

HB

366

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 4/9/08

FURTHER:

DATE TURNED
IN TO OFFICE: _____

Finance Committee considered HOUSE BILL NO. 366 am

HB 366 PFD: EXECUTION /DISCLOSURE OF APPROPS

"An Act relating to an exemption from public disclosure of certain appropriations from the dividend fund; relating to execution upon permanent fund dividends by civilian process servers using electronic procedures; amending Rule 89, Alaska Rules of Civil Procedure; and providing for an effective date."

and recommends:

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

SENATE BILL:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title

HOUSE BILL:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

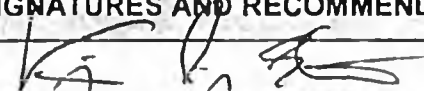

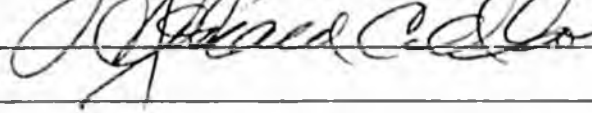
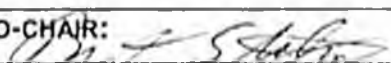
NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indel.	Zero	FN#
COR	4/11/08		✓		

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
REV	2/17/08			✓	2

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Elton	✓			
	Thomas	✓			
	OLSON			✓	
CO-CHAIR:					
	STEPHEN			✓	

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: HB366am-DOC-IHC-04-11-08
() Publish Date: _____

Identifier (file name): _____ Dept. Affected: Corrections
Title "An act relating to an exemption from public disclosure of RDU Inmate Health Care
certain appropriations from the dividend fund; and providing ..." Component Inmate Health Care
Sponsor Representatives Crawford, Gardner, Gruenberg, Kertula . .
Requester House State Affairs Component Number 705

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
Personal Services
Travel
Contractual
Supplies
Equipment
Land & Structures
Grants & Claims
Miscellaneous
TOTAL OPERATING

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 Interagency Receipts	.	.	.	.	.	.	.	.
TOTAL	.	.	.	.	.	.	.	.

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

Full-time	.	.	.	.	.	.	.	.
Part-time	.	.	.	.	.	.	.	.
Temporary	.	.	.	.	.	.	.	.

ANALYSIS: *(Attach a separate page if necessary)*

This bill amends AS 43.23.028(b), exemptions from public disclosure of certain appropriations from the dividend funds. The legislature may appropriate PFD Criminal Funds to the Department of Revenue to distribute grants to minor children of incarcerated individuals.

In FY2009 approximately \$9.1 million of the \$31.0 million Inmate Health Care budget is PFD Criminal Funds. If in the future, the legislature chooses to reduce the current level of PFD Criminal Funds appropriated to the Department of Corrections, a General Fund appropriation equal to the reduction would be requested to maintain inmate health care services.

Prepared by: Sharleen Griffin, Director
Division: Administrative Services
Approved by: Dwayne Peoples, Deputy Commissioner
Department of Corrections

Phone: (907) 465-3339
Date/Time: 4/11/08 2:08 PM
Date: 4/11/2008

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: HB 366
(H) Publish Date: 3/20/08

Identifier (file name): HB366-REV-CSSD-3-17-08 Dept. Affected: Revenue
Title: Disclosure: Appropriations From PFD Fund RDU: Child Support Services Division
Sponsor: Rep Crawford Component: Child Support Services Division
Requester: House State Affairs Component Number: 111

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
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	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 Interagency Receipts								
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: _____

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

Last fall we estimated that 10,188 individuals would have received a 2007 dividend, had it not been for conviction or incarceration as a felon or multiple misdemeanor.

1,499 were sentenced felons

8,689 were incarcerated convicted felons and/or incarcerated convicted multiple misdemeanants

Analysis continued on page 2

Prepared by: John Mallonee
Division: Child Support Services Division
Approved by: Jerry Burnett
Department of Revenue

Phone 907 269-6801
Date/Time 3-17-2008 2:00pm
Date 3/17/2008

FISCAL NOTE #2

STATE OF ALASKA
2008 LEGISLATIVE SESSION

BILL NO. HB 366

ANALYSIS CONTINUATION

An amount equal to what would have been paid to these individuals as dividends is appropriated to the Departments of Corrections and Public Safety each year to offset the cost of incarceration and to provide for programs for victims of crimes. House Bill 366 would add grants to the children of incarcerated parents to the permitted uses of what are commonly called "PFD Felon Funds."

There are approximately 5,000 individuals incarcerated that owe child support for their children. Most of these people have a \$50 per month child support order on which they pay very little. Unlike other citizens of Alaska, these incarcerated individuals can not apply for a Permanent Fund Dividend which Child Support Services Division would garnish and provide to the custodial parent and child. Therefore these families receive very little in the way of child support while the non-custodial parent is incarcerated.

This bill would have no impact on the number of individuals eligible to apply for the dividend nor to the amount of the dividend.

