

ALASKA LEGISLATURE COMMITTEE FILES 2007-2008 SSTA 12743

Problem drinking

There is also evidence that both perpetrators and victims are more likely to be problem drinkers.

Studies indicate many sexual violence *perpetrators* are 'heavy' or 'problem' drinkers:

- Among 142 imprisoned rapists in the UK, researchers deemed 37% were 'alcohol dependent' at the time of interview (Grubin and Gunn, 1990).
- Among a sample of Canadian imprisoned offenders (72 rapists, 34 child molesters and 24 nonsexual violent offenders), almost half (46%) the rapists were 'severe alcohol abusers' compared with 4% of the non-sexual violent offenders. Notably, differences in drug abuse were less pronounced (Abracen et al., 2000 - Canada).

Studies also indicate many sexual violence *victims* are more likely to be 'problem' drinkers:

- A US study of 238 female undergraduate students found those with histories of severe sexual victimisation (attempted or completed rape) reported greater weekly alcohol consumption rates than non-victimised women (Corbin et al., 2001 - US).
- Among 296 male and female Greek college students, men and women with self-report histories of unwanted sexual contact reported heavier alcohol consumption than those without such histories (Larimer et al., 1999 - Greece).
- In a Canadian study of 358 gay and bisexual men, alcohol abuse was almost three times more common among those who reported having experienced non-consensual sex by another man (in childhood, adulthood or both) compared with non-victimised men (Ratner et al., 2003 - Canada).

Characteristics and consequences of alcohol-related sexual violence

Victim-offender relationship

Although most sexual assaults occur between people who know each other, alcohol-related sexual assaults are more likely to occur between people who do not know each other well (Abbey et al., 2001 - US; Testa and Parks, 1996 - US). Koss et al. (1988 - US) examined alcohol involvement in rapes characterised by different victim-offender relationship types in a sample of US college women. Alcohol was consumed by both victim and offender most often in cases of casual dates, and least often in rapes involving spouses or family members.

Situational characteristics

Violence in general commonly occurs in and around licensed premises and alcohol is a factor in many such incidents (see Finney, 2003b). Licensed premises are also associated with greater frequency of sexual attacks (Combs-Lane and Smith, 2002 - US). Alcohol-related sexual violence is more likely to occur in bars and at parties than at either person's home (Abbey et al., 2001).

There is often both offender and victim drinking in incidents of sexual violence (Abbey et al., 2001 - US; Martin, 1992 - US). Using US police report data, Amir (1971 - reported in Roizen, 1997 - US) found two-thirds of alcohol-related rape cases involved both victim and offender drinking. This is likely to reflect the importance of drinking alcohol and of pubs and parties as settings for socialising and strongly relates to the finding that most sexual assaults involve people who know each other.

Rarely, however, is the victim the only person to have been drinking (Abbey et al., 2001 - US; Martin, 1992 - US). For example, Brecklin and Ullman (2002 - US) found that only two out of 859 female victims of sexual assault had been drinking when the offender had not.

Outcome severity

Research suggests that the severity of sexual violence varies with alcohol use. North American studies of official data show alcohol-related rapes involved greater physical force by the offender and greater victim injury compared with incidents in which neither party was drinking (Collins and Messerschmidt, 1993 - US; Hodge, 1993). US survey research suggests that offender drinking increases the likelihood and severity of victim injury (e.g., Brecklin and Ullman, 2002 - US).

Evidence on the effects of alcohol use on the level of sexual violation is mixed:

- Official data suggest sexual humiliation is likely to be greater when the offender has been drinking (Roizen, 1997 - US).
- Other survey-based studies suggest that rape completion is more likely if the offender has been drinking (e.g., Brecklin and Ullman, 2002 - US) while others suggest perpetrator drinking is not related to rape completion at all (e.g., Abbey et al., 2002 - US).
- Using national US victim survey data, Brecklin and Ullman (2001 - US) found rape completion was less likely if the offender had been drinking, relating in part to effective victim resistance.
- Using data from a national sample of college women, Ullman et al. (1999 - US) found offender drinking did not relate directly to severity of sexual violation. However, offender drinking did relate to the level of offender aggression which in turn related to severity of sexual violation.

Contrasting findings may relate to varying methods and definitions employed in different studies.

Increased victim drinking levels are associated with decreased offender aggression, victim resistance and physical injury (e.g., Abbey et al., 2002 – US; Brecklin and Ullman, 2002 – US). They are, however, associated with increased risk of completed, compared with attempted, rapes (Abbey et al., 2002 – US).

The role of alcohol

Any behaviour committed in the context of alcohol consumption, violent or otherwise, results from interaction between factors relating to the individual, to the immediate environment and to the alcohol consumed.

Research indicates that alcohol is best seen as contributing to violent behaviour, rather than causing it (McCord, 1993 – US). Further, the role of alcohol is likely to be multifaceted. Graham et al. (1998 – Canada) describe the alcohol-related factors which may relate directly or indirectly to violence as falling into four groups:

- 'cultural' factors, relating to how alcohol and its relation to violence are understood in society
- 'person' factors, relating to individuals' responses to, expectations and beliefs about alcohol
- 'pharmacological' factors relating to the psychopharmacological properties of alcohol
- 'context' factors, relating to the physical and social circumstances in which alcohol is consumed.

A number of theories have been proposed to explain how alcohol contributes to sexual violence, many of which have found support in research. Some of these are discussed below.

Disinhibition

Perpetrator intoxication may disinhibit sexual and physical aggression, and decrease the ability to understand a victim's non-consensual signals (Collins and Messerschmidt, 1993 – US). Intoxicated victims may be less able to identify assault before it becomes severe or less able to defend themselves effectively, or they may be more likely to enter risky situations (Testa and Parks, 1996 – US). This may relate to the finding that alcohol is more often present in spontaneous sexual acts compared with those which are 'planned' (Collins and Messerschmidt, 1993 – US).

Beliefs and expectations

Beliefs and expectations about alcohol appear to be especially important in alcohol-related sexual violence.

There are a number of ways beliefs about drinking can affect behaviour:

- Alcohol is widely believed to increase sexual desire and capacity, and also increase aggressive behaviour, especially in men. This may predispose some men to act sexually and aggressively after drinking alcohol (Abbey et al., 2002).
- Many sexual violence perpetrators blame alcohol for their transgressions and heavy drinkers are especially likely to invoke alcohol as a post-offence excuse (Abbey et al., 2001).
- A US study of college 'date rapists' (Kanin, 1984; in Abbey et al., 2001) found most (62%) reported they had committed rape because they had been drinking.
- Additionally, women who drink alcohol are commonly viewed as being more sexually available and promiscuous than women who do not (Abbey et al., 2001 – US). Wild et al. (1998) found perpetrators are blamed less by third parties when the victim is drunk, regardless of perpetrator drinking.
- Also, women who drink in certain contexts may present 'easier' targets to sexually aggressive men who perceive them to be more sexually available (Testa and Parks, 1996 – US).

Context

The relationship between alcohol and sexual violence is likely, in some cases, to reflect the contexts in which people often meet, socialise and consume alcohol. Increased risk of sexual violence at bars and parties may relate to greater exposure to potential assailants (Combs-Lane and Smith, 2002 – US) or because people commonly expect other people within drinking settings to be receptive to sexual advances (Abbey et al., 2001 – US).

Strategy

Alcohol may be used as a strategy for perpetrating rape (Brecklin and Ullman, 2001 – US), perhaps because people believe alcohol has incapacitating, courage-building or aphrodisiac qualities (Abbey et al., 2001 – US). Many 'date rapists' report deliberately getting a woman drunk in order to have sexual intercourse with her (Abbey et al., 2001 – US). Testa and Parks (1996 – US) suggest acquaintances or strangers may find it easier to act aggressively when the victim is intoxicated. Conversely, perpetrators of sexual violence against intimate partners may be better able to coerce, rather than force their victims, by employing powers of authority, fear or persuasion as alternative strategies.

