

ALASKA LEGISLATURE COMMITTEE FILES 1991-1992 8672
7267 HOUSE STATE AFFAIRS

ALASKA DEPARTMENT OF REVENUE
PERMANENT FUND DIVIDEND DIVISION

DB 428 ANALYSIS

As of January 31, 1992

However, if the Division receives a significant number of such applications after September 1, 1992 there would be a corresponding impact on the processing of applications. Because the dividend will be calculated based on the number of applications received and processed as of October 1, 1992, a large number of applications received after a September 1, 1992 processing cutoff might mean some of the applications could not be paid until July, 1993.

In addition, an extended six month application period for certain individuals may result in a larger number of late filed applications not related to the provisions of Section 8. All costs associated with any such increase would have to be absorbed by the Division. If we receive such applications, we will deny them as late filed. If these individuals appeal their denials, we will have to work those appeals. If there are a significant number of such filings, it would impact both our review and appeals workload.

DIVISION OF LEGAL SERVICES

**LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

240 Main Street, Suite 500
Juneau, Alaska 99801-2101

MEMORANDUM

January 27, 1992

SUBJECT: Permanent Fund Dividends (Work Order No. 7-LS1665/D)

TO: Representative Max Gruenberg

FROM: Tamara Brandt Cook
Director *TAC*

Here is the sectional analysis that you requested.

2) Section 1. Statement that the change to the definition of residency used by the permanent fund dividend program only clarifies what the legislature has always intended the definition to be.

Sec. 2. Requires dividends received by the state as abandoned property to be deposited into the dividend fund and expended according to regulations adopted by the Commissioner of Revenue. Current law requires that this property be deposited into the general fund.

Sec. 3. Requires that money held to pay a permanent fund dividend warrant be transferred to the dividend fund when the warrant is too old to cash. Money so transferred may be expended according to regulations of the Commissioner of Revenue. Current law requires these funds to be deposited into the general fund.

3) Sec. 4. Modifies the residency eligibility periods so that a person must have been a state resident for at least one year before January 1 of the dividend year, and must have been physically present in the state at some time during the prior two years before the dividend year. Adds the requirement that the person be a citizen of the United States, a resident alien, a refugee, or an alien that has been granted asylum.

4) Sec. 5. Provides that a minor who is under two years of age on January 1 of the dividend year is eligible for a dividend if the minor is a state resident and at least one of the minor's custodial parents or guardians is eligible for a dividend, or the minor is in the custody of the state.

③ Sec. 6. A person convicted of a felony is not eligible for a dividend if, during the previous year, the individual is incarcerated. Existing law applies to incarceration during the fiscal year ending June 30 of the dividend year.

④ Sec. 7. Technical cross-reference change to reflect the change in Sec. 4 of the draft.

① Sec. 8. Requires the commissioner to consider all relevant circumstances in determining the eligibility of an individual. Prohibits the residency of a person's spouse from being the only factor relied upon in determining the residency of the individual.

Sec. 9. Permits the Department of Revenue to prescribe an application form that includes notice of penalties, a statement of eligibility and a certification of residency. These are required under existing law, but now the form itself is set by statute.

② Sec. 10. Notice of an improperly paid dividend must be sent within three years after the improper payment or, if the individual exercised gross negligence or recklessly disregarded a material fact in connection with an application, notice must be sent within six years. Current law requires notice within 10 years.

⑤ Sec. 11. If notice is not sent in timely fashion, administrative or judicial proceedings may not be commenced for the recovery of an improperly paid dividend. The time limitations do not apply if a dividend is forfeited after conviction of a crime or if it is more probable than not that an individual committed a crime in connection with a false statement made on an application. Under existing law, only judicial, not administrative, proceedings are prohibited if the notice is not given in a timely fashion and the 10 year time limitation applies to all situations except forfeiture of a dividend after a criminal conviction.

Sec. 12. Dividends are to be paid by December 31 of the dividend year. Existing law requires payment before April 30 of the following year.

② Sec. 13. The residency requirements of AS 01.10.055 are incorporated into the definition of "state resident" under the dividend program.

③ Sec. 14. Existing law permits, in a determination of residency, that months in the current year and in the preceding year be considered. This is repealed, since the residency determination will now be based on a calendar year.

Sec. 15. Persons who qualify for a dividend because of the provision dealing with applications for minors or because of the provision dealing with consideration of all evidence in determining residency and forbidding a determination based only on the residency of a spouse may apply for the 1992 dividend by December 31, 1992.

Representative M. Gruenberg
January 27, 1992
Page 3

Sec. 16. The two provisions discussed above are retroactive to January 1, 1992, so they apply to the current dividend year.

Secs. 17 and 18. Certain sections take effect immediately, including the retroactive sections. The rest of the draft takes effect at the beginning of the next dividend year.

TBC:mi
92-013.mai

News Release

Alaska Legislature
P.O. Box V
Juneau, AK
99811-3100



For Information Contact:
Terence O'Malley
Press Secretary
(907) 561-7621

House of Representatives Majority Coalition

For Immediate Release

Jan. 29, 1992

GRUENBERG PFD BILL CLARIFIES ELIGIBILITY AND QUALIFIES BABIES

JUNEAU--Rep. Max Gruenberg, D-Anchorage, today introduced an omnibus permanent fund dividend bill (HB428) that reaffirms the eligibility of resident Alaskans married to non-residents to receive a PFD. It also extends the PFD to children born to, or adopted by, Alaskan parents living Outside who are themselves eligible to receive a dividend.

"This bill guarantees bona fide Alaskans receive the dividend to which they're entitled," Gruenberg said. "The state is required to consider all relevant circumstances and cannot deny a dividend to any resident Alaskan merely because they are married to a non-resident. It's retroactive to cover those people who were denied last year's dividend based on their spouses' residency status."

HB428, in large part, was prompted by the denial of last year's dividend checks to some 800 Alaska residents married to non-resident military personnel. The Permanent Fund Dividend Division determined that Alaska residents married to non-resident military personnel did not intend to remain in Alaska permanently and therefore were not eligible to receive dividends. Approximately 570 of those cases are still under review by the division.

HB428 was crafted in cooperation with the Permanent Fund Dividend Division. It includes provisions to significantly improve the efficiency of the application process. Most notably, it clarifies the residency requirement by making it one calendar year, rather than from April to April as is the case now.

The PFD application period will run from January 1 to March 31, rather than from April to May. This gives the dividend division more time to review applications and ensure that all eligible Alaskans receive their PFDs beginning each October.

-MORE-

State of Alaska



House Majority Leader

COMMITTEES

HOUSE JUDICIARY

HOUSE RULES

HOUSE STATE AFFAIRS

SPECIAL COMMITTEE

MILITARY AND VET. AFFAIRS

LEGISLATIVE COUNCIL

January 28, 1992

Representative Max F. Gruenberg, Jr.

District 11

Spenard, Upper Midtown Anchorage

P.O. Box V
Juneau, AK 99811
(907) 465-3718
465-4968/4986
(SESSION)

3111 C STREET, SUITE 440
ANCHORAGE, AK 99503
(907) 561-7621

Dear Colleague:

Attached is a copy of HB428, "An Act Pertaining to Permanent Fund Dividends," which I plan on introducing tomorrow. Also attached is a sectional analysis. The bill is designed to cure the problem regarding the eligibility of resident Alaskans married to non-residents who have been denied permanent fund dividend checks.

Specifically, HB428 does the following:

1. Requires the commissioner to consider all relevant circumstances in determining the eligibility of an individual. It prohibits the residency of a person's spouse from being the only factor relied upon in determining the residency of the individual. (sec. 8)
2. Clarifies the definition of permanent resident to comport with AS. 01.10.055(a). This means that a person remains a permanent resident until he/she leaves and establishes a permanent residence elsewhere. (secs. 1 & 13)
3. Changes the year of residency to qualify for a dividend from April to April to the preceding calendar year. (secs. 4, 6, 7 & 14)
4. Permits babies born (or adopted) out-of-state to eligible Alaskans to qualify for a dividend. (sec. 5)
5. Requires the division in all cases, except gross negligence or fraud, to send notices within 3 years if the division wants to recover back dividends improperly paid. (secs. 10 & 11)

This bill has the support of the Permanent Fund Dividend Division and solves the problem of military spouses living in Alaska denied 1991 dividends based on their husbands' residency status. Also attached is a copy of the Dividend Division's latest PFD eligibility policy which is being adopted as a regulation.

I would appreciate your co-sponsorship of HB428. If you are interested please tell Terence O'Malley (4712) or my legislative intern Fred Pascoe at 4968.

Thank you.

A handwritten signature in cursive script that reads "Max".

Max F. Gruenberg, Jr.

HOUSE COMMITTEE REPORT

(7) Date Referred: January 29, 1992 FURTHER REFERRALS: Finance

Date of Committee Action: 2/3/92

The STATE AFFAIRS Committee considered: HB 428

HOUSE BILL NO. 428 RESIDENCY FOR PERMANENT FUND DIVIDENDS

"An Act relating to permanent fund dividends; and providing for an effective date."

RECOMMENDATIONS: the same title
 be replaced with CSHB 428 (S7A) a new title
 have attached amendments(s)
 do pass
 do not pass
 no recommendations
 individual recommendations
 additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dep) APPROVES PREVIOUS: (Dep/Date)
 fiscal impact Revenue fiscal note(s) _____
 zero fiscal note _____ zero fiscal note(s) _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Eugene A. Kulina</i>					
<i>Tom Meyer</i>	✓				
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				

Eugene A. Kulina
CHAIRMAN'S SIGNATURE

CORRECTION

THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY

News Release

Alaska Legislature
P.O. Box V
Juneau, AK
99811-3100



For Information Contact:
Terence O'Malley
Press Secretary
(907) 561-7621

House of Representatives Majority Coalition

For Immediate Release

Jan. 29, 1992

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HB428, in large part, was prompted by the denial of last year's dividend checks to some 800 Alaska residents married to non-resident military personnel. The Permanent Fund Dividend Division determined that Alaska residents married to non-resident military personnel did not intend to remain in Alaska permanently and therefore were not eligible to receive dividends. Approximately 570 of those cases are still under review by the division.

HB428 was crafted in cooperation with the Permanent Fund Dividend Division. It includes provisions to significantly improve the efficiency of the application process. Most notably, it clarifies the residency requirement by making it one calendar year, rather than from April to April as is the case now.

The PFD application period will run from January 1 to March 31, rather than from April to May. This gives the dividend division more time to review applications and ensure that all eligible Alaskans receive their PFDs beginning each October.

-MORE-

"By giving the division more time to process applications, we minimize unfairly denying dividends and make sure everybody's check arrives on time," Gruenberg said.

HB428 is multifaceted. Minors under two years of age on January 1 of the dividend year would be eligible for a dividend if the minor is a state resident, and at least one of the minor's custodial parents or guardians is eligible for a dividend, or the minor is in the custody of the state. Other provisions of HB 428 include:

- requirements that a person must be a citizen of the U.S., a resident alien, a refugee, or an alien that has been granted asylum;
- a requirement that the dividend division must notify within three years any person who was improperly paid a dividend, unless that person perpetrated fraud or gross negligence; and
- a prohibition against giving dividends to persons incarcerated during the previous year on a felony conviction. Existing law applies to incarceration during the fiscal year ending June 30 of the dividend year.

State of Alaska



House Majority Leader

COMMITTEES

HOUSE JUDICIARY

HOUSE RULES

HOUSE STATE AFFAIRS

SPECIAL COMMITTEE

MILITARY AND VET AFFAIRS

LEGISLATIVE COUNCIL

P.O. Box V
JUNEAU, AK 99811
(907) 465-3718
465-4968/4986
(SESSION)

January 28, 1992

Representative Max F. Gruenberg, Jr.
District II
Spenard, Upper Midtown Anchorage

3111 C STREET, SUITE 440
ANCHORAGE, AK 99503
(907) 561-7621

Dear Colleague:

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I would appreciate your co-sponsorship of HB428. If you are interested please tell Terrence O'Malley (4712) or my legislative intern Fred Pascoe at 4968.

Thank you,

A handwritten signature in cursive script that reads "Max".

Max F. Gruenberg, Jr.

HOUSE COMMITTEE REPORT

(7)

Date Referred: January 29, 1992

FURTHER REFERRALS:

Finance

Date of Committee Action: 2/3/92

The STATE AFFAIRS Committee considered:

HB 428

HOUSE BILL NO. 428

RESIDENCY FOR PERMANENT FUND DIVIDENDS

"An Act relating to permanent fund dividends; and providing for an effective date."

RECOMMENDATIONS:

be replaced with CSHB 428 (STA) the same title

a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Date)

APPROVES PREVIOUS: (Date)

fiscal impact Revenue

fiscal note(s) _____

zero fiscal note _____

zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Eugene A. Kulina</i>					
<i>Tom Meyer</i>	<input checked="" type="checkbox"/>				
<i>[Signature]</i>	<input checked="" type="checkbox"/>				
<i>[Signature]</i>	<input checked="" type="checkbox"/>				
<i>[Signature]</i>	<input checked="" type="checkbox"/>				
<i>[Signature]</i>	<input checked="" type="checkbox"/>				

Eugene A. Kulina
CHAIRMAN'S SIGNATURE



House State Affairs Committee

Representative Gene Kubina, Chair

DATE: February 3, 1992

PLACE: Capitol Room 102

SUBJECT OF MEETING:

- *HB 428 - Relating to Residency for Permanent Fund Dividends
- HB 322 - Relating to Whistleblower Protection
- *SCR 19 - Relating to Age-Related Discrimination in Alaska
- HCR 16 - Relating to Bone Marrow Donor Bank

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
Tom Williams	Revenue	PFD Division P.O. Box 11046 Juneau	99811		465-2323	(Y) N	HB 428
Paula Terrel	Sen Kerffula				465-1200	(Y) N	SCR 19 + SJR 24
Milne McMillan	Rep. at Nelson	Box 110201 Juneau, AK 99811-0201	99811		465-4600	(Y) N	Forest Note HB 322
Margaret Pugh	Rep. Ulmer	Room 421		49	4147	(Y) N	HB 322
Ron Clarke	Rep. Koponen	CAP 503			4992	(Y) N	HJR 51
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	

1.



House State Affairs Committee

Representative Gene Kubina, Chair

SUBJECT OF MEETING:

DATE:

PLACE:

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
<i>Gene Kubina</i>	<i>Catville</i>	<i>Box 100, Juneau</i>			<i>4970</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>HB 322</i>
						<input type="checkbox"/>	<input type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	
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						<input type="checkbox"/>	<input type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	

2.

