

HB

108

<TARGET><BILL>HB 108</BILL><SUBJECT>HB
108</SUBJECT><COMM>HJUD28</COMM></TARGET>

ALASKA STATE LEGISLATURE

Interim:
P.O. Box 109
Wrangell, AK 99929
Phone: (907) 874-3088
Fax: (907) 874-3055



Session:
State Capitol, Room 406
Juneau, AK 99801-1182
Phone: (907) 465-3824
1-800-686-3824
Fax: (907) 465-3175

REPRESENTATIVE PEGGY WILSON
HOUSE DISTRICT 33

HB 108 Intro

Brief explanation of bill

- House Bill 108 allows the Alaska State Troopers and municipal police departments to add a surcharge on minor offense citations as a means of funding the use of electronic citation equipment to issue tickets.
- The equipment is very efficient and to date has been paid for mostly by federal grants (which will end), city taxes or municipal police department's budgets.
- Under the current system, once the officer turns the citations into the court, employees there need to scan it, read it and type the information into the system. This often takes up to 12 days before the ticket can be processed and paid for by the offender.
- This bill does not require any police department to participate in the electronic citation program. However if a department elects to participate they will receive the amount needed to cover annual fees and maintenance costs of their electronic citation equipment.

Reason for Committee Substitute

- The Committee Substitute for HB 108 simplifies the accounting and data entry for fee collection for electronic citations.
- Version 28-LS0383/U created an additional e-citation surcharge statute and a fund within the general fund for e-citations. To simplify the process we will amend the existing statute that imposes a \$10 surcharge, (for the Alaska Police Standards Council, APSC) on all citations Alaska State Troopers and municipal police officers collect. This existing police training surcharge is added onto any minor offense in the state exceeding \$30.
- With CS HB 108 we will amend the existing surcharge statute by adding an additional \$10 surcharge to pay for maintenance and costs of e-citation equipment. Therefore when a minor offense ticket over \$30 is issued the officer would put in \$20 on the surcharge line, 50% of the funds will continue to go to the sub-fund for APSC in the general fund and the additional 50% will in the sub-fund for e-citation.

original!

HOUSE BILL NO. 108

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE PEGGY WILSON

Introduced: 2/11/13

Referred: Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to electronic citations; creating the electronic citation fund; and
2 providing for an effective date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 12.35.195(c) is amended to read:

5 (c) Disposition of an offense under (a) of this section may not occur unless the
6 person cited for the offense pays the surcharges [SURCHARGE] prescribed in
7 AS 12.55.039 and 12.55.043 in addition to the scheduled bail or fine amount. A
8 [THE] surcharge required to be paid under this subsection shall be deposited into the
9 general fund and accounted for under AS 37.05.142.

10 * **Sec. 2.** AS 12.25 is amended by adding a new section to read:

11 **Sec. 12.25.205. Electronic citations.** A citation issued under AS 12.25.180, or
12 another law authorizing the issuance of a citation, may be created, executed,
13 transmitted, or stored electronically to the extent allowed under rules adopted by the
14 supreme court.

1 * **Sec. 3.** AS 12.55 is amended by adding a new section to read:

2 **Sec. 12.55.043. Electronic citation surcharge.** (a) In addition to any fine or
3 other penalty prescribed by law and regardless of whether an electronic citation was
4 issued, a defendant who pleads guilty or nolo contendere to, forfeits bail for, or is
5 convicted of a violation of a state or municipal traffic law shall be assessed an
6 electronic citation surcharge in an amount established by regulation under
7 AS 44.41.020(f).

8 (b) The court shall impose on a defendant being sentenced for one or more
9 violations of a state or municipal traffic law in a single judgment a single surcharge
10 under (a) of this section.

11 (c) The court shall include a surcharge imposed under (a) of this section in the
12 judgment of conviction. For a surcharge that is not paid by the person as required by
13 this section, the state shall seek reimbursement from the person's permanent fund
14 dividend as provided under AS 43.23.065. For purposes of collection and priority of
15 attachment under AS 43.23.065, a surcharge imposed under this section is accounted
16 for in the same manner as a cost of imprisonment under AS 28.35.030(k) and
17 28.35.032(o). The state may enforce payment of a surcharge under this section under
18 AS 09.35 as if it were a civil judgment enforceable by execution. This subsection does
19 not limit the authority of the court to enforce surcharges.

20 (d) Money collected as the result of an assessment under this section shall be
21 deposited into the general fund and accounted for under AS 37.05.142.

22 (e) In this section, "traffic law" has the meaning given "traffic laws" in
23 AS 28.15.261.

24 * **Sec. 4.** AS 37.05.146(c) is amended by adding a new paragraph to read:

25 (87) surcharges collected under AS 12.55.043.

26 * **Sec. 5.** AS 44.41.020(f) is amended to read:

27 (f) The Department of Public Safety shall establish by regulation ~~the amount~~
28 of the electronic citation surcharge under AS 12.55.043(a) and standardized forms
29 for citations issued by law enforcement officers and other persons authorized by law to
30 issue citations in the state. The department may enter into agreements with local
31 governmental agencies to provide a statewide system to administer electronic

1 **citations, subject to AS 12.25.175 - 12.25.230 and rules adopted by the supreme**
2 **court.**

3 * **Sec. 6.** AS 44.41 is amended by adding a new section to read:

4 **Sec. 44.41.027. Electronic citation fund.** The electronic citation fund is
5 created in the general fund. The fund consists of appropriations made by the
6 legislature to the fund. The legislature may appropriate to the fund the annual
7 estimated balance in the accounts maintained under AS 37.05.142 for money collected
8 as the result of a surcharge assessed under AS 12.55.043. The legislature may make
9 appropriations from the fund to the Department of Public Safety for the purchase and
10 maintenance of equipment and supplies for issuing electronic citations. Nothing in this
11 section creates a dedicated fund.

