

ALASKA LEGISLATURE COMMITTEE FILES 1993-1994 8672

7834 HOUSE HEALTH EDUCATION & SOCIAL SERVICES

DISTRICT ATTORNEY, STATE OF ALASKA
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To: AST
Municipal Police Departments, First Judicial District

From: Richard A. Svobodny
District Attorney

Date: May 26, 1993

Subject: Citations rather than arrests for Minor Consuming cases.

With certain exceptions (felonies, DWI cases, cases arising under AS 11.41, 11.46.330, 11.56.740, 11.61.120), AS 12.25.030 does not authorize arrests for crimes not committed or attempted in the presence of the person making the arrest. The crime of Minor Consuming is defined as follows in AS 04.16.050:

A person under the age of 21 years may not knowingly consume, possess, or control alcoholic beverages except those furnished persons under AS 04.16.051(b).

Against arguments by our office that the word "possess", as it is used in that statute, should be interpreted to include possession by consumption, two judicial officers in the First Judicial District have now ruled that it does not, that an officer who contactss a minor under the influence of alcohol may not arrest the minor unless he or she actually sees the minor consume the alcohol, possess the alcohol outside of the minor's body, or control the alcohol. Merely being under the influence in the officer's presence is not enough.

For the above reasons, officers who encounter minors under the influence should issue citations, rather than make arrests, unless they see the minors possess, consume, or control the alcohol involved. Of course, a person may be taken into protective custody under the procedures of Title 47 if the person appears to be incapacitated by alcohol in a public place.

IN THE DISTRICT COURT FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT AT JUNEAU

STATE OF ALASKA,

Plaintiff,

v.

IVAN SABON

Defendant.

Case No. 1JU-S92-386 Cr.

CERTIFICATION

{ } This document and its attachments do not contain information that is confidential under AS 12.61.110 or the name of a victim of a crime listed in AS 12.51.140.

OPPOSITION TO MOTION TO DISMISS

FACTS

Officer Worth responded to the Senate Building on March 14, 1992 in response to a report of a person passed out in the restroom. Upon arrival at 1706 hours Worth discovered the defendant (Sabon) sitting on a toilet in an unconscious condition with his pants down. Worth's attempts to awaken Sabon proved difficult. Sabon had an odor of alcohol about his person and had bloodshot watery eyes. Sabon would not identify himself. Worth and Sergeant Herrera arrested Sabon for minor consuming based on Herrera's knowledge of Sabon's identity and presumably his age, although the police report doesn't indicate they knew his age.

ARGUMENT

The defendant argues in his memorandum that because the officers didn't see Sabon consume the alcohol the arrest is unconstitutional and the case must be dismissed. This does not

in any way explain why the court should go beyond the requirements of the "exclusionary rule" of evidence illegally seized to the more drastic step of dismissing the case. Elson v. State, 659 P.2d 1195 (Alaska 1983) and State v. Sears, 553 P.2d 907 (Alaska 1976); Mapp v. Ohio, 367 U.S. 643; 81 S. Ct. 1684, 6 L.Ed.2d 1081 (1961).

An illegal arrest is not a valid basis for dismissal of the action or suppression of the evidence. McConnell v. State, 595 P2d 147, 156 (AK 1979) See also fn. 26 at 155. (question of whether probable cause existed for defendant's arrest for MICS 3d not addressed given above-cited law). The remedy lies with the civil courts. See Ingraham v. Wright, 430 U.S. 651, 680 n. 48, 97 S.Ct. 1401 (1977).

Nor is outrageous conduct involved in this matter. Vaden v. State, 768 P2d 1102 (Alaska 1989) discusses outrageous conduct. While the Alaska Supreme Court noted in Vaden that judicial intervention for outrageous conduct is not limited to entrapment cases, the court nowhere in the opinion set out a standard for outrageous conduct outside of the entrapment situation. The court did, however, include a footnote at page 1108 (No. 13) which discusses outrageousness outside of entrapment. The standard is the malum in se standard i.e. the conduct must be inherently evil, immoral in its nature, illegality founded on principles of natural, moral and public law.

In this case the officers arrested a drunken teenager who

had passed out in a restroom, there is nothing inherently evil or immoral about such conduct. From a philosophical perspective one would be hard pressed to say such actions violate moral or public law. The law of the land is that if an officer were to have deprived Lawrence of his liberty improperly he would have been able to bring a 1983 Civil Rights action. Furthermore, had the officers left Sabon in the building and he later wandered in front of a car, the court knows the likely outcome.

In this case the court should focus on whether suppressing evidence is applicable not dismissal. The purpose of the exclusionary rule is two-fold, the preservation of the integrity of the judicial system and to dissuade law enforcement from a lawless invasion of a citizen's constitutional rights. Terry v. Ohio, 392 U.S. 1; 88 S. Ct. 1868, 20 L.Ed.2d 889 (1968); Sears, 553 P.2d at 912. Assuming arguendo that there was an illegal arrest in this matter then the remedy is the exclusionary rule prohibiting the introduction of any evidence from the time of the arrest onward, not the dismissal of the case.¹

Not all contacts between police officers and citizens involve a seizure of a person. The difference between a permissible encounter and a seizure is explained in Florida v. Royer, 103 S. Ct. 1319, 75 L.Ed.2d 229 (1983), when the United States Supreme Court said:

¹ The defendant in citing the Minnesota case of State v. Abu-Shanab, 440 N.W.2d 557, relates to the sufficiency of evidence at trial rather than the exclusionary rule or dismissal.

Law enforcement officers do not violate the Fourth Amendment by merely approaching an individual on the street or in another public place, by asking him if he is willing to answer some questions, by putting questions to him if the person is willing to listen, or by offering in evidence in a criminal prosecution his voluntary answers to such questions . . . Nor would the fact that an officer identifies himself as a police officer, without more convert the encounter into a seizure requiring some level of objective justification

Here, there is no seizure of a person when a police officer approaches him and asks him questions and as a result of those questions later arrests the person.

There is nothing illegal about this arrest. The defendant argues that the court of appeals decision in State v. Thronsen, 809 P.2d 941 (Alaska App. 1991), should be applicable here. This is a case where the defendant was specifically charged with "possession" of cocaine by having the cocaine in his bloodstream. The court said that "possession" in one's bloodstream was not the exercise of dominion or control over the cocaine required by AS 11.81.900(b)(42) and hence the state had not, when it specifically charged possession in the bloodstream, met its burden of proof at trial. The court went on to say that the possession of cocaine in the bloodstream was circumstantial evidence of the person's possession before it got to the bloodstream. But in this instance, that is not how the crime was charged. A violation of AS 11.71.040 of "possession" of a controlled substance is a substantially different crime than a violation of AS 04.16.050. The essential elements of a violation

of AS 11.71.040 are: (1) at the time and place charged; (2) the defendant knowingly possessed a substance; and (3) that substance was a schedule IIA controlled substance. The essential elements of a violation of AS 04.16.050 are: (1) at the time and place charged; (2) the defendant was under 21 years of age; (3) that he knowingly consumed or possessed, or controlled an alcoholic beverage. Hence in this instance the definition of "possess" found in AS 11.81.900(b)(42) is only applicable to one of three ways that one can commit this offense.² In this instance, the defendant had consumed an alcoholic beverage as distinct from possessed an alcoholic beverage. The argument is that because the statute is written in the present tense, it does not include "consumed." If this were so, none of the criminal statutes would be applicable unless the crime was committed in the officer's presence. Take for example AS 11.41.100, murder. "A person commits the crime of murder in the first degree if with the intent to cause the death of another person the person causes the death of any person." If the defendant's argument were applied to murder, no one could be charged with the commission of the offense unless it occurred directly in the officer's presence because the charge would be that the person caused the death of

² The definition found at AS 11.81.900(b)(42) reads: "'possess'" means having physical possession or the exercise of dominion or control over property. However, very specifically this definition is limited to Title 11. The preamble to the definition section says "for purposes of this Title," that is, Title 11. Therefore, possess may mean something substantially different for Title 4. However, the court need not reach this issue because possess is only one of three ways of committing this offense.

another person. The charge alleges something that occurred in the past. The very first legislature to compile Alaska laws in 1962 recognized that the absurd argument made here might arise and enacted AS 01.10.050 which says: "Words in the present tense include the past and future tenses and words in the future tense include the present tense." Consequently, no matter what creative use one puts Webster's New World Dictionary (2d edition, 1982), the Alaska State Legislature has indicated that the crime set forth in AS 04.16.050 includes the past tense of consuming an alcoholic beverage.

Sabon cites State v. Hornaday, 713 P.2d 71, 74 (1986) for the proposition that an arrest for minor consuming can't be made unless the officer sees the consuming. Hornaday is not an Alaska case. The proper citation is, State v. Hornaday, 713 P.2d 71 (Washington 1986), Under the revised code of Washington the Washington Supreme Court held that consume did not include the past tense. The RCW apparently does not include a provision such as AS 01.10.050. Because Alaska's statutory scheme is different, Hornaday does not apply.

The dissent of Hornaday is ,however, instructive. J. Brachtenbach suggested,

Common sense is not a bad precedent. To hold that an admittedly intoxicated person is not in possession of intoxicants is an exercise in sophistry beyond my comprehension unless we, like spiders, are content to spin fine but temporary webs.

J. Brachtenbach went on to quote from Francis Bacon's "Of Judicature" Essays from (1625),

Judges must beware of hard constructions and strained inferences, for there is no worse torture than the torture of laws.

Sabon's citation to State v. Abu-Shanab, 448 N.W. 2d 557 (Minn. App. 1989) isn't applicable because the issue there was whether the state proved venue at trial in a border town incident.

Neither is State v. Sorensen, 758 P.2d 466 (Utah App. 1988) applicable, where the issue was no evidence of intoxication at trial other than defendant's breath smelling of alcohol.

CONCLUSION

The defendant argues that this case should be dismissed, citing no authority for the dismissal of a case assuming an illegal arrest. Assuming an illegal arrest under Alaska law, the proper remedy is the application of the "exclusionary rule" from the time of the arrest into the future. There is no prospective application of the exclusionary rule found in any case. The arrest in this case is permissible in that the defendant was committing a misdemeanor by having consumed alcohol. For the above-stated reason the defendant's motion should be denied.

DATED at Juneau, Alaska this _____ day of May 1992.

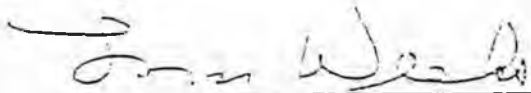
CHARLES E. COLE
ATTORNEY GENERAL

By: _____
J. Ron Sutcliffe
Assistant District Attorney

1 "seize" a person to preserve evidence of consumption, without a
2 warrant in exigent circumstances, that seizure, under Alaska law,
3 may not be for arrest to bring charges but only for obtaining
4 evidence. Neither the State nor the defendant raised the issue and
5 this court does not decide it.

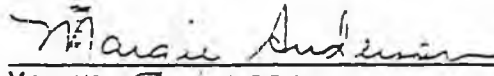
6 Officers, of course, may be under a legal obligation to take
7 an alcohol-incapacitated minor into protective custody if the minor
8 is unable to care for his or her self.² The officer may also issue
9 a citation.³

10 Dated July 8, 1992

11 

12 Larry Weeks
Superior Court Judge

13 I certify that I served J.Ron Sutcliffe and David Seid the above
14 pleading on this 7th day of July 1992 by placing it in their
15 court box.

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17 Margie Anderson
Secretary to Judge Weeks

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25 ² Busey v. Anchorage, 741 P.2d 230 (Alaska 1987)

³ AS 12.25.180

IN THE DISTRICT COURT FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT AT JUNEAU

STATE OF ALASKA,
Plaintiff,

v.

JOSEPH RANDALL JIM,
Defendant.

RECEIVED

Jun 26 1992

DEFENDER,
JUNEAU

FILED IN THE TRIAL COURTS
STATE OF ALASKA, FIRST DISTRICT
AT JUNEAU

JUN 26 1992

By _____ *FB* Deput

No. 1JU-92-609 CR

MEMORANDUM AND ORDER

This matter is before the court on defendant's motion to dismiss. Defendant filed no reply to the State's opposition and neither party has requested oral argument.

Defendant was arrested at 10:26 p.m. on June 2, 1992, for the offense of minor consuming alcohol, a misdemeanor. The factual record concerning the circumstances of the arrest is somewhat vague, but it is undisputed that the defendant was not consuming alcohol in the presence of the officer. At most, he had consumed it some time before he was contacted by the officer.

Whether or not one construes AS 04.16.050 to cover both the past and present tense or not and whether or not one engages in the "exercise in sophistry" (see State v. Hornaday, 713 P.2d 71 (Washington 1986), Brachtenbach, J. dissenting) necessary to hold that one who has consumed is not in possession, it is clear that the act of consuming charged in the complaint was complete before

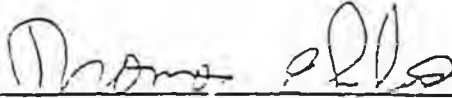
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defendant was arrested, and not in the presence of the arresting officer. AS 12.25.030 requires that the misdemeanor be committed in the officer's presence before he or she can arrest without a warrant.

Having determined that the arrest is illegal, the court must still deny the motion to dismiss. No persuasive argument is advanced by defendant in support of his request to dismiss, and the court is aware of none. The arrest clearly was not outrageous conduct. The officer had probable cause and, indeed, may have taken defendant to the Lemon Creek Jail at defendant's request. ~~In any event, suppression of any evidence seized as a result of the illegal arrest appears to be both the remedy supported by precedent and quite an adequate remedy in the circumstances of this case.~~

IT IS SO ORDERED.

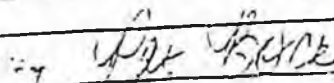
Dated at Ketchikan, Alaska, this 23rd day of June, 1992.



Thomas E. Schulz
Superior Court Judge

CERTIFICATION

The undersigned certifies that on the 26th day of June, 19 92, a true copy of this document was served on the following attorneys:
J. Ron Sutcliffe; Donna McCreedy.



IN THE DISTRICT COURT FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT AT JUNEAU

STATE OF ALASKA,
Plaintiff,

Filed In the Trial Courts
State of Alaska, First District
At Juneau

vs.

FEB 1992

IVAN SABON,
Defendant.

By *EW* Deputy

Case No. 1JU-S92-00053 CR

MEMORANDUM DECISION/ORDER

ON MOTION TO DISMISS

I. FACTUAL AND PROCEDURAL BACKGROUND

On 10 January 1992 , the Defendant, Ivan Sabon, was charged with having violated AS 04.16.050 on or about the same date. The allegation are that "Sabon was found extremely intoxicated on S. Franklin St., hardly able to stand up." The Uniform Summons and Complaint Form filed by police officer Steffel states that Mr. Sabon was "incarcerated." (Complaint, JPD case no. 92000455).

On 11 February 1992, Mr. Sabon, filed a Motion To Dismiss. The Defendant's statement of facts include the following:

that police officer Steffel approached Mr. Sabon as he was walking on the sidewalk along S. Franklin Street;
that the officer alleges she smelled alcohol on Mr. Sabon's person and observed Mr. Sabon's eyes to be bloodshot;

that officer Steffel seized Mr. Sabon, charged him with minor consuming, and transported him to the Juneau Police Department; and

that police officers conducted a search of Mr. Sabon's pockets, and confiscated a bus pass which did not appear to belong to Mr. Sabon.

1 Mr. Sabon asserts that his arrest was unlawful as the alleged
2 illegal in violation of due process of law under Alaska
3 Constitution, Art. I, Sec. 14. Mr. Sabon submits that he did not
4 "consume, possess, or control alcoholic beverages" under AS
5 04.16.050 in the "presence" of the arresting officer. As such, Mr.
6 Sabon contends his arrest without a warrant was contrary to the
7 relevant arrest statute AS 12.25.030. (Motion, pp. 1-6).

8 On 13 February 1992, the State of Alaska filed its Opposition
9 To Motion To Dismiss. The State declares even if this were an
10 illegal arrest "(and it isn't in the state's view)", such is not
11 a valid basis for dismissal of the action or suppression of the
12 evidence. The defendant's remedy, contends the State, rests with
13 the civil courts. (Opposition, p. 1).

14 On 13 February 1992, Mr. Sabon filed an Amended Memorandum In
15 Support Of Motion To Dismiss. This amended pleading submits
16 additional authority for Mr. Sabon's position. (Supp. p. 6-7).

17 It is noteworthy that the State's has not provided a statement
18 of facts which, in any way contradicts the defendant's factual
19 statement. Also, the State has not explained their view that Mr.
20 Sabon's arrest was legal. The State merely states their belief
21 without support. In any event, the State seeks to minimize the
22 merits of Mr. Sabon's position by characterizing it to be a "waste
23 of time responding to the law school exam question posed by Sabon."
24 (Opposition, p. 1). Instead, the State declares it is "not opposed
25 to suppressing all evidence seized following Sabon's arrest."

(Opposition, p. 1-2).

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II. POINTS AND AUTHORITIES

The Alaska Constitution, Art. I, Sec. 14 provides:

[t]he right of the people to be secure in their person, houses and other property, papers, and effects, against unreasonable searches and seizures, shall not be violated. No warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized.

The offense with which Mr. Sabon stands charged in violation of AS 04.16.050 declares:

A person under the age of 21 years may not knowingly consume, possess, or control alcoholic beverages....

The relevant arrest statute, AS 12.25.030, provides in pertinent part as follows:

(a) A private person or a peace officer without a warrant may arrest a person

(1) for a crime committed or attempted in the presence of the person making the arrest;....

