

Fiscal Estimate Narratives

DOA 12/2/2009

LRB Number	09-3640/1	Introduction Number	AB-0547	Estimate Type	Original
Description Operating a vehicle while intoxicated, granting rule-making authority, and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

AB-547 makes substantial changes to Wisconsin's Operating Under the Influence of an Intoxicant (OWI) statutes. It also creates a new SEG fund, the Intoxicated and Drugged Driver Fund, to reimburse judicial agencies and counties for the increased costs anticipated as a result of these changes.

AB-547 requires the Department of Administration (DOA) to prepare a budget request for the 2011-2013 biennium to allocate funds from the Intoxicated and Drugged Driver Fund for costs incurred by counties in relation to first time OWI-related offences. The payments would be made from a new SEG appropriation in DOA, s. 20.505(6)(q).

AB 547 would also require counties to submit to DOA an estimate for the biennium of the costs relating to first time OWI-related offenses, however, the bill does not specifically define all of the eligible costs. Therefore, DOA would have to work with the counties to uniformly and consistently define these costs. In addition, it is anticipated DOA would develop a procedure to distribute the funds authorized under s. 20.505(6)(q).

DOA estimates that working with 72 counties to develop eligible cost definitions and a distribution procedure would require a 0.35 FTE program planner and a 0.20 FTE for clerical and administrative support. The accounting for the payments could be absorbed within existing staff resources. The costs for these activities are estimated to be approximately \$38,500 on a one-time basis, assuming the activities are required for the 2011-2013 biennium only.

The cost estimates from the counties and the extent to which DOA is allocated funds from the Intoxicated and Drugged Driver Fund under s. 20.505(6)(q) is indeterminate at this time.

AB-547 would also extend the requirement to pay the Justice Information System Surcharge to first time offenders of OWI-related statutes with blood alcohol content greater than or equal to 0.08 and less than 0.1. The Department of Transportation has estimated that this provision will subject an additional 950 offenders to the surcharge. That estimate is based on 2007 data adjusted to subtract an estimate of offenders with higher blood alcohol contents.

Four activities within DOA currently receive a portion of each \$21.50 collected under the Justice Information System Surcharge. The revenue increase in DOA would total approximately \$13,775 annually and would be distributed within DOA as follows:

- \$7,125 to s. 20.505(1)(ja) – Justice Information Systems.
- \$3,800 to s. 20.505(1)(jc) – Indigent Civil Legal Services.
- \$1,425 to s. 20.505(6)(j) – Alternatives to Prosecution and Incarceration for Persons who use Alcohol or Other Drugs.
- \$1,425 to s. 20.505(6)(kp) – Data Gathering and Analysis.

It should be noted that the increased revenue from the Justice Information System Surcharge is already allocated by statute and is separate from funding available to cover the DOA costs attributable to this bill.

Long-Range Fiscal Implications

DOA anticipates that its costs of administering the payments to counties may decline after the program methodology and procedures are developed.

**Department of Administration
Budget Detail worksheet for AB-547 Fiscal Estimate
Funding Assistance to Counties**

Position function	FTE	Annual hours	Salary	Annual Cost	
Program Planner		0.35	728	22,026	16,035
Program Support		0.20	416	16,570	6,893
Total Salary	0.55	1144			22,928
Fringe Benefits				39.88%	9,144
Supplies			Per FTE		
Office supplies			600		330
Copying			240		132
Printing			480		264
Postage			198		109
Total supplies			1,518		835
Other costs and assessments					
E-grants			1,800		990
State Controller's Office			500		275
Space rent			5,100		2,805
Desktop computer support			2,000		1,100
Email			50		28
Phones			300		165
Fleet charges			144		79
LAB audit costs			276		152
Total other costs & assessments			10,170		5,594
TOTAL					38,500

Fiscal Estimate Worksheet - 2009 Session

Detailed Estimate of Annual Fiscal Effect

Original
 Updated
 Corrected
 Supplemental

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Description Operating a vehicle while intoxicated, granting rule-making authority, and providing a penalty			
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect): One-time costs of \$38,500 for DOA program administration.			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
	State Operations - Salaries and Fringes	\$	\$
	(FTE Position Changes)		
	State Operations - Other Costs		
	Local Assistance		
	Aids to Individuals or Organizations		
	TOTAL State Costs by Category	\$	\$
B. State Costs by Source of Funds			
	GPR		
	FED		
	PRO/PRS		
	SEG/SEG-S (Intoxi/ Drug Driver)		
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, ets.)			
		Increased Rev	Decreased Rev
	GPR Taxes	\$	\$
	GPR Earned		
	FED		
	PRO/PRS (multiple)	13,775	
	SEG/SEG-S		
	TOTAL State Revenues	\$13,775	\$
NET ANNUALIZED FISCAL IMPACT			
		State	Local
	NET CHANGE IN COSTS	\$	\$
	NET CHANGE IN REVENUE	\$13,775	\$
Agency/Prepared By Authorized Signature Date			
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