

**ALASKA LEGISLATURE**

**1822**

**HOUSE and SENATE FINANCE COMMITTEE FILES, 1997-1998**

**Alaska Department of Revenue  
Income and Excise Audit Division**

***Time Analysis  
of Coin-Operated Device Return Processing***

	<b><i>Minutes</i></b>
<b>Mailout return forms</b>	5
<b>Process returns</b>	
Deposit cash	8
Data capture return	6
Print/mail receipt	5
<b>Reconcile tax collections</b>	10
<b>Shared tax program</b>	
Sort data by municipality	10
Compile/calculate/reconcile shared tax amounts	15
Issue shared tax warrants	5
<b>Examination and filing</b>	3
<b>Collection/follow-up on delinquent accounts</b>	2
<b>Compliance</b>	2
<b>Computer programming</b>	3
<b>Supervision/review of program</b>	2
<b><i>Total Minutes per return</i></b>	<u><u>76 minutes</u></u>

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**Total Hours to process returns:**  
 (315 returns x 76 minutes divided by 60 minutes)      **399 hours**

# HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: February 25, 1998

FURTHER REFERRALS:

Date of Committee Action: 3/30/98

The FINANCE Committee considered:

SB 240(title am)(reengrossed)

SENATE BILL NO. 240(title am)(reengrossed)

REPEAL COIN-OPERATED DEVICE TAX

"An Act repealing the tax on punchboards and certain coin-operated devices; and providing for an effective date."

recommends it be replaced with the following committee substitute \_\_\_\_\_  the same title  
 a new title

additional referral to \_\_\_\_\_ Committee

attached amendment(s)

ADOPTS: \_\_\_\_\_ Letter of Intent

ATTACHES NEW FISCAL NOTE(s): \_\_\_\_\_ (Dept)

APPROVES PREVIOUS: \_\_\_\_\_ (Dept/Date)

fiscal note(s) \_\_\_\_\_

fiscal note(s) \_\_\_\_\_

zero fiscal note(s) \_\_\_\_\_

zero fiscal note(s) Rev, 2/11/98

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Gene Ferrisanti</i> Therriault	X			
<i>Mark Hanley</i> Hanley	X			
<i>John Foster</i> Foster	X			
<i>Harry Martin</i> Martin	X			
<i>Walter Davies</i> DAVIES	X			
<i>Henry Davis</i> DAVIS	X			
<i>Ed Gussendorf</i> Gussendorf	X			

CHAIR'S SIGNATURE

*Gene Ferrisanti* *Mark Hanley*  
 Therriault Hanley

FISCAL NOTE

No. 1  
Bill Version: SB 240  
(S) Publish Date: 2/11/98  
Revenue  
Revenue Operations  
Income and Excise Audit

Revision Date: \_\_\_\_\_ Dept. Affected: \_\_\_\_\_  
Title: Repeal Coin-Operated Device Tax Program BRU: \_\_\_\_\_  
Sponsor: (S) FIN Component: \_\_\_\_\_  
Requestor: (S) FIN COMPONENT SERIAL NO. 113

Expenditures/Revenues: (Thousands of Dollars)

	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
<b>OPERATING EXPENDITURES</b>						
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CAPITAL EXPENDITURES</b>						
<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1001 CBRF						
1048 University of AK receipts						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year cost \$ 0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

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

Repeal of the coin-operated devices tax program will help both businesses and department employees reduce workloads. The paperwork required from businesses and the effort used in processing tax returns is a low priority. Repeal of the program would free up time and resources to focus on increasing revenue from other tax programs. The division has had \$480,000 in reductions to the operating budget over the past three years and repealing low priority programs is necessary so that high priority (more revenue) programs can be effectively administered.

The current program collects \$90,000, shares \$32,000 back to local governments and costs \$15,000 to administer. Thus the net general fund revenue is \$43,000. This loss of revenue can be more than offset from redirecting resources to increase compliance in motor fuel, fisheries, tobacco, alcohol and corporate tax programs.

Prepared by: Robert Bartholomew, Deputy Director  
Division: Income and Excise Audit Division  
Approved by Commissioner: Wilson L. Condon  
Agency: Revenue

Phone: 465-4773  
Date: January 29, 1998  
Date: January 29, 1998

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Revision Date: \_\_\_\_\_ Dept. Affected: Revenue  
 Title: Repeal Coin-Operated Device Tax Program BRU: Revenue Operations  
 Component: Income and Excise Audit  
 Sponsor: (S) FIN  
 Requestor: (S) FIN COMPONENT SERIAL NO. 113

Expenditures/Revenues: (Thousands of Dollars)

	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
<b>OPERATING EXPENDITURES</b>						
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CAPITAL EXPENDITURES</b>						
<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1001 CBRF						
1048 University of AK receipts						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year cost \$ 0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

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

Repeal of the coin-operated device tax program will help both businesses and department employees reduce workloads. The paperwork required from businesses and the effort used in processing tax returns is a low priority. Repeal of the program would free up time and resources to focus on increasing revenue from other tax programs. The division has had \$480,000 in reductions to the operating budget over the past three years and repealing low priority programs is necessary so that high priority (more revenue) programs can be effectively administered.

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Prepared by: Robert Bartholomew, Deputy Director  
 Division: Income and Excise Audit Division  
 Approved by Commissioner: Wilson L. Condon  
 Agency: Revenue

Phone: 465-4773  
 Date: January 29, 1998  
 Date: January 29, 1998

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SB

240

SFIN

FILE

**SENATE COMMITTEE REPORT  
First Committee of Referral**

DATE: 1/15/98

FURTHER: 2/11/98

Date of 5-Day Notice: \_\_\_\_\_  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: 11 Feb 98

Finance Committee considered SENATE BILL NO. 240

"An Act repealing the tax on punchboards and coin-operated amusement and gaming devices; and providing for an effective date."

and recommends:

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

- Senate Bill:**
- same title
  - new title
- House Bill:**
- same title
  - technical title
  - new: SCR# \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	JNP	AM
<i>Rep. E. C. ...</i>	<input checked="" type="checkbox"/>				
<i>Gov. ...</i>	<input checked="" type="checkbox"/>				
<i>...</i>	<input checked="" type="checkbox"/>				
<i>...</i>					
<i>...</i>					
<i>...</i>					
<i>CHAIR: Pearce</i>	<input checked="" type="checkbox"/>	<i>CHAIR:</i>			

**NEW FISCAL NOTE(S):**

Department	Date	Zero	Fiscal
DOR, Income & Excise Ad	1/29/98	<input checked="" type="checkbox"/>	

**PREVIOUS FISCAL NOTE(S):\***

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

2/11/98

Revision Date: \_\_\_\_\_ Dept. Affected: Revenue  
 Title: Repeal Coin-Operated Device Tax Program BRU: Revenue Operations  
 Component: Income and Excise Audit  
 Sponsor: (S) FIN  
 Requestor: (S) FIN COMPONENT SERIAL NO. 113

Expenditures/Revenues: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
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						
CHANGE IN REVENUES ( )	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1001 CBRF						
1048 University of AK receipts						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year cost \$ 0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Repeal of the coin-operated devices tax program will help both businesses and department employees reduce workloads. The paperwork required from businesses and the effort used in processing tax returns is a low priority. Repeal of the program would free up time and resources to focus on increasing revenue from other tax programs. The division has had \$480,000 in reductions to the operating budget over the past three years and repealing low priority programs is necessary so that high priority (more revenue) programs can be effectively administered.

The current program collects \$90,000, shares \$32,000 back to local governments and costs \$15,000 to administer. Thus the net general fund revenue is \$43,000. This loss of revenue can be more than offset from redirecting resources to increase compliance in motor fuel, fisheries, tobacco, alcohol and corporate tax programs.

