

SB

15

<TARGET><BILL>SB 15</BILL><SUBJECT>SB
15</SUBJECT><COMM>HFIN27</COMM></TARGET>

Alaska State Legislature
HOUSE FINANCE COMMITTEE

Agenda
9:30 AM

Saturday, April 16, 2011

Bills Previously Heard or Scheduled

SB 58-INCREASING NUMBER OF SUPERIOR CT JUDGES

Relevant Fiscal Notes:

Previously published # 2, 3, 4, 7, 8, 9, 10

NEW FN CRT \$ Trial Courts replaces #1

- SB 23-FILM PRODUCTION TAX CREDIT/AUDITS
CS WORKDRAFT 27-LS0252\C
- SB 108-SPC. STEPHEN "MAX" CAVANAUGH OVERPASS
- SB 15-SEX OFFENDER/UNDERAGE ALCOHOL OFFENSE
- SB 95-FRANK PALMER FERRY TERMINAL
- SB 46-BUDGET: CAPITAL
pending referral
- SB 42-POWER PROJECT; ALASKA ENERGY AUTHORITY
pending referral

Order of bills will be determined at the beginning of Committee

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number 2
 Bill Version CSSB 15(HSS)
 (S) Publish Date 3/18/11

Identifier (file name): SB015-LAW-CRIM-03-11-11 Dept. Affected Law
 Title An Act relating to penalties for certain alcohol offenses involving persons under 21 years of age committed by a sex offender or child kidnapper. Appropriation Criminal
 Allocation Criminal Justice Litigation
 Sponsor SENATOR(S) MEYER
 Requester (S) HEALTH & SOCIAL SERVICES OMB Component Number 2202

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants								
Miscellaneous								
TOTAL OPERATING		***	***	***	***	***	***	***

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

	FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other (please identify)							
TOTAL		***	***	***	***	***	***

Estimate of any current year (FY2011) cost ***

POSITIONS

	FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
Full-time							
Part-time							
Temporary							

Why this fiscal note differs from previous version (if initial version, please note as such)

Not applicable, initial version.

Prepared by Eileen Donahue, Division Operations Manager
 Division Administrative Services
 Approved by John J. Burns, Attorney General
Department of Law

Phone 465-5427
 Date/Time 3/11/11 4:30 PM
 Date 3/11/2011

FISCAL NOTE #2

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. CSSB 15(HSS)

Analysis

SB 15 raises one level the severity of offenses for providing alcohol to persons under 21 years of age if the offender is a sex offender or child kidnapper. For example, a nonlicensee who furnishes alcohol to a person under 21 years of age commits a class A misdemeanor for a first offense. SB 15 would make this offense a class C felony if the offender was a sex offender or child kidnapper.

This would have an indeterminate fiscal impact on the Department of Law. Any time an offense is raised from a misdemeanor to a felony there is an impact. Felony prosecutions require more time – for example, a felony requires a grand jury indictment and a jury of 12 persons.

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number 4
Bill Version CSSB 15(JUD)
(S) Publish Date 4/8/11

Identifier (file name) _____ Dept. Affected DOC
Title _____ Appropriation Administration & Support
Allocation Office of the Commissioner
Sponsor Senate Finance Committee
Requester Senate Finance Committee OMB Component Number 694

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants								
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 (please identify)								
TOTAL	**	**	**	**	**	**	**	**

Estimate of any current year (FY2011) cost 0.0

POSITIONS

Full-time								
Part-time								
Temporary								

Why this fiscal note differs from previous version (if initial version, please note as such)

The fiscal impact is indeterminate.

Prepared by Darwin Peterson, Senate Finance Committee staff
Senator Bert Stedman, Co-Chair Senate Finance Committee
Senator Lyman Hoffman, Co-Chair Senate Finance Committee

Phone 465-3873
Date/Time 4/6/11 8:30 AM
Date 4/6/2011

Alaska State Legislature



Interim:
716 West 4th Ave.
Anchorage, Alaska 99501
(907) 269-0199

Session:
State Capitol Building
Juneau, Alaska 99801-1182
(907) 465-4945

Senator Kevin Meyer
Senate District O

SPONSOR STATEMENT FOR CSSB 15 (JUD)

"An Act relating to penalties for certain alcohol offenses involving persons under 21 years of age committed by a sex offender or a child kidnapper."

Senate Bill 15 increases penalties on a registered sex offender or child kidnapper providing alcohol for individuals under 21 years of age.

If SB 15 is enacted, penalties will increase as follows:

- A Violation to a Class B Misdemeanor
- A Class A Misdemeanor to a Class C Felony
- A Class C Felony to a Class B Felony

According to the Anchorage Police Department, alcohol is involved in over 51.2% of sexual assaults reported in Anchorage between 2006 and 2007. Almost a fourth of those sexual assaults were perpetrated against victims between the ages of 15 and 19. Law enforcement and social service agencies all recognize a strong pattern in the use of drugs and alcohol as a "grooming" tool in an attempt to lure young people into sexual activity.

