

ALASKA LEGISLATURE COMMITTEE FILES 1995-1996 8672

9027 SENATE STATE AFFAIRS

**Sponsor Statement - SB4**

**Page Two**

The goal of SB4 is to get these people off the road. They kill, they maim and they destroy property. The Impaired Driving Assessment conducted by a technical assistance team of the National Highway Traffic Safety Administration in Alaska this fall revealed that alcohol related motor vehicles crashes carry an annual price tag of nearly \$32 million dollars. The human cost, the grief, the destruction of families, is impossible to calculate.

Section one of the bill addresses only a change needed in state law to overcome a court ruling that a minor cannot be arrested for consuming alcohol unless the police actually witness the consumption. That ruling is currently in effect in the First Judicial District. Section one of this bill would add minor consuming to the list of offences for which an officer may make a warrantless arrest.

The remainder of SB4 deals strictly with what is needed to make it a felony to repeatedly drive drunk. It would give Alaska one of the toughest drunk driving statutes in the nation and send a clear message that will no longer tolerate those who cannot or will not stop this behavior.

DISTRICT ATTORNEY, STATE OF ALASKA  
P.O. Box 110300  
Juneau, AK 99811  
Phone: (907) 463-1620

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, 11.46.230, 11.56.740, 11.61.120), AS 12.29.030 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 04.16.030:

A person under the age of 21 years may not knowingly consume, possess, or control alcoholic beverages except those furnished persons under AS 04.16.031(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 contacts 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.

SB 221

"An Act relating to arrest of a person for illegal possession, consumption, or control of alcohol; and providing for an effective date."

**Background:**

Section 1 amends the list of crimes for which a person can be arrested without a warrant to specifically include minor consuming.

**Analysis:**

This bill is necessary because of a Juneau court ruling that a minor could not be arrested for consuming alcohol unless the police officer actually witnessed the consumption. The ruling prohibited the juvenile from being arrested even though the juvenile might be quite intoxicated and in danger. This left the police officer with the ability to write a citation and then leave the minor.

While this bill provides for arrest, in the case of minors who are consuming alcohol or other drugs, arrest may be a life saving action.


Although this bill has no direct affect on the operations or responsibilities of the Department of Health & Social Services or the Division of Alcoholism and Drug Abuse, it is consistent with the philosophy of the Division regarding the promotion of no use of alcohol and other drugs by minors.

**Position:**

The Department of Health and Social Services, Division of Alcoholism and Drug Abuse is strongly supportive of SB 221

  
 Loren A. Jones, Director  
 Division of Alcoholism & Drug Abuse

Jan 21, 1982  
 Date

  
 Margaret R. Louie, M.Ed., Ed.S.  
 Commissioner

1-26-82  
 Date



STATE OF ALASKA  
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Health & Soc. Services	DIVISION Alcoholism & Drug Abuse	BILL NUMBER SB221	SPONSOR Sen. Taylor
BRIEF TITLE OF BILL			
DEPARTMENT RESPONSE Support			
PREPARED BY Suzanne Perry	DATE 1-21-94	COMMISSIONER'S SIGNATURE Margaret R. Lowe, M.Ed., Ed.S.	DATE 1-26-94

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Dept. of Public Safety	CONSTITUENT GROUPS AFFECTED BY BILL Minors who consume alcohol
ORGANIZATIONAL SUPPORT FOR BILL Alaskans for Drug Free Youth AK Council on Prevention of Alcohol & Drug Abuse	ORGANIZATIONAL OPPOSITION TO BILL None known to the Division

FISCAL IMPACT  NONE  FISCAL NOTE ATTACHED

**BACKGROUND/LEGISLATIVE INTENT**

This bill is necessary because of a Juneau court ruling that a minor could not be arrested for consuming alcohol unless the police officer actually witnessed the consumption. The ruling prohibited the juvenile from being arrested even though the juvenile might be quite intoxicated and in danger. This left the police officer with the ability to write a citation and then leave the minor. While this bill provides for arrest, in the case of minors who are consuming alcohol or other drugs, arrest may be a life saving action.

**ANALYSIS OF BILL/PROPOSED EFFECTS**

Although this bill has no direct effect on the operations or responsibilities of the Department of Health & Social Services or the Division of Alcoholism and Drug Abuse, it is consistent with the philosophy of the Division regarding the promotion of no use of alcohol and other drugs by minors.

COMMISSIONER'S COMMENTS

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS

DEPARTMENT OF PUBLIC SAFETY  
OFFICE OF THE COMMISSIONER

PO BOX 111200  
JUNEAU ALASKA 99811-1200  
PHONE (907) 465-4322  
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January 20, 1995

The Honorable Robin Taylor  
Alaska State Legislature  
State Capitol, Room 30  
Juneau, AK 99801-1182

The Honorable Brian Porter  
Alaska State Legislature  
State Capitol, Room 118  
Juneau, AK 99801-1182

Dear Senator Taylor and Representative Porter:

I received your request for information regarding the prior DWI convictions of those individuals who were involved in alcohol-related fatal motor vehicle crashes.

Juanita Hensley, Chief of Driver Services for the Division of Motor Vehicles, reviewed the complete driving records of the at-fault drivers involved in all fatal motor vehicle crashes for 1992 and 1993. The results are as follows:

In 1992, a total of 14 at-fault drivers had prior DWI convictions on their records. Of the 14, 10 had one prior DWI conviction; three had two prior DWI convictions; one had three prior DWI convictions; and one had four prior DWI convictions.

In 1993, a total of 10 at-fault drivers had prior DWI convictions on their records. Of the 10, four had one prior DWI conviction; four had two prior DWI convictions; and two had three prior DWI convictions.

I have enclosed for your review a chart on the average breath alcohol concentrations in fatal crashes for 1992 and 1993. This chart was compiled by the Alaska Highway Safety Planning Agency from information they received in the Fatal Accident Report System.

Senator Taylor and Representative Porter  
January 20, 1995  
Page 2

Feel free to contact my office or Ms. Hensley, if you need additional information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ronald L. Otte".

Ronald L. Otte  
Commissioner

Enclosures

**AVERAGE BREATH ALOCHOL COUNTS (BAC) IN FATAL CRASHES  
1992 and 1993**

Sorted by: Year  
Gender  
Category (Victim, Surviving Driver)

*.19 BAC AVERAGE  
IN ALL DWI ARRESTS.*

Year	Gender	Average BAC		Year	Gender	Average BAC	
1992	<i>Female</i>	Victim	0.177	1993	<i>Female</i>	Victim	0.179
		Surviving Driver	0.159			Surviving Driver	0.240
		<b>Total Female</b>	<b>0.172</b>			<b>Total Female</b>	<b>0.191</b>
	<i>Male</i>	Victim	0.176		<i>Male</i>	Victim	0.204
		Surviving Driver	0.147			Surviving Driver	0.159
		<b>Total Male</b>	<b>0.168</b>			<b>Total Male</b>	<b>0.189</b>
	<i>All Gender</i>	Victim	0.176		<i>All Gender</i>	Victim	0.198
		Surviving Driver	0.150			Surviving Driver	0.171
		<b>Grand Total</b>	<b>0.164</b>			<b>Grand Total</b>	<b>0.190</b>

**STATE OF ALASKA**

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**IMPAIRED DRIVING ASSESSMENT**  
**October 2 - October 8, 1994**

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*National Highway Traffic Safety Administration*  
*Technical Assistance Team*

**William S. Ethridge**  
**John D. Fenner**  
**Don D. Hinton**  
**Timothy Johnson**  
**William T. McCollum**

## INTRODUCTION

Motor vehicle crashes are the leading cause of death for individuals between the ages of one and thirty-four. Nationwide, alcohol is involved in nearly one-half of these fatalities.

In pursuit of the goal to reduce alcohol-related traffic fatalities and injuries, the National Highway Traffic Safety Administration (NHTSA) developed a Technical Assistance Team evaluation program. This approach provides states the opportunity to use federal highway safety funds to support an administrative evaluation of existing and proposed alcohol and drug-impaired driving countermeasures.

NHTSA staff facilitates the process by assembling a team of individuals who, through their immediate involvement with national and state programs, have demonstrated their competence in impaired driving program development, implementation and evaluation. Selection of the Technical Assistance Team reflects experience in special areas identified by the state. These areas correlate with the components of a comprehensive impaired driving program as defined in the Highway Safety Program Advisory that was published by NHTSA. Examples of program and systems expertise among the Alaska Technical Assistance Team members include program management (both state and local levels), prevention, enforcement, prosecution, adjudication, evaluation, traffic records, driver licensing, treatment and rehabilitation.

The State of Alaska requested NHTSA's assistance in reviewing its alcohol and drug impaired driving countermeasures program. On August 3, 1994, NHTSA met with Department of Public Safety and Alaska Highway Safety Planning Agency staff members who helped to define key issues of concern to the state. NHTSA agreed to facilitate the technical review.

The Alaska Alcohol and Drug Impaired Driving Program Assessment was conducted in Anchorage from October 2 - 8, 1994. Alaska Highway Safety Planning Administrator, Lorn Campbell, arranged for State and local program experts (see Section 7, Agenda) to deliver briefings and provide support and materials to the Team on a wide variety of topics related to impaired driving. Forty-five presentations were made to the Technical Assistance Team over a period of three and one-half days.

According to 1993 statistics, the State of Alaska has a population of nearly 600,000 located across 580,000 square miles of diverse land. More than one-half of the population resides in three major communities: 300,000 in Anchorage, 40,000 in Fairbanks, and 35,000 in Juneau. The remaining population resides in smaller communities over a vast and remote area. Alaska is not divided into counties but rather has a combination of municipalities, towns, villages and very remote "bush" areas. The demographic complexion of the state is made up of approximately 74 percent Whites, 15.6 percent Native Alaskans, 4.1 percent African Americans, 3.2 percent Hispanic, and 3.1 percent Asian Pacific Americans. The median income for Alaskan residents is \$45,000 as compared to \$31,000 in the lower 48 states.

Alaska's economy has suffered due to dwindling oil and fishing revenues. The state is faced with the challenge of maintaining adequate services for its residents while reducing government spending and decreasing state government personnel. In addition, Alaska's citizens routinely reject government efforts to increase taxes on alcohol or enact other revenue raising laws including tapping into the \$14 billion reserve which could alleviate its perceived economic recession. The economic situation along with the challenges of designing programs appropriate for its geographic composition and meeting the requirements the realities for establishing a comprehensive DWI program in the State of Alaska may seem overwhelming. However, the Team believes that the recommendations contained in this report present viable options to overcoming the situation.

In addition, the following 1993 data pertaining to motor vehicle and traffic safety in Alaska were provided:

523,158	Registered vehicles
393,931	Licensed drivers
39.19	Billion vehicle miles travelled
3.01	Crash deaths per 100 million vehicle miles travelled
14,509	Motor vehicle crashes
88	Fatal Crashes
37	Alcohol-related Fatal Crashes
49	Alcohol-related Crash Deaths
\$1,995,638	Total annual cost of alcohol-related motor vehicle crashes

The Technical Assistance Team's analysis of Alaska's Alcohol and Drug Impaired Driving Program is based solely on written and oral information provided to the team during the assessment process. The Team used this information to develop recommendations after considering what could be reasonably accomplished within the state. The Team believes that enactment of the proposed recommendations will result in a comprehensive program to prevent impaired driving and will set the framework for expansion to meet future needs in the system.

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## 8. DRUNK DRIVING

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Penalties for drunk driving have become tougher over the years as the cost of this dangerous behavior rises. Reckless alcohol consumption among young people has also risen markedly, and it has been met with sharp intolerance.

Drunk driving, or driving while intoxicated (DWI) or driving under the influence (DUI), is typically determined by the alcohol content found in the driver's blood. Blood alcohol content (BAC) may be determined in two ways: through breath analysis or urinalysis. Most states have set the legal limit of blood alcohol content at 0.10 percent. Six states have no set amount of blood alcohol to presume intoxication. In these states it is still illegal to drive while drunk, but blood alcohol content is merely one piece of evidence of intoxication.

Penalties for drunk driving are severe in most states.

Virtually every state suspends the driver's license on a first offense, and the length of suspension increases sharply with each successive offense. There is, however, a great deal of variation in the lengths of suspension of driving privileges among the states. A few only impose suspension for as little as one year for multiple offenses. Michigan, however, revokes the driver's license on the second offense. Several states include revocation on the third or fourth offense.

The newest development in the laws of drunk driving concern court-ordered attendance at an alcohol abuse rehabilitation program upon conviction for driving while intoxicated. Six states still do not have rehabilitation requirements for offenders, while the rest have some sort of rehabilitation requirement for problem drinkers and drivers.

Table 8: Drunk Driving

COMPLIMENTS OF THE  
ALABAMA STATE LIBRARY

State	Code Section	BAC Legal Limit	Rehabilitation Required?	Driver's License Suspension?	Other Penalties
ALABAMA	32-5A-191	.10% BAC per se at time of driving	Yes on first offense; DUI court referral program approved by state	1st offense: 90 days; 2nd: 1 yr.; 3rd: 3 yrs.	1st offense: imprisonment up to 1 yr. and/or \$250-1000; 2nd within 5 yrs.: up to 1 yr. and \$500-2500; 3rd within 5 yrs.: up to 1 yr. and \$1000-\$5000
ALASKA	28.35.030; 28.15.181	.10% BAC +; determined by test taken within 4 hours	Yes, program of alcohol education or rehabilitation that court finds appropriate for term specified by court	1st: 90 days min.; 2nd: 1 yr. min.; 3rd: 10 yrs. min.	1st: min. 72 hrs. and min. \$250; 2nd within 10 yrs.: min. 20 days and min. \$500; 3rd within 10 yrs.: min. 30 days and min. \$1000
ARIZONA	28-692, <i>et seq.</i>	.10% BAC at time of offense	Yes, alcohol abuse screening session by screening or treatment facility approved by health services; alcohol abuse classes or treatment facility if necessary; habitual abuse	1st: 90 days; 2nd within 5 yrs.; revocation; 3rd within 5 yrs.; revocation min. 3 yrs.	1st: min. 24 hrs. and min. \$250 and 8-24 hrs. community service; 2nd within 5 yrs.: min. 60 days and min. \$500; 3rd within five yrs.: min. 6 mos.
ARKANSAS	5-65-103, <i>et seq.</i>	.10% BAC as determined by test	Alcohol Education Program prescribed and approved of by Arkansas Highway Safety Program or alcohol treatment program approved by Office on Alcohol and Drug Abuse Prevention	1st: 90-120 days; 2nd: 12-16 mos.; 3rd: 24-30 mos.; 4th: 3 yrs.	1st: 1 day to 1 yr. prison, court can order public service in lieu of jail and \$150-1000; 2nd within 3 yrs.: 7 days to 1 yr. and \$400-3000; 3rd within 3 yrs.: 90 days to 1 yr. and \$900-5000; 4th within 3 yrs.: felony, 1-6 yrs.; fine only for 2nd and 3rd offenses within 5 yrs.
CALIFORNIA	Veh. §§23152, <i>et seq.</i>	0.10% BAC at time of driving (rebuttably presumed that percentage at time of driving was more than at time of test); if test is less than .05% BAC, BAC presumed not .10% when driving; if test is .05-.10%, not presumption but evidence of .10%; .10% at time of test equals .10% at time of driving	1st: if probation, must participate in alcohol or drug education program designated by court if programs approved of are available in that county; 2nd: if probation, 1 yr. in program acceptable to court	1st: 6 mos., or if probation granted, could be 90 days with exception of traveling to work and rehab program; 2nd: restricted to necessary travel (work and rehab) for 1 yr.; 3rd: 3 yrs.	1st: 96 hrs. to 6 mos. prison and \$390-1000; 2nd within 5 yrs.: 90 days to 1 yr. and \$390-1000; 3rd within 5 yrs.: 120 days to 1 yr. and \$390-1000