Prepared by: Robert Bartholomew, Deputy Director  
 Division: Income and Excise Audit Division  
 Approved by Commissioner: Wilson L. Condon  
 Agency: Revenue

Phone: 465-4773  
 Date: January 29, 1998  
 Date: January 29, 1998

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**SB**

**242**

**HFIN**

**FILE**



# Alaska State Legislature

## Senate

**JERRY WARD**

State Capital  
Juneau, AK 99801-1182  
Phone (907) 465-1941  
Fax (907) 465-3764

716 W. 4th Ave., Ste. 450  
Anchorage, AK 99501-2133  
Phone (907) 258-8183  
Fax (907) 258-0820

145 Main Street Loop  
Kenai, AK 99611  
Phone (907) 283-7996  
Fax (907) 283-3075

### Sponsor Statement

#### SB 242 – FORFEITURE OF “GOOD TIME” SENTENCE CREDITS

The Department of Corrections provides for the deduction of one-third of the term of imprisonment if the prisoner follows the rules of the correctional facility in which the prisoner is confined. Currently, the Department of Corrections allows accumulation of “good time” credits even though an individual has not completed the court ordered treatment program. Typically, the Department of Corrections does not begin treatment programs until late in the term of a prisoners’ incarceration, thereby making it possible for the prisoner to be released prior to completion of the court ordered treatment program.

This legislation provides for the forfeiture of “good time” sentence credits of sex offenders who fail to successfully complete a rehabilitation or sex offender treatment program ordered by the sentencing court.

The sex offender treatment program, like any other rehabilitation program, is imposed to help prisoners learn to manage their emotions and urges so that when they are released back into society, they will not re-offend. Certainly, there is no guarantee that if the program is completed by the offender that said offender will not re-offend. However, if the prisoner does not complete the court ordered treatment, he or she should not be rewarded with “good time” credits.

Recent headlines have been awash with stories of convicted sex offenders who have not completed court ordered treatment while incarcerated, and once released, go on to re-offend. Many of these offenders were released early because of an accumulation of “good time” credits.

STATE OFFICE  
**ALASKA PEACE OFFICERS ASSOCIATION**

P.O. Box 240106 Anchorage, Alaska 99524-0106 Phone (907) 277-0515 Fax (907) 272-5355



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Joseph E. Young  
Anchorage

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Leroy Mestas, Member  
Ketchikan  
Pres. First City Chapter

Robert Claus, Member  
Craig  
Pres. Prince of Wales Chapter

John Lucking, Jr., Member  
Unalaska  
Pres. Aleutian Islands Chapter

February 11, 1998

Senator Jerry Ward  
Alaska State Legislature  
State Capital  
Juneau, Alaska 99801-1182

Dear Senator Ward,

On behalf of the Alaska Peace Officers Association (APOA), I would like to thank you for introducing SB 242 providing for the forfeiture of good time sentence credits of sex offenders who fail to successfully complete sex offender treatment programs.

At a recent meeting of the APOA Board of Directors, we unanimously agreed to endorse the spirit of SB 242. We feel that this legislation will provide some additional guarantees that an incarcerated sex offender will complete court-ordered treatment programs and if not completed, that there are sanctions and consequences for failing to do so.

We suggest that you consider expanding the language of this bill to include ALL incarcerated offenders who fail to complete court-ordered treatment programs or other programs set out as a condition of their sentencing.

Please contact us if there is anything we can do to assist you with this bill as it proceeds through the legislative process. You may contact us at the APOA office in Anchorage at 277-0515.

Once again, thank you for sponsoring this legislation.

Sincerely,

John Charbonneau  
State President  
Alaska Peace Officers Association

**SB 242**

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**cc:Mail for: Senator Jerry Ward**

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**Subject:** SB 242

**From:** ruawaic@aonline.com (Administration) at CC2MHS1 2/12/98 12:25 PM

**To:** Senator Jerry Ward at LAA\_TRANS

**cc:** Senator Drue Pearce at LAA\_SPEA

**cc:** Senator Dave Donley at LAA\_SDON

**cc:** Senator Bert Sharp at LAA\_SSHA

**cc:** Senator Sean Parnell at LAA\_TRANS

**cc:** Senator Randy Phillips at LAA\_TRANS

**cc:** Senator John Torgerson at LAA\_STOR

**cc:** Senator\_Al\_Adams@legis.state.ak.us at CC2MHS1

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**To:** Senator Ward

**From:** Jan MacClarence, Executive Director, AWAIC

**RE:** SB 242

I am writing to you in support of SB 242. We encourage policy that protects victims of sexual assault by holding offenders accountable. We appreciate your pro-active measure to have sex offenders successfully complete sex offender treatment programs. We would very much like to see SB 242 proceed through the legislative process. Thank you for your commitment.

**CC:** Senate F.N Committee

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## Advocates for Victims of Violence, Inc.

24 Hour Crisis Line: (907) 835-2999 • 1-800-835-4044 (Statewide)

Office: (907) 835-2980 • Fax: (907) 835-2981

P.O. Box 524 • Valdez, Alaska 99686

February 12, 1998

Senator Jerry Ward  
Alaska State Legislature  
State Capitol (MS 3100)  
Juneau, AK 99801-1182

Dear Senator Ward:

I am writing to offer my full support for Senate Bill 242, pertaining to the forfeiture of good time sentence credits of sex offenders who fail to successfully complete sex offender treatment programs. Also, I thank you for sponsoring such legislation. As you know, Alaska has historically held the unfortunate distinction for having one of the highest sexual assault rates in the country. However, through legislation such as SB242, Alaska continues to strengthen its efforts in preventing sexual assault, as well as holding perpetrators accountable for their crimes. A strong message is sent to all of Alaska: sexual assault is a serious and devastating crime which will not be tolerated. Again, thank you for your support.

Sincerely,

Debra Pexa  
Executive Director



# FISCAL NOTE

STATE OF ALASKA  
1998 LEGISLATIVE SESSION

No. 1  
Bill Version: JB242  
(S) Publish Date: 1-27-98

Revision Date (Note if correction) _____	Dept. Affected <u>Corrections</u>
Title <u>An Act providing for the forfeiture of good time</u>	BRU <u>Administration and Operations</u>
<u>sentence credits of sex offenders who fail to complete...</u>	Component <u>Institution Director's Office</u>
Sponsor <u>Senator Ward</u>	
Requester <u>Senator Judiciary</u>	Component Serial No. <u>#1781</u>

**Expenditures/Revenues**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous	73.0	107.0	107.0	107.0	107.0	107.0
<b>TOTAL OPERATING</b>	<b>73.0</b>	<b>107.0</b>	<b>107.0</b>	<b>107.0</b>	<b>107.0</b>	<b>107.0</b>

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ( )						
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**FUND SOURCE**

(Thousands of Dollars)

FUND SOURCE	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
1002 Federal Receipts						
1003 GF Match						
1004 GF	73.0	107.0	107.0	107.0	107.0	107.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>73.0</b>	<b>107.0</b>	<b>107.0</b>	<b>107.0</b>	<b>107.0</b>	<b>107.0</b>

Estimate of any current year (FY98) cost: 0.0

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

This proposed legislation would require the Commissioner to forfeit all of a prisoners good time credits if the offense is a sex offense, and the prisoner failed to successfully complete court ordered treatment. Current AS 33.16.220(a)(2) allows the Board of Parole to revoke parole if the the prisoner has violated an order of the court to participate in or comply with a treatment plan.

In calendar year 1997, thirty-three prisoners failed to complete or participate in the sex offender treatment plan as ordered by the court. The Board of Parole revoked parole in all but two cases. The average amount of time revoked was 450 days. This fiscal note is based on the assumption that two individuals a year would have their good time forfeited and would serve and additional 450 days.

Two prisoners X average cost of care of \$100.07 a day X 450 days= 90.0 thousand dollars. (73.0 in FY99 and 17.0 in FY00) FY00 =17.0 from previous fiscal year forfeitures in addition to 90.0 in new forfeitures. This fiscal note does not include inflation.

Prepared by <u>Bruce Richards</u>	Phone <u>465-3307</u>
Division <u>Commissioner's Office</u>	Date <u>1/21/98</u>
Approved by Commissioner <u>Margaret M. Pugh</u> <i>Margaret M. Pugh</i>	Date <u>1-24-98</u>
Agency <u>Department of Corrections</u>	

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FISCAL NOTE

STATE OF ALASKA  
1998 LEGISLATIVE SESSION

No. 2  
Bill Version: SB 242  
(S) Publish Date: 1-27-98

Revision Date: (Note if correction)  
Title: "An Act providing for the forfeiture of good time sentence credits of sex offenders who fail to successfully complete ..."  
Sponsor: Sen. Ward  
Requestor: (S) JUD

Department Affected: Administration  
BRU: Office of Public Advocacy  
Component: Office of Public Advocacy

COMPONENT SERIAL NO. 43

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ( )						
------------------------	--	--	--	--	--	--

FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (F, '98) cost: \$ none

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

There is no fiscal impact to the Department of Administration.