Alcohol and the role of victimisation

The development of alcohol problems among victims may be a result of the experience of sexual violence rather than contributing to sexual victimisation. Alcohol use is a common response in times of psychological stress and US research supports suggestions that sexually assaulted women consume alcohol partly to self-medicate (Miranda et al., 2002 – US). Alcohol abuse is an early predictor of post-traumatic stress disorder in sexual violence victims (Darves-Bornoz et al., 1998 – Europe). Acierno et al. (1999 – US) also suggest that alcohol abuse is associated with an increased risk of post-traumatic stress disorder following rape. The precise process in the development of alcohol problems is, however, likely to be complex. Abbey et al. (2001 – US) suggest that drinking during sexual encounters can help past victims cope with negative feelings about sex but doing so puts them at greater risk of future violation.

Conclusions

Alcohol use in the event is common in incidents of sexual violence and perpetrator and victim drinking is common. This may be a function of the situation in which sexual violence occurs, or the influence of alcohol-related pharmacological and expectancy effects on sexual behaviour. Alcohol use is more likely in incidents of sexual violence between people who do not know each other well than intimates and the presence of alcohol has implications for the severity of sexual violence outcomes. Alcohol problems are common among male perpetrators of sexual violence. Alcohol problems are also common among sexual violence victims, which in many cases develop following victimisation. Alcohol relates to sexual violence via a number of direct and indirect pathways.

Research gaps and recommendations

UK research on alcohol-related sexual violence is sparse. Research is needed to identify what types of sexual crimes are committed by which type of people, under what circumstances, and the roles alcohol plays in the commission of these crimes.

The following are key knowledge gaps.

- The prevalence of alcohol involvement in a variety of sexual violence types.
- The type of drinking (intoxication in the event; chronic drinking) implicated in sexual violence.

- The influence of person-related factors (such as aggressive disposition; beliefs and expectancies) on alcohol-related sexual violence.
- The relative role of alcohol in sexual violence characterised by different combinations of victim-offender relationships and settings (domestic; social settings).
- The role of alcohol in potentially high risk and marginalised groups, for example, young people, specific ethnic or cultural groups, students, homeless people, dependent drinkers and victims of domestic violence.
- The role of alcohol in non-reporting by sexual violence victims.

Finally, theories of the relationship between alcohol and sexual violence need to be developed and tested.

However, sexual violence is undoubtedly a difficult and sensitive subject to research, fraught with ethical and practical dilemmas. Studies need to look at the multitude of factors potentially related to alcohol in sexual violence and their interrelations (Abbey et al., 2001 – US). Research findings can vary quite substantially depending on who is asked about sexual violence and alcohol use (offender, victim or officials). Research, therefore, needs to use multiple approaches to strengthen knowledge and validate findings.

Reporting rates for sexual offences are low and alcohol use compounds this outcome (Fisher et al., 2003 – US). This suggests official data should not be relied upon alone. Experiences of sexual violence are not always interpreted as transgressions by victims and offenders (Koss et al., 1988 – US). It is therefore necessary to carefully construct definitions of sexual violence. Brecklin and Ullman (2002 – US) suggest conducting surveys presented, for example, as surveys on personal safety with a focus on interpersonal violence rather than as 'crime' surveys. Additionally, however, victims who have been drinking may be less likely to realise or recall they have been sexually assaulted (Abbey et al., 2001 – US). This needs to be acknowledged when interpreting research findings.

Andrea Finney is now a Senior Research Officer in the Home Office Research, Development and Statistics Directorate's Measuring and Analysing Crime Programme but was formerly in the Drug and Alcohol Research Programme. The author would like to thank Stuart Lister, University of Leeds, and Mary McMurrin, Cardiff University, who peer-reviewed this Findings.

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STORY PAGE

DATA POINTS: Alcohol and traffic deaths

- Between 1982 and 1993, 266,291 deaths in the United States were alcohol-related -- one fatality every 30 minutes.
- Traffic fatalities in alcohol-related crashes rose by 4 percent from 1994 to 1995. The 17,274 alcohol-related fatalities in 1995 (41 percent of total traffic fatalities for the year) represent a 24 percent reduction from the 22,715 alcohol-related fatalities reported in 1985 (52 percent of the total).
- The National Highway Traffic Safety Administration estimates that alcohol was involved in 41 percent of fatal crashes and in 7 percent of all crashes in 1995.
- The 17,274 fatalities in alcohol-related crashes during 1995 represent an average of one alcohol-related fatality every 30 minutes.
- More than 300,000 people were injured in crashes where police reported that alcohol was present -- an average of one person injured approximately every two minutes.
- Approximately 1.4 million drivers were arrested in 1994 for driving under the influence of alcohol or narcotics. This is an arrest rate of one for every 127 licensed drivers in the United States.
- In 1995, 32 percent of all traffic fatalities occurred in crashes in which at least one driver or nonoccupant had a blood-alcohol content of .10 or greater. More than two-thirds of the 13,564 people killed in such crashes were themselves intoxicated. The remaining one-third were passengers, nonintoxicated drivers, or nonintoxicated nonoccupants.

- The rate of alcohol involvement in fatal crashes is three and one-third times as high at night as during the day (62.3 percent vs. 18.8 percent). For all crashes, the alcohol involvement rate is nearly five times as high at night (14 percent vs. 3 percent).

- In 1995, 32 percent of all fatal crashes during the week were alcohol-related, compared to 54 percent on weekends. For all crashes, the alcohol involvement rate was 5 percent during the week and 11 percent during the weekend.

- In 1995, 32.5 percent of all fatal traffic accidents involved drivers with a blood-alcohol content of greater than .10.

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- [National Commission Against Drunk Driving](#) - a non-profit organization of private and public sector leaders

who are dedicated to minimizing the human and economic losses resulting from motor vehicle crashes by working to make driving impaired a socially unacceptable act

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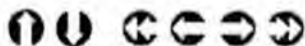
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THE ROLE OF AGGRESSION-RELATED ALCOHOL EXPECTANCIES IN EXPLAINING THE LINK BETWEEN ALCOHOL AND VIOLENT BEHAVIOR

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Abstract:

Studies have demonstrated an acute effect of alcohol on violent behavior. A remaining issue is the motivation of some offenders for using alcohol before offending. A common explanation is based on the relationship between daily drinking habit and drinking before offending. Drawing upon the deviance disavowal assumption, the embolden hypothesis, and expectancy theories, the present study argues that alcohol may be used intentionally to promote or excuse the violent consequences of drinking. Using data from the 1993 Buffalo Longitudinal Study of Young Men, the present study examines the independent effect of aggression-related alcohol expectancies on drinking before offending and the interactive effect of aggression-related alcohol expectancies and daily alcohol consumption on drinking before offending. The results indicate a significant effect of aggression-related alcohol expectancies on alcohol use before offending. This supports the

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argument that drinking may be a means for carrying out violent acts. A significant interactive effect was found between aggression-related alcohol expectancies and daily alcohol consumption. "Heavy" daily alcohol consumption increased the likelihood of drinking before offending for individuals who had high aggression-related alcohol expectancies more than those who had low such expectancies. Aggression-related alcohol expectancies moderated the effect of daily drinking on drinking before offending. The implications of these findings are discussed for the link between alcohol and violence.

Keywords:

Alcohol, Violence, Expectancies

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Alcohol and violent pornography: responses to permissive and nonpermissive cues.

