

**ALASKA LEGISLATURE COMMITTEE FILES 1997-1998 8672**

**9701 SENATE RULES**

**DESIGNATED PROGRAM RECEIPTS**  
**FY96 -FY98 Comparison**  
**CS for SB55 (FIN)**

Spreadsheet KEY: C= contracts; TF= Test Fisheries; APUC= AK. Public Utilities Commission; GGB= Gifts, Grants & Bequests							FY96	FY97	FY98	FY97-98
Dept	BRU/Component	Description	Type	Actuals	Auth	Request	Change			
Administration	Information Services	Various contractual services; including repairs to Kenai TV system	C	20.0	55.0	55.00	0.00			
Administration	Public Communications Ser.	Repair & maintenance agreements with user communities. Note: Governor's budget amendment reduces amount by <450.0>.	C	9.9	15.0	763.70	748.70			
Commerce	Alaska Tourism Marketing Council (ATMC)	Industry portion of contract for co-operative marketing.	C	1,428.8	1,428.8	1,490.50	67.70			
Education	AK Voc. Tech. Center	Training classes, under contract, for Cominco employees	C	41.3	237.7	239.20	1.60			
DEC	Spill Prevent. & Response	Industry funds to mitigate/cleanup pollution at APC & KPC facilities.	C	191.9	25.0	455.00	430.00			
DEC	Air & Water	Reimbursable services agreement for major industrial permit fees	C	240.6	645.1	465.30	-179.80			
Fish & Game	Com. Fish Management & Dev.	Lake fertilization studies funded by private hatcheries (Limnology)	C	0.0	99.7	0.00	-99.70			
Fish & Game	Com. Fish Management & Dev.	Special Projects: funded, under contract, by private entities	C	0.0	1,070.0	1,183.40	112.60			
Fish & Game	Habitat & Restoration	Projects/studies funded, under contract, with private firms (i.e. ARCO, BP, NSB)	C	273.5	264.7	267.30	2.60			
Fish & Game	Sport Fish	Fish raising project funded by Southern SE Aquaculture Association (Earl West Cove Project)	C	0.0	200.0	200.00	0.00			
Fish & Game	Subsistence	Special studies & Shismaref subsistence practices project	C	68.0	121.2	193.20	72.00			
Fish & Game	Wildlife Conservation	Contracts with non-state entities for wildlife management projects	C	299.0	300.3	304.60	4.30			
H&SS	Family & Youth Services	Anchorage Muni. funds, provided under contract, for "Making a difference" project	C	92.0	125.0	125.00	0.00			
Labor	Administrative Services	Contractual agreements with private & non-state agencies for specialized reports and on-site assistance	C	1.0	2.0	2.00	0.00			
Labor	Employment Security	Data/Record services provided under contract with private/municipal entities	C	33.5	53.9	54.30	0.40			
DNR	Resource Development	Receipts received under contract to implement Municipal land entitlements and various small contracts	C	22.6	15.0	15.00	0.00			
DNR	Resource Development	User pay agreements for work on Badami Project, TAPS monitoring, and TAGS gas project	C	2,022.7	989.4	1,630.80	641.40			
DOT	Central Region Design & Const.	Rights-of-Way services under lease or sale provisions, e.g. cable companies, Tourism oriented direction signs (TODS)	C	83.6	128.7	87.70	-41.00			
DOT	North. Region Design & Const.	Rights-of-Way services under lease or sale provisions	C	30.0	21.8	44.60	22.80			
DOT	SE Region Highway/Aviation	Road maintenance service contracts with various non-state entities, including: FAA, CBJ, USFS	C	71.7	75.0	76.00	1.00			
		<b>Contract - Totals</b>	<b>C</b>	<b>4,928.2</b>	<b>5,874.1</b>	<b>7,658.60</b>	<b>1,784.50</b>			



**ADDENDUM to fiscal note for CS for SB55 (FIN)**

An Act relating to the definition of certain state receipts

The numbers below reflect the impact of reclassifying certain receipts from General Fund to Non-General Fund fund sources

	<u>FY96 Act.</u>	<u>FY97 Auth.</u>	<u>FY98 Governor</u>	
<b>Current Law</b>	10,341.70	12,062.30	14,370.60	
GF-Desig. PR (C)				
<b>Total</b>	<b>\$10,341.70</b>	<b>\$12,062.30</b>	<b>\$14,370.60</b>	<b>General Funds (includes Test Fish. &amp; APUC)</b>
<b>Proposed Law</b>				
Desig. PR (C)	4,928.20	5,874.10	7,658.60	
Test Fish.	2,031.40	2,223.30	2,594.50	
APUC	3,382.10	3,964.90	4,117.50	
<b>Total</b>	<b>\$10,341.70</b>	<b>\$12,062.30</b>	<b>\$14,370.60</b>	<b>Non-General Funds</b>
<b>Net Change FY to FY</b>		<b>\$1,720.60</b>	<b>\$2,308.30</b>	

NOTE: (C) means Designated PR that are contractual in nature.  
Gifts, Grants & Bequests are not included because they are Non-GF funds under both current law and this bill.

**S B**

**5 6**

# FISCAL NOTE

No. 1

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

BILL NO. SB56  
(S) Publish Date: 1/29/97

Revision Date: \_\_\_\_\_ Dept. Affected: DOT&PF  
Title: Business Signs/Outdoor Advertizing BRU: Engineering and Operations  
Sponsor: Senator Green Component: Engineering and Operations  
Requester: Senate Transportation COMPONENT SERIAL NO. 547

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

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES	10.5	10.5	10.5	10.5	10.5	10.5
TRAVEL	1.0	1.0	1.0	1.0	1.0	1.0
CONTRACTUAL	10.0					
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>21.5</b>	<b>11.5</b>	<b>11.5</b>	<b>11.5</b>	<b>11.5</b>	<b>11.5</b>
<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	21.5	11.5	11.5	11.5	11.5	11.5
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>21.5</b>	<b>11.5</b>	<b>11.5</b>	<b>11.5</b>	<b>11.5</b>	<b>11.5</b>

Estimate of any current year (FY97) cost: \$ 0.0

**POSITIONS**

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

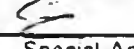
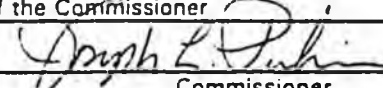
**ANALYSIS:** (Attach a separate page if necessary)

It is assumed that owners of the businesses will be responsible for sign purchase, installation, permits, easments, other rental agreements and maintenance of the signs should this bill become law. It is also assumed that all administrative and organizational costs will rest with the business erecting the sign.

Currently, no other state allows placement of official directional signs on private property due to the difficulties in controlling and enforcing sign placement on private property

One technical engineer will be required to spend approximately one month to review and administer the state aspects of the program. Estimated cost on \$10,500 plus \$1000 for travel

Writing regulations is estimated to cost \$10,000, \$5,000 to write regulations and \$5,000 for public hearings.

Prepared by: Sam Kito III  Phone: 465-3900  
Special Assistant  
Division: Office of the Commissioner Date: 1/28/97  
Approved by:  Date: 1/28/97  
Commissioner  
Agency: Department of Transportation and Public Facilities

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BILL: SB 56 SHORT TITLE: BUSINESS SIGNS/OUTDOOR ADVERTISING  
BILL VERSION:  
SPONSOR(S): SENATOR(S) GREEN,Pearce,Mackie

CURRENT STATUS: (S) CALENDAR 2/11 STATUS DATE: 02/10/97

HEARING:(S) RLS FEB 11 10:45 AM FAHRENKAMP RM 203

TITLE: "An Act relating to tourist oriented directional signs that are 90 inches in width and 18 inches in height, relating to penalties for violation  
s related to outdoor advertising, and annulling a regulation of the Department of Transportation and Public Facilities."

01/21/97	100	(S)	READ THE FIRST TIME - REFERRAL(S)
01/21/97	101	(S)	TRA, FIN
01/29/97	160	(S)	TRA RPT 4DP 1NR
01/29/97	160	(S)	DP:WARD,HALFORD,WILKEN,GREEN; NR:LINCOLN
01/29/97	160	(S)	FISCAL NOTE (DOT)
01/29/97	163	(S)	COSPONSOR(S): MACKIE
02/06/97	249	(S)	FIN RPT 6DP 1NR
02/06/97	249	(S)	DP: SHARP, PEARCE, PHILLIPS, PARNELL,
02/06/97	249	(S)	TORGERSON, DONLEY NR: ADAMS
02/06/97	249	(S)	PREVIOUS FN (DOT)
02/11/97		(S)	CALENDAR PENDING RLS MEETING

# ALASKA STATE LEGISLATURE

*Interim*  
600 East Railroad Avenue  
Wasilla, Alaska 99654  
(907) 376-3370  
(907) 376-3157 Fax



*Session*  
State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-6600  
Fax (907) 465-3805

**SENATOR LYDA GREEN**  
SENATE DISTRICT N

## Sponsor Statement

### Senate Bill 56

Senate Bill 56 amends Alaska Statute Title 19 to allow certain restricted exceptions to current outdoor advertising law in order to better serve the traveling public and provide increased opportunity for Alaskan businesses.

SB 56 establishes a category of outdoor advertising for business entities of significant interest to the traveling public and allows their placement in zoned/unzoned commercial or industrial areas along a state highway, subject to stringent restrictions.

SB 56 provides these directional signs be consistent with format and size standards established by the Department of Transportation and limits their placement as to proximity to the business thereby further mitigating any potential impact on the scenery visible from Alaska's highways.

Other provisions of SB 56 would codify in statute the existing DOT Tourist Oriented Directional Signs (TODS) program and clarify language providing municipal authority to enact by ordinance standards for directional signs adopted by the DOT or standards more restrictive than those provided by this measure.

Passage of SB 56 would provide long sought assistance to Alaska businesses dependent on trade with the traveling public as well as enhance the state's ability to be user-friendly for its tourists further promoting a responsive visitor industry. Identical legislation, SB 181 was passed by both bodies (vote was 33-3 in the House, 13-6 in the Senate, an override failed by just one vote) in the 19th Legislature. I respectfully request your support of SB 56.

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

130 Seward Street, Suite 409  
Juneau, Alaska 99801-2105

## MEMORANDUM

February 4, 1997

**SUBJECT:** Fees for tourist oriented directional signs (SB 56)

**TO:** Senator Lyda Green  
Attn: Janie Winegar

**FROM:** George Utermohler *GU*  
Legislative Counsel

You have asked whether the Department of Transportation and Public Facilities may charge the same fee for a tourist oriented directional (TOD) sign placed on state property as for a TOD sign placed on private property.

The answer to your question depends on the purpose for which the fee is charged. The Department of Transportation and Public Facilities may charge fees under three separate provisions of law:

ONE: under AS 19.05.040(11)<sup>1</sup> the department may charge fees for the use of state roads, highways, and rights-of-way;

TWO: under AS 44.42.020(b)(5)<sup>2</sup>, the department may charge reasonable fees for

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<sup>1</sup> AS 19.05.040 states:

**Powers of department.** The department [of Transportation and Public Facilities] may

...  
(11) establish, levy, and collect tolls, fees, charges, and rentals for the use of state roads, highways, bridges, tunnels, crossings, and causeways; and

<sup>2</sup> AS 44.42.020(b) states:

(b) The department [of Transportation and Public Facilities] may

...  
(5) charge reasonable fees to cover the costs of issuing easements, licenses, and permits and to cover the costs of reproduction, printing, mailing, and  
(continued...)

Senator Lyda Green  
February 4, 1997  
Page 2

the cost of issuing permits, easements, and licenses; and

THREE: under AS 44.42.020(b)(6)<sup>3</sup>, the department may charge and collect fees for technical assistance provided by department personnel.

Fees charged for the use of state highways and rights-of-way under AS 19.05.040(11) may only be charged for that purpose and may not be extended to apply to the use of private land adjacent to the right-of-way of a state highway. Similarly, a fee for an easement to use state right-of-way land under AS 44.42.020(b)(5) may only be charged for use of state land. The department does not have any authority to charge a fee for the use of private land. Under these provisions, the department cannot charge a fee related to a TOD sign that would be applicable to private property.