"An arrest for a misdemeanor made by an officer without a warrant is valid if the offense is committed in his presence." Miller v. State, 462 P.2d 421, 425 (Alaska 1969). When a person is arrested on a misdemeanor, "the lawfulness of the arrest depends on whether the arresting officer was present at the commission of the offense." Rubey v. City of Fairbanks, 456 P.2d 470, 475 (Alaska 1969). The Alaska Supreme Court has recognized "that the grounds for arresting a person without a warrant for a misdemeanor committed in the presence of an officer are considerably more

1 restricted than those which would constitute probable cause for a
2 felony arrest without a warrant." Miller v. State, 462 P.2d at 426,
3 fn.3.

4 Whether a seizure has occurred is a question of fact. In
5 Waring v. State, 670 P.2d 357, 364 (Alaska 1976), the test for
6 determining whether a seizure occurred was explained:

7 [W]e will employ an objective standard to determine
8 whether or not a seizure has occurred, i.e., whether or
9 not a reasonable person would believe that he or she was
10 free to go....Such a confrontation, therefore, will
11 amount to a seizure 'only if the officer added to those
12 inherent pressures by engaging in conduct which a
13 reasonable man would view as threatening or offensive
14 even if coming from another private citizen.' 3
15 W.LaFave, "Search and Seizure: A Treatise on the Fourth
16 Amendment," Sec.9.2, at 53, 54 (1978). The critical
17 inquiry would be whether the policeman, although perhaps
18 making inquiries which a private citizen would not be
19 expected to make, has otherwise conducted himself in a
20 manner consistent with what would be viewed as a
21 offensive contact if it occurred between two ordinary
22 citizens.

23 III. APPLICATION AND ANALYSIS

24 In the instant case, there seems to be little dispute over
25 the fact that Mr. Sabon was arrested. He was transported to the
Juneau Police Department. His pockets were searched by police
officers. He was incarcerated at Lemon Creek Correctional Center.
His arraignment was the next day. It is clear that a reasonable
man in Mr. Sabon's situation would view as threatening or offensive
the police conduct in this case. As such, the police had "seized"
Mr. Sabon who had been placed under "arrest."

The significance of Mr. Sabon's arrest is that under AS

12.25.030 the police were only authorized to make such a misdemeanor arrest of Mr. Sabon if the alleged crime of minor consuming had been committed or attempted in the police officer's presence. The common understanding of the term "consume" is "to eat or drink up." Webster's New World Dictionary 305 (2ed. 1982). The statutory definition of the word "possess" is "having physical possession or the exercise of dominion or control over property." AS 11.81.900 (45). There is sufficient grounds for a misdemeanor arrest when the alcohol is in the minor's immediate dominion and control. see, Miller v. State, 462 P.2d 421, 427 (Alaska 1969) (open case of beer on the floor behind the driver's seat). Additionally, the power of a person to control or possess an alcoholic beverage ends once the person swallows the alcohol. see, State v. Thronsen, 809 P.2d 941, 943 (Alaska App. 1991) (affirming the trial court's rationale that "mere presence in the body cannot support a criminal conviction for possession).

On the present facts, officer Steffel did not actually see Mr. Sabon drink any alcohol. Additionally, the officer did not report observing any alcoholic beverages in Mr. Sabon's presence. Mr. Sabon was not witnessed as having any dominion or control over alcoholic beverages. The odor of alcohol on Mr. Sabon was circumstantial evidence that Mr. Sabon in the past may have consumed, possessed, or controlled alcohol. The mere smell of alcohol, however, did not give the police officer sufficient reason to believe that the crime of AS 04.16.050 was being committed in

1 the officer's presence. As such, Mr. Sabon's arrest was not in
2 compliance with the limitations of AS 12.25.030, and was a
3 violation of Mr. Sabon's constitutional rights under Art.1, Sec.
4 14 to be secure against unwarranted searches and seizures. Cf.,
5 A.B.A., Standards for Criminal Justice, vol.II, (2ed. 1986), sec.
6 10-2.2 (mandatory issuance of citation).

7 The conclusion reached above is not precluded by AS 01.10.050
8 which states: "Words in the present tense include the past and
9 future tenses and words in the future tense include the present
10 tense." This statute may have some application in whether charges
11 can be filed against an accused. This statute, however, does not
12 apply to whether a misdemeanor arrest can lawfully be made under
13 AS 12.25.030. The purpose for the limitations of misdemeanor
14 arrest are clear. The statutory intent would be rendered null and
15 void if a police officer was able to arrest a person for a
16 misdemeanor crime previously committed. Any such use of AS
17 12.25.030 would be contrary to reason, policy, and precedent.

18 Beyond the above-referenced rationale construing Alaska's
19 right against unwarranted search and seizure, several other
20 decisions dealing with related rights under the Alaska Constitution
21 compel a strict application of article I, section 14. In Breese
22 v. Smith, 501 P.2d 159 (Alaska 1972), the supreme court interpreted
23 article I, section 1 of the Alaska Constitution, which includes the
24 guarantee "that all persons have a natural right to life, liberty,
25 the pursuit of happiness, and the enjoyment of the rewards of their

own industry." Relying on this provision's affirmative grant of
the right to "liberty," the supreme court held:

[T]he term "liberty" is an elusive concept, incapable of
definitive, comprehensive explication. Yetr at the core
of this concept is the notion of total personal immunity
from government control: the right "to be let alone."

Bresse vs. State, 501 P.2d at 168.

The court normally will use the exclusionary remedy as the
primary means of effectuating certain basic constitutional rights.
The rationale for the exclusionary rule is deterrence of
unconstitutional methods of law enforcement; and the imperative of
judicial integrity which requires that the courts not be made
"party to lawless invasions of the constitutional rights of
citizens by permitting unhindered governmental use of the fruits
of such invasions." see, Mapp v. Ohio, 367 U.S. 643, 81 S.Ct. 1684
(1961); and Terry v. Ohio, 392 U.S. 1, 13, 88 S.Ct. 1868, 1875
(1968). The court.

In short, police misconduct which shocks the conscience,
or is of a nature that calls for the judiciary, as a
matter of judicial integrity, to disassociate itself from
benefits derivable therefrom, would lead us to invoke the
exclusionary rule.

State v. Sears, 553 P.2d 907, 914 (Alaska 1976).

However, the court is not limited to the remedy of the
exclusionary rule. The court may on its own motion "and in
furtherance of justice," order an action be dismissed. see, Cr.R.
43 (c); see also, Cr.R. 1 and 2. Because of the small number of
criminal cases which actually go to trial, the deterrent effect of

1 the exclusionary rule is severely limited if the remedy for lawless
2 conduct of the police is restricted to the exclusionary rule.
3 Furthermore, the aggravated facts and circumstances of a particular
4 case may lead the court to the conclusion that dismissal is
5 warranted in the furtherance of justice, judicial integrity, and
6 deterrence. The admittedly extreme measure of dismissal is
7 appropriate when the government's outrageous conduct has
8 egregiously violated fundamenatal constitutional rights.

9 The authors of the constitution did not believe that any one
10 branch of government could be relied upon to honor or make
11 effective the fundamental guarantees contained in the Constitution
12 and the Bill of Rights. The prohibition against unlawful search
13 and seizure is a positive expression of restraint against the abuse
14 of governmental power. The role of the judicial system is vital
15 to the preservation of the fundamental rights. James Madison, in
16 an address to Congress, stated:

17 [I]ndependent tribunals of justice will consider
18 themselves in a peculiar manner the guardians of those
19 rights; they will be an impenetrable bulwark against
20 every assumption of power in the Legislative or
21 Executive; they will be naturally led to resist every
22 encroachment upon rights expressly stipulated for in the
23 Constitution by the declaration of rights. 1 Annals of
24 Congress 439 (1789).

25 Courts can not direct the daily operations of government and
law enforcement. The judiciary can respond only to those issues
brought before it in a case-by-case procedure. Indeed, the
protection of fundamental constitutional rights frequently has been

1 achieved by refusing to validate unlawful police conduct. see,
2 Fresneda v. State, 458 P.2d 134, 139-40 (Alaska 1969).

3 If courts allow unlawful action by other branches of the
4 government in the enforcement of law, then the judiciary becomes
5 party to the wrong. When courts condone the unlawful and
6 unconstitutional arrests, they render the statutory and
7 constitutional guarantees a nullity.

8 As Mr. Justice Brandeis observed in his historic dissent in
9 Olmstead v. United States, 277 U.S. 438, 48 S.Ct.564, 575 (1928):

10 In a government of laws, existence of the government will
11 be imperilled if it fails to observe the law
12 scrupulously. Our government is the potent, the omni-
13 present teacher. For good or for ill, it teaches the
14 whole people by its example. Crime is contagious. If
15 the government becomes a lawbreaker, it breeds contempt
16 for law; it invites every man to become a law unto
17 himself; it invites anarchy.

18 In the same case, Mr. Justice Holmes declared:

19 [W]e must consider the two objects of desire both of
20 which we cannot have and make up our minds which to
21 choose....We have to choose, and for my part I think it
22 is less evil that some criminals should escape than that
23 the government should play an ignoble part.
24If the existing code does not permit district
25 attorneys to have a hand in such dirty business it does
not permit the judge to allow such iniquities to succeed.

Unless actions are subject to dismissal in the furtherance of
justice for flagrant violations of constitutional rights, we engage
in governmental hypocrisy in a significant fashion. We are not
dealing with "law school exams" (see, State Opposition, p.1).
Rather, we are addressing important constitutional principles.
Freedom from unlawful search and seizures (and warrantless arrest)

1 goes to the very heart of our constitutional history. The right
2 of privacy and to "be let alone" is at issue. Protection from the
3 government's unlawful search and seizure is at stake. Our
4 discussion is not a "waste of time" (see State Opposition, p.1).
5 The values and rights in question are basic to our governmental
6 structure.

7 Constitutional rights become simply words without content
8 unless there is a meaningful consequence for their violation. The
9 judiciary fails to support and defend the constitution (as we are
10 sworn to do) if we permit official lawlessness.

11 In the instant case, Mr. Sabon was not only unlawfully
12 arrested without a warrant, but also he was incarcerated and his
13 pockets were searched. The indignity resulting from the arrest of
14 Mr. Sabon was compounded by his subsequent incarceration and
15 search. The government's action was an affront both to Mr. Sabon
16 and the constitution. The aggravated nature of this lawless police
17 conduct in violation of fundamental statutory and constitutional
18 rights mandates a remedial response. Mr. Sabon's right to be let
19 alone was violated. Further, the State's conduct amounted to a
20 illegal search and seizure of Mr. Sabon. It is the opinion of this
21 court in the interest: (1) of deterring such police conduct in the
22 future, (2) of preserving the integrity of the judiciary, (3) of
23 protecting fundamental constitutional rights, and (4) of furthering
24 justice, that the present action is subject to the exclusionary
25 rule and also to dismissal.

1 In summary, Mr. Sabon was arrested without a warrant for the
2 misdemeanor offense of minor consuming. The arresting officer did
3 not observe Mr. Sabon consume or possess alcohol. Mr. Sabon's
4 arrest was not in accord with AS 12.25.030 and violated Alaska
5 Constitution, art. I, section 14. The exclusionary rule leads to
6 the suppression of evidence obtained following Mr. Sabon's arrest.
7 The interests of police deterrence, judicial integrity,
8 constitutional rights and furtherance of justice together with
9 insufficient evidence, as a matter of law, call for dismissal of
10 the present charges.

11 IV. CONCLUSION

12 Therefore, based on all of the above, and for good cause
13 having been shown,

14 It Is Hereby Ordered, Adjudged, and Decreed:

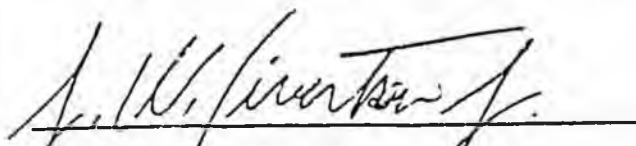
15 That any and all evidence seized following Mr. Sabon's arrest
16 shall be suppressed;

17 That Defendant's Motion To Dismiss is Granted; and

18 That the present case is Dismissed with prejudice.

19 Dated this 2 March 1992.

20 In The District Court At Juneau

21 
22 _____
23 John W. Sivertsen, Jr.
24 Magistrate

25 CERTIFICATION

The undersigned certifies that on the 2 day of
March, 1992, a true copy of this
document was served on the following attorneys:
Kon. Hutchins, Esq. & Carol Bow
Donna McNeely, Esq. & Carol Bow
By J. W. Sivertsen, Magistrate

CORRECTION

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

1 In summary, Mr. Sabon was arrested without a warrant for the
2 misdemeanor offense of minor consuming. The arresting officer did
3 not observe Mr. Sabon consume or possess alcohol. Mr. Sabon's
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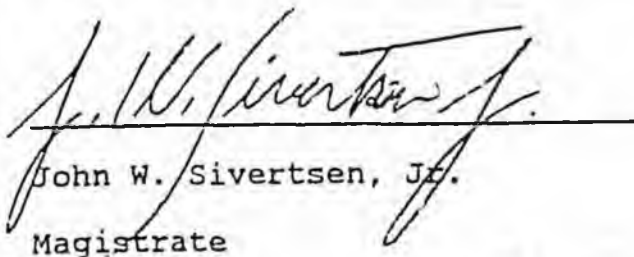
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18 That the present case is Dismissed with prejudice.

19 Dated this 2 March 1992.

20 In The District Court At Juneau

21 
22 _____
23 John W. Sivertsen, Jr.
24 Magistrate

25 **CERTIFICATION**

The undersigned certifies that on the 2 day of
March, 1992, a true copy of this
document was served on the following attorneys:
Ron. Sutcliffe (Co) Court box
Anna McNeely (Co) Court box
By J. W. Sivertsen, Magistrate

S B

2 2 5

HOUSE COMMITTEE REPORT

(9)

Date Referred: March 18, 1994

FURTHER REFERRALS:

Finance

Date of Committee Action: 3/31/94

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered: CSSB 225(HES)

CS FOR SENATE BILL NO. 225(HES) INSURANCE TAX CREDIT:GIFTS TO COLLEGES

"An Act relating to credits against certain insurance taxes for contributions to certain educational institutions; and providing for an effective date."

- RECOMMENDATIONS: the same title
 a new title
 be replaced with _____
 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): (Dept) _____
 fiscal impact _____
 zero fiscal note _____

APPROVES PREVIOUS: (Dept/Date) _____
 fiscal note(s) Commerce 2/4/94
 zero fiscal note(s) Revenue 2/4/94

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Pete Galt</i>	✓	<i>Al Vezey</i>			X
<i>John L. ...</i>	✓				
<i>Don Blunde</i>	✓				
<i>[Signature]</i>	✓				

Don Blunde
 CHAIRMAN'S SIGNATURE

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

Version: SB 225
(S) Publish Date: 2-4-94

Revision Date: _____
Title: Insurance Tax Credits: Gifts to Colleges
Sponsor: Kertula
Requestor: _____

Department Affected: Commerce and Economic Development
BRU: Insurance
Component: Operations
COMPONENT SERIAL NO. 354

Expenditures/Revenues:

OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL EXPENDITURES	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

CHANGE IN REVENUES ()	(900.0)	(900.0)	(900.0)	(900.0)	(900.0)	(900.0)
------------------------	---------	---------	---------	---------	---------	---------

GF 1004 & 68515
FUND SOURCE

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
Other	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

Estimate of current year (FY 94) cost: \$ 0

POSITIONS

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

Changes in CS SB 225 (HES))
reflect NO FISCAL CHANGE from the original)
fiscal note. This fiscal note is appropriate.)
2/4/94 Kah)
date Comte Aide (initial)

ANALYSIS: (Attach a separate page if necessary.)

This bill provides for a maximum annual premium tax credit of \$150,000 for cash gifts to Alaska colleges. Any tax credit will reduce general fund premium tax revenue (OMB 1004, SAS 68515) by a like amount. It is impossible to predict the amount of premium tax credits that would be applicable in any given year. However, if six companies claimed the maximum premium credit, the result would be a loss of \$900.0 to the general fund.

Prepared by: Joan Brown, Administrative Officer
Division: Insurance

Phone: 465-2597
Date: 1/20/94

Approved by Commissioner: Paul Fuhs
Agency: Commerce and Economic Development

Date: _____

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FISCAL NOTE

No. 2
 Bill Version: SB 225
 (S) Public Date: 2-4-94

STATE OF ALASKA
 1994 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: Revenue
 Title: Insurance Tax Credit: Gifts to Colleges BRU: Revenue Operations
 Component: Income and Excise Audit
 Sponsor: Senator Kertula
 Requestor: (S) HES COMPONENT SERIAL NO. 13

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL						
REVENUE FUND SOURCE: General	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME					
PART-TIME					
TEMPORARY					
Estimate of current year (FY94) impact: S	0				

Changes in CS SB 225 (HES)
 reflect NO FISCAL CHANGE from the original
 fiscal note. This fiscal note is appropriate.
2/4/94 hah
 date Comte Aide (initial)

ANALYSIS: (Attach a separate page if necessary.)

It is not feasible to determine how credits claimed under this bill will impact credits claimed under AS Title 43 because credits under both Title 21 and Title 43 are competing for the \$150,000 total credit limitation. Amounts will vary depending on contributions made by taxpayers each year.

