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COMMITTEE REPORT  
SENATE

1/11/2

FURTHER: INDUSTRIAL  
FINANCE

Date: \_\_\_\_\_

Mr. President:

The Committee on HEALTH, EDUCATION  
SOCIAL SERVICES has had ON SIA

considered work on a bill no. for a violation or rendered or of as a  
prohibition.

under consideration and (a majority of the committee) (the committee)  
reports it back with the following recommendations:

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

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS:


CHAIRMAN

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Proposed Committee Substitute for SB No. 634

Title "An Act relating to Community work service"

Requested by Senator Parr

Date \_\_\_\_\_

II. FISCAL DETAIL

Agency Affected Health & Social Services

Program Category Affected Offender Confinement Reformation & Supervision

BRU, Program, Or Subprogram(s) Affected Probation & Community Programs

(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						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME						
TEMPORARY						

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

An analysis of the proposed committee substitute for Senate Bill No. 634 indicates there would be no fiscal impact resulting from enactment of Sections 1, 2 and 3.

IV. DATE April 2, 1982

PREPARED BY Roger C. Lanyon

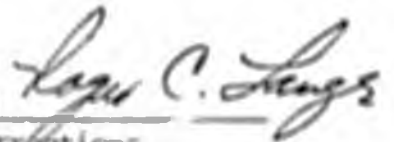
AGENCY Division of Adult Corrections

PHONE 465-276

Original: Legislative Finance  
cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)



POSITION PAPER

SENATE BILL NO. 634

"An Act relating to community work as a sentence for a violation or misdemeanor or as a condition of probation."

Senate Bill No. 634 modifies AS 12.55.055 which relates to offenders performing community work as a condition of a suspended sentence, suspended imposition of sentence, in place of all or part of any fine or as a condition of probation.

The Division of Adult Corrections is currently providing community work projects to the court through the Department of Law's Alternative Sentencing Program. The amendments set out in this bill would procedurally affect the present program. The addition of AS 12.55.055(c) would require screening and referral on an individual case basis before any offender could begin community work. Also, individual monitoring of work would be necessary. Additional staff would be necessary to provide screening, referral, and monitoring. It is not clear as to which agency would be responsible for this program component, i.e. the Department, the court, or the Department of Law. If the Department is to administer this program, additional staff will be necessary to provide these services.

Recommended by:

Walter B. Jones, Jr.  
Walter B. Jones, Jr.  
Acting Director  
Division of Adult Corrections

Date:

1/25/82

Approved by:

Helen D. Beirne  
Helen D. Beirne  
Commissioner

Date:

1/25/82

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Senate Bill 634

Title An Act relating to community work as a sentence for a violation or

Requested by Rav, Dankworth, Fischer & Bradley Date 01/11/82

misdemeanor or as a condition of probation.

II. FISCAL DETAIL

Agency Affected Department of Health & Social Services

Program Category Affected Offender Confinement, Reformation, & Supervision

BRU, Program, Or Subprogram(s) Affected Probation, Parole, and Community Program

(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		116.2	123.7	128.3	133.1	138.1
200 TRAVEL		20.0	22.0	24.2	26.6	29.2
300 CONTRACTUAL		9.0	9.7	10.5	11.3	12.2
400 COMMODITIES		1.6	1.7	1.8	1.9	2.0
500 EQUIPMENT		5.0	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>		<b>154.8</b>	<b>157.1</b>	<b>164.8</b>	<b>172.9</b>	<b>181.5</b>

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		154.8	157.1	164.8	172.9	181.5
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		4	0	0	0	0
PART TIME						
TEMPORARY						

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

If the Department of Health and Social Services were to administer this program component, there would be an increase in the work load. The Division of Adult Corrections would provide screening, referral, and monitoring for community work performed by offenders in all eleven district courts.

The Division would station 3 Probation Officers II, one in Anchorage, one in Fairbanks, and one in Juneau, and one Clerk Typist III in Anchorage. These officers would provide services on an itinerant basis to outlying districts upon recommendation to the court for community placement and supervision.