However, the department may charge a fee for the costs of issuing a permit for a TOD sign under AS 44.42.020(b)(5) that would be the same regardless of whether the sign was located on state land or private land. Likewise the department may charge a fee for the services provided by department employees who provide technical assistance in the design or location of a TOD sign under AS 44.42.020(b)(6) without regard for the location of the sign. The state incurs these costs regardless of whether the sign is located on state land or private land. In these two instances, the fee charged covers the expenses incurred by the department in considering, approving, or assisting in the location of the TOD sign and thus the fee could be the same for signs located on state land and for signs located on private land.

If I may be of further assistance, please advise.

GU:jdr  
97-079.jdr

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<sup>2</sup>(...continued)  
distribution of contract and bid documents and design and construction standards manuals:

<sup>3</sup> AS 44.42.020(b) states:

(b) The department [of Transportation and Public Facilities] may

(6) charge and collect fees for training services and technical assistance provided by department personnel.

# MEMORANDUM

## State of Alaska

Department of Transportation and Public Facilities  
Engineering and Operations

TO: Boyd Brownfield, P.E.  
Deputy Commissioner

DATE: February 4, 1997

THRU: Mike Downing, P.E. *GMD*  
Director Engineering & Operations

FILE NO:  
TELEPHONE NO: 465-2985  
FAX NUMBER: 465-2490  
TEXT TELEPHONE: 465-3652

FROM: Mark D. Kasberg *MK*  
Right of Way

SUBJECT: TODS Fees

Per the commissioner's office request, I have estimated the total funds received from the Tourist Oriented Directional Signing program to date.

Approximately 160 permits statewide x \$300 (\$100 application fee and \$200 permit fee) for total of \$48,000.

Please advise if I can be of further assistance.

# ALASKA STATE LEGISLATURE



*Interim*

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*Session*

State Capitol  
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**SENATOR LYDA GREEN**  
SENATE DISTRICT N

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**SB**

**60**

# FISCAL NOTE

No. 5

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

Bill Version: SB 60

(S) Publish Date: 3-24-97

Revision Date: \_\_\_\_\_  
 Title: "An Act providing for an advisory vote on the issue of capital punishment."  
 Sponsor: Sen. Taylor  
 Requestor: (S) Jud

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

COMPONENT SERIAL NO. 1631

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

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	*	*	*	*	*	*

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

1002 Federal Receipts	*	*	*	*	*	*
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
TOTAL	*	*	*	*	*	*

Estimate of any current year (FY 97) cost: \$ 0

**POSITIONS:**

FULL-TIME	*	*	*	*	*	*
PART-TIME						
TEMPORARY						

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

Should legislation subsequently be enacted, the following fiscal analysis applies.

See attached.

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

Phone: (907) 264-4414  
 Date: \_\_\_\_\_

Approved by Commissioner: Mark Boyer  
 Agency: Department of Administration

*Mark Boyer*  
 Date: 3/19/97

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## FISCAL NOTE

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

BILL NO. SB 60

### ANALYSIS: (continued)

#### Introduction

HB 131 would place an advisory vote before the voters at the next general election asking whether the legislature should enact a law providing for capital punishment for murder in the first degree. In the event that the voters respond in the affirmative, and the legislature enacts capital punishment legislation, there will be significant costs for the Public Defender Agency.

A subsequent legislative bill that would authorize capital punishment, would classify murder in the first degree as a capital felony, and establish sentencing procedures for capital felonies. In general, if the procedures are similar to those suggested in previous capital punishment bills, a death sentence would not be imposed unless at least one of several specified aggravating factors was found to exist and the aggravating factor, or factors, was not outweighed by mitigating factors. (See, for example, SB 52, introduced in the 19th Legislature.)

The capital caseload of the Public Defender Agency will be a direct function of the number of murder cases prosecuted in the state combined with prosecutorial decisions to seek the death penalty. As such the Public Defender Agency's fiscal analysis is premised on projections made by the Department of Law in its fiscal analysis of HB 131. The Department of Law indicated it prosecuted 17 murder cases in 1994 where the death penalty could have been sought in that the requisite statutory aggravators were present. Of those 17, ten would likely result in death penalty trials. The Department of Law concluded that they would gain nine convictions from which the death penalty would be imposed in six cases.

Of the ten cases which are projected to go to trial as capital cases, The Public Defender anticipates being assigned to seven, with the other three either involving private lawyers or attorneys secured through the Office of Public Advocacy (where the PD is unable to undertake representation because of legal conflict of interest).

Because the number of murders can vary significantly from year to year predicting actual numbers of cases is difficult. It is not difficult, however, to predict a profound fiscal impact for the PD once the death penalty becomes law. The concept of "super due process", established by the U.S. Supreme Court as the required standard of practice for defending death penalty cases, necessitates that highly capable lawyers and support staff (in sufficient numbers) be in place to handle any and all cases of this nature.

#### Fiscal Impact

Passage of death penalty legislation will have an undeniably significant impact on the entire criminal justice system, including the courts, corrections, prosecution, public counsel services and other related entities. Death penalty cases require greater due process safeguards than do non-capital cases. This is obviously a consequence of the severity and finality of a death sentence as well as the potential for killing an innocent person by mistake. It must be understood that the criminal justice system is an imperfect process based on the combination of law and human judgment. Some percentage of error is a consequence of the American jury system. In non-death cases the system stands ready to correct those mistakes when and where they become known. An execution following a death penalty case can never be corrected. It is for these reasons so much care must be taken to defend individuals accused in capital cases. Providing "super due process" translates into adequate attorney resources, support resources, expert and consultation monies, funds for appealing death penalty convictions and other attendant expenses. A commonly accepted estimate for expert witness fees alone in a death penalty case is \$60,000.

Capital felony trials are bifurcated, that is, two separate trials are actually held. The first determines guilt or innocence; the second determines whether aggravating factors exist to justify execution; whether mitigating factors exist that outweigh the aggravating factors, and whether to impose a period of imprisonment or death. The experiences of other states is that these trials require far more defense resources than first degree murder cases that do not involve

## FISCAL NOTE

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

BILL NO. SB 60

the potential for execution.

Many states that have a death penalty provide a minimum of two defense attorneys to each capital defendant to insure that the required heightened procedural safeguards are met. The American Bar Association Standards for Criminal Justice: Providing Defense Services (3d. Ed.) note the following:

Workload in capital cases creates extraordinary difficulties in every jurisdiction in which the death penalty can be imposed. Time requirements in such cases vastly exceed those of non-capital felony cases. In some states where death row populations are high, the situation has reached crisis proportions. After conducting a national survey, for example, attorneys in Florida arrived at an annual caseload standard of five cases per attorney when the defendant was not under a warrant of death, and three cases per attorney when a warrant for execution had been issued. In California, where the Office of the State Public Defender handled capital appeals in the California Supreme Court, one study concluded that the attorneys handling such cases should be responsible for only two to three briefs per year in such cases.

(at p. 73; footnotes omitted).

During the investigation and preparation phase of the case, crime scene evidence will have to be examined and the forensic examinations performed by the state will have to be scrutinized. Psychiatric experts are essential to deal with competency, insanity or diminished capacity issues. Motion practice in death penalty cases has been estimated to be five times more labor and cost-intensive than in non-capital homicide trials. Trial itself in capital cases is an extremely time consuming process, lasting in excess of six months in some cases. Serious scheduling conflicts will arise in staff resources to provide simultaneous representation in a number of cases.

A sentencing, or penalty phase trial is categorically different in breadth and procedure from any comparable proceeding in a non-capital trial. Heightened due process requirements continue. In addition to the expert witnesses employed during the trial phase, such expertise will be necessary when mental health issues do not rise to the level of perfect defenses but are important in establishing mitigators. Additionally, extensive investigation and presentation of the defendant's family friends, co-workers, neighbors, and school and social workers is minimally required. The analysis of defendants' entire life and the gathering of historical detail is absolutely mandated. In a recent California case 240 such witnesses were located and interviewed, and 120 of those were called as actual witnesses in a single penalty phase.

It is not unusual for a death penalty case to remain in the court system, litigated by the parties, for a period of up to ten years. There is also extensive appellate work which is routinely done in each death penalty case following conviction. Following are the procedures which are typically utilized after a trial and sentencing:

1. Motion to modify the death sentence/reconsider before state trial judge;
2. Mandatory appeal of conviction and sentence to Alaska Supreme Court;
3. Writ of certiorari to the United States Supreme Court;
4. Post-conviction relief proceedings in state court;
5. Appeal of unsuccessful post-conviction relief proceedings to the Court of Appeals;
6. Petition for hearing of post-conviction relief proceeding denial to the Alaska Supreme Court;
7. Petition for writ of habeas corpus in Federal District Court;
8. Appeal to the United States Court of Appeals if writ unsuccessful;
9. Rehearing in the United States Court of Appeals;
10. Writ of certiorari to the United States Supreme Court;
11. Request for clemency/commutation to Executive Branch of government;

## FISCAL NOTE

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

BILL NO. SB 60

### 12. Emergency stays to the United States Supreme Court prior to execution.

While precise numbers may be difficult to predict, the conclusion is inescapable: to meet the extraordinary workload difficulties of capital cases extraordinary resources must be allocated.

#### Breakdown of Fiscal Impact

1. Personal Services. Given the complexity and intensity of effort involved in each death penalty trial and penalty hearing, many states require by statute that a minimum of two defense attorneys take up representation of the accused in death penalty matters. Both the state District Attorney and the Office of Public Advocacy contemplate such a policy for their respective agencies. The Public Defender will follow this prudent course, whether established by statute or internal policy.

Assuming that the Public Defender Agency is appointed to seven capital cases per year, death penalty units will be established in its two largest offices; Anchorage and Fairbanks. A trial team in each of these offices will be established the first year. Even if only 4 cases proceed to trial in that year, preparation must begin immediately. The second year an appellate team will be placed in Anchorage. (Please note that unlike the Department of Law, the Public Defender Agency has no equivalent to the Office of Special Prosecutions and Appeals). The appellate team will not be needed until the second year following enactment of the death penalty because it is not expected that an appeal would be "ripe" until that time. Obviously adequate support staff, to include legal interns (designated as "Associate Attorneys" under state personnel classification) paralegals, investigators and secretaries, will be necessary. A second appellate team will be established in Fairbanks in the third year following enactment of capital punishment.

2. Travel and Contractual. Travel expenses will be necessarily high given the broad geographic area served by these teams. These teams will have to travel to locations where the crime occurred and where trial is being held. Travel expenses are higher in Alaska because of the geography of the state, the lack of surface roads and the high cost of air travel and lodging. Costs will be even higher for the considerable out-of-state travel associated with these cases. Once an individual is convicted of a capital offense, preparation begins for the penalty phase (sentencing hearing). Defense investigators will travel to locations where the defendant lived, went to school, etc., to interview people and develop facts for the purpose of vitiating a sentence of execution. If favorable witnesses are located, they will then have to be subpoenaed for travel to Alaska for the hearing.

Contractual expenditures for expert witnesses will be significant. As the Department of Law pointed out in its fiscal note recent cost studies of capital trials in other states indicate that expert witnesses for both the trial and sentencing proceedings cost about \$60,000 on the average. This estimate is consistent with the research by the Public Defender Agency on this issue. In addition there will be expert witness costs for the appellate work done following trial, conviction and sentence to death. These costs can be as high as the expert witness fees incurred during trial.

3. Supplies and Equipment. These expenses naturally accrue when additional staff are required. Estimates which follow are very conservative projections without consideration of inflationary factors.

4. Training. Attorneys will most likely need to be recruited from outside as there are few or no "death-qualified" attorneys available locally, and none currently employed by the Public Defender Agency. Training in Alaska law will be required. Additionally, training for lawyers engaged in death penalty work is a critical component for any death penalty defense unit. Both the prosecution and the defense will avail themselves of national training programs which are conducted on a yearly basis related to these kinds of cases on an on-going basis.

#### Conclusion

Due to the accrual of cases from year to year, once implementation of the death penalty occurs expenses could greatly exceed that anticipated in this fiscal analysis. This agency has no control over the trend of homicide crimes nor the discretion which will be exercised by the prosecution in seeking the death penalty. Continued additional staff will have

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1997 LEGISLATIVE SESSION

BILL NO. SB 60

to be added to this agency beyond the fourth year of implementation of the capital crime law. Despite our best predictive efforts, this cost estimate very well might understate staff/contractual needs. Only several years of experience with the death penalty will permit adjustment of projections and fiscal analysis.