Prepared by: Larry E. Mevers Phone: 465-2320
 Division: Income and Excise Audit Date: January 31, 1994
 Approved by Commissioner: Darrel J. Rexwinkel Date: January 31, 1994
 Agency: Department of Revenue

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Alaska State Legislature
 House of Representatives
 COMMITTEE ON HEALTH, EDUCATION
 AND SOCIAL SERVICES

DATE: 3/31/94

PLACE: Capitol Room 106

SUBJECT OF MEETING:
 SB 225: INSURANCE TAX CREDIT: GIFTS TO COLLEGES
 HB 210: HIRING OF CHIEF SCHOOL ADMINISTRATOR
 HB 351: ID REQUIREMENT TO ENROLL CHILD IN SCHOOL

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
Al Alvarez	AK Pacific University	4101 University Dr Anchorage	99508	345-2464	564-8347	(Y) N	SB 225
Larry Meyers	D.O.R.			2320		Y (N)	SB 225
Steve Mephetres	ACSA	320 4th St. #104	99801	6-9702		(Y) N	HB 210
Stone, Jeffrey	SELF	2601 Monmouth	99500	w/a	-	Y (N)	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CSSB225(H)

Revision Date: March 16, 1994
Title: Insurance Tax Credits: Gifts to Colleges

Department Affected: Commerce and Economic Development
BRU: Insurance
Component: Operations

Sponsor: Kerttula

COMPONENT SERIAL NO. 354

Requestor: _____

Expenditures/Revenues:

OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL EXPENDITURES	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

CHANGE IN REVENUES ()	(8,247.4)	(8,247.4)	(8,247.4)	(8,247.4)	(8,247.4)	(8,247.4)
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GF 1004 & 68515

FUND SOURCE

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
Other	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

Estimate of current year (FY 94) cost: \$ 0

POSITIONS

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

ANALYSIS: (Attach a separate page if necessary.)

The difference between this fiscal note and the fiscal note dated January 20, 1994, is that this fiscal note identifies the POTENTIAL MAXIMUM tax credit that may occur. This calculation is based upon the 1992 premium taxes actually collected from insurance companies. (Please see the attachment.) Any tax credit will reduce general fund premium tax revenue by a like amount. The exact amount of the tax credit is, however, impossible to predict.

Prepared by: Joan Brown
Division: Insurance

Phone: 465-2597
Date: March 16, 1994

Approved by Commissioner: Paul Fuhs
Agency: Commerce and Economic Development

Date: 3-16-94

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The enclosed runs are calculations to show the maximum probable effect of Senate Bill 225, totaling \$8,247,438. The calculations were performed on 1992 premium taxes collected from the domiciled and admitted property and casualty companies (including title companies) and life and health companies (including medical corps). The numbers reflect the maximum credit allowed to each company under the formula in SB 225, the lesser of either \$150,000 or 50 percent of the taxable liability. Therefore, the company would have to have a taxable liability of \$300,000 or more to receive the \$150,000 credit.

On the Property & Casualty run, the columns are:

- A - property & casualty insurance premium tax paid
- B - title insurance premium tax paid
- C - marine, wet marine & transportation premium tax paid
- D - total of columns A, B and C
- E - maximum tax credit allowable under SB 225

On the Life run, the columns are:

- A - total premium tax paid
- B - maximum tax credit allowable under SB 225

Examples:

Alaska Industrial Insurance Company

Total taxes paid - \$1,148.56
Maximum tax credit - \$574.00

Allstate Insurance Company

Total taxes paid - \$1,961,199.00
Maximum tax credit - \$150,000.00

Alaska Timber Exchange

Total taxes paid - \$172,871.00
Maximum tax credit - \$86,435.50

Blue Cross of Washington and Alaska

Total taxes paid - \$1,142,746.00
Maximum tax credit - \$150,000.00

	A	B	C
1	1992 Life & Health Companies		
2	(Including Hospital Medical Corporations)		
3			
4	Premium Tax Paid	Per Legislation	Name of Insurance Company
5	\$533.76	\$266.88	AAA Life Insurance Company
6	\$22,787.00	\$11,393.50	Academy Life Insurance Company
7	\$9,081.00	\$4,540.50	AETNA Life Insurance & Annuity Company
8	\$24,576.43	\$12,288.22	AIG Life Insurance Company
9	\$11,043.18	\$5,521.59	Alaska Vision Services
10	\$5,546.00	\$2,773.00	Alexander Hamilton Life Insurance Company Of America
11	\$21,452.00	\$10,726.00	All American Life Insurance Company
12	\$21.00	\$10.50	Alliance Life Insurance Company
13	\$31,186.00	\$15,593.00	Allianz Life Insurance Co of North America
14	\$66,629.00	\$34,314.50	Allstate Life Insurance Company
15	\$19.75	\$9.88	AM investors Life Insurance Co. Inc.
16	\$2,801.00	\$1,400.50	American Bankers Life ASR Co of Florida
17	\$41.00	\$20.50	American Capitol Insurance Company
18	\$620.00	\$310.00	American Centurion Life & Accident ASR Co
19	\$23,501.42	\$11,750.71	American Chambers Life Insurance Company
20	\$2,086.00	\$1,043.00	American Family Life ASR Co of Columbus
21	\$454.32	\$227.16	American Fidelity Assurance Company
22	\$591.60	\$295.80	American Fidelity Life Insurance Company
23	\$14.75	\$7.38	American Franklin Life Insurance Company
24	\$17.00	\$8.50	American General Life Ins Co of New York
25	\$13,021.00	\$6,510.50	American General Life Assurance Company
26	\$54.00	\$27.00	American Guardian Life Assurance Company
27	\$1,521.67	\$760.84	American Health & Life Insurance Company
28	\$13,298.15	\$6,649.08	American Heritage Life Insurance Company
29	\$6,961.00	\$3,480.50	American Income Life Insurance Company
30	\$1,155.41	\$577.71	American International Life ASR Co of New York
31	\$2,324.00	\$1,162.00	American Life & Casualty Insurance Company
32	\$6,124.26	\$3,062.13	American National Insurance Company
33	\$72.08	\$36.04	American National Life Ins Co of Texas
34	\$1.38	\$0.69	American Patriot Health Insurance Company
35	\$565.70	\$282.85	American Republic Insurance Company
36	\$41.40	\$20.70	American Service Life Insurance Company
37	\$265.01	\$132.51	American Standard Life & Accident Ins Co
38	\$579.69	\$289.85	American States Life Insurance Company
39	\$300.00	\$150.00	American Travelers Life Ins Co
40	\$477.00	\$238.50	American United Life Insurance Company
41	\$11,614.00	\$5,807.00	American-Amicable Life Ins Co of Texas
42	\$8,269.21	\$4,134.61	Ameritas Life Insurance Corporation
43	\$13.66	\$8.33	Ameritas Variable Life Insurance Company
44	\$29,103.00	\$14,551.50	Amex Life Assurance Company
45	\$236.60	\$118.30	AMICA Life Insurance Company
46	\$486.00	\$243.00	Anthem Life Insurance Company
47	\$29.00	\$14.50	Anthem Life Insurance Company of Indiana
48	\$31.00	\$15.50	Aristar Life Insurance Company
49	\$261.00	\$130.50	Associates Financial Life Insurance Company
50	\$10.00	\$5.00	Aurora National Life Assurance Company
51	\$483.00	\$241.50	Balboa Life Insurance Company
52	\$6,659.31	\$3,329.66	Bankers Life & Casualty Company
53	\$176.00	\$88.00	Bankers National Life Insurance Company
54	\$2,008.00	\$1,004.00	Bankers Security Life Insurance Society
55	\$2,624.00	\$1,412.00	Bankers United Life Assurance Company
56	\$1,442.00	\$721.00	Banner Life Insurance Company
57	\$2,585.44	\$1,292.72	BCS Life Insurance Company
58	\$1,517.00	\$758.50	Beneficial Life Insurance Company
59	\$725.00	\$362.50	Beneficial Standard Life Insurance Company
60	\$845.00	\$422.50	Berkshire Life Insurance Company
61	\$8,901.00	\$4,450.50	Best Life Assurance Company of California
62	\$1,142,746.00	\$150,000.00	Blue Cross of Washington and Alaska
63	\$5,965.00	\$2,982.50	Boston Mutual Life Insurance Company

	A	B	C
84	\$431.11	\$215.58	Bradford National Life Insurance Company
65	\$2,093.00	\$1,048.50	Business Men's Assurance Company of America
68	\$1,628.00	\$814.00	CM Life Insurance Company
87	\$539.88	\$269.84	Canada Life Assurance Company
68	\$9.99	\$5.00	Capital Investors Life Insurance Company
69	\$1,223.02	\$811.51	Capitol American Life Insurance Company
70	\$928.00	\$484.00	Capitol Bankers Life Insurance Company
71	\$5,828.00	\$2,813.00	Celtic Life Insurance Company
72	\$85.00	\$32.50	Central National Life Insurance Company of Omaha
73	\$52.85	\$26.33	Central Security Life Insurance Company
74	\$5,202.00	\$2,801.00	Central States Health & Life Ins Co of Omaha
75	\$6,772.00	\$3,386.00	Centurion Life Insurance Company
76	\$1,133.85	\$566.83	Century Life of America
77	\$1,026.22	\$513.11	Certified Life Insurance Company
78	\$165.00	\$82.50	Charter National Life Insurance Company
79	\$5,647.63	\$2,823.82	Chubb Life Insurance Company of America
80	\$3,829.37	\$1,914.69	Chubb Sovereign Life Insurance Company
81	\$90.77	\$45.39	Citicorp Life Insurance Company
82	\$25,137.81	\$12,568.91	Colonial Life & Accident Insurance Company
83	\$5,040.00	\$2,520.00	Color. & Penn Life Insurance Company
84	\$138.83	\$69.42	Colorado Bankers Life Insurance Company
85	\$309.75	\$154.88	Columbian Mutual Life Insurance Company
86	\$9,775.87	\$4,887.84	Combined Insurance Company of America
87	\$12,112.00	\$6,056.00	Commerical Bankers Life Insurance Company
88	\$924.43	\$462.22	Commerical Life Insurance Company
89	\$142.37	\$71.19	Commerical Travelers Mutual Insurance Company
90	\$484.00	\$232.00	Commerical Union Life Insurance Company of America
91	\$228.26	\$114.13	Community National Assurance Company
92	\$398.00	\$199.00	Confederation Life Insurance Company
93	\$223.94	\$111.97	Congress Life Insurance Company
94	\$25,758.00	\$12,879.00	Connecticut General Life Insurance Company
95	\$995.38	\$497.69	Connecticut National Life Insurance Company
96	\$84.13	\$42.07	Constitution Life Insurance Company
97	\$1,311.00	\$655.50	Continental American Life Insurance Company
98	\$5,567.00	\$2,783.50	Continental Assurance Company
99	\$1,208.00	\$603.00	Continental General Insurance Company
100	\$499.00	\$249.50	Continental Life and Accident Company
101	\$365.00	\$182.50	Continental Life Insurance Company
102	\$237.00	\$118.50	Continental Western Life Insurance Company
103	\$155.38	\$77.68	Country Investors Life Assurance Company
104	\$2,032.58	\$1,016.29	Country Life Insurance Company
105	\$44,859.08	\$22,329.54	Crown Life Insurance Company
106	\$73,716.00	\$36,858.00	Cuna Mutual Insurance Society
107	\$100.44	\$50.22	Delaware American Life Insurance Company
108	\$85,797.19	\$42,898.60	Delta Dental Insurance Company
109	\$7.83	\$3.92	Employees Life Company (Mutual)
110	\$113.00	\$56.50	Employers Life Insurance Company of Wausau
111	\$64.98	\$32.48	Employers Modern Life Company
112	\$193.78	\$96.89	Equitable Life & Casualty Insurance Company
113	\$62,006.00	\$31,003.00	Equitable Life Assurance Society of the U.S.
114	\$3,290.00	\$1,645.00	Equitable Life Insurance Company of Iowa
115	\$75,088.00	\$37,534.00	Equitable Variable Life Insurance Company
116	\$25.00	\$12.50	Executive Fund Life Insurance Company
117	\$1,080.00	\$530.00	Family Life Insurance Company
118	\$228.00	\$114.00	Family Service Life Insurance Company
119	\$7,418.00	\$3,709.00	Federal Home Life Insurance Company
120	\$7,487.42	\$3,733.71	Federal Kemper Life Assurance Company
121	\$9.00	\$4.50	Federal Life Insurance Company (Mutual)
122	\$729.00	\$364.50	Fidelity & Guaranty Life Insurance Company
123	\$482.02	\$231.01	Fidelity Bankers Life Insurance Company
124	\$81.49	\$40.75	Fidelity Life Association, A Mutual Legal Reserve Co
125	\$5,081.51	\$2,540.76	Fidelity Security Life Insurance Company
126	\$5,907.57	\$2,953.79	Fidelity Union Life Insurance Company
127	\$4,888.00	\$2,344.00	First Capital Life Insurance Company

	A	B	C
128	\$12,766.43	\$6,383.22	First Colony Life Insurance Company
129	\$337.28	\$168.64	First Delaware Life Insurance Company
130	\$1,882.00	\$941.00	First Equicor Life Insurance Company
131	\$436.00	\$218.00	First International Life Insurance Company
132	\$121.00	\$60.50	First Investors Life Insurance Company
133	\$253.37	\$126.69	First Life Assurance Company
134	\$564.00	\$282.00	First National Life Insurance Company
135	\$3,025.66	\$1,512.83	First Penn-Pacific Life Insurance Company
136	\$12,930.27	\$6,465.14	Ford Life Insurance Company
137	\$1,169.00	\$584.50	Forethought Life Insurance Company
138	\$10.37	\$5.19	Fort Dearborn Life Insurance Company
139	\$105,253.88	\$52,826.94	Fortis Benefits Insurance Company
140	\$2,639.07	\$1,319.54	Garden State Life Insurance Company
141	\$8,324.28	\$4,162.14	General American Life Insurance Company
142	\$111.18	\$55.58	General Fidelity Life Insurance Company
143	\$3,816.00	\$1,908.00	General Services Life Insurance Company
144	\$1,433.00	\$716.50	Garber Life Insurance Company
145	\$6,739.00	\$3,369.50	Globe Life and Accident Insurance Company
146	\$36,529.35	\$18,264.68	Globe Life Insurance Company
147	\$62,039.00	\$31,019.50	Golden Rule Insurance Company
148	\$3,700.82	\$1,850.41	Government Personnel Mutual Life Insurance Company
149	\$263.93	\$131.97	Grand Pacific Life Insurance Company, LTD
150	\$26.00	\$13.00	Great American Life Insurance Company
151	\$266.00	\$133.00	Great American Reserve Insurance Company
152	\$71.30	\$35.65	Great Republic Life Insurance Company
153	\$641.00	\$320.50	Great Southern Life Insurance Company
154	\$183,026.00	\$91,513.00	Great-West Life & Annuity Insurance Company
155	\$1,078.00	\$539.00	Groupamerica Insurance Company
156	\$11,299.77	\$5,649.89	Guarantee Mutual Life Company
157	\$1,624.46	\$812.23	Guarantee Reserve Life Insurance Company
158	\$1,406.16	\$703.08	Guarantee Trust Life Insurance Company
159	\$5,205.00	\$2,602.50	Hartford Life and Accident Insurance Company
160	\$2,005.00	\$1,002.50	Hartford Life Insurance Company
161	\$15,126.00	\$7,563.00	Heritage Life Insurance Company
162	\$10,501.00	\$5,250.50	Home Life Financial Assurance Corporation
163	\$8,878.42	\$4,439.21	Horace Mann Life Insurance Company
164	\$1,003.29	\$501.65	Idealife Insurance Company
165	\$3,162.51	\$1,581.26	IDS Life Insurance Company
166	\$42.20	\$21.10	Individual ASR Co Life Health & Accident
167	\$214.00	\$107.00	Integon Life Insurance Corporation
168	\$8.75	\$4.38	Integrity Life Insurance Company
169	\$649.00	\$324.50	Inter-State Assurance Company
170	\$12.00	\$6.00	Intercontinental Life Insurance Company
171	\$892.62	\$446.31	Investors Guaranty Life Insurance Company
172	\$675.00	\$337.50	Investors Life Ins Co of California
173	\$8.00	\$4.00	Investors Life Ins Co of North America
174	\$1,973.84	\$986.92	Investors Life Ins Co of Nebraska
175	\$1,204.23	\$602.12	ITT Hartford Life and Annuity Ins Co
176	\$35.00	\$17.50	ITT Lyndon Life Insurance Company
177	\$31,585.00	\$15,792.50	JC Penny Life Insurance Company
178	\$34,387.74	\$17,193.87	Jackson National Life Insurance Company
179	\$529.00	\$264.50	Jefferson National Life Insurance Company
180	\$1,435.00	\$717.50	John Aldon Life Insurance Company
181	\$28.27	\$14.14	John Deere Life Insurance Company
182	\$79,667.00	\$39,833.50	John Hancock Mutual Life Insurance Company
183	\$10,265.00	\$5,132.50	John Hancock Variable Life Insurance Company
184	\$1,537.00	\$768.50	Kansas City Life Insurance Company
185	\$68.00	\$34.00	Kemper Investors Life Insurance Company
186	\$2,390.58	\$1,195.29	Lamar Life Insurance Company
187	\$104.25	\$52.13	Liberty Life Assurance Company of Boston
188	\$1,084.00	\$542.00	Liberty Life Insurance Company
189	\$11,249.00	\$5,624.50	Liberty National Life Insurance Company
190	\$14.15	\$7.08	Life Insurance Company of Alaska
191	\$8,104.00	\$4,052.00	Life Insurance Company of North America

