

ALASKA LEGISLATURE COMMITTEES FILES 2001-2002 80/2

10425 HOUSE STATE AFFAIRS

205

HB

87

STATE OF ALASKA

DEPARTMENT OF MILITARY & VETERANS AFFAIRS
OFFICE OF THE COMMISSIONER

TONY KNOWLES, GOVERNOR

P.O. BOX 5800

FT. RICHARDSON, AK 99505-5800

PH: (907) 428-6003

The Honorable John Coghill, Chair
House State Affairs Committee
Alaska State House of Representatives
State Capitol
Juneau, AK 99811

April 2, 2001

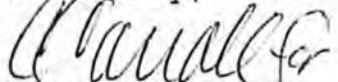
Dear Representative Coghill:

The Department of Military and Veterans Affairs requests a hearing on CSHB 87(MVA) "An Act establishing the Alaska Veterans Advisory Council; and providing for an effective date."

The bill establishes in statute the Alaska Veterans Advisory Council, an organization that has assisted the department in identifying the needs of veterans in the State of Alaska. Alaskan veterans have benefited from the work and dedication of these veterans. The bill assures that continued commitment.

I look forward to working with you on this bill. If you have questions or need information, please call Carol Carroll, 465-4730 or Laddie Shaw, 428-6068 of my staff. Thank you for your consideration.

Sincerely,



Phillip Oates
Adjutant General

STATE OF ALASKA
DEPARTMENT OF MILITARY & VETERANS AFFAIRS
OFFICE OF THE COMMISSIONER

TONY KNOWLES, GOVERNOR

P.O. BOX 5800

FT. RICHARDSON, AK 99505-5800

PH: (907) 428-6003

HB 87
SPONSOR STATEMENT
AN ACT ESTABLISHING THE ALASKA VETERANS ADVISORY
COUNCIL

This bill establishes in statute the Alaska Veterans Advisory Council, an organization that has assisted the department in identifying the needs of veterans in the State of Alaska. This organization was created by Administrative Order 164 in 1996.

The purpose of the council is to advise the Department of Military and Veterans Affairs on ways to better address the needs and concerns of Alaska's veterans, their dependants, and their survivors. The council's duties include making recommendations concerning veterans' priority service needs, developing public and private partnerships to meet those needs, and providing coordination of information regarding veterans' benefits and services around the state. The council members serve without compensation other than per diem and travel.

The council consists of 20 members appointed by the governor. The membership includes one or more persons affiliated with a veteran's organization, one or more persons from a state agency that manages programs affecting veterans, and one or more members of the general public familiar with veterans issues.

HB 87 was amended in HMVA to further define the membership of the Council and added that the House and the Senate shall appoint one member of each body to serve on the Council. The Committee also added that the AVAC shall advise and make recommendations to the Legislature as well as the governor, department and other agencies.

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 87
 (H) Publish Date: 1/24/01

Revision Date/Time (Note if correction): _____ Dept. Affected: Military & Veterans' Affairs
 Title: Establishing Alaska Veterans BRU: Veterans Services
Advisory Council Component: Veterans Affairs
 Sponsor: Rules Committee
 Requester: Governor Component Number: 421

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel	3.5	3.5	3.5	3.5	3.5	3.5
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	3.5	3.5	3.5	3.5	3.5	3.5

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	3.5	3.5	3.5	3.5	3.5	3.5
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	3.5	3.5	3.5	3.5	3.5	3.5

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This fiscal note funds necessary travel costs associated with conducting meetings of the Alaska Veterans Advisory Council (AVAC), which is established in statute with this legislation.

The fiscal analysis is based on the following assumptions:

1. AVAC will conduct one annual meeting in Juneau and one in Anchorage.
2. Assume 15 of 20 members will attend each meeting.

Total estimated meeting costs is \$8.5. DMVA has \$5.0 existing authorization available, resulting in the need for an additional \$3.5.

Prepared by: Carol Carroll, Director Phone 465-4730
 Division: Administrative Services Date/Time 1/11/01 1:25 PM
 Approved by: Phil Oates Date 1/11/01
 Agency: Military & Veterans Affairs

For distribution information, call the Governor's Legislative Office

STATE OF ALASKA

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

TONY KNOWLES, GOVERNOR

P.O. BOX 110300
DIMOND COURT HOUSE, 6TH FLOOR
JUNEAU, ALASKA 99811-0300
PHONE: (907)465-3600
FAX: (907)465-6735

March 7, 2001

The Honorable John Coghili
Chair, House State Affairs Committee
Alaska House of Representatives
State Capitol
Juneau, Alaska 99801

Re: HB 87

Dear Representative Coghil:

We are writing to advise you of concerns we have on an amendment to HB 87, an act establishing the Alaska Veterans Advisory Council. We have received information that the House Military and Veterans Affairs Committee has prepared a committee substitute for HB 87 that includes an amendment which provides that two members of the Council would be legislators appointed by the Senate President and House Speaker.

We have advised in the past that it is unconstitutional for a legislator to serve on an executive branch agency such as the Council. There are a number of issues that arise in this context, including the prohibition against dual office holding. The constitutional prohibition against dual office holding prohibits legislators from holding "any other office or position of profit under the United States or the State." Alaska Const. art. II, sec. 5. The term "office" stands alone; profit is not required. The reason for the prohibition is "to guard against conflicts of interest, self-aggrandizement, concentration of power, and dilution of separation of powers." *Warwick v. State ex rel Chance*, 548 P.2d 384 (Alaska 1976); *Begich v. Jefferson*, 441 P.2d 27, 35 (Alaska 1968). The amendment to HB 87 would require two legislators to hold dual offices and would thus violate the prohibition. See 1989 Inf. Op. Att'y Gen. (July 1; 883-89-0111).

The amendment to HB 87 also raises general "separation of powers" concerns. See *Bradner v. Hammond*, 553 P.2d 1 (Alaska 1976). Generally speaking, the legislature enacts laws and the executive branch enforces them. When a piece of legislation mixes the two functions, this creates an issue concerning the constitutionality of the legislation. Legislative agents cannot be appointed to carry out the law, and, as the Alaska Supreme

Hon. John Coghill
Re: HB 87

March 7, 2001
Page 2

Court said in *Bradner*, at p. 7, "the appointment of subordinate executive officers by the governor is an executive function, . . ." By requiring the President of the Senate and the Speaker of the House to appoint legislators to the Council, the amendment would usurp an executive function and thus violate the separation of powers doctrine. See 1989 Inf. Op. Att'y Gen. (May 1; 663-89-0506) and 1988 Inf. Op. Att'y Gen. (Feb. 29; 663-88-0371).

Additionally, under article III, sections 1 and 26, of the Alaska Constitution, the governor has the sole authority to appoint the members of all state boards and commissions. The amendment to HB 87 would interfere with this authority.

Therefore, we recommend that the House State Affairs Committee remove the amendment to HB 87, discussed above.

Thank you for considering our comments. Do not hesitate to contact me if we can be of further assistance to you on this matter.

Sincerely,

BRUCE M. BOTELHO
ATTORNEY GENERAL



By: Sarah J. Felix
Assistant Attorney General

SJF:jn

cc: Chrystal Smith, Legislative Liaison
Deborah Behr, Legislation Attorney
Dept. of Law

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

NO. _____
BILL VERSION: CSHB 87(MLV)
PUBLISH DATE: _____

Revision Date: _____
Title: "An Act establishing the Alaska
Veterans Advisory Council; and providing..."
Sponsor: House Rules Committee by request.
Requestor: House State Affairs

Department Affected: Legislature
BRU: Legislative Operating Budget
Component: Legislative Operating Budget

Component Number: _____

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 02	FY 03	FY 04	FY 05	FY 06	FY 07
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
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						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
----------------	------------	------------	------------	------------	------------	------------

REVENUE FUND SOURCE	0.0	0.0	0.0	0.0	0.0	0.0
----------------------------	------------	------------	------------	------------	------------	------------

FUNDING: (Thousands of Dollars)

GENERAL FUND	0.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER FUND SOURCE						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary)

This bill will have zero fiscal impact on the Legislative Affairs Agency.

Prepared By: Karla Schofield, Deputy Director *Karla Schofield* Phone: 465-3852
Division: Administrative Services Date: 4/20/01
Approved By: Pamela A. Varni, Executive Director *Karla Schofield for:*
Agency: Legislative Affairs Agency Date: 4/20/01

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

HB

88

Study

**DEPARTMENTS of ADMINISTRATION AND
MILITARY & VETERANS AFFAIRS**

WHITE PAPER: THE PIONEERS' AND VETERANS' HOME BILL

Background

Alaska veterans' organizations have been promoting the building of a veterans' home in Alaska for over twenty years. Veterans know that: 1) a state veterans' home honors the service of veterans to the state and nation. 2) the State of Alaska is one of only two states without a veterans' home. and 3) Alaska has the second highest per capita population of veterans in the nation. Thirty percent of all seniors 65 years old and older in Alaska are veterans.

Previous Legislation

The legislature authorized the Department of Administration in 1992 (AS 44.21.035) to apply for federal assistance to establish and operate a state veterans' home to provide domiciliary care. Under current U.S. Department of Veterans Affairs (VA) rules, to be eligible to receive federal construction or operating money, either a newly constructed home or an existing state home, would have to meet all federal requirements.

The legislature also required that the operating costs of the proposed state operated, federally 'approved' veterans' home be entirely supported by residents of the home and federal funding. A feasibility study by the *Institute of Social and Economic Research* (1993), University of Alaska Anchorage, concluded that a veterans' home could not be constructed or operated without significant financial contributions from the state.

The legislature amended the 1992 statute, AS 44.21.035, in 1998 to allow any proposed veterans' home to provide nursing care. It was believed that the provision of nursing care would generate increased federal revenue making the operation of a veterans' home feasible without state funding.

However, the increase in federal VA funding for nursing care will not cover the full cost of operation. It is more than off-set by the increased cost of providing nursing care, especially in Alaska where nursing care costs are significantly higher than the national average. Therefore, the amendment to the original veterans' home statute did not solve the problem of financing a veterans' home without state funding.

Pioneers' Homes

Pioneers' Homes Profile

The Homes have been caring for Alaska's elders since 1913. No other state has a comparable program serving an aging population. There are six Pioneers' Homes throughout the state, located in Sitka, Fairbanks, Anchorage, Palmer, Ketchikan and Juneau. The Pioneers' Homes have a capacity to serve about 600 residents. A significant number of Pioneers' Home residents and applicants are veterans.

Long Term Care Changes

Alaska has seen significant changes in the past ten years in the delivery of long term care services. Expansion of home and community based care throughout the state has enabled Alaskan seniors to remain at home and in their community. This provides seniors the opportunity to live independently for as long as possible; the desire of most Alaskan seniors.

Vacancies

About 90 beds are vacant in the Pioneers' Homes due to lack of funding to provide 24 hour staffing to meet the needs of applicants on the active waiting list. The vacant beds are primarily in Anchorage, Palmer, Sitka, and mostly in the coordinated services and basic assisted living levels of care which provide residential type services for fairly independent residents and require limited staffing.

Waiting List

With the expanded availability of home and community based care, seniors are postponing requests for admission to the Pioneers' Home system. Today, applicants to the Pioneers' Homes are generally in need of complex direct care services and constant oversight due to memory loss. There are currently 167 applicants on the active waiting list for admission to the Pioneers' Home system. Caring for these individuals requires 24-hour staffing. Available support in the coordinated and basic assisted living levels of care do not meet the needs of most applicants.

Insufficient Funding

Funding is not presently available to upgrade the designation of beds within the homes from coordinated services and basic assisted living to a level of care that meets the needs of the individuals on the active waiting lists for the Pioneers' Homes. With the addition of appropriate staffing applicants could be admitted to vacant beds.

Proposal: Pioneers' and Veterans' Home

Introduction

Combining the Pioneers' Home tradition with the concept of a state veterans' home will maximize the use of the state's existing infrastructure. Veterans receive the recognition they desire and deserve as the Pioneers' Homes become the *Alaska Pioneers' and Veterans' Homes*.

Profile of Veterans in Pioneers' Homes

Veterans already residing in the Pioneers' Homes and veterans on the waiting lists benefit from this recognition. Over 90% of veterans on the waiting lists have been residents of the state for over 15 years; most well over 25 years. The Pioneers' Homes have the current bed capacity to care for more veterans as well as more non-veterans if adequate funding for staff is provided.

Funding Request

Admission of applicants to the currently vacant Pioneers' Home beds requires funding for additional direct care staff. The Governor's FY 02 budget proposes an increase of \$2.5 in general funds and \$2.6 in program receipts for this purpose. This budget increase will fund adequate staffing for about 90 vacant beds.

Veterans' Preference

States with veterans' home programs provide care for veterans and very close relatives of veterans. The innovative Alaskan concept proposes to give veterans' preference to about 21% of funded Pioneers' Home beds. There are currently 78 veterans residing in the Pioneers' Homes. Another 39 on the active waiting list have an immediate need to enter a Home. More than 30% of all 2,498 applicants to the inactive waiting list are veterans.

Total Bed Capacity	600	
Occupied Beds	481	78 veterans/16.5%
Turnover Vacancy	30	5%
Unfunded Beds	89	

If all beds were funded, then 600 beds would be available within the system, although turnover vacancy indicates that 30 beds may be vacant at any point in time. A 21% veterans' preference of these funded beds would provide 126 beds for veterans' preference. Presently there are 78 residents who are veterans. Subtracting the present veterans from the anticipated veterans' preference beds would allow 48 beds for veterans' preference. In addition, the full funding of all beds would allow for the admission of at least 41 non-veterans.

Questions and Answers

What are the admission criteria for veterans?

The admission criteria for veterans to the Homes are the same as for non-veterans. An applicant must be 65 years of age, have established Alaska residency by residing in the state at least one year immediately prior to application, and demonstrate a need for the services provided by the Home. There are no income requirements and the need for care can be as minimal as the need for residential services which include meals, housekeeping, and emergency assistance.

Are the admission criteria for a veteran applying to a VA operated home the same as the admission criteria for a Pioneers' Home?

No, the criteria are different. Unlike a Pioneers' Home, a VA Home has low income and high need requirements. The VA Home requires that 75% of veterans have incomes from all sources below the maximum VA pension. Veterans must be disabled, unable to earn a living, and in need of health care based on strict VA criteria.

Will the State receive funding for the care of veterans residing in the Pioneers' Homes from the U.S. Department of Veterans Affairs?

No, the State does not anticipate any direct funding from the VA. However, the VA is funding the care of some veterans in community assisted living homes. Pioneers' Home residents who qualify as veterans for this support will receive funds to assist in paying the Pioneers' Home monthly charges.

The funding proposal contained in the Governor's FY 02 budget assumes \$2.6 million in resident receipts. If federal funding becomes available for veteran support, it will offset the personal financial resources of veterans which would be necessary to pay the charges to the Pioneers' Home system. Any federal funding which may be received is already represented in the Governor's proposal as "Pioneers' Home receipts."

How will admission preference for veterans affect the admission status of non-veteran applicants?

Veterans will be given preference to 21% of the funded beds. Presently there are 78 veterans who comprise about 16.5% of all Pioneers' Home residents. If all possible beds were funded, veterans would increase by 48 residents, but non-veteran residents would increase by at least 41. When veterans' occupancy of beds within the Pioneers' Home system is below the designated number of veterans' beds, the next eligible veteran on the waiting list will have preference for admission.

Once all beds designated as veterans' preference beds are occupied by veterans, the existing waiting list process will be utilized and admission will be determined by date of application to the Home. If there are insufficient veterans on the active waiting list to fill all available beds designated for veterans' preference, the existing waiting list process will also be utilized for admission to fill the remaining beds.

How will spouses of veterans be treated?

The Pioneers' Homes always attempt to admit spouses together when a couple wants to enter a Home at the same time. Spouses of veterans who wish to enter a Home may be admitted at the time of the veteran if any appropriate room is available. If an appropriate room is not available at the time of the veteran's admission, the spouse's name will be

held at the top of the waiting list until an admission can be made. Additions to the present Pioneers' Home regulations are planned to clarify the admission of spouses.