(Continued)

Table 8: Drunk Driving—Continued

State	Code Section	BAC Legal Limit	Rehabilitation Required?	Driver's License Suspension?	Other Penalties
COLORADO	42-2-122.1; 42-4-1202	.15 g. of alcohol per 100 mm. of blood while driving or .15 g. of alcohol per 200 mm. of blood at time of test	Court's discretion up to 2 yrs.; drug and alcohol driving safety program	1 yr.	1st: 5 days to 1 yr. and court may fine \$300-1000 and 48-96 hrs. useful community service; 2nd within 5 yrs.: 90 days to 1 yr. and court may fine \$500-1500 and 60-120 hrs. useful community service
CONNECTICUT	14-227a	.10% BAC at time of offense	Court may order participation in alcohol education and treatment program in addition to any fine or sentence	1st: 1 yr. (court's discretion); 2nd: 2 yrs.; 3rd: 3 yrs.; 4th: permanently	1st: \$500-1000 and jail up to 6 mos. or 100 hrs. community service; 2nd within 5 yrs.: \$500-2000 and jail up to 1 yr.; 3rd within 5 yrs.: \$1000-4000 and jail up to 2 yrs.; 4th within 5 yrs.: \$2000-8000 and jail up to 3 yrs.
DELAWARE	Tit. 21 §4177	.10% BAC as shown by test taken within 4 hours of offense	1st: required program of rehabilitation or course of instruction which may include inpatient up to 6 mos.; 2nd: program of education or rehabilitation which may include inpatient treatment up to 15 mos.	1st or 2nd: 1 yr.; 3rd or more: 18 mos.	1st: \$200-1000 or jail 60 days-6 mos.; for each subsequent offense within 5 yrs. of former offense: \$500-2000 and jail 2-18 mos.
DISTRICT OF COLUMBIA	40-716	.10% BAC; .13% alcohol in urine	No	Yes for unspecified time	1st: up to \$300 and/or 90 days; 2nd within 15 yrs.: up to \$5000 and/or up to 1 yr.; 3rd within 15 yrs.: up to \$10,000 and/or up to 1 yr.

(Continued)

Table 8: Drunk Driving—Continued

State	Code Section	BAC Legal Limit	Rehabilitation Required <sup>1</sup>	Driver's License Suspension <sup>1</sup>	Other Penalties
FLORIDA	316.193	10% BAC	Substance abuse course specified by the court	Revocation/suspension upon conviction	1st: \$250-\$500 and jail up to 6 mos.; 2nd within 3 yrs.: \$500-\$1000 and jail up to 9 mos.; 3rd within 3 yrs.: \$1000-\$2500 and jail up to 12 mos.; 4th within 3 yrs.: 3rd degree felony, prison up to 5 yrs.; if first offense BAC exceeds .20%: 1st: \$500-\$1000 and jail up to 9 mos.; 2nd within 3 yrs.: \$1000-\$2000 and jail up to 12 mos.; 3rd within 3 yrs.: \$2000-\$4000 and jail up to 12 mos.; additional penalties: 1st: probation up to 1 yr. and community service of 40 hrs. minimum or \$10 fine per hour not worked
GEORGIA	40-5-63, 40-6-391	10% BAC at time of test		1st: 1 yr.; 2nd within 5 yrs.; 3rd within 5 yrs.; considered habitual offender, 5 yrs.	1st: \$300-\$1000 and 10 days to 12 mos.; 2nd within 5 yrs.: \$600-\$1000 and 90 days to 12 mos.; 3rd: \$1000-\$4000 and 120 days to 12 mos. mandatory
HAWAII	291-4	10% BAC	1st: 14 hr. minimum alcohol abuse rehab program including education and counseling or comparable program approved by court; subsequent may be required pending evaluation by substance abuse counselor	1st: 90 days; court can make it 30 days total prohibition and 60 days only for work and rehab; 2nd: 1 yr. absolute prohibition; 3rd: 1-5 yrs.	1st: \$150-\$1000 and/or min. 48 hrs. jail and/or 72 hrs. community service; 2nd within 5 yrs.: \$500-\$1000 and min. 48 hrs. jail or min. 80 hrs. community service; 3rd within 5 yrs.: \$500-\$1000 and 10-180 days jail
IDAHOO	18-8004, et seq.	10% BAC	Alcoholic evaluation (own expense) approved facility; if necessary, an alcoholic treatment program best suited for individual	1st: mandatory up to 180 days (defendant may request for necessary privilege work and family health needs); 2nd: mandatory 6 mos. after getting out of jail and possibly an additional fine up to 3 yr.; 3rd: 1-5 yrs. (no privileges at all)	1st: up to \$1000 and/or up to 6 mos.; 2nd within 5 yrs.: mandatory fine up to \$2000 and jail 10 days to 1 yr.; 3rd within 5 yrs.: felony, jail up to 5 yrs. and may be fined up to \$5000

(Continued)



Table 8: Drunk Driving—Continued

State	Code Section	BAC Legal Limit	Rehabilitation Requirements*	Period of License Suspension*	Fines/Penalties
KENTUCKY	100A.010 100A.011 100A.012	See below per se. *in both cases the authority of the individual is voided.	For violation 100A.010 absent or substantially absent program and licensee drives competent from 6 mos. to 90 days.	1st 6 mos. 2nd 3 yr. 3rd 2 yrs.	1st \$250 500 or 60 hrs. in 70 days 2nd or 3rd 10 days community labor, 2nd within 5 yrs. \$350 500 and 7 days to 6 mos. jail and more jail 10 days to 6 mos. community labor in addition to jail term. 3rd within 5 yrs. \$500 1000 and 30 days to 12 mos. jail and more jail 10 days to 1 yr. community labor in addition to jail term.
KENTUCKY	100A.010 100A.011 100A.012	10% BAC	Rehabilitation provided for 1st and 2nd offense and includes community service. Anonymous provision of programs which may be applicable and appropriate for individual offender.	1st 60 days	1st \$125 500 and 10 days to 6 mos. jail 2nd \$300 500 and 30 days to 6 mos. jail 3rd jail up to \$1000 and 1-5 yrs. jail with fine labor 60-90 yrs.
MAINE	2429 2432	10% BAC	For Education programs conducted by Dept. of Human Services. 2nd education program conducted by Dept. of Human Services and where required by Dept. of Human Services, alcohol or other program.	1st 30 days or successful completion of rehab program program within 90 days for offender to 6 mos. or successful completion of educational program.	1st up to \$1000 and up to 90 days jail 2nd \$250 500 and 30 hrs. to 6 mos. jail
MARYLAND	2025 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095 2096 2097 2098 2099 2100	Whole intoxicated or while under the influence of a controlled dangerous substance.	Three Inpatient Program and Alcohol Education Program required.	1st up to 90 days 2nd within 3 yrs. up to 120 days	1st up to \$1000 and/or up to 1 yr. jail 2nd within 3 yrs. up to \$500 and/or 60 hrs. to 2 yrs. jail may also include 60 hrs. community service. 3rd within 3 yrs. up to \$2000 and/or up to 2 yrs. jail

\* continued

Table 8: Drunk Driving—Continued

State	Code Section	BAC Legal Limit	Rehabilitation Required?	Driver's License Suspension*	Other Penalties
MASSACHUSETTS	Ch. 90 §24	No limit per se	1st offense: appropriate to defendant with two yrs suspension as a condition of probation upon written finding that appropriate and adequate measures are available to defendant and defendant would benefit and safety of public would not be endangered. 2nd offense: 1 1/2 yrs or suspended alcohol consumption program.	1st 1 yr, 2nd 2 yrs, 3rd 3 yrs, after 2 yrs can apply for new license on limited basis on grounds of hardship and payment plus condition draft work and under control.	1st \$1000 (1000) within 60 days, 2nd within 60 days \$500 (500) and 7 days, 3rd 2 yrs and 1st within 60 days \$500 (500) and 60 days for 2 yrs and.
MINNESOTA	M.S. 169.02	10% BAC	Rehabilitation and assessment to determine the likely benefit from rehabilitation. Court may order probation or suspended license and may require that defendant enter into rehabilitation program.	1st 90 days, no 2 yrs, 3rd 1 yr, 4th 2 yrs, 5th 3 yrs, 6th 4 yrs, 7th 5 yrs, 8th 6 yrs, 9th 7 yrs, 10th 8 yrs, 11th 9 yrs, 12th 10 yrs, 13th 11 yrs, 14th 12 yrs, 15th 13 yrs, 16th 14 yrs, 17th 15 yrs, 18th 16 yrs, 19th 17 yrs, 20th 18 yrs, 21st 19 yrs, 22nd 20 yrs, 23rd 21 yrs, 24th 22 yrs, 25th 23 yrs, 26th 24 yrs, 27th 25 yrs, 28th 26 yrs, 29th 27 yrs, 30th 28 yrs, 31st 29 yrs, 32nd 30 yrs, 33rd 31 yrs, 34th 32 yrs, 35th 33 yrs, 36th 34 yrs, 37th 35 yrs, 38th 36 yrs, 39th 37 yrs, 40th 38 yrs, 41st 39 yrs, 42nd 40 yrs, 43rd 41 yrs, 44th 42 yrs, 45th 43 yrs, 46th 44 yrs, 47th 45 yrs, 48th 46 yrs, 49th 47 yrs, 50th 48 yrs, 51st 49 yrs, 52nd 50 yrs, 53rd 51 yrs, 54th 52 yrs, 55th 53 yrs, 56th 54 yrs, 57th 55 yrs, 58th 56 yrs, 59th 57 yrs, 60th 58 yrs, 61st 59 yrs, 62nd 60 yrs, 63rd 61 yrs, 64th 62 yrs, 65th 63 yrs, 66th 64 yrs, 67th 65 yrs, 68th 66 yrs, 69th 67 yrs, 70th 68 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days, 9th 810 days, 10th 900 days, 11th 990 days, 12th 1080 days, 13th 1170 days, 14th 1260 days, 15th 1350 days, 16th 1440 days, 17th 1530 days, 18th 1620 days, 19th 1710 days, 20th 1800 days, 21st 1890 days, 22nd 1980 days, 23rd 2070 days, 24th 2160 days, 25th 2250 days, 26th 2340 days, 27th 2430 days, 28th 2520 days, 29th 2610 days, 30th 2700 days, 31st 2790 days, 32nd 2880 days, 33rd 2970 days, 34th 3060 days, 35th 3150 days, 36th 3240 days, 37th 3330 days, 38th 3420 days, 39th 3510 days, 40th 3600 days, 41st 3690 days, 42nd 3780 days, 43rd 3870 days, 44th 3960 days, 45th 4050 days, 46th 4140 days, 47th 4230 days, 48th 4320 days, 49th 4410 days, 50th 4500 days, 51st 4590 days, 52nd 4680 days, 53rd 4770 days, 54th 4860 days, 55th 4950 days, 56th 5040 days, 57th 5130 days, 58th 5220 days, 59th 5310 days, 60th 5400 days, 61st 5490 days, 62nd 5580 days, 63rd 5670 days, 64th 5760 days, 65th 5850 days, 66th 5940 days, 67th 6030 days, 68th 6120 days, 69th 6210 days, 70th 6300 days, 71st 6390 days, 72nd 6480 days, 73rd 6570 days, 74th 6660 days, 75th 6750 days, 76th 6840 days, 77th 6930 days, 78th 7020 days, 79th 7110 days, 80th 7200 days, 81st 7290 days, 82nd 7380 days, 83rd 7470 days, 84th 7560 days, 85th 7650 days, 86th 7740 days, 87th 7830 days, 88th 7920 days, 89th 8010 days, 90th 8100 days, 91st 8190 days, 92nd 8280 days, 93rd 8370 days, 94th 8460 days, 95th 8550 days, 96th 8640 days, 97th 8730 days, 98th 8820 days,

Table 8: Drunk Driving—Continued

State	Cook Section	BAC Legal Limit	Rehabilitation Required <sup>a</sup>	Driver's License Suspension <sup>b</sup>	Other Penalties
MISSOURI	477.012 049	10% BAC	1st: Court may order participation and successful completion of alcohol or drug-related traffic offender education or rehab program which meets standards established by Dept. of Public Safety and Dept. of Mental Health	Upon failure to submit to breath test	1st: Class C misdemeanor, \$50 min. and/or up to 3 mos. jail; 2nd within 3 yrs.: Class A misdemeanor, 7 days to 6 mos. jail; 3rd within 3 yrs.: Class D felony, 45 days to 1 yr. jail
MONTANA	61-5-201 205, 61-8 046, 722	10% BAC	Defendant shall complete alcohol information course or alcohol treatment program approved by Dept. of Corrections & Human Services which may include alcohol or drug treatment or both if considered necessary by counselor conducting program	Up to 1 yr. per offense	1st: \$100-500 and up to 10 days jail; 2nd: \$300-500 and 48 hrs. to 30 days jail; 3rd: \$500-1000 and 48 hrs. to 6 mos. jail
NEBRASKA	28-106, 19 669 07, 41 119	10% BAC	None	1st: 6 mos. (if judge orders suspension of sentence or probation, 60 days from time of order); 2nd within 10 yrs.: 1 yr. (if judge orders suspension of sentence or probation, 6 mos. from time of order); 3rd within 10 yrs.: 1 1/2 yrs. (if judge orders suspension of sentence or probation, 1 yr. from time of order)	1st: \$200-500 and 7-30 days jail; 2nd: \$500 and 30 days jail; 3rd: \$500 and 3-6 mos. jail

(Continued)

Table 8: Drunk Driving—Continued

State	Code Section	BAC Legal Limit	Rehabilitation Required?	Driver's License Suspension <sup>1</sup>	Other Penalties
NEVADA	484.379, et seq.	10% BAC	1st or 2nd within 7 yrs. may apply to undergo program of treatment for alcoholism or drug abuse for at least one yr. if classified by physician/counselor as alcoholic or drug abuser; if defendant pays costs and has served jail sentence, 1st. must do educational course on alcohol and substance abuse		1st. \$200-1000 and 2 days to 6 mos. jail or 48 hrs. community service (jail sentence can be lessened if defendant participates in rehab program); 2nd within 7 yrs. \$400-1000 and 10 days to 6 mos. jail; 3rd within 7 yrs. \$2000-5000 and 1 to 6 yrs. jail, in addition to any penalty; civil penalty of \$35 paid to courts
NEW HAMPSHIRE	263:65-a; 265:82	10% BAC	Yes, Impaired Driver Intervention Program, must successfully complete to get license back, must be approved by director of Office of Alcohol and Drug Abuse Prevention and Commissioner	1st. 60 days to 2 yrs.; 2nd. 3 yrs.; 3rd. Indefinite, min. 3 yrs.	1st. up to \$1000; 2nd. within 7 yrs. up to \$1000 and 7 days to 6 mos. jail; 3rd. within 7 yrs. up to \$1000 and 7 days to 6 mos. jail
NEW JERSEY	39:4-50	10% BAC	Screening evaluation referral program and fee requirements of Div. of Alcoholism's Intoxicated Driving Programs Unit and 12-48 hrs. in two consecutive days in Intoxicated Driver Reunite Center and a program of alcohol education and highway safety as prescribed by director of Div. of Motor Vehicles	6 mos. to 1 yr.; 2nd. 2 yrs.; 3rd. 10 yrs.	1st. \$250-800 and up to 60 days jail; 2nd. within 10 yrs. \$400-1000, 30 days community service, and 48 hrs. to 90 days jail; 3rd. within 10 yrs. \$1000 and min. 180 days jail up to 90 days of jail can be exchanged for community service