HB

434

(7)

Date Referred: February 12, 1992

FURTHER REFERRALS:

Date of Committee Action: 2/21/92

The STATE AFFAIRS Committee considered:

HB 434

HOUSE BILL NO. 434

VETERANS' MOTOR VEHICLE PLATES

"An Act relating to special motor vehicle registration plates for veterans and recipients of the Purple Heart."

RECOMMENDATIONS:

be replaced with _____ the same title

have attached amendment(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(s): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal impact _____

fiscal note(s) _____

zero fiscal note _____

zero fiscal note(s) Public Safety

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Eugene A. Kuban</i>	<input checked="" type="checkbox"/>				
<i>Tom Meyer</i>	<input checked="" type="checkbox"/>				
<i>[Signature]</i>	<input type="checkbox"/>				
<i>[Signature]</i>	<input type="checkbox"/>				

[Signature]
CHAIRMAN'S SIGNATURE



AMERICAN LEGION

C. RUSSELL HUBER POST #57

"The Friendly Post"

P.O. Box 70589 • Fairbanks, Alaska 99707

(907) 452-6767

February 7, 1992

Mr. Tom Moyer
District 19 Representative
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

Dear Representative Moyer:

We would like to take this opportunity to thank you for House Bill #434, allowing Veterans to purchase multiple sets of special license plates. We appreciate your pushing for this change and listening to us Veterans.

We would like to express our concern over Governor Hickel's administration intent to cut the Veterans' burial expense budget by \$170,000. I am sure you are aware of the various administrative cuts affecting Veterans and senior citizens. We urge your consideration of this matter and your understanding of the difficulty most people, including Veterans, have in affording burial expenses. If the budget is cut, much less by \$170,000, Veterans would face an even further substantial hardship.

SJR-6, the Flag Desecration Resolution, is extremely important to us. While we support 'freedom of expression', we would like to see a Constitutional Amendment prohibiting desecration of the United States Flag. In the alternative, we urge your support for SJR-6.

As always, thank you for your consideration of these matters.

Sincerely,

A handwritten signature in cursive script, appearing to read "Leon R. Miller".

Leon R. Miller, Adjutant

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 434

Revision Date: _____ Department Affected: Public Safety
 Title: An Act relating to special BRU: Motor Vehicles
motor vehicle registration plates Component: Field Services
 Sponsor: Representative Moyer
 Requestor: House Transportation COMPONENT SERIAL NO.

5	0	2
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EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL	0	0	0	0	0	0

POSITIONS:

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

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)
 No fiscal impact is anticipated.

Prepared By: Janita Hensley Phone: 465-4335
 Division: Motor Vehicles Date: 2/10/92
 Approved by Commissioner: Richard L. Burton
 Agency: Department of P te: 2/10/92

REPRESENTATIVE TOM MOYER

DISTRICT 19 • 119 N. CUSHMAN ST., SUITE 203 • FAIRBANKS, AK 99701 • (907) 456-8161

International Trade & Tourism, Chair • State Affairs, Vice Chair • Resources, Member

SPONSOR STATEMENT

CONCERNING HB 434, " AN ACT RELATING TO SPECIAL MOTOR VEHICLE REGISTRATION PLATES FOR VETERANS AND RECIPIENTS OF THE PURPLE HEART"

Passage of SB 65 in 1989 allowed veterans and recipients of the Purple Heart to buy a set of commemorative veterans license plates. Inadvertently, language limiting purchase to one set of plates was left in the bill. The plates became available in 1991.

This minor glitch has come to my attention over the interim from a veteran in my district who has more than one vehicle and would like to buy plates for each one.

HB 434 would simply permit eligible vets or Purple Heart recipients to purchase special plates for as many vehicles as they own.

DEPARTMENT OF PUBLIC SAFETY
DIVISION OF MOTOR VEHICLES
5700 E. Tudor Road
Anchorage, AK 99507
FAX (907) 333-8615 (Xerox 7020)

ALASKA

DMV HQ

The Last Frontier

F A X T R A N S M I T T A L S H E E T

Date: 2/20/92

From: Chuck Horack, DMV

Number of pages (including this sheet): 2

To: Dave

Rep. Moyer's Office

Regarding: DMV Plate Categories

Note: If any of these fax copies are illegible, or you do not receive the same number of pages as stated above, please contact us immediately at: (____) 249-5559

PLATE CATEGORIES

PASSENGER
TRUCK
NON-COMMERCIAL TRAILER (SMALL)
NON-COMMERCIAL TRAILER (LARGE)
COMMERCIAL TRAILER
MOTORCYCLE
FOR HIRE
OCCASIONAL USE
CHARITABLE EXEMPT
GOVERNMENT EXEMPT
FARM
HANDICAPPED
DISABLED VETERAN
HISTORICAL
DEALER
MOTORCYCLE DEALER
ALASKA STATE TROOPER
FISH AND WILDLIFE PROTECTION
LEGISLATIVE
U.S. SENATOR
U.S. REPRESENTATIVE
GOVERNOR
LT. GOVERNOR
CALL LETTER
PERSONALIZED
MOTORCYCLE PERSONALIZED
PRORATE
UNIVERSITY (4 TYPES)
EX-POW
PEARL HARBOR SURVIVOR
NATIONAL GUARD
PURPLE HEART
VETERAN (5 TYPES)

40 SEPARATE TYPES

HB

447

SOUTH EAST ALASKA REGIONAL HEALTH CORPORATION
222 TONGASS DRIVE • SITKA, ALASKA 99835 • (907) 966-2411

MT. EDGECUMBE HOSPITAL

March 9, 1992

Representative Bruckman
Room 116
Capital Building
Juneau, Alaska 99801-1182

Dear Representative Bruckman,

I would like the following entered as written testimony for the March 13th House State Affairs Committee hearing on HB 447:

Injuries, including drowning, are the leading cause of death for American Indians and Alaska Natives between one and forty-four years of age. Drowning represented 21% of injury deaths for American Indians and Alaska Natives for the years 1981 - 1985.

According to a 1991 Centers for Disease Control (CDC) data, Alaska had a drowning rate of 15.1 per 100,000 people, while the United States had an overall rate of 2.6 per 100,000. The CDC also determined that Alaska was experiencing 59 excess deaths per year from drowning. Finally, Alaska's drowning rate is three times higher than that of the state with the next highest rate.

I am currently using State of Alaska Bureau of Vital Statistics data to analyze drowning in Southeast Alaska between the years 1980 - 1989. During that time, there were 166 watercraft-related deaths; 150 of those were drownings. People between eleven and forty-four years of age represented 65% of all victims.

There were four drowning fatalities of children under the age of 13 in Southeast Alaska between 1980 - 1989. Two of the four were males, all were non-native, and all victims died in or near their hometown. If we were to assume that each of those children had lived to the age of 70, we could say that their deaths represent 253 years of potential life lost.

Personal floatation devices save lives, but only if people wear them. Children rely on adults to protect them and set good examples. Unfortunately, when it comes to personal floatation, adults do not always protect children or set a good example. However, HB 447 gives the State of Alaska an opportunity to set that good example.

Thank you for taking the time to read this testimony. If you are interested in more detailed information about drowning in Alaska, please do not hesitate to contact me at ph#966-2458.

3/9/92 Representative Bruckman/HB 442

p.2

Sincerely,

David E. Robbins

David E. Robbins
Environmental Health Coordinator

HOUSE BILL NO. 447

IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES BRUCKMAN, Gruenberg

Introduced: 2/7/92

Referred: Transportation, State Affairs

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring a person under 13 years of age to wear a personal flotation device."

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

3 • Section 1. AS 05.25.010 is amended by adding a new subsection to read:

4 (d) The operator of a watercraft on the water of the state may not transport a person
5 under 13 years of age onboard the watercraft unless the person is wearing a United States Coast
6 Guard approved Type I, Type II, or Type III flotation device. In this subsection, "personal
7 flotation device" does not include a life belt or life ring.

8 • Sec. 2. AS 05.25.020 is amended by adding a new subsection to read:

9 (b) A person may not operate a watercraft on the water of the state to tow a person under
10 13 years of age on water skis, a surfboard, or similar device unless the person being towed is
11 wearing a United States Coast Guard approved Type I, Type II, or Type III personal flotation
12 device. In this subsection, "personal flotation device" does not include a life belt or life ring.

ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES

3111 C STREET
ANCHORAGE, ALASKA 99503
(907) 561-2034

LABOR & COMMERCE

STATE AFFAIRS

WHILE IN SESSION
STATE CAPITOL
ANCHORAGE, ALASKA 99501-1182
(907) 465-4843

REPRESENTATIVE BETTY BRUCKMAN

Sponsor Statement

HB 447

"Requiring a person under 13 years of age to wear a
personal flotation device"

I have introduced HB 447 to reduce the tragic number of lives lost each year in Alaska to drowning. Last year 37 people drowned in Alaska; this is 28 times the national average. In some Alaskan communities drowning is the leading cause of death. Ironically, Alaska remains one of only a few states left without a personal flotation device wearing requirement.

According to U.S. Coast Guard reports, victims who drown while wearing personal flotation devices are extremely rare. In 1991, 90% of commercial fishermen who drowned in Alaska were not wearing P.F.D.s. However, of those fishermen who were saved, 55% wore personal flotation devices. In areas of the state with high numbers of drowning victims, local councils and assemblies have already passed ordinances mandating personal flotation device use.

HB 447 does not effect an adult's right to make personal safety decisions. However, while persons older than age 13 will still be able to make informed decisions about P.F.D. use, Alaskan children will now be protected from death by drowning. Drowning accounted for 27% of all child injury deaths in Alaska during 1980-1985.

Although HB 447 only targets children, it is my hope that people who wear personal flotation devices when they are young will choose to continue wearing them as adults. Parents of children now required to wear P.F.D.s may also be influenced by HB 447; as they put their children into personal flotation devices they may think twice about going without P.F.D.s themselves.

I urge you to join many Alaskan boating and health and safety organizations in supporting HB 447. We can no longer stand idly by, watching Alaskan children be lost to death by drowning, a death which is easily preventable. We must act now to protect those who are not old enough to understand the risks of not wearing a personal flotation device.

Answers to questions about HB 447:

- 1. Will HB 447 affect the Alaska State Ferry System? No.** "watercraft" as defined by AS 05.25.100(3) is a vessel "devoted to recreational pursuits".
- 2. Will HB 447 apply to commercial fishing boats? No,** again the definition of "watercraft" specified by HB 447 excludes all commercial vessels.
- 3. What safety requirements for watercraft already exist under State Law? Under AS 05.25.010(b),** "A watercraft operated on inland waters must carry at least one life preserver, or lifebelt, or ring buoy, or other device of the sort approved by the United States Coast Guard for each person on board, so placed as to be readily accessible. A watercraft carrying passengers for hire must carry, so placed as to be readily accessible, at least one life preserver of the sort approved by the United States Coast Guard for passenger-carrying watercraft for each person on board."
- 4. What are the penalties for violating HB 447? The maximum penalty in place for violations of provisions listed under AS 5.25 is as specified by AS 5.25.090:** "a fine of not more than \$500, or by imprisonment of not more than 6 months, or by both, for each violation".
- 5. Will HB 447 affect an adult's right to make personal safety decisions? No,** HB 447 only mandates the use of personal flotation devices by children 13 and under. HB 447 continues to allow adults to make informed decisions about P.F.D. use while protecting children from death by drowning.
- 7. Are Personal Flotation Devices Expensive? No,** Type II flotation devices can be bought for between ten and fifteen dollars. In quantities of fifty or more they can be purchased for as little as eight dollars.

6. Why does HB447 specifically target persons age 13 and under? Many other states with P.F.D. wearing requirements target only children. The most common cut-off age for P.F.D. requirements across the country is age 12. Arizona, Delaware, Kansas, Louisiana, Montana, Nebraska, Oklahoma, Texas and Utah all have statutes directed at children 12 and under.

Children react very differently from adolescents or adults in a panic situation. Even children who have had swimming lessons forget how to swim when they fall in the water. According to the Children's Health Care System "young children are developmentally unable to perform the necessary survival skills in a panic situation. Drownings and near drownings happen quietly and quickly. Young children do not know how to right themselves and will not be able to yell for help, splash or kick."

Adolescents, although not yet legally adults, have much more mature panic responses than children. They are also better able to understand the risks involved with not wearing a personal flotation device.

8. What are Coast Guard approved Type I, Type II and Type III flotation devices? A Type I P.F.D. or Off-Shore Life Jacket is effective for all waters, especially open, rough or remote waters where rescue may be delayed. It is designed to turn most unconscious wearers in the water to a face-up position. The Type I comes in two sizes. The adult size provides at least 22 pounds buoyancy, the child size, 11 pounds, minimum.

A Type II P.F.D. or Near-Shore Buoyant Vest is intended for calm, inland water or where there is a good chance of quick rescue. This type will turn some unconscious wearers to a face-up position in the water. The turning action is not as pronounced and it will not turn as many persons under the same conditions as a Type I. An adult size device provides 15 and 1/2 pounds buoyancy, a medium child size provides 11 pounds. Infant and small child sizes each provide at least 7 pounds buoyancy.

A Type III P.F.D. or Flotation Aid is good for calm, inland water, or where there is a good chance of quick rescue. It is designed so wearers can place themselves in a face-up position in the water. The wearer may tilt their head back to avoid turning face-down in the water. The Type III has the same minimum buoyancy as a Type II P.F.D. It comes in many styles, colors and sizes and is generally the most comfortable type for continuous wear. Float coats, fishing vests and vests designed with features suitable for various sports activities are examples of this type P.F.D.

9. Why are inflatable P.F.D.s not mentioned in HB 447? Inflatable P.F.D.s or "Hybrids" fall into the U.S. Coast Guard Type V classification. These are not recommended for adult use by the U.S. Coast Guard because of the high level of maintenance required to maintain their buoyancy capability and the extra time needed for inflation if an accident occurs and passengers are not actually wearing their P.F.D.s. No companies presently produce Type V flotation devices in child sizes.

10. Who will enforce HB 447? On state waters the Department of Public Safety will be responsible for enforcement. In state parks Park Rangers will enforce HB 447.

11. Why are commercial fishing vessels not included in HB 447? The federal government explicitly considered requiring personal flotation devices to be worn at all times by persons on board commercial fishing vessels. They chose not to include this stipulation in their new regulations because of the additional hazards presented by P.F.D.s that may snag nets or otherwise interfere with fishing operations when worn. The federal government concluded that the potential harm outweighed possible benefits incurred by a requirement for P.F.D. use, including requirements for children.