Prepared by: Brant McGee, Director Phone: 269-3501  
Division: Office of Public Advocacy Date: \_\_\_\_\_

Approved by Commissioner: Mark Boyer *Mark Boyer*  
Agency: Department of Administration Date: 1/23/98

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**FISCAL NOTE**

**STATE OF ALASKA**  
**1998 LEGISLATIVE SESSION**

No. 3  
 Bill Version: SB 242  
 (S) Publish Date: 1-27-98

Revision Date: (Note if correction)  
 Title: "An Act providing for the forfeiture of good time sentence credits of sex offenders who fail to successfully complete..."  
 Sponsor: Sen Ward  
 Requestor: (S) JUD

Department Affected: Administration  
 BRU: Public Defender Agency  
 Component: Public Defender Agency

COMPONENT SERIAL NO. 1631

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ( )						
------------------------	--	--	--	--	--	--

**FUND SOURCE:** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY 98) cost: \$ none

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

This bill would allow forfeiture of prisoners' good time credits for failing to successfully complete sex offender treatment. The bill would set up a procedure much the same as a current one in AS 33.16.220. Under AS 33.16.220 the parole board can take away all of a prisoner's good time for failing to participate in sex offender treatment or any other treatment program ordered by the court. The Public Defender Agency is not appointed to represent prisoners in prison disciplinary proceedings. However, we are appointed in Criminal Rule 35.1 applications. If this bill passes, I would anticipate that prisoners would file Rule 35.1 applications, claiming that their due process or equal protection rights are being violated and they are unlawfully held in custody under this law.

Prepared by: Barbara Brink, Director  
 Division: Public Defender Agency

Phone: 264-4400  
 Date: \_\_\_\_\_

Approved by Commissioner: Mark Boyer  
 Agency: Department of Administration

Date: 1/26/98

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# FISCAL NOTE

**STATE OF ALASKA**  
**1998 LEGISLATIVE SESSION**

No. 4  
 Bill Version: CSSB 242 (FIN)  
 (S) Publish Date: 4/6/98

Revision Date (Note if correction) 4/2/98 Dept. Affected Corrections  
 Title An Act providing for the forfeiture of good time BRU Administration and Operations  
sentence credits of sex offenders who fail to complete... Component Institution Director's Office  
 Sponsor Senator Ward  
 Requester Senate Finance Component Senal No. #1781

**Expenditures/Revenues** (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

FUND SOURCE	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY98) cost: 0.0

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

No Fiscal Impact

Prepared by Bruce Richards Phone 465-3307  
 Division Commissioner's Office Date 4.2.98  
 Approved by Commissioner Margaret M. Pugh Date 4.2.98  
 Agency Department of Corrections

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# HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: April 29, 1998

FURTHER REFERRALS:

Date of Committee Action: 5/4/98

The FINANCE Committee considered:

CSSB 242(FIN)

CS FOR SENATE BILL NO. 242(FIN)

FORFEIT GOOD TIME OF SOME SEX OFFENDERS

"An Act providing for the forfeiture of good time sentence credits of sex offenders who fail to successfully complete sex offender treatment programs."

recommends it be replaced  the same title  
 with the following committee substitute \_\_\_\_\_  a new title

additional referral to \_\_\_\_\_ Committee  
 attached amendment(s)

ADOPTS: \_\_\_\_\_ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) \_\_\_\_\_ APPROVES PREVIOUS: (Dept/Date)

fiscal note(s) \_\_\_\_\_  fiscal note(s) \_\_\_\_\_

zero fiscal note(s) \_\_\_\_\_  zero fiscal note(s) DOC. 4/16/98  
(2) DOA, 1/27/98

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Gene Therriault</i> Therriault	X			
<i>Don Mulder</i> Mulder	X			
<i>Terry Martin</i> Martin	X			
<i>Vicki Kobering</i> Kobering	X			
<i>Carl Davies</i> DAVIES	X			
<i>Ben Grossendorf</i> Grossendorf	X			
<i>Frank P. Jones</i> Jones	X			
<i>Frank P. Jones</i> DAVIS	X			
<i>Frank P. Jones</i> Kelly	X			

CHAIR'S SIGNATURE *Gene Therriault*

**SB**

**242**

SFIN

FILE

# SENATE FINANCE COMMITTEE REPORT

DATE: 1/27/98

FURTHER: 4/3/98

DATE TURNED  
IN TO OFFICE: 4/6/98

Finance Committee considered SENATE BILL NO. 242

"An Act providing for the forfeiture of good time sentence credits of sex offenders who fail to successfully complete sex offender treatment programs."

and recommends:

- be replaced with \_\_\_\_\_ CS SB 242 ( FIN )
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ ( \_\_\_\_\_ )
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

- Senate Bill:**
- same title
  - new title
- House Bill:**
- same title
  - technical title
  - new: SCR# \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Roll F. Hill</i>	✓				
<i>Stan R. Arnold</i>	✗				
<i>W. Bruce Buley</i>	✗				
Co-Chair: <i>Pearce</i>	✓	Co-Chair:			
Co-Chair: <i>Bob King</i>	✓	Co-Chair:			

**NEW FISCAL NOTE(S):**

Department	Date	Zero	Fiscal
Corrections	4/2/98	∅	

**PREVIOUS FISCAL NOTE(S):\***

Department	Date	Zero	Fiscal
Admin/OPA	1/23/98	∅	
Admin/PD	1/26/98	∅	

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

# FISCAL NOTE

4/3/98

**STATE OF ALASKA**  
**1998 LEGISLATIVE SESSION**

**BILL NO. SB 242** |

Revision Date (Note if correction)	4/2/98	Dept. Affected	Corrections
Title	An Act providing for the forfeiture of good time sentence credits of sex offenders who fail to complete...	BRU	Administration and Operations
Sponsor	Senator Ward	Component	Institution Director's Office
Requester	Senate Finance	Component Serial No.	#1781

**Expenditures/Revenues**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE**

(Thousands of Dollars)

FUND SOURCE	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY98) cost: 0.0

**POSITIONS**

POSITION TYPE	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Full-time						
Part-time						
Temporary						

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

No Fiscal Impact

Prepared by Bruce Richards  
 Division Commissioner's Office  
 Approved by Commissioner Margaret M. Pugh  
 Agency Department of Corrections

Phone 465-3307  
 Date 4/2/98  
 Date 4/2/98

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FISCAL NOTE

4/3/98

STATE OF ALASKA  
1998 LEGISLATIVE SESSION

No. 2  
Bill Version: SB 242  
(S) Publish Date: 1-27-98

Revision Date: (Note if correction)  
Title: "An Act providing for the forfeiture of good time sentence credits of sex offenders who fail to successfully complete..."  
Sponsor: Sen. Ward  
Requestor: (S) JUD

Department Affected: Administration  
BRU: Office of Public Advocacy  
Component: Office of Public Advocacy

COMPONENT SERIAL NO. 43

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
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						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 98) cost: \$ none

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

There is no fiscal impact to the Department of Administration.

Prepared by: Brant McGee, Director  
Division: Office of Public Advocacy

Phone: 269-3501  
Date: \_\_\_\_\_

Approved by Commissioner: Mark Bover  
Agency: Department of Administration

Date: 1/23/98

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FISCAL NOTE

4/3/98

STATE OF ALASKA  
1998 LEGISLATIVE SESSION

No. 3  
Bill Version: SB 242  
(S) Publish Date: 1-27-98

Revision Date: (Note if correction)  
Title: "An Act providing for the forfeiture of good time sentence credits of sex offenders who fail to successfully complete...."  
Sponsor: Sen. Ward  
Requestor: (S) JUD

Department Affected: Administration  
BRU: Public Defender Agency  
Component: Public Defender Agency  
COMPONENT SERIAL NO. 1631

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
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						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 98) cost: \$ none

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

This bill would allow forfeiture of prisoners' good time credits for failing to successfully complete sex offender treatment. The bill would set up a procedure much the same as a current one in AS 33.16.220. Under AS 33.16.220 the parole board can take away all of a prisoner's good time for failing to participate in sex offender treatment or any other treatment program ordered by the court. The Public Defender Agency is not appointed to represent prisoners in prison disciplinary proceedings. However, we are appointed in Criminal Rule 35.1 applications. If this bill passes, I would anticipate that prisoners would file Rule 35.1 applications, claiming that their due process or equal protection rights are being violated, and they are unlawfully held in custody under this law.