	A	B	C
192	\$3,310.77	\$1,655.39	Life Insurance Company of the Southwest
193	\$1,616.00	\$808.00	Life Investors Insurance Co of America
194	\$32.70	\$16.35	Life Of Boston Insurance Company
195	\$887.00	\$443.50	LifeUSA Insurance Company
196	\$63.00	\$31.50	Lincoln American Life Insurance Company
197	\$3,036.00	\$1,518.00	Lincoln Benefit Life Company
198	\$1,968.94	\$934.47	Lincoln Liberty Life Insurance Company
199	\$148,399.00	\$74,199.50	Lincoln National Life Insurance Company
200	\$2,228.00	\$1,114.00	Lone Star Life Insurance Company
201	\$115.00	\$57.50	Loyal American Life Insurance Company
202	\$308.00	\$154.00	Lutheran Brotherhood Variable Ins Products Co
203	\$20.87	\$10.44	Madison National Life Insurance Co, Inc
204	\$720.31	\$360.16	Manhattan National Life Insurance Company
205	\$1,373.00	\$686.50	Massachusetts Casualty Insurance Company
206	\$1,571.00	\$785.50	Massachusetts General Life Insurance Company
207	\$16,027.00	\$8,013.50	Massachusetts Mutual Life Insurance Company
208	\$42.00	\$21.00	MBL Life Assurance Corporation
209	\$147.37	\$73.69	Medical Life Insurance Company
210	\$5,349.14	\$2,674.57	Medico Life Insurance Company
211	\$4,390.93	\$2,195.47	Merrill Lynch Life Insurance Company
212	\$9,477.00	\$4,738.50	Metropolitan Insurance & Annuity Company
213	\$105,466.00	\$52,733.00	Metropolitan Life Insurance Company
214	\$162.00	\$81.00	Metropolitan Tower Life Insurance Company
215	\$8,375.27	\$4,187.64	MIC Life Insurance Corporation
216	\$14,590.79	\$7,295.40	Midland National Life Insurance Company
217	\$7.00	\$3.50	Midwest Security Life Insurance Company
218	\$1.31	\$0.66	Midwestern United Life Insurance Company
219	\$224.00	\$112.00	MML Bay State Life Insurance Company
220	\$152.00	\$76.00	Modern American Life Insurance Company
221	\$1,813.97	\$906.99	Modern Income Life Insurance Company
222	\$2,151.00	\$1,075.50	Monarch Life Insurance Company
223	\$5,092.00	\$2,546.00	Montgomery Ward Life Insurance Company
224	\$22,985.00	\$11,492.50	Monumental Life Insurance Company
225	\$10,515.34	\$5,257.92	MONY Life Insurance Company of America
226	\$53,779.37	\$26,889.69	Mutual of Omaha Insurance Company
227	\$1,559.28	\$779.64	Nacolah Life Insurance Company of Texas
228	\$9,040.00	\$4,520.00	National American Life Ins Co of Pennsylvania
229	\$1,523.00	\$761.50	National Benefit Life Insurance Company
230	\$97.00	\$48.50	National Fidelity Life Insurance Company
231	\$118.91	\$59.46	National Foundation Life Insurance Company
232	\$310.00	\$155.00	National Guardian Life Insurance Company
233	\$428.00	\$214.00	National Health Insurance Company
234	\$4,741.00	\$2,370.50	National Home Life Assurance Company
235	\$33.00	\$16.50	National Liberty Life Insurance Company
236	\$1,860.56	\$930.28	National Life Insurance Company
237	\$389.91	\$194.96	National Travelers Life Company
238	\$360.68	\$180.34	National Western Life Insurance Company
239	\$7.29	\$3.65	National American Life Insurance Company of Texas
240	\$249.00	\$124.50	National Farmers Union Life Insurance Company
241	\$2,902.22	\$1,451.11	New England Mutual Life Insurance Company
242	\$511.53	\$255.77	New England Variable Life Insurance Company
243	\$2,564.00	\$1,282.00	New York Life & Health Insurance Company
244	\$11,804.00	\$5,902.00	New York Life Insurance & Annuity Corporation
245	\$886,285.00	\$150,000.00	New York Life Insurance Company
246	\$7,837.73	\$3,818.87	North American Company For Life & Health Insurance
247	\$1,886.00	\$843.00	North American Life Assurance Company
248	\$842.95	\$421.48	North Central Life Insurance Company
249	\$203.04	\$101.52	North West Life Assurance Company of America
250	\$810.00	\$405.00	Northbrook Life Insurance Company
251	\$13,640.37	\$6,820.19	Northbrook Life Insurance Company
252	\$38,042.23	\$19,021.12	Northwestern National Life Insurance Company
253	\$2,644.00	\$1,322.00	Occidental Life Insurance Co of North Carolina
254	\$71.00	\$35.50	Old Republic Life Insurance Company
255	\$2,239.00	\$1,119.50	Pacific Guardian Life Insurance Company Ltd

	A	B	C
256	\$1,294.00	\$647.00	Pacific Heritage Assurance Company
257	\$30,778.54	\$15,389.27	Pacific Mutual Life Insurance Company
258	\$393.69	\$196.85	Pacific Standard Life Insurance Company
259	\$221.05	\$110.53	Paragon Life Insurance Company
260	\$22.00	\$11.00	Peninsular Life Insurance Company
261	\$196.00	\$98.00	Pennsylvania Life Insurance Company
262	\$38,700.00	\$19,350.00	PFL Life Insurance Company
263	\$2,358.35	\$1,179.18	Philadelphia Life Insurance Company
264	\$183.00	\$91.50	Phoenix American Life Insurance Company
265	\$28,443.00	\$14,221.50	Phoenix Home Life Mutual Insurance Company
266	\$2,812.88	\$1,306.44	Physicians Life Insurance Company
267	\$20,705.65	\$10,352.83	Physicians Mutual Insurance Company
268	\$341.00	\$170.50	Pierce National Life Insurance Company
269	\$260.00	\$130.00	Pioneer American Insurance Company
270	\$4,459.37	\$2,229.69	Pioneer Life Insurance Company of Illinois
271	\$62.00	\$31.00	Pioneer Security Life Insurance Company
272	\$8,230.45	\$4,115.23	PM Group Life Insurance Company
273	\$994.00	\$497.00	Prairie State Life Insurance Company
274	\$136.00	\$68.00	Presidential Life Insurance Company
275	\$51,815.00	\$25,907.50	Primerica Life Insurance Company
276	\$272,751.00	\$150,000.00	Principal Mutual Life Insurance Company
277	\$45.00	\$22.50	Principle National Life Insurance Co
278	\$4,026.00	\$2,013.00	Protective Life Insurance Company
279	\$482.00	\$241.00	Provident Indemnity Life Insurance Company
280	\$18,074.57	\$9,037.29	Provident Life & Accident Ins Co
281	\$1,028.00	\$514.00	Provident Mutual Life Ins Co of Philadelphia
282	\$6.13	\$3.07	Provident Mutual Life & Annuity Co of America
283	\$11,425.00	\$5,712.50	Pruco Life Insurance Co
284	\$196,822.00	\$98,411.00	Prudential Ins Co of America
285	\$442.00	\$221.00	Reliance Standard Life Ins Co
286	\$4.00	\$2.00	Republic-Vanguard Life Ins Co
287	\$46.00	\$23.00	Royal Life Ins Co of America
288	\$1,680.00	\$840.00	Royal Maccabees Life Ins Co
289	\$31,591.38	\$15,795.69	Safeco Life Ins Co
290	\$6,632.61	\$3,316.31	Security Benefit Life Ins Co
291	\$2,701.54	\$1,350.77	Security Life Ins Co of America
292	\$22,763.10	\$11,381.55	Security Life of Denver Ins Co
293	\$186.00	\$93.00	Security Mutual Life Ins Co of New York
294	\$889.16	\$444.58	Security National Life Ins Co
295	\$3,586.98	\$1,793.49	Security-Connecticut Life Ins Co
296	\$5,168.00	\$2,584.00	Sentry Life Ins Co
297	\$675.18	\$337.59	SMA Life Assurance Co
298	\$3,861.00	\$1,930.50	Southland Life Ins Co
299	\$775.00	\$387.50	Springfield Life Ins Co Inc
300	\$86,415.00	\$43,207.50	Standard Ins Co
301	\$106.00	\$53.00	Standard Life Ins Co of Indiana
302	\$162.00	\$81.00	Standard Security Life Ins Co of New York
303	\$81,888.21	\$40,944.11	State Farm Life Ins Co
304	\$259.99	\$130.00	State Mutual Life Assurance Co of America
305	\$74,594.23	\$37,297.12	States West Life Ins Co
306	\$115.80	\$57.90	Summit National Life Ins Co
307	\$34,364.01	\$17,182.01	Sun Life Assurance Co of Canada
308	\$54.16	\$27.08	Sun Life Assurance Co of Canada (US)
309	\$601.00	\$300.50	Sun Life Ins Co of America
310	\$30,462.21	\$15,231.11	Sunset Life Ins Co of America
311	\$2,070.00	\$1,035.00	Surety Life Ins Co
312	\$1,989.00	\$994.50	The American Life Ins Co of New York
313	\$999.78	\$499.89	The Centennial Life Ins Co
314	\$41.66	\$20.83	The Chesapeake Life Ins Co
315	\$148.82	\$74.41	The Cincinnati Life Ins Co
316	\$14.60	\$7.30	The Colonial Life Ins Co of America
317	\$9,824.00	\$4,912.00	The Connecticut Mutual Life Ins Co
318	\$384.00	\$192.00	The Covenant Life Ins Co
319	\$2,857.00	\$1,428.50	The Equitable of Colorado Inc

	A	B	C
320	\$4,946.46	\$2,473.23	The Franklin Life Ins Co
321	\$15,753.00	\$7,876.50	The Great-West Life Assurance Co
322	\$208,179.00	\$150,000.00	The Guardian Life Ins Co of America
323	\$2,015.74	\$1,007.87	The Life Ins Co of Virginia
324	\$309.00	\$154.50	The Manhattan Life Ins Co
325	\$1,114.07	\$557.04	The Manufacturers Life Ins Co of America
326	\$41.01	\$20.51	The Manufacturers Life Ins Co (USA)
327	\$43,841.99	\$21,821.00	The Manufacturers Life Insurance Company
328	\$9,704.00	\$4,852.00	The Mega Life & Health Ins Co
329	\$404.00	\$202.00	The Midland Mutual Life Ins Co
330	\$15.00	\$7.50	The Ministers Life Ins Co
331	\$85,247.00	\$42,623.50	The Minnesota Mutual Life Ins Co
332	\$13,909.00	\$6,954.50	The Mutual Benefit Life Ins Co
333	\$194,158.22	\$97,079.11	The Mutual Life Ins Co of New York
334	\$57,818.41	\$28,809.21	The Northwestern Mutual Life Ins Co
335	\$2,134.49	\$1,067.25	The Ohio State Life Ins Co
336	\$27,969.00	\$13,984.50	The Old Line Life Ins Co of America
337	\$8,055.00	\$4,027.50	The Paul Revere Life Ins Co
338	\$166.00	\$83.00	The Paul Revere Protective Life Ins Co
339	\$1,025.74	\$512.87	The Penn Insurance & Annuity Co
340	\$5,631.54	\$2,815.77	The Penn Mutual Life Ins Co
341	\$491.00	\$245.50	The Reliable Life Ins Co
342	\$324,864.39	\$150,000.00	The Travelers Ins Co (Life Dept)
343	\$1,035.07	\$517.54	The Travelers Ins Co of Illinois
344	\$1,158.00	\$579.00	The Union Central Life Ins Co
345	\$35,267.00	\$17,633.50	The Union Labor Life Ins Co
346	\$31,330.77	\$15,885.39	TMG Life Ins Co
347	\$812.59	\$406.30	Trans World Assurance Co
348	\$1,204.00	\$802.00	Transamerica Assurance Co
349	\$7.00	\$3.50	Transamerica Life Ins & Annuity Co
350	\$47,899.00	\$23,849.50	Transamerica Occidental Life Ins Co
351	\$13,586.00	\$6,793.00	Transport Life Ins Co
352	\$2,748.00	\$1,374.00	Trustmark Ins Co (Mutual)
353	\$1.42	\$0.71	US Financial Life Ins Co
354	\$8,647.00	\$4,323.50	US Life Ins Co In the City of New York
355	\$1,328.78	\$664.39	Union Bankers Ins Co
356	\$13.53	\$6.77	Union Benefit Life Ins Co
357	\$8,339.06	\$4,169.53	Union Fidelity Life Ins Co
358	\$11,450.00	\$5,725.00	Union Security Life Ins Co
359	\$220.00	\$110.00	United American Ins Co
360	\$38.45	\$19.23	United Companies Life Ins Co
361	\$8.96	\$4.48	United Family Life Ins Co
362	\$848.00	\$424.00	United Fidelity Life Ins Co
363	\$10,061.00	\$5,030.50	United Investors Life Ins Co
364	\$177,044.00	\$88,522.00	United Of Omaha Life Ins Co
365	\$3,288.00	\$1,643.00	United Olympic Life Ins Co
366	\$90.00	\$45.00	United Pacific Life Ins Co
367	\$4,636.00	\$2,318.00	United Presidential Life Ins Co
368	\$40,832.00	\$20,416.00	United Services Life Ins Co
369	\$377.39	\$188.70	United World Life Ins Co
370	\$15.99	\$8.00	Unity Mutual Life Ins Co
371	\$3,452.84	\$1,726.42	Universe Life Ins Co
372	\$44,079.00	\$22,039.50	Unum Life Ins Co of America
373	\$27,396.98	\$13,698.49	USAA Life Ins Co
374	\$23.00	\$11.50	USLIFE Credit Life Ins Co
375	\$224.00	\$112.00	USLIFE Life Ins Co
376	\$15,324.00	\$7,662.00	Valley Forge Life Ins Co
377	\$495.20	\$247.60	Vermont Life Ins Co
378	\$5,424.00	\$2,712.00	Veterans Life Ins Co
379	\$114.58	\$57.28	Victory Life Ins Co
380	\$199.13	\$99.57	Vista Life Ins Co
381	\$209.00	\$104.50	Wabash Life Ins Co
382	\$3,807.00	\$1,903.50	Washington National Ins Co
383	\$971.00	\$485.50	West Coast Life Ins Co

	A	B	C
384	\$34.23	\$17.12	Western Fidelity Ins Co
385	\$128.00	\$63.00	Western National Life Ins Co
386	\$0.88	\$0.34	Western Security Life Ins Co
387	\$131.00	\$65.50	Western United Life Assurance Co
388	\$157.14	\$78.57	Wisconsin National Life Ins Co
389	\$317.30	\$158.65	WM Life Ins Co
390	\$80.66	\$40.33	Zurich Life Ins Co of America
391	\$6,740,400.15	\$2,702,787.13	

	A	B	C	D	E	F
1	1992 Property & Casualty Companies					
2	(Including Title Companies)					
3						
4						
5	P&C	Title	Omar	Total	Per Legislation	Name of Insurance Company
6	\$6.94			\$6.94	\$3.47	Abaille General Ins Co (US BRI)
7	\$139.00			\$139.00	\$69.50	Acstar Ins Co
8	\$575.00			\$575.00	\$287.50	Aetna Casualty & Surety Co Of Illinois
9	\$207.00			\$207.00	\$103.50	Aetna Casualty & Surety Co of America
10	\$22.00			\$22.00	\$11.00	Aetna Commercial Ins Co
11	\$40,726.91			\$40,726.91	\$20,363.46	Affiliated FM Ins Co
12	\$10,175.00			\$10,175.00	\$5,087.50	Agricultural Ins Co
13	\$1,921.58			\$1,921.58	\$960.78	AIU Ins Co
14	\$1,148.00			\$1,148.00	\$574.00	Alaska Industrial Ins Co
15	\$2,278,629.00		\$1,960.00	\$2,280,589.00	\$150,000.00	Alaska National Ins Co
16	\$172,871.00			\$172,871.00	\$86,435.50	Alaska Timber Ins Exchange
17	\$5,350.62		\$2,851.00	\$8,201.62	\$4,100.81	Albany Ins Co
18	\$18.00			\$18.00	\$9.00	Alexander Hamilton Ins Co of America
19	\$94.00		\$18.00	\$112.00	\$56.00	All West Ins Co
20	\$19,042.64			\$19,042.64	\$9,521.32	Allendale Mutual Ins Co
21	\$7,103.00			\$7,103.00	\$3,551.50	Allianz Ins Co
22	\$300,077.00			\$300,077.00	\$150,000.00	Allstate Indemnity Co
23	\$1,961,199.00			\$1,961,199.00	\$150,000.00	Allstate Ins Company
24	\$20,025.00			\$20,025.00	\$10,012.50	AMBAC Indemnity Corporation
25	\$3,914.00		\$388.00	\$4,302.00	\$2,151.00	American & Foreign Ins Co
26	\$15,458.00			\$15,458.00	\$7,729.00	American Alliance Ins Co
27	\$27,208.00		\$6.00	\$27,214.00	\$13,607.00	American Automobile Ins Co
28	\$19,484.00			\$19,484.00	\$9,742.00	American Bankers Ins Co of Florida
29	\$23,070.00			\$23,070.00	\$11,535.00	American Bonding Co
30	\$137,607.00			\$137,607.00	\$68,803.50	American Casualty Co of Reading, PA
31	\$698.22			\$698.22	\$348.11	American Continental Ins Co
32	\$2,665.00			\$2,665.00	\$1,332.50	American Economy Ins Co
33	\$85,691.57			\$85,691.57	\$42,845.79	American Empire Ins Co
34	\$44.00			\$44.00	\$22.00	American Employers Ins Co
35	\$14,882.64			\$14,882.64	\$7,441.32	American Family Home Ins Co
36	\$65.07			\$65.07	\$32.54	American Fidelity Ins Co
37	\$6,911.16			\$6,911.16	\$3,455.58	American Guarantee & Liability Ins Co
38	\$21,383.80		\$513.10	\$21,896.90	\$10,948.45	American Home Assurance Co
39	\$517.03			\$517.03	\$258.52	American Integrity Ins Co
40	\$2,070.00			\$2,070.00	\$1,035.00	American International Ins Co
41	\$17,668.00			\$17,668.00	\$8,834.00	American International Specialty Lines Ins Co
42	\$129,198.30		\$2.87	\$129,199.17	\$64,599.59	American Manufacturers Mutual Ins Co
43	\$457.46			\$457.46	\$228.73	American Modern Home Ins Co
44	\$45,103.37		\$5.39	\$45,108.76	\$22,554.38	American Motorists Ins Co
45	\$108,145.00		\$22.00	\$108,167.00	\$54,083.50	American National Fire Ins Co
46	\$1,127.14			\$1,127.14	\$563.57	American Protection Ins Co
47	\$27,227.00			\$27,227.00	\$13,613.50	American Security Ins Co