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Both alcohol consumption and violent pornography have been implicated independently in the commission of sexual aggression. In addition to alcohol consumption, the presence of alcohol in the context of violent pornography may act as a permissive cue to influence judgments of such material's acceptability and self-reported likelihood of engaging in sexually violent behavior. To test this proposition, an experiment which varied beverage condition (alcohol vs no alcohol), expectancy set (expect vs do not expect alcohol) and a permissive (presence of alcohol) vs nonpermissive (absence of alcohol) cue was conducted on both male and female subjects. Secondary analyses on male subjects alone investigated the role of the personality trait hypermasculinity in affecting judgments. Results showed that (1) alcohol itself rather than expectancy set influenced judgments and willingness to engage in sexual violence; (2) the presence of alcohol interacted with alcohol consumption to affect willingness to engage in sexual violence; (3) men high in hypermasculinity judged the violent pornographic story more positively than did men low in this trait; and (4) alcohol interacted with hypermasculinity to affect acceptability judgments, but only for men low on this trait. These findings are consistent with cognitive disruption models and show promise for future investigations of the influence of permissive cues, as well as the role of hypermasculinity.

MeSH Terms:

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(REVISED)
FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: SB036-LAW-CJL-1-26-07
() Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Law
Title An Act relating to sentencing for alcohol related RDU Criminal Division
crimes. Component Criminal Justice Litigation
Sponsor Senator Therriault
Requester Senate State Affairs Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

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Personal Services						
Travel						
Contractual						
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Land & Structures						
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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						
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ANALYSIS: (Attach a separate page if necessary)

Please see the attached Analysis Continuation sheet.

Prepared by: Robert Meiners, Acting Director Phone 465-5427
Division Administrative Services Division Date/Time 1/26/07 11:10 AM
Approved by: Robert Meiners for Talis Colberg, Attorney General Date 1/26/2007
Agency Department of Law

FISCAL NOTE

**STATE OF ALASKA
2007 LEGISLATIVE SESSION**

BILL NO. SB036-LAW-CJL-1-26-07

ANALYSIS CONTINUATION

This bill would allow a court, as part of a sentence for conviction of a crime against a person, or in certain drunk driving and refusal to submit to a breathalyzer offenses, to order the defendant not to consume alcohol for a period up to the defendant's lifetime. The court would first have to make certain findings by clear and convincing evidence, such as for a crime against a person, that the defendant's conduct was substantially influenced by the consumption of alcohol. The violation of the order imposed as a part of sentence would be a new crime, consumption of alcohol in violation of sentence. Violation of the new crime would be a class A misdemeanor for the first offense, and a class C felony for a second or subsequent offense.

Under current law courts may order a person not to drink as a condition of probation. Many petitions to revoke probation are based, at least in part, by violation of this condition. This suggests that the provisions in the bill may have a significant impact on the caseload of the District Attorneys offices; however, the budget impact is indeterminable since it is impossible to predict with any certainty how many such violations will arise. .

STATE OF ALASKA

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Senator Lesil McGuire, Chair
Senate State Affairs Committee

Dear Senator McGuire:

Thank you for the opportunity to testify on SB 36, Sentencing for Alcohol Related Crimes, and thank you for your willingness to consider the negative outcomes of this legislation – more addicts in prison, less opportunities for treatment, greater costs to the State of Alaska.

I want to respond to comments made by Senator Bunde regarding alcohol treatment and the data on successful outcomes. Senator Bunde is correct, in that the data on recidivism after alcohol treatment is abysmal. As I told the committee, relapse is common during the first month after treatment and throughout the first year after treatment. But, research also tells us that if an alcoholic can stay sober for the first year, they are much more likely to be sober after three years; and if they can stay sober for three years, they are much more likely to be sober at 10 years.¹ This speaks to the need for follow-up services, community treatment and family supports.

Alcohol treatment is never a wasted effort. A study that appeared in the January 2007 issue of the journal *Brain* revealed that after just two months of abstinence, an alcoholic's brain volume, reduced from excessive alcohol use, increased an average of 1.8%, and the communication efficiency of their brain cells rose 20%. Abstinence, even short periods, enables the brain to regain some substance and perform better. This appears to be consistent with the fact that many addicts, although they need multiple attempts at recovery, finally attain the capacity to reform.

I have provided the Committee with two additional "fact sheets." One discusses alcohol treatment in Alaska's prisons, and the success of the Residential Substance Abuse Treatment Program (RSAT). The other speaks to the question – how do we pay for the treatment we know Alaskans need? The answer is the state's alcohol tax and the Alcohol and Other Drug Treatment and Prevention Fund. Created in 2002, the fund was intended to increase our capacity to prevent and treat alcohol abuse. This has not happened. because instead of using the fund to supplement prevention and treatment, we have used it to supplant general fund. The fact sheet expands on this information and provides specifics in the amount of money that could be used annually to address this crisis.

Thank you for your attention to this matter. I will not be available to testify on the bill on Tuesday, but will check back with your office on Thursday to answer any questions you or committee member may have.

Sincerely,

Angela Salerno, Advocacy Coordinator

¹ *Initial and Long-Term Alcohol Treatment Success: 10-Year Study of the Project MATCH Albuquerque Sample*. Center on Alcoholism, Substance Abuse, and Addictions, University of New Mexico, 2002.

Alaska State Legislature

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Juneau, AK 99801
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Fax: (907) 465-6592



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Anchorage, AK 99501-2133
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Senator Lesil McGuire
Chair, Senate State Committee

Fax

To: Leg Legal, Jerry Luckhaupt **From:** Shalon Szymanski, SSTA Committee Aide

Fax: 2029 **Pages:**

Phone: **Date:** February 22, 2007

Re: Final CS Request (SB 36) **CC:**

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

● Comments:

SB 36 moved out of SSTA today.

If you have any questions, please feel free to contact me at 4522.

ALASKA STATE LEGISLATURE

Sen. Lesil McGuire, Chair
Sen. Gary Stevens, Vice-Chair
Sen. Lyda Green
Sen. Hollis French
Sen. Con Bunde



State Capitol, Room 125
Juneau, AK 99801-1182
(907) 465-2995
Fax (907) 465-6592

SENATOR LESIL McGUIRE
CHAIR, STATE AFFAIRS

Memorandum

To: Leg. Legal

From: Shalon Szymanski, Committee Aide
Senate State Affairs Committee

Date: February 22, 2007

Re: Final CS Request (SB 36)

Please create a Final Committee Substitute (STA) for work order # 25-LS0282\C.

SB 36 did move out of committee today.

Thank you!

25-LS0282C
Luckhaupt
1/23/07

CS FOR SENATE BILL NO. 36()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): SENATOR THERRIAULT

A BILL
FOR AN ACT ENTITLED

1 **"An Act relating to sentencing for the commission of certain offenses influenced by**
2 **alcohol and to the offense of consumption of alcohol in violation of sentence."**

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

4 *** Section 1. AS 11.56 is amended by adding a new section to read:**

5 **Sec. 11.56.768. Consumption of alcohol in violation of sentence. (a) A**
6 **person commits the crime of consumption of alcohol in violation of sentence if the**
7 **person knowingly consumes alcohol in violation of an order imposed under**
8 **AS 12.55.015(a)(13), AS 28.35.030, or 28.35.032.**

9 **(b) In a prosecution under this section, it is an affirmative defense that**

10 **(1) the alcohol was consumed under the direction of, a health care**
11 **professional as part of medical treatment of the defendant; or**

12 **(2) the alcohol was consumed as a nonprescription medication in doses**
13 **and for the purposes recommended by the manufacturer of the medication or as**
14 **approved by the United States Food and Drug Administration.**

1 (c) In this section, "consumption of alcohol" means to ingest, orally or
2 otherwise, alcohol or any substance containing alcohol.

3 (d) Except as provided in (e) of this section, consumption of alcohol in
4 violation of sentence is a class A misdemeanor.

5 (e) Consumption of alcohol in violation of sentence is a class C felony if the
6 defendant has been previously convicted of violating this section.