Prepared by: Barbara Brink, Director  
Division: Public Defender Agency

Phone: 264-4400  
Date: \_\_\_\_\_

Approved by Commissioner: Mark Boyer  
Agency: Department of Administration

Date: 1/26/98

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**SB**

**245**

**SFIN**

**FILE**

TONY KNOWLES  
GOVERNOR



P.O. Box 110001  
Juneau, Alaska 99811-0001  
(907) 465-3500  
Fax (907) 465-3532

STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

SB 15

January 12, 1998

The Honorable Mike Miller  
President of the Senate  
Alaska State Legislature  
State Capitol  
Juneau, AK 99801-1182

Dear President Miller:

The state training and employment program (STEP) has demonstrated its value as one means to help Alaskans achieve worthwhile employment. I transmit this bill to continue this vital program, now due to sunset on June 30, and maintain it in permanent law to ensure it will be available to Alaskans in the future.

The STEP was enacted in 1989 as a temporary, two-year pilot program. Its success led to the Legislature extending its existence three more times in subsequent years. With its last extension, in 1996, the STEP became a permanent program, but remains subject to a sunset provision. Since its last extension, the STEP has made great strides in addressing legislative concerns with the program.

This program is financed with a 0.1 percent contribution from employees' share of unemployment insurance. The STEP job training provided with this small contribution to the unemployment fund results in more working Alaskans and a decreased need to pay out unemployment insurance benefits. The program also assists Alaskans who need to upgrade their job skills in order to maintain their employability.

In fiscal year 1997, more than 1,500 individuals were enrolled in the STEP, an increase of 500 enrollees over the previous year. In one year, STEP clients have reduced claims for unemployment insurance resulting in about a \$1.5 million saving to the unemployment insurance trust fund. Along with the increased use of the program, the STEP administrators were successful in reducing federal recapture of unemployment insurance trust funds by 60 percent while holding administrative costs below 20 percent.

The Honorable Mike Miller  
January 12, 1998  
Page 2

It makes good sense to ensure the future existence of the STEP. The program enjoys widespread support from both labor and industry because it offers a vital component of a healthy economy -- preparing Alaskans for good jobs.

Sincerely,

A handwritten signature in black ink, appearing to read "Tony Knowles". The signature is written in a cursive style with a large initial "T".

Tony Knowles  
Governor

# FISCAL NOTE

STATE OF ALASKA  
1998 LEGISLATIVE SESSION

Bill Version: SB 245  
(S) Publish Date: 1/16/98

Revision Date (Note if correction) _____	Dept. Affected <u>Office of the Governor</u>
Title <u>"An Act repealing the termination date of the</u>	BRU <u>Commissions and Special Offices</u>
<u>state training and employment program;..."</u>	Component <u>Human Resource Investment</u>
Sponsor <u>Rules Committee</u>	<u>Council</u>
Requester <u>Governor</u>	Component Serial No. <u>2055</u>

**Expenditures/Revenues** (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES						
CHANGE IN REVENUES ( )						

**FUND SOURCE** (Thousands of Dollars)

FUND SOURCE	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY98) cost: 0.0

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

This bill repeals the termination date of the State Training and Employment Program (STEP) to retain the program in permanent law. The Alaska Human Resource Investment Council (AHRIC) receives STEP funds via a budgeted RSA with the Department of Labor. AHRIC's FY99 operating budget request includes 106.8 in STEP funds. Assuming approval of this bill, there will be no fiscal impact for AHRIC.

Prepared by <u>Michael A. Nizich, Administrative Director</u>	Phone <u>465-3876</u>
Division <u>Division of Administrative Services</u>	Date <u>1/7/98</u>
Approved by <u>Jim Ayers, Chief of Staff</u>	Date <u>1/7/98</u>
Agency <u>Office of the Governor</u>	

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Title: State Training & Employment Program

Date: 10/28/97

This bill repeals the termination date of the State Training and Employment Program (STEP) to retain the program in permanent law.

The Department of Labor, Employment Security Division will be submitting it's FY99 Operating Budget Request for the STEP component at the same level as the approved FY98 budget - \$4,046.1, assuming approval of this bill.

The STEP program generates restricted revenue through the collection of 0.1 percent of employee unemployment insurance contributions for employment and training programs, an occupational database, and accounting and collection activities.

# FISCAL NOTE

No. 2

Bill Version: SB 245

(S) Publish Date: 1/15/98

**STATE OF ALASKA  
1998 LEGISLATIVE SESSION**

Revision Date (Note if correction): \_\_\_\_\_  
 Title: State Training & Employment Program  
 Sponsor: Rules Committee  
 Requestor: Governor

Department Affected: Labor  
 BRU: Employment Security  
 Component: State Training & Employment Program  
**COMPONENT SERIAL NO. 1184**

**EXPENDITURES/REVENUES:**

(Thousands of Dollars)

OPERATING	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL</b>						
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<b>CHANGE IN REVENUE FUND SOURCE #</b>						
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**FUNDING:**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipt						
1006 GF/MHTIA						
Other (Specify Type)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY98) impact: \$ 0.0

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

(See attached)

Prepared by: Rebecca Nance, Director Phone: 465-2711  
 Division: Employment Security Date: 10/28/97  
 Approved by Commissioner: Tom Cashen, Commissioner  
 Agency: Department of Labor Date: 10/28/97

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**Fiscal Note Analysis Continued**

SB245  
#3  
-

Title: State Training & Employment Program

Date: 1/14/98

This bill repeals the termination date of the State Training and Employment Program (STEP) to retain the program in permanent law.

The STEP program generates restricted revenue through the collection of 0.1 percent of employee unemployment insurance contributions for employment and training programs.

The Department of Community and Regional Affairs receives STEP funds through an inter-agency transfer from the Department of Labor. These funds are budgeted in two components, the State Training and Employment component and the Statewide Service Delivery (SSD) component. The Department's FY 99 budget request for all STEP funds is currently \$3,431.0 (STEP \$1763.3; SSD \$1,667.7). Subsequent to the introduction of the Governor's budget, it has come to the Department's attention this number is higher than the amount documented as an inter-agency transfer of \$3,268.5 in the Department of Labor's budget request. The Department plans to submit a budget amendment to reduce its request by (\$162.5) in line with the Department of Labor.

STATE OF ALASKA  
1998 LEGISLATIVE SESSION  
Revision Date:

# FISCAL NOTE

No. 13  
Version: SB 245  
(S) Publish Date: 1/16/98

Title: State Training and Employment Program

Dept. Affected: Community & Regional Affairs

BRU: Employment Training/Rural Development

Component: State Training & Employment Program

Sponsor: Rules Committee

Requestor: Governor

COMPONENT SERIAL NO. 1012

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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<b>REVENUE FUND SOURCE:</b>						
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

Estimate of current (FY98) impact \$ 0.0

**ANALYSIS: (Attach a separate page if necessary)**  
  
See attached page 2.

Prepared by: Remond Henderson, Director *Remond Henderson* Phone: 465-4708

Division: Administrative Services Date: 1/14/98

Approved by Commissioner: Mike Irwin, Commissioner *[Signature]* Date: 1/14/98

Agency: Department of Community & Regional Affairs

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**Fiscal Note Analysis Continued**

SB245  
#4

Title: State Training & Employment Program

Date: 1/14/98

This bill repeals the termination date of the State Training and Employment Program (STEP) to retain the program in permanent law.

The STEP program generates restricted revenue through the collection of 0.1 percent of employee unemployment insurance contributions for employment and training programs.

