

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 12
 H) Publish Date: 4/25/01

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title: "An Act relating to operating a vehicle while
intoxicated and relating to presumptions..." BRU: Legal & Advocacy Services
 Component: Public Defender Agency
 Sponsor: Representative Kott
 Requester: (H) Transportation Component Number: 1631

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	98.9	98.9	98.9	98.9	98.9	98.9
Travel	3.7	3.7	3.7	3.7	3.7	3.7
Contractual	27.3	27.3	27.3	27.3	27.3	27.3
Supplies	2.2	2.2	2.2	2.2	2.2	2.2
Equipment	8.5	0.8	0.8	0.8	0.8	0.8
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	140.6	132.9	132.9	132.9	132.9	132.9

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	140.6	132.9	132.9	132.9	132.9	132.9
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL						

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	1	1	1	1	1	1
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

See Page 2 for Analysis.

Prepared by: Barbara Brink, Director Phone 334-4400
 Division: Public Defender Agency Date/Time 04/02/01
 Approved by: Jim Duncan, Commissioner Date 4/2/01
 Agency: Department of Administration

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FISCAL NOTE # 1, Bill Analysis, HB 12 continued.

This bill would lower the threshold blood alcohol level for Driving While Intoxicated (DWI) from .10 to .08. The bill also lowers the threshold presumptive level for impaired driving from .05 to .04. This bill would result in an increase in the number of new criminal cases the Public Defender Agency is appointed to handle.

The Department of Law, in its fiscal note, estimated the number of new prosecutions at 322 additional misdemeanor and 21 additional felony cases. The Public Defender Agency accepts the Department of Law's estimates. The Department of Law based its estimate on a 10 percent increase in prosecutions. This is a conservative estimate. As the Department of Law points out, experience in other states varies. But in Maine, a state similar to Alaska in many respects (smaller population, Northern climate), there was about a 20 percent increase in prosecutions. The Public Defender Agency will be appointed in about 75% of the cases. Using Department of Law's estimate, the Agency will be appointed to 242 additional misdemeanor cases and 16 additional felony cases.

We will need one additional full-time attorney to handle this increased caseload. Because our Palmer office handles a significant number of DWI cases and has the largest caseload growth in recent years, we will place the attorney at that office. The attorney costs include clerical support and one-time equipment costs in the first year.