12 * **Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to
13 read:

14 **APPLICABILITY.** AS 12.55.043, added by sec. 3 of this Act, is applicable to pleas of
15 guilty, pleas of nolo contendere, bail forfeitures, or convictions that occur on or after the
16 effective date of sec. 3 of this Act and that result in the assessment of a surcharge under
17 AS 12.55.039.

18 * **Sec. 8.** The uncodified law of the State of Alaska is amended by adding a new section to
19 read:

20 **TRANSITION: REGULATIONS.** The Department of Public Safety may adopt
21 regulations necessary to implement the changes made by this Act. The regulations take effect
22 under AS 44.62 (Administrative Procedure Act), but not before the effective date of the law
23 implemented by the regulation.

24 * **Sec. 9.** Section 8 of this Act takes effect immediately under AS 01.10.070(c).

28-LS0383\N
Wayne
2/19/13

CS FOR HOUSE BILL NO. 108()

**IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-EIGHTH LEGISLATURE - FIRST SESSION**

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVE PEGGY WILSON

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to electronic citations; creating the electronic citation fund; and**
2 **providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 12.25 is amended by adding a new section to read:

5 **Sec. 12.25.205. Electronic citations.** A citation issued under AS 12.25.180, or
6 another law authorizing the issuance of a citation, may be created, executed,
7 transmitted, or stored electronically to the extent allowed under rules adopted by the
8 supreme court.

9 *** Sec. 2.** AS 12.55.039(a) is amended to read:

10 (a) In addition to any fine or other penalty prescribed by law, a defendant who
11 pleads guilty or nolo contendere to, forfeits bail for, or is convicted of a

12 (1) felony shall be assessed a surcharge of \$100;

13 (2) violation of a misdemeanor offense under AS 28.33.030,
14 28.33.031, AS 28.35.030, or 28.35.032, or a violation of a municipal ordinance

1 comparable to a misdemeanor offense under AS 28.33.030, 28.33.031, AS 28.35.030,
2 or 28.35.032 and adopted under AS 28.01.010, shall be assessed a surcharge of \$75;

3 (3) misdemeanor or a violation of a municipal ordinance if a sentence
4 of incarceration may be imposed for the misdemeanor or ordinance violation, other
5 than a provision identified in (2) of this subsection, shall be assessed a surcharge of
6 \$50;

7 (4) misdemeanor, or an offense defined as a minor offense under
8 rules adopted by the supreme court, for which a sentence of incarceration may not
9 be imposed [, A VIOLATION OR AN INFRACTION UNDER STATE LAW, OR A
10 VIOLATION OF A MUNICIPAL ORDINANCE IMPOSING A PENALTY
11 AUTHORIZED BY AS 29.25.070(a) IF A SENTENCE OF INCARCERATION
12 MAY NOT BE IMPOSED FOR THE ORDINANCE VIOLATION], shall be assessed
13 a surcharge of \$20 [\$10] if the fine or bail forfeiture amount for the offense is \$30 or
14 more.

15 * Sec. 3. AS 44.41.020(f) is amended to read:

16 (f) The Department of Public Safety shall establish by regulation standardized
17 forms for citations issued by law enforcement officers and other persons authorized by
18 law to issue citations in the state. The department and the administrative director
19 of the Alaska Court System may enter into agreements with each other and with
20 agencies of local governments in the state to provide a statewide system to
21 administer electronic citations, subject to AS 12.25.175 - 12.25.230 and rules
22 adopted by the supreme court.

23 * Sec. 4. AS 44.41 is amended by adding a new section to read:

24 **Sec. 44.41.027. Electronic citation fund.** The electronic citation fund is
25 created in the general fund. The fund consists of appropriations made by the
26 legislature to the fund. The legislature may appropriate to the fund 50 percent of the
27 annual estimated balance in the accounts maintained under AS 37.05.142 for money
28 collected as the result of a surcharge assessed under AS 12.55.039(a)(4). The
29 legislature may make appropriations from the fund to the Department of Public Safety,
30 ~~the Alaska Court System, and agencies of local governments in the state~~ for the
31 purchase and maintenance of equipment and supplies for issuing electronic citations.)

*at state and
local level.*

1 Nothing in this section creates a dedicated fund.

2 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
3 read:

4 **APPLICABILITY.** AS 12.55.039(a), as amended by sec. 2 of this Act, applies to pleas
5 of guilty, pleas of nolo contendere, bail forfeitures, or convictions that occur on or after the
6 effective date of sec. 2 of this Act.

7 * **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to
8 read:

9 **REGULATIONS.** The Department of Public Safety may adopt regulations necessary
10 to implement the changes made by this Act. The regulations take effect under AS 44.62
11 (Administrative Procedure Act), but not before the effective date of the law implemented by
12 the regulation.

13 * **Sec. 7.** Section 6 of this Act takes effect immediately under AS 01.10.070(c).

14 * **Sec. 8.** Except as provided in sec. 7 of this Act, this Act takes effect October 1, 2013.