Additionally, since November 15, 1991 commercial fishing vessels in Alaska now are required to carry immersion suits for each person on board.

There have been no child drownings from commercial fishing boats in the last five years where P.F.D.s would have saved the child's life. (One child died when trapped in the cabin of a boat which sank.) Statistics are not available for years previous to 1985 but experts in the field agree that child drownings from commercial fishing boats were extremely rare or nonexistent.

12. How much compliance can we expect after enactment of HB 447? Experts agree that a P.F.D. wearing requirement compliance rate should run analogous to seat belt laws. Therefore, we can expect an automatic 50% P.F.D. wearing rate almost immediately after enactment. With enforcement and education efforts this figure could be even further increased.

DIVISION OF LEGAL SERVICES

**LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

240 Main Street, Suite 500
Juneau, Alaska 99801-2101

MEMORANDUM

February 20, 1992

SUBJECT: HB 447: Definition of watercraft

TO: Representative Betty Bruckman
ATTN: Heather Hulseman

FROM: George Utermohle *GU*
Legislative Counsel

This memorandum is in response to your enquiry as to the definition of "watercraft" for purposes of HB 447.

HB 447 adds two subsections to provisions of AS 05.25, relating to use of personal flotation devices (PFD) by persons under 13 years of age. In particular, the bill prohibits the operation of a watercraft unless a person under 13 years of age who is on the watercraft or being towed by the watercraft is wearing a PFD.

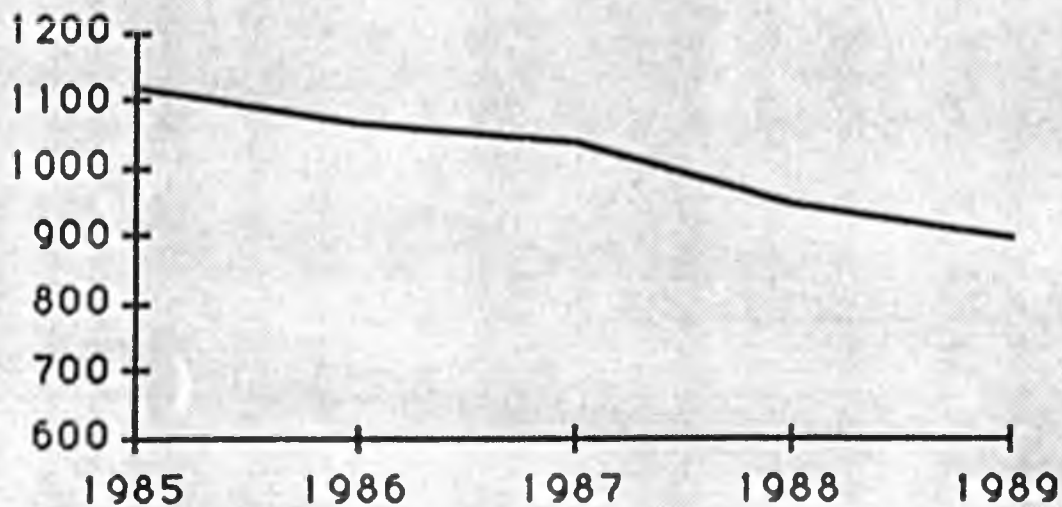
For the purposes of HB 447, the applicable definition of "watercraft" can be found at AS 05.25.100(3) which states

"watercraft" means every description of vessel, other than a seaplane on the water, used or capable of being used as a means of transportation on water and devoted to recreational pursuits unless otherwise expressly provided in this chapter; and excepting vessels having a valid marine document issued by the United States or foreign governments;

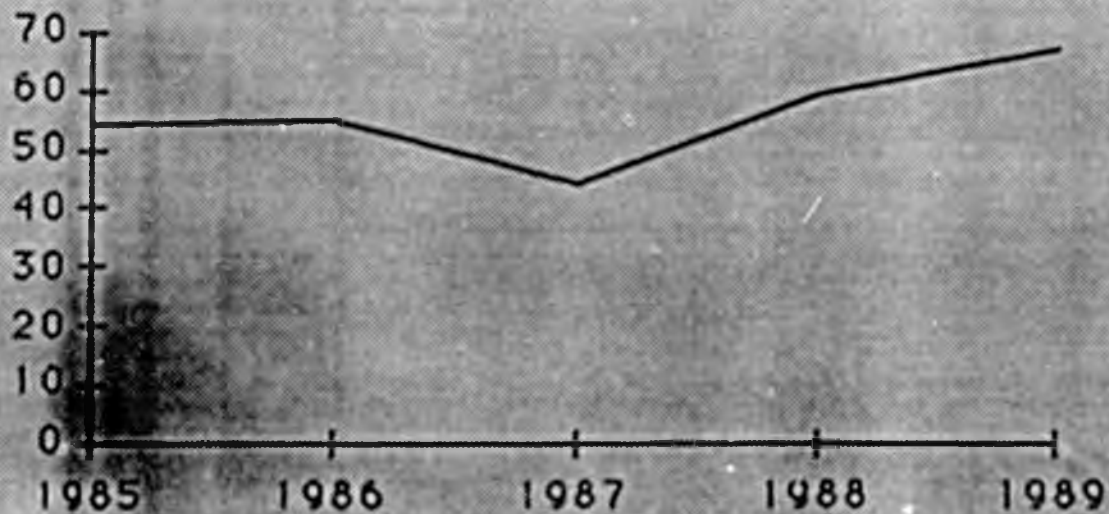
If I may be of further assistance, please advise.

GU:gc
92-143.glc

U.S. DROWNINGS

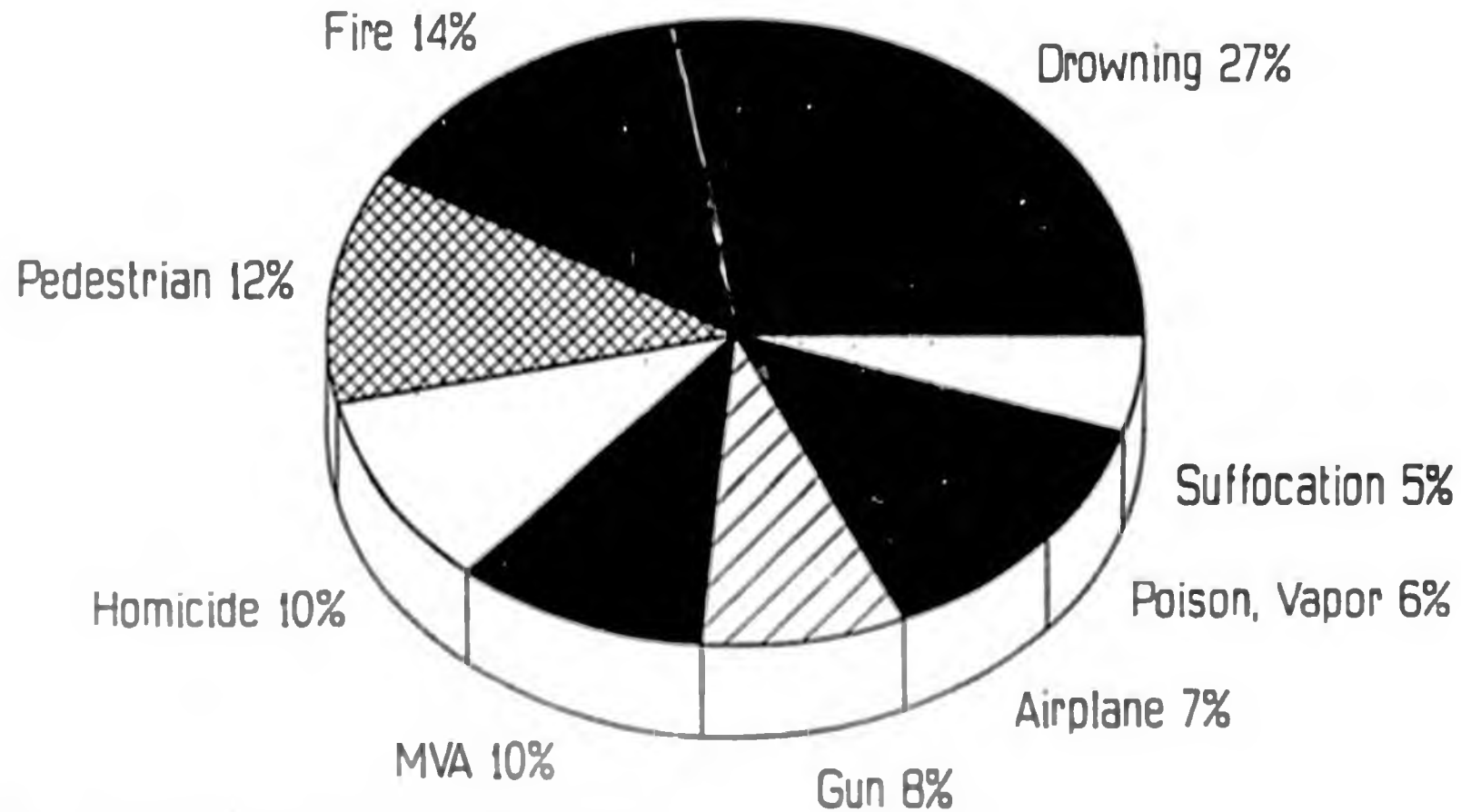


ALASKA DROWNINGS



Statistics from U.S. Coast Guard Boating Statistics 1990
and Alaska Bureau of Vital Statistics.

LEADING CAUSE OF INJURY DEATH ALASKA CHILDREN AGES 0-14, 1980-1985



The Johns Hopkins Inj. Prevention Center

HB 447 has the backing of...

**Tanana Valley Clinic
Rural Alaska Health Education Center, Fairbanks
Interior Region E.M.S. Council
Department of Natural Resources
Department of Public Safety
Municipality of Anchorage, Dept. of Health and
Human Services
American Red Cross
Providence Hospital, Alaska Safe Kids Program
Humana Hospital, Anchorage
Alaska Academy of Family Physicians
Alaska Federal Safety and Health Council
Alaskan Marine Dealers Association
Alaska Boating Association
Knik Canoers & Kyakers
South East Alaska Regional Health Corporation
Southern Region Emergency Medical Service Council
Alaska Marine Safety Education Association
Valdez Community Hospital
Norton Sound Health Corporation
Alaska Federation of Natives
Rural Alaska Health Education Center
Maniilaq Medical Center, Kotzebue
Alaska Area Native Health Service
Seattle Children's Hospital
Mr. Sam Demientieff of the Fairbanks Native
Association is introducing a resolution in support of
HB 447 at the Tanana Chiefs Conference.**

**... as well as many other individuals and
organizations.**



Rural Alaska Health Education Center

118 Ded Bldg. University of Alaska Fairbanks, Fairbanks, Alaska 99775-1740

February 25, 1992

Representative Betty Bruckman
Alaska State Legislature
P. O. Box V (MS 3100)
Juneau, AK 99811

Dear Representative Bruckman,

I am writing today in support of HB 447, "An Act Requiring a person under 13 years of age to wear a personal flotation device."

Our mission is to improve the delivery of health services in rural Alaska through health professions education and health systems development strategies. From our knowledge of the rural Alaska health care system, it is clear that professional training and improved delivery systems alone will not solve the health problems in our rural areas. A crucial part of the equation is lifestyle change, especially in the area of personal safety and accident prevention. Since drowning are a major cause of accident-related death in our state and since children are dependent on adults to give them direction in protecting their safety, it is reasonable to require that adults protect children's safety through the use of personal flotation devices. This bill will help accomplish this.

Please contact me if I can be of further assistance.

Sincerely

Daniel A. Johnson

cc: 800.01
800.01.01

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

WALTER J. HICKEL, GOVERNOR

400 WILLOUGHBY AVENUE
JUNEAU, ALASKA 99801-1706
PHONE: (907) 465-2400
FACSIMILE: (907) 586-2754

February 27, 1992

The Honorable Betty Bruckman
Alaska State House of Representatives
State Capitol, Room 116
Juneau, AK 99801-1182

Re: HB 447

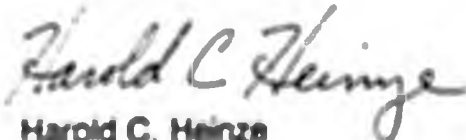
Dear Representative Bruckman:

Drowning is one of the leading causes of death in Alaska. Nationally, drownings have decreased 36% over the last ten years. Yet, Alaskans drown at a very high rate: for 1990 it was 28 times the national average. For these reasons, the Department of Natural Resources supports HB 447, requiring that children under 13 wear floatation devices (PFD's) approved by the U.S. Coast Guard.

This legislation will provide motivation for adults to comply with the common sense of insuring their children are wearing approved PFD's.

Thank you for the opportunity to comment.

Sincerely,



Harold C. Heinze
Commissioner

Attachments

Fiscal Note Attachment

This legislation is needed to promote public recreation safety throughout Alaska by requiring adults to have floatation devices, approved by the U.S. Coast Guard, on children under the age of 13. Park Rangers will enforce the provisions of this bill while attending to their normal duties on patrol in state parks. No additional funds to do so are anticipated.

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 447

Revision Date: February 27, 1992
 Title: Personal Floatation Device
Wearing Requirement for Children
 Sponsor: Representative Bruckman
 Requestor: _____

Department Affected: Natural Resources
 BRU: Park & Recreation Management
 Component: Park Management
 COMPONENT SERIAL NO. 452

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND/STRUCTURES						
GRANTS/CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	00	00	00	00	00	00

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

REVENUE						
Funding Source:						

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER						
Funding Source:						
TOTAL	00	00	00	00	00	00

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of Current year impact: N/A

ANALYSIS: (Attach a separate page if necessary)

See Attached

Prepared by: Peter J. Panarese Phone: 762-2603
 Division: Parks & Outdoor Recreation Date: 02-27-92

Approved by Commissioner: Harold C. Hulse Date: _____
 Agency: Department of Natural Resources

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

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 447

Revision Date: _____ Department Affected: Public Safety
 Title: An Act requiring a person under 13 BRU: Alaska State Troopers
to wear a personal flotation device Component: Detachments
 Sponsor: Representative Bruckman
 Requestor: House Transportation COMPONENT SERIAL NO.

7	9	9
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EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

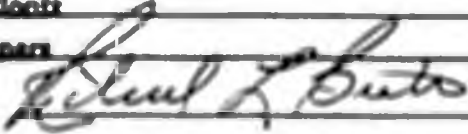
GENERAL FUND						
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)
 Enforcement of this legislation would be provided through the normal course of duties, and would be prioritized with other requests for service. Thus, no significant fiscal impact is anticipated.

