

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 3
 Bill Version: CSHB 194(RES)
 (H) Publish Date: 4/10/07

Revision Date/Time (Note if correction): _____ Dept. Affected: Law
 Title An Act relating to fines and offenses RDU Criminal
 Component Criminal Justice Litigation
 Sponsor RESOURCES
 Requester HOUSE RESOURCES Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

See page 2.

Prepared by: Robert Meiners, Admin. Services Manager Phone 465-5427
 Division Administrative Services Division Date/Time 3/30/07 1:42 PM
 Approved by: Robert Meiners for Talis Colberg, Attorney General Date 3/30/2007
 Agency Department of Law

FISCAL NOTE #3

**STATE OF ALASKA
2007 LEGISLATIVE SESSION**

BILL NO. CSHB 194(RES)

ANALYSIS CONTINUATION

HB 194 would amend fines imposed for misdemeanors, violations, and infractions in various parts of Alaska law so that they are more consistent with the more general fines for criminal acts and violations in Title 12. It would raise the maximum fine in Title 12 for commission of a violation or infraction from \$500 to \$750. And it would raise the maximum fine from \$500 to \$750 under Alaska District Court Rule 8(b) that may be imposed for an offense that is considered to be a minor offense.

Section 37 of the bill would amend AS 38.05 to create penalties and give citation authority to the Department of Natural Resources for offenses on general state land managed by DNR under Title 38. The overall scheme is modeled on AS 41.21.950 - 960, under which DNR has enforcement authority on state park lands managed under Title 41. Under proposed AS 38.05.750 - 760, a bail forfeiture schedule would be established under which persons cited by DNR would have the option of paying the fine amount - thereby forfeiting the bail - in lieu of a court appearance (similar to the process for speeding tickets).

The only likely fiscal impact to Law would appear to be from those cases where persons cited (1) elect to appear to contest the citation; or (2) fail to appear or pay the bail amount, in which case the citation is treated as a summons for a misdemeanor charge and "the offender shall be proceeded against in the manner prescribed by law." In such cases, there would be a need for attorney time, likely from the Criminal Division, to handle the misdemeanor prosecution; however, we do not anticipate the need for any additional attorney positions due to prosecutions under this statute.

Passage of this legislation would not have a significant fiscal impact upon the Department of Law.