Won't the creation of a Pioneers' and Veterans' Home system change the existing Pioneers' Home program?

No. There are currently 78 Pioneers' Home residents who are veterans, 39 applicants on the active waiting list are veterans, and over 30% of the applicants on the in-active waiting list are veterans. Veterans seeking admission to the Pioneers' Homes are seeking the same services that other seniors seeking admission to the Homes desire. The other admission criteria for application for Pioneers' Home admission must be met by veterans as well. Individuals must be at least 65 years of age and have resided in the state for at least one year.

Besides recognition, of what benefit is the proposal to create the Alaska Pioneers' and Veterans' Home to veterans?

Recognition is important to veterans. Both veterans' organizations and active duty service personnel participate in activities at Pioneers' Homes. The proposal will increase the involvement of these outstanding volunteer groups to support both veterans and non-veteran Home residents.

In addition, the VA clinic located in Anchorage has proposed the creation of scheduled medical clinics at all six Homes to provide services to Home residents who are veterans. Veterans who are not Home residents will also be welcomed to participate in the clinics held in their community. Funding for medications and other services are being discussed with the VA.

Also, two seats on the Pioneers' Home Advisory Board will be designated for veterans to assure that the special interests of veterans are recognized.

It sounds like the Veterans' Affairs Department through their proposed veterans' clinic program will become very involved with the Homes. Will the Homes have to follow federal VA rules and regulations due to this proposal?

No. Any funding or services provided by the VA will be directly received by the veteran/resident. The State will be under no obligation to change the Pioneers' Home program.

Does this proposal rely on the receipt of federal veterans' funding?

No. The proposal is based upon a combination of state general funding and Pioneers' Home receipts received from residents. The source of resident revenues may be from a variety of sources, such as long term care insurance as well as personal financial

resources. The administration will actively pursue opportunities under the federal VA program for innovative approaches to provide federal funding to Alaska veterans.

How much will it cost a veteran to live in a Home?

A veteran will pay the same rate for care as a non-veteran Home resident. The charge for care is determined by the level of care required. The Homes have been increasing the charges for care each July since 1996 in order to charge the full cost of care by July 2002. (See attached *Pioneers' Home Rate History*).

State statute prevents a resident unable to pay the monthly charge from being discharged.

Residents unable to pay the full charge can apply for financial assistance. Residents who apply for financial assistance are able to keep a number of assets, and their spouses living in the community have asset protection. Certain resident income is exempt such as veterans' disability benefits.

Does this mean there will never be a separate home specifically for Alaskan veterans?

Not necessarily. The Governor has proposed \$200.0 in his FY 02 capital budget for a survey to guide the state in future planning to meet the housing and health needs of veterans.

Pioneers' Homes Rate History

Pioneers' Home Effective Date	Residential	Assisted Living	Skilled Nursing
1954	\$150		\$195
July 1966	\$180		\$225
July 1976	\$225		\$275
October 1983	\$425		\$525
December 1989	\$525	\$630	\$800
February 1993	\$600	\$700	\$880
February 1994	\$665	\$780	\$975
February 1995	\$735	\$860	\$1,100

Effective Date	Coordinated Services	Basic Assisted Living	Enhanced Assisted Living	Alzheimer's & Dementia Related Disorders	Comprehensive Services
July 1996	\$934	\$1,289	\$1,553	\$1,579	\$1,864
July 1997	\$1,140	\$1,720	\$2,140	\$2,200	\$2,630
July 1998	\$1,340	\$2,150	\$2,730	\$2,815	\$3,395
July 1999	\$1,540	\$2,580	\$3,315	\$3,430	\$4,160
July 2000	\$1,735	\$3,005	\$3,905	\$4,040	\$4,920

Notes : July 1996 was the first rate increase in the Pioneers' Homes Advisory Boards seven year plan to move charging Pioneers' Homes resident the full cost of care.


A payment assistance program is available for residents who cannot afford to pay the monthly rates.

Pioneers' Homes Proposed Rate Increases


Effective Date	Coordinated Services	Basic Assisted Living	Enhanced Assisted Living	Alzheimer's & Dementia Related Disorders	Comprehensive Services
July 2001	\$1,935	\$3,435	\$4,490	\$4,655	\$5,685
July 2002	\$2,135	\$3,865	\$5,080	\$5,270	\$6,450

9/19/01

Laddie Shaw - Dept of Military & Veterans
Lynn Prossick -
Marsha Hoffman Long-Term Care Committee
Millineum Health Care Act

Thought it would good to pay for veterans in
assisted living. 

Under pilot cannot pay beyond lemos
Pays on what there needs are and where
they are in the process.

 Pilot program out of VA

Wa Or Id AK

3 yr pilot pays for staff & per diem

Will only be able to implement in one
geographic area

w Pt Warningsoff e Chugach

Doubt we will be able to expand to FBKs


Evaluation component

Jan 2004 evaluation due to Congress

Research & development - Puget Sound Problems with implementation

If veterans aren't able to access the pilot why not?

- ✓ Legal notice went out in newspaper last week.
- ✓ Lynn has been
- ✓ This coming Monday townhall meeting to discuss:
Contract process
Evaluation

✓ 10/2 Completed packages due 
Inspect homes

Institutional Review Board - oversee research
and implementation process



Rate differences 

Demand

Calculation sheet based services clients need



Medicaid pays for services only no room and board

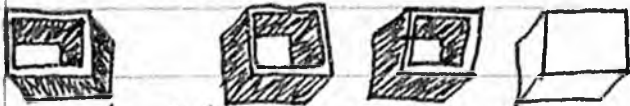



Current state statutes do not provide for way
for VA to reimburse.

Need to work with homes who can take a person
from a hospital; Pioneers have requirements of
age and length of residents

Came up with criteria for clients based on need
Access Database system - send electronically to
evaluation people.

 Under pilot, VA will be primary payer 



Ladde 

Feb. 20, 2001

State Representative
and Majority Leader
Jeannette James:

For your information, enclosed herewith
are seven pages containing
sixty (60) signatures of Pioneer
seniors who oppose the proposed
change of name from "Pioneers
Homes" to "Pioneers & Veterans Homes".

I expect to send more signatures
to add to these sixty to
Senator Theriault who chairs the
Senate State Affairs Cmte. within
the next few weeks.

Sincerely,

Ruth Bohms
P.O. Box 88155
Fairbanks, Alaska 99708-0155

(50 years' residency in
this Great State of Alaska)

TO: State Senator Gene Therriault, Chairman, Senate State Affairs Committee, Juneau, Alaska.

We, the undersigned, members of Pioneers of Alaska Igloo No. 4 and Auxiliary No. 8, Fairbanks, oppose the changing of the name "Pioneers' Homes" to "Pioneers and Veterans' Homes".

SB 55

2-19-2001

NAME	MAILING ADDRESS	TELEPHONE, FAX, EMAIL
1. <i>Jerry Bohms</i>	535 Halverson Rd Fairbanks	499-6970
2. <i>Merrill J. Hakala</i>	141 Front St Fairbanks AK 99701	456-5498
3. <i>Vincent D Kirschner</i>	503 9th Ave Fbks AK 99701-4901	456-1579
4. <i>Delia Larky Erickson</i>	POB 73324 FAI AK 99707-3324	456-5405
5. <i>William Christopher Hayden</i>	PoBox 70555 FBks AK 99701	452-3000
6. <i>Sam Kardon</i>	1147 Sunset Dr. Fbks AK 99709	474-0612
7. <i>Van Fogel</i>	2340 Ravenwood Ave Fairbanks, Alaska 99709	479-6922
8. <i>Harold M. Hume</i>	4016 Birch Lane Fairbanks 99709	479-6724
9. <i>George Lounsbury</i>	PO Box 70983 Fairbanks, Alaska 99707	479-3058
10. <i>Robert H. Lill</i>	1901 Hilling Ave Fairbanks, AK 99709	456-7403
11. <i>Robert P. Hillard</i>	1065 Salmon Trail Fairbanks, AK 99712	457-6522
12. <i>LEE CARMAN</i>	912 BOUTWELL DR FAIRBANKS AK 99701	452-6296

TO: State Senator Gene Therriault, Chairman, Senate State Affairs Committee, Juneau, Alaska.

We, the undersigned, members of Pioneers of Alaska Igloo No. 4 and Auxiliary No. 8, Fairbanks,

oppose the changing of the name "Pioneers' Homes" to "Pioneers and Veterans' Homes".

SB 55

3-19-2001

NAME	MAILING ADDRESS	TELEPHONE. FAX. EMAIL
1. PATRICK KALLEN	1041 CHANA RIDGE ROAD, FAIRBANKS, AK 99709	479-2628
2. Eugene G. Yurkovich	2591 Riverview Dr Fairbanks, AK 99709	474-0396
3. Donald H. PIATT	PO Box 70013 Fairbanks, Alaska 99707	452-1446
4. James C. Oskring	POB 70829 Fairbanks 99707	488-0828
5. Howard Martin	1332 6 th FBX 99701	452-2634
6. Harold Storkel	666-11 th and 106 99706	451-6938
7. Wm. J. North	PO Box 70486 Fairbanks, AK 99707	455-6093
8. Alan Gandy	2900 Murphy Dome Road Fbks AK 99709	
9. S. C. STEPHENS	500 SLATER DR. E. FBX AK 99701	907-456-2367
10. Mr. Mark A. Ames	% ACC - P.O. Box 71693 Fairbanks, Alaska 99707	(907) 457-5096 = "Jed"
11. Frank McQuinn	112 Farewell Ave. Fairbanks, AK 99701	452-6829
12. Les Fortune	1109 Coppet St. Fairbanks, Ak. 99709-4722	(907) 474-0507

TO: State Senator Gene Therriault, Chairman, Senate State Affairs Committee, Juneau, Alaska.

We, the undersigned, members of Pioneers of Alaska Igloo No. 4 and Auxiliary No. 8, Fairbanks,
oppose the changing of the name "Pioneers' Homes" to "Pioneers and Veterans' Homes". **SB 55**

2-19-2001

NAME	MAILING ADDRESS	TELEPHONE. FAX. EMAIL.
1. RANDALL K. ARD	Box 90437 Fairbanks AK 99707-0437	452-5609
2. HARRY JENKINS	210-10TH AVE FBKS AK 99701	
3. JEROME S. KRIPP	601 DITCH ST FBKS AK 99712	457-5889
4. Glen L. Hornerman	3370 DAVIS RD FBKS AK 99709	
5. James S. Moody	Box 71952, Fairbanks - 99707	
6.		
7.		
8.		
9.		
10.		
11.		
12.		

TO: State Senator Gene Therriault, Chairman, Senate State Affairs Committee, Juneau, Alaska.

We, the undersigned, members of Pioneers of Alaska Igloo No. 4 and Auxiliary No. 8, Fairbanks,

oppose the changing of the name "Pioneers' Homes" to "Pioneers and Veterans' Homes".

SB 55

3-19-2001

NAME	MAILING ADDRESS	TELEPHONE, FAX, EMAIL
1. Ruth B. Bohms	P.O. Box 80155, Fairbanks, Alaska 99708-0155	(907) 479-6970
2. Kathleen (Mik) Dalton	Box 70681 Fairbanks, AK 99707-0681	479-6733
3. Janette Hanneman	3370 Davis Road Fairbanks AK 99709-5303	479-6686
4. Evelyn Melville	2526 Outside Blvd North Pole 99705	
5. Betty J. Shipman	1018 Galena St. Fairbanks, AK 99709	474-0549
6. Margaret Egan	1564 Helton Ave Fairbanks AK 99701	452-2709
7. Gail Baldwin	924 Kellum #202 Fairbanks AK 99701	456-5626
8. Suzanne L. Danvers	P.O. Box 83754 ✓ ✓ 99708	(907) 479-6965
9. Marvyn H. Aarvik	P.O. Box 70437 Fairbanks AK 99707-0437	(907) 452-5609
10. Murray M. Kallikr	2201 E. 1st St (Pioneer Home) Fairbanks AK 99701	link
11. Donna L. Johnston	1924 CAPITOL AVE. FAIRBANKS, AK 99709-4191	(907) 459-1298
12. Pamela Young	2825 Mack Blvd Fairbanks, AK 99709	479-2635 goldstar@polarnet.com

TO: State Senator Gene Therriault, Chairman, Senate State Affairs Committee, Juneau, Alaska.

We, the undersigned, members of Pioneers of Alaska Igloo No. 4 and Auxiliary No. 8, Fairbanks,
oppose the changing of the name "Pioneers' Homes" to "Pioneers and Veterans' Homes". **SB 55**

2-19-2001

	NAME	MAILING ADDRESS	TELEPHONE, FAX, EMAIL
1.	Jill Matheson	2340 Ravenwood TPK	479-6922
2.	Joan Robinson	1901 Mary Ann St #4 FBKS	456-5572
3.	Gene Tilly	1901 Hilling Ave FBKS	456-7403
4.	Bonita M. O'Leary	1630 Spilllight AVE FBKS AK 99709	455-6768
5.	Leslie Dunchew	1358 Leslie St North Pole, ak: 99705-5809	488-6690
6.	Donna M. Hines	601 Ditch St FBKS AK 99712-2435	457-5889
7.	Patricia L. Simpson	1235 Noble St Apt 6 FBKS 99701-4955	452-5658
8.	Marian E. Boland	100 10 th Ave 244 FBKS 99701	452-6952
9.	Annalisa B. Houtchens	225 Pine St FBKS 99709-4148	452-7800
10.	Ann E. L. Smith	412 Rhinier Dr, FBKS 99712-3241	488-2817
11.	Lucille E. Reed	2701 Semeter Drive North Pole, ak, 99705	488-9241
12.	Pat Ross	P.O. Box 55267 N.P. AK 99705	488-9345

TO: State Senator Gene Therriault, Chairman, Senate State Affairs Committee, Juneau, Alaska.

We, the undersigned, members of Pioneers of Alaska Igloo No. 4 and Auxiliary No. 8, Fairbanks,
oppose the changing of the name "Pioneers' Homes" to "Pioneers and Veterans' Homes". **SB 55**

2-19-2001

NAME	MAILING ADDRESS	TELEPHONE, FAX, EMAIL
1. <i>Norothy A. McIlwain</i>	<i>112 Farewell Ave, Fbks, 99701-3624</i>	<i>grammy (907) 452-6929 (Fax 456-4875)</i>
2. <i>Mona Hoover</i>	<i>1029 Kodiak St Fbks</i>	<i>99709-4833 gci.net 444-0576</i>
3. <i>Carol Markman</i>	<i>P.O. Box 72498</i>	<i>Fbks 99707-2498 907-456-6181</i>
4. <i>Jane Silars</i>	<i>2113 McCullom</i>	<i>Fbks 99701 907-474-3499</i>
5. <i>Ruby Riddle</i>	<i>166 - 8th Ave.</i>	<i>Fbks 99701 907-456-5518</i>
6.		
7.		
8.		
9.		
10.		
11.		
12.		

TO: State Senator Gene Therriault, Chairman, Senate State Affairs Committee, Juneau, Alaska.

We, the undersigned, members of Pioneers of Alaska Igloo No. 4 and Auxiliary No. 8, Fairbanks,
oppose the changing of the name "Pioneers' Homes" to "Pioneers and Veterans' Homes". **SB 55**

2-19-2001

	NAME	MAILING ADDRESS	TELEPHONE, FAX, EMAIL
1.	Susan K Kalen	1041 Chena Ridge Road, Fairbanks, AK 99709	(907) 479-2628 FAX 479-8830
2.	Claudia A. Piatt	PO Box 71962, Fairbanks, AK 99707	907-453-1446
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			

HB

95

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: HB 95
(H) Publish Date: 3/9/01

Revision Date: _____
Title: "An Act relating to control of space in the state capitol and other buildings occupied by...."
Sponsor: Representative Ogan
Requestor: House State Affairs

Department Affected: Legislature
BRU: Legislative Council
Component: Council & Subcommittees, Administrative Services, Session

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 02	FY 03	FY 04	FY 05	FY 06	FY 07
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
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						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
---------	-----	-----	-----	-----	-----	-----

REVENUE FUND SOURCE	0.0	0.0	0.0	0.0	0.0	0.0
---------------------	-----	-----	-----	-----	-----	-----

FUNDING: (Thousands of Dollars)

GENERAL FUND	0.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER FUND SOURCE						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary)
 HB95 transfers control of space in the state Capitol currently occupied by the Office of the Governor to the Alaska Legislative Council. It also directs the Legislative Affairs Agency to allocate parking according to the needs of the Legislature, deleting the reference to other agencies occupying space in the state Capitol. This bill has zero fiscal impact on the Legislature.