Prepared By: Lt. Robert L. Clontz Phone: 485-4322
 Division: Alaska State Troopers Date: 2/28/92
 Approved by Commissioner:  Richard L. Burton
 Agency: Department of Public Safety Date: 2/28/92

BILL NO: DRAFT CSHB 447(TRANS)

DATE: February 28, 1992

TITLE: An Act requiring a person under 13 years of age to wear a personal flotation device

CONTACT: Lt. Robert Clontz
Alaska State Troopers
465-4322

This legislation requires that persons under the age of 13 years wear a United States Coast Guard approved Type I, Type II, or Type III personal flotation device while on board a watercraft under 18 feet in length on the water of the state. This legislation also requires that a person being towed on water skis, surfboard or similar device who is under 13 years of age wear an approved personal flotation device.

The Department of Public Safety supports this legislation, as accidental drownings are a very serious problem in Alaska. Although enforcement of this provision would be as resources allow, and would be prioritized with other calls for service, the existence of the law itself is quite likely to increase the numbers of children wearing life jackets while on board small boats in Alaska, and thus might save lives.



Richard L. Burton
Commissioner



Alaska Boating Association • P.O. Box 210430 • Anchorage, Alaska 99521

TO: Rep. Betty Bruckman

FROM: Alaska Boating Association

21 Feb 1992

SUBJECT: HB447 "An Act requiring a person under 13 years of age to wear a personal flotation device"

The Alaska Boating Association STRONGLY indorces this legislation. Our great state has long suffered the tragic lost of our young people due to drownings and we believe some of these lives could have been saved if we had this legislation in place in the past.

Our state is a great one and our young people are our future. We must protect them by any reasonable means possible. And we think HB447 is a step in that direction. We have made a recommendation to add "Air Inflated Vests, which are on the market now, to the end of line 7 and 12. It is our hope that you and Rep. Gruenberg will pursue this bill for passage in this 1992 legislative year.



DONALD E. SHERWOOD
President

c.c. Rep Gruenberg



Tom Fink,
Mayor

Municipality of Anchorage

Department of Health and Human Services

825 "L" Street

P.O. Box 198850 Anchorage, Alaska 99519-8850



March 3, 1992

Representative Betty Bruckman
State Capitol
Juneau, Ak. 99801-1182

Dear Betty,

I support HB 447 as it relates to mandatory personal floatation devices for children on the water. As an injury prevention specialist for the Municipality of Anchorage, drownings or near drownings are often a result of people not wearing protective devices around cold water. We have very little regulation regarding boating in this state but we have the highest rate of drowning in the country. Protecting children is a good way to get people started thinking about prevention through a lifestyle change with their children.

Another important bill "stuck" in the Senate Rules committee is HB 102 which would lower the legal blood alcohol concentration to drive a motor vehicle. Most of the severe injury in Alaska occurs when alcohol is involved. We could deduct that a sober driver would be more likely to dress his child in a lifejacket!

I believe that injury prevention is a combination of protective devices like seat restraints, floatation devices, helmets etc. AND policies that reduce the consumption of alcohol. Examples include raising the state and local excise taxes on alcohol, reducing the hours of liquor sales, and regulation of alcohol advertising. We cannot reduce individual injury unless we recognize that the environment of alcohol must change.

Joan Diamond
Injury Prevention
343-6583

Tanana Valley Clinic

Family Medical Care
Since 1958

March 05, 1992

PHYSICIAN & SPECIALIST

Richard S. Anderson MD
David S. Anderson MD
Richard E. Hays MD
Robert A. Hays MD
Paul J. Hays MD
Phyllis A. Hays MD
Lynne S. Hays MD

NURSE

Anna L. Hays MD
Lynne S. Hays MD

PHYSICIAN ASSISTANT

Michael J. Hays MD
Lynne S. Hays MD

PHYSICIAN

Walter S. Hays MD
Lynne S. Hays MD
Richard E. Hays MD
Paul J. Hays MD
Phyllis A. Hays MD
Lynne S. Hays MD
Lynne S. Hays MD

FAMILY PRACTICE

Walter S. Hays MD
Lynne S. Hays MD
Richard E. Hays MD
Paul J. Hays MD
Phyllis A. Hays MD
Lynne S. Hays MD
Lynne S. Hays MD
Lynne S. Hays MD

PHYSICIAN EDUCATION

Lynne S. Hays MD

ADMINISTRATION

Phyllis A. Hays MD
Lynne S. Hays MD

Representative Betty Bruckman
Alaska State Legislature
House of Representatives
Juneau, Alaska 99801-1182

Dear Representative Bruckman:

Let me congratulate you on your foresight in bringing forth HB 447, an act requiring a person under thirteen years of age to wear a personal floatation device (PFD).

Not only am I an administrator of a medical clinic, my wife and two sons are American Canoe Association (ACA) Certified Canoe Instructors. We spend a minimum of six weeks each summer canoeing Alaska's rivers, we are instructors in both moving water and white water. We have been instructing for over ten years, and paddling for the past twenty-five.

We have recognized from the beginning of our paddling career the absolute need for a PFD on every individual whether young or old. We would never think of going on a river trip without wearing our PFD's.

Because we insist upon use of PFD's, we have never had an incident that was anything close to a disaster situation.

In our canoe classes, we spend two hours the first day discussing river safety. Whether speaking for the clinic or our canoe instruction program at CanoeAlaska, I wholeheartedly endorse HB 447.

Sincerely,


Ron Davis,
Administrator

rjo

HB 447
Page 2.

PS: I have a comment on one of the sheets enclosed regarding the cost of PFD's. The statement is that PFD's are not expensive, that one can be purchased in the range of ten to fifteen dollars.

I hope you do not use that argument. Good PFD's (Class I or II), will cost from thirty-five to seventy-five dollars. I don't believe that costs should enter into the equation when they possibly could save someone's life.

I can recall customers making statements when we were in the retail business of "I want a cheap PFD, it's just for one of my children and they only use it a couple of times each summer." That is not a good reason.



- ALASKA AREA NATIVE HEALTH SERVICE
- ALASKA CHAPTER, AMERICAN COLLEGE OF EMERGENCY PHYSICIANS
- ALASKA CHAPTER, AMERICAN SOCIETY OF SAFETY ENGINEERS
- ALYESKA PIPELINE
- ALASKA SAFETY ADVISORY COUNCIL
- AMERICAN ACADEMY OF PEDIATRICS, ALASKA CHAPTER
- ANCHORAGE FIRE DEPARTMENT
- ALASKA STATE TROOPERS
- ANCHORAGE POLICE DEPARTMENT
- ANCHORAGE SCHOOL DISTRICT
- A.P. EXPLORATION
- EMERGENCY NURSES ASSOCIATION, ALASKA CHAPTER
- HUMANA HOSPITAL, EARLY SICK PROGRAM
- INEW - LOCAL 1547
- UNIVERSITY KWIAKS
- MUNICIPALITY OF ANCHORAGE, DEPARTMENT OF HEALTH & HUMAN SERVICES, INJURY PREVENTION & CONTROL
- NATIONAL HEAD INJURY FOUNDATION, ALASKA ASSOCIATION
- SOUTHCENTRAL FOUNDATION
- SOUTHERN REGION EMERGENCY MEDICAL SERVICES COUNCIL
- UAA COLLEGE OF INJURY & HEALTH SERVICES
- PIZZA HUT
- PROVIDENCE HOSPITAL, SAFETY BRAL INJURY PREVENTION PROGRAM

March 2, 1992

Betty Bruckman
 Representative
 Alaska State Legislature
 House of Representatives
 State Capital
 Juneau, Alaska 99801-1182

Dear Representative Bruckman,

I support HB 447 and thank you for your effort on behalf of Alaska's children.

Preventable injuries are the major focus of Alaska Safe Kids. Alaska leads the nation in childhood injury deaths per capita. Drowning, as you know, is the single major cause of death in children under 14; between 1980 and 1985, 48 children died in Alaska.

C. Everett Koop, M.D., National Chairman of the Safe Kids campaign, stated, "If disease were killing our children in the proportions that accidents are, people would be outraged and demand that this killer be stopped." As an emergency department nurse and the coordinator of Alaska Safe Kids childhood injury prevention program, I sincerely hope we, as a state, begin to work together to reduce the injury death rate of our children. They represent the future of Alaska.

Peggy Hayashi, R.N.
 Coordinator
 Alaska Safe Kids

PROVIDENCE HOSPITAL
 SAFE KIDS, ALASKA
 P.O. Box 196604
 Anchorage, Alaska 99519-6604



Office of Environmental Health & Engineering
222 W. 8th Avenue, #65
Anchorage, Alaska 99513-7561
March 3, 1992

Refer to: A-OEH&E (DES)

Representative Betty Bruckman
Alaska State House of Representatives
Juneau, Alaska 99801

Dear Representative Bruckman:

I'm excited about the life saving possibilities that House Bill 447 can bring about. As an Injury Epidemiologist with the Alaska Native Health Service, I frequently see the human tragedies caused by these preventable drownings.

To briefly describe the magnitude of the problem: The leading cause of death for Alaska Natives is unintentional injuries. The leading cause of injury death for the same group is drownings. These facts are easier to understand when one realizes that many rural Alaskans spend as much time in their boats as we do in our automobiles.

The greatest prevention possibility, in my opinion, is for people to wear personal flotation devices whenever they are on or near the water. Your Bill specifically addresses this issue for Alaskan youth, and will undoubtedly save hundreds of lives.

You certainly have my support for House Bill 447.

Sincerely,

Ronald D. Perkins, MPH
Community Injury Prevention Director
Alaska Area Native Health Service

Alaska Federation of Natives, Inc.

March 6, 1992

Representative Betty Bruckman
House of Representatives
Alaska State Legislature
Box V
Juneau, Alaska 99811

Dear Representative Bruckman:

The Alaska Federation of Natives supports HB 447, "An Act requiring a person under 13 years of age to wear a personal flotation device". We support your effort through legislation to reduce the numbers of lives lost because of drowning. Though our preliminary updated figures for our AEN REPORT ON THE STATUS OF ALASKA NATIVES: A CALL FOR ACTION on deaths caused by injuries - drownings, vehicle accidents, accidental shootings, etc., decreased in the 1980's. They are still too high for the Alaska Native population. These figures were not broken out by age or cause.

Education and prevention efforts have a significant impact on changing these figures.

I hope you will include in your hearing schedule, teleconferencing to rural sites.

Sincerely,


Julie Kitka
President



Knik Canoers and Kayakers, Inc.

Box 101935 • Anchorage, Alaska 99510 • (907) 272-9351

March 2, 1992

Representative Betty Bruckman
P.O. Box V
Juneau, Alaska 99811

Dear Representative Bruckman,

Knik Canoers and Kayakers is an Anchorage-based organization of canoeists, rafters, and kayakers interested in enjoying and conserving Alaska's free-flowing rivers, lakes, and coastal waters. Together we represent some 150 boating households.

One of club's major objectives is promoting boater safety on the rivers, lakes, and marine waters of Alaska. We strongly recommend use of personal floatation devices (PFD's) for all paddlesport boaters on all these waters. We are pleased to see your introduction of HB 447 requiring persons under 13 years of age to wear PFD's. We wish to lend our official club support to the bill.

A comment we would like to add, is that we believe the bill would be much stronger if it were applied to boaters of all ages. We realize that such a measure could be difficult to implement. Also, youth under the age of 13 are generally the most "innocently" endangered group. We do urge you, however, to give consideration in the bill to use of PFD to all boaters, rather than just youths.

Thank you for keeping us informed on this issue, and good luck with passage of HB 447

Sincerely,

Dave Blanchet
President, Knik Canoers and Kayakers, Inc.



Valdez Community Hospital

Box 500

Valdez, Alaska 99686

PH: (907) 835-2249 / FAX: (907) 835-3735

March 4, 1992

To: Representative Betty Bruckman
Alaska State Legislature
465-2299

Fr: Dan Mohler, VCH Administrator

Dear Representative Betty Bruckman,

Thank you for the opportunity to endorse this important legislation.

I fully support HB 447. "An act requiring a person under 13 years of age to wear a personal flotation device."

2501 Cedar Road
 PO Box 143980
 Anchorage, Alaska
 99514-3180
 Telephone: 907 276-1131

Humana Hospital Alaska

Representative Betty Bruckman
 State Capitol
 Juneau, AK 99801-1182

Rep. Bruckman:

As healthcare practitioners in the Emergency Department at Humana Hospital - Alaska too often we assist at coordinating the rescue and/or are the recipients of the victims of near drowning which we attempt to resuscitate. Many times these attempts fail. All too often we are saddened by the needless loss of life. Just as favorable statistics support seatbelt use, the statistics also support personal flotation device use. In 1991 90% of the commercial fishermen who drowned were without PFD's, while of those who were saved 55% were wearing PFD's. Last year 37 people drowned in Alaska; 28 times the national average. We strongly endorse passage of HB 447 as a good start in the direction of public safety on the water.

Drowning was the cause of 27% of all child injury deaths in Alaska in the years 1980-1985. As health care professionals we support HB 447, which may prevent some of these deaths. And because children who learn the importance of good health and safety habits carry these habits throughout life; not only will we be influencing the safety of Alaska's children today but also the safety of future generations of Alaskans.

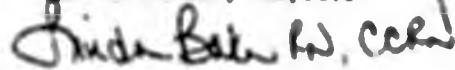
We recognize that HB 447 does not affect an adult's right to make personal safety decisions. However, while persons older than age 13 will still be able to make informed decisions about the use of PFD's, we hope that parents of children required to wear PFD's will think twice about going without PFD's and help ensure their own safety.

Scott Sims, DO



Chairperson, Emergency Department

Linda Baker, RN, CCRN



Nursing Manager, Emergency Department

Alaska Marine Safety Education Association

Box 2592, Sitka, Alaska 99835

(907) 747-3287

Feb. 18, 1992

Representative Betty Bruckman
P.O. Box V (MS 3100)
Juneau, AK. 99811

Dear Rep. Bruckman:

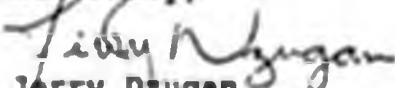
This letter is in support of your House Bill 447 entitled "An Act requiring a person under 13 years of age to wear a personal floatation device (PFDs)".

