

SB

126



SENATOR DAVE DONLEY
ALASKA STATE LEGISLATURE

Memorandum

Date: May 1, 1995

To: Senator Robin Taylor
Chairman, Senate Judiciary Committee

From: Senator Dave Donley **DB**

Re: Request for Hearing SB126 - An Act making first-time violent felons, second-time felons, or third time misdemeanants ineligible for permanent fund dividends and making individuals who are on parobation or parole for a felony incligible for permanent fund dividends

I request a committee hearing for SB 126 at your earliest convenience. SB 126 makes first-time violent felons (convicted of felonies described in AS 11.41 as homicide, assault, and reckless endangerment, kidnapping and custodial interference, sexual offenses, robbery, extortion and coercion), second-time felons, or third-time misdemeanants ineligible for permanent fund dividends.

SB 126 also makes an individual convicted of a felony who is on probation or on parole ineligible for permanent fund dividends. Currently, only individuals who are incarcerated for felonies are ineligible for permanent fund dividends.

SB 126 also adds Services to Crime Victims provided by the Department of Public Safety to the list of purposes outlined in AS 43.23.028(b) for which legislative appropriations can be made from the permanent dividend program.

If you have any questions, contact Karen Brand of my staff at 2705.

Prior Request for Hearing: 3/23/95

DD/kb

January-May: STATE CAPITOL • JUNEAU, AK • 99801-1182 • (907) 465-3892 • FAX: (907) 465-6595
June-December: 716 W. 4TH AVE. • STE. 430 • ANCHORAGE, AK • 99501 • (907) 258-8181 • FAX: (907) 258-5571

MEMBER: Senate Finance Committee • Senate State Affairs Committee

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1113 W. Firwood #702
ANCHORAGE, AK 99503
22 JAN 1996

RECEIVED
JAN 26 1996
Ans'd.....

SENATOR ROSEN TAYLOR
352 FRONT STREET
KETCHIKAN, AK 99901

DEAR SENATOR TAYLOR:

I STRONGLY SUPPORT SENATE BILLS 125, 126, AND 127, ESPECIALLY SB 126 WHICH WOULD PERMANENTLY TAKE AWAY PERMANENT FUND DIVIDENDS FROM VIOLENT OR REPEAT OFFENDERS. CRIME, ESPECIALLY VIOLENT CRIME, IS BECOMING A SERIOUS PROBLEM IN ALASKA AND IN ANCHORAGE, AND WE NEED ALL THE HELP WE CAN GET IN DISCUSSING AND PUNISHING CRIMINAL ACTIVITY AND AIDING AND COMPENSATING VICTIMS.

THE LAST INFORMATION I HAD WAS THAT NEITHER OF THESE THREE BILLS HAD YET BEEN SCHEDULED FOR A SENATE JUDICIARY COMMITTEE HEARING. I URGE YOU TO SCHEDULE ALL OF THEM FOR AN EARLY HEARING, TO SUPPORT THEM IN COMMITTEE, AND TO DO YOUR UTMOST TO SEE THAT THEY ARE ENACTED INTO LAW.

Sincerely,
Kari Cornett
CORNETT

January 23, 1996

Letters to Editor
Anchorage Daily News
P.O. Box 149001
Anchorage, Alaska 99514

RE: Letter Appearing in
Daily News 12/21/95
from Juliette Danguilan

Dear Editor,

As a member of the affected class (incarcerated felon, soon to be released), I feel compelled to respond to a letter which appeared 12/21/95 in your paper entitled, "Request hearings on crime bills", i.e., SB 125, SB 126 and SB 127 being sponsored by Sen. Dave Donley. Shame on you Ms. Danguilan!

I find it hard to believe that our legislators would waste their precious time in Juneau, under the guise of crime prevention, when there are more pressing issues at hand, such as prison overcrowding due to the "War on Drugs" (sic), of which I am a casualty, to promote such an asinine piece of legislation. Instead, they should be focusing on Alaska's serious challenges. Over 30% of state prisoners and 70% of federal prisoners are incarcerated for victimless, non-violent drug crimes and prisons all over the country are literally bulging at the seams, with no relief in sight. The blame for the rising crime rate can be squarely placed on the shoulders of Pres. Ronnie Reagan for starting the war, on Pres. George Bush for escalating it and Pres. Wm. Clinton for continuing it. The "New Prohibition" is not working and neither did the "Volstead Act", the prohibition of alcohol in the 1920's.

