

HOUSE BILL NO. 20

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE KOHRING

Introduced: 1/19/99

Referred: State Affairs, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act providing for an advisory vote on the issue of capital punishment."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** The lieutenant governor shall place before the qualified voters of the state at
4 the next general election the question advisory to the legislature of whether the legislature
5 should enact a law providing for capital punishment for murder in the first degree. The
6 question shall appear on the ballot in substantially the following form:

7 Q U E S T I O N

8 If the Alaska State Legislature enacts a law providing for capital
9 punishment for murder, the following annual fiscal costs to the following state
10 agencies are estimated to result:

11 (INSERT FISCAL COSTS)

12 These estimates assume 10 capital punishment cases annually.

13 It is also estimated that the total fiscal cost for the trial and subsequent
14 legal proceedings, incarceration pending execution, and execution for one
15 capital punishment case would be:

1 (INSERT FISCAL COST)

2 For the purpose of comparison, the estimated total fiscal cost of the trial and
3 subsequent legal proceedings and incarceration of a person sentenced to a
4 mandatory 99-year term of imprisonment without parole as provided under
5 current law is:

6 (INSERT FISCAL COST)

7 Considering this, shall the Alaska State Legislature enact a law
8 providing for capital punishment for murder in the first degree and establishing
9 procedures for the imposition of capital punishment that are consistent with the
10 United States Constitution as interpreted by the United States Supreme Court?

11 Yes [] No []

12 * **Sec. 2.** Each department that expects to be affected by the enactment of a law providing
13 for capital punishment for murder in the first degree shall estimate, in consultation with the
14 Legislative Budget and Audit Committee, and submit the fiscal costs to that department to the
15 lieutenant governor not less than 180 days before the time the question in sec. 1 of this Act
16 will appear on the ballot. The lieutenant governor shall insert those estimates into the
17 question at the appropriate places shown in sec. 1 of this Act.

18 * **Sec. 3.** The lieutenant governor shall add the following language to the ballot before the
19 paragraph beginning "Considering this" if, after having conducted a survey of states with the
20 death penalty, the lieutenant governor determines the ratio between the cost of imposition of
21 the death penalty and the cost of imposition of life imprisonment without parole, estimated
22 in sec. 2 of this Act, is consistent with the experience of other states:

23 This ratio (INSERT RATIO) between the cost of imposition of the
24 death penalty and the cost of life imprisonment is confirmed by the experience
25 of other states.