AMSEA is a statewide consortium that has been promoting marine safety in Alaska since the early 1980's. It has been our observation that the wearing of PFDs greatly reduces the chances of drowning. This observation has been verified by regional analysis of drownings in several areas of Alaska. Since drowning is one of the leading causes of "accidental" death in children in Alaska, we are interested in supporting educational efforts and legislative initiatives such as HB 447.

In Alaska in 1991, 90% of commercial fishermen who were drowning victims were not wearing a PFD. However, of those who were saved, 55% were wearing a PFD. Although this group contained few if any children, the implications of the importance of PFD use are obvious, especially since children are more at risk due to many factors.

We therefore wholeheartedly support your efforts in HB 447. Please feel free to contact me if we can be of any help in your efforts.

Sincerely,



Jerry Dzugan
Executive Director/Training Coordinator

MEMBER ORGANIZATIONS

Alaska Department of Health & Social Services,
Emergency Medical Services Section
Alaska Department of Public Safety
Boatman Survival, Inc.
Southeast Alaska Regional Health Corporation

Southeast Regional Emergency Medical Service Council
United States Coast Guard
University of Alaska Marine Advisory Program
Alaska Department of Education
Alaska Vocational Technical School (AVTEC)

Maniilaq Association

P.O. Box 256
Kotzebue, Alaska 99752
(907) 442-3311

February 26, 1992

Rep. Betty Bruckman
State Capitol
Juneau, Alaska 99801-1182

Representative Bruckman:

I am writing to offer my wholehearted support for HS 447 requiring the wearing of personal flotation devices by persons under 13 years of age.

The tragedy of drowning is seen all too often in the Northwest Arctic region, especially here in Kotzebue where we are surrounded by water, which serves as a vital transport and subsistence resource.

If I had my way, PFD's would be required attire for persons of any age on Alaska's waterway. I hope that the legislature will agree with your bill and pass it quickly into law.

Sincerely,



Berend Roeters, Administrator
Hospital Services

MEMBER VILLAGES

Ivutapiq, Narsaruaq, Iqmatuaq, Koryak, Kivaling, Iagvik, Qikiqtaruk, Nauyas, Noorvik, Akulag, Iinnag
Lutley, Buckland, Daring, Kiana, Kivalina, Kotuk, Kotzebue, Nootak, Noorvik, Selawik, Shunguk



SOUTH EAST ALASKA REGIONAL HEALTH CORPORATION
222 TONGASS DRIVE - SITKA, ALASKA 99835 • (907) 966-2411

MT. EDGECUMBE HOSPITAL

February 12, 1992

Representative Bruckman
Room 116
Capital Building
Juneau, Alaska 99801-1162

Dear Representative Bruckman,

We are writing to express our support for the proposed House Bill that will require persons on watercraft 18 feet and under to wear personal floatation devices. Many other states have similar laws, and it is about time that such a law is passed in Alaska. With a coast line larger than the contiguous United States, Alaska should be in the forefront of drowning prevention activities.

The drowning rate for the State of Alaska was three times higher than that of the state with the next highest rate for the period 1979 - 1987 and there were over 160 drowning deaths in Southeast Alaska alone for the period 1980 - 1989. Personal floatation devices would certainly have prevented many of these deaths had they been used prior to immersion.

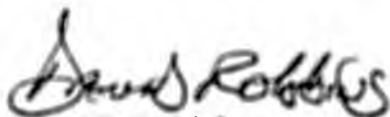
Please do not hesitate to contact us if we can be of help in the passage of this important Bill. You may reach us by phone at 966-2451.

Sincerely,



Mark Gorman

Director, Community Health Services Division



David Robbins
Environmental Health Coordinator

cc: Ron Perkins, AANHS

Southern Region
EMERGENCY
Medical Services Council, Inc.

February 13, 1992

Representative Betty Bruckman
P.O. Box V Room 116
Juneau, AK 99811

Dear Representative Bruckman:

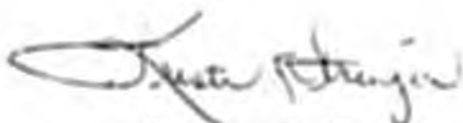
It has come to my attention that you have sponsored a bill making flotation devices for children 13 and younger mandatory in Alaska.

Speaking as one who knows how serious the issue of water safety is in our state, I praise you for having the conviction to try and tackle this problem.

I have taken the liberty of enclosing copies of statistics which may help you with this issue. The details on drowning incidents came from a publication titled, "a Data Book of Child and Adolescent Injury." It is full of helpful information on many national injury statistics. You can obtain a copy by writing to: National Maternal and Child Health Clearinghouse; 38th and R Streets, NW; Washington, DC 20057; (202) 625-8410.

Hope you find these helpful and good luck with passage of this bill.

Sincerely,



Kristi Stringer
Public Information Specialist

Home address:

13340 Brant Way
Anchorage, AK 99515

March 2, 1992

Alaska State Legislature
House of Representatives
Representative Betty Bruckman

Dear Representative Bruckman,

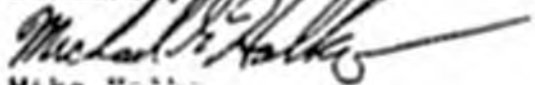
We agree, House Bill 447, "An Act requiring a person under 13 years of age to wear a personal flotation device" is one of the most important pieces of legislation to be considered in some time. This bill is as important as the legislation having to do with child restraints and seatbelts and should receive no less attention.

The members of the Federal Safety and Health Council, Alaska Chapter urge passage of this bill. We are convinced enactment of this measure will help to reduce deaths from drownings in Alaska.

Our council is represented by all the Federal Agencies in Alaska as well as state and local governments and private industry. Our objective is to prevent accidents and reduce injuries.

We commend you for this initiative and are in full support of the bill.

Sincerely,



Mike Haiko

Chairman

Phone: (907) 384-1407



Feb. 24, 1992

The Honorable Betty Bruckman
House of Representatives
State of Alaska
Room 116
Juneau, Alaska 99801-1182

Dear Representative Bruckman:

Members of the Board of Trustees of the Alaskan Marine Dealers Association discussed House Bill 447 at their meeting of February 24, 1992. They asked me to prepare and send you this letter expressing their support for the measure.

Increasing the safety of Alaska's waterways is an issue of vital interest to the Association. Much work needs to be done on this matter, and HB 447 is an important step along the way.

Our best wishes to you in your effort to persuade colleagues in the Legislature to pass HB 447. Don't hesitate to call (561-4554) if assistance from members of Alaskan Marine Dealers Association would help meet this challenge. Thank you.

Sincerely,

Steven W. Morgheim
Executive Director

PS: The Association is currently organizing an Alaska Recreational Boating symposium. It will deal with three key topics: Safety, Infrastructure, and Access. We invite you to become involved with this important meeting which will take place in the fall of 1992.

Post-It™ brand fax transmittal memo 7871		# of pages • 1
TO: The Honorable	FROM: Maurice Ninham	
Betty Bruckman	NSHC Name	
AK State Legislature	001-443-3311	
465-2099	057-443-3139	

March 7, 1992

The Honorable Representative Betty Bruckman
 Alaska State Legislature
 House of Representatives
 3111 C Street
 Anchorage, Alaska 99503

Dear Representative Bruckman:

The purpose of this letter is to express support of HB 447 which would require persons under 13 years of age to wear a personal flotation device. As a regional hospital serving 15 remote villages in the 25,000 square miles of the Norton Sound area, we are acutely aware that the incidence of drowning in Alaska is 28 times the national average. Norton Sound Regional Hospital is supportive of any measure that would prevent or reduce those avoidable deaths among people in our region.

The adoption of HB 447 would hopefully prevent many of the drowning deaths that now occur and NSRH supports the bill for that reason.

Sincerely,

Maurice Ninham
 Senior Vice President - Operations

Directory of Information Relating to HB 447

1. Causes of Death, Alaska 1980-1989. (Causes of Death in Alaska)
2. Causes of Injury Death, Alaska 1980-1989. (Causes of Death in Alaska)
3. Causes of Injury Death by Age Group - Native, Alaska 1980-1989.
(Causes of Death in Alaska)
4. Causes of Injury Death by Age Group - Non Native, Alaska 1980-1989.
(Causes of Death in Alaska)
5. Years of Potential Life Lost From Injury Death , Alaska 1980 - 1989.
(Causes of Death in Alaska)
6. Years of Potential Life Lost From Injury Death - Sex, Alaska 1980-1989. (Causes of Death in Alaska)
7. Years of Potential Life Lost From Injury Death - Race, Alaska 1980-1989. (Causes of Death in Alaska)
8. Drowning Deaths - Alaska Natives, 1982-1987 by Age Groups. (Office of Environmental Health and Engineering, Alaska Area Native Health Service)
9. Information from Coast Guard Office files on 1990 drownings. (Commander Gil Montoya, Juneau Office of Boating Safety)
10. Drowning Deaths in Southeast Alaska 1980-1989. (South East Alaska Regional Health Corporation)
11. Personal Flotation Device Wearing Requirements by State (National Association of State Boating Laws Administrators - update courtesy of Steam's Manufacturing)
12. Article: "A Contribution to the Problem of Life Preservers" by Jost Bernhardt. (Courtesy of Steam's Manufacturing)
13. Boating Statistics 1990 (U.S. Department of Transportation, United States Coast Guard)

14. Information on: Drowning Prevention Project, Yukon-Kuskokwim Health Corporation, Community Injury Prevention Program.

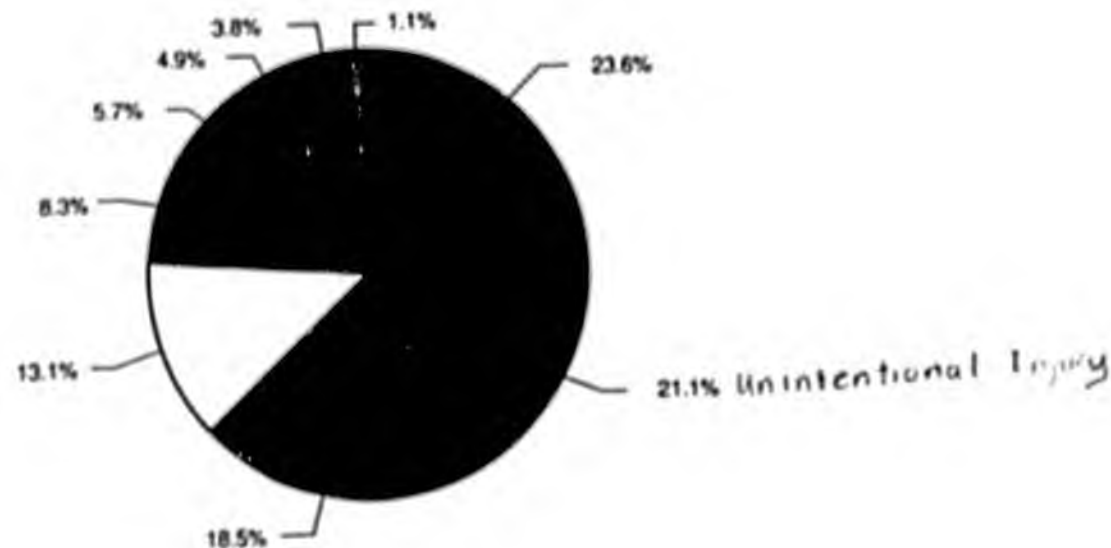
15. Article: Anchorage Daily News 7/5/91.

16. Legislative Survey of States: Personal Flotation Device Wearing Requirements. (National Marine Manufacturers Association)

17. Drowning Deaths in Alaska 1989-1990. (Alaska Bureau of Vital Statistics)

18. Article: Anchorage Daily News: "Life Jackets can save lives"

Plate 1. Causes of Death
 Alaska 1980 - 1989
 N=19,820

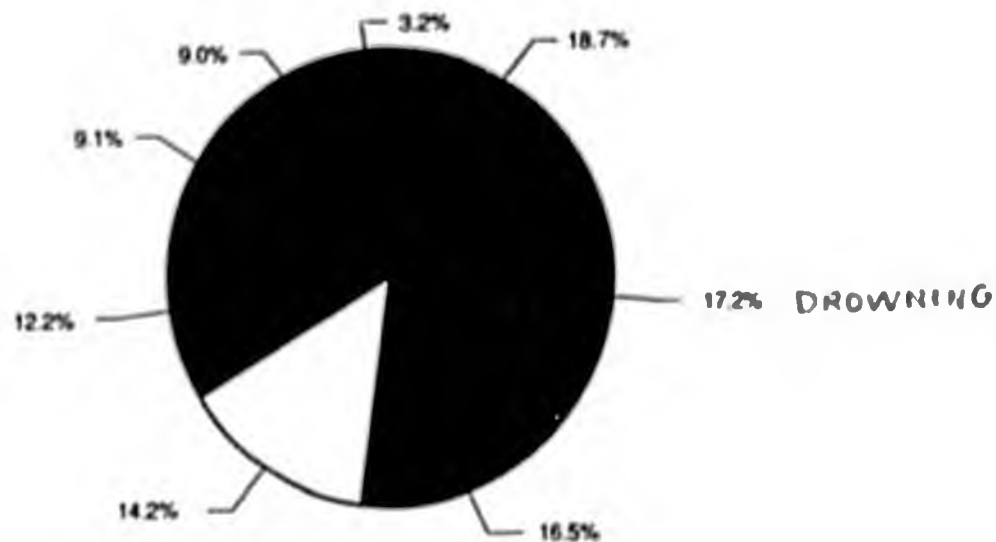


Legend

- Congenital, Perinatal and SIDS ICD 740-773, 798.0
- Infections ICD 001-139
- Malignant and Benign Neoplasm ICD 140-239
- Heart Disease and Atherosclerosis ICD 390-429, 440-459
- Central Nervous System ICD 430-437
- Respiratory ICD 460-519
- Intentional Injury ICD E950-E969
- Unintentional Injury ICD E800-E949, E970-E999
- Other Causes

See Table B-1

Plate 2. Causes of Injury Death
 Alaska 1980 - 1989
 N=6,433



Legend

- Fire ICD E890-E899
- Drowning ICD E830-E838, E910, E984, 994.1
- Aircraft ICD E840-E845
- Motor Vehicle ICD E810-E825
- Suicide ICD E950-E959
- Homicide ICD E960-E969
- Alcohol and Drugs ICD E850-E859, E860, E980, 303, 305, 570, 571.0-571.3
- Other Injuries

See Table B-8

Plate 12. Causes of Injury Death by Age Group - Native (See Table C-7)
 Alaska 1980 - 1989
 (N=1,935)

