Association of Village Council Presidents (AVCP) has not supported these villages in their confrontations. This may have quieted things down. But the potential for some violence is there. There have also been threats to sport fishermen on the Kanektok River near Quinahagak. Some of the more vocal devotees of sovereignty are not content to patiently pursue the issue in the courts.

LEGISLATIVE ISSUE

The vast majority of fish and game law enforcement statutes are located in Title 16 of the Alaska Statutes. Various provisions in AS 16 have been enacted and amended over the past 30 years, sometimes in a piecemeal fashion. A comprehensive review and rewrite of AS 16 should be performed to simplify and clarify the law, delete obsolete provisions, and improve the enforceability of the fish and game laws.

Division of Motor Vehicles

Division History

Prior to 1975 the licensing of drivers was the responsibility of the Department of Public Safety, while the registration and titling of motor vehicles was administered by the Department of Revenue. Both of these programs had been in existence for a number of years prior to statehood, and both were closely related to highway safety issues. For efficiency and better management, these two functions were combined into a Division of Motor Vehicles under the Department of Public Safety, effective July 1, 1975.

In early 1976 a new division director and deputy director were appointed with instructions to straighten up a badly floundering division. At this time the division operated five field offices and employed 20 commission agents throughout the state to assist the public in motor vehicle matters. During the next two years problems were aggressively addressed through capable management and by the use of the latest technology. Field offices increased to 19 and commission agents decreased to 15, and Alaska became the first state in the Union to issue computer-generated driver's licenses, titles, and registrations across-the-counter to the public.

Since 1978, numerous changes and new programs have altered the division's operations. Staggered registration allowed a leveling of the registration renewal work load over the entire year, instead of concentrating it in one month. A new license plate was phased in over a two-year period beginning in 1981. By 1984 a new computer system had replaced the original outdated, and overloaded one. Also in 1984 a new program of administrative revocation of driver licenses was begun to remove drunk drivers from the road. Mandatory auto insurance started a year later, along with the enforcement of emission inspection programs in Anchorage and Fairbanks, and enforcement of the Federal heavy vehicle use tax. In 1987 the division began planning for the Federally-mandated Commercial Drivers License program, with expected implementation in January 1991.

The division has also provided a base for several programs unrelated to drivers or vehicles, including voter registration, municipal tax collection, organ donor identification and information, trash bag dissemination, issuance of identification cards, and driver license suspensions of minors for non-driving alcohol offenses.

In 1987 the Division's operating budget topped \$7 million, with 149 full-time and 19 part-time employees. Three years later the budget is a million dollars less, and 22 full-time and 2 part-time employees have been eliminated. Both the operating budget and the number of employees have been reduced by 14% during this period of time. Motor vehicle and driver license transactions have increased 16% during the same period. There are fewer field offices today than there were in 1978.

Key Policy Issues

Short range issues

1. Commercial drivers license — This Federally-mandated program has been in the planning and development stage for several years. Implementation is scheduled for January 1991. The program must be approved prior to that date by the Federal Highway Administration.
2. Staff replacement — Three key management positions will be vacated with the retirements of the Chief of Driver Services, the Registrar of Motor Vehicles, and the Anchorage Field Office Manager. While capable managers will be hired, the loss of knowledge and expertise will be extensive.

Long range issues

1. Budget reduction — The latest in a series of budget cuts will seriously hamper the Division's ability to provide adequate public service. Nearly every adult Alaskan has contact with this Division on at least a yearly basis. For many, this is the only contact with our government, and their perception of government is formed from the service received. If the Division is to provide adequate, quality service then the financial needs must be provided for this agency (which brings in over four times its budget in revenue).
2. Equipment replacement — The Division's ability to handle the large volume of motor vehicle work with a relatively small staff is partially the result of automation/computers. Much of the equipment has already exceeded its normal life-span. To continue operating efficiently, the Division must constantly take advantage of new technology in systems and equipment. The alternatives are to increase staffing levels or to further reduce public services.
3. Other group support — The Division's mission is to protect the public's ownership rights in vehicles, and provide for safety on the roadways by licensing and controlling drivers. Programs that use the Division as a point of contact for other purposes can diminish its ability to provide basic services.

Legislative Issues

1. Commercial drivers license penalties — Federal law requires certain penalties be applied for commercial vehicle violations. These penalties are a part of the overall Commercial Drivers License program. Failure to conform to the Federal requirements could result in a loss of federal highway funds.
2. Mobile homes — Mobile homes may be real property or a vehicle, depending on the whim or needs of the owner. A vehicle title, once issued, is frequently lost as the mobile home transfers ownership over the years. All too often, significant research efforts are required to locate records for old titles. Mobile homes should be removed from vehicle titling provisions and treated uniformly as real property.
3. One license plate — The Division can save approximately \$75,000 per year by removing the requirement for both a rear and front license plate on motor vehicles. A rear license plate is considered adequate in over one-half of the states in the U.S.
4. Fee increases — Alaskans enjoy some of the lowest fees in the country for titling/registering vehicles and for driver's licenses. A relatively modest increase in these fees would substantially increase revenue to the State.

DIVISION OF FIRE PREVENTION

History

The Division of Fire Prevention (DFP) was created in 1954 to develop and promote ways to protect life and property against fire, explosion, and panic. The Fire Service Training program was transferred to the Division of Fire Prevention from the Department of Education in 1986.

The Division has statewide responsibility for establishing minimum standards for fire safety in existing and new commercial buildings. At the request of local jurisdictions, and under certain conditions, the authority to enforce the State Fire Codes can be transferred ("deferred") to these communities. Anchorage, Fairbanks, Juneau, and Kenai have complete code enforcement authority. The Cities of Valdez and Seward have approved local inspection programs, but the Division maintains authority for plan review of new or remodeled construction.

The State built five regional fire training centers in the late 1970s, located in Bethel, Kotzebue, Juneau, Fairbanks, and Anchorage. After ten years, ownership was transferred to the local governments, which are required to maintain the regional training concept and allow use by other area fire departments. The last center was officially turned over on August 9, 1990.

The Division works with other State agencies, fire departments, local police, Village Public Safety Officers (VPSOs), local building officials, design professionals, public safety associations, native health associations, local and federal governments, school systems, and private industry to reduce the impact of fires on the citizens and communities of Alaska. New "program receipts" authorization, allowing the Division to charge tuition for certain fire training programs, has been a tremendous help in meeting the training and proficiency needs of emergency responders. A new marine firefighting program and the hazardous material training programs are examples of needs which probably could not have been addressed without the ability to charge tuition. Other program receipts are provided by the plan review program. Both programs play a significant role in helping the Division accomplish its goals.

Key Policy Issues

Short Range Issues

1. **Timely Adoption of the State Fire Codes.** The fire codes in Alaska are established through the adoption of regulations by the DFP. The State codes are based upon national model codes; these codes are issued by national code development bodies, and are revised every three years. The model codes are not adopted in total. Most portions are adopted, some with amendments which reflect conditions peculiar to Alaska. The review of newly-issued model codes, and the adoption of regulations based upon them, is very time consuming and requires considerable assistance from the Department of Law. Serious delays have occurred in the past. Unless a higher priority is assigned to this work in the Department of Law, and a more concerted effort made by Division staff, future legislation may mandate adoption timetables that would be difficult for the Division to meet. Architects and local building officials are faced with hardships when different editions of the same model code are used by the State and local code authorities.
2. **Replacement of Deteriorating Equipment.** Capital program needs for the Division have been "put on hold" since the revenue declines of the mid 1980s. The State turned over the regional training centers to local governments but maintained ownership of all training equipment. Fire trucks, hoses, and training tools urgently need to be replaced.

One option is to place a surcharge on all classes using the equipment. Charges for training have been kept to a minimum, and are generally set to cover material and supplies necessary for the courses. If additional charges are added, the largely volunteer firefighters around the State may be unable to attend. Either a new source of revenue must be found, or higher priorities placed on the agency's capital budget requests.

