

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 10
 Bill Version: CSSB 224(STA)
 (S) Publish Date: 4/29/04

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title: An Act relating to lowering the legal BRU: Legal and Advocacy Services
level of intoxication Component: Public Defender Agency
 Sponsor: Senator Cowdery
 Requester: (S) State Affairs Component No. 1631

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	97.4	97.4	97.4	97.4	97.4	97.4
Travel	4.8	4.8	4.8	4.8	4.8	4.8
Contractual	23.1	23.1	23.1	23.1	23.1	23.1
Supplies	2.7	2.7	2.7	2.7	2.7	2.7
Equipment	6.7	0.7	0.7	0.7	0.7	0.7
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	134.7	128.7	128.7	128.7	128.7	128.7

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	134.7	128.7	128.7	128.7	128.7	128.7
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	134.7	128.7	128.7	128.7	128.7	128.7

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	1	1	1	1	1	1
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill will have a fiscal impact on the operations of the Public Defender Agency. Amending the minor operating a vehicle after consuming alcohol(MOVAC) offense and related refusal and driving 24 hours after citation offenses to further increase the penalties by setting mandatory fines and mandatory minimum community work service for 1st, 2nd, and multiple offenders will increase the caseload and workload of the Agency. Minors charged with these offenses will be entitled to a jury trial and court-appointed counsel. See *Auliye v. State*, 57 P3d 711 (Alaska App. 2002); *Booth v. State*, 903 P.2d 1079, 1087-88 (Alaska App. 1995). More cases involving juveniles charged with these offense will be assigned to the Agency. There were approximately 387 minors in FY03 who had their licenses administratively revoked for driving after consuming alcohol. Of that number approximately 155 were charged with DUI for over .08 alcohol content. As a result, it is conservatively anticipated that there will be over 200 more cases a year assigned to the Agency for these offenses because of the increased penalties. The workload on these cases will also increase because of the more severe penalties. Since most of these offenses occur in Anchorage or Palmer, the Agency will need one full time attorney in one of these locations to handle this increased caseload.

Prepared by: Linda K. Wilson, Deputy Director Phone (907)-334-4416
 Division: Public Defender Agency Date/Time 4/28/04 12:00 AM
 Approved by: Kevin Jardell, Deputy Commissioner Date _____
 Agency: Administration