

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 4
 Bill Version: CSHB 533(JUD)
 (H) Publish Date: 4/19/04

Revision Date/Time (Note if correction): _____ Dept. Affected: LAW
 Title "An act relating to the state's administrative RDU CIVIL
procedures and to judicial oversight of administrative matters." Component Labor & State Affairs
 Sponsor House State Affairs
 Requester House Judiciary Component No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services	67.3	67.3	67.3	67.3	67.3	67.3
Travel	0.2	0.2	0.2	0.2	0.2	0.2
Contractual	8.0	8.0	8.0	8.0	8.0	8.0
Supplies	1.4	1.4	1.4	1.4	1.4	1.4
Equipment	7.4	0.9	0.9	0.9	0.9	0.9
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	84.3	77.8	77.8	77.8	77.8	77.8

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	84.3	77.8	77.8	77.8	77.8	77.8
1005 GF/Program Receipts						
1007 Interagency Receipts						
1141 RCA Receipts						
TOTAL	84.3	77.8	77.8	77.8	77.8	77.8

Estimate of any current year (FY2004) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time	0.5	0.5	0.5	0.5	0.5	0.5
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill would give the superior court jurisdiction over petitions for relief in administrative matters under AS 44.62.305 in circumstances where an individual, who has otherwise satisfied the procedural requirements of the administrative proceeding, is subject to unreasonable delay and immediate and irreparable damage as a result of such a delay, by a state agency. The bill allows the superior court to enjoin the administrative proceeding and make a determination in the matter, establish a deadline for the state agency to issue a final administrative decision, or order that the matter be handled by another for of dispute resolution.

Passage of this legislation will have an impact on the Department of Law. It is anticipated that Law will need to represent state agencies in instances where individuals seek relief from the superior court.

Prepared by: Kathryn A. Daughetee, Director Phone 465-3673
 Division Administrative Services Date/Time 3/26/04 1:49 PM
 Approved by: Kathryn Daughetee for Gregg D. Renkes, Attorney General Date 3/26/2004
 Agency Department of Law

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ANALYSIS CONTINUATION

The Department of Law estimates that the additional workload would amount to one-half of a full time attorney. The cost of such a position is based on the calculated FY 2005 timekeeping and billing rate of \$107.99 per billable hour. Average billable hours per attorney are 1,440 per year. Thus a half time attorney will cost $\$155,500/2 = \$77,750$, rounded. The rate includes salary, benefits, support staff, and other overhead costs. A one time cost of \$6,500 for furnishings and equipment is included in the first year.