

**ALASKA LEGISLATURE**

**2560**

**HOUSE and SENATE FINANCE COMMITTEE FILES, 2003-2004**



My name is Zoë Olson, I am a senior at Juneau-Douglas High School and I have served as an advocate and Board member since the program's beginning in 1999. This year I am the Co-Chair of the advisory board and through this I've had many opportunities to reflect on the progress we've made over the years.

I first got involved in Youth Court because I was interested in various legal professions and in general, I wanted to be involved in something as I started high school. I've lost count of how many cases I have served as either a judge or attorney but there are a couple that have really stuck with me and I'd like to share those with you.

One of the first cases I was involved in, and that the Juneau Youth Court heard, I served as the defense attorney and I remember that the defendant was quite a few years older than me, he was a senior and I was a freshman and as a defense attorney, you generally meet with the defendant before the case in order to prepare, so I had set it up with him to meet at the downtown Public Library and I just remember anticipating him taking one look at me and going, "yeah right, you're defending me!?" and I walked in, and his mother was there and he was a nervous wreck, they both were, they had obviously not been in this situation before and were scared and just wanted to get it over with, he was worried about what his grandparents would think, how it would look on his record and they expressed that to me and we discussed his case and I remember his sentence was very appropriate to why he was in Youth Court and after it was all over I remember sitting there,

thinking about how surprised I was at his normalness and vulnerability, how they needed me, my help, I was sort of taken aback by my power to help him and the role I played in his life.

The other case I was a judge for and the defendant I had gone to pre-school with and had known since then and that happens when you have a small town but I was actually quite surprised to see him because he is a good kid, bright, an amazing pianist and like so many Youth Court clients had just made a mistake, he had stolen something from a teacher at school and had been referred to Youth Court and he was sentenced and at the end of fulfilling his sentence, he came back to us and said I want to be in Youth Court, we had had such an effect on him that now he wanted to help others in the way that we do and that is the most rewarding thing, when we can help someone and to see them do a complete turnaround is very inspirational, and that's really what Youth Court is all about, restorative justice. The tone of youth court is truly one of hope, as peers, we put a lot of faith in the people we work with and sincerely hope that we are making a difference in their life. The Youth Court program has a different affect on everybody but when it comes down to it, Youth Court works and it's changing people's lives and it's making our communities stronger. Youth Courts across Alaska need your support. Thank you.

Good afternoon, Chairman Williams and members of the Committee. My name is Jane Longenbaugh. I'm a ninth grader at Juneau Douglas High School, and I've been active in Youth Court since the 7<sup>th</sup> grade.

I understand that the Finance Committee's primary concern is, and must be, the State's finances. I'm here to talk to you briefly about how Youth Courts make financial sense for Alaska, as well as how I've seen it guide me and other teenagers who come in contact with it.

Youth Courts operate almost entirely on volunteer time and labor. Judges, such as Judge Froehlich here in Juneau, local lawyers who give us feedback, and the many kids who volunteer their time all do so because we know it can make a difference.

The small amount of money the State invests pays big

returns in the large number of kids Alaska's Youth Courts help. The specifics all return to just that: we help kids who get in trouble. I can tell you, it's a great feeling watching a defendant's face when it sinks in that he or she has a second chance, that a life won't be ruined by one mistake. It's also wonderful to watch the parents' faces as they hear the sentence and realize that their will do community service, write an essay or an apology letter. I've seen kids who spent the time before the hearing yelling at their parents, and yet by the end the tension has disappeared and they seem to be more sorry than angry. I've prosecuted cases where the defendant hears the charge again and again, and I can see it hit them that this is real, that this is really happening to them. It's easy to just say "Yeah, yeah, I'm getting another chance, what's the big deal?" When you

have to hear what you did over and over there's no escaping its implications.

Most of the teens and preteens who come through youth court are good kids. They get good grades, have lots of good friends, have plans for the future. Without Youth Court as an option, these kids' foolish mistakes could end up going on their permanent record. They could be prevented from joining the army, they could have a harder time getting jobs, and their errors could haunt them for the rest of their lives.

Participants get a sense that we, the advocates, know how they feel. Adults can be great judges and lawyers, but they don't have the same connection to the young offenders. It's too easy for the kids to write them off as just another adult who doesn't get how kids are today. It's

far more effective to show them that what they did is wrong by the standards of their peers as well as of adults.

Whenever a person is guided back to being productive instead of in trouble, to being a graduate instead of a dropout, these are dollar costs as well as social costs avoided. Alaska's suicide rate for young people is too high, our dropout rate in high schools is too high, our drug and alcohol use rate is too high ever to doubt for a moment the value of funding a program that serves so many young people, at the time they need it most, for so little cost.

Good afternoon, Chairman Williams & Members of the Committee.  
My name is Abigail Levin, and I am the director of the youth court here  
in Juneau.

I am responsible for supervising and training 25 student volunteers and  
for processing approximately 45 cases per school year. We have as  
many cases as we can handle, given the funding limitations.

Because of funding limitations, the Juneau youth court program has  
remained housed within the school district, which limits the number of  
hours that <sup>the director</sup> can work, per week, to 19. Within this time limit, I can  
perform the only most basic tasks of scheduling and supervising  
hearings, and training students involved in the program as volunteers.

Because of current funding limitations, the program is limited to  
operations during the school year only.

I am completing a PH D right now,  
I happen to be a graduate student, and so I'm in a position to accept  
part-time work with no benefits, but this will only be true for a very  
short time. Limiting a director's position to part-time without benefits  
will *always* only attract either short-term or underqualified applicants,

**either of which greatly diminishes the quality of services this program can offer, and causes the program to be run inefficiently.**

**There are many things that I would like to do with fuller funding, which would greatly improve both the quality and quantity of services that the program offers.**

**I'll talk about three ideas in particular. First:**

**Youth Court is premised on the notion of restorative justice – the idea of repairing the damaged relationships between the victim, the offender, and the community. At the current level of funding, we are able to train our volunteers to deliver a sentence in keeping with these goals. With full funding, we would be able to ensure this sentence really works, and reinforces these valuable goals. I would like to put in place a mechanism for follow-up meetings with the defendants, <sup>and</sup> for incorporating the offending youth into the program ~~in a meaningful way~~ as volunteers after they complete their sentence, ~~and for setting up a mentorship program between defendants and volunteers.~~**

**Second: What I have noticed in meeting a variety of defendants, is that the younger the defendant is, the more likely they are to benefit from youth court. They are more likely to look upon the older participants as role models they respect and want to emulate. With full-funding, I would very much like to expand our program into the middle-schools, and foster a meaningful mentorship program between high school and middle-school students which would focus on early intervention and prevention of harmful behavior.**

**Finally: Another thing that has become clear to me is that the families of the offending youth are very interested in ways that they can help their child, and often feel helpless and incompetent at doing so. I spend a lot of time talking with parents about how to address the problems with their youth. I would like to spend more time. What happens now is that the first time they call <sup>the</sup> my office, they are more than likely to receive an answering machine, since <sup>we can only afford to staff the office for 15 hours a week,</sup> ~~I can only work part time~~. A child's run-in with the law creates chaos in the family, and they need supportive, helpful advice, offered in a timely way.**

**Youth court is the first point of contact that a young person has with the criminal justice system. As such, we have a unique and vitally important opportunity to influence and intervene in a young person's life in a positive way, before it is too late. It is imperative that the services we provide are of exceptional quality, if we are to fulfill this crucial role effectively.**

**The evidence that we have, which I'm sure the committee is aware of, is that recidivism rates in Alaskan youth courts are at 6%, versus 23% in the regular juvenile justice system. Not only are youth courts more effective than the regular court system, they are cheaper to run.**

**With full funding we can expand our services to operate year-round, and, in so doing, increase the cases we are able to hear by at least 30%.**

**It is a win-win situation to increase funding for youth courts: the state saves money, the community benefits from lower crime, and the volunteers benefit from the legal education and leadership experience.**

**The community benefits not only from lower crime, but from the community services the youth court program provides. The Juneau Youth Court members put in an average of 500 hours of volunteer time**

**to the program annually. Youth Court defendants put in an average of 400 hours of community service work annually. With fuller funding, these numbers would double.**

**I urge you to pass bill 303, and increase the funding for this vital and progressive program.**

## 2003 Alaska Youth Court Sustainability Coalition INFORMATION SHEET

- **Youth Courts involve youth and communities throughout Alaska.**  
There are presently more than 15 youth courts statewide which directly involve nearly 1,000 volunteer Alaskan students in implementing restorative justice in their communities. These courts historically hear an average of over 900 cases a year.
- **Youth Courts foster a respect for the law through education and action.**  
Youth Courts provide criminal justice training to the volunteer members. The teen members are then empowered by their roles as judge, prosecutor, and defense attorney in actual cases involving their peers, gaining an invaluable appreciation for the law. Youth Courts enhance respect for the law in the offenders as well as in the student members.
- **Youth Courts produce a marked reduction in recidivism.**  
The Anchorage Youth Court produced a 94% reduction in recidivism, dramatically decreasing the amount of cases to be processed in the court systems. (Based on a study titled "The Impact of Teen Court on Young Offenders" by Jeffrey A. Butts, Janeen Buck, and Mark B. Coggeshall.) This was the highest success rate of the four courts studied in this recent nationwide study by the Urban Institute.
- **Youth Courts ease the caseload of state officials.**  
By providing diversion services for District and Superior Court Judges as well as Juvenile Probation Officers, Youth Courts allow these officials to focus on the most serious offenses or repeat offenders.
- **Youth Courts save the state money.**  
It is estimated that cases processed through Youth Courts cost less than half the amount of cases processed informally or through district and superior courts. In Alaska's largest youth court, the Anchorage Youth Court operates with a 6% recidivism spending only \$574 per defendant, far lower than the equivalent juvenile justice system and substantially more effective for the cost. (Note: McLaughlin Youth Center costs \$40,000 per year per patient. If AYC prevents just 7 juveniles from going to McLaughlin, it equals AYC's entire operating budget.)
- **The juvenile population is increasing.**  
The juvenile population in our state is expected to increase by 27% by 2015. With this dramatic increase in the juvenile population, juvenile delinquency will likely rise, making the sustainability of youth courts even more critical.
- **Alaska has already entrusted our Youth Courts with the most comprehensive legislation in the nation.**  
Alaska was identified in another recent national study as the one state with the most comprehensive Youth Court legislation, in that our statute AS 47.12.400 specifically entrusts Youth Courts with adjudicatory as well as dispositional authority. (See The Organization and Operation of Teen Courts in the United States, A Comparative Analysis of Legislation, Michele Heward, JD, Juvenile and Family Court Journal, Winter 2002.)

Youth Courts do important work, save the state money and have good track records.

**The time for sustainable funding is now.**

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ATTACHED

## For Many Teen Offenders, Peer-Run Court Means Less Recidivism

April 15, 2002

Teen courts may be a positive alternative to the normal juvenile justice process for jurisdictions that want to expand intervention options for young, first-time juvenile offenders and reduce youth recidivism. Recidivism rates among teen court youth were similar and in some cases lower than those of youth in the regular juvenile justice system, according to a four-state evaluation by the Urban Institute. Findings from the evaluation were released today by U.S. Assistant Attorney General Deborah J. Daniels at the National Youth Court Conference.

The report, "The Impact of Teen Court on Young Offenders," by Urban Institute researchers Jeffrey Butts, Janeen Buck, and Mark Coggeshall, is an evaluation of the impact of teen courts on youth recidivism in four states: Alaska, Arizona, Maryland, and Missouri. The jurisdictions in these states use the full range of teen court models currently in use across the country.

Teen courts are designed for young offenders who have committed less serious acts of delinquency, such as theft, shoplifting, possession of stolen property, or vandalism. They rely on the premise that if peer pressure can cause teenagers to get into trouble, positive peer pressure might help steer them away from future trouble.

Researchers measured pre-court attitudes and post-court recidivism among more than 500 juveniles referred to teen court for non-violent criminal charges, including theft, shoplifting, and vandalism. Recidivism of teen court youth was compared to that of nearly 500 similar youth in the regular juvenile justice system.

### Key Findings

In Alaska, Arizona, and Missouri, teen courts were compared with the average juvenile justice response to young, first-time offenders. Youth handled by teen court were less likely to commit another crime and be re-referred to the juvenile justice system within six months. In Alaska, recidivism among teen court youth was 6 percent, compared with 23 percent of those handled by the traditional process. In Missouri, the recidivism rate was 9 percent for teen court youth and 27 percent for the traditional process. In Arizona, the rate was 9 percent, compared with 15 percent in the traditional system—though this difference is not statistically significant.

In Maryland, the results of the teen court process were compared with a more proactive police diversion program that provided similar services, but was managed and delivered by police officers and a police department social worker, and did not require youth to appear in court. Recidivism rates of both groups were extremely low, with 8 percent among teen court youth and 4 percent among youth in the police diversion program—but that difference is not statistically significant.

"Our evaluation shows that teen court might be a better alternative to the regular juvenile justice process in jurisdictions that do not, or cannot, provide a meaningful response for every young, first-time nonviolent offender," concludes Butts. "And, given the fact that teen courts operate with largely volunteer labor and with very low budgets, their cost-effectiveness might be very high."