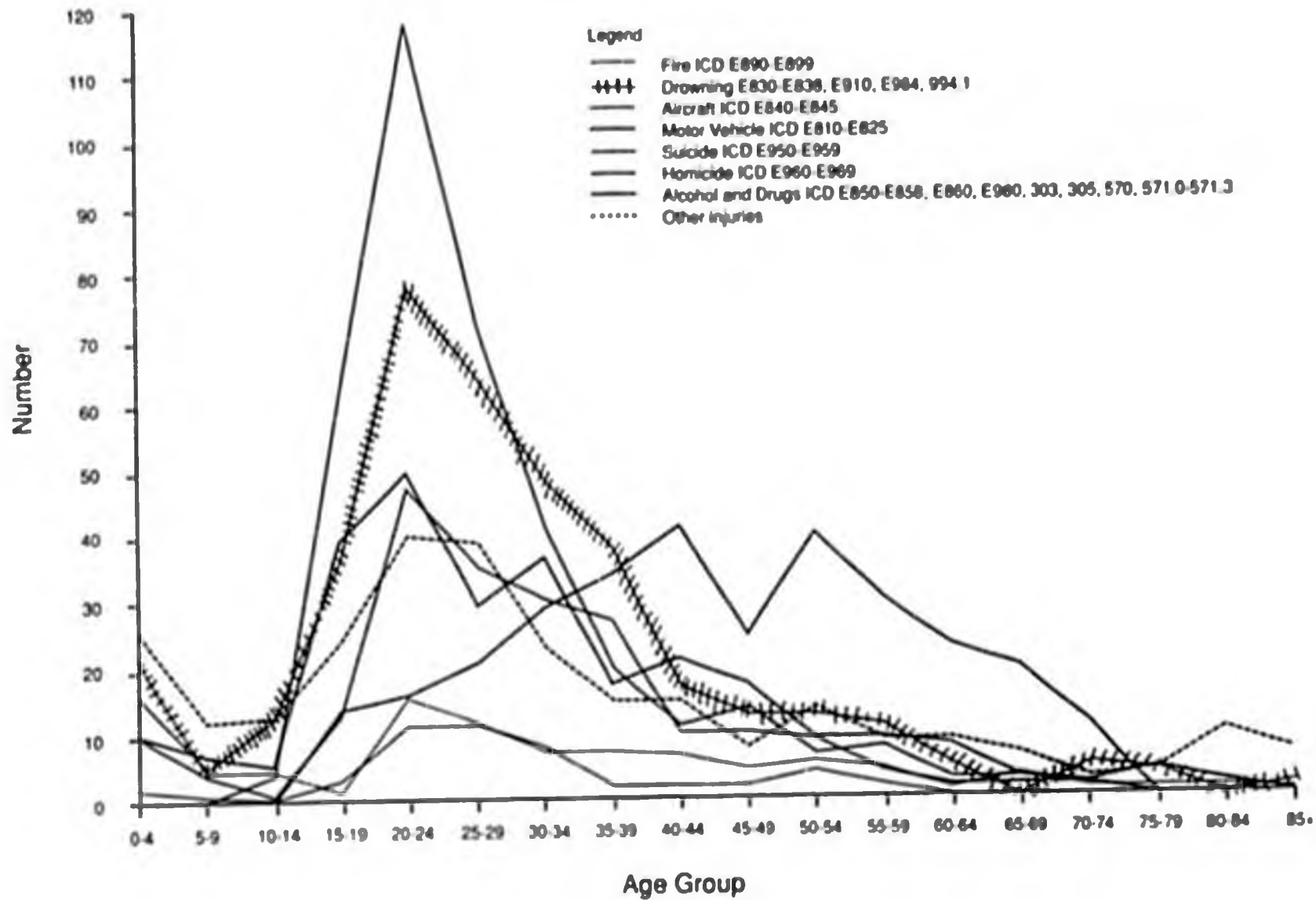


Plate 13. Causes of Injury Death by Age Group - Non-Native (See Table C-7)
 Alaska 1980 - 1989
 (N=4,464)

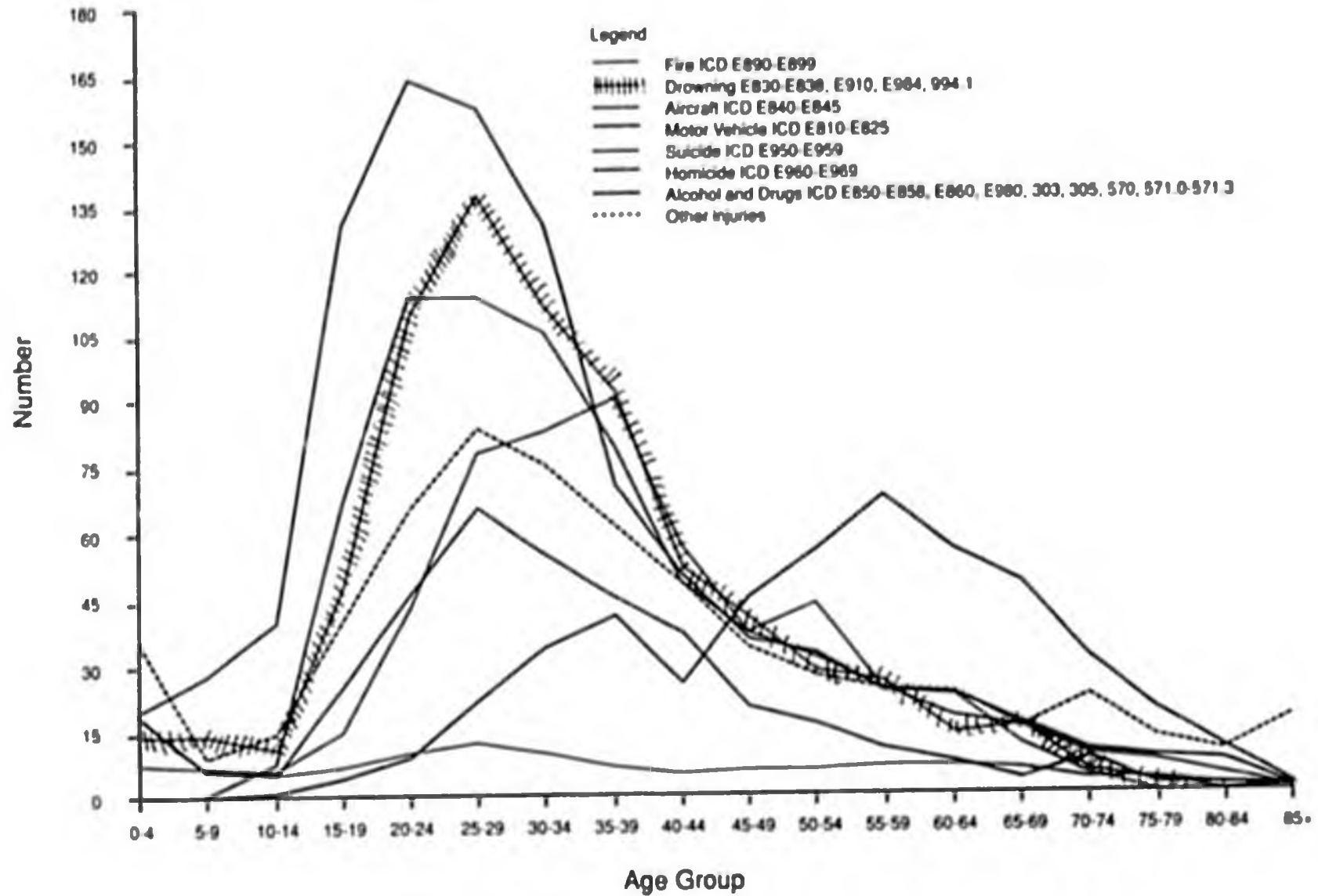


Plate 25. Years of Potential Life Lost From Injury Death
 Alaska 1980 - 1989
 N=196,017



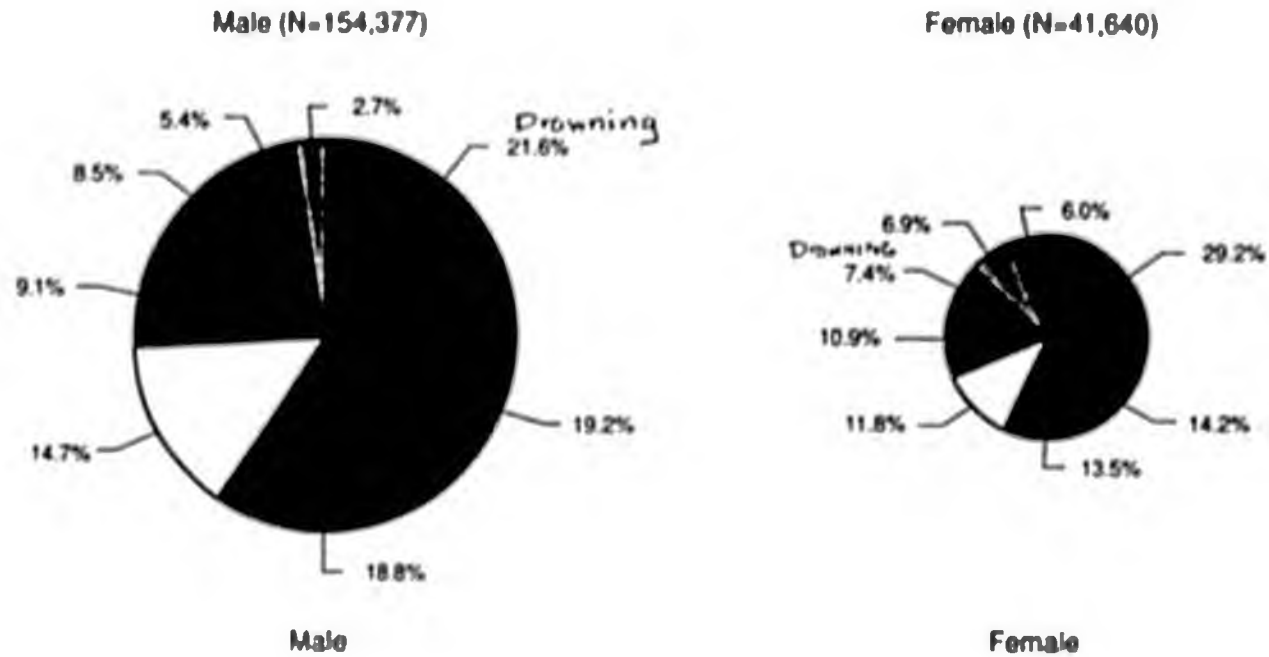
Number of Deaths
 6,399

Legend

- Fire ICD E890-E899
- Drowning ICD E830-E838, E910, E984, 994.1
- Aircraft ICD E840-E845
- Motor Vehicle ICD E810-E825
- Suicide ICD E950-E959
- Homicide ICD E960-E969
- Alcohol and Drugs ICD E850-E858, E860, E980, 303, 305, 570, 571.0-571.3
- Other Injuries

See Table D-15

Plate 26. Years of Potential Life Lost From Injury Death - Sex
Alaska 1980 - 1989



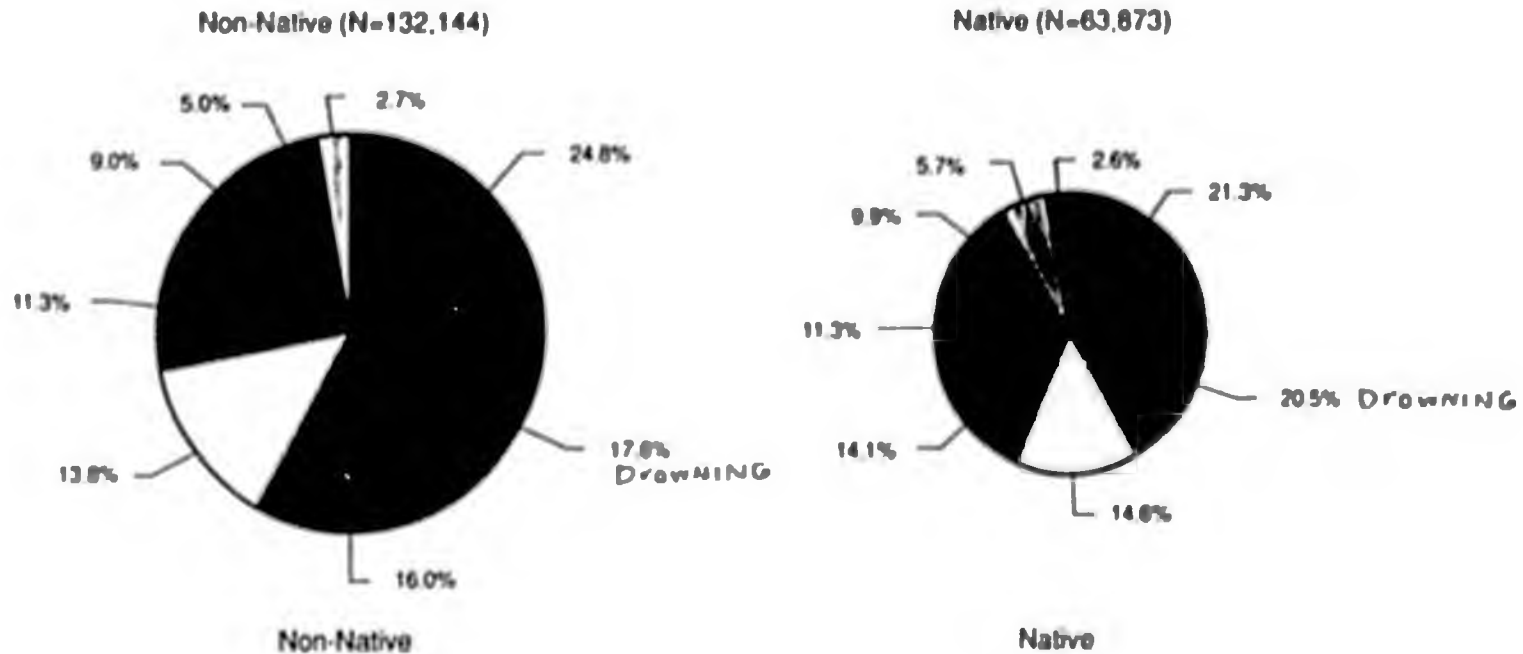
Number of Deaths
Male 5,019
Female 1,380

Legend

- Fire ICD E890-E899
- Drowning ICD E830-E838, E910, E984, 994.1
- Aircraft ICD E840-E845
- Motor Vehicle ICD E810-E825
- Suicide ICD E950-E959
- Homicide ICD E960-E969
- Alcohol and Drugs ICD E850-E858, E860, E980, 303, 305, 570, 571.0-571.3
- Other Injuries