7 * Sec. 2. AS 12.55.015(a) is amended to read:

8 (a) Except as limited by AS 12.55.125 - 12.55.175, the court, in imposing
9 sentence on a defendant convicted of an offense, may singly or in combination

10 (1) impose a

11 (A) fine when authorized by law and as provided in
12 AS 12.55.035; or

13 (B) day fine when authorized by law and as provided in
14 AS 12.55.036 if the court does not impose a term of periodic or continuous
15 imprisonment or place the defendant on probation;

16 (2) order the defendant to be placed on probation under conditions
17 specified by the court that may include provision for active supervision;

18 (3) impose a definite term of periodic imprisonment;

19 (4) impose a definite term of continuous imprisonment;

20 (5) order the defendant to make restitution under AS 12.55.045;

21 (6) order the defendant to carry out a continuous or periodic program
22 of community work under AS 12.55.055;

23 (7) suspend execution of all or a portion of the sentence imposed under
24 AS 12.55.080;

25 (8) suspend imposition of sentence under AS 12.55.085;

26 (9) order the forfeiture to the commissioner of public safety or a
27 municipal law enforcement agency of a deadly weapon that was in the actual
28 possession of or used by the defendant during the commission of an offense described
29 in AS 11.41, AS 11.46, AS 11.56, or AS 11.61;

30 (10) order the defendant, while incarcerated, to participate in or
31 comply with the treatment plan of a rehabilitation program that is related to the

1 defendant's offense or to the defendant's rehabilitation if the program is made available
2 to the defendant by the Department of Corrections;

3 (11) order the forfeiture to the state of a motor vehicle, weapon,
4 electronic communication device, or money or other valuables, used in or obtained
5 through an offense that was committed for the benefit of, at the direction of, or in
6 association with a criminal street gang;

7 (12) order the defendant to have no contact, either directly or
8 indirectly, with a victim or witness of the offense until the defendant is
9 unconditionally discharged;

10 (13) order the defendant to refrain from consuming alcohol.
11 subject to AS 11.56.768, for a period of time up to the lifetime of the defendant,
12 including during the term of any sentence and as a condition of probation,
13 suspended sentence, and suspended imposition of sentence, if

14 (A) the defendant was convicted of a felony under AS 11.41
15 and the court finds by clear and convincing evidence that the defendant's
16 conduct constituting the offense was substantially influenced by the
17 consumption of alcohol; or

18 (B) the court finds by clear and convincing evidence that,
19 based on the defendant's history, there is reason to believe that imposing a
20 requirement that the defendant refrain from consuming alcohol is
21 necessary to protect the public and the defendant was convicted of a
22 violation of AS 28.35.030 or 28.35.032 and the defendant has been
23 previously convicted two or more times or the offense resulted in death or
24 serious physical injury to another person; in this subparagraph,
25 "previously convicted" has the meaning given in AS 28.35.030.

26 * Sec. 3. AS 12.55.015 is amended by adding a new subsection to read:

27 (j) Nothing in (a)(13) of this section limits or restricts the authority of a court
28 to order a person to refrain from the consumption of alcohol as a condition of sentence
29 or probation.

30 * Sec. 4. AS 28.35.028(a) is amended to read:

31 (a) Notwithstanding another provision of law, with the consent of the state and

1 the defendant, the court may elect to proceed in a criminal case under AS 11.56.768,
2 AS 28.35.030, or 28.35.032, including the case of a defendant charged with violating
3 the terms of probation, under the procedure provided in this section and order the
4 defendant to complete a court-ordered treatment program. The state may not consent
5 to a referral under this subsection unless the state has consulted with the victim and
6 explained the process and consequences of the referral to the victim. A court may not
7 elect to proceed under this section if the defendant has previously participated in a
8 court-ordered treatment program under this section two or more times.

9 * Sec. 5. The uncodified law of the State of Alaska is amended by adding a new section to
10 read:

11 **APPLICABILITY.** This Act applies to offenses committed on or after the effective
12 date of this Act. References to previous convictions apply to convictions occurring before, on,
13 or after the effective date of this Act.

Angela Scelarno (sp)

STATE OF ALASKA

Frank H. Murkowski, GOVERNOR

DEPT. OF HEALTH AND SOCIAL SERVICES

*Advisory Board on Alcoholism and Drug Abuse
Alaska Mental Health Board*

P.O. BOX 110608
JUNEAU, AK 99811-0608
PHONE: (907) 465-8920
FAX: 465-4410

January 23, 2007

**Testimony to the Senate State Affairs Committee on SB 36 by:
Angela Salerno, Advocacy Coordinator, Advisory Board on Alcoholism and Drug Abuse**

Further criminalization and incarceration of people with alcohol addiction will not be an effective strategy in stopping the cost of addictions borne by families, communities and the state of Alaska.

Alcohol addiction is a chronic relapsing disorder. It is not unusual for an addict to relapse within one month following treatment, nor is it unusual for an addict to relapse 12 months after treatment. Studies have shown that **54 percent** of all alcohol abuse patients can be expected to relapse, and that **61 percent** of that number will have multiple periods of relapse.

This data was collected on people lucky enough to get treatment for their alcohol addiction. The federal Substance Abuse and Mental Health Services Administration (SAMHSA) estimates that in 2004, over **35,000 Alaskans** who needed treatment could not receive it because it was not available. Why? Between FY '02 and FY '07, state funding for substance abuse treatment dropped by 56% or \$18.6 million.

Criminalizing alcohol relapse and incarcerating addicts has the potential to make the situation worse. In FY 04, funding for substance abuse treatment in Alaska's prisons was slashed – 15 programs were eliminated. Prisoners with alcohol addictions hit the street without treatment or support for successful reentry. If their criminality is driven by the addiction, as is often the case, they are bound to return to prison again and again, with no way to break the cycle. Our prisons are full, we send prisoners out of state, and the new prison planned for Alaska will be full on the day it opens.

Instead of more prison beds, we recommend that those who commit crimes fueled by alcohol be diverted to treatment. Alaska should adopt the model pioneered by the state of California. Brought about by a voter initiative in 2000, Proposition 36 requires that an offender convicted of a nonviolent, drug-related crime be offered probation and community-based drug treatment in lieu of prison. Outcome evaluations of Proposition 36 show:

- More than 140,000 were diverted from incarceration to treatment during the first four years – half were accessing treatment for the first time.
- The number of people incarcerated in state prisons for drug possession fell by 32%.
- Prop. 36 rendered unnecessary the construction of a new men's prison, saving the state at least half a billion dollars, and resulted in the shuttering of a woman's state prison.
- Cost-benefit studies show that every \$1 invested in treatment saved \$4 in costs for the criminal justice system.

Please do not take Alaska down this expensive and ineffective path. Consider treatment over punishment. Treatment works, recovery happens.

SB

40



Senator Bill Wielechowski Sponsor Statement

Senate Bill 40: "Longevity Bonus Reapplications"

"An Act relating to reapplications for the Alaska longevity bonus program; and providing for an effective date."

In 2003, Governor Frank Murkowski eliminated funding for the Alaska Longevity Bonus, leaving thousands of elderly Alaskans without a crucial source of income.

Senate Bill 40 would correct this injustice by allowing those Alaskans who originally qualified to reapply for the program and collect the bonus for as long as they remain alive and in the state. The program would continue to be phased out as those seniors pass away.

Upon signing the phase-out of the program into law in 1993, Governor Wally Hickel wrote in his letter of transmittal, "I am proposing this phased elimination because many Alaskans who will be reaching 65 in the next four years have counted on the bonus in planning for their retirement, and an abrupt termination of the program would not be fair to them."

Governor Hickel was mindful of the fiscal challenges facing both the State and Alaska's pioneers in 1993. He structured his reform to reduce the State's financial burden while also to uphold the policy set by his predecessors.