(Analysis continues on next page)

FISCAL NOTE

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BILL NO. SB 60

Fiscal Impact--FY 98

First Year Cost Summary

Development of two Capital Defense Teams, one in Anchorage and one in Fairbanks.

OBJECT	(2) Atty V	(2) Atty IV	(2)Assoc Atty I	(2) Invest	(2) Paralegal	(2) Sec I	Total
100 - Salaries & Benefits	193.4	181.6	117.3	122.8	108.1	76.9	800.1
	<u>193.4</u>	<u>181.6</u>	<u>117.3</u>	<u>122.8</u>	<u>108.1</u>	<u>76.9</u>	<u>800.1</u>
200 - Travel							
Staff Travel & Per Diem	15.0	15.0	10.0	15.0	10.0	6.0	71.0
	<u>15.0</u>	<u>15.0</u>	<u>10.0</u>	<u>15.0</u>	<u>10.0</u>	<u>6.0</u>	<u>71.0</u>
300 - Contractual							
Communications	7.2	7.2	2.4	7.2	2.4	2.4	28.8
Copy & Discovery	11.2	11.2	11.2	11.2	11.2	11.2	67.2
Office Space Leases	10.0	10.0	5.0	5.0	5.0	3.0	38.0
PC Network Maint.	3.0	3.0	3.0	3.0	3.0	3.0	18.0
Westlaw	2.4	2.4	2.4	0.0	2.4	0.0	9.6
	<u>33.8</u>	<u>33.8</u>	<u>24.0</u>	<u>26.4</u>	<u>24.0</u>	<u>19.6</u>	<u>161.6</u>
400 - Supplies							
Office Supplies	3.6	3.6	3.6	3.6	3.6	2.4	20.4
Law Library	2.4	2.4	2.4	1.2	2.4	6.0	10.8
New Position Supplies	3.0	3.0	3.0	3.0	3.0	3.0	18.0
	<u>9.0</u>	<u>9.0</u>	<u>9.0</u>	<u>7.8</u>	<u>9.0</u>	<u>5.4</u>	<u>49.2</u>

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500 - Equipment

New Position Equipment	5.0	5.0	5.0	5.0	5.0	5.0	30.0
Personal Computer	8.0	8.0	8.0	8.0	8.0	8.0	48.0
	13.0	13.0	13.0	13.0	13.0	13.0	78.0

TOTAL	264.2	252.4	173.3	185.0	164.1	120.9	1159.9
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Second Year Cost Summary  
Additional Costs

Development of Capital Appellate Team in Anchorage

OBJECT	(1) Atty V	(1) Atty IV	(1) Paralegal	(1) Secretary	Total
100 - Salaries & Benefits	90.6	85.1	53.1	37.8	266.6
	90.6	85.1	53.1	37.8	266.6
200 - Travel					
Staff Travel & Per Diem	3.5	3.5	2.5	0.0	9.5
	3.5	3.5	2.5	0.0	9.5
300 - Contractual					
Communications	4.0	4.0	2.4	2.4	12.8
Copy & Discovery	18.0	18.0	9.0	0.0	45.0
Office Space Leases	5.6	5.6	5.6	5.6	22.4
PC Network Maint.	2.4	2.4	2.4	0.0	7.2
Westlaw	1.5	1.5	1.5	1.5	6.0
	31.5	31.5	20.9	9.5	93.4

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400 - Supplies

Office Supplies	1.8	1.8	1.8	1.2	6.6
Law Library	3.6	1.2	1.2	0.0	6.0
New Position Supplies	1.5	1.5	1.5	1.5	6.0
	<b>6.9</b>	<b>4.5</b>	<b>4.5</b>	<b>2.7</b>	<b>18.6</b>

500 - Equipment

New Position Equipment	2.5	2.5	2.5	2.5	10.0
Personal Computer	4.0	4.0	4.0	4.0	16.0
	<b>6.5</b>	<b>6.5</b>	<b>6.5</b>	<b>6.5</b>	<b>26.0</b>

TOTAL	139.0	131.1	87.5	56.5	414.1
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Third Year Cost Summary  
Additional Costs

Development of second Capital Appellate Team in Fairbanks and addition of trial lawyers and staff in Anchorage and Fairbanks due to increased caseload.

OBJECT	(3) Atty V	(1) Atty IV	(1)Assoc Atty I	(2) Invest	(1) Paralegal	(3) Sec I	Total
100 - Salaries & Benefits	296.2	96.5	54.9	122.8	55.0	116.0	741.4
	<b>296.2</b>	<b>96.5</b>	<b>54.9</b>	<b>122.8</b>	<b>55.0</b>	<b>16.0</b>	<b>741.4</b>
200 - Travel							
Staff Travel & Per Diem	18.5	2.5	5.0	15.0	2.5	6.0	49.5
	<b>18.5</b>	<b>2.5</b>	<b>5.0</b>	<b>15.0</b>	<b>2.5</b>	<b>6.0</b>	<b>49.5</b>

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300 - Contractual

Communications	11.2	4.0	3.6	7.2	2.4	4.8	33.2
Copy & Discovery	28.0	18.0	5.0	5.0	9.0	3.0	68.0
Office Space Leases	16.8	5.6	5.6	11.2	5.6	16.8	61.6
PC Network Maint.	4.8	2.4	1.2	0.0	2.4	0.0	10.8
Westlaw	4.5	1.5	1.5	1.5	1.5	4.5	15.0
	<b>65.3</b>	<b>31.5</b>	<b>16.9</b>	<b>24.9</b>	<b>20.9</b>	<b>29.1</b>	<b>188.6</b>

400 - Supplies

Office Supplies	5.4	1.8	1.8	3.6	1.8	3.6	18.0
Law Library	3.6	1.2	1.2	1.2	1.2	0.0	8.4
New Position Supplies	4.5	1.5	1.5	3.0	1.5	4.5	16.5
	<b>13.5</b>	<b>4.5</b>	<b>4.5</b>	<b>7.8</b>	<b>4.5</b>	<b>8.1</b>	<b>42.9</b>

500 - Equipment

New Position Equipment	7.5	2.5	2.5	5.0	2.5	7.5	27.5
Personal Computer	12.0	4.0	4.0	8.0	4.0	12.0	44.0
	<b>19.5</b>	<b>6.5</b>	<b>6.5</b>	<b>13.0</b>	<b>6.5</b>	<b>19.5</b>	<b>71.5</b>

TOTAL	413.0	141.5	87.8	183.5	89.4	178.7	1093.9
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Additional Case Costs

First Year: 4 Trials

Expert Witness Fees  
\$60,000 per case x 4 cases = 240.0

Witness travel and per diem  
\$50,000 per case x 4 cases = 200.0

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BILL NO. SB 60

Witness fees		
\$2,500 per case x 4 cases	=	10.0
Deposition/Court Reporter charges		
\$20,000 per case x 4 cases	=	80.0
Training and Consultation	=	50.0

Second Year: 6 Trials plus 4 Appeals

Expert Witness Fees		
\$60,000 per case x 6 cases	=	360.0
Witness travel and per diem		
\$50,000 per case x 6 cases	=	300.0
Witness fees		
\$2,500 per case x 6 cases	=	15.0
Deposition/Court Reporter charges		
\$20,000 per case x 6 cases	=	120.0
\$30,000 per case x 4 case	=	120.0
Training and Consultation	=	50.0

Third Year: 7 Trials plus 6 new appeals

Expert Witness Fees		
\$60,000 per case x 7 cases	=	420.0
Witness travel and per diem		
\$50,000 per case x 7 cases	=	350.0
Witness fees		
\$2,500 per case x 7 cases	=	17.5
Deposition/Court Reporter charges		
\$20,000 per case x 7 cases	=	140.0
\$30,000 per case x 6 case	=	180.0
Training and Consultation	=	50.0

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BILL NO. SB 60

Cumulative Cost Summary

OBJECT	Year 1	Year 2	Year 3	Year 4
100 - Salaries & Benefits	800.1	1066.7	1808.1	1808.1
	<hr/>	<hr/>	<hr/>	<hr/>
	800.1	1066.7	1808.1	1808.1
200- Travel				
Staff Travel	71.0	80.5	130.0	130.0
Witness Travel	200.0	300.0	350.0	350.0
	<hr/>	<hr/>	<hr/>	<hr/>
	271.0	380.5	480.0	480.0
300 - Contractual				
Staff Contractual	161.6	255.0	443.6	443.6
Outside Services	380.0	665.0	807.5	807.5
	<hr/>	<hr/>	<hr/>	<hr/>
	541.6	920.0	1251.1	1251.1
400 - Supplies	49.2	57.2	94.1	53.6
	<hr/>	<hr/>	<hr/>	<hr/>
	49.2	57.2	94.1	53.6
500 - Equipment	78.0	26.0	71.5	17.5
	<hr/>	<hr/>	<hr/>	<hr/>
	78.0	26.0	71.5	17.5
Total	1739.9	2450.4	3704.8	3610.3
PFT	12.0	16.0	27.0	27.0

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**6 3**

# FISCAL NOTE

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

BII No. 5  
Bill Version: SB 63  
(S) Publish Date: 4-10-97

Revision Date: 4/10/97  
Title: "An Act providing for automatic waiver of juvenile jurisdiction & prosecution of minors as adults for certain violations."  
Sponsor: Sen. Donley  
Requestor: Senate Finance Committee

Dept. Affected Corrections  
BRU: All  
Components: All  
Serial # 694

**EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)**

OPERATING	FY 98	FY 99	FY2000	FY2001	FY2002	FY2003
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants, Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	***	***	***	***	***	***

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

**FUNDING: (THOUSANDS OF DOLLARS)**

General Fund						
Federal Fund						
Other						
<b>TOTAL</b>	***	***	***	***	***	***

**POSITIONS:**

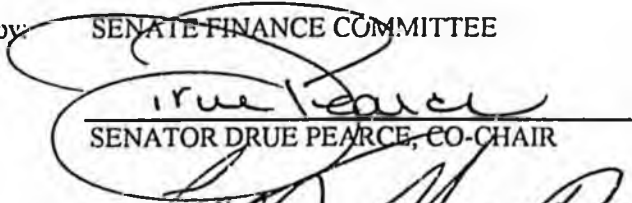
Full-Time						
Part-Time						
Temporary						

**ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)**

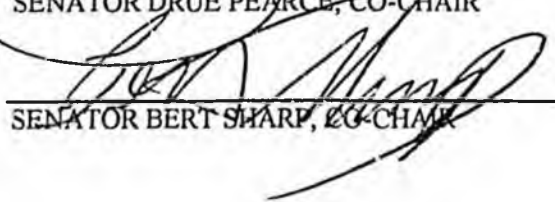
see attached analysis

Prepared by: SENATE FINANCE COMMITTEE

Date: 4/10/97

  
SENATOR DRUE PEARCE, CO-CHAIR

Phone: 465-4993

  
SENATOR BERT SHARP, CO-CHAIR

Phone: 465-3004

**Senate Bill 63**  
**Senate Finance Committee**  
**Fiscal Note Analysis**

The accompanying Department of Corrections fiscal note based its fiscal impact on the assumption that approximately eight juveniles a year would be waived to adult court, convicted of felonies and serve prison time under Senate Bill 63. Since Senate Bill 63 has no mandatory sentencing provisions the Department of Corrections assumptions are not justified.

Additionally, the Department of Health and Social Services did not provide an offsetting fiscal impact of those juveniles which would not be entering their juvenile system.

The Department of Corrections contention that an expansion of an existing correctional facility, costing \$9,000,000, would be needed is actually based on the additional 180 juvenile increase resulting from the current mandatory waiver law and not the projected increase from Senate Bill 63.

# FISCAL NOTE

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

No. 4  
Bill Version: SB 63  
(S) Publish Date: H-1-97

Revision Date: \_\_\_\_\_ Dept. Affected: Corrections  
 Title: "An Act providing for automatic waiver of juvenile BRU: All  
jurisdiction and prosecution of minors as adults for certain violations.." Component: All  
 Sponsor: Senator Donley  
 Requester: Senate Judiciary COMPONENT SERIAL NO. #0694

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

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS	311.0	618.4	925.8	1,931.0	1,931.0	1,931.0
<b>TOTAL OPERATING</b>	<b>311.0</b>	<b>618.4</b>	<b>925.8</b>	<b>1,931.0</b>	<b>1,931.0</b>	<b>1,931.0</b>

CAPITAL EXPENDITURES		1,350.0	7,650.0			
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CHANGE IN REVENUES ( )						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	311.0	1,968.4	8,575.8	1,931.0	1,931.0	1,931.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
<b>TOTAL</b>	<b>311.0</b>	<b>1,968.4</b>	<b>8,575.8</b>	<b>1,931.0</b>	<b>1,931.0</b>	<b>1,931.0</b>

Estimate of any current year (FY97) cost: \$ 0.0

**POSITIONS**

FULL-TIME				25	25	25
PART-TIME						
TEMPORARY						

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

Please see attached explanation.