The Department of Community and Regional Affairs receives STEP funds through an inter-agency transfer from the Department of Labor. These funds are budgeted in two components, the State Training and Employment component and the Statewide Service Delivery (SSD) component. The Department's FY 99 budget request for all STEP funds is currently \$3,431.0 (STEP \$1763.3; SSD \$1,667.7). Subsequent to the introduction of the Governor's budget, it has come to the Department's attention this number is higher than the amount documented as an inter-agency transfer of \$3,268.5 in the Department of Labor's budget request. The Department plans to submit a budget amendment to reduce its request by (\$162.5) in line with the Department of Labor.

# FISCAL NOTE

Title: State Training and Employment Program  
Sponsor: Rules Committee  
Requestor: Governor

Dept. Affected: Community & Regional Affairs  
BRU: Employment Training/Rural Development  
Component: Statewide Service Delivery

COMPONENT SERIAL NO. 1178

**Expenditures/Revenues:**

(Thousands of Dollars)

OPERATING	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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<b>REVENUE FUND SOURCE:</b>						
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**FUNDING:**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**POSITIONS:**

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

Estimate of current (FY98) impact \$ 0.0

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

See attached page 2.

Prepared by: Remond Henderson, Director *Remond Henderson* Phone: 465-4708  
Division: Administrative Services Date: 1/14/98  
Approved by Commissioner: Mike Irwin, Commissioner *[Signature]* Date: 1/14/98  
Agency: Department of Community & Regional Affairs

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**CS FOR SENATE BILL NO. 245( )**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTIETH LEGISLATURE - SECOND SESSION**

**BY**

**Offered:  
Referred:**

**Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to standards for state training programs; extending the  
2 termination date of the state training and employment program; and providing for  
3 an effective date."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 \* **Section 1.** AS 44.19.626 is amended by adding new subsections to read:

6 (d) The council shall provide oversight for employment-related education  
7 training programs operated by the state or operated under contract with the state that  
8 are described in (e) of this section. The council shall require a training program listed  
9 in (e) of this section to meet the requirements of this subsection. The council shall,  
10 by regulation, establish appropriate penalties for programs and individuals who fail to  
11 meet the requirements of this subsection. The council may recommend to the  
12 legislature changes to enhance the effectiveness of the training programs it oversees  
13 under this section. A training program described in (e) of this section funded with  
14 money appropriated by the legislature must

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(1) meet the standards adopted by the council concerning the percentage of a grant that may be spent on administrative costs;

(2) be operated by an institution that holds a valid authorization to operate issued under AS 14.48 by the Alaska Commission on Postsecondary Education if the program is a postsecondary educational program operated by a postsecondary educational institution subject to regulation under AS 14.48.

(e) The following training programs are subject to the provisions of (d) of this section:

(1) in the Department of Administration: Alaska Professional Development Institute, providing continuing education and training for employed workers;

(2) in the Department of Community and Regional Affairs or operated by the department:

(A) One Stop Career Center;

(B) Job Training Partnership Act programs, assisting communities in moving toward a self-sustainable economy and providing training;

(C) state training and employment program (AS 23.15.620), providing training and employment services for people who are unemployed or likely to become unemployed, fostering new jobs, and increasing training opportunities for workers severely affected by fluctuations in the state economy or adversely affected by technology advances in the workplace;

(3) in the Department of Education or operated by the department:

(A) employment-related adult basic education;

(B) School-to-Work;

(C) vocational education and Tech Prep;

(D) Alaska Career Information System;

(E) high school completion project;

(F) Kotzebue Technical Center;

(G) Alaska Vocational Technical Center;

(4) in the Department of Health and Social Services: Alaskans on

1 Temporary Assistance Plan employment education and job training programs;  
2 (5) in the Department of Labor:

3 (A) unemployment insurance grants provided under the federal  
4 training relocation assistance program;

5 (B) Alaska works programs, assisting with the welfare-to-work  
6 program;

7 (C) state training employment program, coordinated with the  
8 Department of Community and Regional Affairs.

9 \* **Sec. 2.** Section 6, ch. 116, SLA 1996, is amended to read:

10 Sec. 6. AS 23.15.620, 23.15.625, 23.15.630, 23.15.635, 23.15.640, 23.15.645,  
11 23.15.651, and 23.15.660 are repealed June 30, 2002 [1998].

12 \* **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).

**SB**

**250**

**HFIN**

**FILE**

# FISCAL NOTE

**STATE OF ALASKA**  
**1998 LEGISLATIVE SESSION**

**BILL NO. CSSB 250(FIN)am**

Revision Date (Note if correction) 4/23/98 Dept. Affected: Fish and Game  
 Title Management of Game BRU Wildlife Conservation  
 Component Wildlife Conservation  
 Sponsor Senator Sharp  
 Requester House Finance Committee Component Serial No. 473

**Expenditures/Revenues**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services	..	..	..	..	..	..
Travel	..	..	..	..	..	..
Contractual	..	..	..	..	..	..
Supplies	..	..	..	..	..	..
Equipment	..	..	..	..	..	..
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	..	..	..	..	..	..

<b>CAPITAL EXPENDITURES</b>	0.0	0.0	0.0	0.0	0.0	0.0
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<b>CHANGE IN REVENUES (1024)</b>	0.0	0.0	0.0	0.0	0.0	0.0
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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 -- F&G Fund (1024)	..	..	..	..	..	..
<b>TOTAL</b>	..	..	..	..	..	..

Estimate of any current year (FY98) cost: 0.0

**POSITIONS**

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

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

\*\*Fiscal impact is impossible to calculate without knowing what "regulations, management plans, and other management programs" the Board of Game may require the department to implement. However, significant reprogramming of Division funds may be required to carry out board actions.

Prepared by Wayne Regelin, Director *WR*  
 Division Wildlife Conservation  
 Approved by Commissioner Frank  
 Agency Alaska Department of Fish and Game

Phone 465-4190  
 Date 4/23/98  
 Date 4.23.98

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TO: Chair House Finance

ATTN: \_\_\_\_\_ FAX: 465-6813 PHONE: \_\_\_\_\_

FROM: ANCH TC PHONE: \_\_\_\_\_

INSTRUCTIONS: Written (T) on SB250

SENT: Date 4/27 Time \_\_\_\_\_

DISPOSAL OF ORIGINAL: Discard \_\_\_\_\_ Hold for Pickup \_\_\_\_\_

NUMBER OF PAGES: 2 (counting cover sheet)

TRANSMITTED BY: Jean

*Been unable to send.  
 Busy Fax line.*

THE FOLLOWING PAGES MAY  
NOT FILM LEGIBLY BECAUSE OF  
THE POOR QUALITY OF THE ORIGINAL

80762  
(H) Finance  
4/27

4/27/98

Testimony on SB 250  
Marlo Shedlock

I am here today to state my opposition to SB 250. This bill attempts to manipulate wildlife species for the benefit of hunters and trappers while disregarding non-consumptive user groups. I am concerned that this proposed bill would set a precedent for one use of wildlife over another.

Wildlife is a resource that belongs to all Alaskans and should not be exploited by a specific user group. Consumptive use is a part of Alaska's heritage, but wildlife management must be responsive to all public interests. SB 250 does not benefit responsible hunters, non-consumptive users, or native subsistence hunters.

This bill may also do permanent damage to some brown bear populations in Alaska. Brown Bear habitat has been reduced by 70% around the Kenai Peninsula. If this bill were implemented would brown bear populations in this area will be subjected to intensive management as well?

It is the obligation of the state to manage general natural resources for the residents of the state. Alaskans deserve the right to expect that our abundance of fish and wildlife is reflected in the management budgets and practices of our government. Unfortunately the Legislator has not figured out that Alaskans do not support state mandated predator control - which is the intent of SB 250.