It has been said that promises only count when they're hard to keep, and keeping a promise is an important measure of character. We made a promise to those remaining recipients in 1993, and in 2003 we broke that promise. We lost many Alaskan seniors' faith in fair government, and we need to work to get it back.

With the monumental rise in natural gas and heating oil costs, Alaska's settlers could use the resources promised to them now more than ever. I respectfully ask for your support.

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: SB040CS(HES)-DHSS-DPA3-04
 Bill Version: CS SB 40 (HES)
 () Publish Date: _____
 Dept. Affected: Health & Social Services
 RDU Alaska Longevity Bonus Programs
 Component Longevity Bonus Hold Harmless

Revision Date/Time (Note if correction): April 9, 2007
 Title LONGEVITY BONUS REAPPLICATIONS

Sponsor WIELECHOWSKI

Requester SENATE (STA)

Component No. 2858

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	1,509.6	1,639.4	1,475.4	1,320.5	1,310.2	1,153.0
Miscellaneous						
TOTAL OPERATING	1,509.6	1,639.4	1,475.4	1,320.5	1,310.2	1,153.0

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

CHANGE IN REVENUES (0)						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	1,509.6	1,639.4	1,475.4	1,320.5	1,310.2	1,153.0
1037 GF/Mental Health						
Other(Specify Type-do not abbreviate)						
Other(Specify Type-do not abbreviate)						
TOTAL	1,509.6	1,639.4	1,475.4	1,320.5	1,310.2	1,153.0

Estimate of any current year (FY2007) cost: _____

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This proposed legislation reinstates the Alaska Longevity Bonus (ALB) payments for individuals who were qualified to receive them before January 1, 1997, and who received a payment in June 2003 when funding for the program ended. To qualify for the ALB, individuals must reapply for the program before January 1, 2008, and be a resident of the state under AS 01.10.055 on the day the reapplication is signed and dated.

Prepared by: Ellie Fitzjarrald, Director
 Division: Public Assistance
 Approved by: Karleen Jackson, Commissioner
 Agency: Department of Health and Social Services

Phone 465-5847
 Date/Time 04/09/2007
 Date 04/10/2007

**FISCAL NOTE
FN #**

**STATE OF ALASKA
2007 LEGISLATIVE SESSION**

ANALYSIS CONTINUATION

Hold Harmless

Alaska Longevity Bonus (ALB) Hold Harmless expenditures were determined by matching former ALB recipients against existing Adult Public Assistance recipients who also receive federal SSI benefits. This hold harmless amount is equal to the amount of SSI benefits that would be lost when the ALB payments are counted as income for the federal program.

Federal law governing the administration of Supplemental Security Income (SSI) program requires the Alaska Longevity Bonus be counted as income when determining federal SSI benefits. Under AS 47.45.122, the ALB Hold Harmless replaces the SSI benefits that are denied. As the number of ALB/SSI recipients decrease, the benefits paid will also decrease, as does the Hold Harmless.

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: SB40CS(HES)-DHSS-DPA2-04-1
 Bill Version: CS SB 40 (HES)
 () Publish Date: _____
 Dept. Affected: Health & Social Services
 RDU Alaska Longevity Bonus Programs
 Component Alaska Longevity Programs Management

Revision Date/Time (Note if correction): April 9, 2007
 Title LONGEVITY BONUS REAPPLICATIONS

Sponsor WIELECHOWSKI
 Requester SENATE (STA) Component No. 2672

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	240.0	240.0	240.0	240.0	240.0	240.0
Travel	7.5	7.5	7.5	7.5	7.5	7.5
Contractual	66.5	66.5	66.5	66.5	66.5	66.5
Supplies	36.0	36.0	36.0	36.0	36.0	36.0
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	350.0	350.0	350.0	350.0	350.0	350.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES (0)						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	350.0	350.0	350.0	350.0	350.0	350.0
1037 GF/Mental Health						
Other(Specify Type-do not abbreviate)						
Other(Specify Type-do not abbreviate)						
TOTAL	350.0	350.0	350.0	350.0	350.0	350.0

Estimate of any current year (FY2007) cost: _____

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time	3	3	3	3	3	3
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This proposed legislation reinstates the Alaska Longevity Bonus (ALB) payments for individuals who were qualified to receive them before January 1, 1997, and who received a payment in June 2003 when funding for the program ended. To qualify for the ALB, individuals must reapply for the program before January 1, 2008, and be a resident of the state under AS 01.10.055 on the date the reapplication is signed.

Prepared by: Ellie Fitzjarrald, Director
 Division Public Assistance
 Approved by: Karleen Jackson, Commissioner
 Agency Department of Health and Social Services

Phone 465-5847
 Date/Time 04/09/2007
 Date 04/10/2007

FISCAL NOTE

FN #

**STATE OF ALASKA
2007 LEGISLATIVE SESSION**

ANALYSIS CONTINUATION

Administrative Costs for the Alaska Longevity Bonus Program

This fiscal note represents the administrative costs for the Alaska Longevity Bonus program.

Assumptions:

* In FY08, the Department estimates 12,631 former ALB recipients may be eligible to qualify for the ALB: 95% or approximately 11,999 will apply by January 1, 2008.

* We estimate three positions are needed to manage the Alaska Longevity Bonus program: One Program Coordinator (Range 20); one Project Assistant (Range 16), and one Eligibility Technician (Range 13). These positions will be responsible for the overall administration of the program, including the initial and ongoing determination of eligibility.

* In May 2007, DPA will begin notifying seniors about the new program and accepting applications. The first payments will be issued after July 2007.

Administrative Costs: \$350.0

* Personal Services (3 positions): \$240.0

* Travel (to support employee training, marketing, outreach): \$7.5

* Contractual: \$66.5

* Supplies: \$36.0

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: SB040CS(HES)-DHSS-DPA1-04
 Bill Version: CS SB 40 (HES)
 () Publish Date: _____
 Dept. Affected: Health & Social Services
 RDU Alaska Longevity Bonus Programs
 Component Longevity Bonus Grants

Revision Date/Time (Note if correction): April 9, 2007
 Title LONGEVITY BONUS REAPPLICATIONS

Sponsor WIELECHOWSKI

Requester SENATE (STA)

Component No. 26

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	29,430.3	27,566.8	24,656.5	22,061.6	19,563.4	17,156.7
Miscellaneous						
TOTAL OPERATING	29,430.3	27,566.8	24,656.5	22,061.6	19,563.4	17,156.7

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

CHANGE IN REVENUES (0)						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	29,430.3	27,566.8	24,656.5	22,061.6	19,563.4	17,156.7
1037 GF/Mental Health						
Other(Specify Type-do not abbreviate)						
Other(Specify Type-do not abbreviate)						
TOTAL	29,430.3	27,566.8	24,656.5	22,061.6	19,563.4	17,156.7

Estimate of any current year (FY2007) cost: _____

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This proposed legislation reinstates the Alaska Longevity Bonus (ALB) payments for individuals who were qualified to receive them before January 1, 1997, and who received a payment in June 2003 when funding for the program ended. To qualify for the ALB, individuals must reapply for the program before January 1, 2008, and be a resident of the state under AS 01.10.055 on the day the reapplication is signed and dated.

Prepared by: Ellie Fitzjarrald, Director
 Division Public Assistance
 Approved by: Karleen Jackson, Commissioner
 Agency Department of Health and Social Services

Phone 465-5847
 Date/Time 04/09/2007
 Date 04/10/2007

FISCAL NOTE

FN #

**STATE OF ALASKA
2007 LEGISLATIVE SESSION**

ANALYSIS CONTINUATION

Analysis Assumptions

- * This fiscal note assumes legislation will be effective and ALB payments will begin with the benefit month July 2007.
- * Reapplication for the ALB will only be accepted if received before January 1, 2008.
- * 12,631 former ALB recipients may be eligible to qualify for the ALB in FY08: 95% or approximately 11,999 seniors will be eligible and 5% or 631 potential ALB recipients will not qualify for the ALB because they do not meet the program's residency requirements or will not apply.
- * The average ALB payment is \$212/month as the amount of the benefit ranged from \$100 to \$250 depending on time of previous entry into the program.
- * An ALB recipient may not accrue an ALB payment for more than two months before the date of application in accordance with AS 47.45.080.
- * The number of months a person may receive ALB payments in FY08 will vary depending on date of application, as shown in the chart below.
- * Program expenditures for FY09 through FY13 will decline each year as eligible seniors move away, enter nursing homes, or expire.