SB 126 which would deny first-time violent felons, second-time felons or third-time misdemeanants a PFD check is the cruelest measure I have heard since Rep. Ramona Barnes was instrumental in having PFD checks denied to incarcerated felons. That was just an added kick in the teeth, besides the stigma of being an ex-felon for the rest of your life, after the courts were through running a defendant through the judicial wringer. A PFD check in the pocket of a released prisoner could very well determine whether or not he or she is going to re-offend and make it on the outside. A PFD check could help the person obtain housing, perhaps a second-hand car and food to eat until they were able to secure employment without resorting to crime. The \$250 gate money (which you earn at your prison job and saved for you) that you are released with does not go very far in this day and age.

SB 125 which increases maximum fines for violent crimes is so ludicrous on it's face, I can't believe it. How in the world is one convicted of murder and serving a 99 year sentence supposed to pay a \$500,000 fine on average prison wages of \$.60 per hour when they can't pay a \$75,000 fine even if they served the entire sentence (66 years), without spending the money on anything but the fine? That would mean no coffee, cigarettes, shampoo, candy or any

Page Two
Letters to Editor

of the other items available on the prison commissary list, which is just unrealistic.

With regard to SB 127 which would extend the time period victims of crime have to bring civil action against the defendant from two to ten years, this measure should be opposed as well. This is just a feeble attempt to extract money from the poor ex-felon, who is trying to get his life back together after serving a bitter prison sentence, futher down the road. Clearly, two years is more than enough time to heal any wounds and decide if they want to sue.

I urge everyone to oppose the above mentioned Senate Bills by communicating with their state senator or representative or by calling or writing to:

Sen. Robin L. Taylor, Chairman
Senate Judiciary Committee
Room 30 - Alaska State Legislature
State Capitol (MS 3100)
Juneau, Alaska 99801-1182
Ph. 465-3873 - FAX 466-3922

Sen. Dave Donley
Room 11 - Alaska State
Legislature
State Capitol (MS 3100)
Juneau, Alaska 99801-1182
Ph. 465-3892 - FAX 465-6595
Ph. 258-8181 - " 258-1648

Thank you very much for your attention and consideration of this letter.

I am,

Very Truly Yours,

Dennis H. Brown

Dennis H. Brown #05217
Lemon Creek Corr. Center
2000 Lemon Creek Road
Juneau, Alaska 99801
Ph. 465-6200

xc: Gov. Tony Knowles
Sen. Robin L. Taylor
Sen. Dave Donley
Sen. Jim Duncan
Rep. Ramona Barnes
Juneau Empire



SENATOR DAVE DONLEY
ALASKA STATE LEGISLATURE

Memorandum

Date: March 23, 1995

To: Senator Robin Taylor
Chairman, Senate Judiciary Committee

From: Senator Dave Donley *DD*

Re: **Request for Hearing SB126 - An Act making first-time violent felons, second-time felons, or third time misdemeanants ineligible for permanent fund dividends and making individuals who are on probation or parole for a felony ineligible for permanent fund dividends**

I request a committee hearing for SB 126 at your earliest convenience. SB 126 makes first-time violent felons (convicted of felonies described in AS 11.41 as homicide, assault, and reckless endangerment, kidnapping and custodial interference, sexual offenses, robbery, extortion and coercion), second-time felons, or third-time misdemeanants ineligible for permanent fund dividends.

SB 126 also makes an individual convicted of a felony who is on probation or on parole ineligible for permanent fund dividends. Currently, only individuals who are incarcerated for felonies are ineligible for permanent fund dividends.

SB 126 also adds Services to Crime Victims provided by the Department of Public Safety to the list of purposes outlined in AS 43.23.28(b) for which legislative appropriations can be made from the permanent dividend program.