Prepared By: Karla Schofield, Deputy Director Phone: 465-3852
 Division: Administrative Services Date: _____

Approved By: Pamela A. Varni, Executive Director
 Agency: Legislative Affairs Agency Date: _____

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

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: HB 95
(H) Publish Date: 3/9/01

Revision Date/Time (Note if correction): Mar. 8, 2001 9:35 a.m. Dept. Affected: Office of the Governor
Title: "An Act relating to control of space in the BRU: All
state capitol and other buildings..." Component: All
Sponsor: Representative Ogan
Requester: House State Affairs Component Number: _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
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
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
-----------------------------	-----	-----	-----	-----	-----	-----

CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
-------------------------------	-----	-----	-----	-----	-----	-----

FUND SOURCE (Thousands of Dollars)

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 Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
Other (Specify Type)	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2001) cost: 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

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

The House State Affairs Committee adopted a zero fiscal note for the Office of the Governor because the fiscal note submitted by Administrative Services based their fiscal note on the assumption that the passage of HB 95 would result in the Governor being moved from the Capitol Building. The Committee determined that HB 95 simply transfers the control of the third floor from the Governor to the Legislative Council, therefore, there is no fiscal impact from HB 95.

Prepared by: Rynniva W. Moss, Committee Aide Phone 465-3719
House State Affairs Committee

Representative Representative John Coghill Date 3/8/00
Committee Chair

Bill History/Action Display

BILL: HB 95

SHORT TITLE: CONTROL OF CAPITOL SPACE

BILL VERSION:

SPONSOR(S): REPRESENTATIVE(S)OGAN, Stevens, Wilson, James, Fate

CURRENT STATUS: WITHDRAWN BY SPONSR

STATUS DATE: 05/08/01

TITLE: "An Act relating to control of space in the state capitol and other buildings occupied by the legislature and its agencies; and providing for an effective date."

[Full Text](#)[Fiscal Notes](#)[Committee Action with Bill History](#)

Jrn-Date	Jrn-Page	Action
01/26/01	<u>0173</u>	(H) READ THE FIRST TIME - REFERRALS
01/26/01	<u>0173</u>	(H) STA. FIN
03/09/01	<u>0510</u>	(H) STA RPT 5DP
03/09/01	<u>0510</u>	(H) DP: WILSON, STEVENS, JAMES, FATE,
03/09/01	<u>0510</u>	(H) COGHILL
03/09/01	<u>0510</u>	(H) FN1: ZERO(LAA)
03/09/01	<u>0510</u>	(H) FN2: ZERO(H.STA/GOV)
03/09/01	<u>0510</u>	(H) REFERRED TO FINANCE
03/09/01	<u>0529</u>	(H) COSPONSOR(S): STEVENS, WILSON, JAMES,
03/09/01	<u>0529</u>	(H) FATE
05/08/01	<u>1790</u>	(H) WITHDRAWN BY SPONSOR

[Similar Subject Match](#) or [Exact Subject Match](#)[BUILDINGS](#)[CAPITAL STATE](#)[LEGISLATIVE AGENCIES](#)Bill Root: [Display Bill Root](#)[TO REPORT PROBLEMS WITH BASIS INQUIRY](#)[LIVE KTOO STREAMS](#)[Return to Basis Main Menu \(22 Legislature\)](#)[Return to Legislature Home Page](#)

HB

100

Bill History/Action Display



BILL: HB 100

SHORT TITLE: JUNETEENTH
DAY

BILL VERSION: SCS HB 100(STA)

SPONSOR(S): REPRESENTATIVE(S)MCGUIRE, Hayes, Halcro, Murkowski, Meyer, Dyson,
James, Cissna, Croft

SENATOR(S) Davis, Ellis, Olson, Leman, Lincoln, Elton, Ward

CURRENT STATUS: CHAPTER 9 SLA 01

STATUS DATE: 04/10/01

TITLE: "An Act establishing the third Saturday of each June as Juneteenth Day."

 Full Text

 Fiscal Notes

Committee Action with Bill History

Jrn-Date	Jrn-Page	Action
01/31/01	<u>0213</u>	(H) READ THE FIRST TIME - REFERRALS
01/31/01	<u>0213</u>	(H) STA
02/07/01	<u>0260</u>	(H) STA RPT 7DP
02/07/01	<u>0260</u>	(H) DP: WILSON, STEVENS, CRAWFORD, JAMES,
02/07/01	<u>0260</u>	(H) FATE, HAYES, COGHILL
02/07/01	<u>0260</u>	(H) FN1: ZERO(H.STA)
02/09/01	<u>0283</u>	(H) RULES TO CALENDAR 2/9/01
02/09/01	<u>0283</u>	(H) READ THE SECOND TIME
02/09/01	<u>0283</u>	(H) ADVANCED TO THIRD READING UNAN CONSENT
02/09/01	<u>0283</u>	(H) READ THE THIRD TIME HB 100
02/09/01	<u>0283</u>	(H) PASSED Y36 E4
02/09/01	<u>0287</u>	(H) COSPONSOR(S): HALCRO, MURKOWSKI, MEYER,
02/09/01	<u>0287</u>	(H) DYSON, JAMES, CISSNA
02/09/01	<u>0287</u>	(H) TRANSMITTED TO (S)
02/09/01	<u>0287</u>	(H) VERSION: HB 100
02/12/01	<u>0340</u>	(S) READ THE FIRST TIME - REFERRALS
02/12/01	<u>0340</u>	(S) STA
02/12/01	<u>0340</u>	(S) CROSS SPONSOR(S): DAVIS
02/13/01	<u>0357</u>	(S) CROSS SPONSOR(S): ELLIS, OLSON, LEMAN,
02/13/01	<u>0357</u>	(S) LINCOLN, ELTON, WARD
03/09/01	<u>0596</u>	(S) STA RPT SCS 2DP 1NR SAME TITLE
03/09/01	<u>0596</u>	(S) NR: THERRIAULT; DP: DAVIS, PHILLIPS
03/09/01	<u>0596</u>	(S) FN1: ZERO(H.STA)
03/22/01	<u>0769</u>	(S) RULES TO CALENDAR 3/22/01
03/22/01	<u>0769</u>	(S) READ THE SECOND TIME
03/22/01	<u>0770</u>	(S) STA SCS ADOPTED UNAN CONSENT
03/22/01	<u>0770</u>	(S) ADVANCED TO THIRD READING UNAN CONSENT

03/22/01	<u>0770</u>	(S)	READ THE THIRD TIME SCS HB 100(STA)
03/22/01	<u>0770</u>	(S)	PASSED Y17 N- E2 A1
03/22/01	<u>0770</u>	(S)	ELLIS NOTICE OF RECONSIDERATION
03/23/01	<u>0791</u>	(S)	RECON TAKEN UP - IN THIRD READING
03/23/01	<u>0791</u>	(S)	PASSED ON RECONSIDERATION Y18 N- E2
03/23/01	<u>0792</u>	(S)	TRANSMITTED TO (H) AS AMENDED
03/23/01	<u>0792</u>	(S)	VERSION: SCS HB 100(STA)
03/26/01	<u>0721</u>	(H)	HELD UNDER UNFINISHED BUSINESS
03/26/01	<u>0735</u>	(H)	CONCUR AM OF (S) Y37 E3
03/26/01	<u>0736</u>	(H)	COSPONSOR(S): CROFT
03/29/01	<u>0775</u>	(H)	10:00AM 3/29/01 TRANSMITTED TO GOVERNOR
04/11/01	<u>0947</u>	(H)	SIGNED INTO LAW 4/10 CHAPTER 9 SLA 01
04/11/01	<u>0947</u>	(H)	EFFECTIVE DATE(S) OF LAW 7/9/01

Similar Subject Match or Exact Subject Match

GOVERNOR

HOLIDAYS

PROCLAMATIONS

Bill Root: Display Bill Root



TO REPORT PROBLEMS WITH BASIS INQUIRY

LIVE KTOO STREAMS 

Return to Basis Main Menu (22 Legislature)

Return to Legislature Home Page

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: HB 100
(H) Publish Date: 02/07/01

Revision Date/Time (Note if correction): _____ Dept. Affected: _____
Title: An Act Establishing the third BRU: _____
Saturday of each June as Juneteenth Day. Component: _____
Sponsor: Mr. Guire Component Number: _____
Requester: State Affairs

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Rynnirva Mars, Committee Aide Phone: 465-3719
Division: House State Affairs Date/Time: 2/06/01
Approved by: Rynnirva W. Mars Date: _____
Agency: _____

For distribution information, call the Governor's Legislative Office

HB

109



HOUSE STATE AFFAIRS COMMITTEE

STATE CAPITOL, ROOM 102
465-4963

MEMORANDUM

COMMITTEE MEMBERS

Rep. John Coghill
Chairman
Room 102
465-3719

Rep. Hugh Fate
Vice-Chair
Room 416
465-4976

Rep. Jeannette James
Room 214
465-3743

Rep. Gary Stevens
Room 428
465-4925

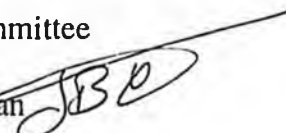
Rep. Peggy Wilson
Room 409
465-3824

Rep. Harry Crawford
Room 426
465-3438

Rep. Joe Hayes
Room 422
465-3466

Date: February 12, 2001

To: Members of House State Affairs Committee

From: Representative John Coghill, Chairman 
House State Affairs Committee

Re: Backup for Thursday's Meeting

Attached is backup information for HB 109 and HB 110. Both are scheduled for public hearing on Thursday, February 14th.

HB 109 accommodates a flaw in state law that is recognized as a rare problem but one that is significant to a voter when his or her right to vote is diminished. Division of Elections is comfortable with this legislation as it does not change the requirement for certification, but does allow the ballot to be counted if the voter has done everything right and the certification is incomplete.

HB 110 puts into statute a policy implemented by DMV several weeks ago. It brings state statutes in conformance with federal requirements for driver's licenses as outlined in the attached memo from the U.S. Department of Health & Social Services.

Thank you for your consideration.

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: HB 109
(H) Publish Date: 2/16/01

Revision Date/Time (Note if correction): _____ Dept. Affect: Office of the Governor
Title: An Act relating to failure by an election official BRU: Elective Operations
to execute the voter's certificate on an absentee ballot.... Component: Elections
Sponsor: Representative Coghill
Requester: House State Affairs Component Number: 21

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Gail Fenumiai Phone 465-3935
Division: Division of Elections Date/Time 02/12/01 9:55 a.m.
Approved by: Lieutenant Governor Fran Ulmer Date 02/12/2001
Agency: Office of the Lieutenant Governor

For distribution information, call the Governor's Legislative Office

FISCAL NOTE

**STATE OF ALASKA
2001 LEGISLATIVE SESSION**

Fiscal Note Number: _____
 Bill Version: HB109
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affect: Office of the Governor
 Title: An Act relating to failure by an election official BRU: Elective Operations
to execute the voter's certificate on an absentee ballot.... Component: Elections
 Sponsor: Representative Coghill
 Requester: House State Affairs Component Number: 21

Expenditures/Revenues (Thousands of Dol'ars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Gail Fenumiai Phone 465-3935
 Division: Division of Elections Date/Time 02/12/01 9:55 a.m.
 Approved by: Lieutenant Governor Fran Ulmer Date 02/12/2001
 Agency: Office of the Lieutenant Governor

For distribution information, call the Governor's Legislative Office

HB

110



HOUSE STATE AFFAIRS COMMITTEE

STATE CAPITOL, ROOM 102
465-4963

MEMORANDUM

COMMITTEE MEMBERS

Rep. John Coghill
Chairman
Room 102
465-3719

Rep. Hugh Fate
Vice-Chair
Room 416
465-4976

Rep. Jeannette James
Room 214
465-3743

Rep. Gary Stevens
Room 428
465-4925

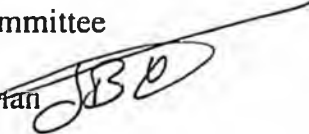
Rep. Peggy Wilson
Room 409
465-3824

Rep. Harry Crawford
Room 426
465-3438

Rep. Joe Hayes
Room 422
465-3466

Date: February 12, 2001

To: Members of House State Affairs Committee

From: Representative John Coghill, Chairman 
House State Affairs Committee

Re: Backup for Thursday's Meeting

Attached is backup information for HB 109 and HB 110. Both are scheduled for public hearing on Thursday, February 14th.

HB 109 accommodates a flaw in state law that is recognized as a rare problem but one that is significant to a voter when his or her right to vote is diminished. Division of Elections is comfortable with this legislation as it does not change the requirement for certification, but does allow the ballot to be counted if the voter has done everything right and the certification is incomplete.

HB 110 puts into statute a policy implemented by DMV several weeks ago. It brings state statutes in conformance with federal requirements for driver's licenses as outlined in the attached memo from the U.S. Department of Health & Social Services.

Thank you for your consideration.

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSHB 110(STA)
 (H) Publish Date: 2/21/01

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title: An act relating to driver's licenses and BRU: Motor Vehicles
instructional permits; and providing an effective date. Component: _____
 Sponsor: Representative Coghill
 Requester: H (SA) Component Number: 2348

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill will have no fiscal impact on DMV. Procedures contained in this bill have already been implemented by DMV administrative policy.

Prepared by: Charles R. Hosack Phone 269-5559
 Division: Motor Vehicles Date/Time 2/8/2001 2:00:00 PM
 Approved by: Jim Duncan, Commissioner Date 2/12/01
 Agency: Department of Administration

For distribution information, call the Governor's Legislative Office

HB

120

ALASKA STATE HOUSE OF REPRESENTATIVES

Interim Address:

**119 N. Cushman, Suite 211
Fairbanks, AK 99701
(907)-456-5081
Fax# (907)-456-8245**



**Session Contact:
(907)-465-3719
FAX# (907)-465-3258
State Capitol
Room 416**

REPRESENTATIVE JOHN COGHILL

HB 120 National Crime Prevention and Privacy Act SPONSOR STATEMENT

HB 120 is introduced to have Alaska be one of the signers of a compact between states and the federal government that facilitates the exchange of criminal history records information for non-criminal purposes.

Exchange of criminal information is not new but this compact establishes links between compact states that is more complete and clearly defined.

In recent years, the legislature has enacted statutes requiring a criminal background check for the protection of children in occupations such as schoolteachers, daycare workers, and school bus drivers. Background checks are also required for assisted living facilities in an effort to protect vulnerable adults. Title 12 Chapter 62 Criminal Justice Information System Security and Privacy is the primary statute governing state law regarding the release of criminal history record information,

This change is needed because the information provided at the national level currently lacks a significant amount of information at the state level. In his testimony last year about national criminal checks, Ken Bischoff, Director, Division of Administrative Services, Department of Public Safety in an example said that 40 percent of Oregon's criminal records are not indexed at the national level. Adopting the compact would give Alaska access to that forty percent now unavailable.

The Federal Bureau of Investigation estimates that one in five criminals has a record in more than one state. Alaska could have access to more than 55 million criminal records nationally by linking the criminal history repositories of the fifty states to the national repository.

The safeguard to abuse of this system is that in order to conduct a criminal background for the purposes of employment and/or licensing, the employer or licensor would have to obtain permission from the applicant by means of getting fingerprints.

Subject: [Fwd: Rep. Coghill (III bill)]

Date: Fri, 09 Feb 2001 10:11:09 -0900

From: royce_weller <royce_weller@dps.state.ak.us>

Organization: Department of Public Safety

To: Rynnieva W Moss <Rynnieva_Moss@legis.state.ak.us>

Rynnieva:

Below is an e-mail which I hope addresses a concern your boss raised yesterday. Please let me know if you need anything else.