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**REPRESENTATIVE PEGGY WILSON
HOUSE DISTRICT 33**

MEMORANDUM

Date: February 17, 2014

To: Representative Wes Keller, House Judiciary Committee

From: Representative Peggy Wilson ^{PW}

RE: **Hearing Request for HB108 "Surcharge on Fines/Elec. Citation Fund"**

I request that HB 108 be put on the calendar for the Judiciary Committee at your earliest convenience.

House Bill 108 would add an additional \$10 surcharge to minor offenses, which would go to the Department of Public Safety who would then allocate the monies to police departments and troopers to facilitate the electronic filling of citations.

If you have any questions, please contact my staff for this legislation, Arthur Martin at 465-3824.

Thank you for considering this important piece of legislation.

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REPRESENTATIVE PEGGY WILSON
HOUSE DISTRICT 33

SPONSOR STATEMENT CS House Bill 108 Version P

“An Act relating to electronic citations; creating the electronic citations fund; and providing for an effective date.”

HB 108 will help bring Alaska State Troopers and City or Municipality Police departments to the 21st century by establishing an e-citation fund. Currently, many tickets are written on paper citations with some departments choosing to use electronic citation devices and software (funded by Federal grants) in lieu of paper.

By using e-citation devices, the process of writing a ticket can be decreased from 20 minutes to about 5 minutes. These devices will also help stream line the court process, by eliminating the time required for court personnel to scan paper tickets and information into their system. This can take as long as 12 days, as opposed to instantly happening on the side of the road.

HB 108:

- Increases the Department of Public Safety surcharge on a minor offense
- The new surcharge will be put into an 'Electronic Citation Fund' which will be managed by the Department of Public Safety
- Money in the fund will be used to purchase hand-held equipment for officers to use in issuing citations and transmitting them to the courts. The Department of Public Safety will also maintain the software and hardware necessary to facilitate the electronic filing of the citations
- Provides a dependable revenue stream for a voluntary state-wide e-citations program
- Without this legislation, current e-citations programs around the state depend on Federal grant revenue, which is unpredictable, unreliable, and drying up
- Has support from DPS, State Troopers, and municipalities from around the state

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REPRESENTATIVE PEGGY WILSON
HOUSE DISTRICT 33

Sectional Analysis

Committee Substitute House Bill 108

Section 1

- A new section, section **12.25.205** is added to AS 12.25. Allowing citations to be created, executed, transmitted and stored electronically.

Section 2

- AS 12.55.039 section (a) (4) is amended to include minor offenses and the \$10 amount is increased to \$20.

Section 3

- AS 44.41.020(f) is amended by adding a sentence to allow the Department of Public Safety, the Court and local governments to agree on and establish a statewide electronic citation system.

Section 4

- AS 44.41 is amended by adding a new section, section AS 44.41.027. This new section creates an Electronic Citation Fund within the general fund where 50% of the surcharge collected in section 2 will be appropriated. It additionally outlines what this money will be spent on and makes the Department of Public Safety the administrator of the funds.

Section 5

- A new statute is added to define who gets charged the e-citation.

Section 6

- A new section is added stating that the Department of Public Safety may adopt and create regulations to comply with this act as soon as it passes.

Section 7

- The effective date for this legislation is November 1, 2014.

28-LS0383VP
Wayne
2/17/14

CS FOR HOUSE BILL NO. 108()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES PEGGY WILSON, Higgins, Millett

A BILL
FOR AN ACT ENTITLED

1 **"An Act relating to electronic citations; creating the electronic citation fund; and**
2 **providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1. AS 12.25 is amended by adding a new section to read:**

5 **Sec. 12.25.205. Electronic citations.** A citation issued under AS 12.25.180, or
6 another law authorizing the issuance of a citation, may be created, executed,
7 transmitted, or stored electronically to the extent allowed under rules adopted by the
8 supreme court.

9 *** Sec. 2. AS 12.55.039(a) is amended to read:**

10 (a) In addition to any fine or other penalty prescribed by law, a defendant who
11 pleads guilty or nolo contendere to, forfeits bail for, or is convicted of a

12 (1) felony shall be assessed a surcharge of \$100;

13 (2) violation of a misdemeanor offense under AS 28.33.030,
14 28.33.031, AS 28.35.030, or 28.35.032, or a violation of a municipal ordinance

1 comparable to a misdemeanor offense under AS 28.33.030, 28.33.031, AS 28.35.030,
2 or 28.35.032 and adopted under AS 28.01.010, shall be assessed a surcharge of \$75;

3 (3) misdemeanor or a violation of a municipal ordinance if a sentence
4 of incarceration may be imposed for the misdemeanor or ordinance violation, other
5 than a provision identified in (2) of this subsection, shall be assessed a surcharge of
6 \$50;

7 (4) misdemeanor or an offense defined as a minor offense under
8 rules adopted by the supreme court for which a sentence of incarceration may not
9 be imposed [, A VIOLATION OR AN INFRACTION UNDER STATE LAW, OR A
10 VIOLATION OF A MUNICIPAL ORDINANCE IMPOSING A PENALTY
11 AUTHORIZED BY AS 29.25.070(a) IF A SENTENCE OF INCARCERATION
12 MAY NOT BE IMPOSED FOR THE ORDINANCE VIOLATION,] shall be assessed
13 a surcharge of \$20 [\$10] if the fine or bail forfeiture amount for the offense is \$30 or
14 more.