Long Range Issues

1. **Decaying Public Infrastructure.** Decaying and neglected public facilities owned by the State and local governments are affecting the code enforcement responsibilities of the Division. In the past, appropriations for new facilities appear to have been more attractive, legislatively, than the repair of existing buildings. In addition, routine preventive maintenance funds are sometimes diverted by managers to maintain programs in times of budget reductions. The decaying infrastructure is causing a very serious situation for the Division of Fire Prevention and State building tenants. The Division is increasingly faced with difficult technical and legal decisions involving closure and/or major modification of existing buildings for serious life safety violations. The legislature must make a commitment to the adequate maintenance of existing State facilities or the Division will be placed in

an increasingly adversarial role in trying to carry out its public safety responsibilities. When a public school or other facility burns down, the State spends millions to replace it--but when a hundred thousand dollars is requested to help prevent a building from burning, there seems to be little support. This is a remarkably short-sighted attitude, which must be changed.

2. Local Fire Department Needs. Continued resources will be needed to maintain some of the statewide gains in fire protection achieved during the past decade. Fire departments will be facing tremendous needs for capital funds for facilities and new equipment. Much of the fire equipment now in service was purchased by the State in the "oil boom" years of the late 1970s and early 1980s. That equipment is nearing the end of its useful life. Local funding in many rural areas to replace fire trucks is nonexistent. Even where there is a local tax base, competition for local funds have failed to address this issue.
3. Division Staffing Level. Many new programs and responsibilities have been added to the Division over the past decade with no increase in staff. Some of these include administration of the burn injury reporting program, enforcement of the law requiring residential smoke detectors, placarding requirements for hazardous materials, and higher standards from the federal government for the training of firefighters. The Division cannot continue adding new programs without the addition of sufficient funding to administer these programs; the "core" duties of the agency suffer as a result.

Legislative Issue

In 1987 Representative Fran Ulmer introduced a bill, HB 230, which increased the insurance premium tax from 2.7 to 3.0 percent, provided for separate accounting of 10 percent of the tax collected, and allowed the appropriation of those proceeds to fund fire prevention services. CSHB 230 passed the House, but was never approved by the Senate. If a bill similar to HB 230 were to be adopted, the resulting fund would provide monies to replace fire equipment and improve staffing in the Division without drawing scarce resources from other divisions or departments.

DIVISION OF ADMINISTRATIVE SERVICES

History

Administrative Services was established as a Division in 1975 to provide supervisory management to fiscal, personnel, and supply functions that were, at that time, reporting directly to the Commissioner. Major constituencies include both statewide central programs (e.g. Legislative Finance; Legislative Audit; OMB; Divisions of Finance, General Services and Supply, Personnel, Labor Relations; EEO; Human Rights Commission; etc.) as well as line divisions and specialized agencies within Public Safety.

Major projects typically involve centralized staff within Administrative Services monitoring work performed by the staff of DPS's three largest line divisions, and completing administrative assignments for most specialized agencies to ensure that a satisfactory product is submitted to central state programs. Individual actions needed to meet line division objectives are assisted through statewide agency approval by staff specialists who also handle basic functions such as bill payment, payroll, leave, personnel records, purchasing, etc. During Legislative Audits, the Administrative Director must certify department-wide compliance with state law and policies.

The Records and Identification function was transferred into Administrative Services from the Commissioner's Office in 1979; centralized criminal records have existed since before statehood. Major constituencies include both state and local police as well as all other criminal justice agencies (e.g. prosecutors, courts, corrections, etc.) which depend on a central repository of criminal history record information and the Alaska Automated Fingerprint Identification System (which provides positive identification).

Information Systems dates back to July, 1980, when five systems analysts were transferred to DPS from the Department of Administration, Division of Data Processing in Anchorage. That reorganization shifted to each department the responsibility for its own mainframe computer applications such as the Alaska Public Safety Information Network (APSIN) a 24-hour statewide system. Major constituencies include all police and criminal justice agencies, roughly 1,900 users accessing APSIN through 480 terminals statewide. APSIN automates driver license, vehicle registration, and time-critical law enforcement information (e.g. wanted persons, stolen property, criminal records, etc.).

Key Policy Issues

Short Range Issue

Adequate Administrative Support -- Federal and state law must be followed by all Departments; policy and procedures should be followed whenever possible. Basic administrative functions common to all large organizations must be performed in this "bureaucratic" framework. Central statewide agencies, (e.g. OMB, Administration) are not staffed to address the amount and complexity of paperwork needed to deliver public service.

Working together with administrative staff in large divisions, and program managers in smaller programs, the Division of Administrative Services must maintain adequate numbers and types of staff to help insure that line divisions deliver their services to the public in a timely manner, in spite of the "rules".

Strategy: Identify those key and critical functions which should be centralized, and maintain staffing levels to avoid major audit exceptions, minimize employee complaints about the administration of their pay and benefits, avoid interest payments to vendors for late payment of bills, submit a consolidated budget, facilitate action by statewide central agencies, etc. Discontinue functions which can be handled by civilians or commissioned officers within line divisions, recognizing that decentralizing functions places further resource constraints on direct service programs and can be inefficient overall.

Long Range Issue

Maintain Automated Efficiencies -- Computerization has provided specialized services to large client groups using telecommunications and mainframe applications. The Alaska Public Safety Information Network (APSIN), for example, is operated at a centralized state data center. Data center managers have had the recurring problem of delayed computer terminal response time as more agencies turn to automation to increase employee productivity. The public is often kept waiting while state employees in turn wait for their terminal to access the mainframe to complete a driver license or motor vehicle transaction.

Strategy: Computer infrastructure must be provided if the potential productivity gains from automation are to be realized. Some law enforcement functions depend on time-critical information such as: wanted, dangerous, or missing persons; stolen property; and repeat criminals using false identities. Without prompt access to a complete data base, many law enforcement objectives cannot be achieved.

Legislative Issue

Comprehensive Criminal Records Law -- National attention has been focused on the need for timely, accurate, and complete criminal history records by all elements of the criminal justice process. Alaska's statutory and regulatory law needs major revision to correct deficiencies in how criminal records are created and maintained. Among the problems:

Mandatory Fingerprinting: some persons arrested or issued a summons are not fingerprinted. This omission makes it impossible to use the fingerprint computer (AAFIS) to verify that person's identify in subsequent encounters with law enforcement.

Unique Tracking Number: without a unique number linking each arrest with its disposition, criminal history records may contain incorrect information which should have been recorded on another person's record.

Disposition Reporting: there is no disposition for about one-third of the arrests contained in Alaska's criminal history records. When a person's record contains a serious arrest without indicating whether the person was innocent or the charges dismissed, etc. there is some chance that there was a finding of guilt, so research must be done to verify innocence.

Strong executive leadership is required to develop the necessary multi-agency commitment to address this issue, which involves all parts of the criminal justice system including the court system.

COMMISSIONER'S OFFICE

There are many diverse agencies and functions that, for administrative oversight, are located within the Department of Public Safety's Commissioner's Office. The major functions and related issues are discussed briefly in this section of the report.

BUILDING SECURITY

History

In 1987 the Alaska State Legislature appropriated \$250.0 in operating funds for the Department to establish and maintain a building security program. The Department contracts with a private security agency to provide unarmed security personnel in nine State-owned/operated government buildings in Alaska's capital city. The enforcement of parking regulations in the State-owned/leased parking lots is included in the contract. The Department also contracts for two armed security officers to be present during legislative sessions in the Capitol.

Key Policy Issues

Long Range Issue

The Department was able to reduce the cost of this function from \$250.0 to \$240.0, and intends to continue the security enforcement program as established for the next two years. Contractual costs are expected to increase by FY 93, however, which will require either an increase in operating funds or a reduction in the level of service.

ALASKA WING CIVIL AIR PATROL

History

The Alaska Wing Civil Air Patrol (CAP) was established in 1961 and is a federally-chartered civilian auxiliary of the United States Air Force. Its purpose is to provide aviation education and training and to assist in local and national emergencies.

The CAP is funded by the federal and state government, with state funding administered by the Alaska Department of Public Safety. Since the CAP has over 1300 members, 38 corporate-owned aircraft, and access to an additional 350 aircraft in 28 squadron locations throughout the state, the CAP is an important asset in assisting the Department with its statewide search and rescue responsibilities.

Key Policy Issues

Short Range Issue

During the past three years, the State has directed capital funds to the acquisition of aircraft hangars needed as operating bases. The State operating funds appropriated to the CAP were reduced from \$850.0 in FY 85 to its present level of \$420.0. In FY 92, the CAP will be confronted with increases in operating costs -- insurance, aircraft maintenance, and utilities. It is recommended that CAP funding should be maintained at at least the current level. Some further cost-savings could be realized by the continued consolidation of CAP hangars and aircraft with Alaska State Trooper and Fish and Wildlife Protection functions.