Please oppose SB 250

Thank You

*Marlo Shedlock*  
Marlo Shedlock  
3901 Carolina Dr.  
Anchorage, AK 99517

# HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: April 14, 1998

FURTHER REFERRALS:

Date of Committee Action: 4/27/98

The FINANCE Committee considered:

CSSB 250(FIN) am

CS FOR SENATE BILL NO. 250(FIN) am

MANAGEMENT OF GAME

"An Act relating to management of game, to the fish and game fund and federal aid for restoration of wildlife and fish, and to the duties of the commissioner of fish and game."

recommends it be replaced with the following committee substitute HCS CS SB 250 (FIN)  the same title  a new title

additional referral to \_\_\_\_\_ Committee  
 attached amendment(s)

ADOPTS: \_\_\_\_\_ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) APPROVES PREVIOUS: (Dept/Date)

fiscal note(s) fish - game  fiscal note(s) \_\_\_\_\_

zero fiscal note(s) \_\_\_\_\_  zero fiscal note(s) \_\_\_\_\_

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
	Theriault	X			
	Martin	X			
	J. Davis				X
	Gussendert				X
	G. Davis			X	
	Kelly				
	FOSTER			X	
	Milligan	X			

CHAIR'S SIGNATURE   
 Theriault



Official Business

# Alaska State Senate

## Senate Finance Committee

Mail Stop 3100  
State Capitol  
Juneau, Alaska 99801-1182

### SPONSOR STATEMENT

### PROPOSED HCS-CSSB - 250(FIN)

BY: SENATOR BERT SHARP

In 1994, the Eighteenth Alaska State Legislature passed Senate Bill 77, legislation implementing intensive game management. Since that time, the Department of Fish and Game and The Board of Game have had difficulty interpreting and implementing this legislation.

Senate Bill 250, narrows down and defines legislative findings that provides for high levels of harvest for human consumption consistent with the sustained yield principle. It further states big game prey populations should be managed biologically. This is accomplished by amending AS 16.05.255(g) and adding a new definition for sustained yield.

The Board of Game is further instructed to establish harvest goal and seasons for managing big game prey populations to achieve a high level of human harvest.

To further assist the Board and the department, the bill contains definitions for harvestable surplus and high levels of human harvest. These are terms that are in existing law and it has become evident they beg for clear definition.

The board of Game had definitions proposed for these categories on their agenda at the January meeting in Bethel and at their March meeting in Fairbanks without coming to any conclusions. The department as well as the Board believes there is a need for definitions in these areas.

The department believes the revised definitions in this CS are reasonable and workable.

I believe this CS is a product of working closely with the users of the game resources and the department to achieve a truly effective piece of legislation and I urge its adoption. Thank you.



Official Business

# Alaska State Senate

## Senate Finance Committee

Mail Stop 3100  
State Capitol  
Juneau, Alaska 99801-1182

### SECTIONAL ANALYSES

#### PROPOSED HCS-CSSB-250(Fin)

**BY: SENATOR BERT SHARP**

**Section 1.** Defines Legislative Findings which **states** that big game populations should be biologically managed for abundance.

**Section 2.** Amends AS 16.05.050 by adding a new subsection (b).

**Section 3.** Amends AS 16.05.110 to assure that the state complies with the requirements of the federal aids act for restoration of wildlife and fish.

**Section 4.** Amends the definition of "intensive management" to include for sustained yield through active management measures.

**Section 5.** Amends AS 16.05.255(g) is to add new definition (5) "sustained yield".

**Section 6.** Amends AS 16.05.270 to add new subsection (h) requiring the Board of Game to establish population and harvest goals and seasons for managing big game prey populations to achieve a high level of human harvest.

0-LS1352L  
Utermohle  
4/23/98

Amund #1 adp  
#2 adp  
#3a adp

adopted 4/27/98

HOUSE CS FOR CS FOR SENATE BILL NO. 250( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTIETH LEGISLATURE - SECOND SESSION

BY

Offered:  
Referred:

Sponsor(s): SENATORS SHARP, Taylor, Wilken

BILL

FOR AN ACT ENTITLED

1 "An Act relating to management of game, to the fish and game fund and  
2 federal aid for restoration of wildlife and fish, and to the duties of the  
3 commissioner of fish and game."

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

5 \* Section 1. LEGISLATIVE FINDINGS. The legislature finds that providing for high  
6 levels of harvest for human consumptive use, consistent with the sustained yield principle, is  
7 the highest and best use of big game prey populations in most areas of the state and that big  
8 game prey populations should be biologically managed for abundance.

9 \* Sec. 2. AS 16.05.050 is amended by adding a new subsection to read:

10 (b) The commissioner shall annually submit a report to the Board of Game  
11 regarding the department's implementation during the preceding three years of intensive  
12 management programs that have been established by the board under AS 16.05.255 for  
13 identified big game prey populations.

14 \* Sec. 3. AS 16.05.110 is amended by adding a new subsection to read:

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(b) Except for money received as fisheries fines or forfeitures in settlement of a claim or loss caused by damage to the fish resources of the state that is appropriated to or through the division of commercial fisheries management and development, appropriations of money from the fish and game fund and of money received by the state under the federal aid acts described under AS 16.05.140 shall be made to the division of ~~game~~ or the division of sport fish. The division of ~~game~~ or the division of sport fish may use money appropriated under this subsection to acquire administrative and other services from other agencies if the division acquires the services through reimbursable services agreements. The division of ~~game~~ and the division of sport fish shall include as part of their budgets prepared under AS 37.07.050

adp  
3X  
change  
WILD LIFE CONSERVATION

- (1) a listing of the reimbursable services agreements that are to be funded with money appropriated under this subsection;
- (2) a description of the services to be provided under those agreements;
- and
- (3) a listing of the entities that are parties to those agreements.

\* Sec. 4. AS 16.05.255(g)(2) is amended to read:

(2) "intensive management" means management of an identified big game prey population <sup>enhanced consistent with</sup> for sustained yield through active management measures to enhance, extend, and develop the population to maintain high levels or provide for higher levels of human harvest, including control of predation and prescribed or planned use of fire and other habitat improvement techniques.

ADP  
#3A

\* Sec. 5. AS 16.05.255(g) is amended by adding new paragraphs to read:

(3) "harvestable surplus" means the number of animals that is estimated to equal the number of offspring born in a game population during a year less the number of animals required for recruitment for population maintenance and enhancement, when necessary, and the number of animals in the population that die from all causes, other than predation or human harvest, during that year;

(4) "high level of human harvest" means the allocation of a sufficient portion of the harvestable surplus of a game population to achieve a high probability of success for human harvest of the game population based on biological capabilities

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of the population and considering hunter demand;

(5) "sustained yield" means the achievement and maintenance in perpetuity of the ability to support a high level of human harvest of game, subject to preferences among beneficial uses, on an annual or periodic basis.

\* Sec. 6. AS 16.05.255 is amended by adding a new subsection to read:

(h) The Board of Game shall establish population and harvest goals and seasons for intensive management of identified big game prey populations to achieve a high level of human harvest.

EFFECTIVE DATE  
July 1st, 1999

Failed  
# 3b

adp

80762  
(H) Finance  
4/27

4/27/98

Testimony on SB 250  
Marlo Shedlock

I am here today to state my opposition to SB 250. This bill attempts to manipulate wildlife species for the benefit of hunters and trappers while disregarding non-consumptive user groups. I am concerned that this proposed bill would set a precedent for one use of wildlife over another.

Wildlife is a resource that belongs to all Alaskans and should not be exploited by a specific user group. Consumptive use is a part of Alaska's heritage, but wildlife management must be responsive to all public interests. SB 250 does not benefit responsible hunters, non-consumptive users, or native subsistence hunters.

This bill may also do permanent damage to some brown bear populations in Alaska. Brown Bear habitat has been reduced by 70% around the Kenai Peninsula. If this bill were implemented would brown bear populations in this area will be subjected to intensive management as well?

It is the obligation of the state to manage renewable natural resources for the residents of the state. Alaskans deserve the right to expect that our enjoyment of fish and wildlife is reflected in the management budgets and practices of our state government. Unfortunately the Legislator has not figured out that Alaskan's do not support state mandated predator control - which is the intent of SB 250.

Please oppose SB 250

Thank You  
*Marlo Shedlock*  
Marlo Shedlock  
3901 Carolina Dr.  
Anchorage, AK 99517



# ALASKA WILDLAND ADVENTURES

Printed On Recycled Paper

April 22, 1998

To the House Finance Committee,

Alaska Wildland Adventures has operated backcountry lodges, natural history, rafting, and fishing trips for twenty-two years on the Kenai Peninsula and in the Kantishna region of Denali National Park. Our goal is for our guests to actively experience Alaska in the spirit of appreciation, participation, and sensitivity toward the land, and its inhabitants. In all of our activities, we strive to provide high-quality natural and cultural history interpretation of the areas we visit and the flora and fauna that we observe.