15 * Sec. 3. AS 44.41.020(f) is amended to read:

16 (f) The Department of Public Safety shall establish by regulation standardized
17 forms for citations issued by law enforcement officers and other persons authorized by
18 law to issue citations in the state. The department and the administrative director
19 of the Alaska Court System may enter into agreements with each other and with
20 other state agencies and municipalities to provide a statewide system to
21 administer electronic citations, subject to AS 12.25.175 - 12.25.230 and rules
22 adopted by the supreme court.

23 * Sec. 4. AS 44.41 is amended by adding a new section to read:

24 **Sec. 44.41.027. Electronic citation fund.** The electronic citation fund is
25 created in the general fund. The fund consists of appropriations made by the
26 legislature to the fund. The legislature may appropriate to the fund 50 percent of the
27 annual estimated balance in the accounts maintained under AS 37.05.142 for money
28 collected as the result of a surcharge assessed under AS 12.55.039(a)(4). The
29 legislature may make appropriations from the fund to the Department of Public Safety
30 for the purchase and maintenance of equipment and supplies that are used by the state
31 or by municipalities to issue electronic citations. Nothing in this section creates a

1 dedicated fund.

2 * Sec. 5. The uncodified law of the State of Alaska is amended by adding a new section to
3 read:

4 APPLICABILITY. AS 12.55.039(a), as amended by sec. 2 of this Act, applies to pleas
5 of guilty, pleas of nolo contendere, bail forfeitures, or convictions that occur on or after the
6 effective date of sec. 2 of this Act.

7 * Sec. 6. The uncodified law of the State of Alaska is amended by adding a new section to
8 read:

9 REGULATIONS. The Department of Public Safety may adopt regulations necessary
10 to implement the changes made by this Act. The regulations take effect under AS 44.62
11 (Administrative Procedure Act), but not before the effective date of the law implemented by
12 the regulation.

13 * Sec. 7. Section 6 of this Act takes effect immediately under AS 01.10.070(c).

14 * Sec. 8. Except as provided in sec. 7 of this Act, this Act takes effect November 1, 2014.

28-LS0383\O
Wayne
2/21/13

CS FOR HOUSE BILL NO. 108()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE PEGGY WILSON

A BILL
FOR AN ACT ENTITLED

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7 transmitted, or stored electronically to the extent allowed under rules adopted by the
8 supreme court.

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10 (a) In addition to any fine or other penalty prescribed by law, a defendant who
11 pleads guilty or nolo contendere to, forfeits bail for, or is convicted of a

12 (1) felony shall be assessed a surcharge of \$100;

13 (2) violation of a misdemeanor offense under AS 28.33.030,
14 28.33.031, AS 28.35.030, or 28.35.032, or a violation of a municipal ordinance

L

1 comparable to a misdemeanor offense under AS 28.33.030, 28.33.031, AS 28.35.030,
2 or 28.35.032 and adopted under AS 28.01.010, shall be assessed a surcharge of \$75;

3 (3) misdemeanor or a violation of a municipal ordinance if a sentence
4 of incarceration may be imposed for the misdemeanor or ordinance violation, other
5 than a provision identified in (2) of this subsection, shall be assessed a surcharge of
6 \$50;

7 (4) misdemeanor or an offense defined as a minor offense under
8 rules adopted by the supreme court for which a sentence of incarceration may not
9 be imposed [, A VIOLATION OR AN INFRACTION UNDER STATE LAW, OR A
10 VIOLATION OF A MUNICIPAL ORDINANCE IMPOSING A PENALTY
11 AUTHORIZED BY AS 29.25.070(a) IF A SENTENCE OF INCARCERATION
12 MAY NOT BE IMPOSED FOR THE ORDINANCE VIOLATION,] shall be assessed
13 a surcharge of \$20 [\$10] if the fine or bail forfeiture amount for the offense is \$30 or
14 more.

15 * Sec. 3. AS 44.41.020(f) is amended to read:

16 (f) The Department of Public Safety shall establish by regulation standardized
17 forms for citations issued by law enforcement officers and other persons authorized by
18 law to issue citations in the state. The department and the administrative director
19 of the Alaska Court System may enter into agreements with each other and with
20 other state agencies and municipalities to provide a statewide system to
21 administer electronic citations. subject to AS 12.25.175 - 12.25.230 and rules
22 adopted by the supreme court.

23 * Sec. 4. AS 44.41 is amended by adding a new section to read:

24 **Sec. 44.41.027. Electronic citation fund.** The electronic citation fund is
25 created in the general fund. The fund consists of appropriations made by the
26 legislature to the fund. The legislature may appropriate to the fund 50 percent of the
27 annual estimated balance in the accounts maintained under AS 37.05.142 for money
28 collected as the result of a surcharge assessed under AS 12.55.039(a)(4). The
29 legislature may make appropriations from the fund to the Department of Public Safety
30 for the purchase and maintenance of equipment and supplies that are used by the state
31 or by municipalities to issue electronic citations. Nothing in this section creates a

1 dedicated fund.

2 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
3 read:

4 **APPLICABILITY.** AS 12.55.039(a), as amended by sec. 2 of this Act, applies to pleas
5 of guilty, pleas of nolo contendere, bail forfeitures, or convictions that occur on or after the
6 effective date of sec. 2 of this Act.

7 * **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to
8 read:

9 **REGULATIONS.** The Department of Public Safety may adopt regulations necessary
10 to implement the changes made by this Act. The regulations take effect under AS 44.62
11 (Administrative Procedure Act), but not before the effective date of the law implemented by
12 the regulation.