Benefit Amount Calculations FY08:

Percent of Appli-cants	Approx Number Appli-cants	Must apply by	May be paid retro-active to	Number months benefits FY08	Average Month Benefit Amount	Total FY08 Benefit Payments
70%	8,842	9/1/2007	7/1/2007	12	\$ 212	\$ 22,494.0
15%	1,895	10/1/2007	8/1/2007	11	\$ 212	\$ 4,419.0
5%	632	11/1/2007	9/1/2007	10	\$ 212	\$ 1,339.8
4%	505	12/1/2007	10/1/2007	9	\$ 212	\$ 963.5
1%	126	1/1/2008	11/1/2007	8	\$ 212	\$ 213.7
5%	-631	(will not meet residency criteria or will not apply)				\$ 0.0
Total	11,999	Average Benefit Amount= \$212.44 Rounded to \$212				\$ 29,430.3

FY09 through FY13:

	Approx Number Recipients	Total Benefit Payments
FY09	10,836	\$27,566.8
FY10	9,692	\$24,656.5
FY11	8,672	\$22,061.6
FY12	7,690	\$19,563.4
FY13	6,744	\$17,156.7

FISCAL NOTE
FN #

STATE OF ALASKA
2007 LEGISLATIVE SESSION

ANALYSIS CONTINUATION

Note: We assume that if the Alaska Longevity Bonus and the Alaska Senior Benefits program are both funded, seniors will need to choose either the Alaska Longevity Bonus or the Alaska Senior Benefits program. Seniors who choose to receive the Alaska Longevity Bonus will not receive the Alaska Senior Benefits program. The cost for the Alaska Longevity Bonus will decrease by the number of seniors who choose to receive the Alaska Senior Benefits program.

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

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

January 29, 2007

SUBJECT: Reapplication for the Alaska longevity bonus program;
sectional summary (SB 40; Work Order No. 25-LS0354\A)

TO: Senator Bill Wielechowski
Attn: George Ascott

FROM: Tamara Brandt Cook
Director *TBC*

Sec. 1. Permits a person to reapply for longevity bonus payments if the person was qualified to receive a longevity bonus payment before January 1, 1997, and was eligible for the bonus payment for June 2003 (the end of the last fiscal year for which appropriations were made to fund the program). To qualify the person must have maintained continuous state residency between June 2003 and the date the reapplication is filed. The reapplication must be filed before January 1, 2008. The Department of Administration is directed to prepare a reapplication form and may require evidence of eligibility as part of the reapplication process. If a person is found to be eligible for the bonus, the amount the person gets each month will equal the amount the person was eligible to receive for June 2003.

Sec. 2. The bill has an immediate effective date.

TBC:med
07-048.med

SB

43

SENATE COMMITTEE REPORT First Committee of Referral

DATE: 1/16/07

FURTHER: Finance

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

DATE TURNED
IN TO OFFICE: _____

State Affairs Committee considered SENATE BILL NO. 43

SB 43 CONTRIBUTIONS FROM PERM. FUND DIVIDENDS

"An Act relating to contributions from permanent fund dividends to community foundations, to certain educational organizations, and to certain other charitable organizations that provide a positive youth development program, workforce development, aid to the arts, or aid and services to the elderly, low-income individuals, individuals in emergency situations, disabled individuals, or individuals with mental illness; and providing for an effective date."

and recommends:

- be replaced with SCS or CS SB 43 (STA)
- adopt previous SCS or CS _____ (_____)
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

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


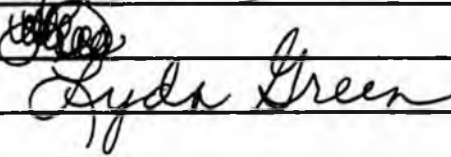

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
REV	02/16	✓			

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do Not PASS	NO REC	AMEND
	French			✓	
	Lyda Green			✓	
CHAIR: 	Measure	✓			



Alaska State Legislature

Senate Republican Minority

Web: www.aksenateminority.com

Sponsor: Senator Gene Therriault
Contact: 465-4797
Bill Version: SB 43

Fact Sheet for: Senate Bill 43

Short Title: CONTRIBUTIONS FROM PERMANENT FUND DIVIDENDS

Summary:

- Allows an applicant for the permanent fund dividend to subtract money from the dividend and contribute it to one or more community foundations, educational organizations or charitable organizations that appear on a contribution list on the application.
- Allows contributions of \$25, \$50, \$75 or \$100; or may be 10 percent, 25 percent, 50 percent or 100 percent of the total dividend amount.
- Lists each campus of the University of Alaska and each qualified educational or charitable organization in random order.
- Stipulates that educational organizations must provide vocational training or postsecondary education.
- Stipulates that the primary purpose of the charitable organization is to provide a positive youth development program, workforce development, aid to the arts, or aid and services to individuals who are: elderly, low-income, in emergency situations, disabled or mentally ill.
- Eligible organizations must:
 - Apply for inclusion on the contribution list for the current dividend year before June 15 of the qualifying year.
 - Have been exempt from taxation under 26 U.S.C. 501(c)(3) for the two calendar years preceding the year the application is filed.
 - Be directed by a voluntary board or local advisory board whose members are residents of the state.
 - Provide a qualifying service.
 - Receive the lesser of \$100,000 or 5 percent of its total annual receipts from contributions.
 - Provide a financial audit for the preceding fiscal year if its annual budget exceeds \$250,000.
 - Not make grants or contributions to an organization that is exempt from taxation under 16 U.S.C. 501(c)(4) or (6).

Benefits:

- Encourages contributions to worthy causes and helps strengthen Alaska's non-profit charities.

Background:

- The Rasmuson Foundation has offered to implement the program and underwrite the administrative costs for the first few years.

RASMUSON FOUNDATION

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PRESS CENTER

 print page  email page  search site[home](#) > [press center](#) > [pfd bill to be voted on in senate](#)

For Immediate Release

Contact: Jeff Clarke

PFD Check-off bill passes House, pending in Senate

Anchorage, Alaska - Legislation to allow Permanent Fund Dividend (PFD) applicants to make a donation through their PFD dividend to certain qualified educational or charitable organizations or community foundations passed the State House 34-3 on Saturday 29 April and is now pending in the State Senate.

If this legislation passes, there will be a very quick application period to get qualified organizations listed in the next PFD application packet. This letter is to help you get ready in case your organization wants to apply once the legislation passes.

Which organizations are potentially eligible?

The legislation has not yet passed the State Legislature so the eligibility criteria are not final. The current pending language can help you preliminarily determine your organization's eligibility and advise you on the documentation you may need to collect for the application process.

Potentially eligible organizations are:

- Educational organizations with a primary purpose of providing vocational training or post secondary education.
- Charitable organizations with a primary purpose of:
 - Positive youth development
 - Workforce development
 - Aid to the arts
 - Aid and Services to the:
 - Elderly
 - Low-income individuals
 - Individuals in emergency situations
 - Disabled individuals, or
 - Individuals with mental illness
- Community foundations

Which organizations are not eligible?

You will not be eligible if your organization makes grants or contributions to an organization that is exempt from federal income tax under 26 U.S.C. 501(c)(4) or (6).

What will an eligible organization have to demonstrate?