## Background

Teen courts (or youth courts) are specialized diversion programs for young offenders. The typical youth referred to teen court is 14 to 16 years old, in trouble with the police for the first time, and probably charged with vandalism, stealing, or some other non-violent offense. Teen courts offer these youth an alternative to the regular juvenile court process. Rather than going to juvenile court and risking formal prosecution and possible adjudication, a young offender can go through teen court and avoid what might have been the first stain on his or her legal record.

In return, however, a young person in teen court is almost certain to get a rather stiff sentence. Many are required to do community service and pay restitution for any damages they may have caused. They may be ordered to write apology letters to their parent(s) and the victim of their offense, and perhaps an essay about the effects of crime on the community. Often, they must return to teen court to serve on juries for other cases. Compared to what they might have received in the regular juvenile court process for a first-time, non-violent offense, youth that agree to go to teen court get relatively severe sanctions.

Teen courts operate much like juvenile courts except that fewer adults are involved in the process. The young offender (usually with a parent or guardian) may meet with an adult staff person before the teen court hearing. The purpose of the meeting is to explain the teen court process and obtain the youth's formal agreement to abide by the teen court's decision. In the teen court hearing itself, however, young people are responsible for much of the process, from calling the case, to reviewing the charges and presenting the facts, to choosing the proper sentence. Teenagers may serve as the court clerks, bailiffs, attorneys, jurors, and in some cases, even the judges that hear each matter brought before the court. Most of the youth who work in teen court are volunteers, but many are former defendants who return to participate in other cases as a condition of their sentence.

**Grant Program: Juvenile Accountability Incentive Block Grants**

**Authority:** AS 47.05.010(7) and AS 47.14.10(6)The department shall award grants in accordance with its regulations.

**Priorities:** In the last two years, Alaska has experienced significant reductions in federal funding under the Juvenile Accountability Incentive Block Grant Program (JAIBG). While in FY2003 a total of \$832,675.50 of this was made available for community-based programs such as restitution monitoring, community work service, electronic monitoring, youth courts, and victim-offender mediation, reductions warranted a shift in emphasis of program funding to focus solely on youth courts for FY2004 and a significant substitution of General Funds to allow for even those programs to continue. The final awards for FY2004 were \$229,000 in General Funds to 18 youth court programs. Youth courts in one form or another are found throughout the state with almost 20 receiving funds from the Division through available sources of funds. Youth courts are the most pervasively used community-based option to more formal consequences in the juvenile justice and allow for a partnership in addressing delinquency that maximizes fiscal resources devoted to the issue.

**Target Group or Geographic Region:** JAIBG specifications allow funding for services for youth aged 10-18 years and call for the identification of a behavior or offense that serves as the initiating event triggering a need for services. The JAIBG project coordinator provides technical assistance to grantees throughout the state as well as coordinating requests for technical assistance from OJJDP for community grantees.

**Resource Allocation:** Statewide competitive awards to youth court and community panel programs providing accountability-based services and United Youth Courts of Alaska

**Criteria:** Awards were granted based on a statewide competitive process utilizing the guidelines set out in the RFP

**Appropriation:** Grant funding is appropriated to the Division of Juvenile Justice, Delinquency Prevention Component.

## Juvenile Accountability Incentive Block Grants

**RDU:** Juvenile Justice

**COMPONENT:** Delinquency Prevention

**DIVISION:** Division of Juvenile Justice

GRANTEE	LOCATION	ELECT. DIST.	NEW/ CONT.	FY03 AMT. AWARDED	SERVICE	FTE STAFF	AMT. PERS. SERVICES	FUND SOURCE	FY04 AMT. AWARDED
Anchorage Youth Court	Anchorage	19-32	CONT	\$25,345	Youth Court	0.4	\$30,000	FED	\$30,000
Belhel Group Home	Belhel	38	NEW	\$0	Youth Court	0.02	\$10,000	FED	\$10,000
Della Youth Court	Delta Junction	03-04	CONT	\$8,000	Youth Court	0.5	\$2,000	FED	\$5,000
Juneau Youth Court/ Juneau School District	Juneau	33-35	CONT	\$24,225	Youth Court	0.25	\$9,849	FED	\$15,000
Kenai Peninsula Youth Court	Kenai Peninsula	01	CONT	\$27,000	Youth Court	0.38	\$23,000	FED	\$25,000
Kodiak Teen Court	Kodiak	36	CONT	\$27,000	Youth Court	0.29	\$3,850	FED	\$15,000
Nome Community Center	Nome/ Norton Sound	39	CONT	\$27,000	Youth Court	0.36	\$6,693	FED	\$7,500
North Slope Borough	Arctic Slope/ Northwest	40	CONT	\$26,100	Community Panel, Restitution & Work Service Support	0	\$0	FED	\$10,000
North Star Youth Court	Fairbanks	07-10	CONT	\$27,000	Youth Court	0.3	\$22,096	FED	\$25,000
Southeast Regional Resource Center	Kelchikan	37	NEW	\$26,964	Youth Court	0.46	\$10,690	FED	\$15,000
Togiak, Traditional Council Of	Dillingham	99	CONT	\$0	Tribal Court	0.63	\$8,165	FED	\$9,965
United Youth Courts of Alaska	Statewide	12	CONT	\$40,498	Youth Court Training, Technical Assistance & Program	0.15	\$5,485	FED	\$11,535
Valdez Youth Court	Valdez	02	NEW	\$27,000	Youth Court	0.42	\$15,000	FED	\$15,000
Wasilla, City Of/ Mat-Su Youth Court	Mat-Su Areawide	12-16	CONT	\$27,000	Youth Court	0.15	\$27,500	FED	\$27,500
Wrangell Youth Court	Wrangell	12	CONT	\$0	Youth Court	0.28	\$7,500	FED	\$7,500
				<b>\$313,132</b>	<b>TOTALS</b>	<b>4.59</b>	<b>\$181,828</b>		<b>\$229,000</b>

Note:

**Component: Delinquency Prevention****Contribution to Department's Mission**

The delinquency prevention component exists to allow the Division to expend federal resources to meet a variety of needs within the juvenile justice continuum. Services provided adhere to the Division's mission to hold juvenile offenders accountable for their behavior, promote the safety and restoration of victims and communities, and assist offenders and their families in developing skills to prevent crime.

**Core Services**

This component is comprised of the following seven grants from the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP):

- Formula Grant;
- Title V Local Delinquency Prevention Grant;
- Challenge Activities Grant;
- Juvenile Accountability Incentive Block Grant;
- Enforcing Underage Drinking Laws Grant;
- Rural Alaska Juvenile Justice Grant; and
- Going Home Serious and Violent Offender Re-entry Initiative.

These funds are used to ensure that Alaska complies with the core mandates of the federal Juvenile Justice and Delinquency Prevention (JJDP) Act in order to maintain its eligibility for OJJDP grant funding. The core mandates require deinstitutionalization of status offenders, sight and sound separation of juvenile and adult offenders, removal of juveniles from adult jails and lock-ups, and efforts to eliminate disproportionate minority overrepresentation in the juvenile justice system.

These funds also support juvenile justice system improvements within the Division as well as other Alaska justice agency partners. These efforts include juvenile offender management information system development, interagency information sharing, and improving the response time and quality of services in juvenile cases, particularly in remote areas of the State.

Funds also support community-based services for youth, families, juvenile crime victims, and communities through grants to non-profit agencies, tribal entities and local governments eligible under 7 AAC 78.030. Grantees provide a range of services including both delinquency prevention activities and delinquency intervention services that hold youth accountable for their behavior. Examples of grantee services include:

- Intensive supervision programs for youth released from secure treatment facilities;
- Non-secure attendant care shelters for arrested youth who do not meet detention criteria;
- Electronic monitoring programs;
- Youth courts and community panels;
- Youth-led efforts to support law enforcement and community education activities related to underage alcohol consumption; and,
- Mentoring programs.

The Alaska Juvenile Justice Advisory Committee (AJJAC) is appointed by the Governor and serves as the federally-mandated state advisory group to DJJ in the allocation of federal grant funds.

Change Record Detail - Multiple Scenarios With Description

Department of Health and Social Services

Component: Delinquency Prevention (248)

RDU: Juvenile Justice (319)

Change Record Title	Trans Type	Totals	Personal Services	Travel	Contractual	Supplies	Equipment	Land/Buildings	Grants Claims	Misc.	Positions		
											PFT	PPT	NP
***** Changes From FY2004 Conference Committee To FY2004 Authorized *****													
Conference Committee	ConfCom	3,287.5	0.0	140.3	1,034.0	13.5	0.0	0.0	2,099.7	0.0	0	0	0
1002 Fed Rcpts		3,198.5											
1004 Gen Fund		89.0											
Subtotal		3,287.5	0.0	140.3	1,034.0	13.5	0.0	0.0	2,099.7	0.0	0	0	0
***** Changes From FY2004 Authorized To FY2004 Management Plan *****													
Subtotal		3,287.5	0.0	140.3	1,034.0	13.5	0.0	0.0	2,099.7	0.0	0	0	0
***** Changes From FY2004 Management Plan To FY2005 Governor *****													
Move GF Authority to the Probation Services Component	Trout	-88.9	0.0	0.0	0.0	0.0	0.0	0.0	-88.9	0.0	0	0	0

1004 Gen Fund -88.9

This component currently has \$89.0 of General Fund authority. This authority belongs in the Probation Services component. Currently, the youth court grants total \$229.0. These are split between this component and Probation Services. If this change record is approved, the FY05 youth court grants will all be in one component.

**Line Item Detail**

Department of Health and Social Services

Grants, Claims

Component: Delinquency Prevention (248)  
 RDU: Juvenile Justice (319)

Line Number	Line Name	FY2004 Authorized	FY2004 Management Plan	FY2005 Governor
77000	Grants, Claims	2,099.7	2,099.7	1,124.7

Detail Information

Expenditure Account	Servicing Agency	Explanation	FY2004 Authorized	FY2004 Management Plan	FY2005 Governor
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The Division of Juvenile Justice issues federally funded grants to non-profits for the following services: combating underage drinking, juvenile accountability, youth courts and employment, female offenders program, electronic monitoring, aftercare services, and formula grants (prevention and intervention, non-secure shelters, and Indian pass-through).

These grant projects are located in every region and are strategically placed to fill geographic gaps in available services. Grants are awarded to Alaska Native Organizations performing law enforcement functions and for a variety of delinquency prevention and offender intervention grants. Title V and the Challenge grants program are also funded by this category.

The following represents a list of the FY2004 grants:

- Eastern Aleutian Tribes - \$59,564
- Emmonak Tribal Council - \$60,000
- Organized Village of Kake - \$50,000
- Louden Tribal Council - \$35,000
- Noorvik Native Community - \$55,000
- Nunakuyak Tribal Council - \$51,994
- Alaska Children's Services - \$124,412
- Aleutian/Pribilof Islands Association - \$3,576
- Assoc Of Village Council Presidents - \$12,102
- Kawerak, Inc. - \$6,275
- Kodiak Area Native Association - \$3,509
- Manillaq Association - \$5,525
- Mellakalla Indian Community - \$3,709
- Bristol Bay Native Association - \$5,082
- United Youth Courts of Alaska - \$11,535
- Valdez Youth Court - \$15,000
- Bethel Group Home - \$10,000
- Kenai Peninsula Youth Court - \$7,500
- Kenai Peninsula Youth Court - \$10,000

**Line Item Detail**  
**Department of Health and Social Services**  
**Grants, Claims**

Component: Delinquency Prevention (248)  
 RDU: Juvenile Justice (319)

Line Number	Line Name		FY2004 Authorized	FY2004 Management Plan	FY2005 Governor
77000	Grants, Claims		2,099.7	2,099.7	1,124.7
<b>Detail Information</b>			<b>FY2004 Authorized</b>	<b>FY2004 Management Plan</b>	<b>FY2005 Governor</b>
<b>Expenditure Account</b>	<b>Servicing Agency</b>				
		Kodiak Youth Services Center - \$9,336			
		MADD, Anchorage Chapter - \$30,000			
		MADD, Juneau Chapter - \$30,000			
		Inome Community Center, Inc. - \$9,999			
		Volunteers of America of Alaska - \$40,000			
		Wrangell Police Department - \$8,689			
		Fairbanks Native Association - \$27,000			
		Juneau Youth Services, Inc. - \$15,000			
		Kenai Peninsula Community Care Center - \$50,000			
		Kodiak Youth Services Center - \$8,000			
		Residential Youth Care - \$23,000			
		Valdez Counseling Center - \$6,000			
		Youth Advocates of Sitka - \$12,000			
		Juneau Youth Court/ Juneau School District - \$15,000			
		Kodiak Teen Court - \$15,000			
		North Slope Borough - \$10,000			
		Traditional Council Of Togiak - \$9,965			
		Wrangell Youth Court - \$7,500			
		Delta Youth Court - \$5,000			

