

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 345

Title An Act relating to compensation for victims of violent crimes; & providing

Requested by Clocksie, Brown & Malone Date 1/21/82 effective date.

II. FISCAL DETAIL

Agency Affected Department of Public Safety

Program Category Affected Administration of Justice

BRU, Program, Or Subprogram(s) Affected Violent Crimes Compensation Board

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	8.7	29.1	31.7	34.6	37.7	41.1
200 TRAVEL	2.6	8.5	9.3	10.1	11.0	12.0
300 CONTRACTUAL	3.5	11.7	7.1	7.7	8.4	9.2
400 COMMODITIES	.2	.5	.6	.7	.8	.9
500 EQUIPMENT	1.5	-	-	-	-	-
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.	45.0	150.0	163.5	178.2	194.2	211.7
TOTAL	61.5	199.8	212.2	231.3	252.1	274.9

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	61.5	199.8	212.2	231.3	252.1	274.9
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	1	1	1	1	1	1
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

The estimated impact for FY 82 is based on an effective date of March 15, 1982. (The proposed legislation reads "takes effect immediately.") The FY 82 amount is prorated from estimated FY 83 costs. Beyond FY 83, a 9% inflation factor has been applied.

If the proposed legislation is enacted, it is anticipated that claims would double. The current staff for the Violent Crimes Compensation Board consists of the program administrator and a clerical position. The anticipated increase in casework will necessitate the addition of an Administrative Assistant (range 12) and associated costs, including equipment.

With the increase in claims and investigation necessary for claims, the Violent Crimes Compensation Board would hold several additional Board meetings at a cost of approximately \$4500 plus additional hearings for approximately \$4000.00.

Since this will be a major change in the statute, the public must be made aware through TV spots, radio and newspapers. Production of the TV spots will be a one time expense as will the radio spots. These spots should cost around \$6500 plus another \$1000 for public notices in newspapers around the state.

The Department of Administration requested a space rental of \$3200 be placed in the budget.

IV. DATE 1/21/82

PREPARED BY Nola K. Capp

AGENCY Department of Public Safety

Original: Legislative Finance

PHONE 465-3040

cc: Budget and Management

Prime Sponsor (First Legislator Named) *OK mtd*

33-001 (Rev. 12/81)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CSHB 345
 Title "An Act relating to compensation for victims of violent crimes; & providing an
 Requested by Clocksinn, Brown & Malone Date 3/19/81 effective date

II. FISCAL DETAIL
 Agency Affected Department of Public Safety
 Program Category Affected Administration of Justice
 BRU, Program, or Subprogram(s) Affected Violent Crimes Compensation Board
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES	6.0	28.7	31.0	33.5	36.2	39.1
200 TRAVEL	.5	2.0	2.2	2.4	2.6	2.8
300 CONTRACTUAL	.2	1.0	1.1	1.2	1.3	1.4
400 COMMODITIES	.1	.5	.5	.6	.7	.8
500 EQUIPMENT	1.5					
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.	30.0	150.0	162.0	175.0	189.0	204.1
TOTAL	38.2	182.2	196.8	212.7	229.8	248.2

FUNDING (Thousands of Dollars)

GENERAL FUND	38.2	182.2	196.8	212.7	229.8	248.2
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	1	1	1	1	1	1
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)
 If the proposed legislation is enacted, it is anticipated that claims would double.
 The current staff for the Violent Crimes Compensation Board consists of the program administrator and a clerical position. The anticipated increase in casework will necessitate the addition of an Administrative Assistant (Range 12), and associated costs, including equipment.

The estimated impact for FY 81 is based on an effective date of April 15, 1981. (The proposed legislation reads "takes effect immediately.") The FY 81 amount is prorated from estimated FY 82 costs. Beyond FY 83, an 8% inflation factor has been applied.

IV. DATE 03/23/81 PREPARED BY *Marcia Lynn McKenzie* Marcia Lynn McKenzie, Budget Analyst
 AGENCY Department of Public Safety
 PHONE 465-4349
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

alaska
state
hospital
association

319 Seward St., Juneau, Alaska 99801 (907) 586-1790
REPRESENTING ACUTE, LONG TERM AND OUTPATIENT FACILITIES

President
Sister Barbara Haase
Ketchikan General Hospital
Ketchikan

President-Elect
Tom Mingen
Fairbanks Memorial Hospital
Fairbanks

Secretary/Treasurer
Ron Pavellas
Alaska Hospital & Medical
Center
Anchorage

Immediate Past President
Al Camosso
Providence Hospital
Anchorage

Executive Director
Dennis L. DeWitt
Juneau

April 20, 1981

The Honorable Don Clocksin
House of Representatives
Pouch v, State Capitol Building
Juneau, Alaska 99811

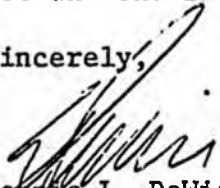
Dear Representative Clocksin:

The Alaska State Hospital Association has reviewed CSHB 345 and wishes to indicate our support.

We believe that the ability to make payments directly to a provider of service will not only greatly assist the function of the program as far as providers are concerned, we believe that it will in addition make paying for services easier for the victims. Additionally, allowing the discretion to make periodic payments of benefits offers a very prudent alternative to the Board when considering awards to dependents of a victim.

Finally we must concur that neither the living relationship nor a family line in and of itself is justification for denial of benefits to a victim. The party remains injured by an unwanted act and should be entitled to assistance.

Sincerely,


Dennis L. DeWitt
Executive Director

DLD/b

POSITION PAPER
ON
CS FOR HOUSE BILL NO. 345 (HESS)

"An Act relating to compensation for victims of violent crimes; and providing for an effective date."