	A	B	C	D	E	F
48	\$1,981.00			\$1,981.00	\$990.50	American States Ins Co
49	\$194.99			\$194.99	\$97.50	American Zurich Ins Co
50	\$3,929.00			\$3,929.00	\$1,964.50	Amex Assurance Co
51	\$4,548.88			\$4,548.88	\$2,274.44	Amica Mutual Ins Co
52	\$3,858.00			\$3,858.00	\$1,928.00	Amwest Surety Ins Co
53	\$89,330.00			\$89,330.00	\$44,865.00	ARECA Ins Exchange
54	\$46,125.00			\$46,125.00	\$23,062.50	Arkwright Mutual Ins Co
55	\$6,109.00			\$6,109.00	\$3,054.50	Armed Forces Ins Exchange
56	\$109,944.00		\$1.00	\$109,945.00	\$54,972.50	Associated Indemnity Corporation
57	\$1,594.00			\$1,594.00	\$797.00	Associates Ins Co
58	\$37.00			\$37.00	\$18.50	Assurance Co of America
59	\$4,748.00			\$4,748.00	\$2,374.00	Atlantic Mutual Ins Co
60	\$17,800.00		\$2,851.00	\$20,651.00	\$10,325.50	Atlas Assurance Co of America
61	\$43,489.00		\$5.00	\$43,494.00	\$21,747.00	Avanco Ins Co
62	\$4,553.00			\$4,553.00	\$2,276.50	Balboa Ins Co
63	\$228.00			\$228.00	\$114.00	Bankers & Shippers Ins Co
64	\$109.81			\$109.81	\$54.91	Bankers Multiple Line Ins Co
65	\$2,205.00			\$2,205.00	\$1,102.50	Bankers Standard Ins Co
66	\$113.21			\$113.21	\$56.61	BCS Ins Co
67	\$23.54			\$23.54	\$11.77	Birmingham Fire Ins Co of Pennsylvania
68	\$56.00			\$56.00	\$28.00	Boston Old Colony Ins Co
69	\$834.54			\$834.54	\$417.27	Calvert Ins Co
70	\$27,388.48			\$27,388.48	\$13,694.24	Capital Guaranty Ins Co
71	\$3,910.00			\$3,910.00	\$1,955.00	Centennial Ins Co
72	\$3,518.21			\$3,518.21	\$1,759.11	Central States Indemnity Co
73	\$37,925.00			\$37,925.00	\$18,962.50	Century Indemnity Co
74	\$1,337.47			\$1,337.47	\$668.74	Century-National Ins Co
75	\$2,314.00			\$2,314.00	\$1,157.00	Chicago Ins Co
76	\$273.80			\$273.80	\$136.90	Christiania General Ins Corp of New York
77	\$20,013.00			\$20,013.00	\$10,006.50	Chrysler Ins Co
78	\$891.00			\$891.00	\$445.50	Cigna Fire Underwriters Ins Co
79	\$2,469.00			\$2,469.00	\$1,234.50	Cigna Ins Co
80	\$7,958.00		\$407.00	\$8,365.00	\$4,182.50	Cigna Property & Casualty Ins Co
81	\$4,846.54			\$4,846.54	\$2,423.27	CIM Ins Corporation
82	\$16,026.58			\$16,026.58	\$8,013.29	Clarendon National Ins Co
83	\$334,429.00			\$334,429.00	\$150,000.00	Colonial Ins Co of California
84	\$11,582.00			\$11,582.00	\$5,791.00	Colonial Penn Franklin Ins Co
85	\$24,148.00			\$24,148.00	\$12,074.00	Colonial Penn Ins Co
86	\$2,562.81			\$2,562.81	\$1,281.41	Commerce and Industry Ins Co
87	\$1,886.00			\$1,886.00	\$843.00	Commercial Ins co of Newark , NJ
88	\$110.26			\$110.26	\$55.13	Commercial Loan Ins Corporation
89	\$680.00			\$680.00	\$340.00	Commercial Union Ins Co
90	\$12,310.00			\$12,310.00	\$6,155.00	Commonwealth Land Title Ins Co
91	\$34,065.32			\$34,065.32	\$17,032.66	Commonwealth Mortgage Assurance Co
92	\$142,626.00			\$142,626.00	\$71,313.00	Continental Casualty Co
93	\$11,670.61			\$11,670.61	\$5,835.31	Contractor's Bonding and Insurance Co
94	\$799.00			\$799.00	\$399.50	Country Casualty Ins Co

	A	B	C	D	E	F
95	\$6,821.00			\$6,821.00	\$3,410.50	Country Mutual Ins Co
96	\$37,484.18			\$37,484.18	\$18,742.09	Criterion Casualty Co
97	\$59,278.00			\$59,278.00	\$25,639.00	Cumls Ins Society Inc
98	\$108,866.43		\$42.51	\$108,908.94	\$54,454.47	Dependable Ins Co Inc
99	\$382,058.93			\$382,058.96	\$150,000.00	Eagle Pacific Ins Co
100	\$4,921.00			\$4,921.00	\$2,460.50	Electric Mutual Liability Ins Co
101	\$12,838.99			\$12,838.99	\$6,419.50	Empire Fire & Marine Ins Co
102	\$1,188.70			\$1,188.70	\$594.35	Employers Casualty Co
103	\$526,851.00			\$526,851.00	\$150,000.00	Employers Ins of Wausau A Mutual Co
104	\$9,453.00			\$9,453.00	\$4,726.50	Employers Reinsurance Corporation
105	\$6.00			\$6.00	\$3.00	Fairmont Ins Co
106	\$280.94			\$280.94	\$140.47	Far West Ins Co
107	\$3,801.00			\$3,801.00	\$1,900.50	Farmington Casualty Co
108	\$64,999.00		\$2.00	\$65,001.00	\$32,500.50	Federal Ins Co
109	\$5.29			\$5.29	\$2.65	FG Ins Corporation
110	\$25,745.28			\$25,745.28	\$12,872.64	Fidelity & Deposit Co of Maryland
111	\$2,072.00			\$2,072.00	\$1,036.00	Fidelity & Guaranty Ins Underwriters Inc
112	\$4,619.00			\$4,619.00	\$2,309.50	Fidelity & Guaranty Ins co
113	\$18,037.00			\$18,037.00	\$9,018.50	Financial Security Assurance Inc
114	\$379,120.00		\$56.00	\$379,176.00	\$150,000.00	Fireman's Fund Ins Co
115	\$13,282.00			\$13,282.00	\$6,641.00	Firemen's Ins Co of Newark NJ
116	\$11.00			\$11.00	\$5.50	First American Ins Co
117	\$58,203.00			\$58,203.00	\$29,101.50	First American Title Ins Co
118	\$144.67			\$144.67	\$72.34	First Community Ins Co
119	\$23,082.00			\$23,082.00	\$11,541.00	First Financial Ins Co
120	\$3,006.21			\$3,006.21	\$1,503.11	Florist Mutual Ins Co
121	\$20,273.14			\$20,273.14	\$10,136.57	Foremost Ins Co
122	\$2,336.00			\$2,336.00	\$1,168.00	Forum Ins Co
123	\$318.71			\$318.71	\$159.36	Frontier Ins Co
124	\$807.00			\$807.00	\$403.50	GE REsidential Mortgage Ins Corp of NC
125	\$32,429.91			\$32,429.91	\$16,214.96	GEICO General Ins Co
126	\$68,411.10			\$68,411.10	\$34,205.55	GEICO Indemnity Co
127	\$3,468.00			\$3,468.00	\$1,734.00	General Accident Ins Co of America
128	\$1,391.00			\$1,391.00	\$695.50	General Electric Mortgage Ins Corp of NC
129	\$3,910.00			\$3,910.00	\$1,955.00	General Electric Mortgage Ins Corporation
130	\$33,036.47			\$33,036.47	\$16,518.24	Genral Ins Co of America
131	\$1,458.00			\$1,458.00	\$729.00	General Reinsurance Corporation
132	\$20,884.61			\$20,884.61	\$10,442.31	General Star National Ins Co
133	\$4,779.00			\$4,779.00	\$2,389.50	Generali-US Branch
134	\$53,360.00		\$1,273.00	\$54,633.00	\$27,316.50	Globe Indemnity Co
135	\$158,836.60			\$158,836.60	\$79,418.30	Government Employers Ins Co
136	\$11,164.00			\$11,164.00	\$5,582.00	Granite State Ins Co
137	\$25,855.00		\$531.00	\$26,386.00	\$13,193.00	Great American Ins Co
138	\$35,377.00			\$35,377.00	\$17,688.50	Great Divide Ins Co
139	\$6,562.00			\$6,562.00	\$3,281.00	Great Northern Ins Co
140	\$5.00			\$5.00	\$2.50	Greenwich Ins Co
141	\$2,770.00			\$2,770.00	\$1,385.00	Guaranty National Ins Co

	A	B	C	D	E	F
142	\$12,807.69		\$0.23	\$12,807.92	\$6,403.98	Gulf Ins Co
143	\$6,204.00			\$6,204.00	\$3,102.00	Hartford Casualty Ins Co
144	\$24,174.00		\$1.00	\$24,175.00	\$12,087.50	Hartford Fire Ins Co
145	\$18,492.00			\$18,492.00	\$9,246.00	Hartford Ins Co of the Midwest
146	\$9,379.00			\$9,379.00	\$4,689.50	Hartford Underwriters Ins Co
147	\$7,336.00			\$7,336.00	\$3,668.00	Heritage Indemnity Co
148	\$11,968.32		\$3,283.19	\$15,251.51	\$7,625.78	Highlands Ins Co
149	\$77,924.00			\$77,924.00	\$38,962.00	Horace Mann Ins Co
150	\$24,237.62			\$24,237.62	\$12,118.81	Houston General Ins Co
151	\$1,078.00			\$1,078.00	\$538.00	Illinois National Ins Co
152	\$8.00			\$8.00	\$4.00	Illinois Union Ins Co
153	\$18,653.00			\$18,653.00	\$9,326.50	Indemnity Ins Co of North America
154	\$12,900.95			\$12,900.95	\$6,450.48	Indiana Lumbermens Mutual Ins Co
155	\$1,552.00			\$1,552.00	\$778.00	Industrial Indemnity Co of the Northwest
156	\$321,131.00			\$321,131.00	\$150,000.00	Industrial Indemnity Company
157	\$685,653.00			\$685,653.00	\$150,000.00	Industrial Indemnity Co of Alaska
158	\$6,620.00			\$6,620.00	\$3,310.00	Insurance Co of Evanston
159	\$549,938.00		\$1,957.00	\$551,895.00	\$150,000.00	Insurance Co of North America
160	\$3,286.00			\$3,286.00	\$1,643.00	International Fidelity Ins Co
161	\$32,671.00			\$32,671.00	\$16,335.50	International Ins Co
162	\$53.00			\$53.00	\$28.50	Investors Equity Ins Co Inc
163	\$1,434.00			\$1,434.00	\$717.00	Investors Mortgage Ins Co
164	\$1,334.00			\$1,334.00	\$667.00	ITT Lyndon Property Ins Co
165	\$4,359.00			\$4,359.00	\$2,179.50	JC Penny Casualty Ins Co
166	\$505.17			\$505.17	\$252.59	Jewelers Mutual Ins Co
167	\$21,280.62			\$21,280.62	\$10,640.31	John Deere Ins Co
168	\$23.00			\$23.00	\$11.50	Kansas City Fire & Marine Ins Co
169		\$9,721.00		\$9,721.00	\$4,860.50	Land Title Ins Co
170	\$50,144.00		\$180.00	\$50,324.00	\$25,162.00	Leader National Ins Co
171	\$791.00			\$791.00	\$395.50	Legion Ins Co
172	\$44,328.65			\$44,328.65	\$22,164.33	Liberty Mutual Fire Ins Co
173	\$7,332.92			\$7,332.92	\$3,666.46	Liberty Mutual Ins Co
174	\$25,534.00			\$25,534.00	\$12,767.00	Liberty National Fire Ins Co
175	\$10.00			\$10.00	\$5.00	Lincoln National Health & Casualty Ins Co
176	\$4,281.00			\$4,281.00	\$2,140.50	Lincoln National Specialty Ins Co
177	\$26,922.35		\$27.85	\$26,950.00	\$13,475.00	Lumbermens Mutual Casualty Co
178	\$17,274.00			\$17,274.00	\$8,637.00	Majestic Ins Co
179	\$3,293.00			\$3,293.00	\$1,646.50	Maryland Casualty Co
180	\$3,469.00			\$3,469.00	\$1,734.50	MBIA Ins Corporation of Illinois
181	\$74,431.85			\$74,431.85	\$37,215.93	Medical Ins Exchange of California
182	\$15,345.20			\$15,345.20	\$7,672.60	MIC Property & Casualty Ins Corporation
183	\$2,607.00			\$2,607.00	\$1,303.50	Michigan Mutual Ins Co
184	\$5,045.63			\$5,045.63	\$2,522.82	Midwest Employers Casualty Co
185	\$1,715.00			\$1,715.00	\$857.50	Minnesota Fire & Casualty Co
186	\$2.00			\$2.00	\$1.00	Montgomery Ward Ins Co
187	\$26,099.00			\$26,099.00	\$13,049.50	Mortgage Guaranty Ins Corporation
188	\$5,165.56			\$5,165.56	\$2,582.78	Motors Ins Corporation

	A	B	C	D	E	F
189	\$23.00			\$23.00	\$11.50	Mt Airy Ins Co
190	\$89,076.00			\$89,076.00	\$44,538.00	Municiple Bond Investors Assurance Corporation
191	\$194.43			\$194.43	\$97.22	Mutual Protective Ins Co
192	\$544.00			\$544.00	\$272.00	NAC Reinsurance Corporation
193	\$11,436.00			\$11,436.00	\$5,718.00	National American Ins Co
194	\$4,027.10			\$4,027.10	\$2,013.55	National Assurance Underwriters Inc
195	\$9,940.00			\$9,940.00	\$4,970.00	National Automobile & Casualty Ins Co
196	\$13,168.00			\$13,168.00	\$6,584.00	National Casualty Co
197	\$3,434.37			\$3,434.37	\$1,717.19	National Chiropractice Mutual Ins Co
198	\$2,599.00			\$2,599.00	\$1,299.50	National Fire Ins Co of Hartford
199	\$20,115.97			\$20,115.97	\$10,057.99	National General Ins Co
200	\$61,962.90			\$61,962.90	\$30,981.45	National Indemnity Co
201	\$54,410.00		\$7.00	\$54,417.00	\$27,208.50	National Surety Corporation
202	\$100,583.48			\$100,583.48	\$50,291.74	Nationwide Mutual Fire Ins Co
203	\$118,048.48			\$118,048.48	\$59,024.24	Nationwide Mutual Ins Co
204	\$4,964.14			\$4,964.14	\$2,482.07	Nationwide Property & Casualty Ins Co
205	\$7,993.32			\$7,993.32	\$3,996.66	National Farmers Union Standard Ins Co
206	\$628,719.04			\$628,719.04	\$150,000.00	National Union Fire Ins Co of Pittsburg PA
207	\$5,980.47			\$5,980.47	\$2,990.24	Navigators Ins Co
208	\$12,846.00			\$12,846.00	\$6,423.00	New Hampshire Ins Co
209	\$827.00		\$2,964.00	\$3,791.00	\$1,895.50	New York Marine & General Ins Co
210	\$318.00		\$332.00	\$650.00	\$325.00	Newark Ins Co
211	\$562.00			\$562.00	\$281.00	Niagara Fire Ins Co
212	\$140.59			\$140.59	\$70.30	Nippon Fire & Marine Ins Co Ltd (US BR)
213	\$348.14			\$348.14	\$174.07	Nobel Ins Co
214	\$120,042.00			\$120,042.00	\$60,021.00	Norcal Mutual Ins Co
215	\$8,483.00			\$8,483.00	\$4,241.50	North American Specialty Ins Co
216	\$22.00			\$22.00	\$11.00	Northbrook Indemnity Co
217	\$1,851.00			\$1,851.00	\$925.50	Northbrook National Ins Co
218	\$1,114.00			\$1,114.00	\$557.00	Northbrook Property & Casualty Ins Co
219	\$963.00		\$9.00	\$972.00	\$486.00	Northern Ins Co of New York
220	\$45,425.88			\$45,425.88	\$22,712.94	Northland Casualty Co
221	\$3,853.00			\$3,853.00	\$1,926.50	Northwest Farm Bureau Ins Co
222	\$44.00			\$44.00	\$22.00	Northwestern National Ins Co
223	\$226.00			\$226.00	\$113.00	Ohio Casualty Ins Co
224	\$3,046.03			\$3,046.03	\$1,523.02	Old Republic Ins Co
225		\$448.55		\$448.55	\$224.28	Old Republic National Title Ins Co
226	\$19,163.00			\$19,163.00	\$9,581.50	Omaha Property & Casualty Ins Co
227	\$125,926.00			\$125,926.00	\$62,963.00	Pacific Employers Ins Co
228	\$44,634.00			\$44,634.00	\$22,317.00	Pacific Indemnity Co
229	\$14.00			\$14.00	\$7.00	Peerless Ins Co
230	\$6.78			\$6.78	\$3.39	Pennsylvania National Mutual Casualty Ins Co
231	\$195.97			\$195.97	\$97.99	Petroleum Casualty Co
232	\$1,436.00		\$53.00	\$1,489.00	\$744.50	Phoenix Assurance Co of New York
233	\$907.00			\$907.00	\$453.50	Pinnacle Ins Co
234	\$7,316.00			\$7,316.00	\$3,658.00	Planet Ins Co
235	\$21.00			\$21.00	\$10.50	PMI Ins Co