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

Phone: 465-3307  
 Date: 3/24/97  
 Date: 3/24/97

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Assumptions

1. According to DFYS the number of juveniles who would be automatically waived under the proposed change to AS47.12.030(a) is approximately eight per year. These juveniles would be convicted of felonies which would average a sentence of three years.
2. Each felony case will require a pre-sentence investigation (PSI) report for the court. Preparing a PSI report for class A felonies costs approximately \$630 each. Each class B felony PSI report costs approximately \$455.
3. The statewide average daily cost of incarceration is \$105.27. It is assumed that those convicted of AS 47.12.030(a) offenses will require incarceration in state correctional facilities, as opposed to lower-cost community residential centers.
4. The correctional system cannot safely or legally absorb additional prisoners without additional beds being added. The system has operated over emergency capacity for several years. In addition to posing safety hazards, operating over emergency capacity has resulted in contempt of court fines which will total approximately \$2.4 million by the end of FY97. Without constructing new beds, the addition of violent juvenile offenders serving lengthy sentences in the adult system will worsen crisis levels of overcrowding, increasing the risks of harm to staff, prisoners, and the public.
5. The average cost of construction for a correctional bed is approximately \$100,000. A maximum security bed costs approximately \$160,000. The cost used in these calculations should be considered very conservative, given the nature of offenses for automatically waived juveniles. The department has projected that expansion of an existing facility by 64 beds would address the projected number of inmates in Senate Bill 63, as well as the current juvenile population already in state correctional facilities.
6. These cost estimates are not adjusted for inflation, nor do they reflect the significant upward trend in rates of violent juvenile crime. It is hoped that any deterrent effect achieved by this measure will offset those factors. If deterrence does not sufficiently offset the escalating juvenile crime rate, the operating and capital expenses will be higher.
7. The department (when possible) houses waived juveniles in single cells, at least during the initial months of incarceration, to determine their level of vulnerability to adult predators in the prison population. It is generally assumed that juvenile inmates require closer security than the average adult. The department does try to place juveniles with other juveniles when possible. However, this is more difficult to do in smaller facilities.

**Operating Expenses**

FY98:           8 class B felony offenses X \$455 per PSI report= \$3.6  
                   8 inmates X 365 days X \$105.27 per day = \$307.4  
**TOTAL = \$311**

YEAR	OLD+ NEW	TOTAL	COST PER DAY	DAYS	INCARC COST PER YEAR	PSI COSTS	TOTAL
FY98	8	8	\$105.25	365	\$307.4	\$3.6	\$311
FY99	8 + 8	16	\$105.25	365	\$614.8	\$3.6	\$618.4
FY00	16 + 8	24*	\$105.25	365	\$922.2	\$3.6	\$925.8

\*Beginning in FY01 the first offenders (8) under proposed AS 47.12.030(a) would be released. This results in a no net gain from this point forward since eight would enter the system and eight would be released.

**Capital Expenses**

64 bed expansion = \$9,000.0

Operating expenses for the expanded facility = \$1,931.0

# FISCAL NOTE

No. 3

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

B Bill Version: SB 63

(S) Publish Date: 4-1-97

Revision Date:  
Title: Juvenile Waiver/Deadly Weapons

Dept. Affected: Alaska Court System  
BRU: Trial Courts

Sponsor: Sen. Donley  
Requestor: Senate Judiciary

Component:  
COMPONENT SERIAL NO. 768

### Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES	2.2	2.2	2.2	2.2	2.2	2.2
TRAVEL						
CONTRACTUAL	3.3	3.3	3.3	3.3	3.3	3.3
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	5.5	5.5	5.5	5.5	5.5	5.5

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ( )						
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### Fund Source

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	5.5	5.5	5.5	5.5	5.5	5.5
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL	5.5	5.5	5.5	5.5	5.5	5.5

Estimate of any current year (FY 97) cost: None

### Positions

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

See attached analysis.

Prepared by: C. S. Christensen III, Staff Counsel - Drug Alcohol

Agency: Alaska Court System

Phone: 264-8228

Date: 03/26/97

Approved by: Stephanie J. Cole, Acting Administrative Director

Agency: Alaska Court System

Date: 03/26/97

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ALASKA COURT SYSTEM  
FISCAL ANALYSIS  
SB 63

SB 63 provides for the automatic waiver into adult court of certain minors who are at least 16 years of age. A minor will be waived if charged with a crime against a person punishable as a felony in which the minor is alleged to have used a deadly weapon and the minor has either been previously adjudicated a minor or convicted as an adult for a similar crime.

According to the Division of Family and Youth Services, had this law been in place for fiscal year 1996, it would have resulted in 8 cases being waived into adult court. This note is based on that figure and assumes that 2 of those cases would have resulted in felony jury trials; a 25% trial rate is low for juvenile waiver cases. Based on the typical length of trial for other juvenile waiver cases, it is assumed that the average trial will last 5 days with an additional 2 days for motions, hearings, and other judicial work.

The note is offset by the amount of judicial time that would have been spent on the waived cases in juvenile court.

Not reflected in this note is the anticipated increase in juvenile court workload that may result from this bill. Although minors in juvenile court have the same right to a jury trial as adults, very few trials actually occur because the consequences of being adjudicated a delinquent are not as severe as a criminal conviction. However, the consequences of being adjudicated a delinquent in a case covered under this bill will be perceived as more severe since it means a subsequent offense will lead directly to adult court. Because of this, it is expected that juveniles will be more aggressively defending their first offenses and more willing to go to trial. This increase in workload for the juvenile court has not been included in this note due to the difficulty in assessing the extent of its impact. However, if the impact is significant the court may return to the legislature seeking additional funds.

Alaska Court System  
Fiscal Analysis  
SB 63

Personal Services

	<u>Total</u>
Additional Pro tem Superior Court judge funding	\$4,578
Overtime for clerical staff in Clerk's Office	<u>1,250</u>
Subtotal Personal Services	5,828
Offset for loss of work for juvenile court, Standing Master, Range 24A, 1/2 month	<u>(3,592)</u>
Total Personal Services	2,236

Contractual

Jury fees - 2 additional 5-day trials with 13 jurors at \$25 a day for each juror	<u>3,250</u>
Total estimated costs	<u><u>\$5,486</u></u>

# FISCAL NOTE

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

BILL NO: No. 2  
Bill Version: SB 63  
(S) Publish Date: 3-27-97

Revision Date: \_\_\_\_\_ Dept. Affected: Public Safety  
Title: Minor felons using guns treated as adults. BRU: Alaska State Troopers  
Component: Detachments

Sponsor: Sen. Donley  
Requestor: S. Judiciary COMPONENT SERIAL NO. 0799

**EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)**

OPERATING	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>CAPITAL</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>CHANGE IN REVENUES ( )</b>	-0-	-0-	-0-	-0-	-0-	-0-
Revenue Code						

**FUNDING: (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of current year (FY 97) impact: \$ \_\_\_\_\_

**POSITIONS:**

	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
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.)

This bill would not have any significant fiscal impact on AST.

Prepared By: Capt. Ted M. Bachman Phone: 269-5650  
Division: Alaska State Troopers Date: 03/21/97

Approved by Commissioner: Ronald P. Olla Date: 3/21/97  
Agency: Department of Public Safety

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# FISCAL NOTE

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

No. 1  
Bill Version: SB 63  
(S) Publish Date: 3-27-97

Revision Date: \_\_\_\_\_  
Title: "An Act providing for automatic waiver of juvenile jurisdiction and prosecution of minors as adults..."  
Sponsor: Senator Donley  
Requestor: (S) JUD

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

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

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES	***	***	***	***	***	***
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	***	***	***	***	***	***

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

1002 Federal Receipts	***	***	***	***	***	***
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
TOTAL	***	***	***	***	***	***

Estimate of any current year (FY 97) cost: \$ -0-

**POSITIONS:**

FULL-TIME	***	***	***	***	***	***
PART-TIME						
TEMPORARY						

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

This bill expands the number of crimes for which a minor will automatically be treated as an adult to include any crime against a person punishable as a felony in which the minor is alleged to have used a deadly weapon and was previously adjudicated or convicted of a felony offense against a person that involved the use of a deadly weapon. This is a large category of cases, ranging down to class C felonies. In juvenile court less focus is placed on trial and more energy is expended to find the appropriate treatment. As felonies in adult court, this bill will cause an increase in the numbers of cases to go to trial with attendant expenditures. Without accurate predictions as to the numbers of cases, the increase is difficult to quantify.

Prepared by: Barbara K. Brink, Director Phone: (907) 264-4414  
Division: Public Defender Agency Date: \_\_\_\_\_

Approved by Commissioner: Mark Bover *Mark Bover*  
Agency: Department of Administration Date: 3/21/97

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# SENATOR DAVE DONLEY

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## ALASKA STATE LEGISLATURE

### SPONSOR STATEMENT - SB63

#### Treating juvenile offenders with multiple convictions for violent offenses with deadly weapons as adults

Senate Bill 63 would create a strong deterrent to the repeated use of deadly weapons by juveniles. Senate Bill 63 would treat minors age 16 and older, who for the second time use a deadly weapon to commit a violent crime, as adults.

Senate Bill 63 is modeled after the 19th Alaska Legislature's Senate Bill 26. SB26 passed the Senate 18 to 1 in 1996 but died in the House Finance Committee in the closing days of the session.

SB63 would prosecute minors as adults who:

1. use a deadly weapon to commit a crime against a person punishable as a felony,
2. are 16 or older, and
3. were previously adjudicated delinquent or convicted as an adult of using a deadly weapon to commit a crime against a person punishable as a felony.

Deadly weapons are defined by AS 11.81.900 as:

" 'deadly weapon' means any firearm, or anything designed for and capable of causing death or serious physical injury, including a knife, an axe, a club, metal knuckles, or an explosive."

SB63 does not require any additional mandatory sentence or any specified punishment. Minors who are convicted of adult crimes, if incarcerated, are required by law to be segregated from adult prison populations as defined by AS 47.12.240.

The Department of Health & Social Services estimates that approximately 6 juveniles in FY'95 would have meet the criteria in SB63. These few violent juveniles represent an extraordinary danger to the public and should be dealt with as adults.

The Anchorage Police Department compiled 1995 data which revealed a 200% increase in arrests of juveniles for violent crimes between 1990 and 1994. That same period showed a much less increase of 40% in juvenile arrests for property crimes. Alaska lawmakers can help curb this unprecedented increase in juvenile violent crime in Alaska by passing SB63.

If you have further questions, please contact myself or Chris Hieb of my staff at 465-3892.

DD/clh

January-May: STATE CAPITOL • JUNEAU, AK • 99801-1182 • (907) 465-3892 • FAX: (907) 465-6595  
June-December: 716 W. 4TH AVE. • STE. 430 • ANCHORAGE, AK • 99501 • (907) 258-8181 • FAX: (907) 258-1648

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MEMBER: Senate Finance Committee • Legislative Budget & Audit Committee  
• Senate Community & Regional Affairs Committee

Produced in House



**SENATOR DAVE DONLEY**  

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**ALASKA STATE LEGISLATURE**

**SECTIONAL ANALYSIS**  
**SENATE BILL 63**  
**2/11/97**

SB 63 automatically waives juvenile jurisdiction requires prosecution of minors as adults for certain felonies using deadly weapons.

Section 1 adds an automatic waiver of juvenile jurisdiction for those minors at least 16 years old who for the second time commit a violent crime involving a deadly weapon, and cites a definition of 'deadly weapon' in AS 11.81.900.

Section 2 defines the Acts applicability to first and second offenses committed.