## Allocation Detail - FY 2005 Operating Budget - HouseCS Structure

Numbers AND Language Sections

Agency: Department of Health and Social Services

Appropriation:	Juvenile Justice							
Allocation:	Delinquency Prevention							
	<u>03Actual</u>	<u>04MotPln</u>	<u>Adj Base</u>	<u>Gov</u>	<u>Use CS</u>	<u>04MotPln to Use CS</u>		<u>Gov to Use CS</u>
Total	2,302.2	3,287.5	3,198.6	2,308.1	2,308.1	-979.4	-29.8 %	0.0
<u>Objects of Expenditure:</u>								
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0		0.0
Travel	88.3	140.3	140.3	135.9	135.9	-4.4	-3.1 %	0.0
Contractual	464.0	1,034.0	1,034.0	1,034.0	1,034.0	0.0		0.0
Commodities	9.1	13.5	13.5	13.5	13.5	0.0		0.0
Equipment	0.3	0.0	0.0	0.0	0.0	0.0		0.0
Lands/Buildings	0.0	0.0	0.0	0.0	0.0	0.0		0.0
Grants, Claims	1,740.5	2,099.7	2,010.8	1,124.7	1,124.7	-975.0	-46.4 %	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0		0.0
<u>Funding Sources:</u>								
F 1002 Fed Rcpts	2,235.9	3,198.5	3,198.5	2,308.1	2,308.1	-890.4	-27.8 %	0.0
G 1004 Gen Fund	66.3	89.0	0.1	0.0	0.0	-89.0	-100.0 %	0.0
<u>Positions:</u>								
Perm Full Time	0	0	0	0	0	0		0
Perm Part Time	0	0	0	0	0	0		0
Temporary	0	0	0	0	0	0		0

## Change Detail - FY 2005 Operating Budget - HouseCS Structure

Numbers & Language

Agency: Department of Health and Social Services

Appropriation: Juvenile Justice

Allocation: Delinquency Prevention

Transaction Title	Trans Type	Total Expenditure	Personal Services	Travel	Contractual	Commodities	Equipment	Lands/ Bldgs	Grants	Misc	PFT	PPT	Tmp
***** FY04 - Conference Committee *****													
FY04 Conference Committee	ContCom	3,287.5	0.0	140.3	1,034.0	13.5	0.0	0.0	2,099.7	0.0	0	0	0
1002 Fed Rcpts		3,198.5											
1004 Gen Fund		89.0											
Cumulative Total		3,287.5	0.0	140.3	1,034.0	13.5	0.0	0.0	2,099.7	0.0	0	0	0
***** Changes from FY04 - Management Plan to FY05 - Adjusted Base *****													
Move GF Authority to the Probation Services Component	TrOut	-88.9	0.0	0.0	0.0	0.0	0.0	0.0	-80.9	0.0	0	0	0
1004 Gen Fund		-88.9											
Cumulative Total		3,198.6	0.0	140.3	1,034.0	13.5	0.0	0.0	2,010.8	0.0	0	0	0
***** Changes from FY05 - Adjusted Base to FY05 - Governor Request *****													
Department-wide travel reduction	Dec	-4.4	0.0	-4.4	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1002 Fed Rcpts		-4.3											
1004 Gen Fund		-0.1											
Reduce Amount of Federal Authority for Delinquency Prevention	Dec	-886.1	0.0	0.0	0.0	0.0	0.0	0.0	-886.1	0.0	0	0	0
1002 Fed Rcpts		-886.1											
Cumulative Total		2,308.1	0.0	135.9	1,034.0	13.5	0.0	0.0	1,124.7	0.0	0	0	0

Alaska Court System  
Schedule of State Fines Collected

State Fines Collected by Alaska Court System (as Reported in AKSAS)				
FY02	FY01	FY00	FY99	FY98
3,708,100.00	3,910,300.00	3,715,900.00	3,627,200.00	3,649,100.00

In addition to fines and forfeitures applied to fines this data also includes: bail forfeitures, other forfeitures not applied to fines, contempt sanctions, and court costs not related to Criminal Rule 8.

State Fines Collected by Court Location			
Court Location	FY02	FY01	FY00
	State Fines	State Fines	State Fines
Anchorage	335,442.29	392,442.89	369,543.32
Barrow	61,097.29	63,900.00	34,161.10
Bethel	42,471.00	64,287.25	81,549.15
Cordova	26,535.00	28,629.50	38,535.55
Craig	5,229.00	48,932.00	52,399.62
Delta Junction	62,066.69	50,436.73	39,826.75
Dillingham	77,088.25	95,479.00	49,438.50
Fairbanks	353,787.17	419,229.27	470,699.19
Glennallen	53,655.30	49,121.49	54,996.75
Haines	7,684.50	15,638.69	8,201.87
Healy	39,336.00	87,101.62	59,551.00
Homer	54,977.50	65,049.15	67,137.61
Juneau	152,040.30	128,677.92	137,933.38
Kenai	176,385.00	150,831.09	207,522.21
Ketchikan	104,661.47	103,568.98	130,234.37
Kodiak	138,273.54	177,135.86	146,537.00
Kotzebue	76,999.96	83,867.26	71,467.84
Naknek	96,045.00	145,588.79	105,803.30
Nenana	19,968.00	19,828.86	21,286.18
Nome	29,382.14	37,744.27	27,952.08
Palmer	476,417.39	531,066.18	412,801.28
Petersburg	27,288.90	27,417.34	23,193.31
Seward	49,592.50	50,618.50	47,953.00
Sitka	63,810.15	66,354.39	29,759.55
Tok	46,125.53	43,430.09	39,900.12
Unalaska	95,620.53	83,043.00	176,737.87
Valdez	52,293.25	41,953.70	35,610.50
Wrangell	24,106.00	16,790.00	30,680.00

State Fines Collected by Court System and Dept. of Law			
Agency	FY02	FY01	FY00
Alaska Court System	2,748,379.65	3,088,163.82	2,973,412.40
Department of Law	1,583,794.49	1,963,548.38	1,099,498.93
Totals	4,332,174.14	5,051,712.20	4,072,911.33

Court Data Source:

The fine data includes fines and forfeitures applied to fines and reflected on each court's Receipt Distribution Reports for the periods indicated. The dollar amounts represent actual funds received. Additional fines were collected and are not included in the analysis because the data is not readily available and the dollar amounts would not significantly impact the overall financial picture.

Department of Law:

Fines listed for the Department of Law include fines (court, traffic, and minor offense) and bonds.



## Alaska Conference of Mayors

### *A Resolution Supporting Continued Funding and Support for Alaska's Youth Courts*

**Whereas**, the Alaska Conference of Mayors and the Alaska Municipal League have been encouraging youth to participate in student government throughout Alaska;

**Whereas**, the Alaska Association of Student Governments represents students and individuals throughout Alaska and has passed a statewide resolution supporting the Alaska Youth Court System;

**Whereas**, Youth Court is an innovative alternative to the traditional juvenile justice system and is empowered by state statutes to make a difference in Alaskan communities;

**Whereas**, for the past decade Youth Courts have served as a great method of decreasing repeat crime amongst juvenile offenders;

**Whereas**, Youth Court allows students to take a role as a judge or attorney in a courtroom to judge, prosecute, or defend first juvenile offenders in a court of their peers;

**Whereas**, Youth Court programs also ease the case load of district court judges and juvenile probation offices;

**Whereas**, there are at least 15 youth courts statewide which involve nearly 1,000 Alaskan students in implementing restorative justice in their communities;

**Whereas**, Alaska's Youth Courts are currently dependent of federal grants and uncertain avenues of funding;

**Whereas**, a program as beneficial and successful as Youth Court should not be left to uncertain means of funding;

**Whereas**, the Alaska Legislature first empowered youth courts and has the authority secure sustainable funding for the future of Alaska's Youth Courts;

**Now Therefore, Be It Resolved** that the Alaska Conference of Mayors commends Alaska's Youth Courts and encourage the Alaska State Legislature to implement a stable method of funding for Youth Courts across Alaska.



Alaska Association of Student Governments  
*Sustained Support and Funding for Alaska's Youth Courts*  
Fall 2002 Conference

Be it resolved by the Alaska Association of Student Governments;

Whereas, the Alaska Association of Student Governments represents high school students and student leaders throughout Alaska;

Whereas, Youth Court is an innovative alternative to the traditional juvenile justice system and is empowered by Alaska Statute 47.12.400 to make a positive difference in Alaskan communities;

Whereas, Youth Courts are established for the purpose of decreasing juvenile crime and the recidivism amongst juvenile offenders as well as to involve students in implementing restorative justice;

Whereas, Youth Court allows students valuable experience in assuming the role and responsibility of a judge or attorney in a courtroom to judge, prosecute, or defend first-time juvenile offenders in a court of their peers;

Whereas, Youth Court programs help ease the case load of district and superior courts, juvenile probation offices, and school districts;

Whereas, for the past decade Youth Courts have served as an effective method of decreasing repeat-crime amongst juvenile offenders in Alaska;

Whereas, there are at least 15 Youth Courts statewide which involve approximately 1,000 Alaskan students in implementing restorative justice in their communities;

Whereas, Alaska's Youth Courts are currently dependent on a federal juvenile justice grant which is in the process of being cut by 30% over a three year period and which is not guaranteed due to lack of congressional authorization;

Whereas, a program as beneficial and successful as Youth Court should not be left to unreliable means of funding;

Whereas, the Alaska State Legislature first empowered youth courts and has the authority to secure sustainable funding for the future of Alaska's Youth Courts;

Therefore, be it resolved by the Alaska Association of Student Governments, that AASG commend Alaska's Youth Courts and encourage the Alaska State Legislature to establish a stable base of funding for Youth Courts across Alaska.

March 24, 2003

Representative Dan Ogg  
Alaska State Capitol Building  
Juneau, Alaska 99811-0001

Dear Representative Ogg:

I am writing to seek your support for State funding of Youth Courts in Alaska. Youth Courts have served Alaska since the 1980s, and have provided a positive alternative to the traditional juvenile justice system. The Alaska State Legislature first empowered Youth Court through Alaska Statute 47.12.400. Youth Courts allow first-time juvenile offenders to have their case heard in a court of their peers. This format has been successful both nationally and in Alaska.

Youth Courts are an effective approach for dealing with the problem of juvenile crime. In the report *The Impact of Teen Courts on Young Offenders* published by the Urban Institute (Washington D.C.), the recidivism (repeated criminal behavior) rate of juvenile offenders in Alaska, Arizona, Maryland, and Missouri was significantly less in Youth Court programs than the traditional juvenile justice system. In Anchorage, recidivism among Youth Court participants was only six percent, compared to twenty-three percent using the traditional approach. This study shows that Youth Courts provide a meaningful response to offenders that effectively reduces the likelihood that they will commit additional crimes within the community. Helping to break the cycle of criminal behavior at this early age increases the chance that these individuals will become productive members of society.

Youth Courts provide swift, meaningful, appropriate consequences, so that juveniles committing minor offenses relate consequences to actions and are more likely to take personal responsibility. This process of restorative justice, where offenders repair the harm they've caused, allows Youth Courts to construct tough sentences that fit the crime and demonstrate to the juveniles the true impact of their actions. The report also stated that Youth Courts can be very cost-effective since they operate with volunteer support and comparatively low budgets.

The impact of Youth Court is felt throughout Alaska. There are over 15 Youth Courts statewide which involve approximately 1,000 Alaskan students in implementing restorative justice in their communities. Programs exist in many areas of Alaska, including Anchorage, Fairbanks, Juneau, Mat-Su, Sitka, Ketchikan, the Kenai Peninsula, Nome, Kodiak, and Kotzebue. The most populace town without a Youth Court program is Bethel, and according to the Division of Juvenile Justice, the number of juvenile offenses and the recidivism rate are substantially greater there, compared to cities of similar size with programs. Currently, the Anchorage Youth Court assumes nearly 20% of the juvenile caseload, which reduces the burden on the judicial system. It is estimated that cases processed through Youth Courts cost less than half the amount of cases processed through district and superior courts. This allows for more efficient justice, at a lower cost. The enclosed information lists some other tangible advantages that Youth Courts can provide to the State of Alaska.

The major issue facing Youth Courts in Alaska is the lack of funding. These programs are currently dependent on the Juvenile Accountability Incentive Block Grant (JAIBG), a federal grant administered through the Division of Juvenile Justice. These funds go towards office space, operating expenses, and training. In FY03, Alaska Youth Courts receive about \$400,000 through this grant. According to the Division of Juvenile Justice, the most optimistic outlook for funding in FY04 is \$200,000 which would be a significant reduction. However, the most recent outlook, based on the

Federal Omnibus Spending Bill, is that JAIBG will be cut further and there may be little or no money left for Youth Court programs. There is a very real possibility that no funding will be available in FY04. The current Presidential Budget for Federal FY04 does not include any funding for JAIBG.

Youth Courts can have a significant impact on juvenile justice and deserve a stable source of funding. This program can play an important role in addressing the issues of juvenile crime and public safety. We are requesting legislation that five percent of collected court fines go to Alaska Youth Courts. This would greatly assist in the operation of this program and make it possible for these local organizations to focus on their primary objectives - helping juvenile offenders. The Alaska Conference of Mayors as well as the Alaska Association of Student Government have endorsed funding for Alaska Youth Courts.

On behalf of the Youth Courts of Alaska, I request your support for legislation that would set aside five percent of collected court fines to support Youth Court programs in Alaska. Please contact me if you need additional information. Thank you very much for your time.