	A	B	C	D	E	F
236	\$16,498.00			\$16,498.00	\$8,249.00	PMI Mortgage Ins Co
237	\$9,077.94			\$9,077.94	\$4,538.97	Preferred Risk Mutual Ins Co
238	\$37.00			\$37.00	\$18.50	Principle Casualty Ins Co
239	\$152,827.00			\$152,827.00	\$78,313.50	Progressive Casualty Ins Co
240	\$193,024.00			\$193,024.00	\$98,512.00	Progressive Northwestern Ins Co
241	\$13,087.00			\$13,087.00	\$8,533.50	Progressive Preferred Ins Co
242	\$14,894.00			\$14,894.00	\$7,347.00	Protection Mutual Ins Co
243	\$2.00			\$2.00	\$1.00	Protectiva Ins Co
244	\$205,554.00			\$205,554.00	\$150,000.00	Providence Washington Ins Co of Alaska
245	\$10,001.00		\$399.00	\$10,400.00	\$5,200.00	Providence Washington Ins Co
246	\$5,538.00			\$5,538.00	\$2,789.00	Prudential Property & Casualty Ins Co
247	\$3,952.00			\$3,952.00	\$1,978.00	Ranger Ins Co
248	\$115,825.00		\$11.00	\$115,836.00	\$57,918.00	Reliance Ins Co
249	\$44.83			\$44.83	\$22.32	Republic Mortgage Ins Co of Florida
250	\$11,917.84			\$11,917.84	\$5,958.82	Republic Mortgage Ins Co
251	\$4,218.92			\$4,218.92	\$2,108.48	Republic Western Ins Co
252	\$83,555.00			\$83,555.00	\$31,777.50	RLI Ins Co
253	\$32,887.00		\$830.00	\$33,897.00	\$18,848.50	Royal Indemnity Co
254	\$88,851.00		\$2,000.00	\$90,851.00	\$45,425.50	Royal Ins Co of America
255	\$14,669.94			\$14,669.94	\$7,334.97	Safeco Ins Co Of America
256	\$22,101.15			\$22,101.15	\$11,050.58	Safety National Casualty Corporation
257	\$16,184.00			\$16,184.00	\$8,092.00	Seaboard Surety Co
258	\$22,719.00			\$22,719.00	\$11,359.50	Security Ins Co of Hartford
259	\$1,051.33			\$1,051.33	\$525.87	Select Ins Co
260	\$858.00			\$858.00	\$429.00	Sentry Ins A Mutual Co
261	\$24,219.57			\$24,219.57	\$12,109.79	Skandia US Ins Co
262	\$2.67			\$2.67	\$1.34	South Carolina Ins Co
263	\$78,145.00		\$2,693.00	\$80,838.00	\$40,419.00	St Paul Fire & Marine Ins Co
264	\$515.00			\$515.00	\$257.50	St Paul Guardian Ins Co
265	\$1,002.00			\$1,002.00	\$501.00	St Paul Mercury Ins Co
266	\$40,740.00			\$40,740.00	\$20,370.00	Standard Fire Ins Co
267	\$5,384.00			\$5,384.00	\$2,692.00	Star Ins Co
268	\$1,370,568.08			\$1,370,568.08	\$150,000.00	State Farm Fire & Casualty Co
269	\$51,858.25			\$51,858.25	\$25,929.13	State Farm General Ins Co
270	\$1,492,129.89			\$1,492,129.89	\$150,000.00	State Farm Mutual Automobile Ins Co
271		\$50,828.84		\$50,828.84	\$25,413.42	Stewart Title Guaranty Co
272	\$89.74			\$89.74	\$34.87	Sun Ins Co of New York
273	\$1,247.00			\$1,247.00	\$823.50	Sutter Ins Co
274	\$13.00		\$58.00	\$89.00	\$34.50	Talsho Marine & Fire Ins Co of America
275	\$19,335.00			\$19,335.00	\$9,867.50	Teachers Ins Co
276	\$85,405.00			\$85,405.00	\$32,702.50	The Aetna Casualty & Surety Co
277	\$29,573.00		\$17.00	\$29,590.00	\$14,795.00	The American Ins Co
278	\$9,668.51			\$9,688.51	\$4,833.28	The American Road Ins Co
279	\$841.00			\$841.00	\$420.50	The Automobile Ins Co of Hartford Ct
280	\$4,093.23			\$4,093.23	\$2,048.82	The Charter Oak Fire Ins Co
281	\$4,147.00		\$4.00	\$4,151.00	\$2,075.50	The Connecticut Indemnity Co
282	\$212,338.00		\$477.00	\$212,815.00	\$150,000.00	The Continental Ins Co

	A	B	C	D	E	F
283	\$564.00			\$564.00	\$282.00	The Doctor's Co An Interinsurance Exchange
284	\$1,424.00			\$1,424.00	\$712.00	The Fidelity & Casualty Co of New York
285	\$23,239.00			\$23,239.00	\$11,619.50	The Glens Falls Ins Co
286	\$362.00			\$362.00	\$181.00	The Hanover Ins Co
287	\$9,144.00			\$9,144.00	\$4,572.00	The Hartford Steam Boiler Inspection & Ins Co
288	\$36,366.00			\$36,366.00	\$18,183.00	The Home Indemnity Co
289	\$25,046.00		\$317.00	\$25,363.00	\$12,681.50	The Home Ins Co
290	\$8,412.00			\$8,412.00	\$4,206.00	The Home Ins Co of Indiana
291	\$36,443.19			\$36,443.19	\$18,221.60	The Ins Co of the State of PA
292	\$7,283.00			\$7,283.00	\$3,641.50	The North River Ins Co
293	\$284.00			\$284.00	\$142.00	The Northern Assurance Co of America
294	\$19.33			\$19.33	\$9.67	The Phoenix Ins Co
295	\$39,205.00			\$39,205.00	\$19,602.50	The Sumitomo Marine & Fire Ins Co Ltd (US)
296	\$708.22			\$708.22	\$354.11	The Travelers Indemnity Co of Rhode Island
297	\$19,243.24			\$19,243.24	\$9,621.62	The Travelers Indemnity Co
298	\$0.97			\$0.97	\$0.49	The Travelers Indemnity Co of America
299	\$50,749.28			\$50,749.28	\$25,374.64	The Travelers Indemnity Co of Illinois
300	\$1,094.00			\$1,094.00	\$547.00	The Yasuda Fire & Marine Ins Co of America
301	\$36,756.00			\$36,756.00	\$18,378.00	TIG Ins Co
302	\$6,803.00			\$6,803.00	\$3,401.50	TIG Premier Ins Co
303	\$47,136.00			\$47,136.00	\$23,568.00	Tokio Marine & Fire Ins Co Ltd (US Branch)
304	\$1,438.00			\$1,438.00	\$719.00	Trans Pacific Ins Co
305	\$5,193.00			\$5,193.00	\$2,596.50	Transcontinental Ins Co
306	\$28,887.00			\$28,887.00	\$14,443.50	Transportation Ins Co
307	\$5.00			\$5.00	\$2.50	Trumbull Ins Co
308	\$12.29			\$12.29	\$6.15	US Specialty Ins Co
309	\$1,358.00			\$1,358.00	\$679.00	Ulico Casualty Co
310	\$166,370.00		\$3,678.00	\$170,048.00	\$85,024.00	Unialik Ins Co
311	\$121.91			\$121.91	\$60.96	Unigard Security Ins Co
312	\$36.00			\$36.00	\$18.00	United Fire & Casualty Co
313	\$631.48			\$631.48	\$315.74	United Guaranty Commercial Ins Co
314	\$681.59			\$681.59	\$340.80	United Guaranty Residential Ins Co of NC
315	\$12,711.57			\$12,711.57	\$6,355.79	United Guaranty Residential Ins Co
316	\$13,084.00			\$13,084.00	\$6,542.00	United Pacific Ins Co
317	\$303,526.99		\$346.84	\$303,873.83	\$150,000.00	United Services Automobile Association
318	\$34,865.00			\$34,865.00	\$17,432.50	United States Fidelity & Guaranty Co
319	\$27,360.00			\$27,360.00	\$13,680.00	United States Fire Ins Co
320	\$105,053.92		\$62.74	\$105,116.66	\$52,558.33	USAA Casualty Ins Co
321	\$458.03			\$458.03	\$229.02	USAA General Indemnity Co
322	\$942.23			\$942.23	\$471.12	Utica Mutual Ins Co
323	\$862.00			\$862.00	\$431.00	Valiant Ins Co
324	\$1,197.00			\$1,197.00	\$598.50	Valley Forge Ins Co
325	\$7,850.00			\$7,850.00	\$3,925.00	Verex Assurance Inc
326	\$1,758.00			\$1,758.00	\$879.00	Vigilant Ins Co
327	\$10,881.84			\$10,881.84	\$5,440.92	Virginia Surety Co Inc
328	\$77,086.27			\$77,086.27	\$38,543.14	Wausau Underwriters Ins Co
329	\$4,158.00			\$4,158.00	\$2,079.00	Westchester Fire Ins Co

	A	B	C	D	E	F
330	\$40.00			\$40.00	\$20.00	Western National Assurance Co
331	\$4,892.43			\$4,892.43	\$2,446.22	Western Surety Co
332	\$1,266.57			\$1,266.57	\$633.29	Westport Ins Corporation
333	\$29,868.00			\$29,868.00	\$14,934.00	Wisconsin Mortgage Assurance Corporation
334	\$2,760.00			\$2,760.00	\$1,380.00	Worldwide Underwriters Ins Co
335	\$24.00			\$24.00	\$12.00	York Ins Co
336	\$11,873.82			\$11,873.82	\$5,936.91	Zurich Ins Co (US Branch)
337	\$18,134,383.73	\$60,996.39	\$30,640.52	\$18,220,020.64	\$5,544,051.03	



Official Business

Alaska State Legislature

SENATE

State Capitol
Juneau, AK 99801-1182

Sponsor Statement

S.B 225 Tax Credits for Contributions to Certain Educational Institutions

Senator Jay Kerttula

SB 225 will extend the already existing tax credit to authorized insurance and title insurance companies. Presently, corporate taxpayers, oil and gas producers, and mining and fishing companies are able to credit their tax liability for up to \$150,000, if they donate to a qualified educational institution.

Insurance and Title Insurance companies are unable to take advantage of this tax credit because they pay a premium tax instead of corporate income tax.

SB 225 provides that authorized insurance companies may take as a tax credit 50% of the first \$100,000 and 100% of the next \$100,000 donated to a qualified institution. The maximum tax credit available is \$150,000 or 50% of the tax liability whichever is less. (The further limitation of 50% of tax liability was included based on discussions with the division of insurance.)

In fiscal 1993 the division of insurance collected \$30,159,550 in fees and taxes and expended for operating purposes \$3,359,860.

During 1993 a total of \$533,429 was applied by the Department of Revenue to 1992 tax returns of qualified corporations as tax credits for educational institutions.

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

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

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

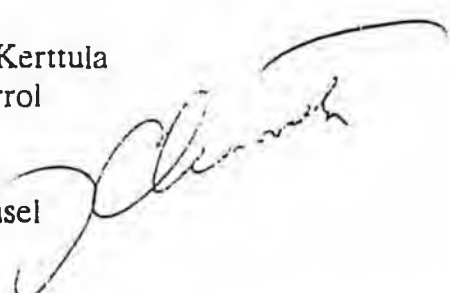
MEMORANDUM

January 19, 1994

SUBJECT: Senate Bill 225 -- Sectional analysis (Work Order No. 8-LS1268\E)

TO: Senator Jalmar Kerttula
Attn: Carol Carrol

FROM: Jack Chenoweth
Legislative Counsel



The measure would extend to payers of taxes imposed under the statutory title which regulates the business of insurance (AS 21) the same opportunity to claim credits for gifts to state educational institutions as were authorized for payers of various taxes imposed under AS 43 by ch. 71, SLA 1991.

Bill section 1: The bill section adds a subsection (j) to AS 21.09.210 that authorizes a claim of the credit against taxes due and payable under the general levy imposed on direct insurance premium income.

Bill section 2: The bill section adds a subsection (b) to AS 21.66.110 that authorizes a claim of the credit against taxes due and payable under the levy imposed on title insurance premiums.

Bill section 3: This provision defines the credit, extending the opportunity to claim a credit against taxes for contributions to qualifying educational institutions. The language derives directly from the claim of the credit authorized by the taxes imposed under AS 43. In amount, the claim of credit is limited to the lesser amount of (1) one-half of the amount of contributions on the first \$100,000 (\$50,000) and the full amount of the contribution on the next \$100,000, an effective maximum of \$150,000, or (2) 50 percent of the taxpayer's tax liability under AS 21.

Bill sections 4 - 8: The amendments to these five sections conform the various sections under which the educational institution credit is authorized against the corporate income tax (AS 43.20), oil and gas production (i.e severance) tax and surcharge (AS 43.55), oil and gas property tax (AS 43.56), mining license tax (AS 43.65), and fisheries business tax (43.75). Cumulative claims of the credits

Senator Jalmar Kerttula
January 19, 1994
Page 2

against all taxes--the insurance tax addressed in this bill and the five other taxes against which the claim may be made--during any one tax year may not, in total, exceed \$150,000.

Bill section 9: This provision makes the insurance tax credit claimable retroactive to January 1, 1994, to allow for a claim of the full amount of the credit in the current calendar year.

Bill section 10 gives the bill an immediate effective date.

JBC:pl
94-050.plm

University of Alaska

Statewide System

SB 225 CREDITS AGAINST INSURANCE TAXES

Sponsor: Senator Kerttula

Alaska's existing tax credit legislation has proved very helpful to the University of Alaska, to Alaska Pacific University and to Sheldon Jackson College in seeking private funds in support of academic programs. Corporations and businesses that are inclined to donate to higher education find it much more appealing because of the tax credit opportunity. It has been a significant asset for the university fund-raisers in presenting their case to potential donors. UA estimates are that in 1993, the tax credit option was utilized in donations that exceeded \$1 million.

Legislation regarding the taxation of insurance companies doing business in Alaska precludes them from being able to utilize the current corporate tax credit. SB 225 will extend the tax credit to this group of corporations and, it is hoped, make them more favorable to solicitations by the state's higher education institutions.

The legislature has been encouraging the University of Alaska to seek alternative revenue sources including private fund-raising. UAF has been particularly active, having just completed their first major campaign. The campus raised close to \$12 million over the past two years, exceeding their goal by \$2 million. The majority of these funds are in endowments that will provide benefits to students far into the future. UAA and UAS have engaged in less ambitious efforts, but they have each had notable success over the past year with several substantial gifts.

The University urges the legislature to pass SB 225 so that the tax credit option can be extended to the insurance companies doing business in Alaska. Passage of this legislation will enhance the fund-raising capabilities of Alaska's higher education institutions.

contact : Wendy Redman
University Relations
463-3086/474-7582



Wendy Redman, Vice President
University Relations
(907) 474-7562
(807) 474-7570 (FAX)

University of Alaska Statewide System
Fairbanks, Alaska 99775-6680

TO: Senate HESS Committee

FROM: Wendy Redman, Vice President *WR*

DATE: February 2, 1994

RE: SB 225 - Credits Against Certain Insurance Taxes

I am sorry that I am unable to testify in person, or by audio conference, in support of SB 225, but I ask that this letter be included in the proceedings of the meeting, and that the University of Alaska be shown as strongly in favor of passage.

The tax credit legislation passed several years ago has proved very helpful to the University of Alaska, to APU and to Sheldon Jackson College in seeking private funds in support of our academic programs. Corporations and businesses that are inclined to donate to higher education find it much more appealing because of the tax credit opportunity. It has been a significant asset for our fund-raisers in presenting their case to potential donors.

Legislation regarding the taxation of insurance companies doing business in Alaska precludes them from being able to utilize the current corporate tax credit. The legislation before you will extend the tax credit to this group of corporations and, we hope, make them more favorable to our solicitations.

As you know the legislature has been encouraging the University of Alaska to seek alternative revenue sources including private fund-raising. UAF has been particularly active, having just completed their first major campaign. The campus raised close to \$12 million over the past two years, exceeding their goal by \$2 million. The majority of these funds are in endowments that will provide benefits to students far into the future. UAA and UAS have engaged in smaller efforts, but they have each had notable success over the past year with several substantial gifts.

During discussion on the original legislation there were concerns that other private non-profit groups would be disadvantaged if donors were encouraged, by use of a tax credit, to give money to higher education. I believe that the pattern of private fund-raising in the state has shown that this is not true, and that corporations and businesses continue to make donations following their own internal priorities and principles. The tax credit is an advantage for securing donations that are already targeted for higher education but for one reason or another just haven't materialized.

Thank you for your interest and again, on behalf of the University of Alaska, I urge your support of this legislation, and ask for your vote to move SB 225 from the HESS Committee.

SUPPORT

ALASKA PACIFIC UNIVERSITY

The President

FAX for Senator Jay Kerttula
 Re: Education Tax Credit

Dear Senator Kerttula:

I write to support Senate Bill 225 which seeks to include within the Education Tax Credit legislation a group of Alaskan corporations who were inadvertently left out of the earlier legislation. I refer to insurance companies who do not pay state income tax but do pay a tax based on premiums.

The inadvertence was due to the fact that the insurance companies are included in a different part of the code. S225 seeks to remedy this oversight to make it possible for these companies to receive credits against certain insurance taxes for contribution to certain educational institutions in the same way that is available to other companies under paragraphs in AS43.

Insurance companies, interested in making gifts through the Education Tax Credit program, have urged us to seek a way for them to be included in the program.

