

FISCAL NOTE

**STATE OF ALASKA
2001 LEGISLATIVE SESSION**

Fiscal Note Number: 4
 Bill Version: CSHB 42(STA)
 (H) Publish Date: 4/28/01

Revision Date/Time (Note if correction): _____ Dept. Affected: Law
 Title "An Act relating to the consumption, purchase, BRU Criminal Division
furnishing...sale of alcoholic beverages and to driver's licenses..." Component 1st-4th Judicial Districts
 Sponsor Representative Green
 Requester House State Affairs Committee Component No. 2198-99;2201;61;79

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	841.6	841.6	841.6	841.6	841.6	841.6
Travel	2.6	2.6	2.6	2.6	2.6	2.6
Contractual	130.1	130.1	130.1	130.1	130.1	130.1
Supplies	11.3	11.3	11.3	11.3	11.3	11.3
Equipment	71.5					
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	1,057.1	985.6	985.6	985.6	985.6	985.6

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	1,057.1	985.6	985.6	985.6	985.6	985.6
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	1,057.1	985.6	985.6	985.6	985.6	985.6

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	11	11	11	11	11	11
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

HB 42 requires the court to revoke a person's privilege to purchase alcoholic beverages for a DWI conviction, and allows the court to revoke the privilege for any other offense where consumption of alcohol was a substantial factor. The length of time the privilege is revoked increases with the number of prior offenses within the preceding 10 years. The Alcoholic Beverage Control Board would be required to maintain a list of people whose privilege to purchase alcoholic beverages was revoked, and provide all liquor licensees with the information. Persons whose privilege to purchase alcoholic beverages has been revoked would carry a driver's license or identification card of a distinctive color, and licensees would be required to check the identification of everyone purchasing an alcoholic beverage for this color. Entering a licensed premise, possession or purchase of an alcoholic beverage, or soliciting someone else to purchase an alcoholic beverage when the privilege is revoked would be a class A misdemeanor.

Passage of this legislation is expected to have a significant fiscal impact on the criminal justice system, including the Department of Law.

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 Agency: Department of Law

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**STATE OF ALASKA
2001 LEGISLATIVE SESSION**

BILL NO. HB 42, FN #4

ANALYSIS CONTINUATION

Alcohol is a substantial factor in a majority of crimes committed in Alaska. In CY 2000, Corrections had over 31,000 total bookings for all offenses, statewide. If 60 percent of these bookings involved alcohol as a substantial factor, over 18,000 of these bookings could be subject to the revocation of the privilege to purchase alcohol. Of these 18,000 alcohol-related offenders, in FY00, 4,000 were for DWI alone. Under this bill, the privilege to purchase alcohol must be revoked for every conviction for DWI. Of the remaining 14,000 alcohol-related offenders, we conservatively estimate that at least half would be sufficiently serious to warrant revocation of the privilege to purchase alcohol. Thus, in each year of the operation of this proposed law, there would be at least 11,000 persons whose privileges are revoked. Because the period of revocation will often last longer than one year, however, at any one time there will be many more than 11,000 persons with revoked privileges. Because most of these offenders have chronic and longstanding alcoholism, and because this bill makes it a crime for these high-risk individuals to even possess alcohol, we believe that a high percentage will reoffend each year. For the purposes of this fiscal note, we assume that approximately 8,000 people per year would reoffend and be subject to a new misdemeanor charge as a result of this bill. It is difficult to judge how many of those individuals would be brought up on other charges at the same time, in which case the new misdemeanor charge resulting from passage of this legislation would not increase the department's workload. However, we would anticipate that more than half of these cases, five thousand, would involve the sole charge of the new crime of being in a licensed premise, possession or purchasing alcohol, or soliciting another person to purchase alcohol.

Five thousand new cases represents a 25 percent increase in the department's current misdemeanor caseload. The department would need 5 new FTE attorneys (Anchorage, Fairbanks, Palmer, Kenai, Bethel DAO), 3 paraprofessionals (Anchorage, Fairbanks, Palmer DAO), and 3 secretaries (Anchorage, Fairbanks, Palmer DAO) to manage this new caseload.

All position costs are based on the department's FY02 cost allocation plan, and include clerical support, communications, space, supplies, data processing, and other normal overhead expenses. The standard cost does not include one-time new equipment purchases, and \$6,500 per position is included. Proportionate support position funding is included in the standard attorney and paraprofessional cost schedule at a rate of approximately one support position for every three professional positions. Position authorizations for the support positions are required, however, and three FTE legal secretary positions are requested, along with \$6,500 for one-time equipment costs for each position. A line-item summary by component follows:

Component	Position	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Criminal Division: 3rd Judicial District: Anchorage (2261)							
	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 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
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: 4rd Judicial District (2201)							
	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