

# FISCAL NOTE No. 2

**STATE OF ALASKA**  
**2000 LEGISLATIVE SESSION**

Bill Version: SB 251  
 (S) Publish Date: 2-8-00

Revision Date/Time (Note if correction) _____	Dept. Affected <u>Law</u>
Title <u>"An Act repealing the statutory bars to the State</u>	BRU <u>Criminal Division</u>
<u>of Alaska's prosecution of a criminal act that resulted ....</u>	Component <u>1st-4th Judicial Districts; Criminal</u>
Sponsor <u>Rules Committee</u>	<u>Appeals/Special Litigation</u>
Requester <u>Governor</u>	Component No. <u>2198-99;2201/03/61/79</u>

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

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

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

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

Estimate of any current year (FY2000) cost: \_\_\_\_\_

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

This bill repeals the statutory prohibitions on the State of Alaska for prosecuting and punishing a criminal act that has been prosecuted by the federal government or another jurisdiction. This statute recently prevented the State of Alaska from prosecuting a cruise ship company that was illegally dumping water containing oil and hazardous waste in Alaska waters, because the federal government had already prosecuted the company for the same acts under federal law. This conduct should have been addressed in a separate state prosecution, so that injury to the state could be compensated by fines or restitution. This bill would allow the State of Alaska to prosecute an offender if a similar situation should arise again.

Passage of this legislation is expected to result in only a handful of new cases per year. Although they may be highly visible cases, their numbers are not anticipated to be sufficient to cause a fiscal impact on the Department of Law.

Prepared by: <u>Joan M. Kasson</u> <i>Joan M. Kasson</i>	Phone <u>465-5370</u>
Division <u>Attorney General's Office</u>	Date/Time <u>12/1/99, 11:02 AM</u>
Approved by <u>Commissioner</u> <i>Kadjo</i> <u>Bruce M. Botelho, Attorney General</u>	Date <u>12/1/99</u>
Agency <u>Department of Law</u>	

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

For further distribution information, call the Governor's Legislative Office