Sincerely,



Weston Eiler, Chair  
Alaska Youth Court Sustainability Coalition  
(907)-789-5053  
westoneiler@hotmail.com



# Welcome to the online home of U.Y.C.A.



## Youth Courts in Alaska, Locations



*Roll over the names of some of the Youth Courts and you can see their web page! (Only Mat-Su, Kenai, Anchorage, and Ketchikan have web sites right now)*

Alaska Native Justice Center  
Denise Morris  
121 W. Fireweed Lane, Suite 240  
Anchorage, AK 99503  
Phone: (907) 278-1122  
Fax: (907) 278-1121  
E-mail: [dmorris@citci.com](mailto:dmorris@citci.com)

Anchorage Youth Court  
Sharon Leon  
PO Box 102735  
Anchorage, AK 99510-2735  
Phone: (907) 274-5986  
Fax: (907) 274-0491  
E-mail: [ayc.sa!@acsalaska.net](mailto:ayc.sa!@acsalaska.net)  
Web page: [www.ayc.ak.org](http://www.ayc.ak.org)

Delta Junction Youth Court  
Mary St. Peter  
PO Box 1504  
Delta Junction, AK 99737  
Phone: (907) 895-5328  
Fax: (907) 895-5328  
E-mail: [dvc@dqsdmil.dqsd.k12.ak.us](mailto:dvc@dqsdmil.dqsd.k12.ak.us)

Juneau Youth Court  
Glen Ray  
712 W. 12th Street

- Home
- Newsletter
- Youth Courts
- Board of Directors
- Membership Info.
- Frequently Asked Question (FAQ)
- Technical Support
- Volunteer Opps
- Recognition
- Donations
- Upcoming Events
- Contact U.Y.C.A.



Suite 1  
Juneau, AK 99801  
Phone: (907) 586-3122  
Fax: (907) 586-3147  
E-mail: [juneauyouthcourt@alaska.com](mailto:juneauyouthcourt@alaska.com)

Take Youth Circle Peacemaking  
Diann Richardson  
OVK, P.O. Box 316  
Take, AK 99830  
Phone: (907) 785-6471  
Fax: (907) 785-4902  
Email: [richardson\\_diann@yahoo.com](mailto:richardson_diann@yahoo.com)

Kenai Peninsula Youth Court  
Virginia (Ginny) Espenshade  
145 Main Street Loop, Room 215  
Kenai, AK 99611  
Phone: (907) 283-4017 (Kenai)  
Fax: none  
E-mail: [youthct@xvz.net](mailto:youthct@xvz.net)  
Web page: [http://members.tripod.com/Kenai\\_Youth\\_Court](http://members.tripod.com/Kenai_Youth_Court)

or

355 Pioneer Avenue, Suite 103  
Homer, AK 99603  
Phone: (907) 235-4985 (Homer)  
Fax: (907) 235-5106  
E-mail: [youthct@xvz.net](mailto:youthct@xvz.net)  
Web page: [http://members.tripod.com/Kenai\\_Youth\\_Court](http://members.tripod.com/Kenai_Youth_Court)

Ketchikan Youth Court  
Gretchen Klein  
212 Plaza East West  
Ketchikan, AK 99901  
Phone: (907) 225-2293  
Fax: (907)  
E-mail: [ktnyouthcourt@kpunet.net](mailto:ktnyouthcourt@kpunet.net)  
Web page: <http://www.serrc.org/kvc>

Kodiak Teen Court  
Jim Nagen  
PO Box 943  
Kodiak, AK 99615  
Phone: (907) 486-3550  
E-mail: [janagan@keaconnect.net](mailto:janagan@keaconnect.net)

Kotzebue Youth Court  
Erian Triplett  
PO Box 372  
Kotzebue, AK 99752  
Phone: (907) 442-3383  
Fax: (907) 442-2166  
E-mail: [louis@otz.net](mailto:louis@otz.net)

Mat-Su Youth Court  
Lisa Albert-Konecky  
290 East Herning Avenue  
Wasilla, AK 99654  
Phone: (907) 373-9045  
Fax: (907) 373-9075  
E-mail: [msvc@ci.wasilla.ak.us](mailto:msvc@ci.wasilla.ak.us)  
Web page: <http://www.fortunecity.com/campus/graphic/42/>

Nome Youth Court



Karen Musich  
PO Box 1350  
Nome, Alaska 99762  
Phone: (907) 443-5888  
Fax: (907) 443-3880  
E-mail: [nomeyouthcourt@yahoo.com](mailto:nomeyouthcourt@yahoo.com)

North Star Youth Court (Fairbanks)  
Wendy Leach  
P.O. Box 82147  
Fairbanks, AK 99709  
Phone: (907) 457-6792  
Fax: (907) 457-6791  
E-mail: [nsvc@mosquilonet.com](mailto:nsvc@mosquilonet.com)

Sitka Youth Court  
Youth Advocates of Sitka  
PO Box 664  
Sitka, Alaska 99835  
Phone: (907) 747-3687  
Fax: (907) 747-3627  
E-mail: [sitkayouthcourt@hotmail.com](mailto:sitkayouthcourt@hotmail.com)

Valdez Youth Court  
Ana Hinkle  
PO Box 3572  
Valdez, AK 99686  
Phone: (907) 835-8885  
Fax: (907) 835-8886  
E-mail: [vyc@cvinternet.net](mailto:vyc@cvinternet.net)

Volunteers of America  
Tamra Venator, Youth Restitution Program  
1625 C Street, Suite 255  
Anchorage, AK 99503  
Phone: (907) 279-9686  
Fax: (907) 276-5489  
E-mail: [vro@alaska.net](mailto:vro@alaska.net)

Wrangell Youth Court  
Diane Ivy\_Dahlin  
PO Box 896  
Wrangell, AK 99929  
Phone: (907) 874-3304  
Fax: (907) 874-2173  
E-mail: [youthcourt@aptalaska.net](mailto:youthcourt@aptalaska.net)

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**SITE: KODIAK LIO**

**COMMITTEE:** House Finance

**DATE:** 2/10/04

**SUBJECT OF MEETING:**

#B303 - Criminal fines to Youth Courts

**UPDATE #:**



# PLEASE SIGN IN

**P R I N T YOUR NAME**

**ADDRESS (MAILING & ZIP)**

**REPRESENTING**

**DO YOU WANT TO TESTIFY?  
Y or N**

Nicholas S. Pennington Email address: npennington@google.net	3062 Shearwater Rd. Kodiak AK 99615	Kodiak Teen Court	Yes <del>no</del>
Kristina Derrickson Email address: scullikristina@netnet.com	Box 4757 Kodiak AK 99615	Kodiak Teen Court	Yes
Cynthia Shanagin Email address: anthiashanagin@netnet.com	3431 Sitkinak Dr Kodiak, AK 99615	Kodiak Teen Court	Yes
Amanda Ruggie Email address: amanda.ruggie@netnet.com	5100 3rd St Kodiak AK 99615	Kodiak Teen Court	Yes
Steve Cole Email address: stevecole@gcc.net	PO Box 3512 Kodiak, AK 99615	Kodiak Teen Court	Yes
Email address:			
Email address:			

FN	—	∅	AK Court System	No number	2.4.04	} same
FN		∅	AK Court System	768	5.13.03	
★ FN		‡	Probation Svcs/DHSE	2134	2.10.04	

Whitney Cushing  
Ginny Espenshade

# FISCAL NOTE

STATE OF ALASKA  
2004 LEGISLATIVE SESSION

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HB303-DHSS-DJJ2-02-10-04  
 ( ) Publish Date: \_\_\_\_\_  
 Dept. Affected: Health & Social Services  
 RDU Juvenile Justice  
 Component Probation Services

Revision Date/Time (Note if correction):  
 Title FUNDING FOR YOUTH COURTS

Sponsor OGG  
 Requester HOUSE (FIN)

Component No. 2134

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

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	1,075.0	1,075.0	1,075.0	1,075.0	1,075.0	1,075.0
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>1,075.0</b>	<b>1,075.0</b>	<b>1,075.0</b>	<b>1,075.0</b>	<b>1,075.0</b>	<b>1,075.0</b>

<b>CAPITAL EXPENDITURES</b>						
<b>CHANGE IN REVENUES (0)</b>						

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	1,075.0	1,075.0	1,075.0	1,075.0	1,075.0	1,075.0
1037 GF/Mental Health						
Other(Specify Type-do not abbreviate)						
Other(Specify Type-do not abbreviate)						
<b>TOTAL</b>	<b>1,075.0</b>	<b>1,075.0</b>	<b>1,075.0</b>	<b>1,075.0</b>	<b>1,075.0</b>	<b>1,075.0</b>

Estimate of any current year (FY2004) cost: \_\_\_\_\_

Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

On this fiscal note, the Division is reflecting the proposed appropriation of up to 25% of court imposed fines for the youth courts. This is \$1,075.0 based upon FY03 collections. However, based on the proposed amendment suggested by the Division of Juvenile Justice, if the division were to receive 10% of the total amount imposed and collected by the Alaska Court System, the amount would be \$430.0 annually based on FY03 numbers.

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

Phone 465-1385  
 Date/Time 02/09/2004  
 Date 02/10/2004

# FISCAL NOTE

STATE OF ALASKA  
2004 LEGISLATIVE SESSION

Fiscal Note Number: \_\_\_\_\_  
Bill Version: HB303-ACS-TC-1-4-04  
( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: \_\_\_\_\_  
Title Youth Court and Criminal Fines BRU Alaska Court System  
Sponsor Representative Ogg Component Trial Courts  
Requester \_\_\_\_\_ Component No. \_\_\_\_\_

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

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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 (Specify Type--Do not abbreviate)						
<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 (FY2004) cost: 0.0  
Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

The court system does not anticipate any fiscal impact from the passage of HB 303.

Prepared by: Doug Wooliver Administrative Attorney Phone \_\_\_\_\_  
Division Alaska Court System Date/Time 2/4/04 7:57 AM  
Approved by: Stephanie Cole Administrative Director by Doug Wooliver Date 2/4/2004  
Agency Alaska Court System



**Committee Assignments:**

Member:  
House Special Committee on Fisheries  
House Special Committee on Education  
House Transportation Committee  
House Judiciary Committee

**Dan Ogg**  
Representative

Session:  
Room 409  
Capitol Building  
Juneau, Alaska 99801  
Phone: 907-465-2487  
Toll Free: 800-865-2487  
Fax: 907-465-4956  
Email: rep.dan.ogg@legis.state.ak.us

Interim:  
112 Mill Bay Road  
Kodiak, Alaska 99615  
Phone: 907-486-8872  
Fax: 907-486-5201

**SECTIONAL ANALYSIS**

**House Bill 303**

2/04/04

**"An Act relating to youth courts and to the recommended use of criminal fines to fund the activities of youth courts; and relating to accounting for criminal fines."**

**Section 1.**

AS 12.55.035 delineates fines under Sentencing and Probation of the Code of Criminal Procedure. This new subsection (g) simply states that fines collected under this authority will be accounted for separately under AS 37.05.142. This statute directs the Department of Administration to establish and maintain separate accounts by program source.

**Section 2.**

Article 3 – Youth Courts would have a new section added that allows for the legislature to appropriate 25% of the fines imposed by AS 12.55.035 and collected under AS 37.05.142, to the Department of Health and Social Services for distribution to the individual Youth Courts or to the United Youth Courts of Alaska for allocation by that organization to the individual Youth Courts operating under their authority as established by AS 47.12.400.

As stated, nothing in this section creates a dedicated fund.

## Article 03. YOUTH COURTS

### Sec. 47.12.400. Youth courts.

(a) The department may use youth courts to hear, determine, and dispose of cases involving a minor whose alleged act that brings the minor within the jurisdiction of AS 47.12.010 - 47.12.260 constitutes a violation of a state law that is a misdemeanor or a violation or constitutes a violation of a municipal ordinance that prescribes a penalty not exceeding the penalties for a class A misdemeanor under state law.

(b) Unless otherwise directed by the commissioner, the jurisdiction of a youth court is coextensive with the boundaries of the municipality in which the youth court is located. Only one youth court may be established within the boundaries of a municipality. Nothing in this subsection prohibits two or more municipalities from operating a single youth court for the municipalities by agreement between them.

(c) A nonprofit corporation may obtain recognition from the commissioner to serve as a youth court. The corporation may exercise only the powers that are delegated to a youth court by the commissioner, and shall exercise those powers as authorized by the corporation's articles of incorporation and bylaws. The bylaws of the corporation must set out standards and procedures by which the corporation, in its capacity as a youth court,

(1) establishes a system by which the minor may be held accountable for the conduct that brings the minor within the jurisdiction of the youth court by being tried, represented, and adjudicated by the minor's peers;

(2) guarantees the constitutional rights of the minor that are guaranteed by the state and federal constitutions;

(3) may secure jurisdiction over a minor; the youth court may secure jurisdiction over the minor only with the consent of the minor and the agreement of the minor's legal custodian;

(4) sets out the process for disposing of matters referred to it for resolution;

(5) provides a process for appeal of a verdict or sentence, and defines the basis for appeals;

(6) reserves the right to refer to the department, under AS 47.12.060(a), a matter transmitted to the youth court for disposition in which the minor fails, without good cause, to comply with all requirements ordered by the youth court as a part of sentence imposed on the minor; and

(7) prepares and delivers a report of the disposition of the matter referred to it for resolution to the commissioner.

(d) Subject to the privileges that witnesses have in the courts of this state, the commissioner may compel by subpoena, at a specified time and place, the

(1) appearance and sworn testimony of a person who the commissioner reasonably believes may be able to give information relating to a matter before a youth court; and

(2) production by a person of a record or object that the commissioner reasonably believes may relate to a matter before a youth court.

