

# FISCAL NOTE

**STATE OF ALASKA**  
**2001 LEGISLATIVE SESSION**

Fiscal Note Number: 9  
 Bill Version: CSHB 4 (TRA)  
 (H) Publish Date: 2/28/01

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Law  
 Title "An Act relating to offenses involving operating a BRU Criminal Division; Civil Division  
motor vehicle, . . . under the influence . . ." Component 3rd-4th Judicial Districts;  
 Sponsor Representative Rokeberg Collections & Support  
 Requester House Transportation Committee Component No. 2201;61;79;10

**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	1,216.2	1,337.3	1,337.3	1,458.4	1,458.4	1,458.4
Travel	3.6	4.0	4.0	4.4	4.4	4.4
Contractual	192.4	211.1	211.1	229.8	229.8	229.8
Supplies	17.2	18.8	18.8	20.4	20.4	20.4
Equipment	110.5	6.5	0.0	6.5	0.0	0.0
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>1,539.9</b>	<b>1,577.7</b>	<b>1,571.2</b>	<b>1,719.5</b>	<b>1,713.0</b>	<b>1,713.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	1,508.0	1,552.3	1,545.8	1,694.1	1,687.6	1,687.6
1005 GF/Program Receipts	31.9	25.4	25.4	25.4	25.4	25.4
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>1,539.9</b>	<b>1,577.7</b>	<b>1,571.2</b>	<b>1,719.5</b>	<b>1,713.0</b>	<b>1,713.0</b>

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

**POSITIONS**

Full-time	16	17	17	18	18	18
Part-time	1	1	1	1	1	1
Temporary						

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

CSHB 4 (TRA) Work Draft "P" makes numerous changes to the state's laws relating to driving under the influence of alcoholic beverages or controlled substances. These changes include renaming driving while intoxicated (DWI) as driving while under the influence (DUI); lowering the blood alcohol threshold for DUI to .08 from 0.10; increasing administrative and criminal penalties for DUI offenses; requiring vehicle forfeiture for repeat offenders; and requiring treatment costs be reimbursed to the state.

The changes in the bill which will have a fiscal impact on the Department of Law are: reducing the blood alcohol threshold for DUI to 0.08; the phasing in of a 10-year "look back" for felony DUI in place of the current 5-year "look back"; increasing the presumptive sentence for DUI to six months when the offender has a blood alcohol level of 0.16 or more; collection of treatment costs; and requiring vehicle forfeiture for second and subsequent convictions for DUI or refusal to submit to a chemical test. The cost of each issue is listed below. The department also anticipates an increase in the number of driving with a suspended or revoked driver's

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 Agency Department of Law

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**ANALYSIS CONTINUATION**

license misdemeanor charges will occur as a result of the increased fines and license revocation penalties; however, the impact is too speculative to quantify.

<b>Component</b>	<b>Position</b>	<b>FY 2002</b>	<b>FY 2003</b>	<b>FY 2004</b>	<b>FY 2005</b>	<b>FY 2006</b>	<b>FY 2007</b>
<b><u>Section 26: 0.08 BAC</u></b>							
Criminal Division: 3rd Judicial District: Anchorage (2261)							
	100 1 FTE Attorney	121.1	121.1	121.1	121.1	121.1	121.1
	200	0.4	0.4	0.4	0.4	0.4	0.4
	300	18.7	18.7	18.7	18.7	18.7	18.7
	400	1.6	1.6	1.6	1.6	1.6	1.6
	500	6.5					
	<b>Total 1004 General Fund</b>	<b>148.3</b>	<b>141.8</b>	<b>141.8</b>	<b>141.8</b>	<b>141.8</b>	<b>141.8</b>
Civil Division: Collections & Support (2210)							
	100 1 PPT Admin Clerk II	17.4	17.4	17.4	17.4	17.4	17.4
	200	0.0	0.0	0.0	0.0	0.0	0.0
	300	7.0	7.0	7.0	7.0	7.0	7.0
	400	1.0	1.0	1.0	1.0	1.0	1.0
	500	6.5					
	<b>Total 1005 GF/Program Receipts</b>	<b>31.9</b>	<b>25.4</b>	<b>25.4</b>	<b>25.4</b>	<b>25.4</b>	<b>25.4</b>
<b>Section 26 Total</b>		<b>180.2</b>	<b>167.2</b>	<b>167.2</b>	<b>167.2</b>	<b>167.2</b>	<b>167.2</b>
<b><u>Section 29: Collection of Treatment Costs</u></b>							
Civil Division: Collections & Support (2210)							
	100 Unknown; More information needed						
	200						
	300						
	400						
	500						
	<b>Total 1005 GF/Program Receipts</b>	<b>*****</b>	<b>*****</b>	<b>*****</b>	<b>*****</b>	<b>*****</b>	<b>*****</b>
<b><u>Section 31: Phase in 10-year Look Back</u></b>							
Criminal Division: 3rd Judicial District: Anchorage (2261)							
	100 1 FTE Attorney		121.1	121.1	121.1	121.1	121.1
	200		0.4	0.4	0.4	0.4	0.4
	300		18.7	18.7	18.7	18.7	18.7
	400		1.6	1.6	1.6	1.6	1.6
	500		6.5				
	<b>Total 1004 General Fund</b>	<b>0.0</b>	<b>148.3</b>	<b>141.8</b>	<b>141.8</b>	<b>141.8</b>	<b>141.8</b>
Criminal Division: 4th Judicial District (2201)							
	100 1 FTE Attorney				121.1	121.1	121.1
	200				0.4	0.4	0.4
	300				18.7	18.7	18.7
	400				1.6	1.6	1.6
	500				6.5		
	<b>Total 1004 General Fund</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>148.3</b>	<b>141.8</b>	<b>141.8</b>
<b>Section 31 Total</b>		<b>0.0</b>	<b>148.3</b>	<b>141.8</b>	<b>290.1</b>	<b>283.6</b>	<b>283.6</b>