13 * **Sec. 7.** Section 6 of this Act takes effect immediately under AS 01.10.070(c).

14 * **Sec. 8.** Except as provided in sec. 7 of this Act, this Act takes effect October 1, 2013.

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: HB 108
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB108-DPS-ASTSP-01-21-14
Title: SURCHARGE ON FINES/ELEC. CITATION FUND
Sponsor: P.WILSON
Requester: (H) Judiciary

Department: Department of Public Safety
Appropriation: Alaska State Troopers
Allocation: Special Projects
OMB Component Number: 1001

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2015 Request	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
OPERATING EXPENDITURES	FY 2015	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Personal Services							
Travel	15.0		30.0	30.0	30.0	30.0	30.0
Services	245.0		490.0	490.0	490.0	490.0	490.0
Commodities	126.5		253.0	253.0	253.0	253.0	253.0
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	386.5	0.0	773.0	773.0	773.0	773.0	773.0

Fund Source (Operating Only)

1005 GF/Prgm	386.5		773.0	773.0	773.0	773.0	773.0
Total	386.5	0.0	773.0	773.0	773.0	773.0	773.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

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Estimated SUPPLEMENTAL (FY2014) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2015) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes
If yes, by what date are the regulations to be adopted, amended or repealed? 01/01/15

Why this fiscal note differs from previous version:

Updated for 2nd session to accurately reflect FY2015 and out year costs.
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Prepared By:	Dan Spencer, Director	Phone:	(907)465-5488
Division:	Administrative Services	Date:	12/24/2013 08:10 AM
Approved By:	Keith L. Mallard, Acting Commissioner	Date:	12/24/13
Agency:	Office of the Commissioner		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2014 LEGISLATIVE SESSION

BILL NO. HB 108

Analysis

HB 108 provides for law enforcement agencies to add a new electronic citation surcharge to traffic offense citations for purposes of supporting and sustaining an electronic citations system.

The Alaska State Troopers (AST) and several municipal law enforcement agencies are currently using or are in the process of implementing electronic citation equipment that allows officers to issue traffic citations in a more efficient, accurate, and safe manner.

This fiscal note assumes the new surcharge proposed by HB 108 would be collected by the Alaska Court System and local governments and transferred to DPS for management and distribution through an electronic citations steering committee, which is already established.

Surcharges currently collected under AS 12.55.039(4) are approximately \$773.0 annually. Based on discussions with the sponsor, we are assuming that the new surcharge amount would be \$10 - the same as under AS 12.55.039(4). Therefore, the surcharge revenues are estimated to be \$773.0 annually, with half-year funding for FY15.

This amount would be designated to be used specifically for the purchase and maintenance of the equipment and supplies used for the issuance of electronic citations including hardware, software and licensing, deployment, installation, and training for electronic citations equipment as well as maintenance fees and equipment and software upgrades.

HB 108 provides that DPS may adopt regulations necessary to implement the changes made by the bill. A regulation project would begin as soon as HB 108 was signed into law, with an expected effective date of January 1, 2015. Consequently, this fiscal note assumes half-year funding for FY15 broken down as follows:

Travel \$15.0: This amount would cover costs associated with travel costs to provide on-site training for issuance and use of electronic citation equipment.

Services \$245.0: This amount would cover licensing fees (\$45.0); software enhanced feature development (\$50.0); internal system software development, upgrades, and maintenance (\$100.0); and server maintenance, replacement, and upgrades (\$50.0).

Commodities \$126.5: This amount would cover new and replacement equipment including in-car computers, mounts, printers, and consumable supplies.

These amounts are represented as full-year costs in FY16 forward.

The electronic citation fund established by HB 108 would ensure funding for long-term sustainability of the electronic citation system by passing the cost on to offenders.

Fiscal Note

State of Alaska
2013 Legislative Session

Bill Version: HB 108
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB108-DPS-ASTSP-03-08-13
Title: SURCHARGE ON FINES/ELEC. CITATION FUND
Sponsor: P.WILSON
Requester: Judiciary

Department: Department of Public Safety
Appropriation: Alaska State Troopers
Allocation: Special Projects
OMB Component Number: 1001

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2014	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2014 Request	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
OPERATING EXPENDITURES	FY 2014	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Personal Services							
Travel	15.0		30.0	30.0	30.0	30.0	30.0
Services	245.0		490.0	490.0	490.0	490.0	490.0
Commodities	126.5		253.0	253.0	253.0	253.0	253.0
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	386.5	0.0	773.0	773.0	773.0	773.0	773.0

Fund Source (Operating Only)

1005 GF/Prgm	386.5		773.0	773.0	773.0	773.0	773.0
Total	386.5	0.0	773.0	773.0	773.0	773.0	773.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues	386.5		773.0	773.0	773.0	773.0	773.0
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Estimated SUPPLEMENTAL (FY2013) cost: 0.0

Estimated CAPITAL (FY2014) cost: 0.0

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes
If yes, by what date are the regulations to be adopted, amended or repealed? 01/01/14

Why this fiscal note differs from previous version:

Not applicable, initial version.

Prepared By:	Jeff Hoover, Director	Phone:	(907)465-5488
Division	Administrative Services	Date:	03/08/2013 01:45 PM
Approved By:	Joseph A. Masters, Commissioner	Date:	03/08/13
	Department of Public Safety		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2013 LEGISLATIVE SESSION

BILL NO. HB108

Analysis

HB 108 provides for law enforcement agencies to add a new electronic citation surcharge to traffic offense citations for purposes of supporting and sustaining an electronic citations system.