(e) If a person refuses to comply with a subpoena issued under (d) of this section, the superior court may, upon application of the commissioner, compel obedience by proceedings for contempt in the same manner as in the case of disobedience to the requirements of a subpoena issued by the court or refusal to testify in the court.

(f) The commissioner shall make and keep records of all cases referred to a youth court. The records of a youth court proceeding

(1) relating to a minor who complies with all requirements ordered by the youth court as a part of sentence imposed on the minor shall be sealed by the commissioner and may not be used for any purpose; and

(2) except as to a record described in (1) of this subsection, shall be afforded at least the same protection and are subject to at least the same procedural safeguards in matters relating to access, use, and security as they would be under AS 47.12.310.

(g) An individual who is a member or an agent of the board of directors of a nonprofit corporation that has obtained recognition from the commissioner to serve as a youth court under this section is immune from suit in a civil action based upon the exercise or performance of or the failure to exercise or perform a discretionary function or a discretionary duty as a member of the board of directors or that has been properly delegated by the board of directors. An individual who tries, represents, or adjudicates a minor in a youth court is immune from suit in a civil action based upon the exercise or performance of or the failure to exercise or perform a discretionary function or a discretionary duty within the individual's quasi-judicial capacity with the youth court. A nonprofit corporation that has obtained recognition from the commissioner to serve as a youth court is immune from suit in a civil action based upon an act or failure to act for which an individual is granted immunity under this subsection.

History -

(Sec. 46 ch 59 SLA 1996; am Sec. 3 ch 108 SLA 1998; am Sec. 100 ch 21 SLA 2000)

Amendment Notes -

The 1998 amendment, effective September 15, 1998, added subsection (g).

The 2000 amendment, effective April 28, 2000, made a stylistic change in subsection (a).

Committee Assignments:

Member:

House Special Committee on Fisheries  
House Special Committee on Education  
House Transportation Committee  
House Judiciary Committee



Session:  
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Capitol Building  
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Kodiak, Alaska 99615  
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SPONSOR STATEMENT

House Bill 303

Revised 2/11/04

**"An Act relating to youth courts and to the recommended use of criminal fines to fund the activities of youth courts; and relating to accounting for criminal fines."**

Youth Courts in the State of Alaska was established by AS 47.12.400. Youth Courts allow minors to have their case heard, determined and disposed of in a court of their peers. The department may use Youth Courts for any minor whose alleged act constitutes a violation of a state law that is a misdemeanor or a violation of a municipal ordinance that prescribes a penalty not exceeding the penalties for a class A misdemeanor under state law.

Youth Courts are an efficient and effective approach for dealing with the problem of juvenile crime. Studies show that Youth Courts provide a meaningful response to offenders that effectively reduces the likelihood that they will commit additional crimes within their community. In Anchorage, the recidivism among Youth Court participants was only 6%, compared to 23% utilizing the traditional approach. Another advantage to this program is the fact that approximately 1,000 Alaskan students are involved in the adjudication process located in at least 14 communities statewide. Their participation fosters respect for the law through education and action. Not only is it estimated that cases processed through Youth Courts cost less than half of the amount of cases processed through district and superior courts, but it allows officers of the court to focus on the most serious offenses or repeat offenders.

The foremost concern facing Youth Courts in the State of Alaska is funding. These programs are dependent on the Juvenile Accountability Incentive Block Grant (JAIBG), a federal grant administered through the Division of Juvenile Justice. This grant funded community-based programs in FY 03 for a total of \$832,675. In FY 04, the final grant award was for \$229,000 in GF, which only funds Youth Court programs.

This bill would separately account for fines that have been imposed under the Sentencing and Probation statutes. The legislature may then appropriate a prescribed percentage of those fines that have been collected to the Youth Courts.

The permissive "may" and the inclusion of the final sentence of the bill has been found by the Alaska Supreme Court to not constitute unconstitutional dedicated funds because the legislature continues to be able to appropriate money as it sees fit.

**HB**

**305**

**HFIN**

**FILE**



# FISCAL NOTE

**STATE OF ALASKA  
2003 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: HB 305  
 (H) Publish Date: 5/10/03

Revision Date/Time (Note if correction): \_\_\_\_\_ Department: Labor and Workforce Development  
 Title: Unemployment Compensation Benefits BRU: Employment Security  
 Component: Unemployment Insurance  
 Sponsor: House L&C  
 Requester: House L&C Component Number: 2276

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

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

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
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>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<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 (FY2003) cost: None

Check this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

This legislation increases the maximum unemployment compensation weekly benefit amount (WBA) over a period of three years, from \$248.00 to \$308.00, and increases the qualifying wages in the existing statutory table. In calendar year 2004, the maximum WBA increases from \$248 to \$272. In calendar year 2005, the maximum WBA increases from \$272 to \$296. In calendar year 2006, the maximum WBA increases from \$296 to \$308.

Costs associated with implementing increases to the maximum WBA would be absorbed through routine resources. There is no fiscal impact to the department as a result of this legislation.

Prepared by: Thomas Nelson, Director Phone: 465-2712  
 Division: Employment Security Division Date/Time: 5/7/03 1:59 PM  
 Approved by: Greg O'Clary, Commissioner Date: 05/07/03  
 Agency: Department of Labor and Workforce Development

For distribution information, call the Governor's Legislative Office

**HOUSE BILL NO. 305**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Introduced: 5/7/03

Referred: Labor and Commerce, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the calculation and payment of unemployment compensation  
 2 benefits; and providing for an effective date."

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

4 \* **Section 1.** AS 23.20.350(d) is amended to read:

5 (d) An individual who is eligible under (a) of this section is entitled to receive  
 6 the weekly benefit amount set out in column (B) of the table in this subsection that is  
 7 opposite the amount set out in column (A) of the individual's base period wages  
 8 determined under (c) of this section:

	(A)		(B)
	Base Period Wages		Weekly Benefit
	At least	But less than	Amount
11	0	1,000	\$ 0
12	1,000	1,250	44
13	1,250	1,500	46
14			

1	1,500	1,750	48
2	1,750	2,000	50
3	2,000	2,250	52
4	2,250	2,500	54
5	2,500	2,750	56
6	2,750	3,000	58
7	3,000	3,250	60
8	3,250	3,500	62
9	3,500	3,750	64
10	3,750	4,000	66
11	4,000	4,250	68
12	4,250	4,500	70
13	4,500	4,750	72
14	4,750	5,000	74
15	5,000	5,250	76
16	5,250	5,500	78
17	5,500	5,750	80
18	5,750	6,000	82
19	6,000	6,250	84
20	6,250	6,500	86
21	6,500	6,750	88
22	6,750	7,000	90
23	7,000	7,250	92
24	7,250	7,500	94
25	7,500	7,750	96
26	7,750	8,000	98
27	8,000	8,250	100
28	8,250	8,500	102
29	8,500	8,750	104
30	8,750	9,000	106
31	9,000	9,250	108

1	9,250	9,500	110
2	9,500	9,750	112
3	9,750	10,000	114
4	10,000	10,250 --	116
5	10,250	10,500	118
6	10,500	10,750	120
7	10,750	11,000	122
8	11,000	11,250	124
9	11,250	11,500	126
10	11,500	11,750	128
11	11,750	12,000	130
12	12,000	12,250	132
13	12,250	12,500	134
14	12,500	12,750	136
15	12,750	13,000	138
16	13,000	13,250	140
17	13,250	13,500	142
18	13,500	13,750	144
19	13,750	14,000	146
20	14,000	14,250	148
21	14,250	14,500	150
22	14,500	14,750	152
23	14,750	15,000	154
24	15,000	15,250	156
25	15,250	15,500	158
26	15,500	15,750	160
27	15,750	16,000	162
28	16,000	16,250	164
29	16,250	16,500	166
30	16,500	16,750	168
31	16,750	17,000	170

1	17,000	17,250	172
2	17,250	17,500	174
3	17,500	17,750	176
4	17,750	18,000	178
5	18,000	18,250	180
6	18,250	18,500	182
7	18,500	18,750	184
8	18,750	19,000	186
9	19,000	19,250	188
10	19,250	19,500	190
11	19,500	19,750	192
12	19,750	20,000	194
13	20,000	20,250	196
14	20,250	20,500	198
15	20,500	20,750	200
16	20,750	21,000	202
17	21,000	21,250	204
18	21,250	21,500	206
19	21,500	21,750	208
20	21,750	22,000	210
21	22,000	22,250	212
22	22,250	22,500	214
23	22,500	22,750	216
24	22,750	23,000	218
25	23,000	23,250	220
26	23,250	23,500	222
27	23,500	23,750	224
28	23,750	24,000	226
29	24,000	24,250	228
30	24,250	24,500	230
31	24,500	24,750	232

1	24,750	25,000	234
2	25,000	25,250	236
3	25,250	25,500	238
4	25,500	25,750 --	240
5	25,750	26,000	242
6	26,000	26,250	244
7	26,250	26,500	246
8	26,500	26,750	248
9	26,750	<u>27,000</u>	<u>250</u>
10	<u>27,000</u>	<u>27,250</u>	<u>252</u>
11	<u>27,250</u>	<u>27,500</u>	<u>254</u>
12	<u>27,500</u>	<u>27,750</u>	<u>256</u>
13	<u>27,750</u>	<u>28,000</u>	<u>258</u>
14	<u>28,000</u>	<u>28,250</u>	<u>260</u>
15	<u>28,250</u>	<u>28,500</u>	<u>262</u>
16	<u>28,500</u>	<u>28,750</u>	<u>264</u>
17	<u>28,750</u>	<u>29,000</u>	<u>266</u>
18	<u>29,000</u>	<u>29,250</u>	<u>268</u>
19	<u>29,250</u>	<u>29,500</u>	<u>270</u>
20	<u>29,500</u>	<u>29,750</u>	<u>272</u>
21	<u>29,750</u>		<u>272</u> [248].

22 \* Sec. 2. AS 23.20.350(d) is amended to read:

23 (d) An individual who is eligible under (a) of this section is entitled to receive  
 24 the weekly benefit amount set out in column (B) of the table in this subsection that is  
 25 opposite the amount set out in column (A) of the individual's base period wages  
 26 determined under (c) of this section:

	(A)		(B)
	Base Period Wages		Weekly Benefit
	At least	But less than	Amount
29	0	1,000	\$ 0
30	1,000	1,250	44

1	1,250	1,500	46
2	1,500	1,750	48
3	1,750	2,000	50
4	2,000	2,250	52
5	2,250	2,500	54
6	2,500	2,750	56
7	2,750	3,000	58
8	3,000	3,250	60
9	3,250	3,500	62
10	3,500	3,750	64
11	3,750	4,000	66
12	4,000	4,250	68
13	4,250	4,500	70
14	4,500	4,750	72
15	4,750	5,000	74
16	5,000	5,250	76
17	5,250	5,500	78
18	5,500	5,750	80
19	5,750	6,000	82
20	6,000	6,250	84
21	6,250	6,500	86
22	6,500	6,750	88
23	6,750	7,000	90
24	7,000	7,250	92
25	7,250	7,500	94
26	<del>7,500</del>	7,750	96
27	7,750	8,000	98
28	8,000	8,250	100
29	8,250	8,500	102
30	8,500	8,750	104
31	8,750	9,000	106

1	9,000	9,250	108
2	9,250	9,500	110
3	9,500	9,750	112
4	9,750	10,000	114
5	10,000	10,250	116
6	10,250	10,500	118
7	10,500	10,750	120
8	10,750	11,000	122
9	11,000	11,250	124
10	11,250	11,500	126
11	11,500	11,750	128
12	11,750	12,000	130
13	12,000	12,250	132
14	12,250	12,500	134
15	12,500	12,750	136
16	12,750	13,000	138
17	13,000	13,250	140
18	13,250	13,500	142
19	13,500	13,750	144
20	13,750	14,000	146
21	14,000	14,250	148
22	14,250	14,500	150
23	14,500	14,750	152
24	14,750	15,000	154
25	15,000	15,250	156
26	15,250	15,500	158
27	15,500	15,750	160
28	15,750	16,000	162
29	16,000	16,250	164
30	16,250	16,500	166
31	16,500	16,750	168

1	16,750	17,000	170
2	17,000	17,250	172
3	17,250	17,500	174
4	17,500	17,750	176
5	17,750	18,000	178
6	18,000	18,250	180
7	18,250	18,500	182
8	18,500	18,750	184
9	18,750	19,000	186
10	19,000	19,250	188
11	19,250	19,500	190
12	19,500	19,750	192
13	19,750	20,000	194
14	20,000	20,250	196
15	20,250	20,500	198
16	20,500	20,750	200
17	20,750	21,000	202
18	21,000	21,250	204
19	21,250	21,500	206
20	21,500	21,750	208
21	21,750	22,000	210
22	22,000	22,250	212
23	22,250	22,500	214
24	22,500	22,750	216
25	22,750	23,000	218
26	23,000	23,250	220
27	23,250	23,500	222
28	23,500	23,750	224
29	23,750	24,000	226
30	24,000	24,250	228
31	24,250	24,500	230

1	24,500	24,750	232
2	24,750	25,000	234
3	25,000	25,250	236
4	25,250	25,500	238
5	25,500	25,750	240
6	25,750	26,000	242
7	26,000	26,250	244
8	26,250	26,500	246
9	26,500	26,750	248
10	26,750	27,000	250
11	27,000	27,250	252
12	27,250	27,500	254
13	27,500	27,750	256
14	27,750	28,000	258
15	28,000	28,250	260
16	28,250	28,500	262
17	28,500	28,750	264
18	28,750	29,000	266
19	29,000	29,250	268
20	29,250	29,500	270
21	29,500	29,750	272
22	29,750	<u>30,000</u>	<u>274</u>
23	<u>30,000</u>	<u>30,250</u>	<u>276</u>
24	<u>30,250</u>	<u>30,500</u>	<u>278</u>
25	<u>30,500</u>	<u>30,750</u>	<u>280</u>
26	<u>30,750</u>	<u>31,000</u>	<u>282</u>
27	<u>31,000</u>	<u>31,250</u>	<u>284</u>
28	<u>31,250</u>	<u>31,500</u>	<u>286</u>
29	<u>31,500</u>	<u>31,750</u>	<u>288</u>
30	<u>31,750</u>	<u>32,000</u>	<u>290</u>
31	<u>32,000</u>	<u>32,250</u>	<u>292</u>

1	<u>32,250</u>	<u>32,500</u>	<u>294</u>
2	<u>32,500</u>	<u>32,750</u>	<u>296</u>
3	<u>32,750</u>		<u>296</u> [272].