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Table 8: Drunk Driving—Continued

State	Code Section	BAC Legal Limit	Rehabilitation Required?	Driver License Suspension*	Other Penalties
NEW MEXICO	66-5-29, 66-5-102	10% BAC	May be required by court to enroll in screening program to determine level of abuse and requirements of treatment. If necessary, must complete any recommended treatment program required by court. 1st offense (an alcohol) driver rehab program as a deferred sentence	1st 30 days 1st offense suspension can be avoided by attending driver rehab program	1st \$500-\$500 and/or 30 days jail, 2nd within 5 yrs. up to \$1000 and/or 90 days to 1 yr jail, 3rd or more within 5 yrs. up to \$1000 and max 6 months jail
NEW YORK	Vehicle Traffic §§221	10% BAC	Court may require attendance at alcoholism or "victim impact program"	1st 6 mos., 2nd within 10 yrs., 1 yr	1st \$350-\$500 and/or up to 1 yr jail, 2nd \$500-\$500 and/or max 1 yr jail, Class B felony
NORTH CAROLINA	20-136-1 170	10% BAC at time of test	Assessment may be required for alcoholism and substance abuse and appropriate treatment if necessary	1st 1 yr, 2nd within 5 yrs., 4 yrs. conditionally restored after 2 yrs., 3rd with most recent within 5 yrs. permanent conditionally restored after 3 yrs.	1st up to \$1000 and 7 days to 12 mos. jail, subsequent within 7 yrs. \$2000 and 14 days to 24 mos. jail
NORTH DAKOTA	30-05-31, 30-05-03	10% BAC at time of test given within 2 hrs. of driving	Order for addiction evaluation by appropriate licensed addiction treatment program with appropriate treatment if necessary	1 yr or period as recommended by trial court	1st Class B misdemeanor, min. \$250, 2nd within 5 yrs. Class B misdemeanor, min. \$500 and max. 4 days jail or 10 days community service, 3rd within 5 yrs. Class A misdemeanor, 1st, \$1000 and max. 60 days jail, 2nd within 7 yrs. Class A misdemeanor, \$1000 and 180 days jail
OHIO	1701.10, 1707.16, 1711.19	10% BAC	1st (Driver's Improvement Program) can suspended and reinstated, rehab may be required in reinstatement	1st 60 days to 3 yrs., 2nd within 5 yrs., 120 days to 5 yrs., 3rd within 5 yrs., 180 days to 10 yrs.	1st \$150-\$1000 and 3 days to 6 mos. jail, 2nd within 5 yrs. \$150-\$1000, 10 days to 6 mos. jail, 3rd within 5 yrs. \$150-\$1000 and 30 days to 1 yr jail
OKLAHOMA	Tit. 47 §46- 205 § 11- 902	10% BAC at time of test	Dept. of Mental Health Treatment Program may be required upon evaluation	1st 90 days, 2nd within 5 yrs., 1 yr, 3rd within 5 yrs., 3 yrs.	Up to \$1000 and 10 days to 1 yr jail, subsequent within 10 yrs., up to \$2500 and 1.5 yrs. jail

\*Continued

Table 8: Drunk Driving—Continued

State	Code Section	HAC Legal Limit	Rehabilitation Required?	Driver's License Suspension <sup>1</sup>	Other Penalties
OREGON	161.615, et seq.; R13010, et seq.	0.0% HAC	Mandatory complete exam by court approved agency/organization to determine whether individual has a problem condition involving alcohol or controlled substances. Complete a treatment program if exam shows it necessary, if none necessary, then complete alcohol and drug information program.	1st 1 yr., 2nd within 5 yrs., 3rd within 5 yrs., 4th within 5 yrs.	1st Class A misdemeanor, up to \$2500, up to 1 yr. jail, fees for programs, 2nd <u>impound vehicle in addition to above</u>
PENNSYLVANIA	Tit. 75 1548 1512, 1511	10% HAC	2nd or subsequent offense within 5 yrs. evaluation to determine if person needs or would benefit from treatment for alcohol or drug abuse may order treatment if necessary.	12 mos.	1st min. \$500 and min. 18 hr. jail
RHODE ISLAND	27-21	10% HAC	1st attendance required at special course on DWI or under the influence of controlled substance and/or alcoholic or drug treatment for individual, 2nd drug and alcohol treatment.	1st 3-6 mos., 2nd 1-2 yrs.	1st \$1000 MBI and 10-60 hrs. community service and/or up to 1 yr. jail, 2nd within 5 yrs. \$500 and 10 days to 1 yr. jail, 3rd in addition to 2nd offense penalties, may have car seized and sold by State of Rhode Island and proceeds going to general fund, in addition anyone convicted under this section pays higher 25 assessment fee of \$500.
SOUTH CAROLINA	§6-5-2901 et seq.	"Under influence of intoxicating liquor"	Successful completion of Alcohol and Drug Safety Action Programs created by South Carolina Commission on Alcohol and Drug Abuse prior to revocation/suspension of license.	1st 6 mos., 2nd within 10 yrs., 3rd within 10 yrs., 4th within 10 yrs., 5th within 10 yrs. permanent	1st \$200 and 48 hrs. to 90 days jail or 48 hrs. public service, 2nd within 10 yrs. \$700, \$800 and 48 hrs. to 1 yr. jail or min. 10 days public service, 3rd within 10 yrs. \$1500, \$2000 and 60 days to 1 yr. jail, 4th within 10 yrs. 1-3 yrs. jail

<sup>1</sup>Continued

Table 8: Drunk Driving—Continued

State	Code Section	BAC Legal Limit	Rehabilitation Required?	Driver License Suspension?	Other Penalties
SOUTH DAKOTA	32-23.1-01 (a)	10% BAC	1st required if 17% BAC, court-ordered evaluation	1st min. 90 days to 1 yr., 2nd min. 1 yr., 3rd min. 1 yr. (unconditional), 4th min. 2 yrs.	1st: \$1000 and/or 1 yr. jail; 2nd within 5 yrs: \$1000 and/or 1 yr. jail; 3rd within 5 yrs: \$2000 and/or 2 yrs. jail; 4th: Class 5 felony, 5 yrs. jail and may impose fine of \$5000
TENNESSEE	55-10-401, 403	"Under the influence"	2nd offense may be required to participate in court-approved inpatient alcohol and drug treatment program	1st: 1 yr., 2nd: 2 yrs., 3rd: 3-10 yrs.	1st: \$250-1000 and 48 hrs. to 11 mos., 29 days jail; 2nd within 10 yrs: \$500-2500 and 45 days to 11 mos., 29 days jail; 3rd: \$1000-5000 and 120 days to 11 mos., 29 days jail
TEXAS	Tex. Rev. Civ. Stat. Ann. §7011.1	10% BAC	Evaluation	1st: 90-45 days, 2nd or 3rd: 180 days to 2 yrs.	1st: \$100-2000 and 72 hrs. to 2 yrs. jail; 2nd: \$500-2000 and 15 days to 2 yrs. jail; 3rd: \$500-2000 and 30 days to 2 yrs. jail or 60 days to 5 yrs. state penitentiary
UTAH	41-6-44	10% BAC	1st: assessment and educational series at a licensed alcohol rehab facility; 2nd: same as above and treatment at court's discretion; 3rd: same as above and treatment at alcohol rehab facility is mandatory; 4th: treatment required	1st: 90 days subsequent within 6 yrs. of prior conviction; 1 yr.	1st: Class B misdemeanor, up to \$1000 and 48-240 hrs. jail or 24-90 hrs. community service; 2nd within 6 yrs.: up to \$1000 and 240-720 hrs. jail or 80-240 hrs. community service; 3rd within 6 yrs.: 720-2160 hrs. jail or 240-720 hrs. community service; if prior two convictions were both after 4/23/90, then \$1000-2500 and 240-2160 hrs. jail or 240-720 hrs. community service; 4th within 6 yrs.: if all after 4/23/90, \$1000-5000 and 720-2160 hrs. jail or 240-720 hrs. community service
VERMONT	1201, et seq.	10% BAC	1st: alcohol assessment, screening therapy program or driver rehab if necessary at court's discretion; 2nd: completion of therapy program at court's discretion	1st: 90 days; 2nd: 18 months; 3rd: 3 yrs.; 4th: life	1st: max. \$750 and/or up to 2 yrs. jail; 2nd: up to \$1500 and/or 48 hrs. to 2 yrs. jail; 3rd: up to \$2500 and/or up to 4 yrs. jail

(Continued)

Table 8: Drunk Driving—Continued

State	Code Section	BAC Legal Limit	Rehabilitation Required?	Driver's License Suspension?	Other Penalties
VIRGINIA	18.2-266(1), et seq.	10% BAC	Alcohol Safety Action Program for 1st or 2nd offense at court's discretion	1st: 1 yr.; 2nd within 10 yrs.; 3rd within 10 yrs.; 3 yrs.	2nd within 10 yrs.: \$200-2500 and 1 mo. to 1 yr. jail; 3rd: \$500-2500 and 2 mos. to 1 yr. jail
WASHINGTON	46.61.502 (1), 515	10% BAC	1st: alcohol information course or more intensive treatment program as determined by court; 2nd diagnostic evaluation by alcoholism agency approved by Dept. of Social & Health Services	1st: 90 days; 2nd within 5 yrs.; 1 yr.; 3rd within 5 yrs.; 2 yrs.	1st: \$250-1000 and 24 hrs. to 1 yr. jail; 2nd within 5 yrs.: \$500-2000 and 7 days to 1 yr. jail
WEST VIRGINIA	17C-5-2	10% BAC	Motor Vehicle Alcohol Test and lock program upon revocation of license	1st: min. 6 mos.; 2nd: 10 yrs.; 3rd: life	1st: \$100-500 and 1 day to 6 mos. jail; 2nd: \$1000-3000 and/or 6 mos. to 1 yr. jail; 3rd: \$3000-5000 and/or 1-3 yrs. jail
WISCONSIN	343.30, 346.63	10% BAC	Not mentioned	1st: 6-9 mos.; 2nd within 5 yrs.; 1 yr. to 18 mos.; 3rd or more within 5 yrs.; 2-3 yrs.	1st: \$150-300; 2nd within 5 yrs.: \$300-1000 and 5 days to 6 mos. jail; 3rd within 5 yrs.: \$600-2000 and 30 days to 1 yr. jail; 4th within 5 yrs.: \$600-2000 and 60 days to 1 yr. jail; 5th within 5 yrs.: \$600-2000 and 6 mos. to 1 yr. jail
WYOMING	31-5-233, 31-7-127	10% BAC	No	3rd conviction within 5 yrs.: 3 yrs.	1st: up to \$750 and/or up to 6 mos. jail; 2nd within 5 yrs.: \$200-750 and 7 days to 6 mos. jail

# ANCHORAGE DWI REPEATERS

DWI W/REPEAT OFFENDER - ZERO  
AS OF 08/24/94

*Jim Wolf - Muni Prosecutor*

LAST NAME	FIRST NAME	M	CASE KEY	REPORT NUMBER	OFFENSE DATE	DC YR	DC NBR	RA RES	RPT OFF
MAH	FREDERICK	D	940003755	9489863	19940601	94	0004058	.215	02
	ADELBERT	P	940003965	9497636	19940613	94	0004372	.127	01
	FRANK	L	940004138	94300429	19940617	94	0004470	.000	01
	ANDREW		940005251	94133733	19940803	94	0005687	.225	02
	MICHELLE	Y	940002525	9458601	19940413	94	0002708	.248	02
	MATTHEW	J	940002793	9465728	19940424	94	0003043	.000	02
	ART	A	940005126	94129940	19940729	94	0005529	.199	02
	RONALD	A	930000189	93187572	19931121	93	0008760	.171	01
	KERRY	S	940105086	94129278	19940728	94	0005504	.118	01
	ANNE	M	930000797	93205768	19931225	93	0009583	.335	02
	CHARLES		940003239	9475939	19940511	94	0003505	.246	01
	DOUGLAS	J	940000615	94011708	19940122	94	0000551	.221	02
	WADE	H	940005063	94128239	19940726	94	0005465	.136	01
	KEIL	D	940001596	9438875	19940310	94	0001880	.206	02
	MICHAEL	L	940004580	94115095	19940707	94	0004985	.242	02
	SCOTT	M	930000549	93197663	19931210	93	0009198	.170	01
	JOHN	S	940004588	94115137	19940707	94	0004986	.000	01
	JOHN	J	940003141	9478015	19940514	94	0003575	.157	01
	SARAH		940000435	93869460	19931119	93	0008694	.172	01
	MARY	J	940003231	9475781	19940510	94	0003499	.316	02
	MAUREEN	T	940000267	947760	19940115	94	0000366	.190	01
	AUGUST	E	940005624	94146073	19940822	94	0006158	.164	01
	THOMAS	S	940000436	93199630	19931215	93	0009274	.230	07
	MARY	J	940001591	9438839	19940310	94	0001475	.241	01
	JAM	C	940003984	9496012	19940610	94	0004318	.184	02
	JOHNNY	L	940002413	9456119	19940409	95	0002594	.142	02
	STEVEN	J	940002827	9464522	19940422	94	0002986	.078	02
	ROBERT	H	940001979	9446258	19940323	94	0002191	.235	02
	JOEL	H	940000362	949662	19940118	94	0000428	.200	01
	RICHARD	D	940000943	9420396	19940206	94	0001013	.200	02
	RICHARD	D	940000875	9420396	19940206	94	0001013	.200	01
	WILLIS	L	940003658	9486953	19940528	94	0003961	.232	01
	BRIAN	E	940003805	9491780	19940604	94	0004141	.251	01
	SHELLEY	P	940002044	9447723	19940326	94	0002362	.000	01
	JOHNNIE	C	940003774	9490485	19940602	94	0004086	.296	01
	ROLAND		940002207	9451593	19940401	94	0002389	.000	01
	ROLAND		940000540	9413909	19940126	94	0000645	.382	01
	JULIE	A	940002152	9427984	19940219	94	0002152	.265	01
	JAMES	A	940000370	94007750	19940115	94	0000342	.214	02
	NICHOLAS	M	930000405	93195329	19931206	93	0009066	.079	01
	PAUL		940004628	94114851	19940710	94	0005084	.000	02
	MITCHELL	A	940001826	9444156	19940319	94	0002097	.324	03

