

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 3
Bill Version: CSHB 179(JUD)
(H) Publish Date: 4/20/01

Revision Date/Time (Note if correction) _____ Dept. Affected _____
 Title Minor Consuming BRU Alaska Court System
 Component Trial Courts
 Sponsor House Judiciary
 Requester House Judiciary Component No. 768

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 | 95.1 | 95.1 | 95.1 | 95.1 | 95.1 | 95.1 |
| Travel | | | | | | |
| Contractual | 49.9 | 49.9 | 49.9 | 49.9 | 49.9 | 49.9 |
| Supplies | | | | | | |
| Equipment | | | | | | |
| Land & Structures | | | | | | |
| Grants & Claims | | | | | | |
| Miscellaneous | | | | | | |
| TOTAL OPERATING | 145.0 | 145.0 | 145.0 | 145.0 | 145.0 | 145.0 |

| | | | | | | |
|-----------------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
|-----------------------------|--|--|--|--|--|--|

| | | | | | | |
|-------------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES () | | | | | | |
|-------------------------------|--|--|--|--|--|--|

FUND SOURCE (Thousands of Dollars)

| | | | | | | |
|--------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | 145.0 | 145.0 | 145.0 | 145.0 | 145.0 | 145.0 |
| 1005 GF/Program Receipts | | | | | | |
| 1037 GF/Mental Health | | | | | | |
| Other (Specify Type) | | | | | | |
| TOTAL | 145.0 | 145.0 | 145.0 | 145.0 | 145.0 | 145.0 |

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

| | | | | | | |
|-----------|---|---|---|---|---|---|
| Full-time | | | | | | |
| Part-time | 2 | 2 | 2 | 2 | 2 | 2 |
| Temporary | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

House Bill 179 makes several changes to the minor consuming alcohol (MCA) laws. Sections 1 and 2 of the bill increase the fines for first and second offenses and provide for mandatory community work service (CWS). Section 3 of the bill makes third and subsequent offenses a class B misdemeanor and provides for mandatory CWS, alcohol treatment, and driver's license revocation. The bill removes those provisions in current law that provide for the revocation of an offender's driver's license for non-criminal violations of the MCA law.

The Department of Law estimates that 4800 people a year will fall under the terms of this bill. Because the Department of Law believes that mandatory CWS triggers the right to appointed counsel and a jury trial, this note assumes that all MCA cases will be treated much like misdemeanors. Because MCA cases already require a court appearance, the only significant difference for the court system between a MCA violation and an MCA being treated like a misdemeanor is the costs associated with jury trials. The misdemeanor trial rate is approximately 1%. This note, therefore, reflects the costs associated with 48 misdemeanor jury trials.

Prepared by: Douglas Wooliver Phone 463-4750
 Division Alaska Court System Date/Time 3/22/01 @ 4:30 P.M.
 Approved by: Stephanie Cole Date _____
 Agency Alaska Court System

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Alaska Court System
 Fiscal Note Calculations for HB 179

| <u>District Court:</u> | FY02 | FY03 | FY04 | FY05 | FY06 |
|--|----------------|----------------|----------------|----------------|----------------|
| 25 Jurors 1.0 Days for Selection | 625 | 625 | 625 | 625 | 625 |
| 7 Jurors for 1.5 Days of Court | 263 | 263 | 263 | 263 | 263 |
| 6 Jurors for .5 Days of Deliberation | 75 | 75 | 75 | 75 | 75 |
| Deliberation Meal \$11/12 jurors + bailiff | <u>77</u> | <u>77</u> | <u>77</u> | <u>77</u> | <u>77</u> |
| Total per District Court Trial | 1,040 | 1,040 | 1,040 | 1,040 | 1,040 |
| Proposed # District Court Trials | <u>48</u> | <u>48</u> | <u>48</u> | <u>48</u> | <u>48</u> |
| Estimated Cost of District Court Trials | <u>49,896</u> | <u>49,896</u> | <u>49,896</u> | <u>49,896</u> | <u>49,896</u> |
| District Court Judge (7 months*) | 70,586 | 70,586 | 70,586 | 70,586 | 70,586 |
| In-Court Clerk (7 months*) | <u>24,498</u> | <u>24,498</u> | <u>24,498</u> | <u>24,498</u> | <u>24,498</u> |
| Personnel Costs | 95,085 | 95,085 | 95,085 | 95,085 | 95,085 |
| Total Jury and Personnel costs for 48 Misdemeanor Trials | <u>144,981</u> | <u>144,981</u> | <u>144,981</u> | <u>144,981</u> | <u>144,981</u> |

*48 trials X 3 days/trial = 144 work days/20 workdays per month = 7 months