Royce

Subject: Re: Rep. Coghill (III bill)

Date: Fri, 09 Feb 2001 09:47:08 -0900

From: Ken <kenneth_bischoff@dps.state.ak.us>

Organization: Department of Public Safety

To: royce_weller <royce_weller@dps.state.ak.us>

CC: DIANE SCHENKER <Diane_Schenker@dps.state.ak.us>

Royce,

Please refer the Representative to

Compact Section 212 - Congressional Findings

(1) Congress finds that both the Federal Bureau of Investigation and State criminal history record repositories maintain fingerprint based criminal history records;

Compact Article V-Record Request Procedures - (a) Positive Identification - Subject fingerprints or other approved forms of identification shall be submitted with all requests for criminal history record checks for non criminal justice purposes;

Compact Article V (e) Additional Search - If a State criminal history record repository cannot positively identify the subject of a record request made for non criminal justice purposes, the request, together with fingerprints or other approved identifying information, shall be forwarded to the FBI for a search of the national indices;

Article I Definition (20) Positive Identification - The term "positive identification" means a determination, based upon a comparison of fingerprints or other equally reliable biometric identification techniques, that the subject of a record search is the same person as the subject of a criminal history record or records indexed in the III System. Identifications based solely upon a comparison of subjects' names or other non unique identification characteristics or numbers, or combinations thereof, shall not constitute positive identification.

The federal sectional analysis relating to the compact definitions (20) Positive Identification goes on to state - This term refers in brief, to association of a person with his or her criminal history record through a comparison of fingerprints or other equally reliable biometric identification techniques. Such techniques eliminate or substantially reduce the risks of associating a person with someone else's record or failing to find a record of a person who uses a false name. At present, the method of establishing positive identification in use in criminal justice agencies throughout the United States is based upon comparison of

fingerprint patterns, which are essentially unique and unchanging and thus provide a highly reliable basis for identification...

royce_weller wrote:

> Ken,

>

> Randy & I met with Coghill this morning on AST items. During the
> conversation he mentioned the bill being introduced soon. He also
> commented on the need to know that all shared data was "fingerprint"
> based. He said he didn't read that anywhere but thought that was the
> case.

>

> He needs to be reassured of this fact (specifically where the
> federal/state law requires such).

--
Kenneth Bischoff
Director, Administrative Services
Department of Public Safety
P.O. Box 111200
Juneau, Alaska 99811-1200

Phone: (907) 465-4336
Fax: (907) 586-2762
EMAIL: kenneth_bischoff@dps.state.ak.us

<p>Kenneth Bischoff <kenneth_bischoff@dps.state.ak.us> Director, Division of Administrative Services Department of Public Safety</p>
--

Subject: HB 120 Sectional Analysis, sealing application

Date: Wed, 07 Mar 2001 16:43:55 -0900

From: DIANE SCHENKER <Diane_Schenker@dps.state.ak.us>

Organization: Department of Public Safety

To: Rynnieva Moss <Rynnieva_Moss@legis.state.ak.us>

CC: Royce Weller <royce_weller@dps.state.ak.us>, "Bischoff, Kenneth" <kenneth_bischoff@dps.state.ak.us>


Rynnieva: I've attached a revised sectional analysis for the Sponsor Substitute we discussed and two appendices - 1 is the detailed sectional analysis of the Compact itself and 2 is a list of examples of "nonserious" offenses.


I've also attached a copy of the application form/packet we give people who wish to have a record sealed, for Representative Coghill's review. The packet explains the laws governing "sealing", as well as providing the forms the requester needs to fill out, so that people don't have to be "legal researchers" to understand their rights in this area. The whole packet is designed to make the process as simple as possible for the record subject who is truly a victim of false accusation or mistaken identity, but at the same time provide us with all the information we need to avoid sealing a legitimate criminal record.


Please let me know if there is anything else you need. Thanks for all your help.


--

Diane Schenker
Criminal Justice Planner
Alaska Department of Public Safety
(907) 269-5092
Diane_Schenker@dps.state.ak.us

 HB 120 Sectional Analysis.doc	<p>Name: HB 120 Sectional Analysis.doc Type: Winword File (application/msword) Encoding: base64 Download Status: Not downloaded with message</p>
---	---

 HB 120 App 2 Nonserious.xls	<p>Name: HB 120 App 2 Nonserious.xls Type: Microsoft Excel Worksheet (application/vnd.ms-excel) Encoding: base64 Download Status: Not downloaded with message</p>
---	---

 HB 120 App 1 NCPP sectional analysis.doc	<p>Name: HB 120 App 1 NCPP sectional analysis.doc Type: Winword File (application/msword) Encoding: base64 Download Status: Not downloaded with message</p>
--	--

 sealing.doc	<p>Name: sealing.doc Type: Winword File (application/msword) Encoding: base64 Download Status: Not downloaded with message</p>
---	--

HB 120 Sectional Analysis National Crime Prevention and Privacy Compact and Criminal Justice Information

Section 1 adopts the National Crime Prevention and Privacy Compact. The Compact provides the legal framework necessary for states to exchange criminal history records directly with one another for noncriminal justice licensing and employment purposes. Today, states rely on duplicate records maintained by the FBI for such checks. However, whether by policy or oversight, states typically do not submit copies of all their records to the FBI. Therefore, states can get more complete, accurate records from one another under the Compact than they can get from the FBI.

These are the major provisions of the Compact:

- It binds the FBI and ratifying states to use the Interstate Identification Index (III) to exchange criminal records for authorized noncriminal justice purposes according to established system policies. (III is the automated index/pointer system currently used by the FBI and states to exchange criminal records for criminal justice purposes.)
- Record recipients will be the same as those currently authorized to obtain records from the FBI. To be authorized, one must be permitted to obtain national criminal records for a noncriminal justice purpose under a federal or state statute approved by the U.S. Attorney General.
- Background checks will continue to be based on fingerprints to ensure positive identification; this prevents anyone from using III to get another person's criminal record "anonymously" for a noncriminal justice purpose – *the record subject must agree to the record check beforehand by providing fingerprints.*
- The receiving state's criminal justice information statutes govern how the national record may be used and disseminated. If Alaska adopts the Compact, its state repository will be required to screen and disseminate records received through III according to Alaska's own criminal justice information laws (Alaska Statute 12.62).
- The Compact establishes a council of state and federal officials to set operating policies for noncriminal justice uses of the III system.

Since Congress enacted it in 1998, eight states have adopted the Compact: Montana, Georgia, Nevada, Florida, Colorado, Iowa, Connecticut, and South Carolina.

Appendix 1 provides a detailed sectional analysis of the Compact.

Section 2 amends the state's criminal justice dissemination laws. This section simplifies standards for determining the contents of criminal history records. The changes enhance repository efficiency and compliance and ensure that authorized record users receive all potentially relevant information.

AS 12.62.160(b)(8) and (b)(9) currently authorize release of "current offender" and "past conviction" information to any person who submits a subject's fingerprints to the repository. The bill combines these into a single paragraph. By rewording the paragraph to authorize release of criminal justice information "except nonconviction information" the newly worded paragraph allows release of criminal identification information so that a rap sheet can contain a mugshot.

The reworded paragraph also removes language hiding convictions unless the report is within ten years of unconditional discharge. Alaska's repository is unable to comply with this standard because few criminal history records contain enough data to calculate the unconditional discharge date. Even if records were enhanced to include such data in the future, the repository would be unable to compute the date retroactively for half a million or more existing convictions. Nor would Alaska's repository be able to apply such a filter to convictions from other states under the Compact. Furthermore, recent changes in law have made this limitation moot in many cases. The sex offender registration act, for example, allows release of conviction information for 15 years beyond the unconditional discharge date for one-time offenders, and for the lifetime of repeat offenders. Even Alaska's state employment application requires applicants to divulge information about convictions beyond this time limit.

AS 12.62.160(b)(10) is renumbered as (b)(9) and amended to provide more information to "interested persons" – those who are responsible for screening applicants to supervise children or vulnerable adults.¹

The current law limits such "interested person" reports to convictions only. This section allows the report to include nonconviction information, such as a finding of "not guilty by reason of insanity". It would also allow release of records requiring additional research to determine conviction or nonconviction status. Alaska's computerized criminal records contain nearly 100,000 charges over two years old without dispositions. The record requester is in the best position to determine which records merit further research and, if appropriate, to get more information from the record subject who is applying for a position or license. By contrast, if the report is limited to convictions only, the repository must omit a charge that may have resulted in a conviction that is simply missing from repository records. Alternatively, the repository must conduct time-consuming research on each charge that is missing a disposition, regardless of relevancy to the record requester.

¹ Under AS 12.62.900: "Interested person" means a person as defined in AS 01.10.060 that employs, appoints, or permits a person to serve with or without compensation in a position in which the employed, appointed, or permitted person has or would have supervisory or disciplinary power over a minor or dependent adult; "Dependent adult" means an adult with a physical or mental disability who requires assistance or supervision with the activities of daily living.

This section expands the "interested person" report to include information about all criminal offenses, not just those listed in a statutory definition of "serious offenses." That definition omits such potentially relevant misdemeanors as: *Endangering the Welfare of a Minor*, *Endangering a Vulnerable Adult*, *Failure to Report a Crime Against a Child*, *Harassment*, and *Recruiting a Gang Member*. Appendix 2 provides a list of other misdemeanors excluded from the definition of "serious offense".

The lead-in sentence in AS 12.62.160(b) is simplified by removing redundant wording. It is unnecessary to limit dissemination authority to criminal justice agencies because AS 12.62.160(c)(1) states that criminal justice information may be released only by the agency that maintains it.

Unnecessary language (such as "to the extent necessary") is removed throughout AS 12.62.160 because each paragraph already specifies the circumstances under which information may be released, and to whom.

The phrase "criminal justice information" is deleted from each paragraph's lead-in because it is included in the lead-in for the entire subsection.

Section 3 repeals the definition of "unconditional discharge". Changes in Section 2 eliminate use of the term in this chapter.

Section 4 makes the Act effective September 1, 2001. The delayed effective date allows time for the Department of Public Safety to modify software and procedures to use III for authorized noncriminal justice purposes. The department will also need to amend regulations governing criminal record dissemination. Both tasks will be accomplished with existing resources.

HB 120 SECTIONAL ANALYSIS - APPENDIX 1
NATIONAL CRIME PREVENTION AND PRIVACY COMPACT
AND
SECTION-BY-SECTION ANALYSIS

Senate Bill 2022, which includes the Compact, was passed by Congress and signed into law by the president in October 1998. (Title II of Pub. L. 105-251)

The section-by-section analysis of the Compact is a statement of Sen. Mike DeWine (R-OH), which was read into the October 16, 1998, edition of the Congressional Record. Sections 211-217 refer to background material included in the U.S. Senate bill. Following Section 217 there are sectional analyses of the Articles of the Compact to be adopted into state law in HB 120.

Section 211.-This section provides the short title of the Act.

Section 212.-This section sets forth the congressional findings upon which the Act is predicated. The section reflects congressional determinations that both the FBI and the states maintain fingerprint-based criminal history records and exchange them for criminal justice purposes and also, to the extent authorized by federal law and the laws of the various states, use the information contained in these records for certain noncriminal justice purposes. Although this system has operated for years on a reciprocal, voluntary basis, the exchange of records for noncriminal justice purposes has been hampered by the fact that the laws and policies of the states governing the noncriminal justice use of criminal history records and the procedures by which they are exchanged vary widely.

A compact will establish a uniform standard for the interstate and federal-state exchange of criminal history records for noncriminal justice purposes, while permitting each state to continue to enforce its own record dissemination laws within its own borders. A compact will also facilitate the interstate and federal-state exchange of information by clarifying the obligations and responsibilities of the respective parties, streamlining the processing of background search applications and eliminating record maintenance duplication at the federal and state levels. Finally, the compact will provide a mechanism for establishing and enforcing uniform standards governing record accuracy and protecting the confidentiality and privacy interests of record subjects.

Section 213.-This section sets out definitions of key terms used in this subtitle. Definitions of key terms used in the compact are set out in Article I of the compact.

Section 214.-This section formally enacts the compact into federal law, makes the United States a party, and consents to entry into the Compact by the States.

Section 215.-This section outlines the effect of the Compact's enactment on certain other laws. First, subsection (a) provides that the Compact is deemed to have no effect on the FBI's obligations and responsibilities under the Privacy Act. The Privacy Act became effective in 1975, and can generally be characterized as a federal code of fair information practices regarding individuals. The Privacy Act regulates the collection, maintenance, use, and dissemination of personal information by the federal government.

This Section makes clear that the Compact will neither expand nor diminish the obligations imposed on the FBI by the Privacy Act. All requirements relating to collection, disclosure and administrative matters remain in effect, including standards relating to notice, accuracy and security measures. Second, enactment of the Compact will neither expand nor diminish the responsibility of the FBI and the state criminal history record repositories to permit access, direct or otherwise, to criminal history records under the authority of certain other federal laws (enumerated in subsection (b)(1)). These laws include the following: The Security Clearance Information Act (Section 9101 of Title 5, United States Code) requires state and local

criminal justice agencies to release criminal history record information to certain federal agencies for national security background checks.

The Brady Handgun Violence Prevention Act prescribes a waiting period before the purchase of a handgun may be consummated in order for a criminal history records check on the purchaser to be completed, and also establishes a national instant background check system to facilitate criminal history checks of firearms purchasers. Under this system, licensed firearms dealers are authorized access to the national instant background check system for purposes of complying with the background check requirement. The National Child Protection Act of 1993 (42 U.S.C. § 5119a) authorizes states with appropriate state statutes to access and review state and federal criminal history records through the national criminal history background check system for the purpose of determining whether care providers for children, the elderly and the disabled have criminal histories bearing upon their fitness to assume such responsibilities.

The Violent Crime Control and Law Enforcement Act of 1994 authorizes federal and state civil courts to have access to FBI databases containing criminal history records, missing person records and court protection orders for use in connection with stalking and domestic violence cases. The United States Housing Act of 1937, as amended by the Housing Opportunity Program Extension Act of 1996, authorizes public housing authorities to obtain federal and state criminal conviction records relating to public housing applicants or tenants for purposes of applicant screening, lease enforcement and eviction. The Native American Housing Assistance and Self-Determination Act authorizes Indian tribes or tribally designated housing entities to obtain federal and state conviction records relating to applicants for or tenants of federally assisted housing for purposes of applicant screening, lease enforcement and eviction.

Nothing in the Compact would alter any rights of access provided under these laws. Subsection (b)(2) provides that the compact shall not affect any direct access to federal criminal history records authorized by law. Under existing legal authority, the FBI has provided direct terminal access to certain federal agencies, including the Office of Management and Budget and the Immigration and Naturalization Service, to facilitate the processing of large numbers of background search requests by these agencies for such purposes as federal employment, immigration and naturalization matters, and the issuance of security clearances. This access will not be affected by the compact.

Subsection (c) provides that the Compact's enactment will not affect the FBI's authority to use its criminal history records for noncriminal justice purposes under Public Law 92-544-the State, Justice, Commerce Appropriations Act of 1973. This law restored the Bureau's authority to exchange its identification records with the states and certain other organizations or entities, such as federally chartered or insured banking institutions, for employment and licensing purposes, after a federal district court had declared the FBI's practice of doing so to be without foundation. (See *Menard v. Mitchell*, 328 F. Supp. 718 (D.D.C. 1971)).

Subsection (d) provides that the Council created by the Compact to facilitate its administration is deemed not to be a federal advisory committee as defined under the Federal Advisory Committee Act. This provision is necessary since nonfederal employees will sit on the Compact Council together with federal personnel and the Council may from time to time be called upon to provide the Director of the FBI or the Attorney General with collective advice on the administration of the Compact. Without this stipulation, such features might cause the Council to be considered an advisory committee within the meaning of the Federal Advisory Committee Act. Even though the Council will not be considered an advisory committee for purposes of the Act, it will hold public meetings.