See Tables D-17 and D-18

Plate 27. Years of Potential Life Lost From Injury Death - Race
Alaska 1980 - 1989



Number of Deaths
Non-Native 4,464
Native 1,935

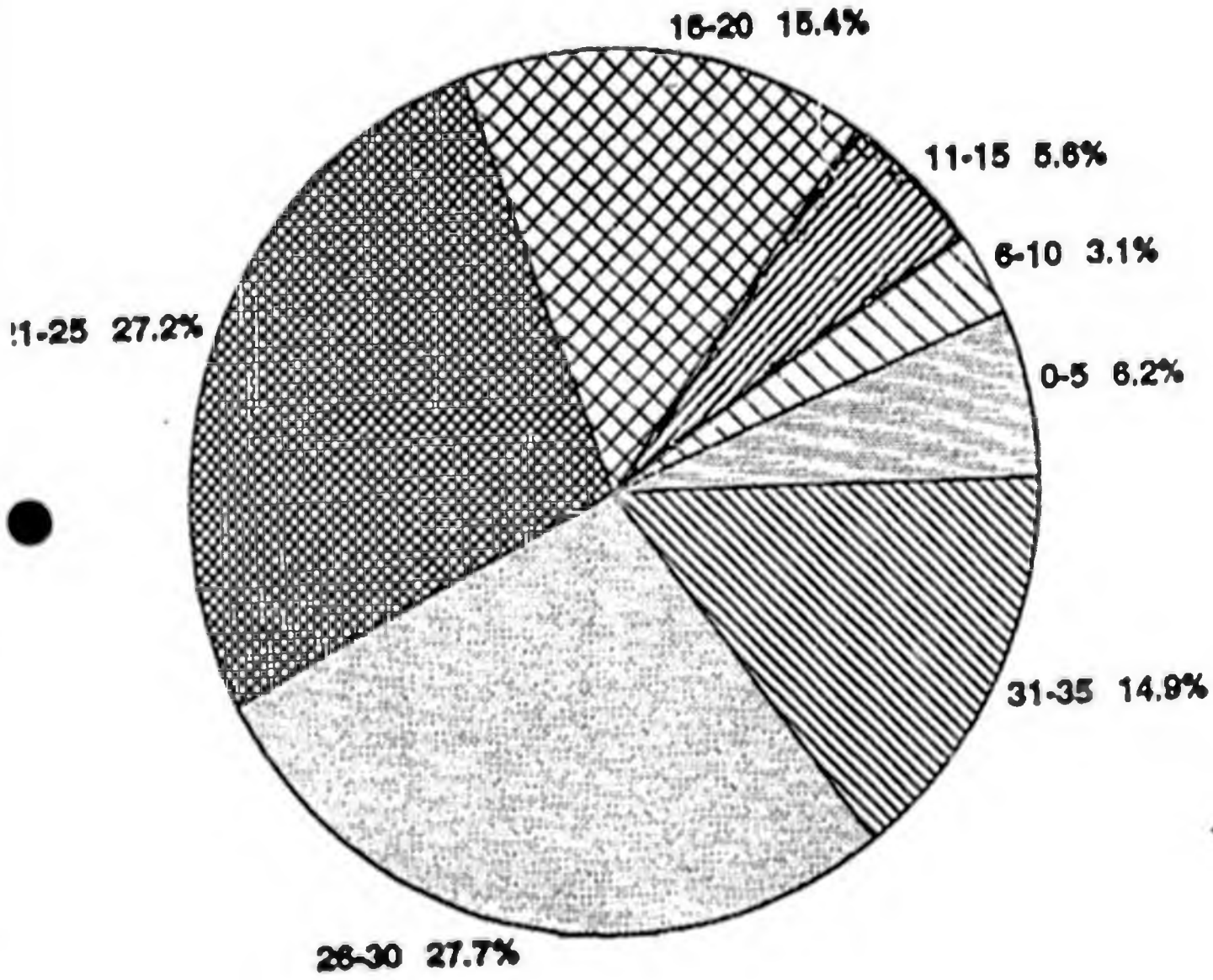
Legend

- Fire ICD E890-E899
- Drowning ICD E830-E838, E910, E984, 994.1
- Aircraft ICD E840-E845
- Motor Vehicle ICD E810-E825
- Suicide ICD E950-E959
- Homicide ICD E960-E969
- Alcohol and Drugs ICD E850-E858, E860, E980, 303, 305, 570, 571.0-571.3
- Other Injuries



See Tables D-20 and D-21

DROWNING DEATHS - ALASKA NATIVES

1982-87 By AGE GROUPS



ALASKA AREA NATIVE HEALTH SERVICE



RON PERKINS, M.P.H.
COMMUNITY INJURY CONTROL OFFICER
OFFICE OF ENVIRONMENTAL HEALTH & ENGINEERING

AK. Native
Drowning Deaths 1982-7

Age	Number of deaths	Percent	Cum.
0.0	2	0.88	0.88
1.0	2	0.88	1.76
2.0	4	1.58	3.18
3.0	3	1.18	4.28
5.0	1	0.44	4.68
6.0	1	1.18	5.78
8.0	1	0.44	6.18
9.0	1	0.44	6.58
10.0	1	0.44	6.98
11.0	3	1.18	8.08
12.0	2	0.88	8.88
13.0	2	0.88	9.58
14.0	2	0.88	10.38
15.0	2	0.88	11.18
16.0	5	1.98	13.08
17.0	7	2.78	15.68
18.0	8	3.18	18.78
19.0	4	1.58	20.28
20.0	6	2.32	22.58
21.0	11	3.02	27.58
22.0	14	5.38	32.88
23.0	11	4.28	37.08
24.0	9	3.48	40.58
25.0	6	2.38	42.78
26.0	15	5.78	48.58
27.0	7	2.78	51.18
28.0	7	2.78	53.88
29.0	12	4.48	58.48
30.0	13	5.02	63.48
31.0	5	1.98	65.38
32.0	7	2.78	67.98
33.0	9	1.98	69.88
34.0	8	2.38	72.18
35.0	4	2.38	74.48
36.0	8	2.18	77.58
37.0	3	1.18	78.68
38.0	3	1.18	79.88
39.0	3	1.18	80.98
40.0	3	1.58	82.48
41.0	4	1.58	84.08
43.0	2	0.88	84.78
44.0	3	1.18	85.98
46.0	3	1.18	87.38
47.0	5	1.98	88.98
49.0	1	0.44	89.38
51.0	3	1.18	90.58
52.0	4	1.58	92.08
53.0	1	0.44	92.68
55.0	2	0.88	93.18
56.0	2	0.88	93.98
57.0	2	0.88	94.78
58.0	1	0.44	95.08
59.0	1	0.44	95.88
60.0	1	0.44	96.38

Number of deaths by

Age

See Pie chart

(cont.)

63.0	:	1	:	0.45	:	96.65
64.0	:	1	:	0.45	:	96.91
70.0	:	2	:	0.81	:	97.72
71.0	:	1	:	0.45	:	98.13
75.0	:	2	:	0.81	:	98.92
76.0	:	1	:	0.45	:	99.22
80.0	:	1	:	0.45	:	99.62
86.0	:	1	:	0.45	:	100.02

Total : 262 100.02

sum = 7730.00
 mean = 29.50
 standard deviation = 15.05

Current selection: (SCODE="05") or (SCODE="13")

EAR	off	Freq	Percent	Cum.		
0	:	40	:	15.32	:	15.32
1	:	30	:	11.52	:	26.72
2	:	37	:	14.12	:	40.82
3	:	27	:	10.32	:	51.12
4	:	35	:	13.42	:	64.52
5	:	35	:	13.42	:	77.92
6	:	27	:	10.32	:	88.22
7	:	31	:	11.82	:	100.02

Total : 262 100.02

ALASKA NATIVES.
 Number of Drowning Deaths by
 Year.

The village of KIPNUK (SW of Bethel) has village ordinances requiring PFDs. EEK also brought these ordinances before their village council (?)

Lon Perkins

Information from Coast Guard Office files on 1990 drownings.
In order.

age	p.f.d. used	other information
12	yes	
25	yes	
27	no	Robert Pease. 10 min. in H2O.
adult	yes/?	
40	no	
adult	no	fishing
57	no	Larry Dinton
adult	no	James Lockman
*11	no	John Wesley
adult	no	
adult	no	Larry Andrews
adult	no	Alexander Beans
adult	no	Fell overboard.
child	no	Rafting on Goose Lake.
23	yes	Jessie Barrs, in rapids.
54	no	disappeared
adult	no	fishing drunk
37/38	no	
31/32	??	same accident as above
adult	yes	public health nurse and doctor
adult	yes	same accident as above
20	no	

Summary: 21 overall deaths reported to coast guard
2 child deaths
5 deaths with p.f.d. in use

For more information: Mrs. Barbara Grey at Headquarters
(202)-267-0949 in GNAB2

Note: only a fraction of drownings in Alaska each year are reported to the Coast Guard. Must meet very specific criteria to be reported:

1. Must involve a vessel. If someone voluntarily left a boat to walk on a sand bar or to swim is not included.
2. Must result in loss of life; or
3. Personal injury which required medical treatment beyond first aid; or
4. Damage to the vessel and other property exceeding \$500; or
5. Complete loss of the vessel.

SOUTH EAST ALASKA REGIONAL HEALTH CORPORATION
222 TONGASS DRIVE • SITKA, ALASKA 99835 • (907) 966-2411

MT. EDGECUMBE HOSPITAL

February 12, 1992

Representative Bruckman
 Room 116
 Capital Building
 Juneau, Alaska 99801-1182

Attn: Heather Humlan

RE: Your request for drowning data

My data base on drowning deaths in Southeast Alaska covers the years 1980 - 1989. One hundred and sixty-six drowning deaths are on record for this period of time. I obtained the information from the State Bureau of Vital statistics.

The following table is a profile of drowning victims by agegroup.

AGEGROUP	Freq	Percent	Cum.
ADULT	37	22.3%	22.3% (31 to 40 years old)
CHILD	4	2.4%	24.7% (less than 11 years old)
ELDER	4	2.4%	27.1% (71 to 90 years old)
MIDLIFE	23	13.9%	41.0% (51 to 60 years old)
O/ADULT	15	9.0%	50.0% (41 to 50 years old)
SENIOR	11	6.6%	56.6% (61 to 70 years old)
Y/ADULT	50	30.1%	86.7% (21 to 30 years old)
YOUTH	22	13.3%	100.0% (11 to 20 years old)

Total :	166	100.0%	

As you can see, the Y/ADULT agegroup had the largest number of victims followed in order by the ADULT, MIDLIFE, YOUTH, O/ADULT, SENIOR, CHILD and ELDER agegroups.

The next table provides information about the sex of the victims. Males represent the vast majority of victims (91.6%), as is the case with most injury related deaths.

SEX	Freq	Percent	Cum.
F	14	8.4%	8.4%
M	152	91.6%	100.0%

Total :	166	100.0%	

The following table provides information about the location of the victim's residence at the time of death. You will notice that only 130 drowning deaths are included in this list. The reason is that the remaining 36 victims were from out of state.

VILLAGE	Freq	Percent	Cum.
ANGOON	2	1.5%	1.5%
AUKE BAY	2	1.5%	3.1%
BAL OF KETCHIKAN	3	2.3%	5.4%
BAL OF PETERSBURG	1	0.8%	6.2%
BAL OF PR O WALES	1	0.8%	6.9%
CRAIG	6	4.6%	11.5%
DOUGLAS	5	3.8%	15.4%
OLENNALLEN	1	0.8%	16.2%
HAINES	3	2.3%	18.5%
HOONAH	4	3.1%	21.5%
HYDER	1	0.8%	22.3%
IN QUERY STATUS	1	0.8%	23.1%
JUNEAU	22	16.9%	40.0%
KETCHIKAN	20	21.5%	61.5%
KLANOCK	3	2.3%	63.8%
METLAKATLA	7	5.4%	69.2%
MOUNT EDGECOMBE	1	0.8%	70.0%
PELICAN	1	0.8%	70.8%
PETERSBURG	2	1.5%	72.3%
POINT BAKER	1	0.8%	73.1%
PORT ALEXANDER	1	0.8%	73.8%
SITKA	23	17.7%	91.5%
SKAGWAY	2	1.5%	93.1%
TENAKEE SPRINGS	1	0.8%	93.8%
WRANGELL	7	5.4%	99.2%
YAKUTAT	1	0.8%	100.0%
Total :			130 100.0%

(Continued - next page)

2/12/92 Letter to Rep. Bruckman

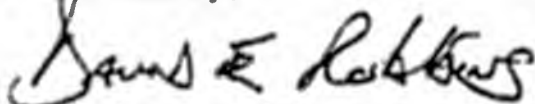
p.3

The next table provides information about the race of the victims. Be careful about drawing conclusions; be sure to collect population figures for each age group before comparing death rates by race.

RACE	Freq	Percent	Cum.	
CA	3	1.8%	1.8%	(Canadian)
ES	1	0.6%	2.4%	(Eskimo)
IN	28	16.9%	19.3%	(Indian)
NA	8	4.8%	24.1%	(Alaskan Native)
WH	126	75.9%	100.0%	(White)
Total	166	100.0%		

Do not hesitate to contact me if you need further information, or if you have any questions regarding the content of this letter. My phone number at work is 966-2458. I intend to send a letter of support for the proposed bill within the week.

