

HB

261

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 4/22/98

FURTHER: 4/30/98

DATE TURNED IN TO OFFICE: May 98

Finance Committee considered CS FOR HOUSE BILL NO. 261(FIN) am

'An Act relating to fines and to a surcharge imposed for violations of state or municipal law and to the Alaska police training fund.'

and recommends:

- be replaced with S CS CS HB 261 (FIN)
- adopt previous _____ CS _____
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill:**
- same title
 - new title
- House Bill:**
- same title
 - technical title
 - new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Roll of Call</i>	✓	<i>Cal Adams</i>	X		
<i>John Jorgensen</i>	✓				
Co-Chair: _____		Co-Chair: <i>Seance</i>	✓		
Co-Chair: <i>B. ...</i>	✓	Co-Chair: _____			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
AK Police Standards	3/11/98		573.5
AK Court System	3/10/98		5.0
DPS AK State Troopers	2/11/98	✓	
Admin, Public Defend.	2/21/98	✓	

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

SENATE FINANCE COMMITTEE REPORT

DATE: 4/22/98

FURTHER: 4/30 committee revisited + changes actions
 DATE TURNED IN TO OFFICE: _____

Finance Committee considered CS FOR HOUSE BILL NO. 261(FIN) am

"An Act relating to fines and to a surcharge imposed for violations of state or municipal law and to the Alaska police training fund."

and recommends:

- be replaced with 5 CS CS HB 261 (FIN)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill:**
 same title
 new title
House Bill:
 same title
 technical title
 new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Reel, Kelly</i>	✓	<i>Paul Parrell</i>	X		
<i>John...</i>	✓	<i>Al Edus</i>	X		
<i>John Darley</i>	✓				
Co-Chair: <i>Peace</i>	✓	Co-Chair:			
Co-Chair:		Co-Chair: <i>Best...</i>			

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

REPORTED OUT OF
SFC 4/30/98

No: 5

STATE OF ALASKA 1998 LEGISLATIVE SESSION

Bill Version: CSHB 261 (FIN)
BILL NO: (H) Publish Date: 3/13/98

Revision Date: 3-11-98 Dept. Affected: Alaska Police Standards Council
Title: An Act... Surcharge imposed for violations... and to the Alaska Police Training Fund. BRU: Alaska Police Standards Council
Sponsor: Rep. Davis Component: _____
Requestor: (H) FN COMPONENT SERIAL NO. _____

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
OPERATING						
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	573.5	1147.0	1147.0	1147.0	1147.0	1147.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	573.5	1147.0	1147.0	1147.0	1147.0	1147.0
CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES ()	573.5	1147.0	1147.0	1147.0	1147.0	1147.0
Revenue Code						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GE Match						
1004 GE						
1005 GE/Program Receipts	573.5	1147.0	1147.0	1147.0	1147.0	1147.0
1006 GE/MHTIA						
Other						
TOTAL						

Estimate of current year (FY 98) impact: \$ 396.1

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)

Funding from the program receipts provided by HB 261 will allow the Alaska Police Standards Council to fully support the basic training needs for the statewide law enforcement and corrections community. It will also allow the Council to support in-service and specialized training for the 2000 officers representing 50 police agencies, 12 correctional institutions and the Village Public Safety program.

Considering administrative start-up of HB 261 during FY 99, the estimated projection for collections is 50% (573.5) of FY 00 projections. New revenue from HB 261 for FY 00 is projected at 1147.0.

Prepared By: Laddie Shaw Phone: 465-4378
Division: Alaska Police Standards Council Date: 3-11-98

Approved by Commissioner: *Ronald L. Otto* Date: 3-11-98
Agency: Ronald L. Otto, Dept. of Public Safety

COMMITTEE COPY

Page 1 of 2

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FISCAL NOTE
HB261
ATTACHMENT A

2,250 Felony convictions in 1997 at \$85.00 = \$191,250.00 (191.3)

3,972 DWI related convictions in 1997 at \$75.00 = \$297,900.00 (297.9)

16,425 Misdemeanor convictions in 1997 at \$45.00 = \$739,170.00 (739.2)

\$245,700 infractions (\$10.00) collected in FY97 at \$15.00 = \$368,550 (368.6)

Total estimated revenue generated as a result of surcharges = \$1,597.00

Felony, misdemeanor and DWI related convictions for 1997 obtained from
DPS Information Systems. Infraction information obtained from APSC for
FY97.