The Alaska State Troopers (AST) and several municipal law enforcement agencies are currently using or are in the process of implementing electronic citation equipment that allows officers to issue traffic citations in a more efficient, accurate, and safe manner.

This fiscal note assumes the new surcharge proposed by HB 108 would be collected by the Alaska Court System and local governments and transferred to DPS for management and distribution through an electronic citations steering committee, which is already established.

Surcharges currently collected under AS 12.55.039(4) are approximately \$773.0 annually. Based on discussions with the sponsor, we are assuming that the new surcharge amount would be \$10 - the same as under AS 12.55.039(4). Therefore, the surcharge revenues are estimated to be \$773.0 annually, with half-year funding for FY14.

This amount would be designated to be used specifically for the purchase and maintenance of the equipment and supplies used for the issuance of electronic citations including hardware, software and licensing, deployment, installation, and training for electronic citations equipment as well as maintenance fees and equipment and software upgrades.

HB 108 provides that DPS may adopt regulations necessary to implement the changes made by the bill. A regulation project would begin as soon as HB 108 was signed into law, with an expected effective date of January 1, 2014. Consequently, this fiscal note assumes half-year funding for FY14 broken down as follows:

Travel \$15.0: This amount would cover costs associated with travel costs to provide on-site training for issuance and use of electronic citation equipment.

Services \$245.0: This amount would cover licensing fees (\$45.0); software enhanced feature development (\$50.0); internal system software development, upgrades, and maintenance (\$100.0); and server maintenance, replacement, and upgrades (\$50.0).

Commodities \$126.5: This amount would cover new and replacement equipment including in-car computers, mounts, printers, and consumable supplies.

These amounts are represented as full-year costs in FY15 forward.

The electronic citation fund established by HB 108 would ensure funding for long-term sustainability of the electronic citation system by passing the cost on to offenders.

Fiscal Note

State of Alaska
2013 Legislative Session

Bill Version: HB 108
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB108-DOA-DOF-3-09-13
Title: SURCHARGE ON FINES/ELEC. CITATION FUND
Sponsor: P.WILSON
Requester: House Judiciary

Department: Department of Administration
Appropriation: Centralized Administrative Services
Allocation: Finance
OMB Component Number: 59

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2014	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2014 Request	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
OPERATING EXPENDITURES	FY 2014	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							
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Estimated SUPPLEMENTAL (FY2013) cost: 0.0

Estimated CAPITAL (FY2014) cost: 0.0

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? no
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Initial version, not applicable

Prepared By: Scot Arehart, Director
Division: Finance
Approved By: Curtis Thayer, Deputy Commissioner
Department of Administration

Phone: (907)465-3435
Date: 02/12/2013 02:54 PM
Date: 03/09/13

FISCAL NOTE ANALYSIS

**STATE OF ALASKA
2013 LEGISLATIVE SESSION**

BILL NO. HB108

Analysis

Establishing funds created by legislation such as this is performed in the normal course of business by the Division of Finance.

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: HB 108
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB108-DOA-DOF-1-21-14
Title: SURCHARGE ON FINES/ELEC. CITATION FUND
Sponsor: P.WILSON
Requester: House Judiciary

Department: Department of Administration
Appropriation: Centralized Administrative Services
Allocation: Finance
OMB Component Number: 59

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015 Appropriation Requested	Included in Governor's FY2015 Request	Out-Year Cost Estimates					
			FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time								
Part-time								
Temporary								

Change in Revenues

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Estimated SUPPLEMENTAL (FY2014) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2015) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Updated for 2nd session to accurately reflect FY2015 and out year costs.
--

Prepared By:	Scot Arehart, Director	Phone:	(907)465-3435
Division:	Division of Finance	Date:	09/07/2013 09:25 PM
Approved By:	Curtis Thayer, Acting Commissioner	Date:	01/10/14
Agency:	Department of Administration		

FISCAL NOTE ANALYSIS

**STATE OF ALASKA
2014 LEGISLATIVE SESSION**

BILL NO. HB 108

Analysis

Section 6 adds a new section, AS 44.41.027, establishing the Electronic Citation fund. Establishing funds/accounts created by legislation such as this is performed in the normal course of business by the Division of Finance.

This bill has no fiscal impact on the Division of Finance.

The list of agencies across Alaska currently using TraCS are as follows:

Department of Public Safety, Anchorage Airport Police, Bethel Police Department, Cordova Police Department, Fairbanks Airport Police, Haines Police Department, Homer Police Department, Juneau Police Department, Kenai Police Department, Kodiak Police Department, North Slope Borough Police Department, Nome Police Department, Palmer Police Department, Seward Police Department, Skagway Police Department, Soldotna Police Department, University of Anchorage Police, University of Fairbanks Police, Valdez Police Department, Wasilla Police Department and Whittier Police Department. Anchorage Police Department (is using another electronic solution).

We expect that the following agencies will be using TraCS within the year:

Craig Police Department, Hoonah Police Department, Ketchikan Police Department, Kotzebue Police Department and Sand Point Police Department.

Lt. Kat Peterson. DPS
TraCS Steering Committee Chair

Traffic stops are a danger zone for officers

Officers put life on line during each traffic stop
Being struck by car is their top cause of death

ROBERT STANTON, HOUSTON CHRONICLE | May 29, 2011

When Kevin Will donned his Houston Police Department uniform early Sunday, he joined 900,000 other peace officers around the nation who perform what the Bureau of Labor Statistics considers one of the most dangerous jobs in America — fighting crime.

