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FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for House Bill No. 657 (HESS)
 Title "An Act relating to penalties for driving while intoxicated.."
 Requested by House HESS Committee Date February 5, 1982

II. FISCAL DETAIL

Agency Affected Dept. of Health & Social Services
 Program Category Affected Offender Confinement, Reformation & Supervision
 BRU, Program, Or Subprogram(s) Affected Adult Confinement
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES			1313.8	1405.7	1504.1	1609.4
200 TRAVEL		1.5	9.8	10.7	11.7	12.7
300 CONTRACTUAL		22.5	146.4	159.6	174.0	189.6
400 COMMODITIES		82.1	242.8	264.7	288.5	314.5
500 EQUIPMENT			15.0			
600 LAND & STRUCTURES		6210.0				
700 GRANTS, CLAIMS, ETC.		27.2	58.2	63.5	69.2	75.4
TOTAL		6343.3	1786.0	1904.2	2047.5	2201.6

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		6343.3	1786.0	1904.2	2047.5	2201.6
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	-0-	-0-	32	32	32	32
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

A. Enactment of this bill will have a significant fiscal impact on the Division of Adult Corrections. The major thrust of this proposed legislation is to lengthen the minimum sentences for persons convicted of driving while intoxicated. Amendments to the section of the statute addressing driving with a cancelled, suspended, or revoked license will result in a fiscal impact, also.

Minimum sentence length for first time drunk driving offenders is increased from 3 to 5 days; second offenders sentences are increased from 10 days to 90 days; and third time, and subsequent, offenders are increased from 10 days (minimum) to 5 years.

Roger C. Lange

IV. DATE February 8, 1982 PREPARED BY Roger C. Lange
 AGENCY Division of Adult Corrections
 PHONE 465-3376

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 657
 Title "An act relating to penalties for driving while intoxicated."
 Requested by HESS Date March 11, 1982

II. FISCAL DETAIL

Agency Affected Department of Administration,
 Program Category Affected Due Process
 BRU, Program, or Subprogram(s) Affected Public Defender Agency
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES			215.6			
200 TRAVEL			6.0			
300 CONTRACTUAL			21.0			
400 COMMODITIES			6.0			
500 EQUIPMENT			12.0			
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		-0-	260.6			

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND			260.6			
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME			5.0			
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

This bill converts the offense of Driving While Intoxicated to a Class A felony, with a mandatory minimum sentence of five years for the third offense and twenty years for a fourth offense. This Agency handles an extremely high volume of these cases, which will all now be felonies. Felony cases, particularly Class A felonies, involving substantial jail time as well as the collateral loss of other rights such as voting, the right to serve on a jury, loss of business license, etc., are the most serious types of offense handled within this Agency. All felonies, which are handled in the Superior Court, require substantially more attorney time and preparation than misdemeanors in District Court.

Given the high number of additional felonies which will be handled, one additional attorney is required for Anchorage and Fairbanks. Furthermore, one investigator each for Anchorage and Fairbanks is needed to handle the

IV. DATE March 11, 1982 PREPARED BY Dana Fabe, Public Defender (continued)
 AGENCY Public Defender Agency
 PHONE 279-7541

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

additional investigation which will be required for these cases to go to trial in Superior Court as felonies. Finally, an additional secretary is necessary to handle the extensive motion and appellate work involved in serious felony cases.

In summary, the impact of this Act will be great and will require a vast amount of additional attorney time in Superior Court as well as investigation and secretarial support. Thus, two additional attorneys, two investigators and one secretary to handle this impact statewide are necessary.

Third District:

100 - Attorney III	53.1	
Investigator II	35.8	
Legal Sec. I	<u>25.2</u>	114.1
200 - Travel		3.0
300 - Contractual		14.0
400 - Supplies		4.0
500 - Equipment		9.0
		<u>144.1</u>

Fourth District:

100 - Attorney III	60.5	
Investigator II	<u>41.0</u>	101.5
200 - Travel		3.0
300 - Contractual		7.0
400 - Supplies		2.0
500 - Equipment		3.0
		<u>116.5</u>

TOTAL-----260.6