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: HB366am-DOC-IHC-04-11-08
() Publish Date: _____

Identifier (file name): HB336-DOC-IHC-02-21-08 Dept. Affected: Corrections
Title: *An act relating to an exemption from public disclosure of RDU: Inmate Health Care
certain appropriations from the dividend fund; and providing ... Component: Inmate Health Care
Sponsor: Representatives Crawford, Gardner
Requester: House State Affairs Component Number: 705

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	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)					
	FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Other Interagency Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

Full-time	0	0	0	0	0	0	0
Part-time	0	0	0	0	0	0	0
Temporary	0	0	0	0	0	0	0

ANALYSIS: *(Attach a separate page if necessary)*

This legislation amends AS 43 23 028(b), exemption's from public disclosure of certain apportions from the dividend funds and allows the legislature to distribute funds to the Department of Revenue for grants to minor children of incarcerated individuals. Passage of this legislation should have no fiscal impact on the Department of Corrections.

If the legislature chooses to reduce the current level of PFD Criminal Funds appropriated to the Department of Corrections, a General Fund appropriation equal to the reduction would be requested to maintain inmate health care services.

Prepared by: Sharleen Griffin, Director
Division: Administrative Services
Approved by: Dwayne Peeples, Deputy Commissioner
Department of Corrections

Phone: (907) 465-3339
Date/Time: 4/11/08 9:35 AM
Date: 4/11/2008

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: 3
Bill Version: HB 366
(H) Publish Date: 4/4/08

Identifier (file name): HB336-DOC-IHC-02-21-08 Dept. Affected: Corrections
Title: "An act relating to an exemption from public disclosure of certain appropriations from the dividend fund; and providing ..." RDU: Inmate Health Care
Sponsor: Representatives Crawford, Gardner Component: Inmate Health Care
Requester: House State Affairs Component Number: 705

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	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)						
	FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Other Interagency Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

	FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Full-time	0	0	0	0	0	0	0
Part-time	0	0	0	0	0	0	0
Temporary	0	0	0	0	0	0	0

ANALYSIS: *(Attach a separate page if necessary)*

This legislation amends AS 43 23 028(b), exemption's from public disclosure of certain apportions from the dividend funds. Passage of this legislation should have no fiscal impact on the Department of Corrections.

If the legislature chooses to reduce the current level of PFD Criminal Funds appropriated to the Department of Corrections, a General Fund appropriation equal to the reduction would be requested to maintain inmate health care services

Prepared by: Sharleen Griffin, Director
Division: Administrative Services
Approved by: Dwayne Peoples, Deputy Commissioner
Department of Corrections

Phone (907) 465-3339
Date/Time 3/31/08 4:04 PM
Date 3/31/2008

Alaska State Legislature
House of Representatives

Alaska State Capitol
Juneau, Alaska 99801-1182
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Representative Harry Crawford
District 21

SPONSOR STATEMENT: HOUSE BILL 366

Approximately 5,000 Alaskan children do not receive child support because their non-custodial parent is incarcerated and ineligible to receive a Permanent Fund Dividend. When non-custodial parents are ordered to pay child support, but are unable to do so, their Permanent Fund Dividend is garnisheed to fulfill the debt. In 1996, AS 43.23.005(d) was amended, making an individual ineligible to receive a Permanent Fund Dividend if, during the qualifying year, they were incarcerated as a result of a felony; or misdemeanor if they have a prior felony; or two or more prior misdemeanors. While this has the desired effect of punishing repeat miscreants by making them ineligible to receive a Permanent Fund Dividend, the amendment has the apparent unintended consequence of denying dependent children of incarcerated parents the child support they depend on.

Under current law, the Permanent Fund Dividends of individuals found ineligible under AS 43.23.005(d) are appropriated to the Department of Corrections and to programs for the victims of crimes. HB 366 will allow the Department of Revenue to provide grants to minor children of incarcerated individuals. In doing so, this bill ensures that minor children of incarcerated individuals do not lose out on the child support they depend on.

Heather Beaty

From: drobbins@gci.net on behalf of Doris Robbins [drobbins@gci.net]
Sent: Sunday, March 30, 2008 2:13 PM
To: Rep. Mary Nelson; Rep. Reggie Joule; Rep. Les Gara; Rep. Harry Crawford; Rep. Bill Thomas; Rep. Mike Kelly; Rep. Mike Hawker; Rep. John Harris; Rep. Bill Stoltze; Rep. Kevin Meyer; Rep. Mike Chenault
Subject: HB 366 Approp. from PF for Minor Children of Incarcerated
Attachments: Doris Robbins.vcf

Representative Chenault,
Representative Meyer,
Representative Stoltze,
House Finance Committee,

First, thank you Representative Crawford, for sponsoring this legislation which recognizes the children and family of those in prison. Thank you also for the other co-sponsors! So often, no one thinks of the rest of the family. I'm all for getting "the bad guys" and hopefully providing for their reform with counseling and education, but no one thinks about the kids when they lock up "the bad guys." If I had transportation I would go down to the LIO and voice my wishes, but since I can't, please consider this with the same vigor as you would a live testimony.

Children of the incarcerated become double XX victims. That is the best expression I can use. They have a bad behaving parent, the parent is not there for any support, and there is no monetary fund available for the courts to get at to use for the kids.

In addition to the stigma of a jailed parent the kids have no positive role model in that parent. These kids need a lot of help to be set on a right path. The remaining parent, most often a woman, finds it difficult to provide ordinary needs for the child/children on her income.

With HB 366 allowing the Department of Revenue to provide grants to minor children of incarcerated individuals there is some measure of help. In doing so, this bill ensures that minor children of incarcerated individuals do not lose out on the child support they depend on.

In addition, they need more support in school; and after school they need help from someone like Big Brothers/Sisters for a role model.

Please pass this bill!

Doris Robbins

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