Similarly, to avoid any question on the subject, Subsection (e) provides that members of the Compact Council will not be deemed to be federal employees or officers by virtue of their Council membership for any purpose other than to effect the Compact. Thus, state officials and other nonfederal personnel who are appointed to the Council will be considered federal officials only to the extent of their roles as Council members. They will not be entitled to compensation or benefits accruing to federal employees or officers, but they could receive reimbursement from federal funds for travel and subsistence expenses incurred in attending council meetings.

Section 216.-This Section admonishes all federal personnel to enforce the Compact and to cooperate in its implementation. It also directs the U.S. Attorney General to take such action as may be necessary to implement the Compact within the federal government, including the promulgation of regulations.

Section 217.-This is the core of the subtitle and sets forth the text of the Compact:

Overview. This briefly describes what the Compact is and how it is meant to work. Under the Compact, the FBI and the states agree to maintain their respective databases of criminal history records and to make them available to Compact parties for authorized purposes by means of an electronic information sharing system established cooperatively by the federal government and the states.

Article I-Definitions. This article sets out definitions for key terms used in the Compact. Most of the definitions are substantially identical to definitions commonly used in federal and state laws and regulations relating to criminal history records and need no explanation. However, the following definitions merit comment:

(20) Positive Identification. This term refers, in brief, to association of a person with his or her criminal history record through a comparison of fingerprints or other equally reliable biometric identification techniques. Such techniques eliminate or substantially reduce the risks of associating a person with someone else's record or failing to find a record of a person who uses a false name. At present, the method of establishing positive identification in use in criminal justice agencies throughout the United States is based upon comparison of fingerprint patterns, which are essentially unique and unchanging and thus provide a highly reliable basis for identification. It is anticipated that this method of positive identification will remain in use for many years to come, particularly since federal and state agencies are investing substantial amounts of money to acquire automated fingerprint identification equipment and related devices which facilitate the capturing and transmission of fingerprint images and provide searching and matching methods that are efficient and highly accurate. However, there are other biometric identification techniques, including retinal scanning, voice-print analysis and DNA typing, which might be adapted for criminal record identification purposes. The wording of the definition contemplates that at some future time the Compact Council might authorize the use of one or more of these techniques for establishing positive identification, if it determines that the reliability of such technique(s) is at least equal to the reliability of fingerprint comparison.

(21) Scaled Record Information. Article IV, paragraph (b), permits the FBI and state criminal history record repositories to delete scaled record information when responding to an interstate record request pursuant to the Compact. Thus, the definition of "scaled" becomes important, particularly since state sealing laws vary considerably, ranging from laws that are quite restrictive in their application to others that are very broad. The definition set out here is intended to be a narrow one in keeping with a basic tenet of the Compact-that state repositories shall release as much information as possible for interstate exchange purposes, with issues concerning the use of particular information for particular purposes to be decided under the laws of the receiving states. Consistent with the definition, an adult record, or a portion of it, may be considered scaled only if its release for noncriminal justice purposes has been prohibited by a court order or by action of a designated official or board, such as a State Attorney General or a Criminal Record Privacy Board, acting pursuant to a federal or state law. Further, to qualify under the definition, a court order, whether issued in response to a petition or on the court's own motion, must apply only to a particular record subject or subjects referred to by name in the order. So-called "blanket" court orders applicable to multiple unnamed record subjects who fall into particular classifications or circumstances, such as first-time non-serious drug offenders, do not fit the definition. Similarly, sealing orders issued by designated officials or boards acting pursuant to statutory authority meet the definition only if such orders are issued in response to petitions filed by individual record subjects who are referred to by name in the orders. So-called "automatic" sealing laws, which restrict the noncriminal justice use of the records of certain defined classes of individuals, such as first-time offenders who successfully complete probation terms, do not satisfy the definition, because they do not require the filing of individual petitions and the issuance of individualized sealing orders.

Concerning juvenile records, each state is free to adopt whatever definition of scaling it prefers.

Article II-Purposes. Five purposes are listed: creation of a legal framework for establishment of the Compact; delineation of the FBI's obligations under the Compact; delineation of the obligations of party states; creation of a Compact Council to monitor system operations and promulgate necessary rules and procedures; and, establishment of an obligation by the parties to adhere to the Compact and its related rules and standards.

Article III-Responsibilities of Compact Parties. This article details FBI and state responsibilities under the Compact and provides for the appointment of Compact Officers by the FBI and by party states. Compact officers shall have primary responsibility for ensuring the proper administration of the Compact within their jurisdictions. The FBI is required to provide criminal history records maintained in its automated database for noncriminal justice purposes described in Article IV of the Compact. These responses will include federal criminal history records and, to the extent that the FBI has such data in its files, information from non-Compact States and information from Compact States relating to records which such states cannot provide through the III System. The FBI is also responsible for providing and maintaining the centralized system and equipment necessary for the Compact's success and ensuring that requests made for criminal justice purposes will have priority over requests made for noncriminal justice purposes.

State responsibilities are similar. Each Party State must grant other states access to its III system-indexed criminal history records for authorized noncriminal justice purposes and must submit to the FBI fingerprint records and subject identification information that are necessary to maintain the national indices. Each state must comply with duly established system rules, procedures, and standards. Finally, each state is responsible for providing and maintaining the telecommunications links and equipment necessary to support system operations within that state.

Administration of Compact provisions will not be permitted to reduce the level of service available to authorized criminal justice and noncriminal justice users on the effective date of the Compact.

Article IV-Authorized Record Disclosures. This article requires the FBI, to the extent authorized by the Privacy Act, and the state criminal history record repositories to provide criminal history records to one another for use by governmental or nongovernmental agencies for noncriminal justice purposes that are authorized by federal statute, by federal executive order, or by a state statute that has been approved by the U.S. Attorney General. Compact parties will be required to provide criminal history records to other compact parties for noncriminal justice uses that are authorized by law in the requesting jurisdiction even though the law of the responding jurisdiction does not authorize such uses within its borders. Further, the responding party must provide all of the criminal history record information it holds on the individual who is the subject of the request (deleting only sealed record information) and the law of the requesting jurisdiction will determine how much of the information will actually be released to the noncriminal justice agency on behalf of which the request was made. This approach provides a uniform dissemination standard for interstate exchanges, while permitting each compact party to enforce its own record dissemination laws within its borders.

To provide uniformity of interpretation, state laws authorizing noncriminal justice uses of criminal history records under this article must be reviewed by the U.S. Attorney General to ensure that the laws explicitly authorize searches of the national indices.

Records provided through the III System pursuant to the Compact may be used only by authorized officials for authorized purposes. Compact officers must establish procedures to ensure compliance with this limitation as well as procedures to ensure that criminal history record information provided for noncriminal justice purposes is current and accurate and is protected from unauthorized release. Further, procedures must be established to ensure that records received from other compact parties are screened to ensure that only legally authorized information is released. For example, if the law of the receiving jurisdiction provides that only conviction records may be released for a particular noncriminal justice purpose, all other entries, such as acquittal or dismissal notations or arrest notations with no accompanying disposition notation, must be deleted.

Article V-Record Request Procedures. This article provides that direct access to the National Identification Index and the National Fingerprint File for purposes of conducting criminal history record searches for noncriminal justice purposes shall be limited to the FBI and the state criminal history record repositories. A noncriminal justice agency authorized to obtain national searches pursuant to an approved state statute must submit the search application through the state repository in the state in which the agency is located. A state repository receiving a search application directly from a noncriminal justice agency in another state may process the application through its own criminal history record system, if it has legal authority to do so, but it may not conduct a search of the national indices on behalf of such an out-of-state agency nor may it obtain out-of-state or federal records for such an agency through the III System.

Noncriminal justice agencies authorized to obtain national record checks under federal law or federal executive order, including federal agencies, federally chartered or insured financial institutions and certain securities and commodities establishments, must submit search applications through the FBI or, if the repository consents to process the application, through the state repository in the state in which the agency is located.

All noncriminal justice search applications submitted to the FBI or to the state repositories must be accompanied by fingerprints or some other approved form of positive identification. If a state repository positively identifies the subject of such a search application as having a III System-indexed record maintained by another state repository or the FBI, the state repository shall be entitled to obtain such records from such other state repositories or the FBI. If a state repository cannot positively identify the subject of a noncriminal justice search application, the repository shall forward the application, together with fingerprints or other approved identifying information, to the FBI. If the FBI positively identifies the search application subject as having a III System-indexed record or records, it shall notify the state repository which submitted the application and that repository shall be entitled to obtain any III System-indexed record or records relating to the search subject maintained by any other state repository or the FBI.

The FBI and state repositories may charge fees for processing noncriminal justice search applications, but may not charge fees for providing criminal history records by electronic means in response to authorized III System record requests.

Article VI-Establishment of Compact Council. This article establishes a Compact Council to promulgate rules and procedures governing the use of the III System for noncriminal justice purposes. Such rules cannot conflict with the FBI's administration of the III System for criminal justice purposes. Issues concerning whether particular rules or procedures promulgated by the Council conflict with FBI authority under this article shall be adjudicated pursuant to Article XI.

The Council shall consist of 15 members from compact states and federal and local criminal justice and noncriminal justice agencies. All members shall be appointed by the U.S. Attorney General. Council members shall elect a Council Chairman and Vice Chairman, both of whom shall be compact officers unless there are no compact officers on the Council who are willing to serve, in which case at-large members may be elected to these offices.

The 15 Council members include nine members who must be state compact officers or state repository administrators, four at-large members representing federal, state and local criminal justice and noncriminal justice interests, one member from the FBI's advisory policy board on criminal justice information services and one member who is an FBI employee. Although, as noted, all members will be appointed by the U.S. Attorney General, they will be nominated by other persons, as specified in the Compact. If the Attorney General declines to appoint any person so nominated, the Attorney General shall request another nomination from the person or persons who nominated the rejected person. Similarly, if a Council membership vacancy occurs, for any reason, the Attorney General shall request a replacement nomination from the person or persons who made the original nomination.

Persons who are appointed to the Council who are not already federal officials or employees shall, by virtue of their appointment by the Attorney General, become federal officials to the extent of their duties

and responsibilities as Council members. They shall, therefore, have authority to participate in the development and issuance of rules and procedures, and to participate in other actions within the scope of their duties as Council members, which may be binding upon federal officers and employees or otherwise affect federal interests.

The Council shall be located for administrative purposes within the FBI and shall have authority to request relevant assistance and information from the FBI. Although the Council will not be considered a Federal Advisory Committee (see Section 215(d)), it will hold public meetings and will publish its rules and procedures in the Federal Register and make them available for public inspection and copying at a Council office within the FBI.

Article VII-Ratification of Compact. This article states that the Compact will become effective immediately upon its execution by two or more states and the United States Government and will have the full force and effect of law within the ratifying jurisdictions. Each state will follow its own laws in effecting ratification.

Article VIII-Miscellaneous Provisions. This article makes clear that administration of the Compact shall not interfere with the authority of the FBI Director over the management and control of the FBI's collection and dissemination of criminal history records for any purpose other than noncriminal justice. Similarly, nothing in the Compact diminishes a state's obligations and authority under Public Law 92-544 regarding the dissemination or use of criminal history record information (see analysis of Section 214, above). The Compact does not require the FBI to obligate or expend funds beyond its appropriations.

Article IX-Renunciation. This article provides that a state wishing to end its obligations by renouncing the Compact shall do so in the same manner by which it ratified the Compact and shall provide six months' advance notice to other compact parties.

Article X-Severability. This article provides that the remaining provisions of the Compact shall not be affected if a particular provision is found to be in violation of the Federal Constitution or the constitution of a party state. Similarly, a finding in one state that a portion of the Compact is legally objectionable will have no effect on the viability of the Compact in other Party States.

Article XI-Adjudication of Disputes. This article vests initial authority in the Compact Council to interpret its own rules and standards and to resolve disputes among parties to the Compact. Decisions are to be rendered upon majority vote of Council members after a hearing on the issue. Any Compact party may appeal any such Council decision to the U.S. Attorney General and thereafter may file suit in the appropriate United States district court. Any suit concerning the compact filed in any state court shall be removed to the appropriate federal district court.

HB 120 Sectional Analysis - Appendix 2
Examples of Misdemeanors Excluded from Definition of "Serious Offense" (AS 12.62.900)

Offenses most potentially relevant are shown in boldface type.)

"Nonserious" Offenses	Offense Description	Misdemeanor Severity (A, B or "None")	
AS02.20.060	Violate Airplane Regis, Flight Plans	M	N
AS02.30.030	Reckless Operation of Aircraft	M	N
AS02.30.030(a)	Reckless Operation of Aircraft - unsafe	M	N
AS02.30.030(b)	Reckless Op Aircraft - intox crew/psngr	M	N
AS02.30.030(c)	Reckless Op Aircraft - wrong altitude	M	N
AS02.30.030(d)	Reckless Op Aircraft - ice on wings	M	N
AS02.35.130	Not Carry Air License, Emerg Equip	M	N
AS02.40.010	Air Carrier Financial Responsibility	M	A
AS02.40.020	Air Carrier - Certif of Compliance	M	B
AS04.11.010(a)(wet)	Sell Alcohol w/o License - wet area	M	A
AS04.11.010(b)(wet)	No Alcohol License - orders, wet area	M	A
AS04.11.060	Sell Alcohol w/o License - nonresident	M	A
AS04.11.499(sm)	Import Alcohol -Dry Area - small amt	M	A
AS04.11.630	Alcohol License Violation	M	A
AS04.11.630(a)	Alcohol Premises Not Avail for Inspect	M	A
AS04.11.630(b)	Fail to Display Alcohol Permit	M	A
AS04.16.010	Alcohol-Prohibited Hours of Sale	M	A
AS04.16.010(a)	Sell Alcohol After Hours	M	A
AS04.16.010(b)	Allow Alcohol Consumption After Hours	M	A
AS04.16.010(c)	Allow Entry Alcohol Premises After Hours	M	A
AS04.16.015	Alcohol-Pricing/Marketing	M	A
AS04.16.015(a)(1)	Licensee Offer Free Alcohol	M	A
AS04.16.015(a)(2)	Licensee Deliver >2 Drinks At Or.ce	M	A
AS04.16.015(a)(3)	Licensee Offer Underprice Alcoh- Week	M	A
AS04.16.015(a)(4)	Licensee Sell Unltd Alcohol- Fixed Price	M	A
AS04.16.015(a)(5)	Licensee Offer Underprice Alcohol - Day	M	A
AS04.16.015(a)(6)	Drinking Contests Prohibited	M	A
AS04.16.015(b)	Advertise Prohibited Alcohol Sales	M	A
AS04.16.020	Prohibited Solicitation of Alcohol	M	A
AS04.16.020(a)	Solicit Purchase of Alcohol	M	A
AS04.16.020(b)	Allow to Solicit Alcohol on Lic Premises	M	A
AS04.16.030	Prohibited Acts re Drunk Persons	M	A
AS04.16.030(a)(1)	Sell/Give Alcohol To Drunk Person	M	A
AS04.16.030(a)(2)	Allow Sale of Alcohol To Drunk Person	M	A
AS04.16.030(a)(3)	Allow Drunk Person to Remain on Premises	M	A
AS04.16.030(a)(4)	Allow Drunk Person to Sell/Serve Alcohol	M	A
AS04.16.030(b)	Transport Alcohol To Drunk Person	M	A
AS04.16.040	Drunk Person On Licensed Premises	M	A
AS04.16.045	Restrictions on Licensed Premises	M	A
AS04.16.049	Allow Minor on Alcohol Premises	M	A
AS04.16.049(a)	Persons Under 21 On Alcohol Premises	M	A
AS04.16.049(c)	Persons 16-19 Work in Alcohol Premises	M	A
AS04.16.049(d)	Persons 19-21 Work in Alcohol Premises	M	A
AS04.16.051(a)	Furnish Alcohol To Minor	M	A
AS04.16.052	Licensee-Furnish Alcohol to Minor	M	A
AS04.16.052(1)	Licensee Sell Alcohol To Minor	M	A
AS04.16.052(2)	Licensee Allow Minor on Alcohol Premises	M	A
AS04.16.052(3)	Licensee Allow Minor Drink on Premises	M	A
AS04.16.052(4)	Licensee Allow Minor to Serve Alcohol	M	A

HB 120 Sectional Analysis - Appendix 2
Examples of Misdemeanors Excluded from Definition of "Serious Offense" (AS 12.62.900)

Offenses most potentially relevant are shown in boldface type.)