Long Range Issue

During the next five years, capital funding will be necessary for repair and maintenance of state-owned CAP hangars and communication equipment.

CONTRACT JAILS

History

In 1986 the Department became responsible for providing care and custody for persons incarcerated on State charges while in pre-trial status or until transferred to State-owned detention facilities (AS 33.30.071). The Department currently contracts with 20 communities throughout the state to provide for the care and custody of prisoners in local jails. In communities not under contract, emergency guards are hired until prisoners are transported to State facilities.

Key Policy Issues

Short Range Issue

The current annual contractual cost for the 20 contract jails is \$3,900.0. The cost of this program has risen steadily since 1986. There is a strong feeling among the leaders of some contract jail communities that their communities should not be responsible for the liability risks of incarcerating persons unless local jails are fully staffed by jail guards to provide full-time inmate supervision and/or the State accepts all liability associated with incarceration of prisoners, and the actions of community police department jail guards. Some

communities have threatened to refuse to contract with the State for local jail use. Such an action would result in higher prisoner transport costs, increased need for trooper escort personnel, and larger inmate populations in State-owned correctional facilities.

At present, there is no law that requires organized boroughs or cities to operate a local jail. Without that, contractual operating costs may continue to increase, and some communities may simply "drop out" of the system, leaving the State with few options, none of them good.

The Department recommends that certain communities be required, by statute, to operate a local jail. The State would then reimburse the communities for reasonable operational costs verified through audits.

Long Range Issue

Several contract jails (and non-contract jails) throughout the state do not meet national minimum safety, environmental, and occupancy standards. In the long run, this issue will result in jail closures to eliminate liability, or lawsuits that will require the upgrade or closure of facilities.

Since the responsibility for providing care and custody of these prisoners remains with the State, capital funding will most likely be necessary for these jails to comply with minimum standards. As an alternative to capital funding, it is possible that private jail leasing agencies could contract with local communities to replace old or defective jails with new jails meeting the minimum occupancy standards.

COUNCIL ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT

HISTORY OF THE COUNCIL

The development of services for Alaskan victims of domestic violence and sexual assault and their families is truly an example of a "grassroots" effort that led to the creation of a number of major statewide programs as well as a governmental funding agency, the Council on Domestic Violence and Sexual Assault (Council). The effort was begun in 1976 when a group of concerned women established the Alaska Women's Resource Center in Anchorage and began efforts to obtain services for battered women. They organized the first Alaskan conference on domestic violence. As a result of that conference, which began to focus attention on the need for services, the state's first shelter Abused Women's Aid In Crisis (AWAIC) was established in Anchorage in the fall of 1977. By 1978, limited services for victims of domestic violence and sexual assault were also being provided in eight other communities, primarily through volunteers and some federal funds.

In 1978, a statewide network of the community-based non-profit groups which were providing services, the Alaska Network on Domestic Violence and Sexual Assault (Network), was incorporated. By 1980, federal funding ended, but State funds for the programs increased to \$1.8 million for FY81. This money supported sixteen programs. Funding for the programs was funneled through the Network for decisions on program funding, with the Department of Health and Social Services only administering and monitoring the grants. The Legislature added intent language in the FY81 budget stating "No further increases in domestic violence and sexual assault budgets until legislation establishing responsibilities is passed." There were concerns that having a non-profit group outside of State government making funding decisions was unprecedented and had no statutory base.

As a result, the Network and the Department of Health and Social Services developed proposed legislation for authorization to administer grants-in-aid to domestic violence and sexual assault programs. The resulting legislation was AS 18.66, which established the Council on Domestic Violence and Sexual Assault and placed it in the Department of Public Safety, effective October 24, 1981. The Network felt strongly that since domestic violence and sexual assault are primarily issues of safety and must be acknowledged as the serious crimes they are, the Council should be in the Department of Public Safety. Also, cooperation of police officers is crucial to protect victims of domestic violence and sexual assault.

The Council, which is an administrative, policy-making body, is composed of three public members appointed by the Governor after consultation with the Network, and representatives from the Departments of Public Safety, Law, Education, and Health and Social Services. The purpose of the Council is to "provide for planning and coordination of services to victims of domestic violence or sexual assault and to perpetrators of domestic violence and sexual assault and to provide for crisis intervention and prevention programs" (AS 18.66.010). In FY91, the Council funded twenty-three community-based programs (See Appendix A).

KEY ISSUES CONFRONTING THE COUNCIL

I. The major policy issue facing the Council is how to allocate resources to most effectively provide safety to victims and alleviate the trauma caused by domestic violence and sexual assault in Alaska. This critical task is complicated by the size of the State, variable infrastructure, and different cultural groups. Domestic violence and sexual assault programs provided 53,000 nights of safety to victims and their children, in FY90. This is an increase of more than 32% over FY89. In FY90, existing programs served more than 10,000 Alaskans who either were victims of domestic violence and sexual assault or related to victims. Also, as Alaskans begin to understand the extent of domestic violence and sexual assault in our state, more communities are demanding that services be available to them.

Domestic violence programs have not received sufficient funding to meet basic needs such as food for clients, increased insurance costs, relief staff needed to meet increased numbers of clients, utilities, building maintenance and emergency client transport. Programs cannot provide adequate salaries or even minimal benefits; this has resulted in high staff turnover. Lack of funding and increased demands have resulted in domestic violence and sexual assault programs establishing waiting lists or turning people away.

RECOMMENDED STRATEGIES:

1. Provide additional funding for basic safety and crisis intervention services to victims of domestic violence and sexual assault.
2. Develop regional service centers that provide comprehensive services to victims and their families and coordinate services to villages and smaller communities. Comprehensive services go beyond providing basic safety and crisis intervention to victims. They include services for children and batterers and education, prevention, and outreach services.

ALTERNATIVE STRATEGY: Without increases in funding, services will have to be reduced. The first service to be cut should be intervention and counseling of batterers. Other services that will have to be reduced are services to children and prevention, outreach, and education services.

II. It is important to educate other service providers in the dynamics of domestic violence and sexual assault and to continue to improve coordination. Many agencies that work with domestic violence victims and perpetrators do not understand the potential lethality of these situations. Counseling is being provided for couples where family violence is present; this increases the jeopardy to victims. Many women who abuse alcohol and other drugs are victims of domestic violence and sexual assault; yet not all services for these people address victimization as an issue. Arrest has been proven to be an effective deterrent to domestic violence and Alaskan law enforcement agencies are leaders in this area; yet not all people recognize domestic violence for the serious crime it is.

RECOMMENDED STRATEGIES:

1. Ensure that services to victims of domestic violence and sexual assault are priorities of all affected departments (Public Safety, Health and Social Services, Law, Education, and Corrections.)
2. Departmental representatives on the Council should be in policy-making positions and transmit Council concerns and decisions back to their respective departments.

LEGISLATIVE ISSUES, COUNCIL ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT

The Council on Domestic Violence and Sexual Assault recommends changing three statutes so that victims of domestic violence will be further protected. The three areas to be revised follow:

AS 11.61.120(a)(6). HARASSMENT. Under this section, a person commits the crime of harassment if, with intent to harass or annoy, that person violates a domestic violence order restraining the respondent from communicating directly or indirectly with the petitioner.

The Council has learned that under the existing language, it is difficult to prove that the defendant intended to harass or annoy the other party. Acts which on their face do not appear to be threatening or even objectionable, are threatening when given the history of the relationship. Also, any contact, however benign, is a violation of the restraining order and should be illegal. Therefore, the Council proposes changing the harassment statute so it is clear that contact in violation of a restraining order is illegal. The focus should be on the offender's conduct, not his subjective state of mind

AS 25.35.010(b)(7). INJUNCTIVE RELIEF IN CASES INVOLVING DOMESTIC VIOLENCE. Under this section a restraining order may direct the respondent to "engage in personal and family counseling".