Again, once the legislation passes, you will be notified of the requirements. To help you get ready, the following is a list of operational qualifications that you will have to attest to and/or submit supporting documentation for:

- The eligible services were provided for at least two calendar years prior to the application.
- Current Articles of Incorporation and By-Laws.
- Current exemption from federal taxation under 26 U.S.C 501(c)(3).
- Current IRS Form 990 on file with the United States Department of the Treasury, Internal Revenue Service (2003, 2004, or 2005).
- The organization is directed by a voluntary board of directors or local advisory board, all of whom are Alaska residents.
- At least \$100,000 or five percent (5%) of the organization's annual receipts are from contributions, whichever is less.
- For organizations with a total, annual budget exceeding \$250,000, an "unqualified" audit by an independent, certified public accountant (CPA).

What will happen next?

As soon as the State Legislature has passed the legislation, you will be mailed an application. You will only have a few weeks to prepare the application package to meet the statutory deadlines for the next PFD application cycle.

If you are interested in tracking the legislation yourself, you can do so at the legislature's BASIS website at <http://www.legis.state.ak.us/BASIS>. Type SB297 in the box labeled "Bill Root."

If you think you will apply, we strongly advise you to collect the supporting documents and be prepared to quickly turn around the application package. If you have questions regarding the legislation, possible eligibility criteria, or the possible supporting documentation that may be needed, please call Terry Horton at (907)743-1207 or email thorton@forakergroup.org or call Len Lambert at (907) 263-3810 or email llambert@ak.org.

Sincerely,

Dennis McMillian
President
Foraker Group

Michele Brown
President
United Way of Anchorage

-30-

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STATE OF ALASKA

DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

SARAH PALIN, GOVERNOR

P.O. BOX 110400
JUNEAU, ALASKA 99811-0400
TELEPHONE: (907) 465-2300
FACSIMILE: (907) 465-2389

February 22, 2007

Senator Lesil McGuire, Chair
Senate State Affairs Committee
State Capitol
Juneau, Alaska 99801

RE: Senate Bill 43

Senator McGuire

Senate Bill 43 sets up a mechanism for PFD recipients to assign a portion of their PFD to one or more charitable organizations.

The Department of Revenue has concerns about the successful implementation of this or any PFD check-off bill given the current state of the PFD payment system technology.

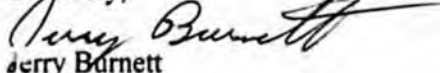
- PFD's current payment system was built in 1982 (pre AKSAS and AKPAY development)
- The current payment system's rigidity makes any change to the payment process a complicated and laborious process.
- PFD is unable to guarantee that it can implement more than one charitable assignment choice per application

This means one charity for everyone and a set donation amount (either a % or \$ amount, not both), (similar to the Alaska College Tuition choice).

- PFD's first priority in its mission is to distribute the dividend to eligible Alaskans in a timely manner. Altering the *current* payment system to incorporate charitable giving could have a negative effect on that mission.
- Development of a new payment system would allow PFD to incorporate payment changes such as charitable giving. If development was started this summer (and funds received to do that) a new flexible payment system could take effect with the 2009 dividend.

The Department will continue to work with the sponsor as SB 43 moves through the legislative process to address these concerns.

Sincerely,



Jerry Barnett

Administrative Services Director

Alaska State Legislature

Session:
State Capitol, Rm. 125
Juneau, AK 99801
Phone: (907) 465-2995
Fax: (907) 465-6592



Interim:
716 W 4th Avenue, Suite 430
Anchorage, AK 99501-2133
Phone: (907) 269-0250
Fax: (907) 269-0249

Senator Lesil McGuire
Chair, Senate State Committee

Fax

To: Leg Legal, Tam Cook **From:** Shalon Szymanski, SSTA Committee Aide

Fax: 2029 **Pages:**

Phone: **Date:** February 20, 2007

Re: Final CS Request (SB 43) **CC:**

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

● **Comments:**

ALASKA STATE LEGISLATURE

Sen. Lesil McGuire, Chair
Sen. Gary Stevens, Vice-Chair
Sen. Lyda Green
Sen. Hollis French
Sen. Con Bunde



State Capitol, Room 125
Juneau, AK 99801-1182
(907) 465-2995
Fax (907) 465-6592

SENATOR LESIL McGUIRE
CHAIR, STATE AFFAIRS

Memorandum

To: Leg. Legal
From: Shalon Szymanski, Committee Aide
Senate State Affairs Committee
Date: February 22, 2007
Re: Final CS Request (SB 43)

Please create a Final Committee Substitute (STA) for work order # 25-LS0365\A, mirroring # 25-LS0365\A but also including:

-1 attached amendment

Thank you!

AMENDMENT # 1

OFFERED IN THE SENATE

BY SENATOR THERRIAULT

TO: SB 43

1 Page 2, line 8, following "contribution.":

2 Insert "The electronic dividend application form must include notice that no money
3 contributed will be used for administrative costs incurred in implementing this section and
4 that money from the dividend fund will not be used for that purpose."
5

6 Page 3, lines 21 - 24:

7 Delete all material and insert:

8 "(d) Unless an appropriation specifically directs that the money be used for
9 costs incurred in implementing this section, the department may not use money from
10 the dividend fund for administrative costs incurred in implementing this section even
11 if it has been appropriated for costs of administering the dividend program. The
12 department may not use money contributed under (a) of this section for administrative
13 costs incurred in implementing this section. Contributions shall be distributed to each
14 organization as soon as practicable."

SB

45

SENATE COMMITTEE REPORT First Committee of Referral

DATE: 1/16/07

FURTHER: Judiciary

Date of 5-Day Notice: 01/18/07
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: _____

State Affairs Committee considered SENATE BILL NO. 45

SB 45 PEACE OFFICER CONVICTED OF MURDER

"An Act relating to murder in the first degree."

and recommends:

- be replaced with SCS or CS SB 45 (STAFF)
- adopt previous SCS or CS _____ (_____)
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

SENATE BILL:

- Same Title
 New Title

HOUSE BILL:

- Same Title
 Technical Title Change
 New Title w/
SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
CORR	01/23			✓	
LAW	01/22			✓	
CRT	01/23			✓	
ADM	01/22			✓	
ADM	01/24			✓	

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do NOT PASS	No REC	AMEND
					X
		✓			
		✓			
		✓			
CHAIR:	McBryne	✓			

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB 45 (STA)
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Corrections
 Title An Act relating to murder in the first degree. RDU Administration and Operations
 Component Officer of the Commissioner
 Sponsor Senator Olson
 Requester Senate State Affairs Component No. 694

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
Other (Specify Type—Do not abbreviate)	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

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)
 Passage of this legislation will not create a substantial fiscal impact for the Department of Corrections. The number of potential cases should be very insignificant.

Prepared by: Sharleen Griffin, Director Phone (907) 465-3339
 Division: Administrative Services Date/Time 1/23/07 12:42 PM
 Approved by: Dwyane Peoples, Deputy Commissioner Date 1/23/2007
 Agency: Department of Corrections

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB045-LAW-CJL-1-22-07
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Law
 Title An Act relating to mandatory sentencing of a RDU Criminal Division
peace officer convicted of murder. Component Criminal Justice Litigation
 Sponsor Senator Olson
 Requester Senate State Affairs Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The bill would amend current statute by imposing a mandatory ninety-nine year sentence for any peace officer convicted of first degree murder who was on duty at the time of the murder.

It is not anticipated that this bill would have any significant fiscal impact upon the Department of Law.

Prepared by: Robert Meiners, Acting Director
 Division: Administrative Services Division
 Approved by: Robert Meiners for Talis Colberg, Attorney General
 Agency: Department of Law

Phone 465-5427
 Date/Time 1/22/07 8:54 AM
 Date 1/22/2007

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB045-Courts-1-23-07
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: _____
 Title Peace Officer Convicted of Murder RDU Alaska Court System
 Component Trial Courts
 Sponsor Senator Olson
 Requester _____ Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type—Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The court system does not anticipate any fiscal impact from the passage of SB 45.