Will, 38, was struck and killed by a suspected drunken driver while investigating an accident on the North Loop at 3:15 a.m. He was the first peace officer to die on duty in Houston this year, the 22nd to die in Texas in 2010-11, and the 77th to die nationally in 2011.

Every year in the U.S., about 150 police officers are killed in the line of duty, according to national Police Officers Safety Association. Every day, 150 officers are assaulted and 10 are shot at, the group reports.

Freeways especially bad

Nationally, being struck by a vehicle during a traffic stop is the leading cause of death for peace officers over the past decade, according to the National Law Enforcement Officers Memorial Fund. Since 2001, 154 officers have lost their lives during traffic stops, the organization reports.

So far this year, 26 officers have died nationwide in traffic incidents, according to the memorial fund. That compares to 31 in 2010.

Gary Blankinship, who heads the Houston Police Officers Union, said highways are especially precarious places to work.

<http://www.chron.com/news/houston-texas/article/Traffic-stops-are-a-danger-zone-for-officers-1688949.php>

ALASKA STATE LEGISLATURE

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REPRESENTATIVE PEGGY WILSON
HOUSE DISTRICT 33

SPONSOR STATEMENT CS House Bill 108

“An Act relating to electronic citations; creating the electronic citations fund; and providing for an effective date.”

House Bill 108 allows the Alaska State Troopers and municipal police departments to add a surcharge on minor offense citations as a means of funding the use of electronic citation equipment to issue tickets. The Alaska State Troopers and the majority of the municipal police are using or starting to use electronic citation equipment to issue tickets. The equipment is very efficient and to date has been paid for mostly by federal grants (which will end), city taxes or municipal police department's budgets. This bill would assist the departments in paying annual fees and maintenance costs by passing that cost on to the offenders.

With paper citations when someone gets pulled over it takes almost 20 minutes for the officer to collect the necessary information needed and write a citation. Under the current system, once the officer turns the citations into the court, employees there need to scan it, read it and type the information into the system. This often takes up to 12 days before the ticket can be processed and paid for by the offender. With electronic citation equipment this process is dramatically reduced; the officer can print out a paper ticket, store all data electronically and the citizen can drive away in about 6 minutes. The citation is immediately updated in the state court system. This eliminates the time employees handle and process the citations. The offender can drive away, head to the local court house and pay their fine in the same day it was issued (if they so choose).

The electronic citation equipment has annual fees and maintenance costs. This surcharge on citations will be the means of paying for the equipment's annual costs and maintenance. The surcharge amounts will be distributed from the courts and municipalities to the Electronic Citation Fund created in the general fund. The Department of Public Safety will distribute the funds.

This bill does not require any police department to participate in the electronic citation program. However if a department elects to participate they will receive the amount needed to cover annual fees and maintenance costs of their electronic citation equipment.

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REPRESENTATIVE PEGGY WILSON
HOUSE DISTRICT 33

Sectional Analysis

Committee Substitute House Bill 108

Section 1

- A new section, section **12.25.205** is added to AS 12.25. Allowing citations to be created, executed, transmitted and stored electronically.

Section 2

- AS 12.55.039 section (a) (4) is amended to include minor offenses and the \$10 amount is increased to \$20.

Section 3

- AS 44.41.020(f) is amended by adding a sentence to allow the Department of Public Safety, the Court and local governments to agree on and establish a statewide electronic citation system.

Section 4

- AS 44.41 is amended by adding a new section, section AS 44.41.027. This new section creates an Electronic Citation Fund within the general fund where 50% of the surcharge collected in section 2 will be appropriated. It additionally outlines what this money will be spent on and makes the Department of Public Safety the administrator of the funds.

Section 5

- A new statute is added to define who gets charged the e-citation.

Section 6

- A new section is added stating that the Department of Public Safety may adopt and create regulations to comply with this act as soon as it passes.

Section 7

- The effective date for this legislation is October 1, 2013.

ALASKA STATE LEGISLATURE



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**REPRESENTATIVE PEGGY WILSON
HOUSE DISTRICT 33**

CS For HB 108 Explanation of Changes

The Committee Substitute for HB 108 simplifies the accounting and data entry for fee collection for electronic citations.

Version 28-LS0383/U created an additional e-citation surcharge statute and a fund within the general fund for e-citations. To simplify the process we will amend the existing statute that imposes a \$10 surcharge, (for the Alaska Police Standards Council, APSC) on all citations Alaska State Troopers and municipal police officers collect. This existing police training surcharge is added onto any minor offense in the state exceeding \$30.

With CS HB 108 we will amend the existing surcharge statute by adding an additional \$10 surcharge to pay for maintenance and costs of e-citation equipment. Therefore when a minor offense ticket over \$30 is issued the officer would put in \$20 on the surcharge line, 50% of the funds will continue to go to the sub-fund for APSC in the general fund and the additional 50% will in the sub-fund for e-citation.

28-LS0383\O
Wayne
2/21/13

CS FOR HOUSE BILL NO. 108()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE PEGGY WILSON

A BILL
FOR AN ACT ENTITLED

1 **"An Act relating to electronic citations; creating the electronic citation fund; and**
2 **providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 12.25 is amended by adding a new section to read:

5 **Sec. 12.25.205. Electronic citations.** A citation issued under AS 12.25.180, or
6 another law authorizing the issuance of a citation, may be created, executed,
7 transmitted, or stored electronically to the extent allowed under rules adopted by the
8 supreme court.