Family counseling is dangerous in cases of domestic violence. Many battered women report that past family therapy sessions were followed by violent episodes. In family counseling, battering is not seen as the primary treatment issue but rather a symptom of some larger underlying problem. The result of this is that a batterers' non-violence may be seen as negotiable. The primary purpose of a restraining order is safety for the victim. The only way for safety to be maintained is for the battering to stop or to make sure the perpetrator does not have access to the victim.

Since it is important for the batterer to address his/her violence and that is best accomplished in a setting where the counselors are trained in domestic violence, this section would afford more protection if it read "to engage in personal counseling, particularly counseling that provides alternatives to aggression if such counseling is available".

AS 25.35.060. DEFINITIONS. The Council has learned from community-based domestic violence programs that there are many instances when people in dating relationships need the protection of a domestic violence restraining order. In a teleconference held last September, the Council heard that teen violence is a major problem in Alaska. Many teens are the victims of violence from other teens whom they date. The Council is suggesting that "current and former sexual partners" be added to the list of persons eligible to obtain injunctive relief orders in cases of domestic violence as well as other protections provided to victims of domestic violence. Although adding this group does not ensure protection of all people who need protection, many individuals would be covered who are not now protected.

PROGRAMS FUNDED BY THE
COUNCIL ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT
FY91

<u>Anchorage</u>		
Abused Women Aid In Crisis (AWAIC)		\$661,600
Alaska Women's Resource Center (AWRC)		140,400
Standing Together Against Rape (STAR)		313,700
<u>Barrow</u>		
Arctic Women In Crisis (AWIC)		235,700
<u>Bethel</u>		
Tundra Women's Coalition (TWC)		457,200
<u>Dillingham</u>		
Safe & Fear-Free Environment (SAFE)		205,600
<u>Emmonak</u>		
Emmonak Women's Shelter (EWS)		69,800
<u>Fairbanks</u>		
Tanana Chiefs Conference (TCC)		47,700
Women In Crisis-Counseling & Assistance (WICCA)		561,000
<u>Homer</u>		
South Peninsula Womens Services (SPWS)		181,300
<u>Juneau</u>		
Aiding Women from Abuse & Rape Emergencies (AWARE)		418,600
Parent Aid & Family Support Center (PAFSC)		22,000
Tongass Community Counseling Center (TOCC)		42,950 *
<u>Kenai</u>		
Kenai/Soldotna Women's Resource & Crisis Center (K/SWROC)		305,000
<u>Ketchikan</u>		
Women In Safe Homes (WISH)		361,900
<u>King Cove</u>		
Aleutians East Borough (AEB)		1,000
<u>Kodiak</u>		
Kodiak Women's Resource & Crisis Center (KWROC)		221,500
<u>Nome</u>		
Bering Sea Women's Group (BSWG)		366,200
<u>Palmer</u>		
Valley Women's Resource Center (VWRC)		314,000
<u>Seward</u>		
Seward Life Action Council (SLAC)		30,000
<u>Sitka</u>		
Sitkans Against Family Violence (SAFV)		216,600
<u>Unalaska</u>		
Unalaskans Against Sexual Assault & Family Violence (USAFV)		41,400
<u>Valdez</u>		
Advocates for Victims of Violence (AVV)		130,400
	SUBTOTAL	\$5,345,550
 Tongass Community Counseling Center (TOCC)		
	TOTAL	\$5,388,500 **

* Six month grant award.

** These funds may be awarded if TOCC is in compliance with grant award conditions and regulations.

Alaska Police Standards Council

HISTORY

The Alaska Police Standards Council is a regulatory and quasi-judicial body that was created by ch 178, SLA 1972. The legislation was in response to a national recommendation that individual states appoint a body that would set mandatory police training, education, and selection requirements and/or standards for law enforcement officers. At the present time all 50 states have councils or commissions that perform a function similar to that of the Alaska Police Standards Council.

Effective July 1, 1988 the legislature expanded the Alaska Police Standards Council to include correctional, probation, and parole officers. Two more members were added to the council, making the total membership eleven. This amendment expanded the number of officers requiring certification from approximately 1,200 to 2,000.

Effective August 28, 1989 the Alaska Police Standards Council Act was again amended by changing the definition of a police officer to include "an officer or employee of the Department of Transportation and Public Facilities who is stationed at an international airport and has been designated to have the general police powers authorized under AS 02.15.230(a)." This amendment added an additional 120 airport safety officers to the council's jurisdiction.

KEY POLICY ISSUES

1. Application of revised standards.

The Council has made recent changes in their regulations for police officers and have established regulations setting the minimum standards for correctional, probation, and parole officers that will become effective February 8, 1990. Procedures for the implementation of the amended statutes and resulting regulations have been established.

The correctional, probation, and parole officers that were hired before the effective date of the regulations are "grandfathered in," and will not be required to meet the minimum standards for their respective position. If a person in this status chooses to apply for certification then he or she will be required to meet all of the standards established for the position. Airport Safety Officers were not "grandfathered in," and will be required to be certified in order to maintain employment in their current position. The statute requires all Airport Safety Officers to be certified by August 28, 1991. The council has already experienced an increase in litigation as a result of the amendments to the law; as the deadlines for certification approach a greater increase is anticipated.

2. Inadequate police training.

Lack of funds for the training of police officers has created a situation where at any given time there may be as many as fifty persons functioning as village police officers who have no formal training for the position. Funding for entry level law enforcement training has been seriously reduced, and funding for specialized and in-service training has been eliminated. Law enforcement officials and community leaders are expressing increasing concern over the lack of training and the negative impact it will have on the effectiveness of their police officers.

VIOLENT CRIMES COMPENSATION BOARD

HISTORY

AS 18.67, establishing a Violent Crimes Compensation Board, was adopted by the Alaska Legislature in 1972. Its purpose was to alleviate the financial hardships caused by crime-related medical expenses or loss of income sustained by innocent victims of violent crimes in Alaska. Additionally, it provides for the payment of pecuniary loss to dependents of deceased victims of crimes to mitigate the loss of a loved one.

The need for this program is reflected in the fact that almost daily there is a report of some act of violence against a person in this state. If the offender is apprehended, the concern for his dignity and rights as an accused are not forgotten, and after his imprisonment the concern continues as to rehabilitation and training programs. These efforts are praiseworthy; however, the problems and need of the victim sometimes can be overlooked. To address this need, the Violent Crimes Compensation Board was established.

The Board is appointed by the Governor, and consists of three members who are compensated on a per diem basis for meetings only. It is mandatory to have a licensed medical doctor and an attorney on the Board, thus providing the expertise in these fields necessary to determine claims. In FY90, the Board awarded compensation to 152 victims of violent crimes or their family members.

KEY POLICY ISSUE

The only "key policy issue" confronting the Board at this time is the continuation of funding to provide compensation to innocent victims. The number of claims is expected to increase this year another 20%, to approximately 300 claims.

Alaska Highway Safety Planning Agency

History

In accordance with 23 U.S.C. 401 - 404 (The Highway Safety Act of 1966), the 1967 legislature passed AS.44.99.001, which designates the Governor as the State Official having the ultimate responsibility for dealing with the federal government with respect to programs and activities under the Federal Highway Safety Act of 1966. This statute also provides that the Governor may designate a person to serve as the Governor's Highway Safety Representative, while maintaining the ultimate responsibility for the program.

The Alaska Highway Safety Planning Agency was created in 1976 by Executive Order number 34. The Agency identifies major traffic safety problems through the analysis of statewide traffic crash and other data, develops countermeasures directed at impacting identified problems, implements these countermeasures, and evaluates the results. The Agency's Goal is to prevent and reduce the loss of life, personal injury, property damage and societal and economic loss to the citizens of the State.

Key Policy Issues

Short Range Issue

1. Implementation of the Mandatory Seat Belt Law. The Agency will be conducting a statewide public information and education campaign to inform the public about the law that becomes effective on September 12, 1990, and to encourage volunteer compliance to the law. The Agency will also be encouraging all State and local law enforcement agencies to actively enforce the new law.

Long Range Issues

1. Increase the rate of use of automotive restraints from the current level of approximately 40 percent to 70 percent by 1992. This will be accomplished through a combined public information and education effort and an enthusiastic enforcement program.
2. Continuation of Drinking Driver Prevention Programs. The Agency supports statewide programs directed at the prevention of drinking and driving. It is essential to the welfare of the Alaskan motorist that these programs are continued.