4 \* Sec. 3. AS 23.20.350(d) is amended to read: ---

5 (d) An individual who is eligible under (a) of this section is entitled to receive  
6 the weekly benefit amount set out in column (B) of the table in this subsection that is  
7 opposite the amount set out in column (A) of the individual's base period wages  
8 determined under (c) of this section:

9	(A)		(B)
10	Base Period Wages		Weekly Benefit
11	At least	But less than	Amount
12	0	1,000	\$ 0
13	1,000	1,250	44
14	1,250	1,500	46
15	1,500	1,750	48
16	1,750	2,000	50
17	2,000	2,250	52
18	2,250	2,500	54
19	2,500	2,750	56
20	2,750	3,000	58
21	3,000	3,250	60
22	3,250	3,500	62
23	3,500	3,750	64
24	3,750	4,000	66
25	4,000	4,250	68
26	4,250	4,500	70
27	4,500	4,750	72
28	4,750	5,000	74
29	5,000	5,250	76
30	5,250	5,500	78
31	5,500	5,750	80

1	5,750	6,000	82
2	6,000	6,250	84
3	6,250	6,500	86
4	6,500	6,750 ---	88
5	6,750	7,000	90
6	7,000	7,250	92
7	7,250	7,500	94
8	7,500	7,750	96
9	7,750	8,000	98
10	8,000	8,250	100
11	8,250	8,500	102
12	8,500	8,750	104
13	8,750	9,000	106
14	9,000	9,250	108
15	9,250	9,500	110
16	9,500	9,750	112
17	9,750	10,000	114
18	10,000	10,250	116
19	10,250	10,500	118
20	10,500	10,750	120
21	10,750	11,000	122
22	11,000	11,250	124
23	11,250	11,500	126
24	11,500	11,750	128
25	11,750	12,000	130
26	12,000	12,250	132
27	12,250	12,500	134
28	12,500	12,750	136
29	12,750	13,000	138
30	13,000	13,250	140
31	13,250	13,500	142

1	13,500	13,750	144
2	13,750	14,000	146
3	14,000	14,250	148
4	14,250	14,500 ---	150
5	14,500	14,750	152
6	14,750	15,000	154
7	15,000	15,250	156
8	15,250	15,500	158
9	15,500	15,750	160
10	15,750	16,000	162
11	16,000	16,250	164
12	16,250	16,500	166
13	16,500	16,750	168
14	16,750	17,000	170
15	17,000	17,250	172
16	17,250	17,500	174
17	17,500	17,750	176
18	17,750	18,000	178
19	18,000	18,250	180
20	18,250	18,500	182
21	18,500	18,750	184
22	18,750	19,000	186
23	19,000	19,250	188
24	19,250	19,500	190
25	19,500	19,750	192
26	19,750	20,000	194
27	20,000	20,250	196
28	20,250	20,500	198
29	20,500	20,750	200
30	20,750	21,000	202
31	21,000	21,250	204

1	21,250	21,500	206
2	21,500	21,750	208
3	21,750	22,000	210
4	22,000	22,250 --	212
5	22,250	22,500	214
6	22,500	22,750	216
7	22,750	23,000	218
8	23,000	23,250	220
9	23,250	23,500	222
10	23,500	23,750	224
11	23,750	24,000	226
12	24,000	24,250	228
13	24,250	24,500	230
14	24,500	24,750	232
15	24,750	25,000	234
16	25,000	25,250	236
17	25,250	25,500	238
18	25,500	25,750	240
19	25,750	26,000	242
20	26,000	26,250	244
21	26,250	26,500	246
22	26,500	26,750	248
23	26,750	27,000	250
24	27,000	27,250	252
25	27,250	27,500	254
26	27,500	27,750	256
27	27,750	28,000	258
28	28,000	28,250	260
29	28,250	28,500	262
30	28,500	28,750	264
31	28,750	29,000	266

1	29,000	29,250	268
2	29,250	29,500	270
3	29,500	29,750	272
4	29,750	30,000	274
5	30,000	30,250	276
6	30,250	30,500	278
7	30,500	30,750	280
8	30,750	31,000	282
9	31,000	31,250	284
10	31,250	31,500	286
11	31,500	31,750	288
12	31,750	32,000	290
13	32,000	32,250	292
14	32,250	32,500	294
15	32,500	32,750	296
16	32,750	<u>33,000</u>	<u>298</u>
17	<u>33,000</u>	<u>33,250</u>	<u>300</u>
18	<u>33,250</u>	<u>33,500</u>	<u>302</u>
19	<u>33,500</u>	<u>33,750</u>	<u>304</u>
20	<u>33,750</u>	<u>34,000</u>	<u>306</u>
21	<u>34,000</u>		<u>308</u> [296].

22 \* Sec. 4. Section 1 of this Act takes effect January 1, 2004.

23 \* Sec. 5. Section 2 of this Act takes effect January 1, 2005.

24 \* Sec. 6. Section 3 of this Act takes effect January 1, 2006.

## Comparison of Weekly Benefit Amount (WBA) Proposals

	<b>2003 Proposal</b>	<b>HB 58 (FIN) (2002)</b>
<p><b>Brief Synopsis:</b> The major difference in the 2003 WBA proposal and the 2002 WBA bill is that section 3 of the 2003 proposal caps the maximum WBA at \$308 instead of \$320. In addition, sections 4, 5, and 6 of the 2003 proposal provide for extended effective dates.</p>		
<b>Purpose</b>	3-phase increase of the maximum unemployment insurance weekly benefit amount	3-phase increase of the maximum unemployment insurance weekly benefit amount
<b>Section 1</b>	Increase maximum weekly benefit amount to \$272; increase qualifying wage requirement from \$26,750 to \$29,750.	Increase maximum weekly benefit amount to \$272; increase qualifying wage requirement from \$26,750 to \$29,750.
<b>Section 2</b>	Increase maximum weekly benefit amount to \$296; increase the qualifying wage requirement from \$29,750 to \$32,750.	Increase maximum weekly benefit amount to \$296; increase the qualifying wage requirement from \$29,750 to \$32,750.
<b>Section 3</b>	Increase maximum weekly benefit amount to \$308; increase the qualifying wage requirement from \$32,750 to \$34,250.	Increase maximum weekly benefit amount to \$320; increase the qualifying wage requirement from \$32,750 to \$35,750.
<b>Section 4</b>	Section 1 effective 01/01/04.	Section 1 effective 07/01/02.
<b>Section 5</b>	Section 2 effective 01/01/05.	Section 2 effective 01/01/03.
<b>Section 6</b>	Section 3 effective 01/01/06.	Section 3 effective 01/01/04.

## 2003 Weekly Benefit Amount (WBA) proposal

### History

- ◆ Alaska's maximum weekly benefit amount has increased only 4 times in the last 20 years. In 1997 the maximum weekly benefit amount increased by \$36.00.
- ◆ The maximum weekly unemployment insurance benefit paid to the Alaskan worker is 23% less than the 2001 poverty-level guidelines.
  - ✓ In 1997 the Alaska Poverty Guidelines for a family of three was \$351.73.
  - ✓ Alaska median family size is three.
- ◆ Alaska ranks 47<sup>th</sup> nationally in terms of the maximum weekly benefit amount available to claimants. With this proposal implemented, effective January 1, 2006, Alaska would rank approximately 28<sup>th</sup>.

### The Proposal

- ◆ The 2003 WBA proposal seeks to raise the maximum weekly benefit amount in three phases. The proposal offers a three-phase increase to minimize the impact to employers, employees, and the UI Trust Fund.

Phase	Benefit Amount	WBA Increase	Effective Date
Year 1	\$248 to \$272	\$24	January 1, 2004
Year 2	\$272 to \$296	\$24	January 1, 2005
Year 3	\$296 to \$308	\$12	January 1, 2006

- ◆ The advantages of the 2003 WBA proposal are:
  - ✓ Unemployment benefits are distributed back into the local economy, maintaining economic stability for communities, businesses and workers.
  - ✓ Enables Alaskan workers to weather periods of economic downturn.
  - ✓ Alleviates skill shortages by keeping trained workers in Alaska.

### The Impact

- ◆ The cost for each increment of the 3-phase increase is estimated to be approximately \$4.0, \$3.2 and \$1.4 million respectively for a total cost of \$8.6 million. This represents an 8.2% increase in benefit costs.
- ◆ The full impact of the increase in benefit costs will not be reflected in employer tax rates until 2010.
- ◆ When the cumulative impact (8.2%) of the increased benefit costs is included in the tax rate calculation (by 2010), the average employer tax rate will increase from 2.08% to 2.25%; the average employee tax rate will increase from 0.52% to 0.56%.

# Unemployment Insurance - Estimated Impact on Employer Contributions 2004-2010

## HB 305

### Estimated Maximum Contribution Per Employee and Increase Over Prior Year(s)

YEAR	RATE CLASS*	CY: 2004		2005		2006		2007		2008		2009		2010		Cumulative Increase
		Est. Max Contrib Per Empl.	Est. Max Contrib Per Empl.	Est. Max Contrib Per Empl.	Est. Max Contrib Per Empl.	Est. Max Contrib Per Empl.	Est. Max Contrib Per Empl.	Est. Max Contrib Per Empl.	Est. Max Contrib Per Empl.	Est. Max Contrib Per Empl.	Est. Max Contrib Per Empl.	Est. Max Contrib Per Empl.	Est. Max Contrib Per Empl.	Est. Max Contrib Per Empl.	Est. Max Contrib Per Empl.	
	1	\$ 267	\$ 267	\$0	\$ 267	\$0	\$ 267	\$0	\$ 267	\$0	\$ 267	\$0	\$ 267	\$0	\$ 267	\$0
	2	267	267	0	267	0	267	0	267	0	270	3	270	3	270	3
	3	278	278	0	283	5	291	8	296	5	299	3	299	3	299	21
	4	304	307	3	312	5	320	8	326	5	328	3	331	3	331	27
	5	334	334	0	342	8	350	8	355	5	360	5	360	5	360	27
	6	360	363	3	368	5	379	11	387	8	390	3	390	3	390	29
	7	387	390	3	398	8	409	11	417	8	419	3	419	3	419	32
	8	443	446	3	454	8	465	11	475	11	481	5	481	5	481	37
	9	499	502	3	510	8	523	13	534	11	539	5	539	5	539	40
	10 Average	555	558	3	569	11	582	13	593	11	598	5	601	5	601	45
	11 Average	555	558	3	569	11	582	13	593	11	598	5	601	5	601	45
	12	609	614	5	625	11	641	16	654	13	659	5	659	5	659	51
	13	665	670	5	681	11	700	19	713	13	718	5	721	5	721	56
	14	721	726	5	737	11	756	19	772	16	780	8	780	8	780	59
	15	748	753	5	766	13	785	19	801	16	809	8	812	8	812	64
	16	777	780	3	796	16	814	19	830	16	838	8	841	8	841	64
	17	804	809	5	822	13	844	21	862	19	868	5	870	5	870	67
	18	830	836	5	852	16	873	21	892	19	900	8	900	8	900	69
	19	860	865	5	881	16	902	21	921	19	929	8	932	8	932	72
	20	886	892	5	908	16	932	24	951	19	959	8	961	8	961	75
	21	1,442	1,442	0	1,442	0	1,442	0	1,442	0	1,442	0	1,442	0	1,442	0

\*RATE CLASS: Each employer is assigned one of the 21 rate classes depending on circumstances peculiar to each employer.  
 Rate Class 21 is a PENALTY rate class for delinquencies. An employer may change Rate Class from year to year.

Example: An employer in Rate Class 10 in 2006 could pay UI contributions of up to \$569 per full time employee, \$11 more than in 2005, and \$14 more than 2004. All estimates based on \$26,700 (wage base for 2003) per year - wages over the taxable wage base are not taxable.