AS04.16.055	Rent Room to Give Alcohol to Minor	M	A
AS04.16.060	Alcohol - Underage Purchase/Delivery	M	A
AS04.16.060(a)	Minor Purchase or Solicit Alcohol	M	A
AS04.16.060(b)	Minor Misrep Age to Purchase Alcohol	M	A
AS04.16.060(c)	Order Alcohol for Minor	M	A
AS04.16.060(d)	Minor on Lic Alcohol Premises- False ID	M	A
AS04.16.060(e)	Minor Misrep Parental Consent to Drink	M	A
AS04.16.070	Sell Alc before Polls Close, Elec Day	M	A
AS04.16.080	Sell/Consume Alcohol at School Events	M	A
AS04.16.090	Alcohol Bottle Clubs Prohibited	M	A
AS04.16.100	Restriction- Size of Alcohol Containers	M	A
AS04.16.110	Prohibited Sale of Certain Alcohol	M	A
AS04.16.110(a)	Sale of Powdered Alcohol Prohibited	M	A
AS04.16.110(b)	Sale of >76% Alcohol Prohibited	M	A
AS04.16.120	Alcohol- Bring or Take on Lic Premises	M	A
AS04.16.120(a)	Remove Alcohol from Lic Premises	M	A
AS04.16.120(b)	Bring Alcohol onto Lic Premises	M	A
AS04.16.125	Trans Alcohol by Carrier to Dry Area	M	A
AS04.16.130	Alcohol Stored Off Licensed Premises	M	A
AS04.16.140	Sell/Consume Alcohol in Warehouse	M	A
AS04.16.150	Licensee Respons for Alcohol Violations	M	A
AS04.16.170	Alcohol-Prohibited Sales	M	A
AS04.16.170(a)	Resale of Alcohol by Nonlicensee	M	A
AS04.16.170(b)	Alcohol Sale-Transporter to Nonlicensee	M	A
AS04.16.172	Alcohol Sale- Violate Lic Restrictions	M	A
AS04.16.175	Furnish Alcohol to Gambling Enterprise	M	A
AS04.16.200(a)	Manuf/Sell Alcohol w/o License	M	A
AS04.16.200(e)(1)	Send/Bring Alcohol to dry area - sm amt	M	A
AS04.21.040	Alcohol Sale on Federal Reservation	M	A
AS04.21.050	Alcohol Licensee To Require Proof of Age	M	A
AS05.25.030(a)	Boat Accident - Fail to Render Aid	M	N
AS05.25.060(1)	Reckless Boating - Endanger Life/Prop	M	N
AS05.30.010	Operate Unregistered Snow Vehicle	M	N
AS05.30.040	Display Snow Vehicle Regis Decal	M	N
AS05.30.080	Snow Vehicle Equip Required	M	N
AS05.30.100	Snow Veh Operator To Report Accidents	M	N
AS08.01.104	Prof Licensing-Fail to Obey Citation	M	B
AS08.13.190	Unlicensed Barber/Hairdresser	M	B
AS08.18.011	Unregistered Contractor/Subcontractor	M	B
AS08.18.011(a)	Unregistered Contractor	M	B
AS08.18.011(b)	Unregistered Subcontractor	M	B
AS08.18.025	Residential Contractor Requirements	M	B
AS08.18.119	Contractor Fail to Obey Citation	M	B
AS08.36.100	Practice Dentistry w/o License	M	B
AS08.54.720(a)(1)	Guide-Fail to Report Violation	M	A
AS08.54.720(a)(10)	Guide or Advertise w/o Master License	M	A
AS08.54.720(a)(11)	Outfit or Ad Big Game Hunt w/o License	M	A
AS08.54.720(a)(12)	Transport Big Game Hunt w/o License	M	A
AS08.54.720(a)(13)	Advertise as Transporter w/o License	M	A
AS08.54.720(a)(14)	Asst. Contracts to Outfit or Guide Hunt	M	A

HB 120 Sectional Analysis - Appendix 2
Examples of Misdemeanors Excluded from Definition of "Serious Offense" (AS 12.62.900)

Offenses most potentially relevant are shown in boldface type.)

AS08.54.720(a)(15)(1st)	Waste or Hunt Same Day in Air - 1st off	M	A
AS08.54.720(a)(2)	Guide-Hinder Lawful Hunting	M	A
AS08.54.720(a)(3)	Asst. Guides Hunt w/o Supervision	M	A
AS08.54.720(a)(4)	Guide - Hunt on Private Land	M	A
AS08.54.720(a)(5)	Guide - Hunt Outside Approved Area	M	A
AS08.54.720(a)(6)	Guide - w/o License in Possession	M	A
AS08.54.720(a)(7)	Guide - Not Physically Present for Hunt	M	A
AS08.54.720(a)(8)	Guide - Commit, Aid, or Allow Violation	M	A
AS08.54.720(a)(9)	Guide or Advertise w/o License	M	A
AS08.64.360	Practice Medicine w/o License	M	A
AS08.66.010	Mtr Vehic Dlr - Knowingly Fail to Registr	M	A
AS08.66.015	Mtr Vehic Dlr - Knowingly Viol Sales Req	M	A
AS08.66.030	Mtr Vehic Dlr - Knowingly Viol Appl Req	M	A
AS08.66.050	Mtr Vehic Dlr - Knowingly Fail Renewal	M	A
AS08.66.060	Mtr Vehic Dlr - Knowingly Fail to Bond	M	A
AS08.88.401	Real Estate Violations	M	A
AS09.50.010	Misd Contempt of Court	M	N
AS09.50.010(1)	Misd Contempt-disorderly behavior in ct	M	N
AS09.50.010(10)	Misd Contempt-subpoena,refuse testify	M	N
AS09.50.010(11)	Misd Contempt-misconduct by juror	M	N
AS09.50.010(12)	Misd Contempt-disobey higher court	M	N
AS09.50.010(13)	Misd Contempt-custodian fail to rpt viol	M	N
AS09.50.010(2)	Misd Contempt-breach peace during trial	M	N
AS09.50.010(3)	Misd Contempt-misbehav by ct personnel	M	N
AS09.50.010(4)	Misd Contempt-deceive or abuse process	M	N
AS09.50.010(5)	Misd Contempt-disobey lawful court order	M	N
AS09.50.010(6)	Misd Contempt-pretend to act under auth	M	N
AS09.50.010(7)	Misd Contempt-take pers/prop frm custody	M	N
AS09.50.010(8)	Misd Contempt-detain party, witness	M	N
AS09.50.010(9)	Misd Contempt-unlawful interference	M	N
AS11.41.230	Assault 4	M	A
AS11.41.230(a)(1)	Assault 4- recklessly injure	M	A
AS11.41.230(a)(2)	Assault 4- negligently injure w/ weapon	M	A
AS11.41.230(a)(3)	Assault 4-cause fear of imminent injury	M	A
AS11.41.250	Reckless Endangerment	M	A
AS11.41.270	Stalking 2- fear for self or family	M	A
AS11.41.330	Custodial Interference 2 - in state	M	A
AS11.46.140	Theft 3	M	A
AS11.46.140(a)(1)	Theft 3- value \$50-\$499	M	A
AS11.46.140(a)(2)	Theft 3- access device	M	A
AS11.46.140(a)(3)	Theft 3- value <\$50, prior convictions	M	A
AS11.46.150	Theft 4- value <\$50	M	B
AS11.46.220(c)(2)	Conceal Merch- \$50-\$499 or priors	M	A
AS11.46.220(c)(2)(A)	Conceal Merch- value \$50-\$499	M	A
AS11.46.220(c)(2)(B)	Conceal Merch- <\$50, prior convictions	M	A
AS11.46.220(c)(3)	Conceal Merch - <\$50	M	B
AS11.46.260(b)(2)	Removal Of ID Marks -value \$50-\$499	M	A
AS11.46.260(b)(3)	Removal Of ID Marks -value<\$50	M	B
AS11.46.270(b)(2)	Unlawful Possession - value \$50-\$499	M	A
AS11.46.270(b)(3)	Unlawful Possession- value <\$50	M	B

HB 120 Sectional Analysis - Appendix 2
Examples of Misdemeanors Excluded from Definition of "Serious Offense" (AS 12.62.900)

Offenses most potentially relevant are shown in boldface type.)

AS11.46.280(d)(3)	Issuing Bad Check- value \$50-\$499	M	A
AS11.46.280(d)(4)	Issuing Bad Check- value <\$50	M	B
AS11.46.285(b)(3)	Fraud Use Access Device- \$50 - \$499	M	A
AS11.46.285(b)(3)	Fraud Use Credit Card -value <\$50	M	B
AS11.46.285(b)(4)	Fraud Use Access Device- <\$50	M	B
AS11.46.290	Obtain Access Device or ID by Fraud	M	A
AS11.46.290(a)(1)	Access Device/ ID Fraud - buy or sell	M	A
AS11.46.290(a)(2)	Access Device/ ID Fraud- intend defraud	M	A
AS11.46.290(a)(3)	Access Device/ ID Fraud - lie on applic	M	A
AS11.46.315	Possess Burglary Tools	M	A
AS11.46.315(a)(1)	Poss Burglary Tools- intend burglary	M	A
AS11.46.315(a)(2)	Poss Burglary Tools- intend pickpocket	M	A
AS11.46.315(a)(3)	Poss Burglary Tools- intend theft serv	M	A
AS11.46.320	Criminal Trespass 1	M	A
AS11.46.320(a)(1)	Crim Trespass 1- on land, intend crime	M	A
AS11.46.320(a)(2)	Crim Trespass 1- in a dwelling	M	A
AS11.46.330	Criminal Trespass 2	M	B
AS11.46.330(a)(1)	Crim Trespass 2- upon premises	M	B
AS11.46.330(a)(2)	Crim Trespass 2- vehicle	M	B
AS11.46.365	Vehicle Theft 2	M	A
AS11.46.365(a)(1)	Vehicle Theft 2-take propelled vehicle	M	A
AS11.46.365(a)(2)	Vehicle Theft 2-fail to return vehicle	M	A
AS11.46.430	Criminally Negligent Burning	M	A
AS11.46.450	Fail to Control or Report Dangerous Fire	M	A
AS11.46.450(a)(1)	Fail to Control/Report Fire- legal duty	M	A
AS11.46.450(a)(2)	Fail to Control/Report Fire-started fire	M	A
AS11.46.460	Disregard Hwy Obstruction	M	B
AS11.46.460(a)(1)	Disregard Hwy Obstruction-drive around	M	B
AS11.46.460(a)(2)	Disregard Hwy Obstruction-open up	M	B
AS11.46.484(a)	Criminal Mischief 3	M	A
AS11.46.484(a)(1)	Crim Mischief 3-prop dam \$50-\$499	M	A
AS11.46.484(a)(4)	Crim Mischief 3-tamper fire protec dev	M	A
AS11.46.484(a)(5)	Crim Mischief 3-unauth computer access	M	A
AS11.46.484(a)(6)	Crim Mischief 3-descramble signal	M	A
AS11.46.484(a)(7)	Crim Mischief 3-tamper traff contr dev	M	A
AS11.46.486	Criminal Mischief 4	M	B
AS11.46.486(a)(1)	Crim Mischief 4- tamper w/ property	M	B
AS11.46.486(a)(2)	Crim Mischief 4- prop damage <\$50	M	B
AS11.46.486(a)(3)	Crim Mischief 4-ride in stolen veh	M	B
AS11.46.510	Forgery 3	M	A
AS11.46.510(a)(1)	Forgery 3- make false written instrument	M	A
AS11.46.510(a)(2)	Forgery 3-possess false written instrmnt	M	A
AS11.46.510(a)(3)	Forgery 3- utter forged instrument	M	A
AS11.46.530(b)(2)	Criminal Simulation- value \$50-\$499	M	A
AS11.46.530(b)(3)	Criminal Simulation- value <\$50	M	B
AS11.46.540	Obtain Signature By Deception	M	A
AS11.46.560	Offer False Instrmnt For Recording 2	M	A
AS11.46.560(a)(1)	Offering False Instrmnt For Recording 2	M	A
AS11.46.560(a)(2)	Offering False Instrmnt For Recording 2	M	A
AS11.46.570	Criminal Impersonation 2	M	A

HB 120 Sectional Analysis - Appendix 2
Examples of Misdemeanors Excluded from Definition of "Serious Offense" (AS 12.62.900)

Offenses most potentially relevant are shown in boldface type.)

AS 11.46.570(a)(1)	Crim Impers 2 - commit act w false ID	M	A
AS 11.46.570(a)(2)	Crim Impers 2 - pretend to rep pers/org	M	A
AS 11.46.620(d)(2)	Misapply Property- value <\$500	M	A
AS 11.46.710(c)	Deceptive Business Practices	M	A
AS 11.46.720	Misrep Use Of Vehicle-reset odometer	M	A
AS 11.46.730(c)	Defraud Creditors- value <\$500+	M	A
AS 11.51.100(d)(3)	Endngr Wlfr Minr 1- lv w abuser, injury	M	A
AS 11.51.120	Criminal Nonsupport	M	A
AS 11.51.122	Aid Nonpayment of Child Support	M	A
AS 11.51.122(a)(2)(A)	Aid Nonpayment Child Supp-withhold info	M	A
AS 11.51.122(a)(2)(B)	Aid Nonpayment Child Supp-decep transac	M	A
AS 11.51.140	Unlawful Marrying	M	A
AS 11.51.140(a)(1)	Unlawful Marrying-one already married	M	A
AS 11.51.140(a)(2)	Unlawful Marrying- >1 simultaneously	M	A
AS 11.51.140(a)(3)	Unlawful Marrying- to one marrying anoth	M	A
AS 11.51.210	Endanger Vulnerable Adult 2	M	A
AS 11.51.210(a)(1)	Endang Vuln Adult 2- by legal caretrk	M	A
AS 11.51.210(a)(2)	Endang Vuln Adult 2- licensed facility	M	A
AS 11.56.120	Receive Unlawful Gratuity	M	A
AS 11.56.120(a)(1)	Receive Unlawf Gratuity-solicit benefit	M	A
AS 11.56.120(a)(2)	Receive Unlawf Gratuity-accept \$50+	M	A
AS 11.56.210	Unsworn Falsification	M	A
AS 11.56.210(a)(1)	Unsworn Falsific- apply for benefit	M	A
AS 11.56.210(a)(2)	Unsworn Falsific- form states punishable	M	A
AS 11.56.330	Escape 4	M	A
AS 11.56.330(a)(1)	Escape 4-off deten for misdemeanor	M	A
AS 11.56.330(a)(2)	Escape 4-remove from police restraint	M	A
AS 11.56.330(a)(3)	Escape 4- on elctrnic monitor for misd	M	A
AS 11.56.340	Unlawful Evasion	M	A
AS 11.56.340(a)(1)	Unlwf Evasion - temp lv, fail to return	M	A
AS 11.56.340(a)(2)	Unlwf Evasion -furlough, fail to return	M	A
AS 11.56.380	Promoting Contraband 2	M	A
AS 11.56.380(a)(1)	Promote Contraband 2-take into jail/pris	M	A
AS 11.56.380(a)(2)	Promote Contraband 2- poss in jail/pris	M	A
AS 11.56.545	Tamper Witness 2-absent official proc	M	A
AS 11.56.620	Simulate Legal Process	M	A
AS 11.56.620(a)(1)	Simulate Legal Process-req for payment	M	A
AS 11.56.620(a)(2)	Simulate Legal Process-summons, subp	M	A
AS 11.56.700	Resist/Interfere with Arrest	M	A
AS 11.56.700(a)(1)	Resist/Interfere Arrest-by force	M	A
AS 11.56.700(a)(2)	Resist/Interfere Arrest- by crim misch	M	A
AS 11.56.700(a)(3)	Resist/Interfere Arrest- risk of injury	M	A
AS 11.56.710	Harm Police Dog 2- injure, torment	M	A
AS 11.56.750	Unlawful Contact 1	M	A
AS 11.56.755(b)(1)	Unlawful Contact 2-in felony/A misd case	M	B
AS 11.56.757(b)(1)	Violate Condition of Release for Felony	M	A
AS 11.56.757(b)(2)	Violate Condition of Release for Misd	M	B
AS 11.56.760	Violate Order to Submit to DNA Testing	M	A
AS 11.56.765	Fail to Report Violent Crime Agnst Child	M	A
AS 11.56.780	Hindering Prosecution 2 - of misdemeanor	M	B

HB 120 Sectional Analysis - Appendix 2
Examples of Misdemeanors Excluded from Definition of "Serious Offense" (AS 12.62.900)

Offenses most potentially relevant are shown in boldface type.)