PUBLIC SAFETY ACADEMY

History

The Department of Public Safety's Training Academy is in Sitka, located on a 19-acre campus next to the Sheldon Jackson College. The Academy is a modern, two-story, 21.5 thousand square foot, co-ed facility with two classrooms and accommodations for 54 resident students. Sheldon Jackson College provides meals, gym, and pool facilities as needed.

Early training for officers of the Alaska Highway Patrol, the Alaska Territorial Police, and the Alaska State Police was conducted as needed, by officers temporarily assigned to the training sessions as instructors. The Division of Alaska State Troopers was created in 1967. In 1968, the Department of Public Safety (DPS) arranged to house its Academy in a dormitory on the Sheldon Jackson College campus.

As the State's population continued to grow, there was a commensurate increase in the need for well-trained and competent state troopers. In 1973 the Legislature approved a \$1.4 million capital project to build a separate facility for the Public Safety Academy. The building was designed to be large enough to house the necessary training facilities, but was located close to the Sheldon Jackson Campus to allow use of college facilities that did not have to be duplicated. The current Academy building opened in October, 1974.

The primary mission of the Academy is to train Alaska State Trooper Recruits. The Academy basic training program is 13 weeks, followed by 12 weeks of on-the-job training. State Trooper Recruit certification requires each graduate of the 13-week Academy training to work under the direct supervision of an experienced State Trooper. The 12-week Field Training Officer (FTO) program increases the total training to 25 weeks. The FTO supervisors are trained by the Academy, and the program is directed by the Academy Commander. With the graduation of the 40th Trooper Recruit class in August, 1990, 935 Alaska State Troopers have been trained at the Academy.

The Public Safety Academy is more than just a "Trooper" Academy, however. All municipal police officers in the State, with the exception of the Anchorage Police Department, are trained at the DPS Academy in Sitka. To date, nearly 600 Alaskan municipal law enforcement officers have been trained at the Academy. Other training programs conducted over the years include training for correctional officers,

Emergency Medical Technicians, Coast Guard "Sea Survival," Fish and Game biologists, and National Park Rangers.

Training in public safety services for Village Public Safety Officers (VPSOs) began in 1979, and continues to the present time. The 17th VPSO class graduated from the Academy on March 2, 1990. To date, over 350 VPSOs have been trained in search and rescue, fire prevention and fire fighting, emergency trauma techniques, community services, and basic law enforcement procedures. These officers fill a crucial need for "first responder" public safety in rural Alaska.

The Public Safety Academy also conducts essential in-service training in Sitka and in the field for DPS commissioned personnel. Over the past few years, in-service training has been provided in supervision, budget management, management of staff, shooting decisions, accident reconstruction, and search and rescue procedures. Such training is necessary to be sure that all troopers maintain proficiency in firearms use and are aware of new developments in law enforcement techniques.

Key Policy Issues

Short Range Issue

Successfully complete the current training schedule, which includes:

- a two-week in-service academy for municipal officers with police training from other states; this "re-training" qualifies these officers for basic police certification by the Alaska Police Standards Council;
- a one-week intoximeter supervisor school for troopers/police officers statewide;
- a 15-week program under contract with the University of Alaska Southeast; graduates are eligible to be hired by any Alaska municipality as a police officer or by the National Park Service as a seasonal park ranger;
- a 13-week State Trooper/Fish & Wildlife School (Basic Academy);
- a 6-week basic academy for Village Public Safety Officers; and

- an 8-week basic police academy for new municipal police officers who require a basic police certificate from the Alaska Police Standards Council.

Long Range Issue

The principal long-range issue concerning the Public Safety Academy is its continued existence. When State revenues took a nose dive in 1986, the abolition of the Academy was discussed as a cost-saving measure. Such an action would have been remarkably short-sighted, as the need to train rookie state troopers, municipal law enforcement officers, VPSOs, and other law enforcement-related professionals would remain, even if the Academy were abolished. In this era of increasing litigation regarding all aspects of law enforcement officers' conduct, training efforts must be increased, not eliminated. Well trained, competent police officers are a basic necessity if the safety of the public is to be maintained.

SCIENTIFIC CRIME DETECTION LABORATORY

History

The Scientific Crime Detection Laboratory was funded by the legislature in 1984 to provide forensic services to all law enforcement agencies within the State of Alaska. Prior to the opening of this new facility in 1986, forensic work was either contracted out to private laboratories or conducted by the F.B.I. Laboratory in Washington, D.C. Alaska was the last state to construct a full-service crime laboratory, but now has one of the most modern, well-equipped state crime laboratories in the nation.

The primary duties of laboratory personnel are to conduct scientific and technical analyses and examinations of evidentiary items in criminal cases, give court testimony in connection with the examinations at trials of subsequent criminal cases, provide instruction in police training schools, and liaison with all police agencies. In extremely serious or difficult cases, Crime Lab personnel assist investigating officers by the collection of evidence from the scene of the crime.

The Scientific Crime Detection Laboratory now consists of the following sections:

- A. Administrative - clerical, evidence custody, fiscal, and supply functions;
- B. Criminalistics - forensic serology, trace evidence, arson, firearms and toolmarks, footprint and tiretracks, and fish and wildlife identification;
- C. Controlled Substances - street drug identification and toxicology;
- D. Latent Fingerprints - physical, chemical, and laser enhancement of fingerprints with photography, composite artistry, facial reconstruction, autopsy support for coroner/pathologist, and maintenance support functions.

Twenty-two crime scene investigation assists have been conducted by the Criminalistics and Latent Fingerprint Sections in the past year. Approximately 750 fingerprints have been identified per year from over 3000 suitable latent fingerprints retrieved, some through the use of the Alaska Automated Fingerprint Identification System (AAFIS).

Evidence from over 2900 cases is being analyzed per year. Over 4300 items are analyzed in Controlled Substances, over 2900 items are analyzed in Criminalistics, over 12,450 are analyzed in Latent Fingerprints, and over 300 items are analyzed in Toxicology per year.

Key Policy Issues

Short Range Issues

1. The recruitment and retention of qualified forensic science personnel. The Latent Fingerprint Section is currently 200 cases behind. Two vacant positions have not been filled due to a lack of qualified in-state applicants. Out-of-state recruitment is now occurring. The sole Toxicologist position in the laboratory is also vacant. In-state recruitment was not successful, and to date, out-of-state recruitment has not been successful. This may be a major problem in the future.
2. The Crime Laboratory, to a certain extent, is a victim of its own success. A proposal that autopsies in major crimes be performed at the Crime Lab has been enthusiastically accepted by pathologists, coroners, and law enforcement investigators. Consequently, the number of autopsies performed at the Crime Lab has increased dramatically, from under 100 in FY 88 to over 300 in FY 91. An additional (second) Autopsy Assistant position is needed to handle the increasing number of autopsies performed at the laboratory facility.

Long Range Issue

The responsibility for administration of the State's alcohol breath test program (for drinking drivers) was transferred from the Department of Health and Social Services in July 1987. Only a tiny fraction of the funds necessary to support the program were transferred with it. The program includes 70 intoximeter breath test instruments located with city, state, and federal agencies, 75 breath test supervisors, and 1100 breath test operators statewide. The Lab has been supporting this program through a grant from the Alaska Highway Safety Planning Agency and by using supply, personal services, and contractual monies that would otherwise be available to support the Lab's forensic functions. Federal monies are not expected to be available for this program after next fiscal year, however, and general fund support for this essential public safety function will have to be sought at that point.

E O

7 8

26 FEB. 1991

STATE HOUSE OF REPRESENTATIVES
JUDICIARY COMMITTEE

DEAR COMMITTEE MEMBERS:

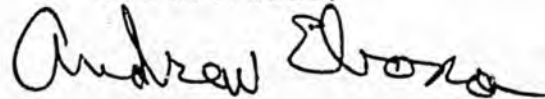
I AM WRITING ON BEHALF OF THE JUNEAU TLINGIT-HAIDA COMMUNITY COUNCIL WHICH HAS BEEN INVOLVED IN ISSUES OVER THE YEARS CONCERNING EEO AND AFFIRMATIVE ACTION AS IT RELATES TO STATE GOVERNMENT. WE HAVE WORKED HAND IN HAND WITH OTHER ORGANIZATIONS ON THESE CONCERNS AND WOULD LIKE TO SEE THAT THE STATE COMPLY WITH THE EXISTING LAWS ON THE BOOKS.

