

HB

155

SENATE COMMITTEE REPORT

DATE: 3/22/05

FURTHER: Finance

DATE TURNED
IN TO OFFICE: _____

Judiciary Committee considered CS FOR HOUSE BILL NO. 155(JUD)

HB 155 YOUTH COURTS AND CRIMINAL FINES

"An Act relating to funding for youth courts; and relating to separately accounting for fines imposed on and collected from defendants.

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

CS Senate Bill:
 Same Title
 New Title

SCS House Bill:
 Same Title
 Technical Title Change
 New Title w/ SCR # _____





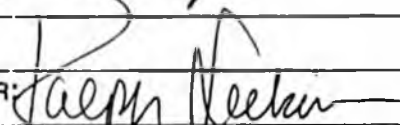
NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	No REC	AMEND
	X			
	X			
	X			
	X			
CHAIR: 	✓			



REPRESENTATIVE RALPH SAMUELS

HOUSE DISTRICT 29

CS HB 155 (JUD)

SPONSOR STATEMENT

"An Act relating to funding for youth courts; and relating to separately accounting for fines imposed on and collected from defendants."

HB 155 would create a separate accounting mechanism for fines collected by the Alaska Court system in criminal judgments and would authorize the legislature to appropriate up to 25% of those collected fines either directly to local youth courts or to the United Youth Courts of Alaska for distribution to local youth courts.

Currently youth courts operate in fourteen communities throughout Alaska: Anchorage, Delta Junction, Fairbanks, Homer, Juneau, Kake, Kenai, Ketchikan, Kodiak, Kotzebue, Mat-Su, Nome, Sitka and Wrangell. The Anchorage Youth Court, established in 1989, is the oldest of the programs. In the first two quarters of the current fiscal year, there have been 471 youth offenders referred to these programs, and 8,833 hours of community service and \$7,502.00 in restitution ordered.

Since 1989, 4,049 cases have been referred to the Anchorage Youth Court alone. These youth offenders have completed a total of 85,576 community work service hours and paid \$68,300.00 in restitution to victims. These programs, while unique in their own ways, are working. A 2002 Urban Institute study found that only 6% of offenders going through the Anchorage Youth Court re-offend - by far the best percentage of any court in the study.

First time offenders not held accountable for their illegal acts results in more frequent and serious juvenile crimes in the future. Youth courts provide an effective avenue to intervene early with young offenders and set them on the right track to deter them from becoming adult offenders.

HB 155 will provide a way for the legislature to annually allocate funds to support this effective, worthwhile, and cost efficient program.

Email: Representative_Ralph_Samuels@legis.state.ak.us

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FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSHB 155(JUD)
 (H) Publish Date: 3/3/05

Revision Date/Time (Note if correction): _____ Dept. Affected: LAW
 Title: "An Act relating to youth courts and to the RDU: CRIMINAL
recommended use of criminal fines to fund activities..." Component: Criminal Justice Litigation
 Sponsor: Representative Samuels
 Requester: House Judiciary Component No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill amends AS 12.55.035 in the Code of Criminal Procedure by adding a requirement that fines collected shall be separately accounted for as general fund program receipts. The Department of Law already accounts for the receipts this way. Additionally, the bill allows the legislature to appropriate 25% of the criminal fines collected to fund youth courts in Alaska. The Department of Law also relies on these funds to help pay for its Collections unit in the Civil Division. The FY 2005 level of that appropriation is \$306,800 and our FY 2006 funding request is \$324,800. Based on FY 2004 actuals, approximately \$1.2 million in fines was collected by the unit, so at least for now, sufficient funds appear to be available to satisfy a 25% appropriation without jeopardizing the Department of Law's funding. We therefore do not anticipate a fiscal impact from passage of this legislation.

Prepared by: Kathryn Daughhete, Director Phone 465-3673
 Division: Administrative Services Division Date/Time 3/1/05 1:48 PM
 Approved by: K. Daughhete for Scott Nordstrand, Acting Attorney General Date 3/1/2005
 Agency: Department of Law

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: CSHB 155(JUD)
 (H) Publish Date: 3/3/05
 Dept. Affected: Health & Social Services

Revision Date/Time (Note if correction): 3/1/05 5:30 p.m.

Title RELATING TO YOUTH COURTS AND
CRIMINAL FINES

RDU Juvenile Justice
 Component Probation Services

Sponsor SAMUELS

Requester HOUSE (JUD)

Component No. 2134

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services	36.8	36.8	36.8	36.8	36.8	36.8
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	36.8	36.8	36.8	36.8	36.8	36.8

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES (0)						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	36.8	36.8	36.8	36.8	36.8	36.8
1037 GF/Mental Health						
Other(Specify Type-do not abbreviate)						
Other(Specify Type-do not abbreviate)						
TOTAL	36.8	36.8	36.8	36.8	36.8	36.8

Estimate of any current year (FY2005) cost: _____

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time	1	1	1	1	1	1
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This fiscal note is based on the assumption that the Legislature wants to appropriate 25% of the fines collected from the Alaska Court System to help fund youth courts in Alaska as this legislation would allow.

Currently, an Associate Coordinator position within the Director's Office of the Division of Juvenile Justice manages the youth court grants that currently exist. On this fiscal note, the Division is reflecting the proposed appropriation of a .5 FTE at this same level. Based on the estimated 35 additional grants that would be incurred for this Division, it has been determined that an additional part-time position would need to be established to absorb the additional workload.

Prepared by: Patty Ware
 Division: Juvenile Justice
 Approved by: Joel S. Gilbertson, Commissioner
 Agency: Department of Health and Social Services

Phone 465-2112
 Date/Time 03/01/2005
 Date 03/02/2005

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 3
 Bill Version: CSHB 155(JUD)
 (H) Publish Date: 3/16/05
 Dept. Affected: Health & Social Services

Revision Date/Time (Note if correction):

Title RELATING TO YOUTH COURTS AND CRIMINAL FINES

RDU Juvenile Justice
 Component Probation Services

Sponsor SAMUELS

Requester HOUSE (FIN)

Component No. 2134

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES (0)						
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FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1037 GF/Mental Health						
Other(Specify Type-do not abbreviate)						
Other(Specify Type-do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: _____
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS						
Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This fiscal note is based on the assumption that the Legislature wants to appropriate 25% of the fines collected from the Alaska Court System to help fund youth courts in Alaska as this legislation would allow.

On this fiscal note, the Division is reflecting A \$0.0 impact in FY06 and an indeterminate amount for the following fiscal years.

Prepared by: Patty Ware, Director
 Division Juvenile Justice
 Approved by: Joel S. Gilbertson, Commissioner
 Agency Department of Health and Social Services

Phone 465-2112
 Date/Time 03/14/2005
 Date 03/14/2005