The tourism industry is dependent upon the preservation of Alaska's wilderness character, scenic viewsheds, fish and wildlife populations, and their critical habitat. Our industry ultimately depends upon these qualities to attract clients. HB 284 could have serious negative impacts on Alaska's tourism industry.

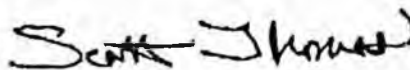
Alaska Wildland Adventures believes that it is appropriate to manage forests in response to the Spruce Bark Beetle outbreak to guard against catastrophic wildfire and protect private property. Alaska Wildland Adventures also acknowledges that there are situations where it may be best to allow the forest ecosystems to recover naturally. We have been operating Kenai River rafting and fishing trips and hiking trips in areas seriously effected by the Spruce Bark Beetle for the last 10-15 years. Specifically, our guests appreciate natural ecosystems at work more than they do clearcuts and logging roads. For our form of tourism, a natural recovery, or management strategies that mimic natural disturbance of forest ecosystems has more economic value than aggressive treatment. Local, sustainable, value-added timber harvesting is preferable to extensive, large-scale logging operations that are not ecologically or economically sustainable over the long-term.

Without environmental safeguards in place for timber sales less than 200 acres, fish and wildlife populations could suffer. It is within the state's best interest to protect fish and wildlife habitat. Residents and visitors alike depend upon Alaska's fish and wildlife resources for consumptive and non-consumptive uses.

This bill could also undermine the efforts underway through the Bark Beetle Task Force. The task force encompasses federal and state agency representatives and others from many different interest groups. HB 284 potentially undermines the efforts of the task force.

Please oppose HB 284.

Sincerely,



Scott Thomas  
Program Director

cc: Alaska Wilderness Recreation and Tourism Association  
Governor Tony Knowles  
Alaska Conservation Alliance



# House Finance Committee

DATE: 4-27-98

PLACE: CAPS 19

SUBJECT OF MEETING:

HB 227  
SB 250

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
x Dick Bishop	AOC	POB 73602, FAI AK	99707	455 6151	463 3830	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	SB 250
						<input type="checkbox"/> Y <input type="checkbox"/> N	
						<input type="checkbox"/> Y <input type="checkbox"/> N	
						<input type="checkbox"/> Y <input type="checkbox"/> N	
						<input type="checkbox"/> Y <input type="checkbox"/> N	
						<input type="checkbox"/> Y <input type="checkbox"/> N	
						<input type="checkbox"/> Y <input type="checkbox"/> N	
						<input type="checkbox"/> Y <input type="checkbox"/> N	
						<input type="checkbox"/> Y <input type="checkbox"/> N	
						<input type="checkbox"/> Y <input type="checkbox"/> N	
						<input type="checkbox"/> Y <input type="checkbox"/> N	

04/27/98  
13:33:23

LEGISLATIVE TELECONFERENCE NETWORK SYSTEM  
PARTICIPANT LIST (ALL PARTICIPANTS)  
TCN:80762 SCHEDULED FOR:04/27/98 13:30 TO 16:30  
PUBLIC HEARING HOUSE FINANCE

LTN1150  
BY:ANC  
FOR:ANC

LOCATION:ANCHORAGE

X SB 250 KEVIN SAXBY \_\_\_\_\_ ANS ?S | ATTY GEN OFFICE TESTIFY

04/27/98  
14:04:29

LEGISLATIVE TELECONFERENCE NETWORK SYSTEM  
PARTICIPANT LIST (ALL PARTICIPANTS)  
TCN:80762 SCHEDULED FOR:04/27/98 13:30 TO 16:30  
PUBLIC HEARING HOUSE FINANCE

LTN1150  
BY:ANC  
FOR:ANC

LOCATION:ANCHORAGE

X SB 250 KEVIN SAXBY \_\_\_\_\_ ANS ?S ATTY GEN OFFICE TESTIFY  
Z SB 250 JOHN SCHOEN TESTIFY

AUDOBON SOCIETY

*new name*

*Pronounced → STANS*

**SB**

**250**

**SFIN**

**FILE**

# SENATE FINANCE COMMITTEE REPORT

DATE: 2/11/98

FURTHER: 3/12/98

DATE TURNED  
IN TO OFFICE: 3/12/98

Finance Committee considered SENATE BILL NO. 250

"An Act relating to management of game and to the duties of the commissioner of fish and game."

and recommends:

- be replaced with \_\_\_\_\_ CS SB 250 ( FIN )
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ ( \_\_\_\_\_ )
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

- Senate Bill:**
- same title
- new title
- House Bill:**
- same title
- technical title
- new: SCR# \_\_\_\_\_

<u>SIGNING DO PASS</u>	<u>DP</u>	<u>OTHER RECOMMENDATIONS</u>	<u>NR</u>	<u>DNP</u>	<u>AM</u>
<i>Bill E. Kelly</i>	✓	<i>W. L. L. L.</i>	✓		
<i>Sean P. Farrell</i>	✓				
<i>John Brown</i>	✓				
<i>David D. D. D.</i>	✓				
Co-Chair:		Co-Chair:			
Co-Chair: <i>W. A. Wang</i>	✓	Co-Chair:			

**NEW FISCAL NOTE(S):**

Department                      Date      Zero      Fiscal

new fiscal		x	
note forthcoming			

**PREVIOUS FISCAL NOTE(S):\***

Department                      Date      Zero      Fiscal


APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

3/12/98

# FISCAL NOTE

STATE OF ALASKA  
1998 LEGISLATIVE SESSION

BILL NO. CSSB 250(FIN)

Revision Date: 3/12/98 Dept. Affected: Fish and Game  
 Title: Management of Game BRU: Wildlife Conservation  
 Component: Wildlife Conservation  
 Sponsor: Senator Sharp  
 Requester: House Resources COMPONENT SERIAL NO. 473

### Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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<b>CHANGE IN REVENUES (1024)</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
----------------------------------	------------	------------	------------	------------	------------	------------

### FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY96) cost: \$ 0.0

### POSITIONS

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Fiscal impact is impossible to predict without knowing what "regulations, management plans, and other management programs" the department may be required to implement.

Prepared by: Wayne Regelein, Director  
 Division: Wildlife Conservation  
 Approved by Commissioner: Cecilia Bruce  
 Agency: Department of Fish and Game

Phone: 465-4190  
 Date: 3/12/98  
 Date: 3/12/98

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**SB**

**254**

SFIN

FILE

Amend #1 Sen Doney in b  
obj'd Sen Sharp  
4-2  
reobj'd (Adams, Phillips)

CS FOR SENATE BILL NO. 254(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 2/17/98

Referred: Rules

Sponsor(s): SENATE LABOR AND COMMERCE COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the exemption from levy, execution, garnishment, attachment,  
2 or other remedy for the collection of debt as applied to a permanent fund  
3 dividend."

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

5 \* Section 1. AS 43.23.065(a) is amended to read:

6 (a) Except as provided in (b) of this section, <sup>20</sup>~~30~~ [45] percent of the annual  
7 permanent fund dividend payable to an individual is exempt from levy, execution,  
8 garnishment, attachment, or any other remedy for the collection of debt. [THIS  
9 EXEMPTION APPLIES TO AN ELIGIBLE INDIVIDUAL'S PERMANENT FUND  
10 DIVIDEND BOTH BEFORE AND AFTER PAYMENT IS MADE TO THE  
11 INDIVIDUAL.] No other exemption applies to a dividend. Notwithstanding other  
12 laws, a writ of execution upon a dividend that has not been delivered to the debtor  
13 may be served on the commissioner by certified mail, return receipt requested. Upon  
14 receipt of a writ by certified mail, return receipt requested, the commissioner shall

- 1 deliver that portion of the dividend executed upon to the court along with the case
- 2 name and number.