REVENUE ESTIMATES (FY00)

With HB261 (New Program Receipts) Total	1,597.0
Without HB261 (Existing Program Receipts) Estimate	<u><450.0></u>
New Program Receipt Revenue Generated By HB261	1,147.0
FY 99 1st Year Start Up Estimate	573.5

EXPENDITURE ESTIMATE

FY99 - Existing Surcharge Receipt Estimate	450.0
Total Surcharge Receipts Available HB 261 (FY00)	1147.0

REPORTED OUT OF
SFC 4/30/98 No: 4
Bill Version: CSHB 261 (FIN)
(H) Publish Date: 3/13/98

FISCAL NOTE

STATE OF ALASKA 1998 LEGISLATIVE SESSION

Revision Date: 03/10/98 Dept. Affected: Alaska Court System
 Title: Surcharge for violations of state and municipal violations BRU: Trial Courts
 Sponsor: Rep. Davis Component: _____
 Requestor: _____ COMPONENT SERIAL NO. 768

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 00	FY 01	FY 02	FY 03	FY 04
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL SUPPLIES	5.0					
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & AIMS						
MISCELLANEOUS						
TOTAL OPERATING	5.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

Fund Sources (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	5.0	0.0	0.0	0.0	0.0	0.0
1008 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL	5.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 98) cost: \$ None

Positions

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

See attached analysis

Prepared by: C. S. Christensen III, General Counsel
 Agency: Alaska Court System

Approved by: Stephanie J. Cole, Administrative Director
 Agency: Alaska Court System

Phone: 264-8228
 Date: 03/10/98
 Date: 03/10/98

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

Alaska Court System
Fiscal Analysis
CSHB 261 (FIN)

This legislation will impose a surcharge on felonies, misdemeanors and violations which result in a fine. Court system forms will have to be revised to accommodate information on the surcharge.

Supplies

Producing and distributing new forms

One-time cost

\$ 5,000

FISCAL NOTE

REPORTED OUT OF
SFC 4/20/98 No: 1
Bill Version: CSHB 261 (JUD)
(H) Publish Date: 3/4/98

STATE OF ALASKA
1998 LEGISLATIVE SESSION

Revision Date: _____
Title: "An Act relating to a surcharge imposed for violations of state or municipal law..."
Sponsor: Representative Davis
Requestor: (H) JUD

Department Affected: Administration
BRU: Legal and Advocacy Services
Component: Public Defender Agency
COMPONENT SERIAL NO. 1631

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
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						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 98) cost: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)
 This bill adds a "surcharge" on fines and penalties for anyone convicted of a crime: \$85 for a felony, \$75 for a driving/alcohol misdemeanor, \$45 for other misdemeanors, and \$15 for a violation.

 The funds are to be used for a police training fund. This bill will not cost the Agency money directly, but will impact indigent clients who cannot afford to pay this on top of restitution, fines, and Rule 39 costs already assessed against them. Additionally, it would be more fair to distribute funds generated by the criminal justice system to all of the players. Constantly allocating limited resources to only select components throws the ability of participants to cope out of balance.

Prepared by: Barbara K. Brink, Director
 Division: Public Defender Agency

Phone: (907) 264-4414
 Date: _____

Approved by Commissioner: Mark Boyer
 Agency: Department of Administration

Date: 2/27/98

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COMMITTEE COPY

FISCAL NOTE SFC

REPORTED OUT OF

4/30/98

No: 3

Version: CSHB 261 (FIN)

BILL NO: (H) Publish Date: 3/13/98

**STATE OF ALASKA
1998 LEGISLATIVE SESSION**

Revision Date: 02/11/98 Dept. Affected: Public Safety
 Title: An Act ...surcharge imposed for violations... and to the Alaska police training fund. BRU: Alaska State Troopers
 Sponsor: Rep. Davis Component: _____
 Requestor: H. Judiciary COMPONENT SERIAL NO. 0799

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
OPERATING						
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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CHANGE IN REVENUES (+)						
Revenue Code						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of current year (FY 98) impact: \$ _____

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)

Changes in revenue are identified on Alaska Police Standards Council's fiscal note.