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B HILL	RONNELL	J	940000754	9417772	19940201	94	0000851	.000	01
C HILL	KENNY	L	940001592	9438752	19940310	94	0001872	.000	01
C KIKOFF	NICK	A	940001149	9426392	19940217	94	0001326	.195	01
C KIR	EARNEST	G	940000931	9419664	19940205	94	0000986	.210	01
C KIR	DELBERT	A	940001387	9478675	19940514	94	0003598	.215	01
C LIEN	CLIFFORD	C	940001292	9430200	19940224	94	0001469	.000	01
C NIKOFF	ROBERT	G	940000843	946077	19940112	94	0000254	.017	01
C OS	STEVEN	J	940004020	9496281	19940611	94	0004324	.248	01
C RICH	RICHARD	J	940001406	9433665	19940302	94	0001632	.236	03
C RY	MARVIN	R	940002045	9447802	19940326	94	0032266	.237	01

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DWI W/REPEAT OFFENDER = ZERO  
AS OF 08/24/94

LAST NAME	FIRST NAME	M I	CASE KEY	REPORT NUMBR	OFFENSE DATE	DC YR	DC NBR	HA RES	RPT OFF
OK	BRUCE	W	940003896	9493620	19940607	94	0004212	.000	03
OK	LAURA	L	940002950	9467610	19940428	94	0003145	.227	01
OLEY	MICHAEL	T	940001479	9435582	19940305	94	0001714	.151	02
ORRILL	GORDON	C	940003304	9477156	19940512	94	0003537	.167	01
OSOVA	STEVE	A	940001333	9411378	19940226	94	0001537	.181	02
OSART	ROBERT	M	930000215	93189362	19931124	93	0008830	.070	01
OSAN	VICTOR		940003645	94884256	19940530	94	0004005	.342	02
OSGHEEN	JAMES	M	940000346	947164	19940114	94	0000318	.105	02
OSZ	FORTUNATO	A	940002949	9467730	19940428	94	0003147	.000	01
OSWINGS	ERIC		940002728	9461020	19940417	94	0002835	.149	01
OSWID	MARK	C	940003927	9494885	19940609	94	0004279	.220	01
OSWID	SHELBY	F	940004479	94111606	19940703	94	0004877	.143	02
OSWIDSON	DOUGLAS	G	940000773	9417787	19940201	94	0000853	.188	01
OSWIS	RICARDO		940000713	94015600	19940129	94	0000744	.171	03
OSWIS	ROBERT	W	940003519	9483070	19940522	94	0003781	.139	01
OSWISON	GUSAN	M	940001143	9426292	19940217	94	0001316	.191	01
OSWLETTIE	GEPALD	H	940000246	94002752	19940105	94	0000115	.000	03
OSWYDE	LESLIE	M	940003501	9483272	19940521	94	0003759	.144	02
OSWYRE	JEFFREY	K	940000439	93186339	19931118	93	0008690	.000	01
OSWYMON	RICHARD	D	940000147	944446	19940108	94	0000192	.000	02
OSWYSON	LUDENE	S	940001088	9425022	19940214	94	0001257	.259	02
OSWYDIO	MICHAEL	B	940005023	94127031	19940724	94	0005424	.000	01
OSWYFLN	DENNIS	D	940002210	9452353	19940402	94	0002418	.159	01
OSWYTERDAY	PATRICK	L	940005279	94134525	19940804	94	0005727	.220	01
OSWYAN	JEFFREY		940005462	94140031	19940813	94	0005919	.175	01
OSWYSON	ROBERT	L	930000839	93205933	19931225	00	0000000	.145	03
OSWYOLEY	ROBERT	M	940002529	9458849	19940411	94	0002715	.275	01
OSWYBLINDER	JOHN	H	940000556	9413824	19940125	94	0000643	.190	01
OSWYCONKLRA	BILLY	J	940000269	948344	19940115	94	0000382	.118	03
OSWYIS	GREGORY	C	930000314	93192745	19931201	93	0008982	.197	01
OSWYIS	GREGORY	C	930000109	93185301	19931115	93	0008617	.142	03
OSWYER	ROCHELLE	M	940001478	9435554	19940305	94	0001715	.247	02
OSWYVYRUS	RAVAL		940005152	94133974	19940711	94	0005599	.156	01
OSWYSON	TIMOTHY	C	940005154	94130862	19940710	94	0005566	.000	03
OSWYD	CHAD	A	940003653	9487704	19940529	94	0003988	.261	01
OSWYI	BARBARA	L	940002058	9448627	19940327	94	0002291	.000	01
OSWYLAN	CHARLES	J	940000876	9419580	19940205	94	0000987	.600	03
OSWY	ROBERT	W	940004109	94105196	19940624	94	0004624	.255	01
OSWYHGER	MICHAEL	A	940004957	94126597	19940724	94	0005413	.160	02
OSWYHORN	FRANK	A	940000382	9410337	19940119	94	0000450	.000	03
OSWY	KEVIN	.	940001472	9436622	19940306	94	0001768	.150	02
OSWYBLER	ERNEST	L	940001904	9443653	19940318	94	0002077	.146	03

G	PROY	JOSEPH	H	940004546	94111810	19940706	94	0004921	.000	03
G	COLI	MARTHA		930000145	93182774	19931112	93	0008520	.212	01
G	NS	CLAUD	W	930000114	93181844	19931114	93	0008576	.174	01
G	T	RALPH	E	940001635	9440019	19940112	94	0001911	.256	02
G	Y	TED	D	940004908	94124801	19940721	94	0005112	.211	01
G	SCH	BRYAN	E	940002186	9451044	19940401	94	0002146	.157	01
G	Y	KENNETH	H	940004973	94126143	19940721	94	0005193	.248	01
G	BERGEN	DUSTIN	L	940000572	9414459	19940127	94	0000677	.218	02
G		RAUL	C	940000965	9420365	19940206	94	0001011	.168	03
G	HN	JOHN	S	940001974	9496599	19940611	94	0004311	.000	02

15-3+

## DWI W/REPEAT OFFENDER &gt; ZERO

AS OF 08/24/94

LAST NAME	FIRST NAME	M	CASE	REPORT	OFFENSE	DC	DC	DA	RPT
		I	KEY	NUMBER	DATE	YR	NBR	RES	OFF
LINE	WILLIAM	L	940005445	94139961	19940813	94	0005936	.183	03
	JOHNNY	D	940000312	93208777	19931231	93	0009723	.320	01
ERREZ	AROON		940003162	94102357	19940619	94	0004550	.174	01
	JAY	W	940000857	93203784	19931221	93	0009475	.000	01
	KIMBERLY	S	940000160	94003796	19940107	94	0000163	.295	02
ARK	RONALD	H	940003801	9492544	19940605	94	0004165	.000	01
TON	KEVIN	F	930000244	93189959	19931126	93	0001862	.155	01
	JOHN	J	930000245	93189883	19931125	93	0008859	.224	01
ON	GARY	E	940004485	94110865	19940702	94	0004849	.175	01
	DAVID	B	940005513	94141800	19940815	94	0005993	.170	02
	ROY	L	940001332	9411402	19940226	94	0001538	.159	02
	TODD	D	940004478	94111142	19940702	94	0004874	.150	01
S	JACK	R	940004322	94105851	19940625	94	0004642	.175	02
S	TOMMY	M	940000847	94728	19940102	94	0000041	.253	02
Y	MCKINLEY	W	940004767	94120915	19940716	94	0005197	.105	02
RICKSON	GILBERT	A	940004866	94123251	19940719	94	0005274	.217	01
RIX	RUSSELL	J	940001336	9411809	19940226	94	0001549	.157	02
Y	JAMES	E	940004824	94122932	19940718	94	0005261	.000	03
Y	JAMES	E	940001173	9426867	19940218	94	0001352	.174	02
ERA	JOSE	R	940002316	9454129	19940406	94	0002485	.000	01
MANNI	CHARLES		940001639	9439308	19940111	94	0001894	.000	08
OG-KANAYURA	MARTHA	M	940004949	94126824	19940725	94	0005420	.331	02
	RANDALL	L	940000446	93187872	19931121	93	0008771	.269	01
	WILLIAM	L	940001334	9431250	19940226	94	0001529	.168	01
	ROBERT	D	930000291	93191240	19931129	93	0008936	.185	01
BERT	STEVEN	G	940000863	93201284	19931220	93	0009439	.206	04
RE	ARNOLD	K	940001290	9429884	19940223	94	0001458	.000	02
	DANIEL	A	940003125	9473464	19940507	94	0003434	.217	01
	STEVEN	R	940003010	9469678	19940501	94	0003739	.241	01
CHER	MARIA	R	940005151	94130777	19940729	94	0005564	.129	02
CHER	MARIA	R	940003146	9473416	19940507	94	0003427	.144	01
REY	RODNEY	C	930000669	93201495	19931218	93	0009394	.000	02
MAN	ROBERT	E	940001408	9433588	19940302	94	0001627	.000	02
MAN	SCOTT	J	940000761	9417936	19940202	94	0000862	.168	01
SON	GRANT	T	940001605	9485501	19940525	94	0003889	.178	03
SON	GRANT	T	940002988	9464067	19940422	94	0002988	.171	02
	ROY	D	940002222	9452965	19940404	94	0002442	.000	01
GG	RONALD	L	940001739	93201225	19931217	93	0000000	.000	03
TT	JAMES	J	940000167	93208644	19931231	93	0009716	.166	01
REE	MICHAEL	V	940000591	9414896	19940127	94	0000706	.000	03
WCS	CHARLES	B	930000486	93196067	19931207	93	0009109	.185	01
SON	MISTY	K	930000981	9386337	19930605	93	0004388	.304	01

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MICHAEL	B	930000393	93174963	19930806	93	0007690	.000	01
ROBERT	C	930000290	93190936	19931128	93	0008919	.000	03
THOMAS	W	940002289	9453483	19940404	94	0002468	<u>.193</u>	<u>02</u>
SCOTT	E	930000317	93192832	19931202	93	0008985	.185	01
BARBARA	A	940001314	9430715	19940225	94	0001500	.000	01
EDWARD	J	940005297	94136523	19940807	94	0005794	.202	01
STEVEN	E	940003632	9486093	19940526	94	0003920	.064	01
ROBERT	D	940001027	9423540	19940212	94	0001205	.134	06
KALEILANI	F	940000733	9417349	19940201	94	0000830	.227	01
DOLLY		940004338	94105991	19940125	94	0004650	.263	01

Handwritten notes and scribbles in the top right corner.

(2/4)

DWI W/REPEAT OFFENDER > ZERO  
AS OF 08/24/94

LAST NAME	FIRST NAME	M I	CASE KEY	REPORT NUMBER	OFFENSE DATE	DC YR	DC NR	DA PRU	PDT OFF
WICK	ROBERT	G	930000505	93197015	19931211	93	0009207	215	01
WITEN	DERWIN	R	940000009	94300585	19940101	94	0000036	152	01
WYCHAK	ELIZABETH	B	930000743	93202804	19931220	93	0009632	107	02
WYSSER	CHARLES	D	940003514	9403631	19940523	94	0003797	162	01
	JOHN	M	930000519	93198269	19931212	93	0009217	209	02
WYSH	DAGNEY	J	940001613	94. 60	19940301	94	0001623	000	01
	KENNETH	M	940000592	94150 1	19940128	94	0000771	191	03
WYLEY	ARTHUR	P	9.0000577	93199300	19931214	93	0009246	135	01
WYLI	FREEMAN	I.	940003825	9492103	19940605	94	0004152	101	01
WYLAKEOFF	ARTEMON	A	940003005	9470135	19940501	94	0001252	229	01
	WILLIAM	J	930000213	93188514	19931123	93	0006802	000	01
WYNGER	BRIAN	D	930000650	93200969	19931217	93	0009354	197	01
WYWOOD	WALTER	R	940002155	9450140	19940330	94	0002325	000	04
WYMER	RICHARD	M	940002345	9454568	19940406	94	0002499	000	03
WYNTZ	WALTER	E	940000150	943983	19940108	94	0009171	191	01
	REIBEN	G	940000571	9414514	19940127	94	0000681	250	01
WYNEY	EDITH	M	940001335	9431964	19940227	94	0001556	206	01
	STEVEN	A	940001175	9426910	19940218	94	0001353	173	01
WYETT	CHRIS	E	940005680	94145297	19940820	94	0006143	255	02
WYETTE	JEFFERSON	A	930000035	93158564	19930930	00	0937464	000	04
WYFIELD	EDWARD		940003120	9474033	19940508	94	0001647	135	01
WYIN	DOMINICK	G	940003288	9477328	19940513	94	0003549	267	01
WYINEZ	JUAN	C	940005685	94145460	19940821	94	0006150	137	04
WYOCK	PAUL	D	940003495	9481974	19940520	94	0003751	000	02
WYON	PHYLLIS	A	940000795	9418451	19940203	94	0000890	169	02
	CHRISTOPHE		940005678	94145442	19940821	94	0006144	195	01
WYTH	JOHNNY		940000698	9416122	19940129	94	0000765	128	02
WYTOR	CORY	M	940001042	9424503	19940213	94	0031240	144	02
WYVIN	EDWARD	T	930000192	93188542	19931123	93	0008804	192	02
WYWER	VIOLET	E	940004171	94101630	19940618	94	0004522	239	01
WYX	ANGELIS	J	9.0000677	93202280	19931219	93	0009415	245	02
WYXIS	JAMES	J	940004582	94115105	19940707	94	0006784	000	02
WYTER	MICHAEL	E	940004286	94104325	19940622	94	0004599	121	02
WYEDOFF	TIM	O	940000853	94000155	19940101	94	0000015	214	01
WYELIEP	LAURENCE	R	940001486	9436238	19940306	94	0001754	263	01
WYER	NORMAN	E	940004238	94103170	19940621	94	0004573	000	01
WYR	TANNY	E	940004980	94126370	19940723	94	0005397	000	01
	MICHAEL	J	940003393	9477995	19940514	94	0003572	144	03
WYELL	MICHAEL	L	940006228	94101547	19940618	94	0004528	020	03
WYMO	HARRY	S	940000807	9419018	19940204	94	0000933	195	01
WYOR	MICHAEL	M	930000185	93187524	19931121	93	0000755	174	02
WYMER	DAVID	M	940000764	9418397	19940203	94	0000885	193	03

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L	93000551	9319764	8991270	93	000310	288	01
S	90003979	9496717	1990611	94	0094137	239	02
R	93000331	93193011	19931203	93	0099005	225	02
A	90003611	9405161	19940523	94	0093973	939	02
D	90005379	94137101	19940059	94	0095920	107	02
A	94000102	9401197	19940313	94	0001944	231	01
B	94003700	9490015	19940002	94	0000004	150	02
E	93000375	93199207	19931510	93	009240	100	01
M	90005500	94143090	19940010	94	00010	139	01
L	94003102	9471960	19940520	94	4003351	203	01

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DNI W/REPEAT OFFENDER - ZERO  
AS OF 08/26/94