Revision Date: March 11, 1998 Dept. Affected: Revenue  
 Title: Levy of Permanent Fund Dividends BRU: Revenue Operations  
 Component: Permanent Fund Dividend  
 Sponsor: (S) RLS  
 Requestor: S(FIN) COMPONENT SERIAL NO. 981

Expenditures/Revenues: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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<b>CHANGE IN REVENUES ( )</b>						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1001 CBRF						
1048 University of AK receipts						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year cost \$ \_\_\_\_\_

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill reduces the exemption allowed on an individual's Permanent Fund Dividend (PFD) that was protected from levy, execution, garnishment, attachment, or any other remedy for the collection of debt, from 45% to 20%. Cumbersome wording regarding the timing of payment is also eliminated.

This amended version of the bill will have no fiscal effects on the Permanent Fund Dividend program.

Prepared by: Nanci A. Jones, Director  
 Division: Permanent Fund Dividend  
 Approved by Commissioner: Wilson L. Condon  
 Agency: Revenue

Phone: (907) 465-2323  
 Date: March 11, 1998  
 Date: March 11, 1998

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information call the Governor's Legislative Office

Revision Date: February 16, 1998 3/11/98 Dept. Affected: Revenue  
 Title: Levy of Permanent Fund Dividends DRU: Revenue Operations  
 Component: Permanent Fund Dividend  
 Sponsor: (S) L&C  
 Requestor: (S) JUD COMPONENT SERIAL NO. 981

Expenditures/Revenues: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ( ) 1005	3,434.0	3,434.0	3,434.0	3,434.0	3,434.0	3,434.0
-----------------------------	---------	---------	---------	---------	---------	---------

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1001 CBRF						
1048 University of AK receipts						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year cost \$ \_\_\_\_\_

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

See Attached

Prepared by: Nanci A. Jones, Director  
 Division: Permanent Fund Dividend  
 Approved by Commissioner: Wilson L. Condon  
 Agency: Revenue

Phone: (907) 465-2323  
 Date: February 16, 1998  
 Date: February 16, 1998

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information call the Governor's Legislative Office

Alaska Department of Revenue  
Permanent Fund Dividend Division

Fiscal Analysis of CS SB 254(L&C)

This amended bill reduces the exemption allowed on an individual's Permanent Fund Dividend (PFD) that was protected from levy, execution, garnishment, attachment, or any other remedy for the collection of debt, from 45% to 30%. Cumbersome wording regarding the timing of payment is also eliminated.

Section two of the bill removes the authority for PFD to charge an administrative fee for claims on PFD's (leaving the authorization to charge a fee for voluntary assignments). Currently this fee is \$2 per claim and generates approximately \$150.0 per year in program receipts to cover charges incurred for processing over 83,000 claims and assignments. Only about 3,000 of these are voluntary assignments.

Section three is a new section added to impose a 5% administrative fee to be collected and deposited in the general fund to cover the administrative costs incurred by the department, the court system, and other state agencies for processing a claim on a PFD. We estimate the revenue to be generated for each year based on the following.

Involuntary Claims on PFD's

52,830 applicants (number of applicants w/one or more requests)  
\$1300 x 5% fee = \$65 (5% fee on 1997 dividend amount)

52,530 @ \$65 = \$3,433,950 (total revenue generated)

Total to GF Program Receipts 1005 \$ 3,434.0

# SENATE FINANCE COMMITTEE REPORT

DATE: 2/17/98

FURTHER: 3/11/98

DATE TURNED INTO OFFICE: 3/11/98

Finance Committee considered SENATE BILL NO. 254

"An Act relating to levy, execution, garnishment, attachment, or other remedy for the collection of debt as applied to a permanent fund dividend."

and recommends:

- be replaced with \_\_\_\_\_ CS SB 254 (FIN)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

- Senate Bill:**
- same title
  - new title
- House Bill:**
- same title
  - technical title
  - new: SCR# \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	✓	<i>[Signature]</i>			
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
Co-Chair: <i>[Signature]</i>	✓	Co-Chair:			
Co-Chair: <i>[Signature]</i>	✓	Co-Chair:			

**NEW FISCAL NOTE(S):**

Department                      Date              Zero              Fiscal


**PREVIOUS FISCAL NOTE(S):\***

Department                      Date              Zero              Fiscal

Revenue	3/16/98	✓	

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

**SB**

**255**

SFIN

FILE

3/11/98

Revision Date:

Dept. Affected: Legislative Affairs Agency

Title: "An Act establishing the Joint Committee on Military Bases in Alaska; and providing for an ..."

BRU: Legislative Council

Sponsor: Senator Kelly

Components: Council & Subcommittees

Requestor: Senate Finance Committee

Series #

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
Personal Services	0	0	0	-	-	-
Travel	.9	.9	.5	-	-	-
Contractual	2.2	2.2	1.1	-	-	-
Supplies	0	0	0	-	-	-
Equipment	0	0	0	-	-	-
Land & Structures	0	0	0	-	-	-
Grants, Claims	0	0	0	-	-	-
Miscellaneous	0	0	0	-	-	-
TOTAL	3.1	3.1	1.6	-	-	-

CAPITAL	0	0	0	-	-	-
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REVENUE	0	0	0	-	-	-
---------	---	---	---	---	---	---

FUNDING: (THOUSANDS OF DOLLARS)

General Fund	3.1	3.1	1.6	-	-	-
Federal Fund	0	0	0	-	-	-
Other	0	0	0	-	-	-
TOTAL	3.1	3.1	1.6	-	-	-

POSITIONS:

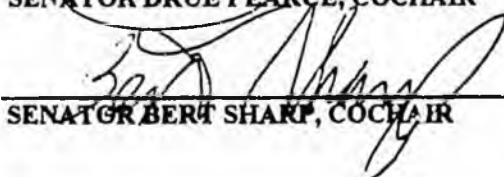
Full-Time	0	0	0	-	-	-
Part-Time	0	0	0	-	-	-
Temporary	0	0	0	-	-	-

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

see attached analysis

Prepared by: SENATE FINANCE COMMITTEE

 3/12/98  
SENATOR DRUE PEARCE, COCHAIR

 3/12/98  
SENATOR BERT SHARP, COCHAIR

Date:

Phone: 465-4993

Date:

Phone: 465-3004

# SENATE FINANCE COMMITTEE REPORT

DATE: 2/11/98

FURTHER: 3/11/98

DATE TURNED IN TO OFFICE: 3/12/98

Finance Committee considered

SENATE BILL NO. 255

"An Act establishing the Joint Committee on Military Bases in Alaska; and providing for an effective date."

and recommends:

- be **replaced** with \_\_\_\_\_ CS SB 255 ( FIN )
- adopt **previous** \_\_\_\_\_ CS \_\_\_\_\_ ( \_\_\_\_\_ )
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

- Senate Bill:**
- same title
  - new title
- House Bill:**
- same title
  - technical title
  - new: SCR# \_\_\_\_\_

SIGNING <u>DC</u> PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
		<i>Alan Starnell</i>	✓		
		<i>David W. ...</i>	✓		
Co-Chair: <i>[Signature]</i>	✓	Co-Chair:			
Co-Chair: <i>[Signature]</i>	✓	Co-Chair:			

**NEW FISCAL NOTE(S):**

Department                      Date      Zero      Fiscal

new SFC			
1/1n forthcoming (attached)			

**PREVIOUS FISCAL NOTE(S):\***

Department                      Date      Zero      Fiscal


APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

A M E N D M E N T

SENATE FINANCE  
COMMITTEE

Amendment Number: 1  
Bill Number: CS SB 255 (STA)  
Sponsor: Phillips Date: 2/20/98  
Logged In By: Minda

OFFERED IN THE SENATE  
TO: CSSB 255(STA)

- 1 Page 1, line 14:
- 2 Delete "\$2,700,000,000"
- 3 Insert "\$1,700,000,000"

*moved Sen Phillips  
no objection - adopted*

A M E N D M E N T

SENATE FINANCE  
COMMITTEE

Amendment Number: 1  
Bill Number: CS SB 255 (STA)  
Sponsor: Phillips Date: 2/20/98  
Logged In By: Mindy

OFFERED IN THE SENATE  
TO: CSSB 255(STA)

- 1 Page 1, line 14:
- 2 Delete "\$2,700,000,000"
- 3 Insert "\$1,700,000,000"