If you have any questions, contact Karen Brand of my staff at 2705.

DD/kb

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MEMBER: Senate Finance Committee • Senate State Affairs Committee

Printed in Alaska

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SB 126

Revision Date: _____ Dept. Affected: Department of Revenue
 Title: PFD Eligibility: Money for Crime Victims BRU: Permanent Fund Dividend Division
 Component: Permanent Fund Dividend Division

Sponsor: SENATOR DONLEY
 Requester: SENATOR DONLEY (S) JUD COMPONENT SERIAL NO. 981

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	31.7	59.5	59.5	59.5	59.5	59.5
TRAVEL						
CONTRACTUAL	7.5	7.5	7.5	7.5	7.5	7.5
SUPPLIES	0.5	0.5	0.5	0.5	0.5	0.5
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	39.7	67.5	67.5	67.5	67.5	67.5

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other: DIVIDEND FUND 1050	39.7	67.5	67.5	67.5	67.5	67.5
TOTAL	39.7	67.5	67.5	67.5	67.5	67.5

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

FULL-TIME	2	2	2	2	2	2
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

See pages 2, 3

Prepared by: Nanci A. Jones, Director Phone: 465-2323
 Division: Permanent Fund Dividend Division Date: 3/20/95
 Approved by Commissioner: Deborah Vogt Date: 3/20/95
 Agency: Department of Revenue

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ALASKA DEPARTMENT OF REVENUE
 PERMANENT FUND DIVIDEND DIVISION
ANALYSIS OF SENATE BILL 126

As of March 20, 1995

Section 1 of this legislation would add five additional conditions that would make individuals ineligible for the 1996 and subsequent dividends.

Assumptions:

1. The Department of Corrections, the Court System and/or the Department of Law will annually provide the Department of Revenue with a computer tape file of all incarcerated felons, felons on probation, felons on parole, felons convicted under AS 11.41, second time felons, and third time misdemeanants.
2. Programming changes will be a one-time cost. Ongoing maintenance of new programs would be accomplished by existing staff. The computer system will need to be changed to account for the change in the program, to establish new classes of ineligibles, and add computer generated denial letters for each class of ineligibles.
3. The cost of data processing chargebacks for mainframe will be continuing. This will cover the cost associated with processing the computer tape with the PFD Masterfile, provide necessary printouts, and generate denial letters.
4. The cost of working an estimated 3,000 additional appeals. This is based on our history of appeals on presently incarcerated felons. Two full-time Permanent Fund Dividend Specialist I's will be required to work these additional appeals.

Cost Summary:

1. <u>Personal Services</u>	<u>FY 96</u>	<u>FY 97</u>	<u>FY 98</u>	<u>FY 99</u>	<u>FY 00</u>	<u>FY 01</u>
a. 1 non-permanent Analyst Programmer IV, Range 19A, at \$3,748/mo., including salary and benefits, for two weeks.	1.9					
b. 2 PFT PFD Specialist I's, Range 13A, at \$2,478/mo., including salary and benefits, for 6 months.	29.8					
c. 2 PFT PFD Specialist I's, Range 13A, at \$2,478/mo., including salary and benefits, for 12 months.		<u>59.5</u>	<u>59.5</u>	<u>59.5</u>	<u>59.5</u>	<u>59.5</u>
<u>Total Personal Services</u>	<u>31.7</u>	<u>59.5</u>	<u>59.5</u>	<u>59.5</u>	<u>59.5</u>	<u>59.5</u>

ALASKA DEPARTMENT OF REVENUE
 PERMANENT FUND DIVIDEND DIVISION
ANALYSIS OF SENATE BILL 126

As of March 20, 1995

2. Contractual Services

a. Data Processing Charge-back

.5 .5 .5 .5 .5 .5

b. Additional postage required for denial letters and appeal

7.0 7.0 7.0 7.0 7.0 7.0

Total Contractual Services

7.5 7.5 7.5 7.5 7.5 7.5

3. Supplies

a. Forms and envelopes

.5 .5 .5 .5 .5 .5

Total Cost

\$39.7 \$67.5 \$67.5 \$67.5 \$67.5 \$67.5