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2-1-94

LAST NAME	FIRST NAME	M	CASE	REFRMT	OFFENSE	DC	DC	PA	DPT
.....	.....	I	KEY	NUMBER	DATE	TR	MNR	REG	OFF
ELSON	HOMARD	B	940004344	94105721	19940626	94	0004641	180	02
EEZ-MORALES	JOSE	R	940003600	9405581	19940526	94	0003894	264	03
EEZ-MORALES	JOSE	R	940000361	9410441	19940130	94	0000452	246	01
	CHARLES	M	940004625	9496876	19940611	94	0006247	192	01
	LAURA	C	940004264	94103523	19940621	94	0004509	240	01
	ROY	B	940004934	94127057	19940725	94	0005426	000	01
AD	JULIE	A	930000332	91193400	19911203	93	0009002	224	01
KEY	SCOTT	M	940000920	9419460	19940204	94	0000976	171	01
	DALE	T	940000612	94011011	19940121	94	0000510	152	01
	DAVID	F	940001160	9420142	19940220	94	0001394	000	01
IZ	ROBERT	P	940004972	94128365	19940723	94	0004804	000	01
	JONATHAN	B	940002902	9400324	19940627	94	0003170	232	02
IST	DIBSON	C	940001037	9424215	19940221	94	0003222	257	01
	JOHN		940004623	94114741	19940110	94	0003661	100	01
	FRITZ	L	940004331	94107257	19940627	94	0004690	207	01
	RUSSELL	L	940002099	9467150	19940627	94	0003116	100	03
	GENE	T	940000466	9411575	19940121	94	0000519	900	01
	WILLIAM	R	940000144	91200862	19911211	91	0009125	200	02
	TONY	V	940004709	94118569	19940712	94	0009125	107	03
	TONY	V	910000143	91107416	19911120	91	0000741	000	02
	CLINTON	M	930000315	91173149	19911202	91	0000992	211	01
	DALLAS	A	940001016	9424309	19940310	94	0001214	104	01
	DAVID	J	940003357	94135460	19940806	94	0001150	212	01
OFF	ROBERT	E	940003577	9404950	19940525	94	0001050	214	02
ILLE	KENNETH	O	940000703	9415117	19940120	94	0000115	391	01
	FRANFLIN	R	940003329	9479032	19940515	94	0001407	600	01
	JACKIE	L	930000037	91110752	19911001	91	0007194	112	03
	JIM	L	930000009	91203950	19911225	91	0000003	219	01
	MARY	S	940001196	9427103	19940222	94	0001410	141	01
	CHRISTOPHE	R	940004079	9498971	19940615	94	0004827	200	01
OB	GARY	M	940004014	94122975	19940710	94	0003261	171	01
OB	GARY	M	940001107	9427940	19940310	94	0001107	140	01
EN	ARTHUR	M	940004740	94121912	19940717	94	0004272	900	01
	JOHN	M	940003115	9454117	19940605	94	0002462	201	01
AN	LUCILLE		940004604	94100613	19940629	94	1994701	000	01
	KEVIN		940003040	9470409	19940523	94	0001291	127	01
TP	ALEXANDER	S	940001110	9410699	19940225	94	0001409	095	01
	JAMES		940001032	9424401	19940214	94	0001210	219	01
ALL	LANCEL	S	930000102	91107011	19911120	91	0000770	101	01
DORE	DALE	B	930000344	9119464	19911207	91	0000410	000	03
DORE	HERBERT	M	930000211	91190071	19911127	91	0000923	124	01
DORE	DOMINIC	T	940001015	9420223	19940210	94	0001222	000	02

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NAME	INITIALS	SSN	DOB	AGE	SEX	RACE	REL	STATUS	DATE	TIME	AMOUNT	REMARKS
OTTO		91000623	01200001	19331216	93	0009312	257	04				
HELEN		91000338	9431789	19340226	94	0001547	166	01				
JOHN		94002420	9457229	19340410	94	0002625	508	02				
MARK		94002423	9437172	19340410	94	0002622	114	02				
TROY		94004174	9402035	19340619	94	0006541	060	01				
CHRISTOPHE		91000008	9348263	19331114	93	0000579	177	01				
JAMES		93000310	9319051	19331128	93	0000917	156	01				
TIMOTHY		94000850	9412187	19340123	94	0000577	173	01				
BILLY		94001537	9437281	19340108	94	0001703	000	01				
GLENN		91000339	9339314	19331203	93	0000023	1000	03				

DMI W/BEPRAT OFFENDER > ZERO  
AS OF 08/24/96

LAST NAME	FIRST NAME	M	CASE KEY	REPORT NUMBER	OFFENSE DATE	DC YR	DC NBR	BA RES	PVT OFF
TAYLOR	THOMAS	M	940001409	9433503	19940301	94	0001624	211	02
OK	STEVEN	L	940000860	93209179	19931231	94	0000001	203	03
OK	STEVEN	L	940000420	93174014	19931020	94	0000514	000	03
	CRISTIAN		940003396	9471894	19940516	94	0003610	237	01
HI	TERRY	J	940000801	9418801	19940203	94	0000921	000	02
MAN	FERNETH	O	940000862	93191005	19931120	93	0000925	000	01
	DAVID	A	940004107	94997	19940616	94	0004445	172	01
	MARTY	O	940000705	9411121	19940121	94	0000515	000	01
CH	CARYN	E	940004202	94101922	19940619	94	0004530	125	01
	LARRY	B	940001362	9411246	19940226	94	0003511	176	01
	JAMES	D	940001626	9419770	19940312	94	0003922	130	01
WACHEN	GREGORY	C	930000747	93203180	19931220	93	0009410	205	01
	MALTER	L	940001390	9432904	19940101	94	0003535	205	02
LLIE	GUSTY		940000797	9410404	19940203	94	0000800	175	02
NS	KAREN	M	940002399	9455943	19940408	94	0003504	153	02
NS	KAREN	M	940001331	9431302	19940226	94	0003535	202	01
H	TOMI	S	940000910	9419600	19940205	94	0000905	167	01
	CLEO	C	940000162	94001742	19940104	94	0000071	267	07
ER	DON	A	940001010	9424260	19940213	94	0001232	145	02
	RALPH	P	940001790	9403063	19940310	94	0002047	100	01
LAKE	GARY	K	940001924	9446272	19940320	94	0002110	293	01
ONA	JONATHAN		940003162	9426106	19940216	94	0001110	101	02
RE	BOY	M	940000707	9415516	19940120	94	0000741	257	01
TE BEAR	LARRY	D	940004093	94124253	19940720	94	0005301	000	04
MORE	CARE	J	940000309	94006453	19940112	94	0000265	107	02
ET	DANIEL	E	940000565	94012247	19940122	94	0000566	000	02
JAMES	KEVIN	D	940001635	9406199	19940527	94	0003023	105	01
JAMES	PAUL	D	930000087	93108169	19931114	93	0000591	244	02
JAMES	SHIRLEY	A	930000084	93106491	19931119	93	0000695	000	01
OT	TIMOTHY	B	940005123	94129040	19940729	94	0005526	257	02
IN	JASON	B	940004347	94106272	19940625	94	0004657	204	01
IN	JEFFREY	A	940004340	94105962	19940625	94	0004617	105	01
IN	WILLIP	J	940004092	94124339	19940720	94	0005104	236	02
CH	RALPH	M	940003931	9495421	19940610	94	0004291	000	02
	BRETT	A	940003021	9449061	19940430	94	0003225	000	01
ER	MICHAEL	L	940001191	9427429	19940219	94	0003379	192	02
	AARON	O	940003397	94130559	19940011	94	0003064	204	02
	AARON	O	940003075	9433373	19940607	94	0004201	000	01
INS	JEFFREY	B	940003704	9402026	19940403	94	0004103	234	01

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**SB**

**5**

FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO. SB 5

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

Department Affected: Office of the Governor

Title: Election Ballots

BRU: Division of Elections

Component: General and Primary

Sponsor: Senator Kelly

COMPONENT SERIAL NO. 22

Requestor: \_\_\_\_\_

EXPENDITURES/REVENUES:

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL	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 &	0	0	0	0	0	0
GRANTS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE						
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FUNDING:

1002 Federal	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	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

POSITIONS:

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

Estimate of current year (FY95) impact: 0

ANALYSIS: (Attach a separate page if necessary.)

Prepared by: David Kolvunomi, Acting Director  
Division: Division of Elections

Phone: 465-4611  
Date: 2-13-95

Approved by Commissioner: Fran Ulmer, Lieutenant Governor  
Agency: Office of the Governor

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

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# SENATE COMMITTEE REPORT

First Committee of Referr

DATE: 1/16/95

FURTHER: Finance

Date of 5-Day Notice: 2/19/95  
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: \_\_\_\_\_

State Affairs      Committee considered      SB 5

"An Act prescribing the use and characteristics of voting booths employed in elections and the color of ballots used in state primary elections."

and recommends:

- be replaced with \_\_\_\_\_ CS SB 5 ( STA )
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ ( \_\_\_\_\_ )
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

Senate Bill:  
 same title  
 new title  
House Bill:  
 technical change  
 new: SCR# \_\_\_\_\_

SIGNING WITH RECOMMENDATIONS:	DP	DNP	NR	AM
<i>John A. Leman</i>	✓			
<i>Roll E. ...</i>	✓			
<i>[Signature]</i>				
<i>[Signature]</i>			✓	
<b>CHAIR:</b> <i>[Signature]</i>	✓			

**NEW FISCAL NOTE(S):**

Department	Date	Zero	Fiscal
GOVERNOR	2/19/95	✓	

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Zero	Fiscal

MEMBER

TENTH ALASKA LEGISLATURE  
ELEVENTH ALASKA LEGISLATURE  
TWELFTH ALASKA LEGISLATURE  
THIRTEENTH ALASKA LEGISLATURE  
FOURTEENTH ALASKA LEGISLATURE  
FIFTEENTH ALASKA LEGISLATURE  
SIXTEENTH ALASKA LEGISLATURE  
EIGHTEENTH ALASKA LEGISLATURE

ALASKA STATE SENATE



SENATOR TIM KELLY

STATE CAPITOL  
JUNEAU, ALASKA 99601-1182  
(907) 465-3822  
FAX (907) 465-3756

716 WEST 4TH, SUITE 400  
ANCHORAGE, ALASKA 99501  
(907) 258-8180  
FAX (907) 258-4524

Sponsor Statement  
CS SB 5 ( )

Privacy of Voting

This past election many of the voters in my district and throughout the state complained about two things: different colored ballots and the new curtainless suitcase voting booths. This legislation is designed to address these concerns by ensuring the secrecy of ballots and the privacy of voting in two ways: by requiring that half of all booths at each precinct be curtained booths, and by having all primary ballots printed on white paper only.

As it stands now the secrecy of voting in this state is severely compromised. There simply have not been enough curtained voting booths at all polling places; in fact, my own precinct had just one curtained booth. As well, these new suitcase voting booths the division is utilizing have lower walls and no curtain, so that one can simply look over and see the ballot of the next voter. Finally, with the different colored ballots in the primary, as one carries their ballot and their stubs through the precinct, and when one wears their "I Have Voted" stubs the selection of ballot is obvious and not private or secret.

The ballot a voter chooses and how he or she casts their vote is a secret matter, not to be shared indiscriminately without consent. The secret ballot is one of the basic protections in a democracy. This legislation remedies these corruptions of the voting process, and carries a zero fiscal note.

9-LS0075V  
Chenoweth  
2/10/95

## CS FOR SENATE BILL NO. 5( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY

Offered:  
Referred:

Sponsor(s): SENATORS KELLY, Salo

A BILL

FOR AN ACT ENTITLED

1 "An Act prescribing the use and characteristics of voting booths employed in elections  
2 and the color of ballots used in state primary elections."

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

4 • Section 1. AS 15.15.060(a) is amended to read:

5 (a) Immediately following the appointment of the election board, the election  
6 supervisor in conjunction with the election board ~~chair~~ [CHAIRMAN] shall secure  
7 polling places for holding the election, suitable ballot boxes ~~that~~ [WHICH] will assure  
8 security, and an adequate number of voting booths or screens, national flags, pens, and  
9 pencils. ~~At every polling place, at least one voting booth shall be furnished and not~~  
10 [NOT] less than one voting booth or screen shall be furnished for each 100 votes or  
11 fractional part of 100 votes cast in the previous election. ~~At every polling place, at least~~  
12 ~~one-half of the voting booths used shall be not less than six feet in height, enclosed~~  
13 ~~on three sides, and provided with a curtain extending from the top of the voting~~  
14 ~~booth to within approximately 30 inches of the floor. The curtain of the voting~~

1 booth must conceal the voter while voting. The election supervisor and the election  
2 board chair [CHAIRMAN] may, in an emergency, secure an alternate location for a  
3 polling place.

4 • Sec. 2. AS 15.15.060(b) is amended to read:

5 (b) To assure administrative economy and to protect the secrecy of the  
6 ballot, the [THE] director may adopt regulations prescribing

7 (1) the type of polling place for holding the election;

8 (2) [AND] the requirements regarding ballot boxes, voting [BOOTHs,]  
9 screens, national flags, and other supplies; and

10 (3) subject to the specifications of (a) of this section, the requirements  
11 regarding voting booths [TO ASSURE ADMINISTRATIVE ECONOMY AND TO  
12 PROTECT THE SECRECY OF THE BALLOT].

13 • Sec. 3. AS 15.25.060 is amended to read:

14 Sec. 15.25.060. PREPARATION AND DISTRIBUTION OF BALLOTS. The  
15 primary election ballot shall be prepared and distributed by the director in the manner  
16 prescribed for general election ballots except as specifically provided otherwise for the  
17 primary election. The director shall print the ballot on white paper as for the general  
18 election ballot and place the names of all candidates who have properly filed in groups  
19 according to offices filed for, without regard to party affiliation. The names for each  
20 office shall be rotated as provided for the general election ballot. Blank [NO BLANK]  
21 spaces may not [SHALL] be provided on the ballot for the writing or pasting in of  
22 names.

**SB**

**6**

# FISCAL NOTE

**STATE OF ALASKA**  
**1995 LEGISLATIVE SESSION**

**BILL NO: SB 6**

Revision Date: \_\_\_\_\_ Dept. Affected: Public Safety  
 Title: An Act relating to registration of a motor BRU: Motor Vehicles  
vehicle and suspension of a driver license Component: Driver Services & Field Services  
 Sponsor: Senator Taylor  
 Requestor: (S) State Affairs COMPONENT SERIAL NO. 0500 & 0502

**EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)**

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	75.1	75.1	75.1	75.1	75.1	75.1
TR/FEI						
CONTRACTUAL	2.7	2.9	2.9	2.9	2.9	2.9
SUPPLIES	1.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT	20.0					
LAND & STRUCTURES						
GRANTS CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>104.8</b>	<b>79.0</b>	<b>79.0</b>	<b>79.0</b>	<b>79.0</b>	<b>79.0</b>
<b>CAPITAL EXPENDITURES</b>	<b>0.</b>	<b>0.</b>	<b>0.</b>	<b>0.</b>	<b>0.</b>	<b>0.</b>
<b>CHANGE IN REVENUES</b> (1004) Revenue Code	<b>416.2</b>	<b>416.2</b>	<b>416.2</b>	<b>416.2</b>	<b>416.2</b>	<b>416.2</b>

**FUNDING: (Thousands of Dollars)**

1002 Federal Receipts						
1003 GE Match						
1004 GE	104.8	79.0	79.0	79.0	79.0	79.0
1005 GE/Program Receipts						
1006 GE/MHTIA						
Other						
<b>TOTAL</b>	<b>104.8</b>	<b>79.0</b>	<b>79.0</b>	<b>79.0</b>	<b>79.0</b>	<b>79.0</b>

Estimate of current year (FY 95) impact: \$ \_\_\_\_\_

**POSITIONS:**

FULL-TIME	2	2	2	2	2	2
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS (Attach a separate page if necessary)

SEE ATTACHED

Prepared By: Juanita M. Hensley Phone: 465-2650  
 Division: Motor Vehicles Date: 1/26/95  
 Approved by Commissioner: *Ronald L. Otte* Date: 2/1/95  
 Agency: Ronald L. Otte, Dept. of Public Safety

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DPS FISCAL ANALYSIS  
3B 6

This bill allows the courts to suspend a driver's license of a person who has failed to appear in court or failed to pay a fine for a moving traffic offense. The court has advised there are 25,000 moving violations each year where the person fails to pay the fine or fails to appear in court for these offenses. Assuming the court suspends the driver's license of 10 percent or 2,500 driver's license each year.

