

# FISCAL NOTE

**STATE OF ALASKA**  
**2005 LEGISLATIVE SESSION**

Fiscal Note Number: 9  
 Bill Version: HCS CSSB 56(FIN)  
 (H) Publish Date: 2/18/05

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Administration  
 Title An act relating to criminal law... RDU Legal and Advocacy Services  
 Component Office of Public Advocacy  
 Sponsor Sens. Therriault, Seekins, Greene  
 Requester House Finance Component No. 43

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services	*	*	*	*	*	*
Travel						
Contractual						
Supplies	*	*	*	*	*	*
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	*	*	*	*	*	*

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	*	*	*	*	*	*

Estimate of any current year (FY2005) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This bill amends the criminal sentencing code in an attempt to comply with the U.S. Supreme Court decision in Blakely v. Washington. The Office of Public Advocacy's budget will be impacted, but it is not possible to predict with any accuracy the amount of the impact, therefore an indeterminate note is submitted. This legislation increases sentences across the board, adds some uncertainty to a defendant's sentences, and allows probationary sentences where they were not authorized previously. When sentencing consequences increase for criminal conduct, or uncertainty is added to the process, litigation necessarily increases. Because of the increased presumptive ranges, more cases will go to jury trial. Because of uncertainty in what a defendant may receive if he pleads, more cases will go to trial. Finally, more defendants who previously received a presumptive sentence without probation will receive sentences that include suspended time and probation and this will result in an increase in OPA appointments on petitions to revoke probation. The fiscal impact will be felt both with increased staff and contractor costs.

Prepared by: Joshua P. Fink, Director  
 Division: Office of Public Advocacy  
 Approved by: Mike Tibbles, Deputy Commissioner  
 Agency: Department of Administration

Phone: (907) 269-3500  
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