AS11.56.780(a)(1)	Hinder Prosecution 2- var acts re misd	M	B
AS11.56.780(a)(2)	Hinder Prosecution 2-help profit	M	B
AS11.56.790	Compounding	M	A
AS11.56.790(a)(1)	Compounding-bribe to conceal crime	M	A
AS11.56.790(a)(2)	Compounding-accept bribe to conceal	M	A
AS11.56.800	False Info/Report	M	A
AS11.56.800(a)(1)	False Info/Report-false info to pc ofcr	M	A
AS11.56.800(a)(1)(A)	False Info/Report-implic othr in offense	M	A
AS11.56.800(a)(1)(B)	False Info/Report-at arrest/cit/incarc	M	A
AS11.56.800(a)(1)(B)(i)	False Info/Rpt- ID at arrst/invst/incarc	M	A
AS11.56.800(a)(1)(B)(ii)	False Info/Rpt- ID when cited, srvd wrnt	M	A
AS11.56.800(a)(2)	False Info/Report - of crime occurring	M	A
AS11.56.800(a)(3)	False Info/Report - fire alarm, emergncy	M	A
AS11.56.800(a)(4)	False Info/Report - re dam/reservoir	M	A
AS11.56.805	False Accusation-legislative ethics	M	A
AS11.56.820	Tampering w/ Public Records 2	M	A
AS11.56.820(a)(1)	Tamper Publ Recrds 2- false entry,alter	M	A
AS11.56.820(a)(2)	Tamper Publ Recrds 2-destroy/remove	M	A
AS11.56.820(a)(3)	Tamper Publ Recrds 2-certif false claim	M	A
AS11.56.830	Impersonate Public Servant	M	B
AS11.56.840	Failure to Register as Sex Offender 2	M	A
AS11.56.840(a)(1)	Fail to Reg as Sex Ofndr 2-fail to reg	M	A
AS11.56.840(a)(2)	Fail to Reg as Sex Ofndr 2-no addrss chg	M	A
AS11.56.840(a)(3)	Fail to Reg as Sex Ofndr 2-no renewal	M	A
AS11.56.840(a)(4)	Fail to Reg as Sex Ofndr 2-incompl info	M	A
AS11.56.850	Official Misconduct	M	A
AS11.56.850(a)(1)	Official Misconduct-unauth act	M	A
AS11.56.850(a)(2)	Official Misconduct-refrain from duty	M	A
AS11.56.860	Misuse Of Confidential Information	M	A
AS11.61.110	Disorderly Conduct	M	B
AS11.61.110(a)(1)	Disord Conduct-loud noise disturb neighb	M	B
AS11.61.110(a)(2)	Disord Conduct-loud noise, publ/priv	M	B
AS11.61.110(a)(3)	Disord Conduct-refuse to disperse	M	B
AS11.61.110(a)(4)	Disord Conduct-refuse leave premises	M	B
AS11.61.110(a)(5)	Disord Conduct-challenge to fight	M	B
AS11.61.110(a)(6)	Disord Conduct- create hazard condition	M	B
AS11.61.120	Harassment	M	B
AS11.61.120(a)(1)	Harassment-likely to provoke violence	M	B
AS11.61.120(a)(2)	Harassment-tie up phone line	M	B
AS11.61.120(a)(3)	Harassment-repeated phone calls	M	B
AS11.61.120(a)(4)	Harassment-anon, obscene, threat call	M	B
AS11.61.120(a)(5)	Harassment-offensive phys contact	M	B
AS11.61.123(f)(2)	Indecent View/Photo w/o Consent-of adult	M	A
AS11.61.130	Misconduct With Corpse	M	A
AS11.61.130(a)(1)	Misconduct With Corpse-mutilate/remove	M	A
AS11.61.130(a)(2)	Misconduct With Corpse-sex penetration	M	A
AS11.61.130(a)(3)	Misconduct With Corpse-hold for debt	M	A
AS11.61.140	Cruelty To Animals	M	A
AS11.61.140(a)(1)	Cruelty To Animals-inflict severe pain	M	A
AS11.61.140(a)(2)	Cruelty To Animals- fail to care	M	A

HB 120 Sectional Analysis - Appendix 2
Examples of Misdemeanors Excluded from Definition of "Serious Offense" (AS 12.62.900)

Offenses most potentially relevant are shown in boldface type.)

AS11.61.145(a)(3)	Fighting animals-attend fight-priors	M	B
AS11.61.150	Obstruct Highways	M	B
AS11.61.150(a)(1)	Obstruct Highways-drop substance	M	B
AS11.61.150(a)(2)	Obstruct Highways-render impassable	M	B
AS11.61.165	Recruiting Gang Member 2	M	A
AS11.61.210	Misconduct w/ Weapons 4	M	A
AS11.61.210(a)(1)	Misc/Weapons 4- possess while intox	M	A
AS11.61.210(a)(2)	Misc/Weapons 4- fire gun by highway	M	A
AS11.61.210(a)(3)	Misc/Weapons 4- firing recklessly	M	A
AS11.61.210(a)(4)	Misc/Weapons 4-have/sell metal knuckles	M	A
AS11.61.210(a)(5)	Misc/Weapons 4-sell swtchbld, grav knife	M	A
AS11.61.210(a)(6)	Misc/Weapons 4-sale to minor	M	A
AS11.61.210(a)(7)	Misc/Weapons 4-adult possess at school	M	A
AS11.61.210(a)(8)	Misc/Weapons 4-student possess at school	M	A
AS11.61.220	Misconduct w/ Weapons 5	M	B
AS11.61.220(a)(1)	Misc/Weapons 5 - carry concealed weapon	M	B
AS11.61.220(a)(2)	Misc/Weapons 5 - loaded firearm in bar	M	B
AS11.61.220(a)(3)	Misc/Weapons 5 - <16 poss w/o parent OK	M	B
AS11.61.220(a)(4)	Misc/Weapons 5 - poss at daycare center	M	B
AS11.61.220(a)(5)	Misc/Weapons 5-poss swtchbld, grav knife	M	B
AS11.61.240(b)(4)	Possess Explosives-intend class C felony	M	A
AS11.61.240(b)(5)	Possess Explosives-intend misdemeanor	M	B
AS11.66.200	Gambling - repeat offense	M	B
AS11.66.220	Promote Gambling 2	M	A
AS11.66.240	Possess Gambling Records 2	M	A
AS11.66.260	Possession Of Gambling Device	M	A
AS11.66.300	Adult Entertainment - allow minor in	M	A
AS11.71.050	Misconduct- Controlled Substance 5	M	A
AS11.71.050(a)(1)	MICS 5-deliver/poss w/intent >1/2 oz VIA	M	A
AS11.71.050(a)(2)	MICS 5-deliver <1/2 oz. VIA for profit	M	A
AS11.71.050(a)(3)(A)	MICS 5-possess <25 tablets IIIA,IVA	M	A
AS11.71.050(a)(3)(B)	MICS 5-possess <3 grams IIIA,IVA	M	A
AS11.71.050(a)(3)(C)	MICS 5-possess <50 tablets VA	M	A
AS11.71.050(a)(3)(D)	MICS 5-possess <6 grams VA	M	A
AS11.71.050(a)(3)(E)	MICS 5-possess >1/2 pound VIA	M	A
AS11.71.050(a)(4)	MICS 5-fail to keep required record	M	A
AS11.71.060	Misconduct- Controlled Substance 6	M	B
AS11.71.060(a)(1)	MICS 6-display, poss <1/2 pound VIA	M	B
AS11.71.060(a)(2)	MICS 6-refuse entry for auth inspection	M	B
AS11.76.110	Interference w/ Constitutional Rights	M	A
AS11.76.110(a)(1)	Interfere Const Right-deprive of right	M	A
AS11.76.110(a)(2)	Interfere Const Right-retaliate for use	M	A
AS11.76.110(a)(3)	Interfere Const Right-under color of law	M	A
AS11.76.120	Open/Publish Sealed Letter	M	A
AS11.76.130	Interfere w/ Rights of Disabled Person	M	B
AS11.76.130(a)(1)	Interfere Rights Disabled- hwy/walkway	M	B
AS11.76.130(a)(2)	Interfere Rights Disabled-service animal	M	B
AS11.76.140	Avoid Ignition Interlock Device	M	B
AS11.76.140(a)(1)	Avoid Ignition Interlock-probationer	M	B
AS11.76.140(a)(2)	Avoid Interlock-rent/lend to probationer	M	B

HB 120 Sectional Analysis - Appendix 2
Examples of Misdemeanors Excluded from Definition of "Serious Offense" (AS 12.62.900)

Offenses most potentially relevant are shown in boldface type.)

AS12.25.150	Officer Violate Rights of Arrestee	M	B
AS12.25.230	Fail to Obey Citation/Appear in Court	M	N
AS12.25.230(a)	Fail to Obey Citation/Appear in Court	M	N
AS12.30.060(2)	Fail to Appear- on bail for misdemeanor	M	A
AS12.30.060(3)	Fail to Appear as Material Witness	M	A
AS12.35.060	Malicious Procurement of Search Warrant	M	N
AS12.60.210	Officer Failure to Quell Riot	M	N
AS12.70.100	Noncompliance w/ Rights for Extradition	M	A
AS14.25.210	Teacher Retirement -False Stmt	M	N
AS15.07.180	Accept Fee for Voter Registration	M	A
AS15.13.040	State Election Campaign Offense	M	A
AS15.13.070	State Election Campaign Offense	M	A
AS15.13.072	State Election Campaign Offense	M	A
AS15.13.090	State Election Campaign Offense	M	A
AS15.13.100	State Election Campaign Offense	M	A
AS15.13.112	State Election Campaign Offense	M	A
AS15.13.155	State Election Campaign Offense	M	A
AS15.56.C 12	Campaign Misconduct 1	M	A
AS15.56.014	Campaign Misconduct 2	M	B
AS15.56.025	Telephone Campaign Misconduct	M	A
AS15.56.035	Unlawful Interference w/ Voting 2	M	A
AS15.56.050	Voter Misconduct 2	M	A
AS15.56.080	Election Official Misconduct 2	M	A
AS15.56.090	Improper Subscription to Petition	M	B
AS16.05.165	Violate Fish/Game Law	M	N
AS16.05.210	Receive Bounty to Kill Predator	M	N
AS16.05.330	Fish/Game License/Permit/Tag Violation	M	N
AS16.05.330(a)(1)	Sport Fish w/o Lic In Possession	M	N
AS16.05.330(a)(2)	Hunt/Trap/Deal Fur w/o Lic in Possession	M	N
AS16.05.330(a)(3)	Farm Fish/Fur/Game w/o License	M	N
AS16.05.330(a)(4)	Engage in Taxidermy w/o License	M	N
AS16.05.330(d)	License Revoked in Another State	M	N
AS16.05.340	Fish/Game License/Permit/Tag Fee	M	N
AS16.05.340(a)(17)(A)	Hunt Waterfowl w/o Tag in Possession	M	N
AS16.05.340(a)(20)	Nonresident Alien Big Game Tag	M	N
AS16.05.340(a)(23)	Resident Anadromous King Salmon Tag	M	N
AS16.05.340(a)(24)	Nonresident Anadromous King Salmon Tag	M	N
AS16.05.370	Fish/Game Licensee Report Required	M	N
AS16.05.407	Nonresident Hunting w/o Resident/Guide	M	N
AS16.05.407(a)	Nonresident Hunting w/o Resident/Guide	M	N
AS16.05.407(b)	Affidavit of Accompaniment Required	M	N
AS16.05.408	Nonresident Alien Hunting w/o Guide	M	N
AS16.05.420	License, Tag, Permit Violations	M	N
AS16.05.475	Comm Fish Vessel Not Regis - negligent	M	N
AS16.05.480	Comm Fish License Req- negligent	M	N
AS16.05.510	Unlicensed Comm Fish Vessel	M	N
AS16.05.632	ID Shellfish Pots/Buoys Req	M	N
AS16.05.665	Comm Fish - Falsify License Application	M	N
AS16.05.675	Comm Fish - No Landing Permit	M	N
AS16.05.680	Comm Fish - Unlawful Practices	M	N

HB 120 Sectional Analysis - Appendix 2
Examples of Misdemeanors Excluded from Definition of "Serious Offense" (AS 12.62.900)

Offenses most potentially relevant are shown in boldface type.)

AS16.05.685	Comm Fish - Crab Processing Vessel Req	M	N
AS16.05.690	Comm Fish - Record Purchase	M	N
AS16.05.723	Commercial Fishing Violation	M	N
AS16.05.782	Take Brn Bear Near Solid Waste Disp Fac	M	A
AS16.05.789	Hunt w/ Firearm Near Haul Road	M	A
AS16.05.790	Obstruct Lawful Hunt/Fish/Trap	M	N
AS16.05.831	Waste of Salmon	M	N
AS16.05.835	Max Length of Salmon, Crab Vessels	M	N
AS16.05.840	Fishway Req if Stream Obstructed	M	N
AS16.05.850	Hatchery Req if Fishway Obstructed	M	N
AS16.05.860	Violate Fishway/Hatchery Requirements	M	N
AS16.05.880	Construction Affecting Fish w/o Approval	M	A
AS16.05.895	Damage Fish Spawning Bed	M	N
AS16.05.900	Violate Fish/Game Protection Law	M	A
AS16.05.905	Comm Fishing by Aliens	M	N
AS16.05.920	Fish & Game - Prohibited Conduct	M	A
AS16.05.920(a)	Taking/Trafficking Fish/Game/Plants	M	A
AS16.05.920(b)	Destroy Dept of Fish/Game Equip	M	A
AS16.05.921	Import/Possess Venomous Reptiles	M	A
AS16.10.010	Interfere w/ Salmon Spawning Grounds	M	N
AS16.10.055	Interfere/ Damage Fishing Gear	M	N
AS16.10.070	Fish Traps Prohibited	M	N
AS16.10.100	Fish Traps on State Land Prohibited	M	N
AS16.10.120	Purse Seine - use of drum or reel	M	N
AS16.10.125	Termination Device Req-Shellfish pots	M	N
AS16.10.165	Waste of Pollock-roestripping prohibited	M	A
AS16.10.173	Waste of Herring-roestripping prohibited	M	A
AS16.10.175	Take Herring from State w/o Processing	M	N
AS16.10.200	Unlawful Taking-Migratory Fish/Shellfish	M	N
AS16.10.210	Unlawful Sale-Migratory Fish/Shellfish	M	N
AS16.10.240	Improper Interstate Crab Shipment	M	N
AS16.10.265(a)	Purchase Fish From Nonpermit Holder-gen	M	N
AS16.10.265(b)(1)	Purchase Fish Nonpermit Holder-1st off	M	B
AS16.10.265(b)(2)	Purchase Fish Nonpermit Holder-2nd off	M	A
AS16.10.265(b)(3)	Purchase Fish Nonpermit Holder-3+ off	M	A
AS16.10.267	Possess Fish w/o permit or ID	M	B
AS16.10.270	Fish -Weighing Commercial Purchase	M	N
AS16.10.290	Bond Req for Fish Buyer/Processor	M	N
AS16.10.780	Assist High Seas Interception of Salmon	M	A
AS16.20.195	Permit Required for Endangered Species	M	N
AS16.30.010	Wanton Waste of Big Game and Wild Fowl	M	A
AS16.30.010(a)	Wanton Waste of Big Game and Wild Fowl	M	A
AS16.30.010(b)	Fail to Salvage Hindquarters	M	A
AS16.30.012	Possession of Antlers or Horns w/o Meat	M	A
AS16.40.100	Operate Hatchery/Aquatic Farm w/o Permit	M	B
AS16.43.140	Commercial Fishing Permit Required	M	N
AS16.43.970(a)	Commercial Fishing -Misdemeanor	M	B
AS16.43.970(g)(1)	Commercial Fish Permit Violation-1st	M	B
AS16.43.970(g)(2)	Commercial Fish Permit Violation-2nd	M	A
AS16.43.970(g)(3)	Commercial Fish Permit Violation - 3rd+	M	A

HB 120 Sectional Analysis - Appendix 2
Examples of Misdemeanors Excluded from Definition of "Serious Offense" (AS 12.62.900)

Offenses most potentially relevant are shown in boldface type.)