This bill impacts the Division of Motor Vehicles by resulting to 4,750 updates to the driving record of the persons whose license is being suspended. One computer entry to add the suspension to the driving record, and another entry to end the suspension once the person has complied. Reinstating the driver's license will also impact the DMV field offices. The Motor Vehicle Representative will be required to see proof from the court that the person has complied with the court requirements by, appearing in court, or by paying the fine for the moving violation. It is estimated 90 percent of all persons whose license is suspended will reinstate their driving privilege. A \$100.00 reinstatement fee is charged anytime a person has had their license suspended or revoked within the 10 years preceding application for a driver's license. It is estimated 1,125 individual's will pay the \$100. If the license was suspended or revoked more than one time within the 10 years preceding application for a driver's license, the reinstatement fee is increased to \$250. It is estimated 1,125 will pay the \$250. A person will also have to pay a duplicate license fee of \$10 prior to the license being issued. The amount of additional new general fund program receipt revenue generated by this bill is approximately \$416.2

Total number of suspension notices received from the courts by DMV

2,500

Total number of suspension notices being ended when a person has complied with the courts

2,250

Total number of license reinstated

2,250

	<u>FY 96</u>	<u>FY97</u>
<u>Personal Services</u>		
Administrative Clerk III (Juneau)	\$38.4	\$38.4
Motor Vehicle Representative II (Anchorage)	\$36.7	\$36.7
<u>Contractual</u>		
Computer line Charges (Mainframe connection) \$0.5 per workstation	\$1.0	\$1.0
Postage 1st class mail	\$0.8	\$0.8
Postage is for 2,500 courtesy letters informing the individual of the effective date of the license suspension.		
Telephone lease & line charges	\$1.1	\$1.1
Redesign and printing of traffic citations	\$5.8	
<u>Supplies</u>		
Routine office supplies	\$1.0	\$1.0
<u>Equipment</u>		
2 Computer Workstations @ \$10.0 each (One time costs)	\$20.0	
<b>TOTAL</b>	<b>\$104.8</b>	<b>\$104.8</b>

# FISCAL NOTE

BILL NO: 586

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_ Dept. Affected: Public Safety  
 Title: An Act relating to registration of a motor vehicle BRU: Alaska State Troopers  
 Sponsor: Senator Robin Toivola Component: Detectors  
 Requestor: 151 State Affairs Component Terminal No. 0799

EXPENDITURES, REVENUES (Thousands of Dollars) (Inflation not included)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.	0.	0.	0.	0.	0.
CAPITAL EXPENDITURES	0.	0.	0.	0.	0.	0.
CHANGES IN REVENUES	0.	0.	0.	0.	0.	0.
TRANSFERS IN						
TRANSFERS OUT						

FUNDS: (Thousands of Dollars)

1002 Federal Receipts						
1003 Of Match						
1004 Of						
1005 Of Program Receipts						
1006 Of Match						
Other						
TOTAL	0.	0.	0.	0.	0.	0.

ESTIMATE OF CURRENT YEAR (FY 98) IMPACT: 0.

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

ANALYSIS: (Attach a separate page if necessary. See attached discussion)

Prepared By: George C. Allen Date: 01/21/96  
 Division: Alaska State Troopers  
 Approved By Commissioner: [Signature] Date: 2/1/96  
 Agency: Alaska Dept. of Public Safety

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Division of Alaska State Troopers  
Fiscal Note Analysis  
Senate Bill 6

In Alaska, there are approximately 27,000 driver's licenses in a suspended or revoked status. The Alaska State Troopers apprehend approximately 8%, or about 2,000 people operating motor vehicles with suspended or revoked licenses per year. The Alaska Court System indicates that if the bill passes, they would present an additional 2,500 licenses for suspension per year. Currently, about 25,000 traffic citations are not paid per year.

Most of these cases are handled relatively quickly through the court system either at arraignment or a change of plea proceeding relatively soon afterwards. About 10-15% of the cases move through the court system towards a trial, and have evidentiary hearings and occasionally some trials.

Currently, very few troopers are available for proactive traffic enforcement, and this is not expected to change. While it is likely that additional cases of Driving with a Suspended License (DWLS) would be encountered by troopers, at this time it is difficult to estimate how many cases would be affected or their exact costs. It is possible that the department may have to prepare a request for additional funds in the future if these costs prove to be significant.

# Alaska State Legislature



Senate Majority Leader  
Chair, Judiciary Committee  
Chair, Law, Community &  
Regional Affairs

Member, State Affairs Committee  
Committee on Committees  
Western States Legislative Forestry Task Force  
Legislative Council

State Capitol  
Juneau, Alaska 99801-1192  
907-586-1671  
Fax: 907-586-1922

112 Front Street  
Ketchikan, Alaska 99901  
907-225-6166  
Fax: 907-225-0711

*Senator Robin L. Taylor*

## MEMORANDUM

**TO:** Senator Bert Sharp, Chairman  
Senate State Affairs Committee

**FROM:** Senator Robin L. Taylor *R.L.T.*

**DATE:** 1/20/95  
**REF:** Hearing Request

.....

This is to request a hearing at your earliest convenience on Senate Bill 6, Driver's Lic. Revoc.

I appreciate your co-sponsorship of this bill and, since we passed it in the Senate last year, I hope we can move it through the process quickly this time around.

Joe Ambrose will be happy to provide any back-up material you may need in advance of a hearing.

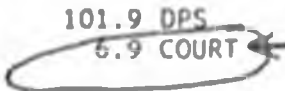
Thank you in advance for your consideration.

BASIS

Fiscal Note Summary

##	Amended Name	S	Date	Amount	Department
		FN#	H	Publ	(Thousand)
-----					
ACTION TAKEN BY THE SENATE					
1	SB 166	001	S	04/13/94	54.9 COURT
2	CSSB 166(TRA)	001	S	04/13/94	54.9 COURT
3	CSSB 166(JUD)	002	S	04/19/94	101.9 DPS
4	CSSB 166(FIN)	002	S	04/19/94	101.9 DPS
5	CSSB 166(FIN)	003	S	04/25/94	6.9 COURT
6	CSSB 166(FIN)(TITLE AM)	002	S	04/19/94	101.9 DPS
7	CSSB 166(FIN)(TITLE AM)	003	S	04/25/94	6.9 COURT

*LAST YEAR'S  
FISCAL NOTE  
FOR  
SAME BILL*



\* Previously Published Fiscal Note Applies to this Bill Version

Selection=>

PF1	PF2	PF3	PF4	PF5	PF6	PF7	PF8	PF9	PF10	PF11	PF12
HELP		EXIT	MENU	TEXT	PRINT						QUIT

# Alaska State Legislature

Chairman  
Judiciary Committee

Member  
Transportation Committee

Member  
Resources Committee  
Western Legislative Forestry Task Force



*Senator Robin L. Taylor*

State Capitol  
Juneau, Alaska 99801-1192  
907-465-4873  
Fax: 907-465-3022

152 Front Street  
Ketchikan, Alaska 99801  
907-225-8088  
Fax: 907-225-0713

## SPONSOR STATEMENT

### SENATE BILL 6

Before the Senate State Affairs Committee  
February 2, 1995

The intent of this legislation is to encourage individuals to make court appearances and pay outstanding fines related to moving vehicle citations and parking offenses.

Senate Bill 6 is designed to provide the court system and municipalities throughout Alaska with additional leverage in the collection of fines. It would also apply to an individual who fails to appear in court, as ordered.

This legislation passed the Senate on a 17-3 vote last year as Senate Bill 166.

SB 6 would be a valuable tool for use by the courts in addressing the problems created by those who choose to ignore the law, especially those who fail to make court-ordered appearances or to pay fines imposed by the court.

The bill is based on statutes from other states. The experience in the state of Washington indicates that over 50 percent of those who receive notice of possible sanctions clear up outstanding matters within one week.

SB 6 ties the failure to settle moving violations to driver's licenses and parking violations to vehicle registration, which mirrors California law.

# Alaska State Legislature

Legislative Research Agency



130 Seward Street, Suite 218  
Juneau, Alaska 99801-2196

Phone: (907) 463-3991  
Fax: (907) 463-3351

February 23, 1993

## MEMORANDUM

TO: Senator Robin Taylor

FROM: Christine M. Cheff *Cheff*  
Legislative Analyst

RE: Sanctions for Failure to Pay Traffic Fines or Make Court Appearances  
Research Request 93.116

You asked about the Hawaii, Oregon and Washington laws which pertain to sanctions imposed for failure to pay traffic fines or to make related court appearances. Additionally, you wanted to know if there were any problems with implementation of the laws, and whether driver's license revocation and nonrenewal of vehicle registration are effective sanctions. Your request is related to draft legislation that is modeled on California Vehicle Code 40509.

From our analysis of the Hawaii, Oregon and Washington laws it is clear that a differentiation is made between a parking violation sanction, generally nonrenewal of vehicle registration, and a moving violation sanction which affects driving privileges. That differentiation was also noted in our previous analysis of the California law upon which your draft bill is based.<sup>1</sup>

In the states you asked about, Oregon is the only one which suspends a driver's license for failure to appear in court or to pay fines for moving traffic violations, whereas, Hawaii and Washington have nonrenewal provisions. None of the three states suspend vehicle registrations for failure to pay parking fines. Washington does, however, have a proviso against renewal of a vehicle registration if the registrant has more than two outstanding parking violations.

---

<sup>1</sup>Christine Cheff, "Draft Bill -- Fines and Court Appearances," Legislative Research Agency Memorandum 91.193, 1991.

No legal opinions related to the sanction laws appear to have been issued, either by the courts or by the states' attorneys general.<sup>2</sup>

Although we spoke with court personnel about the effectiveness of sanctions, most of the information we obtained was from persons employed in the driver's license and motor vehicle registration departments in each state. The primary responsibility for enforcing court suspensions or nonrenewal orders, as well as for maintaining recordkeeping systems, falls to those departments. The persons with whom we spoke were knowledgeable concerning the application of sanctions and provided general overviews of their effectiveness. Although we were unable to determine what initial problems may have been encountered with implementing the sanctions programs, the principal recommendation we received from the departments contacted was that an automated recordkeeping system and communications link should be in place before implementation.

Summaries of our contacts with the staff of various agencies and of the individual state laws are provided below.

## Hawaii

Highway Safety Code Section 286-109 provides that anyone who fails to respond to a traffic citation or summons for violation of traffic laws, or who fails to comply with orders of the court, may be denied issuance or renewal of a driver's license. There is no provision for revocation or suspension of driving privileges.

The municipal courts on each island are responsible for notifying the respective traffic violations divisions about outstanding fines or citations. That information is entered into a computerized recordkeeping system which serves as the checkpoint when a person makes application for or attempts to renew a driver's license. Although each island has a traffic violations division, there is no electronic link between their recordkeeping systems. According to Milton Hee, manager of the Honolulu Traffic Violations section, the computer systems throughout the islands are very old and it is, therefore, impossible to track the number of persons currently on suspension or nonrenewal status. The only comprehensive source for that information is a computer printout. When an outstanding obligation has been satisfied, the court will issue a clearance notice to the traffic violation division and the person's name is removed from the computer.

---

<sup>2</sup>We conducted a WESTLAW search of the Attorney General Opinions and case law for Hawaii, Oregon and Washington, and called the Attorney General's office in Oregon.

Hawaii does not have a statutory provision for suspension or nonrenewal of a vehicle registration for outstanding parking fines. Persons who fail to respond to a summons or citation for an illegally parked vehicle may be issued a penal summons to appear in court (Traffic Code Section 291C-168). Failure to appear in court can result in the person's arrest (Traffic Code Section 291C-169).

### Oregon

Under Oregon law (ORS 809.210 and 809.220), failure to appear (FTA) for a court hearing or to pay a traffic fine will result in the suspension of a person's driving privileges.<sup>1</sup> There are no sanctions (other than towing) for failure to pay fines related to parking offenses.

The Oregon Department of Motor Vehicles (DMV) is electronically connected to over 300 courts statewide--district, municipal, justice, and circuit. According to Jeanelle Naatz, Data Entry Division supervisor, about 12,000 FTAs are processed by the division each month. Ms. Naatz believes that the incidence of repeat offenders is quite high, possibly 50-75 percent. The courts clear between 6,000 and 7,000 driver's licenses for reinstatement per month. After five years, a statute of limitations allows the violator to clear a suspension by simply coming to the DMV office and paying the fine, plus interest. No court appearance is necessary.

Lane Borg, manager of the Criminal Division for the Multnomah County Circuit and District Courts, believes that sanctions are not particularly effective because of the limitations on enforcement. Conceivably, a person may drive on a suspended or expired license for five years and then clear the record without having to go to court.

### Washington

Currently, the only sanction for those who fail to appear in court or to pay parking fines is nonrenewal of a driver's license (RCW 46.20.031(3)) or vehicle registration (RCW 46.16.216) respectively.

A bill to suspend driver's licenses for FTAs related to moving violations has been introduced in the legislature, but at present the offense is a misdemeanor (RCW 46.64.020). Anyone with two or more outstanding FTAs within five years is guilty of "failure to comply" (RCW 46.64.027), which is a gross misdemeanor punishable by up to one year in the county jail or a fine of up to \$5,000, or both (RCW 9A20.020).

---

<sup>1</sup>In Oregon an FTA refers to outstanding fines as well as to failure to appear in court.

# CORRECTION

THE FOLLOWING DOCUMENT(S)  
HAVE BEEN REFILMED TO  
ASSURE LEGIBILITY OR PAGINATION



Rev. 6-98

Central Microfilm Services  
Department of Education  
State of Alaska

Hawaii does not have a statutory provision for suspension or nonrenewal of a vehicle registration for outstanding parking fines. Persons who fail to respond to a summons or citation for an illegally parked vehicle may be issued a penal summons to appear in court (Traffic Code Section 291C-168). Failure to appear in court can result in the person's arrest (Traffic Code Section 291C-169).

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---

<sup>2</sup>In Oregon an FTA refers to outstanding fines as well as to failure to appear in court.

Senator Taylor  
February 23, 1993  
Page 4

Approximately 85 of the 150 eligible court jurisdictions in Washington participate in the automated vehicle registration suspension program maintained by the state's Title & Registration Department. Statewide, the department processes 30-35 parking violation suspensions per day. Bob Bardish, internal operations manager, says that over 50 percent of the suspensions which come in during a week are cleared by the end of that week.

Copies of the statutes referenced in this memorandum are attached. I hope the information will be useful. Please do not hesitate to call if we can be of further assistance.