DD/clh

January-May: STATE CAPITOL • JUNEAU, AK • 99801-1182 • (907) 465-3892 • FAX: (907) 465-6595  
June-December: 716 W. 4TH AVE. • STE. 430 • ANCHORAGE, AK • 99501 • (907) 258-8181 • FAX: (907) 258-1648

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**MEMBER:** Senate Finance Committee • Legislative Budget & Audit Committee  
• Senate Community & Regional Affairs Committee

Produced in House



**ALASKA ASSOCIATION  
FIRE AND ARSON INVESTIGATORS  
A A F A I**

105 S. Willow • Kenai, Alaska 99611  
(907) 283-4136 • FAX (907) 283-~~257~~ 8171

January 31, 1997

Senator Dave Donley  
Alaska State Legislature  
State Capitol  
Juneau, Alaska 99801-1182

**SUBJECT: SUPPORT FOR SENATE BILL 63**

Senator Donley,

On behalf of the Alaska Association of Fire and Arson Investigators, please accept this letter of support for Senate Bill 63 that treats juvenile offenders with multiple convictions for violent offenses with deadly weapons as adults.

While SB63 provides an effective means to penalize offenders with multiple offenses as described in the Bill, it is hoped that the provisions for such a penalty will serve a dual purpose -- Prevention.

Respectfully Submitted,

Scott A. Walden,  
Fire Marshal - City of Kenai  
President - Alaska Association of Fire & Arson Investigators

# CITY & BOROUGH OF JUNEAU

## POLICE DEPARTMENT

210 ADMIRAL WAY • JUNEAU, ALASKA 99801

RICHARD W. GUMMOW

CHIEF OF POLICE

*Alaska's Capital City*

BUSINESS (907) 586-2780

FAX (907) 463-4808

February 3, 1997

Senator Dave Donley  
State Capitol  
Juneau, Alaska 99801

Dear Senator Donley:

I have reviewed SB 63 and concur with it's scope and content. Please accept this correspondence as my endorsement of SB 63.

It is important to provide the youth of this state with clear and significant consequences concerning the use of a deadly weapon. We are all aware of the increase in youth violence that has surfaced in our nation within the past few years. Hopefully this bill will pass and provide a deterrent for the young people of Alaska.

I appreciate having the opportunity to voice my feelings in this matter. If I can be of any additional assistance, please don't hesitate to contact me.

Sincerely,



C.W. Worth  
Police Officer

CW/jn

ALASKA STATE FIREFIGHTERS ASSOCIATION



January 31, 1997

Senator Dave Donley  
Alaska State Legislature  
SB63 Sponsor

Dear Senator Donley,

I have reviewed Senate Bill 63 and would like to thank you for your sponsorship of it.

Strengthening prosecution of repeat violent juvenile offenders will offer Alaska citizens protection that is overdue.

To protect minors under juvenile jurisdiction is one thing, but to have repeated offenses committed involving deadly weapons is quite another.

I believe, as you have stated, that passage of SB 63 would create a strong deterrent to continued misuse of deadly weapons by young criminals.

Sincerely,

A handwritten signature in black ink, appearing to read 'Pat Eggers', with a long horizontal flourish extending to the right.

Patrick Eggers  
President,  
Alaska State Firefighters Association  
Box 240282  
Douglas, AK 99824

# FISCAL NOTE

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

BILL NO. SB 63

Revision Date: 4/10/97  
 Title: "An Act providing for automatic waiver of juvenile jurisdiction & prosecution of minors as adults for certain violations.."  
 Sponsor: Sen. Donley  
 Requestor: Senate Finance Committee

Dept. Affected Corrections  
 BRU: All  
 Components: All  
 Serial # 694

**EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)**

OPERATING	FY 98	FY 99	FY2000	FY2001	FY2002	FY2003
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants, Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	***	***	***	***	***	***

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

**FUNDING: (THOUSANDS OF DOLLARS)**

General Fund						
Federal Fund						
Other						
<b>TOTAL</b>	***	***	***	***	***	***

**POSITIONS:**

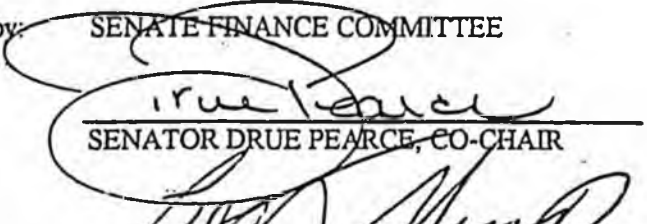
Full-Time						
Part-Time						
Temporary						

**ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)**

see attached analysis

Prepared by: SENATE FINANCE COMMITTEE

Date: 4/10/97

  
SENATOR DRUE PEARCE, CO-CHAIR

Phone: 465-4993

  
SENATOR BERT SHARP, CO-CHAIR

Phone: 465-3004

**Senate Bill 63  
Senate Finance Committee  
Fiscal Note Analysis**

The accompanying Department of Corrections fiscal note based its fiscal impact on the assumption that approximately eight juveniles a year would be waived to adult court, convicted of felonies and serve prison time under Senate Bill 63. Since Senate Bill 63 has no mandatory sentencing provisions the Department of Corrections assumptions are not justified.

Additionally, the Department of Health and Social Services did not provide an offsetting fiscal impact of those juveniles which would not be entering their juvenile system.

The Department of Corrections contention that an expansion of an existing correctional facility, costing \$9,000,000, would be needed is actually based on the additional 180 juvenile increase resulting from the current mandatory waiver law and not the projected increase from Senate Bill 63.

# FISCAL NOTE

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

BILL NO. SB 63

Revision Date: \_\_\_\_\_ Dept. Affected: Corrections  
 Title: "An Act providing for automatic waiver of juvenile BRU: All  
jurisdiction and prosecution of minors as adults for certain violations.." Component: All  
 Sponsor: Senator Donley  
 Requester: Senate Judiciary COMPONENT SERIAL NO. #0694

**Expenditures/Revenues**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS	311.0	618.4	925.8	1,931.0	1,931.0	1,931.0
<b>TOTAL OPERATING</b>	<b>311.0</b>	<b>618.4</b>	<b>925.8</b>	<b>1,931.0</b>	<b>1,931.0</b>	<b>1,931.0</b>

CAPITAL EXPENDITURES		1,350.0	7,650.0		
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CHANGE IN REVENUES ( )					
------------------------	--	--	--	--	--

**FUND SOURCE**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	311.0	1,968.4	8,575.8	1,931.0	1,931.0	1,931.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
<b>TOTAL</b>	<b>311.0</b>	<b>1,968.4</b>	<b>8,575.8</b>	<b>1,931.0</b>	<b>1,931.0</b>	<b>1,931.0</b>

Estimate of any current year (FY97) cost: \$ 0.0

**POSITIONS**

FULL-TIME			25	25	25
PART-TIME					
TEMPORARY					

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

Please see attached explanation.

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

Phone: 465-3307  
 Date: 3/24/97  
 Date: 3/24/97

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Assumptions

1. According to DFYS the number of juveniles who would be automatically waived under the proposed change to AS47.12.030(a) is approximately eight per year. These juveniles would be convicted of felonies which would average a sentence of three years.
2. Each felony case will require a pre-sentence investigation (PSI) report for the court. Preparing a PSI report for class A felonies costs approximately \$630 each. Each class B felony PSI report costs approximately \$455.
3. The statewide average daily cost of incarceration is \$105.27. It is assumed that those convicted of AS 47.12.030(a) offenses will require incarceration in state correctional facilities, as opposed to lower-cost community residential centers.
4. The correctional system cannot safely or legally absorb additional prisoners without additional beds being added. The system has operated over emergency capacity for several years. In addition to posing safety hazards, operating over emergency capacity has resulted in contempt of court fines which will total approximately \$2.4 million by the end of FY97. Without construction of new beds, the addition of violent juvenile offenders serving lengthy sentences in the adult system will worsen crisis levels of overcrowding, increasing the risks of harm to staff, prisoners, and the public.
5. The average cost of construction for a correctional bed is approximately \$100,000. A maximum security bed costs approximately \$160,000. The cost used in these calculations should be considered very conservative, given the nature of offenses for automatically waived juveniles. The department has projected that expansion of an existing facility by 64 beds would address the projected number of inmates in Senate Bill 63, as well as the current juvenile population already in state correctional facilities.
6. These cost estimates are not adjusted for inflation, nor do they reflect the significant upward trend in rates of violent juvenile crime. It is hoped that any deterrent effect achieved by this measure will offset those factors. If deterrence does not sufficiently offset the escalating juvenile crime rate, the operating and capital expenses will be higher.
7. The department (when possible) houses waived juveniles in single cells, at least during the initial months of incarceration, to determine their level of vulnerability to adult predators in the prison population. It is generally assumed that juvenile inmates require closer security than the average adult. The department does try to place juveniles with other juveniles when possible. However, this is more difficult to do in smaller facilities.

Fiscal Note/DOC  
Senate Bill 63  
March 22, 1997  
Page 3 of 3

Operating Expenses

FY98:           8 class B felony offenses X \$455 per PSI report= \$3.6  
                  8 inmates X 365 days X \$105.27 per day = \$307.4  
TOTAL = \$311

YEAR	OLD+ NEW	TOTAL	COST PER DAY	DAYS	INCARC COST PER YEAR	PSI COSTS	TOTAL
FY98	8	8	\$105.25	365	\$307.4	\$3.6	\$311
FY99	8 + 8	16	\$105.25	365	\$614.8	\$3.6	\$618.4
FY00	16 + 8	24*	\$105.25	365	\$922.2	\$3.6	\$925.8

\*Beginning in FY01 the first offenders (8) under proposed AS 47.12.030(a) would be released. This results in a no net gain from this point forward since eight would enter the system and eight would be released.

Capital Expenses

64 bed expansion = \$9,000.0

Operating expenses for the expanded facility = \$1,931.0

# FISCAL NOTE

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

BILL NO. SB 63

Revision Date: \_\_\_\_\_ Dept. Affected: Alaska Court System  
 Title: Juvenile Waiver/Deadly Weapons BRU: Trial Courts  
 Component: \_\_\_\_\_  
 Sponsor: Sen. Donley  
 Requestor: Senate Judiciary COMPONENT SERIAL NO. 768

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 88	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES	2.2	2.2	2.2	2.2	2.2	2.2
TRAVEL						
CONTRACTUAL	3.3	3.3	3.3	3.3	3.3	3.3
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	5.5	5.5	5.5	5.5	5.5	5.5
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ( )						

Fund Source (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	5.5	5.5	5.5	5.5	5.5	5.5
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL	5.5	5.5	5.5	5.5	5.5	5.5

Estimate of any current year (FY 97) cost: None

Positions

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

See attached analysis.

Prepared by: C. S. Christensen III, Staff Counsel - Doug Wooliver Phone: 264-8228  
 Agency: Alaska Court System Date: 03/26/97

Approved by: Stephanie J. Cole, Acting Administrative Director Date: 03/26/97  
 Agency: Alaska Court System

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ALASKA COURT SYSTEM  
FISCAL ANALYSIS  
SB 63

SB 63 provides for the automatic waiver into adult court of certain minors who are at least 16 years of age. A minor will be waived if charged with a crime against a person punishable as a felony in which the minor is alleged to have used a deadly weapon and the minor has either been previously adjudicated a minor or convicted as an adult for a similar crime.

According to the Division of Family and Youth Services, had this law been in place for fiscal year 1996, it would have resulted in 8 cases being waived into adult court. This note is based on that figure and assumes that 2 of those cases would have resulted in felony jury trials; a 25% trial rate is low for juvenile waiver cases. Based on the typical length of trial for other juvenile waiver cases, it is assumed that the average trial will last 5 days with an additional 2 days for motions, hearings, and other judicial work.

The note is offset by the amount of judicial time that would have been spent on the waived cases in juvenile court.

Not reflected in this note is the anticipated increase in juvenile court workload that may result from this bill. Although minors in juvenile court have the same right to a jury trial as adults, very few trials actually occur because the consequences of being adjudicated a delinquent are not as severe as a criminal conviction. However, the consequences of being adjudicated a delinquent in a case covered under this bill will be perceived as more severe since it means a subsequent offense will lead directly to adult court. Because of this, it is expected that juveniles will be more aggressively defending their first offenses and more willing to go to trial. This increase in workload for the juvenile court has not been included in this note due to the difficulty in assessing the extent of its impact. However, if the impact is significant the court may return to the legislature seeking additional funds.

