

# ALASKA STATE SENATE



**SENATOR FRED DYSON**

**SENATE DISTRICT F**

## **Section Analysis – CS Senate Bill 104(FIN)**

*“An Act relating to appropriations from the dividend fund; creating the criminal fund; relating to appropriations from the criminal fund for payments for crime victims, operating costs of the Violent Crimes Compensation Board, grants for the operation of sexual assault response teams and domestic violence intervention projects, and incarcerations costs; and providing for an effective date.”*

### **Section 1**

#### **AS 43.23.028(a)(5)**

Prioritizes by order of importance the legislative purposes for making certain individuals under AS 43.23.005(d) ineligible for a PFD to be: compensation to crime victims, sexual assault and domestic violence prevention programs, and incarceration or probation costs.

#### **AS 43.23.028(a)(7)**

References a new section of law to be used to determine which agencies can receive money from the Criminal Fund.

#### **AS 43.23.028(b)**

Adds language to allow money from the criminal fund to go to the purposes listed in this section, after the appropriation to the criminal fund.

#### **AS 43.23.028(b)(1)**

Adds language to allow money from the criminal fund to go towards the operating costs of the Violent Crimes Compensation Board.

#### **AS 43.23.028(b)(2)**

Specifies that funds going to the Council on Domestic Violence and Sexual Assault will go towards grants for the operation of sexual assault teams and domestic violence intervention projects.

### **Section 2**

#### **AS 43.23.031**

A new section in law is created to deal with appropriations from the criminal fund:

1. Section (a) sets the priority order for how the money in the criminal fund should be appropriated and the departments that should receive the money: 1. Violent Crimes Compensation Board, 2. Council on Domestic Violence and Sexual Assault, and 3. The Department of Corrections.

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- i. Limits the amount of money from the criminal fund going to each priority: Up to 20% for the VCCB, 15% for the CDVSA, and the remaining for the Department of Corrections.
2. Section (b) states that by October 1 of each year the Violent Crimes Compensation Board will send to the Office of Management and Budget the total amount of compensable claims from the previous fiscal year and the operating costs of the VCCB.
3. Section (c) provides that the Office of Management and Budget will use the amounts reported by the VCCB in section (b) and the total amount of money in the criminal fund under AS 43.23.028(a)(6) to determine how much money should go to each department under section (a).
4. Section (d) states that the Office of Management and Budget will send a report to the Legislature at the same time the Governor submits the Operating Budget listing the size of the appropriation to each agency.
5. Section (e) clarifies that this section does not create an unconstitutional dedicated fund.

### **Section 3**

#### **AS 43.23.048**

A new section is put into law to statutorily create the Criminal Fund as an individual account within the dividend fund consisting of money that would have been paid to felons and certain misdemeanants had they not been made ineligible under AS 43.23.005(d). This section also emphasizes that the money in the Criminal Fund may be appropriated in accordance with AS 43.23.031. Finally, this section states that it does not create a dedicated fund in violation of Article IX Section 7 of the Alaska State Constitution.

### **Section 4**

#### **AS 43.23.055**

Subsection (6) is amended to allow the Department of Revenue to create new regulations that are necessary to implement the Department's new responsibilities in AS 43.23.031.

### **Section 5**

This section provides that this bill will take effect on July 1, 2014.

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