This is very important especially to the two private institutions in the state, Alaska Pacific University and Sheldon Jackson College, and to the University of Alaska Foundation. It encourages corporations to support institutions that are totally dependent on private philanthropy. These institutions provide substantial service to the state by educating a significant percentage of Alaska's students with high quality programs.

I urge the passage of S225.

Cordially,

FTT

F. Thomas Trotter
 President

Post-It™ brand fax transmittal memo 7671		# of pages	1
To	<i>Conrad</i>	From	<i>F. Thomas Trotter</i>
Co.	<i>Sen. Kerttula's Office</i>	So	<i>APU</i>
Dept.		Phone #	<i>564-8220</i>
Fax #	<i>465-3801</i>	Fax #	



Office of the President

February 14, 1994

Honorable Senator Jay Kerttula
PO Box V
Juneau, AK 99811

RE: Senate Bill 225

Dear Senator Kerttula,

The above cited piece of legislation is of great interest to Sheldon Jackson College and the institutions of higher education in this state. We are in support of this bill and we appreciate your efforts in its introduction.

The Alaska Income Tax Education Credit is an extremely useful tool for Alaskans because it encourages mutually beneficial partnerships between industry and higher education. This tool allows colleges in the state to enhance and improve academic programs by having access to the funding necessary to implement quality education for Alaskans.

An omission in the original legislation, namely the omission of including the insurance industry as a taxpayer group eligible to participate in this most essential partnering incentive, can be rectified by SB 225.

We support the passage of SB 225 in order to rectify the omission of the original bill. Thank you for recognizing and attempting to correct the oversight of the incentive.

Best regards,

Kenneth M. Cameron D.M.D.
President (Acting)

STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

DEPARTMENT OF REVENUE

INCOME AND EXCISE AUDIT
P. O. BOX 110420
JUNEAU, AK 99811-0420
FAX: (907) 465-2375

March 14, 1994

The Honorable Steve Frank, Co-Chair
The Honorable Drue Pearce, Co-Chair
Senate Finance Committee
Alaska State Senate
State Capitol, Room 518
Juneau, AK 99801-1182

DRAFT

Dear Senators Frank and Pearce:

I am following up on questions raised in your committee meeting last Saturday regarding the education tax program.

Under the education credit program, taxpayers are allowed a credit against their tax liabilities for 50% of qualified contributions of not more than \$100,000 and 100% of the next \$100,000 of contributions. In accordance with reporting requirements under the statutes listed below, following are the amount of education credits claimed against tax liabilities during the past year.

Tax Type	Statute	Education Credit Amount	Corporations Claimed Credit
Corporation Net Income Non Oil and Gas Corporations	43.20.014(c)	\$433,016	8
Corporation Income Oil and Gas Corporations	43.20.014(c)	5000	1
Oil and Gas Production	43.55.019(c)	71,080	1
Oil and Gas Property	43.56.018(c)	24,333	1
Mining License	43.65.018(c)	0	0
Fisheries Business	43.75.018(c)	0	0
Total		\$533,429	11

Sincerely,

Larry E. Meyers
Director

frank2.lf

DSLH

ADDITIONAL INFORMATION

0422061 TRANSACTION CSRS ABEND ATMT . BACKOUT SUCCESSFUL 11:51:08
BILL: SB 225 SHORT TITLE INSURANCE TAX CREDIT/GIFTS TO COLLEGES
BILL VERSION: CSSB 225(HFS)
SPONSOR(S): SENATOR(S) BERTTOLA, HALFORD, PHILLIPS, TAYLOR, SALO, SHARP, PEARCE
DUNCAN, ZHAROFF, FRANK

CURRENT STATUS: (H) HES STATUS DATE: 03/18/94
THE FIN

HEARING: (H) HES MAR 31 03:00 PM

TITLE: "AN ACT RELATING TO CREDITS AGAINST CERTAIN INSURANCE TAXES FOR CONTRIBUTIONS TO CERTAIN EDUCATIONAL INSTITUTIONS, AND PROVIDING FOR AN EFFECTIVE DATE."

01/03/94	2452	(S)	PREFILE RELEASED 1/3/94
01/10/94	2452	(S)	READ THE FIRST TIME - REFERRAL(S)
01/10/94	2452	(S)	HES, JUD, FIN
02/04/94	2697	(S)	HES RPT CS 2DP 2NR SAME TITLE
02/04/94	2698	(S)	FISCAL NOTE TO SB & CS PUBLISHED (DOED)
02/04/94	2698	(S)	ZERO FN TO SB & CS PUBLISHED (REV)
02/28/94	2989	(S)	JUD RPT 2DP 2NR (HES)CS
02/28/94	2989	(S)	PREVIOUS FN (DOED)
02/28/94	2989	(S)	PREVIOUS ZERO FN (REV)
03/14/94	3183	(S)	FIN RPT 5DP 2NR (HES)CS SAME TITLE
03/14/94	3184	(S)	PREVIOUS FN (DOED)
03/14/94	3184	(S)	PREVIOUS ZERO FN (REV)
03/15/94	3213	(S)	RULES RPT ACAL 1NR 3/15/94
03/15/94	3214	(S)	READ THE SECOND TIME
03/15/94	3214	(S)	HES CS ADOPTED UNAN CONSENT
03/15/94	3214	(S)	ADVANCED TO THIRD READING UNAN CONSENT
03/15/94	3214	(S)	READ THE THIRD TIME CSSB 225(HFS)
03/15/94	3214	(S)	COSPONSOR(S): HALFORD, PHILLIPS,
03/15/94	3214	(S)	TAYLOR, SALO, SHARP, PEARCE, DUNCAN,
03/15/94	3214	(S)	ZHAROFF, FRANK
03/15/94	3215	(S)	PASSED BY 15-33 SET A1
03/15/94	3215	(S)	EFFECTIVE DATE SAME AS PASSAGE
03/15/94	3215	(S)	KELLY NOTICE OF RECONSIDERATION
03/16/94	3247	(S)	RECON TAKEN UP - IN THIRD READING
03/16/94	3247	(S)	PASSED ON RECONSIDERATION Y16 N2 E1 A1
03/16/94	3247	(S)	EFFECTIVE DATE SAME AS PASSAGE
03/16/94	3251	(S)	TRANSMITTED TO (H)
03/18/94	2861	(H)	READ THE FIRST TIME - REFERRAL(S)
03/18/94	2861	(H)	HES, FINANCE

S B

2 6 6

HOUSE COMMITTEE REPORT

(9)
Date Referred: March 25, 1994

FURTHER REFERRALS:

Date of Committee Action: 4/14/94

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered: CSSB 266(L&C)

CS FOR SENATE BILL NO. 266(L&C) DIRECT-ENTRY MIDWIVES/BD & PRACTICES

"An Act extending the termination date of the Board of Certified Direct-Entry Midwives."

- RECOMMENDATIONS: the same title
 be replaced with _____ 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): (Dept) APPROVES PREVIOUS: (Dept/Date)
 fiscal impact _____ fiscal note(s) _____
 zero fiscal note _____ zero fiscal note(s) Commerce 3/16/94

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
Scott Dyer	X	Scott Dyer		X	
Betty Davis	X	Larry L. Han		X	
Wendy White	X	Paula		X	
Tom Briel	X				
Con Blund	X				


CHAIRMAN'S SIGNATURE

FISCAL NOTE

No. 2

STATE OF ALASKA
1994 LEGISLATIVE SESSION

Bill Version: CSSB 266 (LEC)

(S) Publ. Date: 3-16-94

Revision Date: 3/15/94 Dept. Affected: Commerce & Economic Dev.
 Title: An Act extending the termination BRU: Occupational Licensing
date of the board of Certified Direct Entry Component: Operations
 Sponsor: Senator Leman
 Requestor: Senate Labor & Commerce Comm. COMPONENT SERIAL NO. _____

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	0					
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL EXPENDITURES	0	0	0	0	0	0
CHANGE IN REVENUES ()	0	0	0	0	0	0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0	0	0	0	0	0

Estimate of any current year (FY94) cost: \$ None

POSITIONS

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

ANALYSIS: (Attach a separate page if necessary)

The provision in the original bill directing the board to adopt regulations addressing certain scope of practice by certified direct-entry midwives has been deleted in the committee substitute. Accordingly, the original one-time cost to promulgate the regulations has subsequently been reduced to zero.

Prepared by: Josh Fink, Committee Aide
 Division: Senate Labor & Commerce Committee

Phone: 465-3810
 Date: 3/15/94

Approved by Commissioner: the Chairman: Tim Kelly
 Agency: _____

Date: 3/15/94

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Alaska State Legislature
 House of Representatives
 COMMITTEE ON HEALTH, EDUCATION
 AND SOCIAL SERVICES

SUBJECT OF MEETING:
 -BILLS HELD OVERT-
 SB2106: EXTENDING THE TERMINATION
 DATE: DIRECT-ENTRY
 MIDWIVES

DATE: 4/14/94

PLACE: Capitol Room 106

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
Luz Kanne	Certified Direct-Entry Midwives	740 5th St Apt B	99801	463-3797	463-3797	Y	<input checked="" type="radio"/> N	SB 206
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	

H/HESS ROLL CALL FORM

BILL SB 266

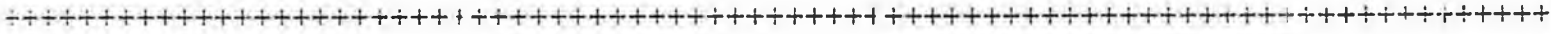
DATE 4/14/94

TAPE 94-60

NUMBER D60

SUBJECT OF VOTE TO PASS SB 266 OUT OF COMMITTEE WITH INDIVIDUAL RECOMMENDATIONS

MEMBER	YEA	NAY	ABS
Rep. Cynthia Toohey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Con Bunde	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Gary Davis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Al Vezey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Pete Kott	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Harley Olberg	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Bettye Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Irene Nicholia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tom Brice	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTAL	<u>5</u>	<u>0</u>	<u>—</u>



BILL _____

DATE _____

TAPE 94- _____

NUMBER _____

SUBJECT OF VOTE _____

MEMBER	YEA	NAY	ABS
Rep. Con Bunde	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Gary Davis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Al Vezey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Pete Kott	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Harley Olberg	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Bettye Davis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Irene Nicholia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tom Brice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Cynthia Toohey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTAL	<u>—</u>	<u>—</u>	<u>—</u>



Alaska State Legislature
 House of Representatives
 COMMITTEE ON HEALTH, EDUCATION
 AND SOCIAL SERVICES

DATE: 4/6/94

PLACE: Capitol Room 106

SUBJECT OF MEETING:
 SB 160: MEMORIAL SCHOLARSHIP LOANS
 → SB 266: DIRECT-ENTRY MIDWIVES BOARD; PRACTICE
~~SB~~ **BILLS HELD OVER**
 HB 521: JUDICIAL REVIEW: TEACHER TENURE DECISIONS

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
Ray Kinnel	Certified Direct-Entry	740 5th St Apt B Juneau, AK	99801	463-3797		(Y) N	SB 266
Terry Hines	Sen Taylor	State Capitol		6550 →		(Y) N	SB 160
Dave Barron	Podiatrist	3030 Vintage		6743		Y N	SB 160 Available for Query
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	

H/HESS ROLL CALL FORM

BILL *SB 766 DATE 4/14/94
TAPE 94-60 NUMBER D60

SUBJECT OF VOTE TO PASS SB 766 OUT OF COMMITTEE WITH
INDIVIDUAL RECOMMENDATIONS

MEMBER	YEA	NAY	ABS
Rep. Cynthia Toohey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Con Bunde	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Gary Davis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Al Vezey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Pete Kott	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Harley Olberg	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Bettye Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Irene Nicholia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tom Brice	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTAL	<u>5</u>	<u>0</u>	<u> </u>

+++++

BILL _____ DATE _____
TAPE 94- _____ NUMBER _____
SUBJECT OF VOTE _____

MEMBER	YEA	NAY	ABS
Rep. Con Bunde	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Gary Davis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Al Vezey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Pete Kott	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Harley Olberg	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Bettye Davis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Irene Nicholia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tom Brice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Cynthia Toohey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTAL	<u> </u>	<u> </u>	<u> </u>



SENATOR LOREN LEMAN

Northwest Anchorage

716 W 4th Ave, Ste 540, Anchorage AK 99501 258-8189

Session: State Capitol, Juneau AK 99801 465-2095

MEMORANDUM

TO: Representative Cynthia Toohey, Co-Chairman
Representative Con Bunde, Co-Chairman
House Health, Education and Social Services Committee

FROM: Senator Loren Lemman
Sponsor

DATE: March 28, 1994

RE: SB 266 - Extending the termination date of Board of Certified Direct-Entry
Midwives

Please schedule at your earliest convenience a hearing on SB 266 which extends the Board of Certified Direct-Entry Midwives.

This measure passed the Senate unanimously. The Division of Legislative Audit concluded in its review that the board should continue. According to the audit, the CDE midwives have shown their ability to oversee licensure, and to monitor their profession.

There is a zero fiscal note from the Division of Occupational Licensing for the CS SB 266 (L&C), the version that passed the Senate.



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 24, 1994

*Ms. Kaye Kanne, Chair
Board of Certified Direct-Entry Midwives
P.O. Box 200
Talkeetna, AK 99676*

Dear Ms. Kanne:

Thank you for bringing to my attention Senate Bill 266 which will extend the Board of Certified Direct-Entry Midwives to 1998. I support the opportunity for Alaskans to choose midwifery services and am supportive of the extension of the Board of Certified Direct-Entry Midwives.

As you know, this bill will also remove from statute a list of certain procedures that licensed midwives cannot perform. You are correct that this list was created before there was a professional midwifery board with the responsibility of regulating the profession. The bill will allow such prohibitions to be handled under regulations adopted through the board, as is done with other professions. I agree the authority of the board to promulgate regulations in an appropriate and timely manner alleviates the need to have this long, detailed list in statute. In fact, promulgating regulations to implement statute is one of the duties of the Board of Certified Direct-Entry Midwives. The bill will maintain the definition of midwifery in statute. I agree these provisions will bring the statutes for midwifery into line with other professional boards, and I am supportive of them.

Thank you for your dedicated service to Alaska as chair and a member of the Board of Certified Direct-Entry Midwives.

With best regards.

Sincerely,

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

Walter J. Hickel
Governor

cc: *Kristie Leaf, Director of Boards and Commissions
Raga Elim, Legislative Liaison*

Editorial



More than twenty years ago, I founded a midwifery service that provides a type of maternity care that is still unique in the United States. It is singular for several reasons: 1) instead of being designed by men, it was designed by women to fit women's needs as we perceived them. 2) we put midwives in charge of all normal births. 3) we made sure that we had enough midwives. 4) we kept costs to our clients low. 5) we attained a cesarean section rate of 1.7 percent, low by today's rate.

Now that the United States is in the process of trying to put into place long overdue health care reform, our experience at the Farm Midwifery Center seems especially relevant. After all, we have been able to produce very good results in maternal-infant care on a shoestring budget by fully utilizing midwives within the context of community.

While we do hear more often about midwives in the media, most discussions dealing with midwifery seem still to look at midwives as "alternative practitioners." Turf and territoriality, habitual ways of thinking, and anxiety about the ability to make profit seem to dominate the discussions reported in the media. As yet, there has been little or no attempt to articulate what maternity care in the United States might be like if we had the same ratio of midwives to population that most European countries have — countries that have lower maternity costs, better outcomes and lower cesarean rates. To look at just one example, if we in the United States had the same ratio of midwives to population that Britain has, we would have about

125,000 midwives instead of the estimated 6,000 we now have.

Let's expand on the vision of what maternal-infant care might look like in a system based upon the midwife as protector of normal birth. While we do that, let's keep in mind the outcomes achieved at the Farm Midwifery Center, where 96 percent of all births for mothers entering care at the Center were carried through by the midwives who were the entry point for each pregnant woman's care. Let us also remember that in the countries with the best childbirth outcomes, more than 70 percent of all babies are born with a midwife, not a physician present in the room.

In a country with enough midwives, every pregnant mother could get her maternity care from the first prenatal visit onwards from a team of three or four midwives. It is not a difficult task to train midwives to know which women need to be referred to care with an obstetrician. Because midwives are less expensive to educate than obstetricians, we would already have saved many health care dollars. Educating a direct-entry midwife typically costs between \$3,000 and \$15,000, compared to \$130,000 and \$200,000 to educate one obstetrician-gynecologist.

Part of the high cost of maternity care in the United States is due to the very high number of pregnant women who receive little or no prenatal care. If these women had easy access to competent and caring midwives, it would be possible to greatly reduce the number of premature births. Some premature babies

in neonatal intensive care units run up care costs of more than \$1 million and their future health is not ensured by the mere fact of their survival. Often, they are handicapped or suffer ill health and thus require lots more money to survive.

The rate of cesarean section is 23.5 percent of all births in the United States — 20 percent in Canada. Nearly a million cesarean operations are performed each year, at least half of them unnecessarily — if we take into account standards of safety that are commonly accepted in other industrialized countries. The central idea of a new book just published in Britain (*Cesarean Birth in Britain* — see Book Reviews, page 45), is that the cesarean section rate in England, Wales and Scotland is too high at 12 percent and needs to be lowered, for reasons of maternal safety, as well as cost reduction. By making far greater use of midwives in the United States, we could certainly lower our cesarean section rate to the current British level.

Using the most conservative figures available, a vaginal birth in the United States costs a woman about \$3500 less than a cesarean section. *If we reduce our cesarean rate to 12 percent, we save almost \$2 billion every year!*

If we really want to lower health care costs in the United States to the levels of other industrialized countries, we must bring back midwifery.



