

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 13
 Bill Version: SCS CSHB 132(FIN)
 (S) Publish Date: 5/7/01

Revision Date/Time(Note if Correction): 5/0701/9:00 am Dept. Affected: Corrections
 Title: "An Act relating to the possession, distribution, importation, and transportation of alcohol in a local option....." BRU: Administration and Operations
 Sponsor: House Judiciary Committee Component: Community Corrections Dir. Office
 Requester: Senate Rules Committee Component Number: 1382

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	96.8	96.8	96.8	96.8	96.8	96.8
Travel	2.0	2.0	2.0	2.0	2.0	2.0
Contractual	7.0	7.0	7.0	7.0	7.0	7.0
Supplies	1.0	1.0	1.0	1.0	1.0	1.0
Equipment	6.0					
Land & Structures						
Grants & Claims						
Miscellaneous		34.0	67.9	101.9	101.9	101.9
TOTAL OPERATING	112.8	140.8	174.7	208.7	208.7	208.7

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	112.8	140.8	174.7	208.7	208.7	208.7
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	112.8	140.8	174.7	208.7	208.7	208.7

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	2	2	2	2	2	2
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill will improve interdiction in bootlegging operations in the State. It reduces by half the amount of distilled spirits that a person may possess in a restricted community for the application of the presumption of intent to sell. It also reduces by half the amount of distilled spirits a package store is allowed to send in a calendar month to a person in a restricted community. The change in amount of distilled spirits also effectively changes the penalty by lowering the requirement that qualifies for a C felony. Additionally, it changes the penalties for possession in dry communities by reducing the amounts required for felony conviction. This bill also seeks to change the offenses of "attempted" to the same level as the offenses themselves, thus resulting in the same penalty for an attempt to import as an actual importation.

This legislation would also allow for delivery sites in cities such as Kotzebue and Bethel where the local option exists to allow possession but not sales of alcohol. It would require all transportation of alcohol to go through the delivery sites for

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distribution.

The Department of Law anticipates these changes, along with the increased efforts of State Troopers and the federal authorities will increase the number of felony prosecutions for these offenses. They have anticipated the need for an additional prosecutor as well as a paralegal to pick up the increased workload. The Department of Corrections will certainly feel the effect of these increased efforts. Although we may be able to absorb this amount in our facilities, we do not have the workforce in the field to absorb these additional cases. We are requesting an additional Probation Officer and Criminal Justice Technician to write the pre-sentence investigations required in felony cases as well as to manage the increased caseload for supervision purposes. The new staff will need a one-time compute equipment purchase. Additionally, they will need funding for a vehicle, supplies and travel.

The Department of Law anticipates they will need their staff in Anchorage. We will assume the same thing. If it turns out that the workload is in the rural areas, we would transfer the PCN to the appropriate area.

In addition, this legislation would reduce the threshold for presumption of DWI from .10 to .08 effective July 1, 2001. It is estimated by the Department of Law that although this may not increase arrests by a large amount, it will increase convictions by 10%.

Felony DWI offenders are usually given an average of 3 years probation. Probation costs will not be incurred until after completion of sentence so will not be felt until the 2nd and subsequent years. The daily cost for probationers is \$5.17/day. If 18 of the estimated 20 new felons are on probation the second year, the cost would be \$33,967. It would be necessary to add \$67,934 the third year and \$101,901 the fourth year. After that it would level off as the first probationers would drop off.