IT IS OUR UNDERSTANDING THAT THE GOVERNOR HAS INTRODUCED E. O. 78 WHICH WOULD MOVE THE EEO OFFICE OUT OF THE GOVERNOR'S OFFICE. WE OBJECT TO THE PROPOSED EXECUTIVE ORDER AND WOULD LIKE TO PROTEST ON THE GROUNDS THAT WE FEEL IT IS INAPPROPRIATE. A LOT OF PEOPLE AND ORGANIZATIONS HAD WORKED LONG AND HARD ON THE EXISTING LAW AND MOST FEEL IT SHOULD LOCATED IN THE OFFICE OF THE GOVERNOR TO BE EFFECTIVE.

WE HOPE THAT THIS LEGISLATION WOULD BE SCHEDULED FOR HEARINGS AND THAT WE BE NOTIFIED TO PROVIDE SOME INPUT ON THIS MATTER.

THANK YOU VERY MUCH.

RESPECTFULLY,



ANDREW EBONA, PRES.
JUNEAU TLINGIT-HAIDA
COMMUNITY COUNCIL
3235 HOSPITAL DRIVE
JUNEAU, AK. 99801
463-5680

WALTER J. HICKEL
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 21, 1991

The Honorable Ben Grussendorf
Speaker of the House
P.O. Box V
Juneau, AK 99811

Dear Speaker Grussendorf:

Under the authority of art. III, sec. 23, of the Alaska Constitution, I am transmitting Executive Order No. 78, relating to the transfer of the office of equal employment opportunity from the Office of the Governor to the Department of Administration, effective March 23, 1991.

Article III, sec. 22 of the Alaska Constitution requires that the functions, powers, and duties of the departments, offices, and agencies of government are to be grouped insofar as is practical according to major purposes. I submit this Order because I believe that placing the office of equal employment opportunity in the department charged with administering the state's personnel system, the Department of Administration, is in keeping with this requirement and will promote more efficient administration of the office's functions.

I urge your support of this Order.

Sincerely,

A handwritten signature in black ink that reads "Walter J. Hickel".

Walter J. Hickel
Governor

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

No. 1
Bill Version: EO 78
(H) Publish Date: 1/21/91

Revision Date: _____
Title: Executive Order Transferring EEO to
Department of Administration
Sponsor: _____
Requestor: Governor

Department Affected: Administration
BRU: Personnel
Component: Personnel

COMPONENT SERIAL NO.

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

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

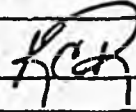
POSITIONS:

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

Estimate of current year impact: 621.8

ANALYSIS: (Attach a separate page if necessary.)

This executive order transfers the statutory responsibilities of the Office of Equal Employment Opportunity from the Governor's Office to the Department of Administration. This transfer will have no net fiscal impact on the State's operating budget. The transfer of funds between the Office of Equal Employment Opportunity and the Department of Administration is reflected on the C4 form of the Division of Personnel's FY 92 operating budget.

Prepared by: Kip C. Roloff 
Division: Personnel

Phone: 465-4430
Date: 01/16/91

Approved by Commissioner: Millett Keller 
Agency: Administration

Date: 1/17/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

FISCAL NOTE

No. 2

Bill Version: EO 78

(H) Publish Date: 1/21/91

STATE OF ALASKA
1991 LEGISLATIVE SESSION

Revision Date: _____ Department Affected: Office of the Governor
 Title: Executive Order transferring the BRU: Commissions and Special Offices
Office of Equal Employment Opportunity Component: Equal Employment Opportunity
to the Department of Administration
 Sponsor: ROLES
 Requestor: Governor COMPONENT SERIAL NO.

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

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

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

Funding for the Office of Equal Employment Opportunity exists within the state operating budget. These funds will be transferred to the Department of Administration through the FY 92 budget process.

Prepared By: Michael A. Nizich, Director *Man* Phone: 465-3616

Division: Division of Administrative Services Date: 1-18-91

Approved by Commissioner: *[Signature]*

Agency: Office of the Governor Date: _____

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

WALTER J. HICKEL
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 21, 1991

The Honorable Ben Grussendorf
Speaker of the House
P.O. Box V
Juneau, AK 99811

Dear Speaker Grussendorf:

Under the authority of art. III, sec. 23, of the Alaska Constitution, I am transmitting Executive Order No. 78, relating to the transfer of the office of equal employment opportunity from the Office of the Governor to the Department of Administration, effective March 23, 1991.

Article III, sec. 22 of the Alaska Constitution requires that the functions, powers, and duties of the departments, offices, and agencies of government are to be grouped insofar as is practical according to major purposes. I submit this Order because I believe that placing the office of equal employment opportunity in the department charged with administering the state's personnel system, the Department of Administration, is in keeping with this requirement and will promote more efficient administration of the office's functions.

I urge your support of this Order.

Sincerely,

A handwritten signature in cursive script that reads "Walter J. Hickel".

Walter J. Hickel
Governor

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

No. 1
Bill Version: EO 78
(H) Publish Date: 1/21/91

Revision Date: _____
Title: Executive Order Transferring EEO to
Department of Administration
Sponsor: _____
Requestor: Governor

Department Affected: Administration
BRU: Personnel
Component: Personnel

COMPONENT SERIAL NO.

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

Estimate of current year impact: 621.8

ANALYSIS: (Attach a separate page if necessary.)

This executive order transfers the statutory responsibilities of the Office of Equal Employment Opportunity from the Governor's Office to the Department of Administration. This transfer will have no net fiscal impact on the State's operating budget. The transfer of funds between the Office of Equal Employment Opportunity and the Department of Administration is reflected on the C4 form of the Division of Personnel's FY 92 operating budget.

Prepared by: Kip C. Roloff *KCR*
Division: Personnel

Phone: 465-4430
Date: 01/16/91

Approved by Commissioner: Millett Keller *Millett Keller*
Agency: Administration

Date: 1/17/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

FISCAL NOTE

No. 2
 Bill Version: EO 78
 (H) Publish Date: 1/21/91

STATE OF ALASKA
 1991 LEGISLATIVE SESSION

Revision Date: _____ Department Affected: Office of the Governor
 Title: Executive Order transferring the BRU: Commissions and Special Offices
Office of Equal Employment Opportunity Component: Equal Employment Opportunity
to the Department of Administration
 Sponsor: ROLES
 Requestor: Governor COMPONENT SERIAL NO.

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

Estimate of current year impact:

ANALYSIS: (Attach a separate page if necessary.)

Funding for the Office of Equal Employment Opportunity exists within the state operating budget. These funds will be transferred to the Department of Administration through the FY 92 budget process.

Prepared By: Michael A. Nizich, Director *M. Nizich* Phone: 465-3616
 Division: Division of Administrative Services Date: 1-18-91
 Approved by Commissioner: _____
 Agency: Office of the Governor Date: _____

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

WALTER J. HICKEL
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 21, 1991

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Speaker of the House
P.O. Box V
Juneau, AK 99811

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I urge your support of this Order.

Sincerely,

A handwritten signature in cursive script that reads "Walter J. Hickel".

Walter J. Hickel
Governor

STATE OF ALASKA
1991 LEGISLATIVE SESSION

FISCAL NOTE

No. 1
Bill Version: EO 78
(H) Publish Date: 1/21/91

Revision Date: _____
Title: Executive Order Transferring EEO to
Department of Administration _____
Sponsor: _____
Requestor: Governor

Department Affected: Administration
BRU: Personnel
Component: Personnel

COMPONENT SERIAL NO.

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL						
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REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

Estimate of current year impact: 621.8

ANALYSIS: (Attach a separate page if necessary.)

This executive order transfers the statutory responsibilities of the Office of Equal Employment Opportunity from the Governor's Office to the Department of Administration. This transfer will have no net fiscal impact on the State's operating budget. The transfer of funds between the Office of Equal Employment Opportunity and the Department of Administration is reflected on the C4 form of the Division of Personnel's FY 92 operating budget.