The Department's former concern that legislation was necessary so the perpetrator did not receive the compensation has been resolved by the compensation being paid directly to the provider in domestic violence crimes. Section 3 (c) limiting compensation to \$25,000 per victim per incident also seems reasonable.

The Department of Health and Social Services supports the Committee Substitute for House Bill No. 345.

Recommended by: Elizabeth Muktarian
Elizabeth Muktarian
Director
Division of Adult and
Aging Services

Date: 4/6/81

Approved by: Helen D. Beirne
Helen D. Beirne
Commissioner
Dept. of Health and
Social Services

Date: 4/18/81

Original sponsors: Clocksin, Brown
and Malone

Offered: 4/1/81
Referred: Finance

*Beto y
P.H.*

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 345 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to compensation for victims of violent
7 crimes; and providing for an effective date."

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

9 * Section 1. AS 18.67.080(a) is amended by adding a new paragraph to
10 read:

11 (4) to the provider of a service under AS 18.67.110(b).

12 * Sec. 2. AS 18.67.110 is amended by adding a new subsection to read:

13 (b) The board may order that compensation under (a) of this
14 section for a service provided as a result of the personal injury or
15 death of the victim be paid directly to the provider of the service.

16 * Sec. 3. AS 18.67.130(c) is amended to read:

17 (c) No compensation may be awarded under this chapter in an
18 amount in excess of \$25,000 per victim per incident. However, in the
19 case of the death of a victim who has more than one dependent eligible
20 for compensation, the total compensation which may be awarded as a
21 result of that death may not exceed \$40,000. The board may prorate the
22 total awarded among those dependents according to relative need. [ALL
23 PAYMENTS SHALL BE MADE IN A LUMP SUM.]

24 * Sec. 4. AS 18.67.130(b)(1) and (2) are repealed.

25 * Sec. 5. This Act takes effect immediately in accordance with AS 01.10.-
26 070(c).

COMMITTEE REPORT

HOUSE

4/1

3/16/81

FURTHER: FINANCE

(5)

Date: March 27, 1981

Mr. Speaker:

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had HB 345

"An Act relating to compensation for victims of violent crimes; and providing for an effective date."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 345 (pass) same title
 new title
- and recommends it do pass
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Don Clocher

Walter Benjamin

J. Duncan

Bette Cato

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Terry Martin - No Rec. at this time

Don Clocher
CHAIRMAN

Cook
12-1044

Original sponsors: Clocksin, Brown
and Malone

Offered: 4/1/81
Referred: Finance

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cook/crow
12-10-44

Introduced: 3/16/81
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY CLOCKSIN, BROWN, ~~AND~~ MALONE

2 HOUSE BILL NO. 345

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ALASKA STATE LEGISLATURE

TWELFTH. Legislature .FIRST. Session

HOUSE BILL NO. 345

By ...CLOCKSIN, BROWN AND MALONI

"An Act relating to compensation for victims of violent crimes; and providing for an effective date."

Violent crime victims/compensation

Introduced in the House3./16, 19..81

HISTORY IN THE HOUSE

19 81
Mar 16 Read first time and referred to Committee on HESS and Finance

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reported correctly engrossed
Signed by Speaker
Sent to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19 Read first time and referred to Committee on

Reported back with recommendation that

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Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
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Reconsideration

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reported correctly engrossed
Signed by President
Returned to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19 Received from Senate

Concurred in Senate amendment thus adopting:
VOTE

Failed to concur in Senate amendment; asked Senate to recede
VOTE

Senate receded from amendment
VOTE

Senate failed to recede from amendment
VOTE

CC appointed by House

CC appointed by Senate

CC adopted by House
VOTE

CC adopted by Senate
VOTE

To enrolling
Reported correctly enrolled
Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

Introduced: 3/16/81
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY CLOCKSIN, BROWN AND MALONE

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POSITION PAPER
ON
HOUSE BILL NO. 345

"An Act relating to compensation for victims of violent crimes; and providing for an effective date."

The Department of Health and Social Services supports the concept of recognizing that domestic violence is a crime in this state under AS 11.41 and therefore compensation should be awarded, as with other crimes. However the reality does exist that according to conservative estimates, 60-75% of the victims return home to an assaulting situation, which can be repeated many times, with the victim being injured. If the present amendment were passed, because the victim has returned home, the assaulter could ultimately be the recipient of the compensation, which we believe would not be the sponsors' intent. The Department, therefore suggests that in the cases of 18.67.130 (b), (1) and (2) that the payments be made to the provider of the medical, legal, etc. services, not the victim, to prevent the assaulter from having access to such compensation.

The other possibility would be to provide shelters and safe home networks with sufficient funds for medical assistance, to victims up to a specific amount, such as \$1,500. It would not be practical for the domestic violence programs to manage individual medical payments over an extended period of time which could require them to account and manage many individual accounts which many of the shelters are not staffed to handle. Also, the shelters would have to establish eligibility determination providing for uniformity and equity in payment within and between shelter programs. This results in increased administrative costs for shelter/safe home programs.

Recommended by: Elizabeth Muktarian
Elizabeth Muktarian
Director
Div. of Adult and
Aging Services

Date: 3/27/81

Approved by: Heien D. Beime
Heien D. Beime
Commissioner
Dept. of Health and
Social Services

Date: 3/27/81

HB 345

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TWELFTH LEGISLATURE

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OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	1	1	1	1	1	1
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

If the proposed legislation is enacted, it is anticipated that claims would double.

The current staff for the Violent Crimes Compensation Board consists of the program administrator and a clerical position. The anticipated increase in casework will necessitate the addition of an Administrative Assistant (Range 12), and associated costs, including equipment.

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IV. DATE 03/23/81 PREPARED BY Marcia Lynn McKenzie, Budget Analyst
 AGENCY Department of Public Safety
 PHONE 465-4349
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)