Attachments

# Alaska State Legislature

Legislative Research Agency



P.O. Box Y  
Juneau, AK 99811-3100  
Phone: (907) 585-3991  
Fax: (907) 583-3351

April 2, 1991

## MEMORANDUM

TO: Representative Robin Taylor

FROM: Christine M. Cheff *Cheff*  
Legislative Analyst

RE: Draft Bill -- Fines and Court Appearances  
Research Request 91.193

You asked us to discuss the draft of your bill amending the Alaska Motor Vehicles Code with the California attorney general's office, comparing it to California Code Section 40509 upon which the amendments are based.<sup>1</sup>

There appear to be some differences between the draft bill and the California statutes (Attachment A) which you might like to review before we contact the California attorney general. For instance, in California, penalties are attached to vehicle registration only for failure to pay parking fines, and then only after the vehicle owner or lessee has been properly notified. Also, we were unable to find a license revocation provision in the law. However, the court can impound for up to 30 days the license of persons convicted of an infraction if they fail to pay a fine. The attached table outlines the provisions in your draft and the California statutes (Attachment B).

We spoke with Bernard Lu, with the California Department of Motor Vehicles legal department, who did make one comment about your draft bill. He said that penalties for failure to pay fines should be differentiated between those for parking and moving violations. Because parking violations are recorded against vehicles, penalties should be attached to vehicle registration. Moving violations affect a persons driving privileges, therefore penalties should be attached to the driver's license.

Please let us know what further action you would like taken on this request. Don't hesitate to call if you have any questions.

Attachments

---

<sup>1</sup>Motor Vehicles code sections AS 28.10.041, 28.15.031(b)(2), and 28.15.181(g) pertaining to penalties for failure to pay fines or to appear in court.

**OFFICE OF THE CITY ATTORNEY**  
CITY OF KETCHIKAN, ALASKA

**Steven H. Schweppe**  
City Attorney  
334 FRONT STREET  
KETCHIKAN, ALASKA 99901  
(907) 228 2111, EXT. 327  
Facsimile (907) 247 2111

November 30, 1994

Mr. Joe Ambrose  
Senator Robin Taylor's Office  
352 Front Street  
Ketchikan, Alaska 99901

Re: Statutory Changes to Improve Collection  
of Traffic Citations

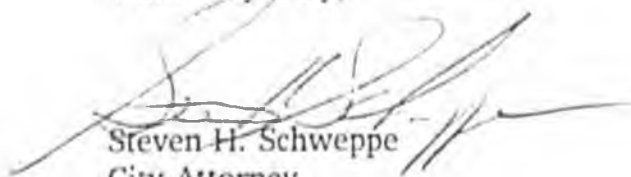
Dear Joe:

Earlier this month I attended the Alaska Municipal Attorney's Association Convention in Juneau. During the convention I had an opportunity to speak with Senator Taylor and with other municipal attorneys on the topic of enforcement of traffic citations. It appeared that municipal attorneys from around the State were all confronting difficulties in the current system of collecting fines imposed in traffic cases and in pursuing violators who fail to appear in court when scheduled. Senator Taylor talked to us about his proposal to require payment of outstanding citations prior to allowing a driver to register a vehicle or renew his driver's license. As you probably know, Judge Gucker has been a strong advocate of this concept as well. I have had some previous experience with this system in the State of Wisconsin and found it to be highly effective when applied to outstanding unpaid parking tickets. Judge Gucker believes that it is used effectively in California. It could be an effective way to collect fines from people who leave the State. Senator Taylor suggested that I contact you concerning my interest in this topic and my willingness to provide such assistance as I can to obtain its passage. It appeared that the municipal attorneys in Barrow, Kenai, and Juneau found this concept to be attractive and might be willing to provide some assistance to obtain its passage. The same system should be applied to persons who fail to appear for arraignment or trial of a traffic offense.

I understand that setting up and maintaining a system for recording traffic offenses with the Department of Public Safety, may cause some expense to the State. The expense

can be covered by imposing an additional fee on the violator. This fee is justifiable on two counts. First, it seems only appropriate that the persons who cause the additional expense should pay for it. Secondly, these same offenders found it too inconvenient to pay the fine as required by the court or to appear in court. Since they would now desire the additional convenience of paying their fines through the licensing process, they should pay for this additional service. In short, it appears to me that this system can provide a direct, fair, and efficient method to enforce laws which are now expensive and time consuming to enforce.

Yours very truly,



Steven H. Schweppe  
City Attorney

EG/M/JA

**OFFICE OF THE CITY ATTORNEY**  
CITY OF KETCHIKAN, ALASKA

Steven H. Schweppe  
City Attorney  
334 FRONT STREET  
KETCHIKAN, ALASKA 99901  
(907) 228-3111, EXT. 327  
Facsimile (907) 247-2111

---

December 5, 1994

Mr. Joe Ambrose  
Senator Robin Taylor's Office  
352 Front Street  
Ketchikan, Alaska 99901

Re: Suspension of Driver's License for Failure  
to Appear in Court or Failure to Pay Fine

Dear Joe:

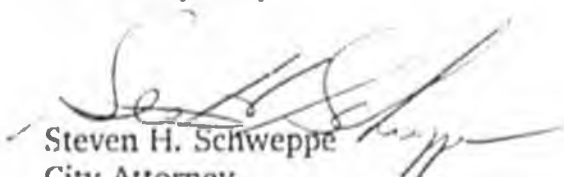
Thank you for your prompt response concerning the proposed legislation which would permit the suspension of a defendant's driver's license when he fails to appear in court or pay a fine as ordered by the court. I will be forwarding copies of it to several municipal attorneys who indicated interest in this legislation. I have, however, the following questions concerning the proposed legislation:

- (1) The proposed Section 2 provides that the department shall refuse to register any vehicle owned by an applicant who has failed to pay a fine for a parking offense. Section 3 provides for suspension of driver's licenses, but does not appear to also permit the department to refuse to register vehicles. Is it intended that the department's refusal to register vehicles should be limited only to parking offenses? Why shouldn't the department have the same ability to refuse registration when a defendant has failed to appear or pay a fine on a moving traffic offense?
- (2) I note that under Section 3 the suspension of a driver's license ends on the defendant's appearance in court. Frequently a defendant who fails to appear when scheduled will later appear, have a court trial scheduled and then fail to appear for trial. In this case the department will be handling multiple suspensions. It might be more practical if the suspension were to terminate

when the defendant both appears in court and deposits any bail required by the court. His appearance alone would not terminate the suspension if he also failed to deposit any required bail. If the legislation were worded in this manner, the suspension would be terminated upon posting of bail. If the defendant failed to appear for trial or failed to pay the fine upon conviction, the department would not be required to again suspend his driver's license since the bail would usually close the case. This would simplify the bookkeeping and the confusion created by multiple suspensions arising out of one case.

- (3) Under Section 3 I assume that the defendant must pay a reinstatement fee when he appears in court or pays the fine and the court terminates the suspension. I am not familiar with the provisions of the law which allow the department to collect reinstatement fees. I note, however, that Section 3 appears to require the department to reinstate the person's driver's license upon the person's appearance regardless of whether he pays the reinstatement fee.

Yours very truly,



Steven H. Schweppe  
City Attorney

EG/M/JA3



# City and Borough of Sitka

100 LINCOLN STREET, SITKA, ALASKA 99835

December 12, 1994

Steven H. Schweppe  
City Attorney  
334 Front Street  
Ketchikan, Alaska 99901

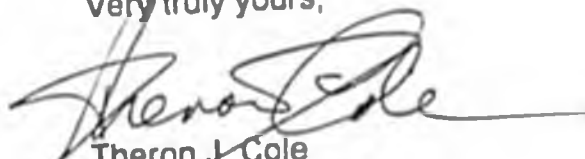


**RE: PROPOSED LEGISLATION TO PERMIT THE SUSPENSION OF DRIVER'S  
LICENSES UPON FAILURE TO APPEAR OR PAY TRAFFIC OR PARKING  
CITATIONS**

Dear Mr. <sup>Steve</sup> Schweppe:

After such a laudable reference, I have very little to say. The proposed legislation looks good to me.

Very truly yours,

  
Theron J. Cole  
Municipal Attorney

cc: Sitka Police Department

**SB**

**19**



# ALASKA STATE LEGISLATURE

SENATOR RANDY PHILLIPS

SENATE DISTRICT L

SESSION  
State Capitol  
Juneau, AK 99801  
(907) 465-4949  
800-478-4950  
Fax: 465-4979

INTERIM  
P.O. Box 142  
Eagle River AK 99577  
(907) 694-4949  
Fax: 694-4949

January 16, 1994

## MEMORANDUM

TO: Senator Bert Sharp  
Chairman, Senate State Affairs Committee

FROM: Senator Randy Phillips *REP*

RE: SB 19, "an Act relating to the location of the convening of the legislature in regular session."

The above referenced bill has been referred to the State Affairs Committee.

Please consider this as my formal request that SB 19 be scheduled before your committee for a hearing next week.

If you have any questions or comments do not hesitate to contact me at 4949. Your cooperation is appreciated.

*Revised*

## FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

SB 19

Relocating the legislature to Anchorage

Preliminary Consolidated Fiscal Note for Executive Branch\*

Department	FY 96	FY 97	FY 98	FY 99	FY 2000	FY 2001
Governor	0.0	0.0	755.0	610.2	616.3	623.7
Administration	0.0	0.0	74.7	74.7	74.7	74.7
DCED	0.0	0.0	105.1	105.1	105.1	105.1
DCRA	0.0	0.0	45.5	47.8	50.2	52.7
Corrections	0.0	0.0	59.9	59.9	59.9	59.9
Education	0.0	0.0	92.7	92.7	94.7	94.7
DEC	0.0	0.0	86.7	89.3	92.0	94.7
ADFG&G	0.0	0.0	206.7	215.8	222.6	232.4
DH&SS**	1,309.1	0.0	558.4	578.2	598.9	630.2
Labor	0.0	0.0	55.4	58.2	61.1	64.1
Law	0.0	0.0	318.7	258.7	258.7	258.7
DMVA	0.0	0.0	8.0	8.0	8.0	8.0
DNR	0.0	0.0	0.0	0.0	0.0	0.0
Public Safety	0.0	0.0	70.7	69.7	69.7	69.7
DOR	0.0	0.0	145.4	151.2	157.3	163.5
DOTPF	0.0	0.0	86.9	90.7	94.6	98.8
<b>TOTAL</b>	<b>1,309.1</b>	<b>0.0</b>	<b>2,669.8</b>	<b>2,510.2</b>	<b>2,563.8</b>	<b>2,630.9</b>

\*May be subject to revision as more information becomes available.

\*\*Capital request to prepare for move.

OMB/BP  
1/26/95

## FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

SB 19  
Relocating the legislature to Anchorage  
Preliminary Consolidated Fiscal Note for Executive Branch\*

Department	FY 96	FY 97	FY 98	FY 99	FY 2000	FY 2001
Governor	0.0	0.0	755.0	610.2	616.3	623.7
Administration	0.0	0.0	74.7	74.7	74.7	74.7
DCED	0.0	0.0	105.1	105.1	105.1	105.1
DCRA	0.0	0.0	45.5	47.8	50.2	52.7
Corrections	0.0	0.0	59.9	59.9	59.9	59.9
Education	0.0	0.0	49.2	49.2	49.2	49.2
DEC	0.0	0.0	86.7	89.3	92.0	94.7
ADF&G	0.0	0.0	206.7	215.8	222.6	232.4
DH&SS**	1,309.1	0.0	558.4	578.2	598.9	630.2
Labor	0.0	0.0	55.4	58.2	61.1	64.1
Law	0.0	0.0	318.7	258.7	258.7	258.7
DMVA	0.0	0.0	8.0	8.0	8.0	8.0
DNR	0.0	0.0	0.0	0.0	0.0	0.0
Public Safety	0.0	0.0	70.7	69.7	69.7	69.7
DOR	0.0	0.0	145.4	151.2	157.3	163.5
DOTPF	0.0	0.0	86.9	90.7	94.6	98.8
<b>TOTAL</b>	<b>1,309.1</b>	<b>0.0</b>	<b>2,626.3</b>	<b>2,466.7</b>	<b>2,518.3</b>	<b>2,585.4</b>

\*May be subject to revision as more information becomes available.

\*\*Capital request to prepare for move.

OMB/BP  
1/26/95

**DEPARTMENT FISCALS**

FISCAL NOTE

BILL NO. SB 12

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

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

Department Affected: Office of the Governor

Title: "An Act relating to location of the legislature."

BRU: All BRUs

Component: All components

Sponsor: Senators Phillips

Requester: \_\_\_\_\_

COMPONENT SERIAL NO. \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	0	0	79.4	81.5	83.7	86.1
TRAVEL	0	0	421.1	399.7	402.5	405.4
CONTRACTUAL	0	0	99.0	100.1	101.2	102.3
SUPPLIES	0	0	4.1	4.1	4.1	4.1
EQUIPMENT	0	0	150.4	23.8	23.8	24.8
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS	0	0	1.0	1.0	1.0	1.0
TOTAL OPERATING	0	0	755.1	610.2	616.3	623.7

CAPITAL EXPENDITURES						
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CHANGE IN						
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FUND SOURCE

1002 Federal Receipts						
1003 GF Match						
1004 GF	0	0	755.0	610.2	616.3	623.7
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	0	0	755.0	610.2	616.3	623.7

POSITIONS

FULL-TIME						
PART-TIME			4	4	4	4
TEMPORARY						

Estimate of any current year (FY95) cost: 0

ANALYSIS: (Attach a separate page if necessary.)  
see attached component totals

Prepared by: Michael A. Mich, Director *Maw*  
Division: Division of Administrative Services

Phone: 465-3876  
Date: 1/25/95

Approved by Commissioner: Jim Avers, Chief of Staff  
Agency: Office of the Governor

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

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# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO. SSSB 19

Revision Date: \_\_\_\_\_ Dept. Affected: Administration  
 Title: "An Act relating to the location of the BRU: Various  
Convening of the legislature in regular session." Component: Various  
 Sponsor: Senator Phillips  
 Requestor: Senator Phillips COMPONENT SERIAL NO. \_\_\_\_\_

**Expenditures/Revenues**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	55.9	55.9	55.9	55.9	55.9
CONTRACTUAL	0.0	18.5	18.5	18.5	18.5	18.5
SUPPLIES	0.0	0.3	0.3	0.3	0.3	0.3
EQUIPMENT	0.0	7.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>81.7</b>	<b>74.7</b>	<b>74.7</b>	<b>74.7</b>	<b>74.7</b>

CAPITAL EXPENDITURES	0.0	81.7	74.7	74.7	74.7	74.7
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CHANGE IN REVENUES ( )	0.0	0.0	0.0	0.0	0.0	0.0
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**FUND SOURCE**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	81.7	74.7	74.7	74.7	74.7
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>Total</b>	<b>0.0</b>	<b>81.7</b>	<b>74.7</b>	<b>74.7</b>	<b>74.7</b>	<b>74.7</b>

Estimate of current year (FY 95) cost: \$ \_\_\_\_\_

**POSITIONS:**

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

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

See Attached

Prepared by: Sharon Barton *S. Barton*  
 Division: Administrative Services

Phone: 465-5655  
 Date: 1/20/95

Approved by Commissioner: Mark Boyer *M. Boyer*  
 Agency: Department of Administration

Date: 1/21/95

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Assumptions:

Travel and Perdiem

Airfare \$300.00 round trip Juneau - Anchorage. 112 trips to attend hearings and provide information on budgets and topics ranging from Pioneers' Homes and Retirement & Benefits issues to Public Broadcasting and Information Services.