Sincerely,



David E. Robbins
Environmental Health Coordinator

PERSONAL FLOTATION DEVICE WEARING REQUIREMENTS

STATE	YOUTH	WATER SKIERS	OTHERS
Alabama			Within 500 feet below hydroelectric dam
Arizona	Under 12 years	Yes	
Colorado			Operator, crew, all passengers aboard vessel during commercial trip
Connecticut		Yes	
Delaware	12 years and under		
District of Columbia			Everyone under 18 years in vessel when 18-year-old or younger is operating
Kansas	12 years and under		
Kentucky		Yes	
Louisiana	12 years and under		
Maryland		Yes	Surfboard must wear flotation wetsuit in fall and winter
Massachusetts			Everyone operating a jet ski, wet bike or surf jet at any time
Montana	Under 12 years		
Nebraska	Under 12 years		
Nevada		Yes	
New Hampshire	6 years and under		
New Jersey		Yes	
New Mexico			Everyone in white water rafts, ice sailboats, surfboards, kayaks, canoes, rubber rafts, air mattress on any waters and in boats on rivers
New York		In specified areas.	
Ohio	Under 10 years in boats under 18 feet		
Oklahoma	12 years and under in boats under 27 feet		
Pennsylvania	Under 9 years on Fish Commission and State Park Lakes		
Puerto Rico	10 years and under		
Rhode Island	10 years and under		
Texas	Under 12 years		
Utah	Under 12 years in vessel under 19 feet or if outside cabin in vessel over 19 feet		Everyone on all rivers except where designated flat must wear Type I or Type III. If carrying passengers for hire on above waters, must wear Type I. Everyone on waterjets or sailboards
Vermont		Yes	
Virginia		If no observer in boat	
West Virginia			Everyone on white water
Washington		Yes	Two counties require everyone on boats, inner tubes, etc. on moving water

Source: National Association of State Boating Laws Administrators

Prepared by the Legislative Research Agency, July 1991 (92.010)

Personal Flotation Device Wearing Requirements

STATE	YOUTH	WATER SKIERS	OTHERS
Alabama			Within 800 feet below hydro electric dam.
Arizona	Under 12		
Colorado			Operator, crew, all passengers aboard vessel during commercial trips.
Connecticut		Yes	
Delaware	12 and under		
District of Columbia			Everyone under 18 in vessel when 18-year-old or younger is operating.
Kentucky		Yes	
Louisiana	12 and under		
Maryland		Yes	Selfboarder must wear flotation vest in lake and stream.
Massachusetts			Between Sept. 15 and May 15, everyone in canoes and kayaks.
Mississippi	12 and under		
Montana	Under 12		
Nebraska	Under 12		
Nevada		Yes	
New Hampshire	8 and under		
New Jersey		Yes	
New Mexico			Everyone in white water raft, ice sailboat, surfboard, kayak, canoe, rubber raft, air mattress on any waters, and in boats on rivers.
New York		In specified areas	
Ohio	Under 10 in boats under 18 feet		
Oklahoma	12 and under in boats under 27 feet		
Pennsylvania	Under 9 on Fish Commission and State Park lakes		
Puerto Rico	10 and under		
Texas	Under 12		
Utah	Under 12 in vessel under 19 feet or 2 outside cabin in vessel over 19 feet		Everyone on all rivers except where designated but must wear Type I or Type III, if carrying passengers for hire on above waters, must wear Type I. Everyone on waterfalls or selfboarder.
Vermont		Yes	
Virginia		If no observer in boat	
West Virginia			Everyone on white water
Washington			† The counties require everyone on boats, inner tubes, etc. on moving water.

States, territories and provinces with no PFD wearing requirements are Arkansas, California, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Michigan, Minnesota, Missouri, North Carolina, North Dakota, Ontario, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Virgin Islands, Wisconsin and Wyoming.

Some states require children to wear personal flotation devices in boats, others require water skiers to wear them, and some states require the wearing of PFDs in specific conditions.

Small CAAST ADVISORY July 1988

Update - Kansas - signed into law 4/5/84 (see att.)
 Massachusetts - HB 6117 - pending legislation
 (Statehouse Round-up 2/12/88)

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To: Heather	From: Greenlitchy
Co.	Co. SPARNS
Dept.	Phone # 252-1642
Fax # 907-465-2299	Fax # 252-4425

By Jost Bernhardt, Hamburg

For the safety of life at sea a large number of implements and devices have since been invented and put into use. In certain cases of distress, the life-preserver is of vital importance, and sometimes such an individual saving device offers the only means to the wrecked person to survive afloat the time following the shipwreck.

In any case, the body of the floating person has to be supported by the buoyant elements of a life-preserver, no matter, whether the person is capable to swim or not, whether he is weak or exhausted or even unconscious.

Can life-jackets or life-preservers meet this requirement at all events? The following aims to comprehend the hydrostatic properties of the human body floating in water. Relating historical researches and their findings are already known which will, however, only be touched in this report while the historical development of life-preservers throughout the ages will be the exclusive subject of another paper to be published shortly.

The uninterrupted inhalation of atmospheric oxygen represents the irrevocable condition to a man to keep alive in the aqueous element. Thus, the man is placed into a transitional situation between atmosphere and water since his breathing orifices (nose and mouth) must remain in the atmosphere.

Therefore, a well-constructed life-preserver must at all events keep the mouth and nose of the victim clearly out of water, independently from a possible additional buoyancy produced by natatorial movements. The testing of these requirements have necessitated various researches and considerations.

In a voluminous paper entitled 'System of the art of swimming', issued in 1794, the abbot PAOLI MOCCIA reported on the specific properties of the human body in the water. A large number of experiments and observations were described. MOCCIA was inspired to write on this subject as he himself was able 'to walk correctly in the water' which he did sometimes even coram populo, this phenomenon not being amazing since the abbot was said to be rather corpulent.

According to MOCCIA, extensive experiments were carried out by BORELLI and ALTIERI - independently from each other - who immersed volunteers into overflow receptacles and thus found that the specific gravities of the individuals differed and that the majority of the persons were specifically lighter than water. If in spite of this fact many people would still be drowned, they argued, this would be caused by awkward actions and movements and by ignoring the fact that the water itself be capable to support the body.

In the second half of the 18th. century ORONZIO DI BERNHARDI reported also on 'The art to learn swimming' and that without auxiliaries, such as cork, bladders, rush, bottles and the like. He stressed the importance of giving the confidence to people that the water be capable of supporting the body sufficiently, and that the limbs be much lighter in the water than in the atmosphere. At that time, however, it was rather difficult for

the critical observer to check upon the truth of such an assertion which is the reason why these theses were impeached unjustifiably.

Nowadays, we know by experience from bathing that a person of normal physique, afloat with half-filled lungs, can keep his mouth and nose just above the surface without exercising additional natatory movements (Fig. 1).



Fig. 1



Fig. 2

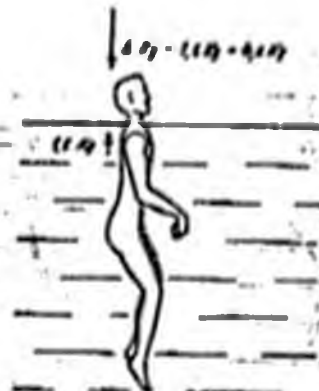


Fig. 3

During the exhaling phase the body will sink.

A specifically light person, i.e., a corpulent one, can inhale and exhale in the position described above without fear to get his breathing orifices immersed, while, in general, a specifically heavy person can just maintain a floating position with full lungs only.

Apart from these specific constitutional characteristics, the static buoyancy is also influenced by the varying breathing capacity of the individuals.

The range in anatomic-physiological respect and between the residuum of the lungs (fully exhaled) and their vital capacity (fully inhaled) may be assumed to be as average 3 dm³ (litres) which in water is equal to a buoyancy of 3 kg.

In the following, however, this range should not be considered nor the questions of the difference in buoyancy between salty and fresh water and between clothed and unclothed persons, in order to concentrate on the principal and elementary hydrostatic conditions.

We may proceed from a person of normal physique and normal specific conditions who floats in an assumed position (Fig. 2).

The weight of the total body is equal to its buoyancy, i.e.,

$$P = A$$

$$P_{\text{body}} + P_{\text{head}} = \rho \cdot (V_{\text{body}} + V_{\text{head}}) \cdot \lambda_f \quad *)$$

As already pointed out before, it is indispensable for keeping the floating person alive that his head, and consequently his breathing orifices, be maintained out of water, and that to such extent that they will not be reached by small waves (Fig. 3).

*) Explanations of abbreviations also find at the end of this report.

Considering the head's weight to be approx. 6 kg and its volume to be approx. 4.5 dm³ (litres) it follows that the fully immersed body must have an additional buoyancy of 1.5 kg in order to be able to float freely according to Fig. 2 in spite of the specifically heavy head.

By this additional buoyancy of $A_{free} = 1.5$ kg the head's weight will, in fact, be reduced from 6 kg to 4.5 kg.

Thus, a power of 4.5 kg will be required to keep the body in a position like Fig. 3.

The relating formula is as follows:-

$$P_{body} + P_{head} = \rho \cdot (V_{body} + V_{head}) + A_{free} + A_{required}$$

Hereby, V_{head} will be equal to 0 since the head is out of water-

$$A_{free} \hat{=} A_f = P_{head} - \rho \cdot V_{head} \text{ for the position of Fig. 2}$$

$A_{required}$ - in the present case = 4.5 kg - will be the minimum of the buoyant force of a flotation gear to keep the head clearly out of water. Whilst swimming the buoyancy required to keep the person in a hydrostatic equilibrium will be produced by natatory movements, i.e., dynamically.

The obligatory position of the body in the water assumed hitherto is instable. In a relaxed body (in case of exhaustion or unconsciousness) due to the S-shaped curvature of the spine, the head will fall forward upon the chest with inflexion of the vertebra pointed to the front (Fig. 4). Thus, the weight-vector P_{head} is exceeding the centre axis of the upright body, resulting in a tipping momentum:-

$$M_b = P_{head} \cdot b$$

This momentum causes the vector of the released buoyancy A_{free} to pass across the other side of the centre axis tipping under the influence of M_b , resulting in a rising momentum:-

$$M_a = A_{free} \cdot a$$

By these two momenta M_a and M_b , working in the same sense, the body is turned into a prone position (Fig. 5).

The same effect will be observed with a fully immersed body according to Fig. 2.

With the lungs fully filled a part of the back will slightly protrude, and the body will be now in the hydrostatic equilibrium.

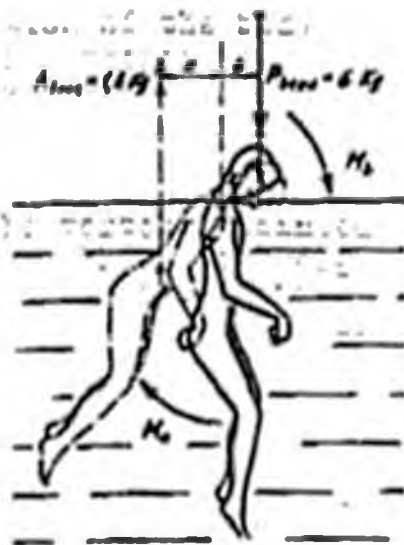


Fig. 4



Fig. 5



Fig. 6



Fig. 7



Fig. 8

will take the highest point. Dragging traces on the fore-head, the outer area of the hands, the knees and on the toes of drowned persons who touched the bottom are sufficient a proof for this typical position.

Apart from its proper buoyancy a flotation gear should also counteract this tipping tendency of the human body in the water.

A buoyant element placed above the chest lifts the upper part of the body while its lower part sinks slightly (Fig. 6).

In the endeavour to reach its buoyant equilibrium (Fig. 7) the buoyant element turns the body into a supine position (Fig. 8)

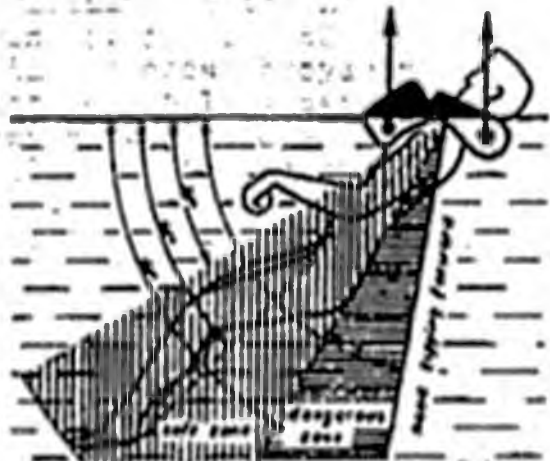


Fig. 9

By protruding above the surface a part of the buoyancy of the element is lost resulting in the head not protruding sufficiently. By a second buoyant element, fixed in the person's neck, the head will be kept clear of water (Fig. 9) whereas this second element cannot hinder the head to tip laterally. Therefore, also a lateral support is indispensable (Fig. 10)-

The relation in the distribution of buoyancy in chest and neck has to be maintained accurately since otherwise, e.g., by too bulky a neck buoyancy pad, the body could be moved into a dangerous vicinity of the head's tipping point at approx. 80° resulting in the chest buoyancy pad - of too less bulk - being pressed down by the head's momentum, although the chest pad had been placed correctly in anatomical respect, in consequence whereof the body would be moved into a stable prone position.

The supine oblique posture of the body may vary only within a range from 30° to 60° notwithstanding the anatomic-physiological range of the physique, the additional buoyancy of the body in salt water, the kind of clothing



as well as contents of pockets. Within the range stipulated the head will always tip backwards without immersing so far that nose and mouth be reached by small waves.

The normally required buoyancy (A_{required}) of 4.5 kg minimum, as stated above, will not be sufficient to guarantee the position like Fig. 10 considering the variable breathing capacity and the other variabilities mentioned above. Therefore, larger buoyant forces than 4.5 kg must become effective in a flotation gear.

The additional part of the buoyancy pads of a flotation gear required for the heaviest person within the aforementioned range should protrude in case of a person of normal physique in the oblique supine posture (Fig. 10, chequered parts).

By this buoyant reserve the oblique supine posture must at all times be recovered after being disturbed by natatory or wave movements. The additional buoyancy as produced by natatory movements may avoid the oblique supine position, however, this stable position must be recovered again by the buoyancy pads of the flotation gear immediately after the natatory movements have been ended, e.g., in case of exhaustion and the like. The buoyancy elements must carry the body like a tumbler; the centre of buoyancy must automatically be placed again above the centre of gravity. The union-system of body-flotation gear must be maintained stable.

In case of most of the life-jackets and life-belts of known and usual construction the floating person is forced to exercise considerable powers all the time in order to keep the body balanced since the buoyant elements become effective at wrong places of the body the forces of which must be compensated by constant natatory movements.

In Fig. 11 a circular life-belt is shown which is in general use up to the moment.

A life-jacket of approx. 8 kg buoyancy lifts the head's weight of approx. 4.5 kg out of the water and, furthermore, lifts also a part of the shoulders of a weight of approx. 3.5 kg. Thus, the total weight of the parts lifted corresponds to the buoyancy of approx. 8 kg.

The forward tipping momentum of the head becomes effective, the rising momentum of the trunk being even amplified by the life-jacket resulting in a stable prone position in case of exhaustion or unconsciousness, according to Fig. 4. This dangerous position can be avoided only by constant natatory movements.

Buoyant elements, though placed correctly in anatomical respect, do not warrant a stable supine trim position unless the buoyant elements in both the chest and neck are bulky enough as to counteract the extreme forces within the physiological range.



Fig. 11

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