Alaska Court System  
Fiscal Analysis  
SB 63

Personal Services

Total

Additional Pro tem Superior Court judge funding \$4,578

Overtime for clerical staff in Clerk's Office 1,250

Subtotal Personal Services 5,828

Offset for loss of work for juvenile court, Standing Master, Range 24A, 1/2 month (3,592)

Total Personal Services 2,236

Contractual

Jury fees - 2 additional 5-day trials with 13 jurors at \$25 a day for each juror 3,250

Total estimated costs \$5,486

# FISCAL NOTE

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

BILL NO. SB 63

Revision Date: \_\_\_\_\_  
 Title: "An Act providing for automatic waiver of juvenile jurisdiction and prosecution of minors as adults..."  
 Sponsor: Senator Donley  
 Requestor: (S) JUD

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

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

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES	***	***	***	***	***	***
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	***	***	***	***	***	***
<b>CAPITAL EXPENDITURES</b>	***	***	***	***	***	***
<b>CHANGE IN REVENUES ( )</b>	***	***	***	***	***	***

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

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

Estimate of any current year (FY 97) cost: \$ -0-

**POSITIONS:**

FULL-TIME	***	***	***	***	***	***
PART-TIME						
TEMPORARY						

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

This bill expands the number of crimes for which a minor will automatically be treated as an adult to include any crime against a person punishable as a felony in which the minor is alleged to have used a deadly weapon and was previously adjudicated or convicted of a felony offense against a person that involved the use of a deadly weapon. This is a large category of cases, ranging down to class C felonies. In juvenile court less focus is placed on trial and more energy is expended to find the appropriate treatment. As felonies in adult court, this bill will cause an increase in the numbers of cases to go to trial with attendant expenditures. Without accurate predictions as to the numbers of cases, the increase is difficult to quantify.

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

Phone: (907) 264-4414  
 Date: \_\_\_\_\_

Approved by Commissioner: Mark Bover  
 Agency: Department of Administration

*Mark Bover*  
 Date: 3/21/97

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# FISCAL NOTE

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

BILL NO. SB63

Revision Date: \_\_\_\_\_  
 Title: Automatic Waiver of Juveniles  
 \_\_\_\_\_  
 Sponsor: Donley  
 Requestor: Senate (JUD)

Dept. Affected: Health and Social Services  
 BRU: Family and Youth Services  
 Component: DFYS Central Office  
 COMPONENT SERIAL NO. 259  
 See also (SN#): \_\_\_\_\_

**Expenditures/Revenues:**

(Thousands of Dollars)

OPERATING	FY98	FY99	FY00	FY01	FY02	FY03
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						
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CHANGES IN REVENUES ( )						
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**FUND SOURCE**

(Thousands of Dollars)

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

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY97) cost:                     \$0.0

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

There would be no fiscal impact to the Division if this bill were to become law.

3/25/97 Prepared by: *L. Diane Worley*  
 Division: Family & Youth Services  
 Approved by Commissioner: *Karen Perdue*  
 Agency: Department of Health & Social Services

Phone: 465-3191  
 Date: 03/24/97  
 Date: 3/25/97

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# FISCAL NOTE

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

BILL NO: SB 63

Revision Date: \_\_\_\_\_ Dept. Affected: Public Safety  
 Title: Minor felons using guns treated as adults. BRU: Alaska State Troopers  
 Component: Detachments  
 Sponsor: Sen. Donley  
 Requestor: S. Judiciary COMPONENT SERIAL NO. 0799

**EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)**

	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
<b>OPERATING</b>						
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>CAPITAL</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>CHANGE IN REVENUES ( )</b>						
Revenue Code	-0-	-0-	-0-	-0-	-0-	-0-

**FUNDING: (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of current year (FY 97) impact: \$ \_\_\_\_\_

**POSITIONS:**

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

ANALYSIS: (Attach a separate page if necessary.)

This bill would not have any significant fiscal impact on AST.

Prepared By: Capt. Ted M. Bachman Phone: 269-5650  
 Division: Alaska State Troopers Date: 03/21/97  
 Approved by Commissioner: Ronald L. Otte Date: 3/21/97  
 Agency: Department of Public Safety

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**SB**

**64**

# FISCAL NOTE

No. 10  
 Bill Version: CS SB 64 (Res)  
 BILL NC NOT Published-Identical to: #1

**STATE OF ALASKA**  
**1997 LEGISLATIVE SESSION**

Revision Date: 11-Mar-97 Dept Affected: Natural Resources  
 Title: An Act relating to the Shuyak Island BRU: Parks & Recreation Management  
State Park Component: Parks Management  
 Sponsor: Mackie  
 Requestor: (S)RES Component Serial No. 452

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES	5.0	7.0				
TRAVEL	5.0	3.0				
CONTRACTUAL						
SUPPLIES	5.0	3.0	4.0	5.0	5.0	6.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>15.0</b>	<b>13.0</b>	<b>4.0</b>	<b>5.0</b>	<b>5.0</b>	<b>6.0</b>
<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	15.0	13.0	4.0	5.0	5.0	6.0
1037 GF/Mental Health						
Other						
<b>TOTAL</b>	<b>15.0</b>	<b>13.0</b>	<b>4.0</b>	<b>5.0</b>	<b>5.0</b>	<b>6.0</b>

Estimate of any current year (FY97) cost: \$ 0.0

**POSITIONS**

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

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

Day-to-day management of the expanded park can be handled by existing staff and volunteer levels with some additional supply monies to pay for boat gas and other supplies. These costs are necessary for expanded patrol areas. A new park brochure would need to be designed and printed in FY98.

\$10.0 is needed in FY98 and FY99 to revise the Shuyak Island State Park Master Plan. The first year is \$5.0 each for personnel and travel to gather baseline information on use patterns in the new park area. Second year is \$7.0 for personnel and \$3.0 for travel to prepare the written update and hold the requisite public meetings and public comment period leading to adoption of a revised park plan.

Prepared by: Jim Stratton, Director Phone: 269-8700  
 Division: Parks Date: 11-Mar-97  
 Approved by Commissioner: [Signature] Date: 3-11-97  
 Agency: Natural Resources

# CORRECTION

THE FOLLOWING DOCUMENT(S)  
HAVE BEEN REFILMED TO  
ASSURE LEGIBILITY OR PAGINATION



Rev. 6/98

Central Microfilm Services  
Department of Education  
State of Alaska

# FISCAL NOTE

No. 10  
 Bill Version: CS5B 64 (Res)  
 BILL NC NOT Published-Identical to: #1

**STATE OF ALASKA**  
**1997 LEGISLATIVE SESSION**

Revision Date: 11-Mar-97 Dept Affected: Natural Resources  
 Title: An Act relating to the Shuyak Island BRU: Parks & Recreation Management  
State Park Component: Parks Management  
 Sponsor: Mackie  
 Requestor: (S)RES Component Serial No. 452

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES	5.0	7.0				
TRAVEL	5.0	3.0				
CONTRACTUAL						
SUPPLIES	5.0	3.0	4.0	5.0	5.0	6.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>15.0</b>	<b>13.0</b>	<b>4.0</b>	<b>5.0</b>	<b>5.0</b>	<b>6.0</b>
<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	15.0	13.0	4.0	5.0	5.0	6.0
1037 GF/Mental Health						
Other						
<b>TOTAL</b>	<b>15.0</b>	<b>13.0</b>	<b>4.0</b>	<b>5.0</b>	<b>5.0</b>	<b>6.0</b>

Estimate of any current year (FY97) cost: \$ 0.0

**POSITIONS**

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

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

Day-to-day management of the expanded park can be handled by existing staff and volunteer levels with some additional supply monies to pay for boat gas and other supplies. These costs are necessary for expanded patrol areas. A new park brochure would need to be designed and printed in FY98.

\$10.0 is needed in FY98 and FY99 to revise the Shuyak Island State Park Master Plan. The first year is \$5.0 each for personnel and travel to gather baseline information on use patterns in the new park area. Second year is \$7.0 for personnel and \$3.0 for travel to prepare the written update and hold the requisite public meetings and public comment period leading to adoption of a revised park plan.

Prepared by: Jim Stratton, Director Phone: 269-8700  
 Division: Parks Date: 11-Mar-97  
 Approved by Commissioner: [Signature] Date: 3-11-97  
 Agency: Natural Resources

1997 LEGISLATIVE SESSION

Revision Date: 3/11/97 Dept. Affected: Public Safety  
 Title: An act relating to Shuyak Island State Park Fish and Wildlife Protection  
 Component: Detachments  
 Sponsor: Rules Committee  
 Requestor: S. Resources COMPONENT SERIAL NO. 0490

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES ( )	-0-	-0-	-0-	-0-	-0-	-0-
Code Revenue						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of current year (FY 97) impact: \$ \_\_\_\_\_

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary.)  
 No fiscal impact is anticipated to the Department of Public Safety

Prepared By: Capt. Joel Hard Phone: 746-9139  
 Division: Fish and Wildlife Protection Date: 3/11/97  
 Approved by Commissioner: *Dee Smith* Date: 3/11/97  
 Agency: Ronald L. Otte, Dept. of Public Safety

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# SENATOR JERRY MACKIE

ALASKA STATE LEGISLATURE

## SPONSOR STATEMENT

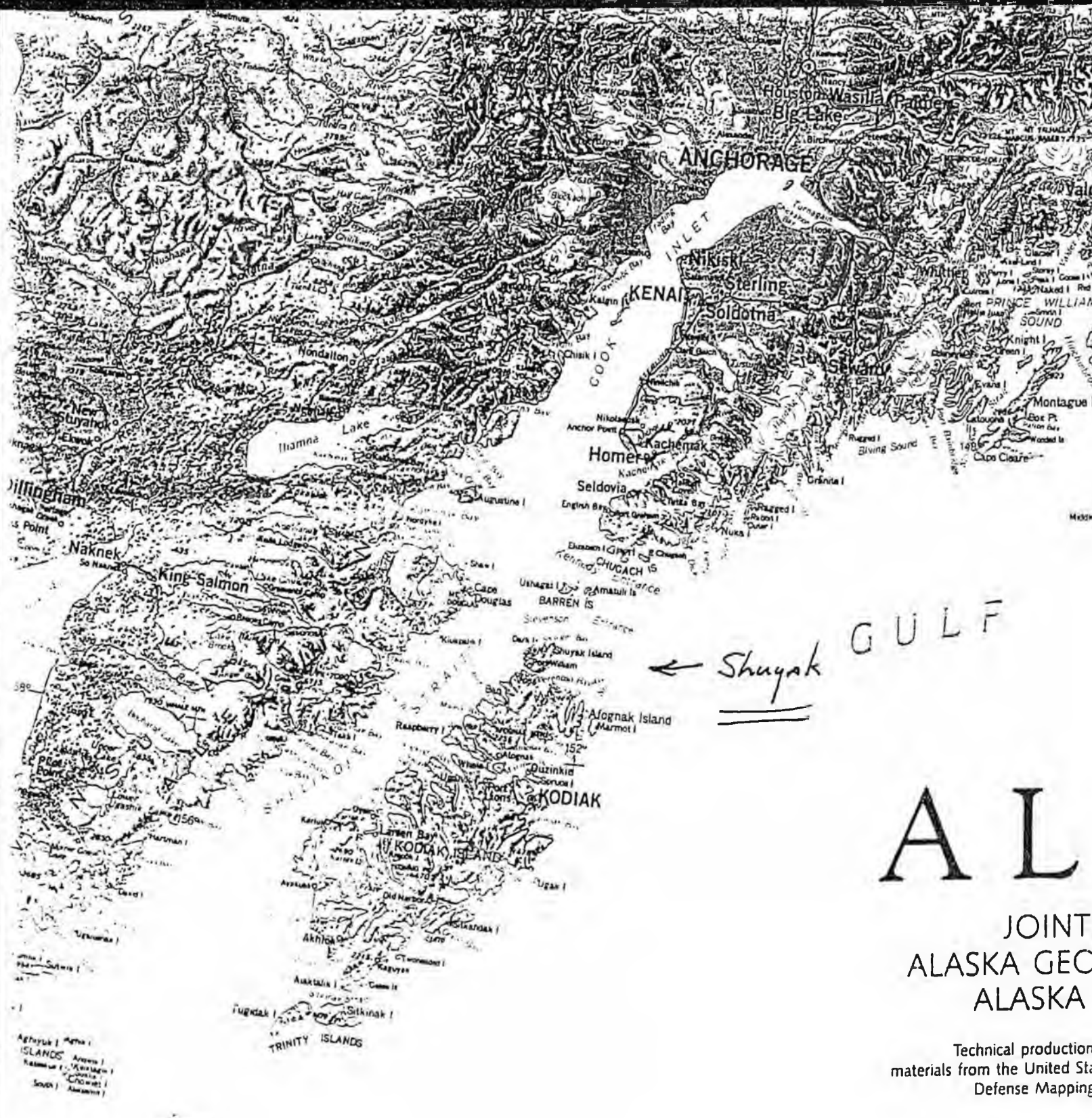
### SB 64, Shuyak Island State Park

I introduced SB 64 at the request of Mayor Jerome Selby and the Kodiak Island Borough Assembly. It presents one of the final actions of a long and complex effort by state and federal authorities and locally affected municipalities to compensate for the effects of the Valdez oil spill. The bill adds specific land and water areas to the Shuyak State Park. Shuyak Island was the first part of the borough that was heavily impacted by the westward streaming oil patches and tar balls from the 1989 accident.