*Roger C. Lange*

IV. DATE January 25, 1982

PREPARED BY Roger C. Lange

AGENCY Division of Adult Corrections

PHONE 465-3376

Original: Legislative Finance  
cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

Cook  
4-2-82 /

Original sponsors: Ray, Dankworth,  
Fischer, et al

*Parr*  
BY THE HEALTH, EDUCATION, AND  
SOCIAL SERVICES COMMITTEE

1 IN THE SENATE

2 CS FOR SENATE BILL NO. 634 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to community work."

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

8 \* Section 1. AS 12.55.055(a) is amended to read: *Allowed to be ordered*

9 (a) The court may offer a defendant convicted of a violation the  
10 option of performing community work in place of a fine. The court may  
11 offer a defendant convicted of a misdemeanor the option of performing  
12 community work in place of a sentence of imprisonment. *to certain*  
13 The court may *individuals*  
14 order a defendant convicted of an offense to perform community work as a  
15 condition of a suspended sentence or suspended imposition of sentence,  
16 or in addition to any fine or restitution ordered. If the defendant is  
17 also sentenced to imprisonment, the court may recommend to the Depart-  
18 ment of Health and Social Services that the defendant perform community  
19 work. The court may order a defendant convicted of an offense to per-  
20 form community work as a condition of probation.

21 \* Sec. 2. AS 12.55.055 is amended by adding new subsections to read:

22 (c) Community work shall be performed for and under the supervi-  
23 sion of the state, a political subdivision of the state, or a non-  
24 profit organization. The court shall order the defendant to perform  
25 community work in an area as close to the defendant's residence as  
26 possible.

27 (d) In sentencing a defendant to perform community work the court  
28 shall order the performance of community work in accordance with the  
29 following schedule:

(1) not less than eight hours or more than 32 hours for a

*Types of org for community work can be*

4-2-82

1 violation of AS 16 or AS 28 or for the violation of a regulation adopted  
2 under AS 16 or AS 28;

3 (2) not less than eight hours or more than 20 hours for an  
4 offense classified as a violation;

5 (3) not less than 15 hours or more than 32 hours for a  
6 class B misdemeanor;

7 (4) not less than 32 hours or more than 60 hours for a  
8 class A misdemeanor;

9 (5) not less than 90 hours or more than 150 hours for a  
10 class C felony;

11 (6) not less than 200 hours or more than 500 hours for a  
12 class B felony;

13 (7) not less than 500 hours or more than 1,000 hours for a  
14 class A felony;

15 (8) not less than 1,000 hours for an unclassified felony.

16 \* Sec. 3. AS 12.55.100(a)(4) is amended to read:

17 (4) to perform community work in accordance with AS 12.55.-

18 055.

19 *Pat Conhealy - Doc - Changes -*  
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For an Act entitled: An Act relating to community work service.

\* Section 1. AS 12.55.055(a) is amended to read:

(a) The court may offer a defendant convicted of a violation or a misdemeanor the option of performing community work in lieu of a sentence of imprisonment, or the court may order a defendant convicted of an offense to perform community work as a condition of a suspended sentence or suspended imposition of sentence, or in addition to any fine or restitution ordered. If the defendant is also sentenced to imprisonment, the court may recommend to the Department of Health and Social Services that the defendant perform community work. The court may order a defendant convicted of an offense to perform community work as a condition of probation.

\* Section 2. AS 12.55.055 is amended by adding new subsections to read:

(c) Community work shall be performed under the supervision of the State, a political subdivision of the state, or a private, non-profit corporation registered in the state. The court shall order community work to be performed in an area as close to the defendant's residence as possible.

(d) In sentencing a defendant to perform community work service, the court shall order the performance of:

(1) not less than eight hours, nor more than 32 hours for a violation of the Fish and Game code (AS 16), for a violation of the Motor Vehicle Code (AS 28) or for a violation of the regulations adopted pursuant to AS 16 and AS 28;

(2) not less than eight hours, nor more than 20 hours for an offense classified a violation under the criminal code;

(3) not less than 15 hours, nor more than 32 hours for a Class B misdemeanor;

(4) not less than 32 hours, nor more than 60 hours for a Class A misdemeanor;

(5) not less than 90 hours, nor more than 150 hours for a Class C felony;

(6) not less than 200 hours, nor more than 500 hours for a Class B felony; or

(7) not less than 500 hours, nor more than 1,000 hours for a Class A felony.

\* Section 3. AS 12.55.100(a) (4) is amended to read:

(4) to perform community work in accordance with AS 12.55.055.

\* Section 4. AS 23.30 is amended by adding a new section to read:

Sec. 23.30.238 Individuals In Community Work Service Programs As Employees Of The State. An individual who is performing community work service as defined in AS 12.55.055(b) at the direction of the state for a private, non-profit corporation or for a political subdivision of the state is an employee of the state for the purpose of this chapter while performing the assigned community work service.

\* Section 5. AS 23.30.265(11) is amended to read:

(11) "employee" means an employee employed by an employer as defined in [PARAGRAPH] (12) of this section, or an individual performing community work service as defined in AS 12.55.055(b) at the direction of the state for an employer as defined in (12) of this section;