

HB

170

COMMITTEE REPORT

2/18/75

FINANCE

HOUSE

Mr. Speaker:

Date 3/20/75

The Committee on JUDICIARY has had HB 170

under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR \_\_\_\_\_ AND THAT

CS FOR \_\_\_\_\_ DO PASS

( ) "and" recommends it BE REFERRED TO THE \_\_\_\_\_

COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

(x) "other" Individual Recommendations

Members signing the Majority report:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Members NOT concurring in the Majority report:

\_\_\_\_\_ recommends: No Rec.

\_\_\_\_\_ recommends: no rec.

\_\_\_\_\_ recommends: no rec.

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ Chairman

House Judiciary Committee  
March 24, 1975

The meeting was called to order at 1:30 p.m. by Chairman Gardiner. All members were present except Mr. Brown, Mr. Bradley and Mr. Specking.

HB 170 Judicial Payments

Clark Gruening, sponsor of the bill stated that the State now provides most judicial services but that they charge back cities for employee salaries.

Art Snowden testified that municipalities are supposed to reimburse the state for judicial services provided by the state but this not now being enforced. The selective enforcement (big cities only) is not fair. The Supreme Court has mandated that the state will take over providing all judicial services and that the municipal employees now providing some of the services will become state employees. The state is presently charging back the municipalities for services but they do not charge corporations, regional corporations or individuals, etc. If the state were forced to enforce the present statute it would result is loss of judicial services in the bush.

John Spender stated that the provision of judicial services is free to everyone but cities. The fines should be reimbursed to municipalities also since city police arrest state not merely city people who commit crimes.

Mr. Fink moved HB 170 out of committee with individual recommendations. There being no objection, it was so ordered.


FISCAL NOTE - HB 170

House Bill 170 repeals the requirement that political subdivisions pay the State for judicial services provided to them by the Alaska Court System. Under the provisions of HB 170, therefore, the Alaska Court System would process municipal ordinance violations, local traffic tickets and other municipal criminal cases at no expense to the political subdivisions. Since the Court System is already processing these cases, no additional expenditures would be incurred. However, the State would lose the revenue that it presently is receiving as payment for services from the political subdivisions.

The estimated revenue loss for the next five years would be as follows:

	<u>FY 76</u>	<u>FY 77</u>	<u>FY 78</u>	<u>FY 79</u>	<u>FY 80</u>
Revenue Loss:	\$440,000	\$480,000	\$530,000	\$580,000	\$640,000

Note Prepared By:

  
Richard P. Barrier  
Alaska Court System

March 6, 1975

## Arnold v State

demands that muni pay back for the judicial services supplied to them by state.

Total collected revenue  $\pm$  \$140,000. The state must collect if statute isn't revised.

Have taken over former muni employees and are charging back for their salaries.

F.N # 2 covers:

- a. lost fines & fees
- b. the loss of charging back for salaries.

Why should a city have to pay costs for judicial services - nobody else does.

Why should cities keep revenues? Cities pay for police protection & revenues don't come near paying for

70  
March 10, 1975

John R. Spencer  
City Attorney  
City of Anchorage  
P.O. Box 400  
Anchorage, Ak. 99510

Dear Mr. Spencer:

Our meeting on HB 170 will last until at least 3 p.m.  
We would certainly like to obtain your testimony and  
will hold time open for you.

Sincerely,

Terry Gardiner  
Representative



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ANCHORAGE**



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March 5, 1975

Hon. Terry Gardiner,  
Chairman, House Judiciary Committee,  
Capitol Building,  
JUNEAU, Alaska

Re: House Judiciary Committee meeting -  
H.B. 170 March 24, 1975

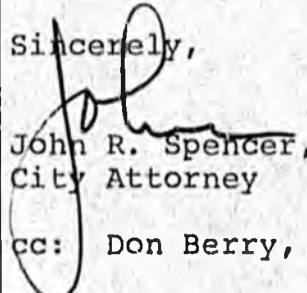
Dear Terry:

I understand that a hearing is going to be held by the House Judiciary Committee on House Bill 170, which concerns the State absorbing the cost of operating the court system for activities which are generated by municipalities.

I further understand that this hearing is going to be on March 24 at 1:15 P.M. I would hope that you could delay this a few minutes so that I can testify at the hearing, both for the City of Anchorage and the Alaska Municipal League. I will be arriving on the flight from Anchorage which gets into Juneau (barring unforeseen circumstances) at 1:15 P.M. that day. It would be practically impossible for me to get to the hill until approximately 1:45 P.M. at the earliest.

Please advise if this is satisfactory so far as you are concerned.

Sincerely,

  
John R. Spencer,  
City Attorney

cc: Don Berry, Alaska Municipal League




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March 6, 1975