

ALASKA STATE SENATE



SENATOR FRED DYSON

SENATE DISTRICT F

Sponsor Statement for Senate Bill 104

“An Act relating to appropriations from the dividend fund; creating the criminal fund; and providing for an effective date.”

The current effort of obtaining restitution for victims is in a dismal state with the Department of Law having a backlog of over \$50 Million of restitution owed to victims. In 1988 the Legislature passed into law legislation that would make felons and certain misdemeanants ineligible to receive a Permanent Fund Dividend and stated intent language that the money that would have gone to felons would go to fund victim restitution. Since the creation of this law, there have been other statutes created regarding how this money should be spent but they have not clearly put a priority list for the “PFD Criminal Fund” leaving the victims of these offenders without all of the funds they need.

Senate Bill 104 will clear up the ambiguity of State law concerning these funds by creating in statute a priority list as to where the money in the “Criminal Fund” should go. The bill will create a new section in AS 43.23 outlining the process that determines how the Criminal Fund should be appropriated. SB 104 will allow each victim in each order of restitution from the previous fiscal year to receive up to \$10,000 from the Criminal Fund. It will allow the criminal fund to pay off the restitution backlog by applying ten percent of the Criminal Fund to the oldest orders of restitution. SB 104 establishes the following order of priority: 1. Victim restitution, 2. Child support arrearages, 3. Rehabilitation program payments, and 4. Any other costs associated with incarceration.

SB 104 adds a new section in AS 43.23 officially naming the Criminal Fund in statute; this name currently exists only for accounting purposes within the State Operating Budget.

SB 104 supports the original legislative intent to ensure that victims today and in the future will be able to receive the restitution they deserve.

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