AS17.20.290	Food&Drugs-Prohibited Acts	M	A
AS17.20.290(a)(1)	Food&Drugs-Sell Adulterated, Misbranded	M	A
AS17.20.290(a)(10)	Food&Drugs-Forge Mark or Label	M	A
AS17.20.290(a)(11)	Drugs-Misrepresent Effectiveness	M	A
AS17.20.290(a)(12)	Food-Sell Frozen Fish as Fresh	M	A
AS17.20.290(a)(13)	Drugs-Inproper Labeling by Pharmacist	M	A
AS17.20.290(a)(2)	Food&Drugs-Adulterate, Misbrand	M	A
AS17.20.290(a)(3)	Food&Drugs-Deliv Adulterated, Misbranded	M	A
AS17.20.290(a)(4)	Food&Drugs-Sale in Viol of Statute	M	A
AS17.20.290(a)(5)	Food&Drugs-False Advertisement	M	A
AS17.20.290(a)(6)	Food&Drugs-Refuse Inspection	M	A
AS17.20.290(a)(7)	Food&Drugs-False Guaranty	M	A
AS17.20.290(a)(8)	Food&Drugs-Dispose of Detained Article	M	A
AS17.20.290(a)(9)	Food&Drugs-Alter/Remove Label	M	A
AS18.35.060	Unlawful Disposal Of Wastes/Garbage	M	N
AS18.40.050	Damage State-Owned Shelter Cabin	M	A
AS18.50.900	Vital Statistics Violations	M	N
AS18.50.900(a)(1)	Alter Birth Certif to Deceive	M	N
AS18.50.900(a)(2)	Use Altered Birth Certif to Deceive	M	N
AS18.50.900(a)(3)	Use Birth Certif Issued on False Record	M	N
AS18.50.900(a)(4)	Furnish Birth Certif for Misuse by Other	M	N
AS18.50.900(b)(1)	Birth Certif - Make False Stmt	M	N
AS18.50.900(b)(2)	Vital Stat Record - Make False Stmt	M	N
AS18.50.900(c)(2)	Vital Stats - Refuse or Give False Info	M	N
AS18.50.900(c)(3)	Violate or Refuse Duty re Vital Stats	M	N
AS18.60.095(a)	OSHA Violations Resulting in Death	M	N
AS18.60.160	Fail to Report Mysterious Disappearance	M	N
AS18.65.310	State ID Card Fraud/Misuse	M	N
AS18.65.310(c)	Fraudulent Applic for State ID Card	M	N
AS18.65.310(d)	Possess or Use Fraudulent State ID Card	M	N
AS18.65.310(e)	Lend State ID Card to Another	M	N
AS18.65.480	Security Guard License Violation	M	B
AS18.65.750(b)	Fail to Inform Officer of Concealed Gun	M	A
AS18.65.750(c)	Fail to Secure Concealed Gun per Officer	M	A
AS18.65.755	Poss Concealed Handgun Where Prohibited	M	B
AS18.65.755(a)(1)	Poss Conceal Gun- in home w/o permission	M	B
AS18.65.755(a)(2)	Poss Conceal Gun - state/fed law prohib	M	B
AS18.65.760(a)	Concealed Handgun Permit Misuse	M	A
AS18.65.760(a)(1)	Concealed Handgun Perm- Alter	M	A
AS18.65.760(a)(2)	Concealed Handgun Perm-Let Other Use	M	A
AS18.65.760(a)(3)	Concealed Handgun Perm- Susp/Revoked	M	A
AS18.70.075	Refuse to Obey Order of Fire Official	M	A
AS18.70.100	Fire Protection/Investigation Violation	M	B
AS18.72.040	Fireworks Sales/License Violation	M	B
AS19.10.300	CMV Financial Responsibility	M	B
AS19.10.310	CMV Safety Inspections	M	B
AS19.10.340	CMV Certificate of Inspection	M	B
AS19.25.130	Unlawful Outdoor Advertising	M	N
AS21.36.360(b)(sm)	Fraudulent Insurance Act- <\$500	M	A
AS21.36.360(i)	Insurance- not auth in this state	M	A

HB 120 Sectional Analysis - Appendix 2
Examples of Misdemeanors Excluded from Definition of "Serious Offense" (AS 12.62.900)

Offenses most potentially relevant are shown in boldface type.)

AS21.36.360(j)	Insurance-Unlicensed/Unregistered	M	A
AS21.36.360(k)	Insurance-Procuring Applications	M	A
AS21.36.360(l)	Insurance-Refuse to Produce Records	M	A
AS21.36.360(m)	Insurance-Unauth Dividend	M	A
AS21.36.360(n)	Insurance-Fail to Report Premiums	M	A
AS21.36.360(o)	Insurance-False Statement on Application	M	B
AS21.36.360(p)(1)	Insurance-Violate Title or Regulation	M	B
AS23.05.280	Labor Law Violation	M	A
AS23.10.040	Fail to Pay Wages	M	N
AS23.10.140	Wage & Hour Act Violation	M	B
AS23.10.350(a)	Child Labor Laws- >6 days/wk or hazard	M	B
AS23.10.350(c)	Child Labor Laws- breaks required	M	B
AS23.10.350(f)(1st)	Child Labor Laws-adult shows 1st offense	M	A
AS23.10.370	Child Labor Laws	M	B
AS23.10.415	Underground Mining Labor Laws	M	N
AS23.20.485	Unemployment Benefits-False Stmt	M	B
AS23.20.490	Employment Benefits-Viols by Employer	M	A
AS23.20.500	Employment Security Regs Viol	M	N
AS23.30.075	Employer-Inadeq Workers Comp Coverage	M	N
AS23.30.245	Employer Deduct Workers Comp from Pay	M	N
AS23.30.250	False Workers Comp Claim	M	N
AS23.30.260	Prohibited Solicit/Fee for Workers Comp	M	A
AS24.25.080	Disobey Legislative Subpoena	M	N
AS24.55.290	Hinder Ombudsman Investigation	M	N
AS28.05.098	Child Safety Device-sell substandard	M	N
AS28.05.106	Custom Collector Vehicle Equip Required	M	N
AS28.10.451	Fail To Comply w/ Veh Title/Registr Req	M	N
AS28.10.461	Drive Vehic w/o Evidence of Registration	M	N
AS28.10.471	Drive w/ Regis Susp/Revoked/Expired	M	N
AS28.10.481	Improper Use of Regis/Title/Plates	M	N
AS28.10.491(a)(9)(ins)	False Stmt re Vehic Insurance, negligent	M	A
AS28.10.493	Illegal Transfer Of Veh	M	B
AS28.10.493(a)	Illegal Transfer Of Veh by Owner	M	B
AS28.10.493(b)	Illegal Transfer Of Veh by Dealer	M	B
AS28.15.011	Drive w/o Valid Operator's License	M	N
AS28.15.021	Drive w/o In-State License After 90 Days	M	N
AS28.15.046	School Bus Driver License Required	M	N
AS28.15.051(a)	Drive In Viol Of Instruction Permit	M	N
AS28.15.051(b)	Drive In Viol Of Restricted Permit	M	N
AS28.15.051(c)	Drive In Viol Of Temporary License	M	N
AS28.15.051(d)	Drive In Viol Of Motorcycle Permit	M	N
AS28.15.121(d)	Drive In Viol Of Restricted License	M	N
AS28.15.131	License Carried/ Exhibited On Demand	M	N
AS28.15.281(a)(1)	Unlawful Use of Lic: revoked/alterd	M	N
AS28.15.281(a)(2)	Unlawful Use of Lic: use lic of another	M	N
AS28.15.281(a)(3)	Unlawful Use Of Lic: out-of-state driver	M	N
AS28.15.281(a)(4)	Unlawful Use Of Lic: lend to another	M	N
AS28.15.281(b)	Unlawful Use of Lic: lend to unlicensed	M	N
AS28.15.291(a)(1)	Drive w/ License Canc/Susp/Revoked/Li:n	M	N
AS28.15.291(a)(2)	Drive in Violation of License Limitation	M	N

HB 120 Sectional Analysis - Appendix 2
Examples of Misdemeanors Excluded from Definition of "Serious Offense" (AS 12.62.900)

Offenses most potentially relevant are shown in boldface type.)

AS28.17.011	Dept Lic Required for CMV Instructor	M	N
AS28.17.051	Fail to Surrender CMV License	M	N
AS28.20.560(a)	Driver's Lic/Reg: Fail to Surrender	M	N
AS28.20.560(b)	Driver's Lic/Reg - False Affidavit	M	N
AS28.20.570	Forge Proof of Financial Responsibility	M	N
AS28.22.011	No Motor Vehicle Liability Insurance	M	N
AS28.22.051	False Insurance Information	M	A
AS28.33.030	CMV - DWI	M	A
AS28.33.031	CMV/Refuse To Submit Prelim Breath Test	M	B
AS28.33.120	Responsibilities of CMV Employers	M	N
AS28.33.130	CMV- Out of Service Orders	M	N
AS28.33.130(a)(1)	CMV-drive w/in 4 hours alc/contr subst	M	N
AS28.33.130(a)(2)	CMV-drive in possession alc/contr subst	M	N
AS28.33.130(a)(3)	CMV-drive after placed out of service	M	N
AS28.33.130(a)(4)	CMV-drive with invalid license	M	N
AS28.33.150	CMV- Drive w/o License	M	A
AS28.33.150(a)(1)	CMV-drive w/o CMV license	M	A
AS28.33.150(a)(2)	CMV-drive w/license canc/susp/revoked	M	A
AS28.33.150(a)(3)	CMV-drive in viol of limitation	M	A
AS28.33.150(a)(4)	CMV-drive if disqual by court or admin	M	A
AS28.33.150(a)(5)	CMV-drive in viol out-of-service order	M	A
AS28.35.015	Tamper With Or Damage Vehicle	M	N
AS28.35.024	Violate Requirements for Renting Vehicle	M	N
AS28.35.030(a)	DWI	M	A
AS28.35.030(a)(1)	DWI- alcohol or contr subst	M	A
AS28.35.030(a)(2)	DWI- BAC .10% or more	M	A
AS28.35.030(a)(3)	DWI- combined alcohol/contr subst	M	A
AS28.35.032(a)	Refuse To Submit To Chemical Test	M	A
AS28.35.040	Reckless Driving	M	N
AS28.35.050	Leave Scene of Accident	M	N
AS28.35.050(a)	Lv Scene of Accid - involve injury/death	M	N
AS28.35.050(b)	Lv Scene of Accid - vehic dmg	M	N
AS28.35.050(c)	Lv Scene of Accid - unattended vehic dmg	M	N
AS28.35.060(b)	Leave Accident w/o Providing Info	M	A
AS28.35.080	Immediate Notice of Accident Required	M	N
AS28.35.110(a)	Accident Report - Provide False Info	M	A
AS28.35.110(b)	Accident - Fail to Report	M	B
AS28.35.130	Destroy Evidence of Auto Accident	M	N
AS28.35.135(b)	Vehic Rcrd - No Notice of Chng Name/Addr	M	N
AS28.35.140	Obstruct/Block Traffic	M	N
AS28.35.145(a)	Fail to Stop for Schoolbus	M	B
AS28.35.145(b)	Fail to Yield for Schoolbus Passenger	M	B
AS28.35.155	Studded Tires, Chains Out of Season	M	N
AS28.35.175	RV Propane Gas Detector Required	M	N
AS28.35.180	Disobey Officer Directing Traffic	M	N
AS28.35.182(b)	Fail To Stop At Direction Of Officer 2	M	A
AS36.10.100	State Employment Preference Violation	M	N
AS36.30.315	Procurement Code-fraud by state ofc	M	A
AS39.25.900	Violate State Personnel Act	M	N
AS39.35.670	PERS-False Statement	M	N

HB 120 Sectional Analysis - Appendix 2
Examples of Misdemeanors Excluded from Definition of "Serious Offense" (AS 12.62.900)

Offenses most potentially relevant are shown in boldface type.)

AS39.50.060	Public Officer - Fail Financial Stmt Req	M	N
AS39.52.340	Ethics Investigation Confidentiality	M	A
AS39.90.010	Obstruct Access to Public Information	M	N
AS41.15.060	Burning permit req in state forest	M	N
AS41.15.070	Throw burning material in state forest	M	N
AS41.15.080	Burning w/o notice, proper equip	M	N
AS41.15.090	Burning w/o clearing area	M	N
AS41.15.100	Set fire w/o landowner consent	M	N
AS41.15.110	Allow spread of fire/leave unattended	M	N
AS41.15.120	State forest:Fail to assist firefighter	M	N
AS41.17.131	Criminally Negligent Logging	M	A
AS41.21.950	Violation of State Parks Stats/Regs	M	N
AS41.35.200	Historic/Archeological Resources	M	A
AS42.20.050	Alter Telegraph	M	A
AS42.20.060	Send/Deliver False/Forged Telegraph	M	A
AS42.20.070	Misuse of Telegraph	M	A
AS42.20.080	Delay/Refuse to Send/Deliver Telegraph	M	A
AS42.20.085	Refuse/Falsify Official Telegraph	M	A
AS42.20.090	Open Telegraph Addressed to Another	M	A
AS42.20.100	Bribe to Disclose Private Telegraph	M	A
AS42.20.120	Refuse to Yield Phone Line in Emergency	M	B
AS42.20.130	Pretext of Emergency for Phone Line	M	B
AS42.20.300	Unauth Publication/Use of Communications	M	A
AS42.20.310	Eavesdropping	M	A
AS42.20.325	Wiretap - Fail to Report	M	A
AS42.30.080	Explosives on Passenger Vessel/Vehicle	M	N
AS43.05.290(c)	Wilfully Fail to Pay Tax	M	A
AS43.05.290(f)	Wilfully Disclose False Tax Document	M	A
AS44.09.015	Use State Seal w/o Permission	M	N
AS44.25.040	Fail to Obtain Required Bond	M	A
AS45.50.562	Combination Restraint of Trade Unlawful	M	N
AS45.50.564	Monopolies Unlawful	M	N
AS45.63.030	Telephone Solic-Refund Required	M	A
AS45.63.040	Telephone Solic-Prohib Representations	M	A
AS45.63.050	Telephone Solic-No Waiver of Rights	M	A
AS45.68.010	Charitable Solicitation Regis Required	M	A
AS46.03.100	Waste Disposal Permit Violation	M	A
AS46.03.260	Release Radioactive Materials	M	A
AS46.03.302	Haz Waste Storage/Treatment/Disposal	M	A
AS46.03.305	Hazardous Waste Manifests/Records	M	A
AS46.03.308	Transport Haz Waste w/o Manifest	M	A
AS46.03.380-405	Underground Storage Tanks	M	A
AS46.03.710	Pollution of Land/Air/Water	M	A
AS46.03.715	Sale/Use of Prohibited Paint	M	A
AS46.03.720	Sewage/Water Treatment Construction	M	A
AS46.03.730	Pesticide Pollution	M	A
AS46.03.740	Oil Pollution	M	A
AS46.03.743	Negl Operation of Tank Vessel	M	A
AS46.03.745	Hazardous Substance Release	M	A
AS46.03.750	Ballast Water Discharge	M	A