ALASKA STATE LEGISLATURE

LEGISLATIVE BUDGET AND AUDIT COMMITTEE

Division of Legislative Audit



P. O. Box 113300
Juneau, AK 99811-3300
(907) 465-3830
FAX (907) 465-2347

October 29, 1993

Members of the Legislative Budget
and Audit Committee:

In accordance with the provisions of Title 24 of the Alaska Statutes, the attached report is submitted for your review.

DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT BOARD OF CERTIFIED DIRECT-ENTRY MIDWIVES

October 29, 1993

Audit Control Number

08-1416-94

The objective of the audit was to determine whether the Board of Certified Direct-Entry Midwives (the board) should continue its existence. Currently Alaska Statute 08.03.010 has the board scheduled for termination on June 30, 1994. If no action is taken by the legislature, the board has one year in which to conclude its affairs and will be dissolved on June 30, 1995. We recommend that the legislature extend the board's termination date to June 30, 1998.

The audit was conducted in accordance with generally accepted government auditing standards. Fieldwork procedures utilized in the course of developing the findings and recommendations presented in this report are discussed in the Objectives, Scope, and Methodology section of this report.

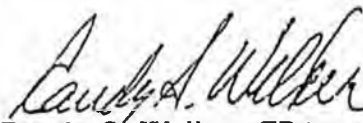

Randy S. Welker, CPA
Legislative Auditor

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OBJECTIVES, SCOPE, AND METHODOLOGY

In accordance with the intent of Titles 24 and 44 of the Alaska Statutes (sunset legislation), we have reviewed the activities of the Board of Certified Direct-Entry Midwives (the board) to determine if it should continue in existence.

As required by statute, the legislative committee of reference is to consider this report as part of the oversight process in determining whether this board should be reestablished. The law currently specifies that the board will terminate on June 30, 1994 and will have one year from that date to conclude its affairs.

The major areas of our examination were board proceedings, licensing, complaint, and affirmative action functions of the board. During the course of our examination, we reviewed, tested, and evaluated the following:

1. Applicable statutes and proposed regulations.
2. Tests of files and documents of licensees.
3. Interviews with employees of the Department of Commerce and Economic Development, Division of Occupational Licensing.
4. Minutes of board meetings, annual reports, and budget documents.
5. Complaints filed with the Division of Occupational Licensing, Equal Employment Opportunity Office, Human Rights Commission, the Ombudsman's Office closed case files, and the Department of Law.
6. Discussions with board members.

ORGANIZATION AND FUNCTION

Chapter 130, SLA 1992 established the Board of Certified Direct-Entry Midwives (the board) effective June 26, 1992. While there was no intent statement attached to the legislation, the prime sponsor of the bill testified during committee meetings as to his intention in sponsoring the bill. He said the bill was intended to protect the health and safety of the public by separating midwives who choose to take training and become licensed from those who choose not to meet the stricter qualifications. According to the sponsor, insurance companies cover midwife services only if they are properly licensed and certified. He said a board is needed to *"develop strict regulations and monitor professional practice by peer review and education. Certified, licensed, high-quality care would be available to Alaskans who either prefer home births or are denied financial or geographic access to physicians' care."* The sponsor also identified midwife care as one way to reduce health care cost and thus health insurance premiums.

Membership on board

Per Alaska Statute (AS) 08.65.010, the board is composed of five members (see inset at right). Membership consists of two direct-entry midwives certified in Alaska, one physician who has an obstetrical practice or has specialized training in obstetrics and is licensed by the State Medical Board in Alaska, one certified nurse midwife licensed by the

Members of Board of Certified Direct-Entry Midwives

Kaye Kanne, Certified Direct-Entry Midwife, Chairperson
Dr. Peggy A. Downing, Physician, Secretary
Paula Korn, Certified Nurse Midwife
Pam Weaver, Certified Direct-Entry Midwife
Sydney Flint, Public Member

Board of Nursing in Alaska, and one public member. The members are appointed by the governor subject to confirmation by the legislature in joint session. Once appointed, the members serve staggered terms of four years and until a successor is appointed and qualified.

Duties of the board

The board responsibilities per AS 08.65.030 include:

1. Examining applicants and issuing certificates to those applicants it finds qualified;
2. Adopting regulations establishing certification and certificate renewal requirements;
3. Issuing permits to apprentice direct-entry midwives;
4. Holding hearings and ordering the disciplinary sanction of a person who violates statute or regulations regarding direct-entry midwives;

5. Supplying forms for applications, licenses, permits, certificates, and other papers and records;
6. Reporting annually to the governor and the Department of Commerce and Economic Development (DCED) on the board's proceedings during the year;
7. Approving curricula and adopting standards for basic education, training, and apprentice programs; and
8. Approving education, training, and apprentice programs that meet the requirements of statute and the board, and denying, revoking, or suspending approval of programs that fail to meet the requirements.

Duties of DCED

DCED provides administrative and investigatory assistance to the board. Administrative assistance includes budgetary services and functions such as: collecting fees, maintaining files, receiving and issuing application forms, and publishing notice of examinations and meetings. On its own initiative, DCED may conduct an investigation if it appears a person has engaged or is about to engage in a practice over which DCED has authority. DCED can issue an order that the person stop the practice, bring an action in superior court to enjoin the act, examine the books and records of a person, and issue subpoenas for the attendance of witnesses and records.

REPORT CONCLUSIONS

In accordance with Alaska Statute 08.03.010, the Board of Certified Direct-Entry Midwives (the board) is presently scheduled for termination on June 30, 1994. The board has one year in which to conclude its affairs if the legislature does not enact legislation for the continuance of the board. We recommend the board be reestablished. The board is providing the service of protecting the public's health and safety by addressing licensing, training, and continuing education requirements for people practicing as direct-entry midwives.

Prior to the creation of the board, the Department of Health and Social Services (DHSS) had the responsibility for registering lay midwives, which was the terminology used at that time for direct-entry midwives. DHSS was to work with a Lay Midwives Working Group to develop regulations for the registration, training and education requirements, and disciplinary measures for lay midwives. The regulations proposed by the Lay Midwives Working Group were to be presented by DHSS to the legislature by the tenth day of the Second Session of the Fourteenth Legislature. DHSS missed the reporting date to the legislature. Lay midwives practicing in Alaska on May 24, 1985 was allowed to continue practicing until the regulations were adopted. Six years later, due to lack of consensus between the Lay Midwives Working Group and staff at DHSS, regulations had still not been adopted and midwives were practicing without the benefit of regulations. In addition, DHSS never did develop a register of lay midwives.

Advantages associated with the creation of the board have been that there is a means to make people practicing midwifery aware of the level of experience and education expected of them. Also, by having a board, individuals in the midwifery practice can now be held accountable to a standard of care if they practice dangerous medicine.

Elimination of the board would likely result in the same lack of oversight that existed prior to the creation of the board in 1992. Although relatively new, the board has displayed its ability to conduct its business in a professional, competent, and efficient manner.

FINDINGS AND RECOMMENDATIONS

Recommendation No. 1

The legislature should extend the termination date of the Board of Certified Direct-Entry Midwives (the board) to June 30, 1998.

The board has been given the responsibilities in statute to adopt regulations establishing certification and certificate renewal requirements and examine applicants and issue certificates to those applicants it finds qualified. The regulation and licensing of qualified direct-entry midwives is necessary to protect the public's health, safety, and welfare.

Since being appointed in July 1992, the board has expended considerable effort in developing regulations and in reviewing applications for licensure. The regulations approved by the board are currently being reviewed by the Department of Law. As of the end of FY 93, the board had licensed 11 individuals and approved two apprentice permits.

The board's membership has been dedicated and responsible to its mission; its representation has been well balanced in serving its purpose. The board has displayed a strong desire to enhance the public perception of the direct-entry midwifery profession by maintaining high, but not restrictive, standards.

Recommendation No. 2

The Division of Occupational Licensing (OL) should, in conjunction with the Equal Employment Opportunity Office (EEO), review the Direct-Entry Midwife licensure application forms used by OL to assure that personal questions of a potential discriminatory nature are essential for prudent licensure.

The direct-entry midwife application requires a photograph of the candidate and states that answers to height, weight, sex, and eye and hair color questions are optional, but are requested for identification purposes. EEO within the Department of Administration, Division of Personnel discourages agencies from asking applicants information on sex, height, weight, and hair and eye color, even if that information is optional. If an applicant were denied a license, the board or OL may find it difficult to prove that there was no discrimination involved if this type of information had been provided to the board members reviewing the application for licensure.

The direct-entry midwife application form used by OL should be reviewed with EEO to make sure that a photograph is pertinent to the licensure of direct-entry midwives candidates. OL indicated that one of the reasons photographs are required is to prevent fraud when a licensee moves from one state to another. If a photograph is considered necessary for identification, to prevent fraud or for other reasons, it should be separated from the application prior to review of the application for licensure. If a photograph is not necessary,

the request for one should be removed from the application.

Recommendation No. 3

OL should continue their efforts to provide adequate public notice of board meetings.

OL has not consistently provided adequate public notice of board meetings. Alaska Statute 08.01.050 requires the department to publish notice of examinations and meetings. Alaska Statute 41.62.310 requires reasonable notice for all meetings required to be open. The notice must include the date, time, and place of the meeting and, if the meeting is by teleconference, the location of any teleconferencing facilities that will be used. The Attorney General (AG) has defined adequate public notice as three business days prior to the meeting and, when possible, ten days. OL's public notice policies are even more restrictive in that they require public notice at least two weeks prior to a scheduled meeting and one week prior to an unscheduled teleconference. OL did not provide adequate public notice for one of the teleconferences held by the Board of Certified Direct-Entry Midwives under AG guidelines. In addition, OL would not have provided adequate public notice for two teleconferences and one scheduled board meeting under their own guidelines.

OL has a large volume of public notices and the division's public notice process is very labor intensive. OL is in the process of initiating a system to automate the public notices. OL should continue their efforts to automate the public notice process in order to ensure adequate public notice.

Recommendation No. 4

OL should request statutory changes to AS 08.01.050 and AS 08.01.070 to clarify responsibilities for the taking of board meeting minutes and production of an annual report.

Alaska Statute 08.01.050 establishes DCED's administrative duties for professional licensing boards. Alaska Statute 08.01.070 identifies the administrative duties of the boards. Included in the board's responsibilities are the taking of minutes and records of all proceedings, forwarding of a draft of the minutes of proceedings to the department within 20 days after the proceedings, and submission of an annual performance report to the department before the end of the fiscal year. However, we found that OL rather than the board performed these duties.

For example, the licensing examiner is responsible for tape recording the board proceedings, recording votes, taking notes, and preparing the minutes. OL also compiles much of the information in the board's annual report. OL has the records needed to determine statistics such as the number of licenses issued and examinations given and passed.

We recommend that OL review the statutes and request changes that reflect actual responsibilities and timelines that are both practical and timely.

Recommendation No. 5

OL should develop and implement written policies and procedures for timely reporting of any board members' potential violations of the Executive Branch Ethics Act to the Department of Law (Law).

The Alaska Executive Branch Ethics Act (AS 39.52) requires members of boards and commissions to disclose potential violations of that Act to their designated supervisor. The designated supervisor for members of a board is the chair or acting chair of the board. Functionally, OL staff advise the professional licensing boards as to the reporting necessary for compliance with the Ethics Act, as does Law. Disclosures by board members are compiled by OL for submission to Law. These reports are required to be submitted on a quarterly basis. Law reviews these submissions and makes available to the public a summary of the reports received with sufficient deletions to prevent disclosure of a person's identity.

These reports have not been submitted in a timely manner. In 1992, reports were submitted three to six months after the end of the quarter. In 1993, the first two quarters' reports were submitted in July. In addition, division personnel have indicated that there is some confusion as to what should be reported. While staff at Law believe that OL understands what should be reported, written policies and procedures governing the reporting of potential ethical violations would benefit OL as well as board members. There would be clear criteria for OL staff to follow as to what should be reported as well as when it should be reported.

ANALYSIS OF PUBLIC NEED

Limited Analysis

The following analyses of board activities relate to the public need factors defined in the "sunset" law, Alaska Statute (AS) 44.66 050. These analyses are not intended to be comprehensive, but address those areas we were able to cover within the scope of our review.

The extent to which the board, commission, or program has operated in the public interest.

The Board of Certified Direct-Entry Midwives (the board) has made a good effort at operating in the public interest. The board has spent a considerable amount of time in developing regulations for basic education, training, and apprentice programs and establishing certification and certificate renewal requirements. The regulations developed by the board are currently under review by Department of Law (Law).

The board has licensed applicants it found qualified into the profession based on transitional regulations that are still under review by Law. It has not been necessary for the board to hold any hearings or issue disciplinary sanctions to date. The required annual report was submitted to the governor and the Department of Commerce and Economic Development (DCED) on the board's proceedings for FY 93.

The extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resource, and personnel matters.

As of yet, the board has not been impeded because of existing statutes, procedures, or practices. However, during their review, the Department of Law questioned whether the board has authority to develop regulations regarding the administration of medications since statutes did not specifically mention this responsibility. The board felt that this authority had been granted by the legislature and was included in the definition statute, AS 08.65.190. The statute says that the practice of midwifery includes "*the execution of emergency measures in the absence of medical assistance, as specified in regulations adopted by the board*" (Emphasis added.)

Since the medications listed in regulation can only be administered by a direct-entry midwife as part of emergency measures, the board felt they were within the realm of their authority. Midwives have stated they cannot practice safely without the ability to administer certain medications during emergency situations. If Law determines the board does not currently have the authority to adopt regulations governing the administration of medications, then a statute change will be needed to specifically grant the board this regulatory authority.

The extent to which the board, commission, or agency has recommended statutory changes that are generally of benefit to the public interest.

The board has not recommended any statutory changes; however, the board recommended in its FY 93 annual report that the legislature continue the board.

The extent to which the board, commission, or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service that it has provided.

The location, date and time of board meetings are published in newspapers around the State so that interested public members can attend the meetings. However, we found that for one teleconference adequate public notice was not given (see Recommendation No. 3). The Attorney General's Office defines adequate public notice as advertising at least three days, excluding weekends and holidays, and ten days when possible, prior to a meeting. The board has been responsive to public participants by setting a public comment time period during board meetings.

The extent to which the board, commission, or agency has encouraged public participation in the making of its regulations and decisions.

The board encouraged public participation in the making of its regulations and decisions. Proposed regulations were made available for public comment. Responses received from the public did not require the board to make any changes to the regulations. Some responses were in support of the regulations as written, while other concerns had already been addressed in statute. After the public comment period had closed, the board forwarded the proposed regulations to Law for their review.

While the proposed regulations were still being reviewed at Law, two interested people came forward and asked the board to reopen regulation 12 AAC 14.210 (c)(1). This regulation stated,

As part of the supervised clinical experiences required in (b) of this section, an applicant must have provided continuous care to at least 20 clients. "Continuous care" means, for the same client, the applicant (1) performed at least eight prenatal visits.

The two people said eight prenatal visits was extremely difficult to attain. After much discussion, the board agreed their concern for continuous care would not be seriously impacted if the regulation were changed to six prenatal visits to at least 20 clients. The board unanimously voted to change the proposed regulation. The board is going to withdraw this regulation from Law's review and advertise the proposed change for 30 days so that they can receive additional public comment.

The efficiency with which public inquiries or complaints regarding the activities of the board, commission, or agency filed with it, with the department to which a board or commission is administratively assigned, or with the Office of the Ombudsman have been processed and resolved.

There have not been any public complaints regarding midwives filed with the Office of the Ombudsman since the inception of the board. There had been two complaints filed with the Office of the Ombudsman when the Department of Health and Social Services had the responsibility for overseeing the profession.

There have not been any ethics complaints against board members filed with Law. No board decisions have been appealed to the Division of Occupational Licensing (OL) hearing officers.

OL investigated five cases regarding the midwife profession. Some cases were in regards to individuals not licensed; other cases were instigated by DCED based on an applicant's response to certain items on their application. At the end of FY 93, investigation was still ongoing for four of these cases.

The extent to which the board or commission which regulates entry into an occupation or profession has presented qualified applicants to serve the public.

As of the end of FY 93, the board licensed 11 individuals and issued two apprentice permits. We reviewed these application files and also the files of those people whose applications were denied. We found no errors in OL's licensing procedures. In addition, we believe that the licensing criteria established by the board is reasonable and appropriate.

The extent to which state personnel practices, including affirmative action requirements, have been complied with by the board, commission, or agency to its own activities and the area of activity or interest.

We found no evidence that the board was not complying with state personnel practices, including affirmative action, in qualifying applicants. Each time the board has denied an applicant a license the reason has been based on experience requirements and not personal attributes of the applicant. However, the certified direct-entry midwife application requests information questioned by EEO (see Recommendation No. 2).

The extent to which statutory, regulatory, budgeting, or other changes are necessary to enable the agency, board, or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection.

Please refer to the previous section, Findings and Recommendations.

APPENDIX A
Department of Commerce and Economic Development
Board of Certified Direct-Entry Midwives
Application, License, and Other Fees¹

Application and Other Fees²

Type of Fee	Amount
Application	\$50
Examination fee	100

License Fees

License Category	Initial and Biennial Renewal Fee ³
Direct-Entry Midwife Certification	\$350
Apprentice Direct-Entry Midwife Permit	150

¹The licensing fees charged by the Division of Occupational Licensing for the Board of Certified Direct-Entry Midwives are set out in the Alaska Administrative Code at § 12 AAC 02.145. The fees for this new licensing board became effective January 22, 1993. According to Division of Occupational Licensing staff, at this time there are no planned fee changes for this board.

²The Division of Occupational Licensing is also authorized to charge administrative fees. Administrative fees include: duplicate license fee, photocopying fee, and penalty for reinstatement of a registration, license, permit or certificate which remains lapsed for more than 60 days.

³The biennial renewal period for the Board of Certified Direct-Entry Midwives is December 31, 1994.