# Unemployment Insurance - Estimated Impact on Employer Contributions 2004-2010

## HB 305

### Employer Tax Rates

RATE CLASS*	Estimated CY 2004	Estimated CY 2005	Estimated CY 2006	Estimated CY 2007	Estimated CY 2008	Estimated CY 2009	Estimated CY 2010
1	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%
2	1.00	1.00	1.00	1.00	1.00	1.01	1.01
3	1.04	1.04	1.06	1.09	1.11	1.12	1.12
4	1.14	1.15	1.17	1.20	1.22	1.23	1.24
5	1.25	1.25	1.28	1.31	1.33	1.35	1.35
6	1.35	1.36	1.38	1.42	1.45	1.46	1.46
7	1.45	1.46	1.49	1.53	1.56	1.57	1.57
8	1.66	1.67	1.70	1.74	1.78	1.80	1.80
9	1.87	1.88	1.91	1.96	2.00	2.02	2.02
10 Average	2.08	2.09	2.13	2.18	2.22	2.24	2.25
11 Average	2.08	2.09	2.13	2.18	2.22	2.24	2.25
12	2.28	2.30	2.34	2.40	2.45	2.47	2.47
13	2.49	2.51	2.55	2.62	2.67	2.69	2.70
14	2.70	2.72	2.76	2.83	2.89	2.92	2.92
15	2.80	2.82	2.87	2.94	3.00	3.03	3.04
16	2.91	2.92	2.98	3.05	3.11	3.14	3.15
17	3.01	3.03	3.08	3.16	3.23	3.25	3.26
18	3.11	3.13	3.19	3.27	3.34	3.37	3.37
19	3.22	3.24	3.30	3.38	3.45	3.48	3.49
20	3.32	3.34	3.40	3.49	3.56	3.59	3.60
21	5.40	5.40	5.40	5.40	5.40	5.40	5.40

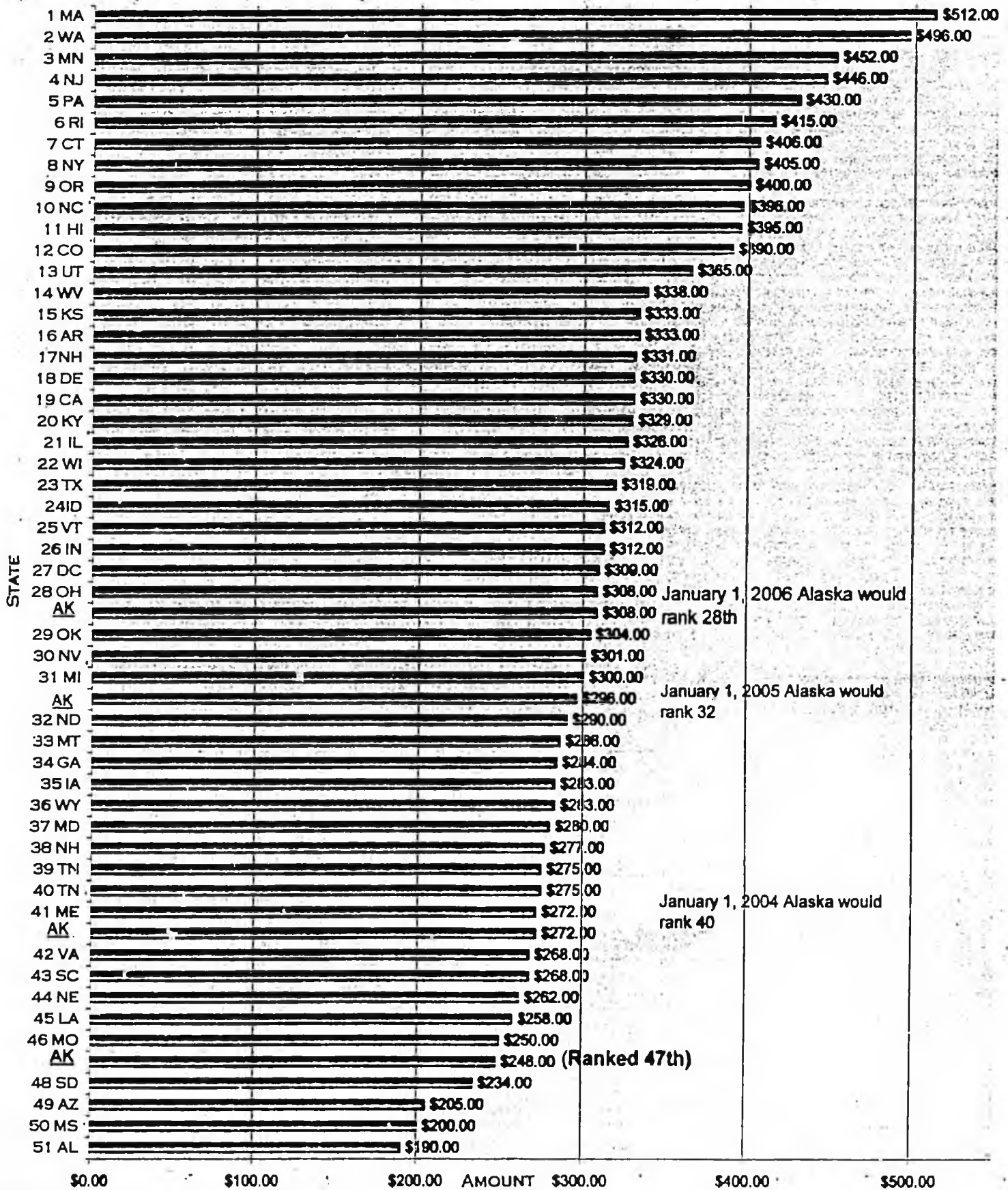
### Employee Tax Rates

0.52      0.52      0.53      0.54      0.56      0.56      0.56

\*RATE CLASS: Each employer is assigned one of the 21 rate classes depending on circumstances peculiar to each employer. Rate Class 21 is a PENALTY rate class for delinquencies. An employer may change rate class from year to year.

THE  
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# MAXIMUM WEEKLY BENEFIT AMOUNT BY STATE



Note: Data includes 50 states and District of Columbia

Source: US Department of Labor, Significant Provisions of UI Law January 2002

Prepared by: Alaska Department of Labor and Workforce Development, Employment Security Division

April 26, 2003

## Amount of UI Benefit Payments by Census Area, CY 2002

Census Areas	Total \$
Aleutians East Borough	325,721
Aleutians West	849,586
Anchorage Municipality	40,042,117
Bethel	3,508,736
Bristol Bay Borough	340,973
Denali Borough	705,109
Dillingham	924,134
Fairbanks N Star Borough	13,719,440
Haines Borough	830,247
Juneau Borough	4,366,051
Kenai Peninsula Borough	13,417,366
Ketchikan Gateway Borough	3,738,791
Kodiak Island Borough	3,786,638
Lake & Peninsula Borough	354,609
Matanuska-Susitna Borough	14,850,934
Nome	1,889,690
North Slope Borough	1,821,966
Northwest Arctic Borough	2,271,728
Prince of Wales	2,161,323
Sitka Borough	1,194,071
Skagway-Hoonah-Angoon	1,211,850
Southeast Fairbanks	1,829,668
Valdez - Cordova	2,991,080
Wade Hampton	2,394,407
Wrangell - Petersburg	1,779,164
Yakutat Borough	246,018
Yukon - Koyukuk	1,955,611
Area Unknown	3,230,295
In-State Totals	<b>\$126,737,323</b>
Out-of-State Totals	<b>\$28,474,117</b>
Totals All Areas	<b>\$155,211,440</b>

### Ten-Year Historical Data Series for Census Area Totals (\$)

Calendar Year	\$ Total
1992	175,832,126
1993	180,188,366
1994	150,010,059
1995	126,843,010
1996	125,553,553
1997	118,474,227
1998	118,996,689
1999	129,234,098
2000	114,331,726
2001	117,515,002
2002	155,211,440
Total 1992-2002	<b>\$1,512,190,296</b>

for Calendar Year 2001

<u>Rank</u>	<u>State</u>	<u>Max WBA</u>
1*	MA	\$768.00
2*	RI	\$528.00
3*	NJ	\$513.00
4	WA	\$496.00
5*	CT	\$481.00
6	MN	\$452.00
7*	PA	\$438.00
8*	IL	\$431.00
9*	OH	\$414.00
10*	ME	\$408.00
11	NY	\$405.00
12	OR	\$400.00
13	NC	\$396.00
14	HI	\$395.00
15	CO	\$390.00
16	UT	\$365.00
17*	IA	\$358.00
18	WV	\$338.00
19	AR	\$333.00
20	KS	\$333.00
21	NH	\$331.00
22	CA	\$330.00
23	DE	\$330.00
24*	MI	\$330.00
25	KY	\$329.00
26	WI	\$324.00
<b>27*</b>	<b>AK</b>	<b>\$320.00</b>
28	TX	\$319.00
29	ID	\$315.00
30	IN	\$312.00
31	VT	\$312.00
32*	MD	\$310.00
33	DC	\$309.00
34	OK	\$304.00
35	NV	\$301.00
36	ND	\$290.00
37	MT	\$286.00
38	GA	\$284.00
39	WY	\$283.00
40	NM	\$277.00
41	FL	\$275.00
42	TN	\$275.00
43	SC	\$268.00
44	VA	\$268.00
45	NE	\$262.00
46	LA	\$258.00
47	MO	\$250.00
48	SD	\$234.00
49	AZ	\$205.00
50	MS	\$200.00
51	AL	\$190.00

Notes: In CY 2001, 3.28% or 1,773 of UI claimants received the maximum weekly benefit amount of \$320.

In CY 2001 there were 53,999 UI claimants, 30,995 (57.4%) claimants did not receive dependent allowance. 6,156 (11.4%) claimants received the maximum number of dependent allowance.

In CY 2001, Alaska paid \$117,515,002 in UI benefits. Of the total benefits paid, \$12,523,440 or 10.65% was for dependent allowance.

Alaska's dependent allowance is \$24 per dependent, limit of 3 dependents.

\* Includes dependent allowance.

**Calendar Year 2001  
Average Weekly Benefit Amount by State**

<u>Rank</u>	<u>State</u>	<u>Average WBA</u>
1*+	MA	\$334.72
2+	WA	\$311.27
3*+	NJ	\$308.91
4+	MN	\$306.73
5+	HI	\$296.97
6+	CO	\$291.47
7*+	RI	\$289.12
8*+	PA	\$281.52
9*+	CT	\$277.09
10	NY	\$268.99
11*+	IL	\$268.68
12+	DC	\$261.56
13+	KS	\$260.89
14*	MI	\$260.73
15+	OR	\$255.97
16+	UT	\$252.84
17*+	IA	\$249.57
18+	NC	\$248.00
19*+	OH	\$247.65
20	IN	\$243.98
21	WI	\$241.71
22	TX	\$241.35
23	NH	\$240.59
24*	MD	\$235.27
25	VA	\$234.63
26+	KY	\$234.32
27+	VT	\$232.93
28+	NV	\$228.46
29	GA	\$228.42
30+	OK	\$227.88
31+	ID	\$223.46
32	FL	\$223.24
33	DE	\$220.17
34+	AR	\$220.10
35+	ND	\$218.17
36*+	ME	\$215.83
37+	WY	\$215.31
38+	SC	\$205.88
39+	NE	\$204.80
40+	WV	\$202.14
41	MO	\$200.49
42	TN	\$197.81
43+	MT	\$194.19
44+	LA	\$193.94
45+	NM	\$193.23
46*	<b>AK</b>	<b>\$193.01</b>
47+	SD	\$189.91
48	AZ	\$172.74
49	CA	\$172.01
50	AL	\$164.17
51	MS	\$162.99

Alaska's average weekly benefit amount calculations consider the following:

In CY 2001 there were 53,999 UI claimants, 30,995 (57.4%) claimants did not receive dependent allowance. 6,156 (11.4%) claimants received the maximum number of dependent allowance.

In CY 2001, Alaska paid \$117,515,002 in UI benefits. Of the total benefits paid, \$12,523,440 or 10.65% was for dependent allowance.

Alaska's dependent allowance is \$24 per dependent, limit of 3 dependents.

\* Includes dependent allowance.

+States that index their maximum weekly benefit amount as a percentage (50%-70%) of the statewide average weekly wage.

# Alaska State Legislature

## House of Representatives



Official Business

State Capitol  
Juneau, AK 99801-1182

### SECTIONAL ANALYSIS FOR HB 305 BY: Representative Tom Anderson

**Section 1:** AS 23.20.350(d) - Amends the benefit schedule, effective 01/01/04, by increasing qualifying wage requirements from \$26,750 to \$29,750. The benefit schedule is extended in \$250 increments to reach the new qualifying amounts. Amends the maximum benefit amount from \$248 to \$272. The benefit schedule is extended in \$2 increments to reach the new maximum benefit amount.

**Section 2:** AS 23.20.350(d) - Amends the benefit schedule, effective 01/01/05, by increasing qualifying wage requirements from \$29,750 to \$32,750. The benefit schedule is extended in \$250 increments to reach the new qualifying amounts. Amends the maximum benefit amount from \$272 to \$296. The benefit schedule is extended in \$2 increments to reach the new maximum benefit amount.

**Section 3:** AS 23.20.350(d) - Amends the benefit schedule effective 01/01/06, by increasing qualifying wage requirements from \$32,750 to \$34,250. The benefit schedule is extended in \$250 increments to reach the new qualifying amounts. Amends the maximum benefit amount from \$296 to \$308. The benefit schedule is extended in \$2 increments to reach the new maximum benefit amount.