Prepared by: Kip C. Roloff *KCR*
Division: Personnel

Phone: 465-4430
Date: 01/16/91

Approved by Commissioner: Millett Keller *Millett Keller*
Agency: Administration

Date: 1/17/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

FISCAL NOTE

No. 2

Bill Version: EO 78

(H) Publish Date: 1/21/91

STATE OF ALASKA
1991 LEGISLATIVE SESSION

Revision Date: _____ Department Affected: Office of the Governor

Title: Executive Order transferring the Office of Equal Employment Opportunity to the Department of Administration BRU: Commissions and Special Offices
Component: Equal Employment Opportunity

Sponsor: ROLES

Requestor: Governor COMPONENT SERIAL NO.

--	--	--	--

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

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

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

Funding for the Office of Equal Employment Opportunity exists within the state operating budget. These funds will be transferred to the Department of Administration through the FY 92 budget process.

Prepared By: Michael A. Nizich, Director *M. Nizich* Phone: 465-3616

Division: Division of Administrative Services Date: 1-18-91

Approved by Commissioner: _____

Agency: Office of the Governor Date: _____

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

HB

4

DIVISION OF LEGAL SERVICES

**LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

*P.O. Box Y, Juneau, Alaska 99811
(907) 465-3867 or 465-2450
FAX (907) 465-2029*

*Deliveries to: 240 Main Street
Court Plaza, Room 500
Mail Stop 3101*

MEMORANDUM

April 23, 1991

SUBJECT: CSHB 4 (Jud) and the single-subject rule

TO: Representative Dave Donley
Chair, House Judiciary Committee
Attn: Hayden Kaden

FROM: John B. Gaguine *JBG*
Legislative Counsel

Dave Dierdorff, the revisor of statutes and our single-subject expert, believes that the latest version of CSHB 4 (Jud) (the "M" version) would not be found by a court to be in violation of the single-subject requirement of article II, section 13 of the Alaska constitution. He believes that because all the provisions of the bill relate to legislators and legislative employees (including former legislators and legislative employees), the bill would pass constitutional muster on this point. I agree with him.

If I may be of further assistance, please advise.

JBG:mi
91-077.mai

HOUSE LABOR AND COMMERCE COMMITTEE

ALASKA STATE LEGISLATURE

P.O. BOX Y, JUNEAU 99811

(907) 465-



TO: Rep. Dave Donley, Chairman
House Judiciary Committee

FROM: Rep. David Finkelstein

DATE: March 12, 1991

RE: Request to schedule HB 4

I am writing to request that CSHB 4 (SA), relating to legislative ethics, be scheduled for a hearing as soon as possible. My office has requested revised fiscal notes from the Legislative Affairs Agency and the Department of Administration.

Thank you for your consideration of my request.

CSHB 4 (SA) - Legislative Ethics

Overview

ARTICLE 1. PURPOSE

P.1 AS 24.61.010 is a brief purpose section.

ARTICLE 2. STANDARDS OF CONDUCT

- P.2 AS 24.61.100 says that a legislator or legislative employee may not accept anything other than their regular paycheck and benefits for doing their legislative duties.
- P.2 AS 24.61.110 prohibits a legislator or legislative employee from using public funds or resources for private gain. There are exceptions for minor acts, like using a state photocopier to copy a medical form.
- P.3 AS 24.61.120 prohibits a legislator or legislative employee from using public funds or resources for political purposes. A legislator who is running for office may not use state funds to send out a mass mailing within 60 days of an election. A legislative employee may not work on political party activities on government time. Campaign contributions may not be solicited in state offices.
- P.4 AS 24.61.130 prohibits the use of a legislator's or legislative employee's title for private benefit.
- P.5 AS 24.61.140 prohibits a legislator from coercing political or other contributions by threatening to take a given action.
- P.5 AS 24.61.150 is the current legislative nepotism law, with a minor change allowing family members to begin work in the other house eight days before session and to finish eight days after session.
- P.6 AS 24.61.160 prohibits a legislator or legislative assistant (higher level staff) from working for a lobbyist, or allowing a lobbyist to take an active part in the legislator's campaign.
- P.6 AS 24.61.170 requires legislators and legislative assistants to disclose their membership on government and private boards, and to refrain from taking action that specifically relates to those boards.

ARTICLE 2. STANDARDS OF CONDUCT, continued

- P.7 AS 24.61.180 states the general conflict-of-interest prohibition that one cannot take an action that will significantly benefit one's financial interests. This is current law.
- P.7 AS 24.61.190 restricts the ability of legislators and legislative assistants to represent clients for pay before state boards and agencies. Current law only requires disclosure.
- p.8 AS 24.61.200 adopts, with slight modification, current law regarding participation in state contracts and leases. In addition, legislators and legislative assistants may not accept a contract concerning a matter which he or she worked on in the legislature for one year after leaving legislative service.
- P.9 AS 24.61.210 adopts, with slight modification, current law regarding the receipt of gifts. The value of non-exempted gifts a legislator or employee may receive from a single source is capped at \$100 per year.
- P.11 AS 24.61.220 prohibits honoraria and outside employment that would create conflicts of interest.
- P.12 AS 24.61.230 prohibits improper intercession by legislators on behalf of constituents.
- P.13 AS 24.61.240 prohibits reprisals against or harassment of whistle blowers.
- P.13 AS 24.61.250 requires legislators to abide by the Open Meetings Act.
- P.13 AS 24.61.260 prohibits legislators and legislative employees from engaging in unlawful discrimination.

ARTICLE 3. LEGAL DEFENSE FUNDS

- P.13 AS 24.61.350 authorizes the establishment of legal defense and election challenge funds. The legal action being paid for must be directly related to legislative or campaign work, and the commission will limit the size of donations.

ARTICLE 4. FINANCIAL DISCLOSURE

- P.14 AS 24.61.400-24.61.426 expands the existing financial disclosure requirements and increases the minimum reporting level from \$100 to \$1000. When the source of income has a substantial interest in state government, the nature of the services and the amount of compensation must also be disclosed. Failure to file or the filing of substantially incomplete statements is grounds for removal from the ballot.

- P.17 AS 24.61.430 requires disclosure to the Commission of a legislator's or legislative assistant's close economic associations with lobbyists. Current law requires public disclosure of associations with lobbyists and some other categories of people.
- P.18 AS 24.61.440 adopts, with slight modification, current law regarding disclosure of participation in state loans and programs.
- P.19 AS 24.61.450 makes it a class A misdemeanor to make a false, incomplete, or late disclosure required by the Ethics Act.

ARTICLE 5. LEGISLATIVE ETHICS COMMISSION

- P.19-33 AS 24.61.500-24.61.580 establish a Legislative Ethics Commission consisting of seven public members, appointed to four-year terms by the Supreme Court, the legislature, and the other commission members. These sections provide for advisory opinions as under current law; provide for a complaint process somewhat more open to the public than under current law; and authorize the commission to issue exemptions from the standards of conduct.

The Commission must hold voluntary ethics education courses for legislators, staff and lobbyists, as well as prepare a biennial report. Commissioners are subject to the Ethics Act, and are restricted from participating in political activities.

ARTICLE 6. GENERAL PROVISIONS

- P.33 AS 24.61.900-24.61.990 contain miscellaneous provisions concerning the retention of documents by the Commission, the penalty for disclosing confidential information, the definition of terms in HB 4, and the bill's general relationship to other laws.
- P.37 Sections 3-8 make the existing APOC law consistent with the Ethics Act and prevent duplication in reporting.
- P.39 Section 9 replaces the current \$4,000 cash office allowance with a system of reimbursement for legitimate office expenses. At the beginning of each legislature, the Legislative Council will set the maximum amount that may be reimbursed.
- P.39 Section 10 allows legislators to be reimbursed for two round-trip tickets from Juneau to their districts each session.
- P.39 Section 11 requires Legislative Council approval of out-of-state travel by "lame duck" legislators.
- P.40 Section 12 prohibits lobbyists from using state resources in the conduct of their business and from taking an active part in a legislative campaign.
- P.40 Section 13 prohibits a legislator from working as a lobbyist for one session after leaving office.