Prepared By: F/Sgt. Don Bowman Phone: 269-5084
 Division: Alaska State Troopers Date: 02/11/98
 Approved by Commissioner: Ronald L. Otte *Dee Smith* Date: 2/11/98
 Agency: Department of Public Safety

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

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Amendment Number: 2
Bill Number: SCS CS HB 261 (FIN)
Sponsor: Donley Date: 4/30/98
Logged In By: Galtani

0-1.S0920AH.1
Luckhaupt
4/29/98

A M E N D M E N T

OFFERED IN THE SENATE
TO: SCS CS HB 261(FIN)

BY SENATOR DONLEY
*moved by Sen. Phillips
w/o objection, adopted*

- 1 Page 3, line 18:
- 2 Delete "appropriate equal amounts"
- 3 Insert "make appropriations [APPROPRIATE EQUAL AMOUNTS]"

ORIGINAL

SENATE FINANCE
COMMITTEE #3
Amendment Number: #3
Bill Number: HB 261
Sponsor: _____ Date: 4/30/98
Logged In By: Mindy

AMENDMENT

moved by Sen. Phillips
w/o objection, adopted

OFFERED IN THE SENATE

TO: SCS HB 261(FIN), Draft Version ""

Page 4, Line 8:

DELETE: "shall"

INSERT: "may"

Page 4, Line 10, following "to the state."

INSERT: "The reimbursement may not exceed ten percent of
the surcharge collected and transmitted to the state."

A FAX

Alaska State Legislature

Date: 30 April 98

To: Judy Ripley - Legal Services

Fax #: 2029 Phone #: 2450

From: Mindy Rowland - Senate Finance

Phone #: 4935

Re: 0-LS092044
SCSCS HB 261(FIN) w/ 2 amendments: \ H.1, 4
attached. Please deliver new CS final this
afternoon. Any questions, please call

Mindy

Following this page, please find 1 page(s). If this does not reach you in full, please inform us ASAP.



THANK YOU

SENATE FINANCE
COMMITTEE

Amendment Number: #1

Bill Number: HB 261

Sponsor: Donley Date: 4/28/98

Logged In By: Mundy

0-LS0920\FA.2

Luckhaupt

4/28/98

A M E N D M E N T

OFFERED IN THE SENATE

TO: CSIB 261(FIN) am

moved BY SENATOR DONLEY

w/o objection, ADOPTED

1 Page 2, line 21:

2 Delete "\$85"

3 Insert "\$100"

4 Page 2, line 30:

5 Delete "\$45"

6 Insert "\$50"

7 Page 3, line 5:

8 Delete "\$15"

9 Insert "\$10"

10 Page 3, line 18:

11 Delete "the (1)"

12 Insert "[THE] (1) the"

13 Page 3, line 20:

14 Delete "and"

15 Insert "[AND]"

16 Following "(2)":

17 Insert "the"

18 Page 3, line 21, following "AS 18.65.230":

19 Insert ", and (3) municipalities that conduct their own police training programs"

0-LS0920\FA.2

1 Page 4, line 6, following "AS 37.05.142.":

2 Insert "Subject to appropriation, the legislature shall reimburse a municipality that
3 collects a surcharge required to be imposed under AS 12.55.039 for the cost to the
4 municipality in collecting the surcharge and transmitting the surcharge to the state."



ALASKA STATE LEGISLATURE

PLEASE ENTER INTO THE RECORD MY TESTIMONY TO THE Senate Finance
COMMITTEE NAME

COMMITTEE ON HB 261 Training Surcharge DATED 4/28/98
BILL/SUBJECT

Apparently The present system for collecting "surcharges" doesn't work since the Department of Law acknowledged collecting only about 50% of surcharges levied.

The requested increase in value of surcharges and Expansion ^{of surcharges} will not fix the problem of collections.

Why place additional burden on those who do pay?

SIGNED Jerry Jernigan
TESTIFIER

REPRESENTING (OPTIONAL)

Po Box 785 Tok AK 99780

ADDRESS/PHONE NUMBER

907-883-5074