

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 4
 Bill Version: CSHB 4(TRA)
 (H) Publish Date: 2/28/01

Revision Date/Time (Note if correction) _____	Dept. Affected _____
Title <u>Omnibus DWI Bill</u>	BRU <u>Alaska Court System</u>
	Component <u>Trial Courts</u>
Sponsor <u>Rep. Norman Rokeberg</u>	
Requester <u>House Judiciary Committee</u>	Component No. <u>768</u>

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	20.7	33.1	47.6	60.0	72.4	72.4
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	372.8	395.1	409.6	422.0	434.4	434.4

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	372.8	395.1	409.6	422.0	434.4	434.4
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	372.8	395.1	409.6	422.0	434.4	434.4

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 64 new felony filings in year one, 128 in year two, 192 in year three, 256 in year four, and 320 in year five. This fiscal note is based on those estimates and on a 10% felony trial rate.

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.

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Division <u>Alaska Court System</u>	Date/Time <u>2/28/01 @ 10:00 A.M.</u>
Approved by: <u>Stephanie Cole</u>	Date _____
Agency <u>Alaska Court System</u>	

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Alaska Court System - Fiscal Note Calculations of CSHB 4(TRA) - 2/28/01

Increase in 64 - 320 New Felonies FY02 thru FY06:

	FY02	FY03	FY04	FY05	FY06
<u>Superior Court:</u>					
Jury Costs	14,476	26,884	41,360	53,768	66,176
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 64 - 320 New Felonies	285,067	304,684	319,160	331,568	343,976
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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
<u>District Court:</u>					
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
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500 New Misdemeanors and 3 Felony Trials at .08:

	FY02	FY03	FY04	FY05	FY06
<u>Superior Court:</u>					
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 Trials	74,122	76,389	76,389	76,389	76,389
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<u>Cumulative Fiscal Note:</u>					
Personal Services	352,092	362,022	362,022	362,022	362,022
Contractual	20,680	33,088	47,564	59,972	72,380
Cumulative Total	372,772	395,110	409,586	421,994	434,402
Funding Source:					
1004 GF	372,772	395,110	409,586	421,994	434,402
Positions:					
Full-time	4	4	4	4	4
Part-time	4	4	4	4	4