- P.41 Sections 14-20 make the existing APOC conflict-of-interest laws consistent with the Ethics Act and prevent duplication in reporting.
- P.42 Section 21 explains how the initial commission appointments will be made.
- P.43 Section 22 allows the commission to consider complaints of violations of the old ethics law (24.60) that occurred before the Ethics Act of 1991 goes into effect.
- P.43 Section 23 provides a transition period before the prohibition on representation of clients before state agencies goes fully into effect.
- P.43 Section 24 says that the definition section, APOC regulatory responsibility, and the portion of the bill which sets up the Commission will go into effect on July 1, 1991
- P.43 Section 25 says that the current \$4000 office allowance will be eliminated when the Legislative Council sets a maximum amount for reimbursement under the new voucher system.
- P.46 Section 26 says that the remainder of HB 4 goes into effect on January 1, 1992.

CSHB 6 (SA)

CONCEPTUAL CHANGES ADOPTED BY SUBCOMMITTEE

Pp. 19 - 20: Makeup of commission.

(a)(1) One member of senate appointed jointly by president and minority leader.

(2) One member of house appointed jointly by speaker and minority leader.

(4) Of the three members, no more than one may be a former member of the legislature.

(d) Neither chair or vice-chair can be a legislator.

(e) A commissioner may not be a legislator, except as provided in (a) (1) and (2).

P. 39: Legislative office allowance - DELETE

P. 39: § 10 - Legislative travel - DELETE

P. 6: Delete § 160(a) - has to do with fund raising.

P. 40: Delete § 121(a)(9) - has to do with fund raising.

INSERT - Legislative immunity for statements made during interim about legislative intent.

INSERT - Provision prohibiting person engaged in rate-making for an industry from going to work in that industry for one year.

INSERT - Legal defense of legislators and legislative staff provision.

Pp. 13 - 14: Delete provisions in § 350 regarding legal defense funds; retain election challenge funds - this latter re election challenge funds is unclear from my notes.

A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE FINKELSTEIN

TO: HB 4

Page 41, line 18, following "Sec. 10.", through page 42, line 7:

Delete all material and insert:

"AS 24.10 is amended by adding a new section to read:

Sec. 24.10.102. COMPENSATION OF LEGISLATORS. A legislator shall receive a salary and a per diem allowance that are prescribed by the State Officers Compensation Commission under AS 39.23.240(a)."

Renumber the following bill sections accordingly.

Page 43, following line 30:

Insert a new bill section to read:

** Sec. 16. AS 39.23.240(a) is repealed and reenacted to read:

(a) Not later than the 10th calendar day of the first regular session of a legislature, the commission shall submit to the legislature an order setting the salary and the per diem allowance of legislators under AS 24.10.102. The order may authorize a higher salary for the speaker of the house and the president of the senate than for other legislators. The order becomes effective 60 days after submission or on final adjournment of that session, whichever comes earlier, unless a bill disapproving the commission's order is enacted into law before the order becomes effective. If an order under this section is disapproved, the salary and per diem allowance of the legislators remain at the level set by the most recent order of the commission that was not disapproved. The commission may submit only one order during each legislature."

Page 45, following line 15:

Insert a new bill section to read:

** Sec. 22. AS 24.10.100, 24.10.101, and 24.0.105 are repealed."

Renumber the following bill section accordingly.

Page 45, following line 24:

Insert a new bill section to read:

"* Sec. 24. TRANSITIONAL PROVISIONS RELATING TO LEGISLATORS' SALARIES AND PER DIEM ALLOWANCES. Notwithstanding AS 39.23.240(a), as amended by sec. 16 of this Act, until the effective date of an order of the State Officers Compensation Commission under AS 39.23.240(a), as amended by sec. 16 of this Act, salaries of legislators shall be governed by AS 24.10.100, and per diem allowances shall be governed by AS 24.10.105."

Renumber the following bill sections accordingly.

Page 46, following line 17:

Insert a new bill section to read:

"* Sec. 29. Section 22 of this Act takes effect on the effective date of the first order of the State Officers Compensation Commission under AS 39.23.240(a), as amended by sec. 16 of this Act, that is not disapproved by the legislature under AS 39.23.240(a), as amended by sec. 16 of this Act."

Renumber the following bill section accordingly.

Page 46, line 18:

Delete "secs. 25 and 26"

Insert "secs. 27 - 29"

DIVISION OF LEGAL SERVICES

**LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

P.O. Box Y, Juneau, Alaska 99811
(907) 465-3867 or 465-2450
FAX (907) 465-2029

Deliveries to: 240 Main Street
Court Plaza, Room 500
Mail Stop 3101

*For Mary McB
only, please*

January 29, 1991

MEMORANDUM

SUBJECT: Provisions of ethics bill relating to staff
TO: Representative David Finkelstein
FROM: John B. Gaguine
Legislative Counsel

You have asked for a brief memorandum on how legislative staff would be affected by HB 4, your ethics reform bill. Here it is.

As you are aware, the Michael Josephson ethics bill from last year treated legislators and staff essentially the same; former staff, for example, was restricted from post-employment lobbying to essentially the same degree as former legislators. As the Josephson bill worked its way through the legislature, and legislative aides (and their legislator employers) voiced their objections, many of the restrictions on staff were deleted. Your bill continues this trend.

Of course, many of the general prohibitions in the bill apply to staff as well as to legislators: they may not, for instance, misuse state property for private gain, participate in legislative action if they have a substantial financial conflict of interest, or receive gifts worth \$100 or more (unless one of the exceptions to the prohibition applies). However, other prohibitions apply only to legislators and senior aides (those employees whose duties "involve the exercise of substantial discretion and judgment"); only these persons are restricted in representing clients for compensation before state boards and agencies, in working for lobbyists, and in participating in state contracts and leases. Finally, certain restrictions apply only to legislators, and not to any aides; among these are restrictions on service on boards of organizations with substantial interest in matters before the legislature, and most nepotism restrictions.

Further, unlike last year's Josephson bill, your bill only requires financial disclosure statements by legislators, legislative candidates, and about ten high-level legislative employees (such as the legislative auditor, the executive director of the Legislative Affairs Agency, and the ombudsman). These individuals are currently required to make financial disclosures to the Alaska Public Offices Commission under AS 39.50. Your bill also lessens the reporting requirements on close economic associations; it

Representative David Finkelstein
January 29, 1991
Page 2

*For
Mam only*

requires disclosure only of close economic associations with registered lobbyists, and only by legislators and senior aides.

Finally, I should note that, notwithstanding the bill's use of the term "legislative employee", it will not cover all who work for the legislature. It will cover many more than current law, which only applies to employees at Range 18 and above. However, your bill's definition specifically excludes "individuals who perform functions that are incidental to legislative functions, such as security, messengers, maintenance, and print shop employees," and those working less than 400 hours in a calendar year or 300 hours in a session. Moreover, as mentioned above, far fewer people will be covered as "legislative assistants" under your bill than are covered by the current law. Although the final decision as to who is a legislative assistant will rest with the Legislative Council and the new ethics commission, my guess is that many employees of the LAA and the legislative divisions who are now covered by the ethics law, and perhaps some aides who are now covered, will be found not to be legislative assistants.

I hope that this memorandum has been useful to you. Please let me know if I can be of further assistance.

JBG:pl
91-039.plm



Official Business

Alaska State Legislature

HOUSE OF REPRESENTATIVES

House State Affairs Committee

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

March 8, 1991

MEMORANDUM

TO: Representative Dave Donley, Chair
House Judiciary Committee

FROM: Representative Gene Kubina, Chair
House State Affairs Committee

RE: CSHB 4 (State Affairs)

A handwritten signature in cursive script, appearing to read "Gene", written over the "FROM" line of the memorandum.

The House State Affairs Committee passed out a committee substitute for HB 4, the legislative ethics bill, which will be coming to your committee next week. The State Affairs CS is substantially different from Representative Finklestein's original HB 4:

- (1) the legislative salary portion has been removed and is included under HB 129 (which is already scheduled for hearing in your committee);
- (2) sections dealing with campaign finance have been pulled out and reconstituted into HB 195 by Rep. Finklestein.

These changes have a significant impact on the previous departmental fiscal notes and new fiscal notes have been requested from APOC and LAA Administrative Services. Rather than holding up the bill in State Affairs, I want to refer it on to your committee so that you will have plenty of time to review the changes. The new fiscal note from APOC will take more than five days to prepare since it will have to be approved by the Commission during their next meeting on March 15.

Finally, the committee did review your amendment for adding new sections dealing with legal defense funds. Rather than weighing the merits of the amendment, the committee felt that it would be more appropriate to bring the legal defense fund issue up in Judiciary.