

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: 4
 Bill Version: CSSB 10(JUD)
 (S) Publish Date: 2/14/06

Revision Date/Time (Note if correction): _____ Dept. Affected: LAW
 Title "An Act relating to civil liability for damage to or RDU CIVIL
destruction of property by minors; relating to court revocation.." Component Collections and Support
 Sponsor Senators Guess and Dyson
 Requester Senate Judiciary Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services	96.7	96.7	96.7	96.7	96.7	96.7
Travel	0.2	0.2	0.2	0.2	0.2	0.2
Contractual	10.9	10.9	10.9	10.9	10.9	10.9
Supplies	1.4	1.4	1.4	1.4	1.4	1.4
Equipment	7.3	7.3	7.3	7.3	7.3	7.3
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	116.5	116.5	116.5	116.5	116.5	116.5

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	116.5	116.5	116.5	116.5	116.5	116.5
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	116.5	116.5	116.5	116.5	116.5	116.5

Estimate of any current year (FY2006) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

Full-time	1	1	1	1	1	1
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill makes a number of changes to the process of collecting restitution owed by juveniles in criminal cases. The Collections unit collects restitution owed to victims. Currently, a juvenile offender and his/her parents all have joint and several liability when it comes to collecting debt owed to victims. This bill would change that by making the juvenile solely responsible for the first \$5,000 of restitution owed, making the parents responsible for the next \$15,000 owed, and the juvenile responsible for any amount over \$20,000. Furthermore, it allows the court to set a payment plan. These changes will be extremely burdensome to implement and will serve to reduce the amount of restitution or debt that can be collected. It will be burdensome because it limits the flexibility the Department of Law has to work with the debtor in undertaking bank sweeps and wage garnishments. The annual Permanent Fund Dividend garnishment would be much more time intensive because it will require a review of each

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 Agency Department of Law

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BILL NO. CSSB 10(JUD)

ANALYSIS CONTINUATION

separate payment plan to determine who the court allows garnishment from and who should not be garnished. Unless the court included a party in the payment plan, Law would have to eliminate that debtor from the garnishment. Any obligor that defaults on payment will require Law to file a notice of default and request for writ of execution before Law can do a bank sweep or wage garnishment. The current database Law uses to track obligations is not now set up to track whether a PFD garnishment is allowed or not. That is a further modification that would be necessary to implement this legislation.

In accordance with the FY 2007 timekeeping and billing calculation, the Department of Law estimates that an additional paraprofessional position will be needed to implement the additional complexities this legislation would add to the current restitution and collection process. One time costs for furnishings and equipments in the amount of \$6,500 are requested for the initial year of funding.