

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 16
Bill Version: CSHB 4(JUD)
(H) Publish Date: 4/5/01

Revision Date/Time (Note if correction) Revision dated 3/8/01 Dept. Affected _____
 Title Omnibus DWI Bill BRU Alaska Court System
 Component Trial Courts
 Sponsor Rep. Norman Rokeberg
 Requester House Transportation Committee Component No. 768

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services	352.1	362.0	362.0	362.0	362.0	362.0
Travel						
Contractual	16.5	24.8	35.2	43.5	53.8	53.8
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	368.6	386.8	397.2	405.5	415.8	415.8

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	368.6	386.8	397.2	405.5	415.8	415.8
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	368.6	386.8	397.2	405.5	415.8	415.8

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time	4	4	4	4	4	4
Part-time	4	4	4	4	4	4
Temporary						

ANALYSIS: (Attach a separate page if necessary)

CSHB 4 (TRA) makes several changes to the statutes relating to the offense of driving while intoxicated. Some of those changes will have a fiscal impact on the court system.

The bill lowers the BAC necessary for a DWI violation under AS 28.35.030(a)(2) from .1 to .08. National studies show that this change typically results in a 10% increase in DWI filings. Based on that assumption, the court system would see an additional 500 misdemeanors and 28 felony filings a year.

The bill also imposes a five-year phase-in of a new 10-year look-back for felony DWI offenses. The Department of Law estimates that the phase-in will result in 45 new felony filings in year one, 90 in year two, 135 in year three, 180 in year four, and 225 in year five. This fiscal note is based on those estimates and on a 10% felony trial rate. Because the felony DWI load in Anchorage is already beyond the superior court's capacity, this note provides for a new superior court judge.

Finally, the bill calls for mandatory vehicle forfeiture for all second and subsequent DWI offenders. A court hearing is required for each forfeiture. The Department of Law estimates that this change will result in 800 forfeiture hearings. This note is based on that estimate and assumes that each hearing will last 15 minutes.

Prepared by: Douglas Wooliver Phone 463-4750
 Division Alaska Court System Date/Time 3/08/01 @ 11:00 A.M.
 Approved by: Stephanie Cole Date _____
 Agency Alaska Court System

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Alaska Court System					
Fiscal Note Calculations for CSHB 4 (TRA)					
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Increase in 45 - 225 New Felonies FY02 thru FY06:					
	FY02	FY03	FY04	FY05	FY06
Superior Court:					
Jury Costs	10,340	18,612	28,952	37,224	47,564
Superior Court Judge	138,467	142,300	142,300	142,300	142,300
Law Clerk for Superior Court Judge	48,130	49,400	49,400	49,400	49,400
Secretary	41,997	43,050	43,050	43,050	43,050
In-Court Clerk	41,997	43,050	43,050	43,050	43,050
	270,591	277,800	277,800	277,800	277,800
Fiscal Note Total for 45 - 225 New Felonies	280,931	296,412	306,752	315,024	325,364
Vehicle Forfeitures:					
800 new hearings, 287 of which would be handled in conjunction with a superior court case (felony)					
513 hearings @ 15 minutes/hearing = 128.25 hours of hearing time (one month)					
	FY02	FY03	FY04	FY05	FY06
District Court:					
District Court Judge Pro Tem (1 Month)	10,084	10,449	10,449	10,449	10,449
In-Court Clerk PPT (1 Month)	3,500	3,588	3,588	3,588	3,588
Fiscal Note for Vehicle Forfeitures	13,584	14,037	14,037	14,037	14,037
500 New Misdemeanors and 3 Felony Trials at .08:					
	FY02	FY03	FY04	FY05	FY06
Superior Court:					
Jury Costs	6,204	6,204	6,204	6,204	6,204
District Court Judge Pro Tem (5 Months)	50,419	52,245	52,245	52,245	52,245
In-Court Clerk PPT (5 Months)	17,499	17,940	17,940	17,940	17,940
	67,918	70,185	70,185	70,185	70,185
Fiscal Note for 500 Misdemeanors + 3 Felony Tri	74,122	76,389	76,389	76,389	76,389
Cumulative Fiscal Note:					
Personal Services	352,092	362,022	362,022	362,022	362,022
Contractual	16,544	24,816	35,156	43,428	53,768
Cumulative Total	368,636	386,838	397,178	405,450	415,790
Funding Source:					
1004 GF	368,636	386,838	397,178	405,450	415,790
Positions:					
Full-time	4	4	4	4	4
Part-time	4	4	4	4	4