

FISCAL NOTE

No. 2
 Bill Version: SCS CSHB 151 (JUD)
 (S) Publish Date: 5/16/99

STATE OF ALASKA
 1999 LEGISLATIVE SESSION

Revision Date/Time (Note if correction)	Dept. Affected <u>Law</u>
Title <u>"An Act relating to possession, control, or consumption of alcohol by a person under 21 years ..."</u>	BRU <u>Criminal Division</u>
Sponsor <u>Representative Kott</u>	Component <u>1st-4th Judicial Districts; Criminal Appeals/Special Litigation</u>
Requester <u>Senate Judiciary Committee</u>	Component Serial No. <u>2198-99;2201;61;79;03</u>

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services	224.6	224.6	224.6	224.6	224.6	224.6
Travel	0.8	0.8	0.8	0.8	0.8	0.8
Contractual	39.0	39.0	39.0	39.0	39.0	39.0
Supplies	3.4	3.4	3.4	3.4	3.4	3.4
Equipment	13.0					
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	280.8	267.8	267.8	267.8	267.8	267.8

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

FUND SOURCE	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
1002 Federal Receipts						
1003 GF Match						
1004 GF	280.8	267.8	267.8	267.8	267.8	267.8
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	280.8	267.8	267.8	267.8	267.8	267.8

Estimate of any current year (FY99) cost: _____

POSITIONS

Full-time	2	2	2	2	2	2
Part-time						
Temporary						

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

SCS CSHB 151 (JUD) makes a third offense of minor consuming, possession, or control of alcohol a class B misdemeanor. Fourth and subsequent offenses become a class A misdemeanor. Under current law, these offenses are violations, and do not require Department of Law prosecution. Section 8 of the bill also increases the zero tolerance law for those under 21 who have consumed any amount of alcohol and operate a motor vehicle, by changing the penalty from a violation to a class B misdemeanor for a first offense, and a class A misdemeanor for a second offense within 5 years of the first. It also adds driving after taking any controlled substances to the zero tolerance law.

The Division of Motor Vehicles reports that in CY98, 980 minors had a third or subsequent conviction for minor consuming, which under this bill would be new cases for the Criminal Division. Approximately 135 would be

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Agency	Department of Law	

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ANALYSIS CONTINUATION

new cases under zero tolerance (a minor driving after drinking, but not rising to the level of DWI). The Department of Law would require two new prosecutors, one in Anchorage and one in Fairbanks, to handle this new caseload.

Costs are based on the Civil Division's FY00 standard full-time equivalent attorney cost schedule (\$133,926), and include clerical support, communications, space, supplies, data processing, and other normal overhead expenses. An additional \$6,500 for one-time equipment purchases, costs that cannot be included in the rate as overhead, are added in FY00 only.