The two large land owners on Shuyak Island are the state and the Kodiak Island Borough. Previous litigation had imposed management restrictions that required the state to maintain wildlife habitat and public recreation values while the borough was partially prohibited from commercial or industrial uses on its lands. In 1984 the Shuyak State Park was established from part of the state's holdings to protect the area's fish and wildlife habitat and public recreation opportunities, while maintaining customary hunting and fishing uses.

One of the provisions of the spill settlement was the establishment of a joint federal and state council to manage remediation and recovery efforts. These responsibilities include the replacement of lost fish and wildlife habitat with the acquisition and protection of other high value habitat. It is for this purpose that the Oil Spill Trustee Council selected the borough's Shuyak Island lands and purchased them in 1996. The final part of this effort is the consolidation of the lands under the protective management of the Shuyak State Park.

SB 62 completes the transaction by formally incorporating all state lands on the island into the Shuyak Island State Park. The expanded park retains the management goals, purposes, and allowed uses of the original park.



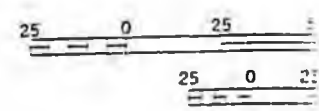
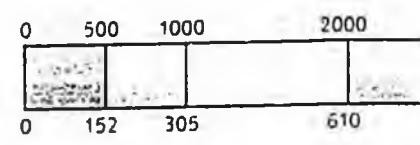
← Shuyak GULF

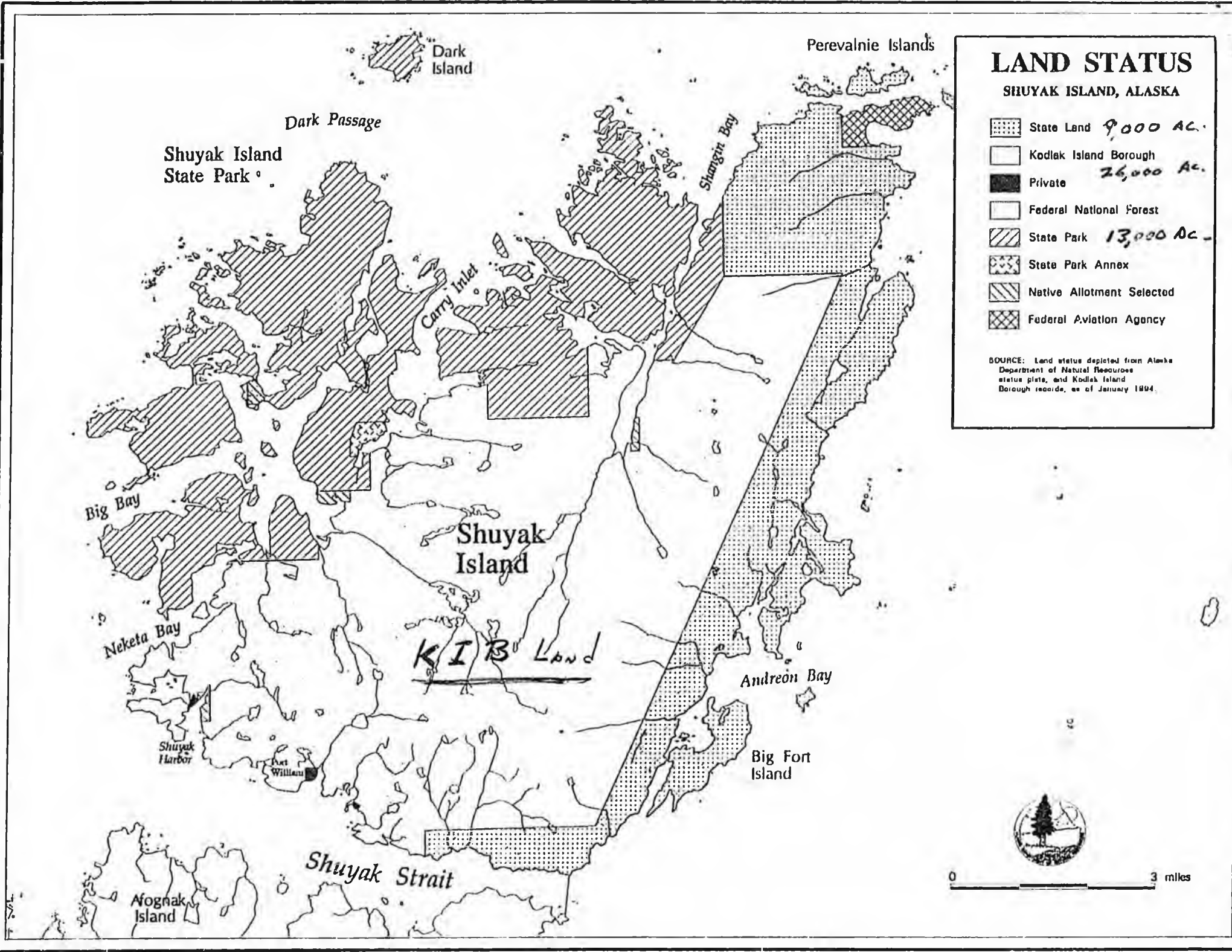
# AL

JOINT  
ALASKA GEO  
ALASKA

Technical production  
materials from the United Sta  
Defense Mapping








Base Map © 1





# LAND STATUS

SHUYAK ISLAND, ALASKA

-  State Land 9,000 Ac.
-  Kodlak Island Borough 26,000 Ac.
-  Private
-  Federal National Forest
-  State Park 13,000 Ac.
-  State Park Annex
-  Native Allotment Selected
-  Federal Aviation Agency

SOURCE: Land status depicted from Alaska Department of Natural Resources status plots, and Kodlak Island Borough records, as of January 1994.



0 3 miles

# FISCAL NOTE

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

BILL NO: SB 64

Revision Date: \_\_\_\_\_

Dept. Affected: Public Safety

Title: An Act relating to Shuyak Island State Park

BRU: Fish and Wildlife Protection

Component: Detachments

Sponsor: Rules Committee

Requester: S. CRA

COMPONENT SERIAL NO. 0490

**EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)**

OPERATING	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

<b>CAPITAL</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
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CHANGE IN REVENUES ( ) Revenue Code	-0-	-0-	-0-	-0-	-0-	-0-
--	-----	-----	-----	-----	-----	-----

**FUNDING: (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

Estimate of current year (FY 97) impact: \$ -0-

**POSITIONS:**

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

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

This Bill will have no impact on this Department's programs or budget.

Prepared By: Lt. Joel L. Hard

Phone: 269-5409

Division: Fish and Wildlife Protection

Date: January 31, 1997

Approved by Commissioner: *Del Smith*

Date: 1/31/97

Agency: Ronald L. Otte, Department of Public Safety

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**S B**

**6 7**

# FISCAL NOTE

STATE OF ALASKA

BIL

No. 3

NO:

Bill Version: CSSB 67 (Jud)

**1997 LEGISLATIVE SESSION**

(S) Publish Date: 3-5-97

Revision Date: \_\_\_\_\_

Dept. Affected: Public Safety

Title: Truth in Sentencing

DPS Statewide Support

Component: Commissioner's Office

Sponsor: Rules Committee

Requestor: S. Judiciary

COMPONENT SERIAL NO. 0523

**EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)**

OPERATING	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>CAPITAL EXPENDITURES</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>CHANGE IN REVENUES ( )</b>	-0-	-0-	-0-	-0-	-0-	-0-
Code      Revenue						

**FUNDING: (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of current year (FY 97) impact: \$ \_\_\_\_\_

**POSITIONS:**

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

ANALYSIS: (Attach a separate page if necessary.)  
 No fiscal impact is anticipated to the Department of Public Safety

Prepared By: Sandy Perry-Provost, Special Assistant to the Commissioner Phone: 465-4322  
 Division: Commissioner's Office Date: 2/20/97  
 Approved by Commissioner: *Del Smith* Date: 2/21/97  
 Agency: Ronald L. Otte, Dept. of Public Safety

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# FISCAL NOTE

No. 4

**STATE OF ALASKA**  
**1997 LEGISLATIVE SESSION**

**BILL N**

Bill Version: CSB 67 (Jun)

(S) Publish Date: 3-5-97

Revision Date: \_\_\_\_\_  
Title: Truth in Sentencing

Dept. Affected: Public Safety  
BRU: Violent Crimes Compensation Board  
Component: \_\_\_\_\_

Sponsor: Sen. Halford  
Requestor: S. Judiciary

COMPONENT SERIAL NO. \_\_\_\_\_

**EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)**

OPERATING	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES	0					
TRAVEL	0					
CONTRACTUAL	0					
SUPPLIES	0					
EQUIPMENT	0					
LAND & STRUCTURES	0					
GRANTS CLAIMS	0					
MISCELLANEOUS	0					
<b>TOTAL OPERATING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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

CHANGE IN REVENUES ( ) Revenue Code						
--	--	--	--	--	--	--

**FUNDING: (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Estimate of current year (FY 97) impact: \$ \_\_\_\_\_

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

The Violent Crimes Compensation Board approves of any vehicle which makes the victim more informed.

Prepared By: Nola K. Capp  
Division: Violent Crimes Compensation Board

Phone: 465-3040  
Date: February 10, 1997

Approved by Commissioner: *Ronald L. Otte*  
Agency: Ronald L. Otte, Dept. of Public Safety

Date: 2/2/97

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# FISCAL NOTE

No. 5

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

Bill Version: CSSB 67 (Jud)

(S) Publish Date: 3-5-97

Revision Date: \_\_\_\_\_ Dept. Affected: Department of Law  
 Title: \*An Act relating to the imposition of criminal BRU: Criminal Division  
sentences; amending Rule 32.2, Ak Rules of Criminal Procedure Component: Criminal Division  
 Sponsor: Senator Halford  
 Requester: Senate Judiciary Committee COMPONENT SERIAL NO. 2085

**Expenditures/Revenues**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

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

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

**FUND SOURCE**

(Thousands of Dollars)

FUND SOURCE	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY97) cost: \$ 0.0

**POSITIONS**

POSITIONS	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

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

The Senate Judiciary Committee Substitute for SB 67 includes a new section stating that the required approximate minimum term statement in the sentencing report is for informational purposes only, and cannot be used as a basis for review or appeal of the sentence imposed.

With this change, the Department of Law no longer anticipates any fiscal impact from passage of this legislation.