**Section 4:** Section 1 takes effect 01/01/2004.

**Section 5:** Section 2 takes effect 01/01/2005.

**Section 6:** Section 3 takes effect 01/01/2006.

Constituent Group(s) affected by bill: Financial Impact

The estimated increase in employer tax is calculated by adding approximately 0.02 to the average employer tax rate for each \$1 million of net increase in benefit cost.

The estimated cost increase in UI benefits paid resulting from increasing the maximum WBA from \$248 to \$272 is \$4.0 million. The estimated cost increase in UI benefits paid resulting from increasing the maximum WBA from \$272 to \$296 is \$3.2 million. The estimated cost in UI benefits paid resulting from increasing the maximum WBA from \$296 to \$308 is \$1.4 million.

There would not be an impact to employer taxes during 2004. The estimated average employer tax rate would increase from 2.08 to 2.09 in 2005, from 2.09 to 2.13 in 2006, from 2.13 to 2.18 in 2007, from 2.18 to 2.22 in 2008, from 2.22 to 2.24 in 2009 and from 2.24 to 2.25 in 2010.

There would not be an impact to the employee portion of the tax during 2004 and 2005. The estimated employee portion of the tax would increase from 0.52% to 0.53% of the first \$25,500 taxable wages in 2006, from 0.53% to 0.54% in 2007, from 0.54% to 0.56% in 2008. The estimated employee portion of the tax would remain at 0.57% in 2009 and 2010.

# Alaska State Legislature

## House of Representatives



Official Business

State Capitol  
Juneau, AK 99801-1182

### SPONSOR STATEMENT FOR HB 305

**BY: Representative Tom Anderson**  
**House Labor & Commerce Committee Chair**

**TITLE:** "An Act relating to the calculation and payment of unemployment compensation benefits; and providing for an effective date."

House Bill 305 provides an 8.2% increase the maximum weekly unemployment benefit amount. This increase, phased in over a three-year period, minimizes the impact to employers, employees, and the UI Trust Fund. Alaska currently ranks 47<sup>th</sup> in the nation with a maximum weekly benefit of \$248. Alaska will rank and estimated 28<sup>th</sup> in the nation when the maximum weekly benefit is fully increased to \$308 in 2006. The fully increased maximum benefit amount would be available to claimants earning \$34,250 or more per year.

The full impact of the increase in benefit costs will not be reflected in employer tax rates until 2010. When the cumulative impact of the increased benefit costs is included in the tax rate calculation by 2010, the average employer tax rate will increase by 0.17% and the average employee tax rate will only increase by 0.04%.

Alaska's unemployment benefits assist Alaskans who find themselves temporarily without work. The benefits are distributed back into the local economy, which in turn maintains economic stability for communities, business, and workers. HB 305 enables Alaskan workers to weather periods of economic downturn and alleviates skill shortages by keeping trained workers in Alaska.

I urge your support of HB 305.

## Sectional Analysis of CSHB 295(STA) (Regulation Notices and Distribution)

*(Prepared by the Department of Law, May 14, 2003)*

CSHB 295(STA) would make notices of proposed regulations more readable, and would reduce the newspaper publishing costs for those notices, by requiring less detail in newspaper notices; by guiding the public to more detailed information, especially through the Internet; by making notice distribution requirements, such as publication in newspapers and on the Internet and by mail or electronic mail, more consistent across agencies; and by omitting newspaper notice for a few specialized subject areas, where interested businesses, firms, and other persons rely on the Internet or other means other than newspapers for notice.

### **I. Changes to requirements in the Administrative Procedure Act (AS 44.62) for publishing notice (Sections 23 - 24):**

**Sec. 23: *Abbreviated newspaper notice:*** Section 23 amends the distribution requirements in AS 44.62.190(a) for a notice of proposed regulations, to allow an abbreviated notice in a newspaper of general circulation or in a trade or industry publication, and makes technical changes to improve readability.

**Sec. 24: *Content requirements:*** Section 24 amends the content requirements of AS 44.62.200, specifying requirements for the abbreviated notice that include:

- a statement of what is being changed;
  - a brief general description of the changes;
  - information on how to obtain more detailed information, through the Alaska Online Public Notice System or from a contact person at the state agency;
  - a statement of when hearings, if any, will take place.

### **II. Changes to make notice distribution consistent across agencies (Sections 3 - 6, 8 - 9, 14 - 15, 17 - 18, and 25):**

Under the Administrative Procedure Act (APA), newspaper notice of proposed regulations is required in only one newspaper. For some agencies not subject to the requirements of the APA, newspaper notice of proposed regulatory changes is required in three or more newspapers. The bill allows the publication of notice in only one newspaper, the same as the minimum APA requirement.

The bill also allows agencies not subject to the APA to furnish notice by a means other than mailing, such as electronic mailing. As in the APA, the agency would, in most cases, still have to mail a paper copy of the notice to a person who requests one. This

amendment brings these agencies in conformance with other agencies whose statutes were similarly revised in 2000.

**Secs. 3 - 4:** Alaska Teachers' Retirement Board

**Sec. 5:** Alaska Aerospace Development Corporation

**Sec. 6:** Alaska Housing Finance Corporation

**Secs. 8 - 9:** Judicial Retirement System (Department of Administration)

**Secs. 14 - 15:** Public Employees' Retirement Board

**Secs. 17 - 18:** Alaska Railroad Corporation

**Sec. 25:** Alaska Industrial Development and Export Authority

**III. Notice of proposed regulations for certain specialized subject areas (Sections 1 - 2, 7, 10 - 13, 16, 19 - 20, and 26):**

The bill allows some agencies that are subject to the APA to omit newspaper publication of a notice of proposed regulations, for regulations in certain highly specialized subject areas listed in statute, where interested persons are most likely to rely on the Internet or other means to obtain such information.

**Sec. 1:** Department of Community and Economic Development, Division of Banking, Securities, and Corporations, with respect to all regulations implementing the Revised Trust Company Act (AS 06.26)

**Sec. 2:** Office of the Lieutenant Governor, with respect to electronic signatures (AS 09.25.510)

**Sec. 7:** Department of Community and Economic Development, Division of Insurance, with respect to regulations implementing the Insurance Code (AS 21)

**Sec. 10:** Alaska Oil and Gas Conservation Commission with respect to all regulations adopted by the Commission (AS 31.05)

**Sec. 11:** Department of Natural Resources, with respect to oil and gas leases, including: competitive bidding regulations; standards, criteria, and definitions of terms that apply to the filing of applications for, and the review and certification of, discovery oil and gas royalty certifications; bidding methods; the rental rate for a plugged or abandoned well; issuance of certain state shoreland leases covering land within the boundaries of existing federal or private leases; cooperative or unit plans among lessees; and the offering of land for lease that

was subject to a best interest finding within the previous ten years (AS 38.05.180)

**Secs. 12 - 13:** Department of Administration, with respect to the state personnel rules; while not specifically referencing the APA, this change would eliminate the requirement of publication of changes to personnel rules in one newspaper and add a requirement that notice of such changes be posted on the Alaska Online Public Notice System (AS 39.25.140)

An additional change allows furnishing of notice by a means other than mailing, and requires mailing of notice to a person who requests it

**Sec. 16:** Regulatory Commission of Alaska, with respect to the Pipeline Act and including such matters as issuance of certificates of public convenience and necessity, standards of service and facilities for oil and gas pipeline facilities, tariffs, records, reporting and enforcement (AS 42.06.140)

**Secs. 19 - 20:** Department of Revenue, with respect to corporate income taxes and oil and gas property taxes (AS 43.20; AS 43.56)

**Sec. 26:** Department of Community and Economic Development, Division of Banking, Securities, and Corporations, with respect to regulations implementing the Alaska Securities Act (AS 45.55)

**IV. Changes to requirements in the Administrative Procedure Act (AS 44.62) for distribution of the Alaska Administrative Code (AAC) to local government units (Sections 21 - 22):**

**Sec. 21: *Distribution of the Alaska Administrative Code (AAC) to local government units:*** Existing AS 44.62.140 requires the lieutenant governor to supply a paper copy of the Alaska Administrative Code (AAC) to the clerk of a local government unit, at no cost and regardless of whether the local clerk requests or wants the copy. Section 21 amends the statute to require that the local clerk first request a copy, and that the local government unit pay for it. The local clerk could request either a paper or an electronic copy.

**Sec. 22: *Disclosure of costs:*** Section 22 requires the lieutenant governor to tell a requesting local clerk the costs of complying with a request for the AAC.

**HB**

**305**

**SFIN**

**FILE**

HB 305

was referred to the  
Senate Finance  
Committee

No hearing was held  
on this bill

**HB**

**312**

**HFIN**

**FILE**

23-GH1134U  
Bannister  
5/15/03

*adopted 5/16/03*

*N/O*

*Rep. Williams*

**CS FOR HOUSE BILL NO. 312(FIN)**

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

**TWENTY-THIRD LEGISLATURE - FIRST SESSION**

**BY THE HOUSE FINANCE COMMITTEE**

**Offered:  
Referred:**

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

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to a lease-purchase agreement for, the construction and equipping of,**  
2 **and the financing of a seafood and food safety laboratory facility to be operated by the**  
3 **Department of Environmental Conservation, including the issuance of certificates of**  
4 **participation, and the use of certain investment income for certain construction and**  
5 **equipping costs; and providing for an effective date."**

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

7 **\* Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
8 to read:

9 **INTENT.** It is the intent of the legislature that the amount of money to be used for the  
10 construction and equipping of a new seafood and food safety laboratory facility is  
11 \$14,285,000. Of that amount, it is the intent of the legislature that

12 (1) \$14,145,000 shall come from the proceeds of the certificates of  
13 participation to be issued by the state bond committee under sec. 2 of this Act; and

1 (2) \$140,000 shall come from the investment income earned on the proceeds  
2 of the sale of the certificates of participation described in sec. 2 of this Act.

3 \* **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to  
4 read:

5 NOTICE AND APPROVAL OF ENTRY INTO AND FINANCING OF A LEASE-  
6 PURCHASE AGREEMENT. (a) Subject to annual appropriation, the Department of  
7 Administration is authorized to enter into a lease-purchase agreement for a seafood and food  
8 safety laboratory facility to be constructed under the lease-purchase agreement and to be  
9 operated by the Department of Environmental Conservation.

10 (b) The state bond committee is authorized to provide for the issuance of certificates  
11 of participation in one or more series in the aggregate principal amount of \$14,145,000 for the  
12 construction of a seafood and food safety laboratory facility under the lease-purchase  
13 agreement authorized in (a) of this section. The remaining balance of the construction and  
14 equipping costs shall be paid from investment income of \$140,000 earned on the proceeds of  
15 the sale of the certificates of participation. The estimated total cost of construction,  
16 acquisition, and other costs of the project is \$1,285,000. The estimated annual amount of  
17 rental obligations under the lease-purchase agreement is \$1,391,000. The estimated total  
18 lease payments for the full term of the lease-purchase agreement is \$20,862,400. In this  
19 subsection, "cost of construction" includes credit enhancement and underwriting expenses,  
20 rating agency fees, bond counsel fees, financial advisor fees, printing fees, advertising fees,  
21 capitalized interest, and interest earnings used for lease payments.

22 (c) The state bond committee may contract for credit enhancement, underwriting,  
23 credit ratings, bond counsel, financial advisor, printing, advertising, and trustee services that  
24 the committee considers necessary in financing the project described in this section.

25 \* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to  
26 read:

27 APPROVAL OF AGREEMENT. Section 2 of this Act constitutes the approval  
28 required by AS 36.30.085.

29 \* **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).

# FISCAL NOTE

**STATE OF ALASKA**  
**2003 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HB 312  
 () Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_  
 Title Seafood/Food Safety Lab Facility Construction  
 Sponsor Rules  
 Requester House State Affairs Committee

Dept. Affected: Environmental Conservation  
 BRU Environmental Health  
 Component Laboratory Services  
 Component No. 2065

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

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

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	98.6	197.2	197.2	197.2	197.2
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>98.6</b>	<b>197.2</b>	<b>197.2</b>	<b>197.2</b>	<b>197.2</b>

<b>CAPITAL EXPENDITURES</b>	<b>14,285.0</b>					
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

FUND SOURCE	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	98.6	197.2	197.2	197.2	197.2
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1163 Certificates of Participation	14,145.0	0.0	0.0	0.0	0.0	0.0
1173 Miscellaneous Earnings	140.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>14,285.0</b>	<b>98.6</b>	<b>197.2</b>	<b>197.2</b>	<b>197.2</b>	<b>197.2</b>

Estimate of any current year (FY2003) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**POSITIONS**

POSITIONS	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
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)

The bill would authorize financing and construction of a new Seafood and Food Safety Laboratory to be operated by the Department of Environmental Conservation (DEC).

The Department of Administration (DOA) pays the current lease costs for the lab. DEC reimburses DOA for a portion of these costs through an RSA. DEC will directly pay for all of the utilities and maintenance costs for the new building. These new costs are shown in the contractual line. Annual lease savings partially offset these new utility and maintenance costs as shown on the attached chart.

Prepared by: Kristin Ryan, Director  
 Division: Environmental Health  
 Approved by: Kurt Fredriksson, Deputy Commissioner  
 Agency: Department of Environmental Conservation

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