Average hotel cost is \$80.00 per night. Daily meal allowance is \$42.00 per day.

Car rental is \$25.00 per day (assumes staff will share cars when possible).

Contractual

Lease space 750 sq. ft. at \$2.00 per sq. ft. for 12 months (assumed five month lease would be equivalent cost as higher monthly rate would apply as well as moving and storage costs).

Telephone line charges are \$500.00 per year.

Equipment/Supplies

Computer equipment, office furniture and FAX equipment and other miscellaneous expenses.

# FISCAL NOTE

Revision Date: January 24, 1995

Dept. Affected: Community & Regional Affairs

Title: Relating to the Location of Convening the  
Legislature in Regular Session

BRU: Admin. & Support, Local Gov. Assist.  
Child Assist, Emp/Train/Rural Dev.

Sponsor: Senator Phillips

Component: ALL

Requestor: Senator Phillips

COMPONENT SERIAL NO. \_\_\_\_\_

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL	41.2	43.3	45.5	47.8	50.2	52.7
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>41.2</b>	<b>43.3</b>	<b>45.5</b>	<b>47.8</b>	<b>50.2</b>	<b>52.7</b>

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

REVENUE FUND SOURCE:						
----------------------	--	--	--	--	--	--

FUNDING:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	41.2	43.3	45.5	47.8	50.2	52.7
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>41.2</b>	<b>43.3</b>	<b>45.5</b>	<b>47.8</b>	<b>50.2</b>	<b>52.7</b>

POSITIONS:

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

Estimate of current (FY94) impact \$ none

ANALYSIS: (Attach a separate page if necessary)

See attached for details. Note: Bill goes into effect FY96.

*ja*

Prepared by: Remond Henderson, Director *Remond Henderson* Phone: 465-4708

Division: Administrative Services Date: 1/24/95

Approved by Commissioner: Mike Irwin *Mike Irwin* Date: 1/24/95

Agency: Department of Community and Regional Affairs

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DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS

Fiscal Note Calculations for Moving Legislature to Anchorage  
Travel/Per Diem Only  
Effective FY96

<u>Commissioner</u>		
10 round trips Juneau to Anchorage @ \$444 each trip		6,216
10 days, full per diem @ \$95 per day		950
10 days, prorated meals @ \$36 per day		360
20 days rental car @ \$25 per day		500
<u>Deputy Commissioner/Special Assistant</u>		
15 round trips Juneau to Anchorage @ \$444 each trip		6,660
7 trips at 2 full days per diem @ \$95 per day		1,330
5 trips at 1 full day per diem @ \$95 per day		475
3 trips at prorated meals only @ \$36 per day		108
12 days with meals only @ \$36 per day		432
34 days rental car @ \$25 per day		850
<u>Director, Administrative Services</u>		
15 round trips Juneau to Anchorage @ \$444 each trip		6,660
7 trips at 2 full days per diem @ \$95 per day		1,330
5 trips at 1 full day per diem @ \$95 per day		475
3 trips at prorated meals only @ \$36 per day		108
12 days with meals only @ \$36 per day		432
34 days rental car @ \$25 per day		850
<u>Program Staff for Testimony</u>		
8 round trips Juneau to Anchorage @ \$444 each trip		3,552
6 days, full per diem @ \$95 per day		570
8 days, prorated meals @ \$36 per day		288
10 days rental car @ \$25 per day		250
<u>Budget/Fiscal Staff for Support</u>		
5 round trips Juneau to Anchorage @ \$444 each trip		2,220
5 days, full per diem @ \$95 per day		475
5 days, prorated meals @ \$36 per day		180
10 days rental car @ \$25 per day		250
<u>Miscellaneous for All Staff</u>		
Gasoline; parking; etc.		600
<u>Staff from Anchorage Office</u>		
Legislative Liaison-120 round trips by car @ \$.30 per mile		3,600
Program Staff for Testimony-50 round trips by car @ \$.30 per mile		<u>1,500</u>
GRAND TOTAL		41,221

Total	Air Fare	25,308
Total	Per Diem/Meals	7,513
Total	Car Rental	2,650
Total	Car Transportation	5,150
Total	Miscellaneous	600

GRANT TOTAL. 41,221

# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO. SB19

Revision Date: January 23, 1995  
 Title: An Act relating to the location of the convening  
of the legislature in regular session  
 Sponsor: Phillips  
 Requestor: \_\_\_\_\_

Department: Commerce and Economic Development  
 BRU: all  
 Component: \_\_\_\_\_  
 COMPONENT SERIAL NO. \_\_\_\_\_

**Expenditures/Revenues**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL	105.1	105.1	105.1	105.1	105.1	105.1
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>105.1</b>	<b>105.1</b>	<b>105.1</b>	<b>105.1</b>	<b>105.1</b>	<b>105.1</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES</b>						
---------------------------	--	--	--	--	--	--

**FUND SOURCE**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 General Fund	105.1	105.1	105.1	105.1	105.1	105.1
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>105.1</b>	<b>105.1</b>	<b>105.1</b>	<b>105.1</b>	<b>105.1</b>	<b>105.1</b>

Estimate of any current year (FY 95) cost: \$ 0.0

**POSITIONS**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

Prepared by: Guy Boll, Director  
 Division: Administrative Services  
 Approved by Commissioner: [Signature]  
 Agency: Commerce and Economic Development

Phone: 465-2505  
 Date: 1/23/95  
 Date: 1/24/95

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# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO. SB19

ANALYSIS: (continued)

## DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT Fiscal Note Calculations for

TRAVEL/PER DIEM ONLY	Annual Cost
<b>Special Assistant to the Commissioner for Legislative Affairs</b>	
9 round trips @ \$355.00/each to/from Juneau for consultation with supervisor and perform other assigned work	3,195.00
40 days per diem in Anchorage @ \$120.00/day	4,800.00
40 days car rental @ \$25.00/day	1,000.00
<b>Deputy Commissioner</b>	
6 round trips @ \$355.00/each to/from Juneau	2,130.00
30 days per diem in Anchorage @ \$120.00/day	3,600.00
30 days car rental @ \$25.00/day	750.00
<b>Commissioner</b>	
17 round trips @ \$355.00/each to/from Juneau	6,035.00
10 trips at 2 days per diem @ \$120.00/day	2,400.00
7 trips at 1 day per diem @ \$120.00/day	840.00
10 days with meals only @ \$42.00/day	420.00
37 days car rental @ \$25.00/day	925.00
<b>Eight Juneau Division Directors</b>	
80 round trips @ \$355.00/each to/from Juneau	28,400.00
300 days per diem in Anchorage @ \$120.00/day	36,000.00
100 days meals only @ \$42.00/day	4,200.00
200 days car rental @ \$25.00/day	5,000.00
<b>Budget Analyst</b>	
5 round trips @ \$355.00/each to/from Juneau	1,775.00
20 days per diem in Anchorage @ \$120.00/day	2,400.00
20 days car rental @ \$25.00/day	500.00
<b>Miscellaneous (gasoline, parking, etc.) - all staff</b>	
	750.00
Total Travel	41,535.00
Total Per Diem/Meals	54,660.00
Total Car Rental	8,175.00
Total Misc.	750.00
	105,120.00
<b>Total</b>	<b>105,120.00</b>

# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO. SB 19

Revision Date: _____	Dept. Affected: <u>Corrections</u>
Title: <u>An Act relating to the location of the convening of the legislature in regular session</u>	BRU: <u>Administration and Support</u>
Sponsor: <u>Sen. Phillips</u>	Component: <u>Office of the Commissioner &amp; Administrative Services</u>
Requester: <u>Senate State Affairs</u>	COMPONENT SERIAL NO. <u>#0694/0697</u>

**Expenditures/Revenues** (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL			59.9	59.9	59.9	59.9
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>59.9</b>	<b>59.9</b>	<b>59.9</b>	<b>59.9</b>

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ( )						
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**FUND SOURCE** (Thousands of Dollars)

FUND SOURCE	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
1002 Federal Receipts						
1003 GF Match						
1004 GF			59.9	59.9	59.9	59.9
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>59.9</b>	<b>59.9</b>	<b>59.9</b>	<b>59.9</b>

Estimate of any current year (FY95) cost: \$ 0.0

**POSITIONS**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

This bill would require the legislature to convene in the Municipality of Anchorage each year starting with the convening of the second session of the Twentieth Legislature. This bill impacts the Department of Corrections because the Commissioner, the Special Assistant to the Commissioner (Legislative Liaison) and the the Director of the Division of Administrative Services currently live in Juneau and would need to spend much of the 120 day legislative session in travel status in order to meet the agency's needs of the full legislative process. The meal and incidental expense (M&IE) allowances are set in the Alaska Administrative Manual, Section 60.220. This fiscal note assumes that each of the three employees will receive "actual cost" M&IE allowances for 87 working days (Monday through Friday) estimated at \$90 per day for 63 days and \$110 per day for 24 days (spring cost increase) for hotel expenses and \$ 42 per day for meals. Additionally, it is assumed that each employee will return to Juneau during the eighteen weekends of the session at a cost of \$444 per round trip. Calculation are: Hotel \$ 8,310 each + Meals \$ 3,654 each + Airfare \$ 7,992 each = \$19,956 X 3 employees = \$59,869 or \$ 59.9

Prepared by: Jerry Shriner  
 Division: Office of the Commissioner  
 Approved by Commissioner: /s/  
 Agency: Department of Corrections

Phone: 465-4640  
 Date: 1/25/95  
 Date: \_\_\_\_\_

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# FISCAL NOTE

BILL NO. SSSB 19

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

Revision Date: January 20, 1995

Title: An Act relating to the location of the convening of the legislature in regular session

Sponsor: Senator Phillips

Requestor: Senator Phillips

Department Affected: Education

BRU: Executive Administration

Component: Commissioner's Office

COMPONENT SERIAL NO. 185

**Expenditures/Revenues:**

(Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL	0	0	49.2	49.2	49.2	49.2
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0</b>	<b>0</b>	<b>49.2</b>	<b>49.2</b>	<b>49.2</b>	<b>49.2</b>

CAPITAL						
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REVENUE FUND SOURCE:						
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**FUNDING:**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0	0	49.2	49.2	49.2	49.2
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>49.2</b>	<b>49.2</b>	<b>49.2</b>	<b>49.2</b>

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY95) impact: \$ \_\_\_\_\_

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

Please see attached for fiscal details.

Prepared by: Mike Maher

Division: Commissioner's Office

Phone: 465-8676

Date: January 20, 1995

Approved by Commissioner: 

Jerry Covey

Agency: Education

Date: January 20, 1995

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Fiscal Note Analysis

SSSB19: Relating to location of convening of legislature in regular session

Page 2

January 20, 1995

TRAVEL/PER DIEM ONLY

Administrative Services Director and Special Assistant to the Commissioner for Legislative and Budget Issues

50 days each in Anchorage at \$95.00/day	9,500.00
9 round trip at \$444.00 each, to/from Juneau for consultation with supervisor and perform assigned work	3,996.00
100 days car rental at \$30.00/day	3,000.00

Commissioner

10 days in Anchorage at \$95.00/day	950.00
5 round trips at \$444.00/each	2,220.00

Deputy Commissioner

20 trips at 2 days per diem at \$95.00/day	3,800.00
14 trips at 1 day per diem at \$95.00/day	1,330.00
20 days with meals only at \$34.00/day	680.00
34 trips at \$444.00/each	15,096.00
74 days car rental at \$30.00/day	2,220.00

Fiscal Staff Person for Budget Questions

10 trips at \$444.00/each	
10 days per diem at \$95.00/day	950.00
10 days car rental at \$25.00/day	250.00

Miscellaneous (gasoline, parking, etc.) - all staff 750.00

TOTAL 49,182.00

# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO. 9SSB 19

Revision Date: \_\_\_\_\_ Dept. Affected: Education  
 Title: An Act relating to the convening BRU: Postsecondary Education  
 of the legislature in regular session. Component: Program Administration  
 Sponsor: Senator Phillips  
 Requester: Governor COMPONENT SERIAL NO. 0212

### Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
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	-0- 0.0	-0- 0.0

CAPITAL EXPENDITURES						
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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	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ -0-

### POSITIONS

FULL-TIME						
PART TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Zero (0) fiscal impact.

Prepared by: Dr. Joe L. McCormick, Executive Director  
Division: Alaska Commission on Postsecondary Education

Phone: (907)465-6740  
Date: January 25, 1995

Approved by Commissioner: \_\_\_\_\_  
Agency: \_\_\_\_\_

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

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SB 19 component totals:

	P/S	Trav.	Cont.	Supp.	Equip.	Misc.	Total
Exec.	18.2	143.8	52.7	1.2	75.6		291.5
Lt. Gov.	42.8	52.4	21.0	.5	23.3	1.0	141.0
HRC		(4.4)	(.2)				(4.6)
OOD/DBR	18.4	202.9	25.5	2.4	51.5		300.7
DAMS	-0-	-0-	-0-	-0-	-0-		-0-
DGC		5.8					5.8
Elects		20.6					20.6
Totals	79.4	421.1	124.9	4.1	150.4	1.0	

OFFICE OF THE GOVERNOR TOTAL FISCAL IMPACT 755.0

# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO. SB19

Revision Date: \_\_\_\_\_  
 Title: Act relating to the location of the convening  
 of the legislature in regular session  
 Sponsor: Senator Phillips  
 Requestor: Senator Phillips

Department Affected: Environmental  
 Conservation  
 BRU: Administration  
 Component: Commissioner's Office

COMPONENT SERIAL NO. 633

Expenditures/Revenues: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	81.7	84.2	86.7	89.3	92.0	94.7
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>81.7</b>	<b>84.2</b>	<b>86.7</b>	<b>89.3</b>	<b>92.0</b>	<b>94.7</b>

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ( )	0.0	0.0	0.0	0.0	0.0	0.0
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**FUND SOURCE**

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipt	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY95) cost: \$ 0.0

**POSITIONS:**

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME	0.0	0.0	0.0	0.0	0.0	0.0
TEMPORARY	0.0	0.0	0.0	0.0	0.0	0.0

ANALYSIS: (Attach a separate page if necessary.)

See attached

Prepared by: Dan Kanouse  
 Division: Information & Administrative Services

Phone: 465-5010  
 Date: 1/23/95

Approved by Commissioner: [Signature]  
 Agency: Department of Environmental Conservation

Date: 1/21/95

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**Fiscal Note Analysis**

SB19

1/23/95

Travel from Juneau to attend legislative hearings, review legislation with staff, and attend hearing on the Department's budget requests

	No. of Trips	Average Days per Trip	Daily PerDiem Rate	Juno/Anch Roundtrip Airfare	Total FY96 Cost
Commissioner	12	1	150	444	7,128
Deputy Commissioner	14	3	150	444	12,516
Administrative Director	14	3	150	444	12,516
Budget Analyst	10	3	100	444	7,440
4 Directors	40	2	150	444	29,760
Other Program Managers	15	2	100	444	9,660
					79,020
Car Rentals	30	3	30		2,700
				TOTAL	81,720

(Assume a 3% inflation increase each year after FY96)