Prepared by: Doug Wooliver, Administrative Attorney Phone 463-4750
 Division Alaska Court System Date/Time 1-23-07 @ 8:45 a.m.
 Approved by: Doug Wooliver for Stephanie Cole, Administrative Director Date 1/23/2007
 Agency Alaska Court System

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB045-DOA-PD-1-22-07 (1)
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title An Act relating to murder in the first degree RDU Legal and Advocacy Services
 Component Public Defender Agency
 Sponsor Senator Olson
 Requester _____ Component No 1631

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 Gr ² Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill provides a mandatory sentence of 99 years imprisonment for a defendant convicted of first-degree murder where the defendant was an on-duty peace officer at the time of the offense. While it is not possible to reliably predict the fiscal impact this legislation would have on the Agency, we anticipate the circumstances this bill addresses to be rare. Therefore, any impact on the Agency would be de minimus. The Agency, therefore, submits a zero fiscal note.

Prepared by: Quinlan Steiner
 Division: Public Defender Agency - Director
 Approved by: Melanie Millhorn, Deputy Commissioner
 Agency: Administration

Phone 907-269-3501
 Date/Time 1/22/07 at 4:20 p.m.
 Date 1/23/2007

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB045-DOA-OPA-1-24-07
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title An Act relating to murder in the first degree RDU Legal and Advocacy Services
 Component Office of Public Advocacy
 Sponsor Senator Olson
 Requester _____ Component No. 43

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill provides a mandatory sentence of 99 years imprisonment for a defendant convicted of first-degree murder where the defendant was an on-duty peace officer at the time of the offense. While it is not possible to reliably predict the fiscal impact this legislation would have on the Agency, we anticipate the circumstances this bill addresses to be rare. Therefore, any impact on the Agency would be de minimus. The Agency, therefore, submits a zero fiscal note.

Prepared by: Joshua P. Fink Phone 907-269-3501
 Division Office of Public Advocacy, Director Date/Time 1/24/07 8:00 a.m.
 Approved by: Melanie Millhorn, Deputy Commissioner Date 1/24/2007
 Agency Administration

Alaska State Legislature



Out of Session:
PO Box 531
Golovin, Alaska 99762
(907) 443-5599

In Session:
State Capitol, Suite 510
Juneau, Alaska 99801-1182
(800) 597-3707
(907) 465-3707
(907) 465-4821 Fax

SENATOR DONALD C. OLSON

DISTRICT T

SPONSOR STATEMENT

Alakanuk
Ambler
Anaktuvuk Pass
Aqsasuk
Barrow
Bering Mission
Bromerville
Buckland
Chevak
Deering
Diomedea
Ellis
Emmonak
Gambell
Golovin
Hooper Bay
Kaktovik
Kiana
Kivalina
Kobuk
Kotlik
Kotzebue
Koyuk
Mountain Village
Noatak
Nome
Noorvik
Nuiqsut
Nunam Iqua
Pilot Station
Pitka's Point
Point Hope
Point Lay
Savoonga
Scammon Bay
Selawik
Shaktolik
Shishmaref
Shungnak
St. Mary's
St. Michael
Stebbins
Teller
Unalakleet
Wainwright
Wales
White Mountain

SB 45, Peace Officer Convicted of Murder.

SB 45 mandates the maximum sentence for first-degree murder when committed by an on-duty peace officer.

This legislation derives from the Nome murder of Sonya Ivanoff, a well-known and well-liked young girl in the Bering Straits region. The investigation and subsequent conviction of the police officer responsible for the murder caused much anguish and consternation for both the Ivanoff family and the region's population in general.

At the police officer's sentencing, the judge agreed with the state prosecutor's recommendation that the maximum penalty should be imposed. His rationale was that while state law mandates the maximum penalty when a peace officer is murdered while acting in the line of duty [AS 12.55.125 (a)(1)], first degree murder by a peace officer acting in a position of trust and public protection was equally egregious.

SB 45 provides sentencing parity for the protection of our guardians of civil law and order and for the public trust in their activities and responsibilities.

ALASKA FEDERATION OF NATIVES

2006 ANNUAL CONVENTION

RESOLUTION 06-17

TITLE: SUPPORTING SONYA IVANOFF LAW

WHEREAS: A police officer was recently convicted of murder in the first degree in the death of 19 year old Alaska Native Sonya Ivanoff and sentenced to 99 years of imprisonment; and

WHEREAS: AS 12.55.125, provides in part that a Defendant convicted of murder in the first degree shall be sentenced to a mandatory term of imprisonment of 99 years when the defendant is convicted of murder of a uniformed or otherwise clearly identified peace officer, fire fighter, or correctional employee who was engaged in the performance of official duties at the time of the murder; and

WHEREAS: the State attorney cited AS 12.55.125 as justification for imposing a sentence of 99 years of imprisonment for the police officer who murdered Sonya Ivanoff; and

WHEREAS: the State's attorney opined during the sentencing hearing that an equivalent sentence should result if a police officer is convicted of murder in the first degree for a crime that is committed while the officer is on duty; and

WHEREAS: the Presiding Judge agreed with the State's attorney's rationale and imposed the maximum sentence of 99 years of imprisonment for the police officer who brutally murdered Sonya Ivanoff while he was on duty; and

WHEREAS: the Alaska Legislature has an opportunity to restore confidence in the Justice System for ALL ALASKA RESIDENTS, no matter where they live, and assure that justice is equally applied for all residents; and

WHEREAS: Alaska Federation of Natives, Inc. believes that more stringent sentencing guidelines need to be enacted to reflect the State's desire to bring to justice ALL criminals, whether or not they are uniformed, and a higher sentencing standard should be applied to peace officers who are convicted of committing murder in the first degree while on duty; and

WHEREAS: Peace officers convicted of committing murder in the first degree should be sentenced to 99 years without the possibility of parole.

NOW THEREFORE BE IT RESOLVED by the Delegates to the 2006 Annual Convention of the Alaska Federation of Natives, Inc. that AFN hereby requests that our regional delegation to the Alaska State Legislature, Senator Donald Olson, Representative Richard Foster and the Representative Reginald Joule, sponsor a bill amending AS 12.55.125 to include language adding a paragraph (5) as follows:

- 5. The defendant is a uniformed or otherwise clearly identified peace officer, fire fighter, or correctional employee who was on duty at the time of the murder. This provision shall be known as "The Sonya Ivanoff Law."

BE IT FURTHER RESOLVED that the bill also includes the following language:

The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. The Act applies to offenses or acts committed on or after the effective date of this Act.

This Act takes effect immediately under AS 01.10.070 (c).

BE IT FURTHER RESOLVED, that the Alaska Federation of Natives, Inc. hereby requests the Alaska State Legislature and the Governor to support passage and enactment of this bill.

SUBMITTED BY: KAWERAK, INC AND NORTON SOUND HEALTH CORPORATION

COMMITTEE ACTION: DO PASS

CONVENTION ACTION: AMENDED AND PASSED



FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB 45 (STA)
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Corrections
 Title An Act relating to murder in the first degree. RDU Administration and Operations
 Component Officer of the Commissioner
 Sponsor Senator Olson
 Requester Senate State Affairs Component No. 694

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
Other (Specify Type--Do not abbreviate)	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

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)

Passage of this legislation will not create a substantial fiscal impact for the Department of Corrections. The number of potential cases should be very insignificant.

Prepared by: Sharleen Griffin, Director Phone (907) 465-3339
 Division Administrative Services Date/Time 1/23/07 12:42 PM
 Approved by: Dwyane Peeples, Deputy Commissioner Date 1/23/2007
 Agency Department of Corrections