Prepared by: Joan M. Kasson *Joan M. Kasson* Phone: 465-5370  
 Division: Administrative Services Division Date: 2/27/97  
 Approved by Commissioner: Bruce M. Botelho, Attorney General *Bruce Botelho for* Date: 2/27/97  
 Agency: Department of Law

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Revision Date: 3-13-97

Dept. Affected: Corrections

Title: Truth in Sentencing

BRU: ALL

Sponsor: Senator Halford

Components: ALL

Requestor: Senate Finance Committee

Serial # 694.0

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 98	FY 99	FY 00	FY 01	FY 02	FY03
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>***</b>	<b>***</b>	<b>***</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CHANGE IN REVENUES (1002)</b>	<b>650.0</b>	<b>650.0</b>	<b>650.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

FUNDING: (THOUSANDS OF DOLLARS)

1002 Federal Receipts	650.0	650.0	650.0			
1003 GF Match	65.0	65.0	65.0			
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
<b>TOTAL</b>	<b>715.0</b>	<b>715.0</b>	<b>715.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

see attached analysis

Prepared by: SENATE FINANCE COMMITTEE

  
SENATOR DRUE PEARCE, COCHAIR

  
SENATOR BERT SHARP, COCHAIR

Date: 3-13-97

Phone: 465-4993

Date: 3-13-97

Phone: 465-3004

Revision Date: 3-13-97

Dept. Affected: Corrections

Title: Truth in Sentencing

BRU: ALL

Sponsor: Senator Halford

Components: ALL

Requestor: Senate Finance Committee

Serial # 694.0

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
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	***	***	***	0.0	0.0	0.0
----------------------	-----	-----	-----	-----	-----	-----

CHANGE IN REVENUES (1002)	650.0	650.0	650.0	0.0	0.0	0.0
---------------------------	-------	-------	-------	-----	-----	-----

FUNDING: (THOUSANDS OF DOLLARS)

1002 Federal Receipts	650.0	650.0	650.0			
1003 GF Match	65.0	65.0	65.0			
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
<b>TOTAL</b>	<b>715.0</b>	<b>715.0</b>	<b>715.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

see attached analysis

Prepared by: SENATE FINANCE COMMITTEE

  
SENATOR DRUE PEARCE, COCHAIR

  
SENATOR BERT SHARP, COCHAIR

Date: 3-13-97

Phone: 465-4993

Date: 3-13-97

Phone: 465-3004

# CORRECTION

THE FOLLOWING DOCUMENT(S)  
HAVE BEEN REFILMED TO  
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Rev. 6/98

Central Microfilm Services  
Department of Education  
State of Alaska

Revision Date: 3-13-97

Dept. Affected: Corrections

Title: Truth in Sentencing

BRU: ALL

Sponsor: Senator Halford

Components: ALL

Requestor: Senate Finance Committee

Serial # 694.0

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 98	FY 99	FY 00	FY 01	FY 02	FY03
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>***</b>	<b>***</b>	<b>***</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CHANGE IN REVENUES (1002)</b>	<b>650.0</b>	<b>650.0</b>	<b>650.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

FUNDING: (THOUSANDS OF DOLLARS)

1002 Federal Receipts	650.0	650.0	650.0			
1003 GF Match	65.0	65.0	65.0			
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
<b>TOTAL</b>	<b>715.0</b>	<b>715.0</b>	<b>715.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

see attached analysis

Prepared by: SENATE FINANCE COMMITTEE

  
SENATOR DRUE PEARCE, COCHAIR

  
SENATOR BERT SHARP, COCHAIR

Date: 3-13-97

Phone: 465-4993

Date: 3-13-97

Phone: 465-3004

Analysis of CSSB 67(JUD)

As amended, SB 67 should qualify the State of Alaska to apply for and receive federal Truth-in-Sentencing grants under the United States Department of Justice Violent Offender Incarceration and Truth-in-Sentencing Incentive Grants program. These funds are to be used for prison construction or renovations. Congress has authorized funds for the grants through FY 2000. The amount that the State of Alaska would be eligible to receive depends upon how many other states qualify, inasmuch as appropriated funds are divided between qualifying states on the basis of their number of violent offenders. Had Alaska qualified this past year, its share would have been \$650,000 plus a required 10% state match. The Department of Corrections assumes that Congress will appropriate similar sums each year, but that Alaska's share may receive a slight decrease each year as more states qualify.

\*\*\* Should these federal receipts materialize they will be available for appropriation by the Legislature for future capital expenditures on correctional facilities.

Revision Date: 3-13-97

Title: Truth in Sentencing

Sponsor: Senator Halford

Requestor: Senate Finance Committee

Dept. Affected: Corrections

BRU: ALL

Components: ALL

Serial # 694.0

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 98	FY 99	FY 00	FY 01	FY 02	FY03
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	***	***	***	0.0	0.0	0.0
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CHANGE IN REVENUES (1002)	650.0	650.0	650.0	0.0	0.0	0.0
---------------------------	-------	-------	-------	-----	-----	-----

FUNDING: (THOUSANDS OF DOLLARS)

1002 Federal Receipts	650.0	650.0	650.0			
1003 GF Match	65.0	65.0	65.0			
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
<b>TOTAL</b>	<b>715.0</b>	<b>715.0</b>	<b>715.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

see attached analysis

Prepared by: SENATE FINANCE COMMITTEE

  
SENATOR DRUE PEARCE, COCHAIR

  
SENATOR BERT SHARP, COCHAIR

Date: 3-13-97

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\*\*\* Should these federal receipts materialize they will be available for appropriation by the Legislature for future capital expenditures on correctional facilities.



Official Business

## *Sponsor Statement*

### SB67 - the "Truth in Sentencing Act of 1997"

When a felon is sentenced to a term of imprisonment the public often receives a false sense of security that the individual will actually be incarcerated for the stated sentence. In fact, with "good time", as well as mandatory parole, the actual sentence is virtually guaranteed to be less than what is handed down by the judge during sentencing.

If enacted, SB 67 would require that the victims of a crime and their family, as well as the public, be provided with an *accurate* statement of the period of incarceration which must be served. With all the imposed requirements for reductions of time served, it is virtually guaranteed a full sentence will not ever be served. It is my goal to, at the very least, provide victims, their families and the public with an *honest* and accurate assessment of the time which must actually be served by a person convicted of a crime.

**S B**

**6 8**

# Alaska State Legislature

## Senate

### Sponsor Statement Senate Bill 68

**JERRY WARD**

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Juneau, AK 99801-1182  
Phone (907) 465-4941  
Fax (907) 465-3766

716 W. 4th Ave., Ste. 450  
Anchorage, AK 99501-2133  
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"An Act relating to the Task Force on Privatization;  
and providing for an effective date"

Privatization is the fundamental political and economic reassessment of the role of government and the private sector in the modern state. It is a variety of management techniques and activities encouraging more involvement of the private sector in providing government services. Markets are efficient only when they are competitive, however efficiency should not be government's only goal. Government must balance the pursuit of efficiency with effectiveness, while maintaining the confidence of the people it represents.

Senate Bill 68 was introduced to establish a task force that will review functions of state government that could easily be transferred to the private sector. The task force will have members from the public, legislative and executive branches of government.

This will be the first all encompassing look at privatizing governmental services in Alaska. Forty-eight other states, including Alaska, have privatized some governmental services. When enacted, this bill will evaluate which services could be provided more efficiently by the private sector as well as highlight those services that are better provided by the government. The report should provide a road map for reducing the size and cost of state government, without reducing service, while providing options for the future.

Senate Bill 68 will also look into the State's contracting procedures to make sure Alaskans are getting the most out of every contracting dollar spent.

This bill has been endorsed by the Alaska Trucking Association, Gold Belt Inc., and several others. Privatization of governmental services is one of the top priorities of the Alaska State Chamber of Commerce.

# FISCAL NOTE

No. 3

**STATE OF ALASKA**  
**1997 LEGISLATIVE SESSION**

Bill Verson: CSSB 68 (FIN)  
 (S) Publish Date: 3-26-97

Revision Date: \_\_\_\_\_ Dept. Affected: Office of the Governor  
 Title: "An Act relating to the Task Force on BRU: Executive Operations  
 Privatization; ..." Component: Executive Office  
 Sponsor: Senators Ward, Wilken  
 Requester: Senate Finance Committee COMPONENT SERIAL NO. 6

**Expenditures/Revenues**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL	*****	*****				
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	*****	*****	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ( )						
------------------------	--	--	--	--	--	--

**FUND SOURCE**

(Thousands of Dollars)

FUND SOURCE	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
1002 Federal Receipts						
1003 GF Match						
1004 GF	*****	*****				
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
<b>TOTAL</b>	*****	*****	0.0	0.0	0.0	0.0

Estimate of any current year (FY97) cost: \$ 0.0

**POSITIONS**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

The composition of the task force envisioned by the bill involves both executive and legislative membership. This involves constitutional issues, for which the Administration may urge changes in this bill. However, as written the bill states that two of the three members appointed by the Governor will be public members. It is assumed that travel expenses will be incurred by members to attend meetings. Traditionally such costs are budgeted by the agency or branch housing the task force. This fiscal note assumes that the travel costs for all public members are included in the Legislative Affairs fiscal note.

Due to the nature of the subject in this bill, it is likely that the Administration's third appointee would be a state official in the Executive Branch. Historically, agencies involved pay the costs of Executive Branch state official participation. Should this be the case, fiscal impact in travel funding for FY98 would be 2.0, and .6 in FY99.

Prepared by: Michael Nizich, Administrative Director  
 Division: Administrative Services  
 Approved by Commissioner: Jim Ayers, Chief of Staff  
 Agency: Office of the Governor

Phone: 465-3876  
 Date: 3/24/97  
 Date: \_\_\_\_\_

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Fiscal note assumes one of the Governor's appointees will be from the Executive Branch and a resident of Juneau. After discussion with Legislative Affairs, the note further assumes travel costs for this appointee to attend task force meetings as follows:

FY982.0

4 meetings total:

2 Anchorage:

airfare -	\$444 x 2 trips =	\$ 888
per diem, lodging, grd. trans.	\$194 x 2 =	\$ 388

1 Fairbanks:

airfare -	\$574 x 1 trip =	\$ 574
per diem, lodging, grd. trans.	=	\$ 194

1 Juneau: no cost

FY990.6

1 Anchorage:

airfare -	\$444 x 1 trip =	\$ 444
per diem, lodging, grd. trans.	=	\$ 194

1 Juneau: no cost

# FISCAL NOTE No. 2

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

Bill Version: CSSB 68 (FIN)

(S) Publish Date: 3-26-97

Revision Date: 2/24/97  
Title: An Act relating to the Task Force on Privatization.

Dept. Affected: See analysis below

BRU: \_\_\_\_\_

Component: \_\_\_\_\_

Sponsor: Senator Ward  
Requester: Senate State Affairs Committee

COMPONENT SERIAL NO. \_\_\_\_\_

## Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	*****	*****	*****	*****	*****	*****

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

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

## FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY97) cost: \$ \*\*\*\*\*

### POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

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

This bill would establish a Task Force on Privatization, which would, among other tasks, "identify functions of our state government that could economically and appropriately be privatized, if any."

Most of the state's labor agreements include provisions which require the state to conduct feasibility studies determining potential costs and benefits before any decisions are made on contracting out work currently performed by state employees. Therefore, before any decisions are made on implementation of the Task Force's recommendations to privatize state functions covered by these labor agreements, the feasibility studies required by the labor agreements would need to be conducted.

Prior feasibility studies of this type have cost from approximately \$20,000 to \$50,000 per study. However, because the need for feasibility studies will depend on the recommendations of the Task Force, these costs, and the departments affected, cannot be estimated now. This is why asterisks are shown on this fiscal note.

In addition to feasibility studies, the labor agreements require other procedures to be followed before work can be contracted out.

Prepared by: Annalee McConnell, Director *Annalee McConnell* Phone: 465-4660  
 Division: Office of Management and Budget Date: 2/24/97

Approved by Commissioner: Jim Ayers, Chief of Staff Date: 2/24/97  
 Agency: Office of the Governor

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58 58

# CORRECTION

THE FOLLOWING DOCUMENT(S)  
HAVE BEEN REFILMED TO  
ASSURE LEGIBILITY OR PAGINATION



Rev. 6/98

Central Microfilm Services  
Department of Education  
State of Alaska

# FISCAL NOTE No. 2

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

Bill Version: CSSB 68 (FIN)  
(S) Publish Date: 3-26-97

Revision Date: 2/24/97  
Title: An Act relating to the Task Force on Privatization.

Dept. Affected: See analysis below

Sponsor: Senator Ward  
Requester: Senate State Affairs Committee

BRU: \_\_\_\_\_  
Component: \_\_\_\_\_  
COMPONENT SERIAL NO. \_\_\_\_\_

## Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	*****	*****	*****	*****	*****	*****

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

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

## FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY97) cost: \$ \*\*\*\*\*

### POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

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

This bill would establish a Task Force on Privatization, which would, among other tasks, "identify functions of our state government that could economically and appropriately be privatized, if any."

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 Division: Office of Management and Budget Date: 2/24/97

Approved by Commissioner: Jim Ayers, Chief of Staff Date: 2/24/97  
 Agency: Office of the Governor

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