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**ANALYSIS CONTINUATION**

<b>Component</b>	<b>Position</b>	<b>FY 2002</b>	<b>FY 2003</b>	<b>FY 2004</b>	<b>FY 2005</b>	<b>FY 2006</b>	<b>FY 2007</b>
<b>Section 33: Enhanced sentence 0.16 BAC</b>							
Criminal Division: 3rd Judicial District: Anchorage (2261)							
100	1 FTE Attorney	121.1	121.1	121.1	121.1	121.1	121.1
Criminal Division: 3rd Judicial District: Outside Anchorage (2279)							
100	2 FTE Attorney	320.9	320.9	320.9	320.9	320.9	320.9
200	1 FTE Paraprofessional	1.0	1.0	1.0	1.0	1.0	1.0
300	1 PFT Legal Secy	49.6	49.6	49.6	49.6	49.6	49.6
400		4.3	4.3	4.3	4.3	4.3	4.3
500		26.0					
Total 1004 General Fund		401.8	375.8	375.8	375.8	375.8	375.8
Criminal Division: 4th Judicial District (2201)							
100	1 FTE Attorney	199.8	199.8	199.8	199.8	199.8	199.8
200	1 FTE Paraprofessionals	0.6	0.6	0.6	0.6	0.6	0.6
300	1 PFT Legal Secy	30.9	30.9	30.9	30.9	30.9	30.9
400		2.7	2.7	2.7	2.7	2.7	2.7
500		19.5					
Total 1004 General Fund		253.5	234.0	234.0	234.0	234.0	234.0
Section 33 Total		803.6	751.6	751.6	751.6	751.6	751.6
<b>Section 46: Vehicle Forfeitures</b>							
Criminal Division: 3rd Judicial District: Anchorage (2261)							
100	1 FTE Paraprofessional	78.7	78.7	78.7	78.7	78.7	78.7
200	1 PFT Legal Secy	0.2	0.2	0.2	0.2	0.2	0.2
300		12.2	12.2	12.2	12.2	12.2	12.2
400		1.1	1.1	1.1	1.1	1.1	1.1
500		13.0					
Total 1004 General Fund		105.2	92.2	92.2	92.2	92.2	92.2
Criminal Division: 3rd Judicial District: Outside Anchorage (2279)							
100	2 FTE Paraprofessional	157.4	157.4	157.4	157.4	157.4	157.4
200	1 PFT Legal Secy	0.4	0.4	0.4	0.4	0.4	0.4
300		24.4	24.4	24.4	24.4	24.4	24.4
400		2.2	2.2	2.2	2.2	2.2	2.2
500		19.5					
Total 1004 General Fund		203.9	184.4	184.4	184.4	184.4	184.4
Criminal Division: 4th Judicial District (2201)							
100	1 FTE Attorney	199.8	199.8	199.8	199.8	199.8	199.8
200	1 FTE Paraprofessional	0.6	0.6	0.6	0.6	0.6	0.6
300		30.9	30.9	30.9	30.9	30.9	30.9
400		2.7	2.7	2.7	2.7	2.7	2.7
500		13.0					
Total 1004 General Fund		247.0	234.0	234.0	234.0	234.0	234.0
Section 46 Total		556.1	510.6	510.6	510.6	510.6	510.6