CHANGES TO SB 15:

CSSB 15 SHSS: 27-LS0119\D

Two substantive changes:

Lines 5 and 6 on page 1:

Aggravated penalties applies to:

- AS 04.16.51
Furnishing or delivery of alcoholic beverages to persons under the age of 21.
- AS 04.16.055
Room rental for purposes of consuming alcoholic beverages.
- AS 04.16.057
Permitting a person under 21 years of age to possess liquor in dwelling.

Lines 6 and 7 on page 2:

The addition of AS 12.63.100 -- the definition of sex offender child kidnapper.

Changes make the bill more accurately reflect the situations where a young person may be lured into providing sexual favors for alcohol.

Fiscal Note from Department of Corrections:

From GF: \$469.2 for FY 2012-2013, \$821.1 for FY 2014, \$1,173.0 for FY 2014-2015, \$1,524.9 for FY 2016, \$1,876.8 for FY 2017

CSSB 15 SJUD: 27-LS0119\E

One main change:

Line 10 on page 1:

- "who is required to register as a sex offender or child kidnapper under AS 12.63"

Change was recommended by the Department of Law.

Revised Fiscal Note from Department of Corrections:

From GF: \$182.4 for FY 2012, \$232.2 for FY 2013-2017.

CSSB 15 SFIN

Fiscal Note from Department of Corrections: Indeterminate

Advisory Board on Alcoholism
and Drug Abuse



Alaska Mental Health Board

ALASKA MENTAL HEALTH BOARD
ADVISORY BOARD ON ALCOHOLISM AND DRUG ABUSE
431 NORTH FRANKLIN STREET, SUITE 200
JUNEAU, ALASKA 99801
(907) 465-8920

March 29, 2011

Senator Kevin Meyer
Alaska State Legislature
Capitol Building, Room 103
Juneau, Alaska 99801

Re: SB 15 – Alcohol Offenses Committed by Sex Offenders, Child Kidnappers

Dear Senator Meyer,

On behalf of the Advisory Board on Alcoholism and Drug Abuse, I would like to express our support for your efforts to protect children and youth from falling victim to sexual exploitation, trafficking, and kidnapping. While there is no specific data reflecting how often a young person gains access to alcohol through a convicted sex offender or child kidnapper, there is data that shows that young people gain access to alcohol at least one third of the time from adults or friends.

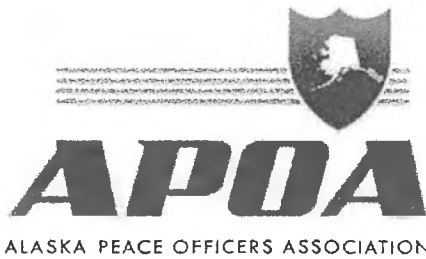
The Center for Behavioral Health Statistics and Quality reported in February 2011 that, between 2006 and 2009, 93.4% of the 709,000 adolescents aged 12-14 who reported drinking alcohol gained access to the alcohol — for free — from other people. Of those, 13.5% were given the alcohol by an unrelated adult. In Alaska, 34.7% of traditional high schools students participating in the 2009 Youth Risk Behavior Survey reported that they had used alcohol in the past thirty days and that they got that alcohol from someone else. While we don't know who provided that alcohol, or whether they were a convicted sex offender or child kidnapper, we do know there is connection between providing alcohol to minors and victimization.

Recent new coverage of sexual exploitation of young Alaskan women by Channel 2, KTUU news highlighted the role of drugs and alcohol in this form of victimization. Young people are often ensnared in human trafficking and sexual exploitation through the provision of drugs and alcohol, among other "grooming" efforts. By creating an aggravating factor to target individuals who use alcohol to coerce, induce, or otherwise attempt to engage a young person in sexual activity will help to address this problem.

Given the traumatic and potentially lifelong harm that can result from situations in when predators use alcohol (and other drugs) to prey upon young people, SB 15 provides a balanced approach to increasing the penalty for individuals who engage in this sort of victimization and exploitation. We appreciate your efforts on behalf our most vulnerable youth.

Sincerely,

J. Kate Burkhart
Executive Director



February 14, 2011

Senator Kevin Meyer
Alaska State Senate
State Capitol
Juneau AK 99801-1182

Dear Senator Meyer:

On behalf of our respective organizations, we would like to thank you for introducing SB 15, an Act relating to penalties for certain alcohol offenses involving persons under 21 years of age committed by a sex offender or child kidnapper.

We met recently to review proposed legislation and decided to unanimously support this bill.

Again, thank you for addressing this issue. Please contact the APOA office in Anchorage at 277-0515 if there is anything our organizations can do to assist in the passage of this bill.

Sincerely,

John Lucking Jr., President
Alaska Peace Officers
Association
PO Box 240106
Anchorage AK 99524

Tom Clemons, President
Alaska Association of
Chiefs of Police
183 Nelson Ave
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