9 *** Sec. 2.** AS 12.55.039(a) is amended to read:

10 (a) In addition to any fine or other penalty prescribed by law, a defendant who
11 pleads guilty or nolo contendere to, forfeits bail for, or is convicted of a

12 (1) felony shall be assessed a surcharge of \$100;

13 (2) violation of a misdemeanor offense under AS 28.33.030,
14 28.33.031, AS 28.35.030, or 28.35.032, or a violation of a municipal ordinance

1 comparable to a misdemeanor offense under AS 28.33.030, 28.33.031, AS 28.35.030,
2 or 28.35.032 and adopted under AS 28.01.010, shall be assessed a surcharge of \$75;

3 (3) misdemeanor or a violation of a municipal ordinance if a sentence
4 of incarceration may be imposed for the misdemeanor or ordinance violation, other
5 than a provision identified in (2) of this subsection, shall be assessed a surcharge of
6 \$50;

7 (4) misdemeanor or an offense defined as a minor offense under
8 rules adopted by the supreme court for which a sentence of incarceration may not
9 be imposed [, A VIOLATION OR AN INFRACTION UNDER STATE LAW, OR A
10 VIOLATION OF A MUNICIPAL ORDINANCE IMPOSING A PENALTY
11 AUTHORIZED BY AS 29.25.070(a) IF A SENTENCE OF INCARCERATION
12 MAY NOT BE IMPOSED FOR THE ORDINANCE VIOLATION,] shall be assessed
13 a surcharge of \$20 [\$10] if the fine or bail forfeiture amount for the offense is \$30 or
14 more.

15 * Sec. 3. AS 44.41.020(f) is amended to read:

16 (f) The Department of Public Safety shall establish by regulation standardized
17 forms for citations issued by law enforcement officers and other persons authorized by
18 law to issue citations in the state. The department and the administrative director
19 of the Alaska Court System may enter into agreements with each other and with
20 other state agencies and municipalities to provide a statewide system to
21 administer electronic citations, subject to AS 12.25.175 - 12.25.230 and rules
22 adopted by the supreme court.

23 * Sec. 4. AS 44.41 is amended by adding a new section to read:

24 **Sec. 44.41.027. Electronic citation fund.** The electronic citation fund is
25 created in the general fund. The fund consists of appropriations made by the
26 legislature to the fund. The legislature may appropriate to the fund 50 percent of the
27 annual estimated balance in the accounts maintained under AS 37.05.142 for money
28 collected as the result of a surcharge assessed under AS 12.55.039(a)(4). The
29 legislature may make appropriations from the fund to the Department of Public Safety
30 for the purchase and maintenance of equipment and supplies that are used by the state
31 or by municipalities to issue electronic citations. Nothing in this section creates a

1 dedicated fund.

2 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
3 read:

4 APPLICABILITY. AS 12.55.039(a), as amended by sec. 2 of this Act, applies to pleas
5 of guilty, pleas of nolo contendere, bail forfeitures, or convictions that occur on or after the
6 effective date of sec. 2 of this Act.

7 * **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to
8 read:

9 REGULATIONS. The Department of Public Safety may adopt regulations necessary
10 to implement the changes made by this Act. The regulations take effect under AS 44.62
11 (Administrative Procedure Act), but not before the effective date of the law implemented by
12 the regulation.

13 * **Sec. 7.** Section 6 of this Act takes effect immediately under AS 01.10.070(c).

14 * **Sec. 8.** Except as provided in sec. 7 of this Act, this Act takes effect October 1, 2013.

ALASKA STATE LEGISLATURE



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REPRESENTATIVE PEGGY WILSON
HOUSE DISTRICT 33

Hearing Request

Date: February 19, 2013

To: Representative Wes Keller, Chair, House Judiciary Committee

From: Representative Peggy Wilson ^{fw}

RE: **HB 108** "An Act relating to electronic citations; creating the electronic citation fund; and providing for an effective date."

I request that you calendar HB 108 for the House Judiciary Committee.

House Bill 108 allows the Alaska State Troopers and municipal police departments to add a surcharge on traffic tickets as a means of optionally funding annual costs for maintenance and the use of electronic ticket equipment to issue tickets.

Thank you for considering this important piece of legislation.

ALASKA STATE LEGISLATURE

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REPRESENTATIVE PEGGY WILSON
HOUSE DISTRICT 33

Sectional Analysis

House Bill 108

Section 1

- Adds a statute and amends two words in AS 12.25.195(c) On line 6 it changes SURCHARGE from singular to plural SURCHARGES. On line 7 it adds AS **12.55.043** (Electronic Citation Surcharge Statute) and replaces the word "The" with "A" thus including language to represent two different surcharges.

Section 2

- A new section, section **12.25.205** is added to AS 12.25. Allowing citations to be created, executed, transmitted and stored electronically.

Section 3

- A new section, section **12.55.043** is added to AS 12.55. (a) The Electronic Citation Surcharge is established and defined. (b) A single surcharge will be imposed on a defendant. (c) Collection of the surcharge is enforced in this part. (d) Money shall be deposited into the general fund and accounted for in the sub-electronic citation fund. (e) "traffic law" is defined.

Section 4

- A new paragraph is added to AS 37.05.146(c). Paragraph (87) is added to include e-citation surcharges.

Section 5

- Language is added to AS 44.41.020(f). Line 27 and 28 language is added to define the amount of the e-citation surcharge. Line 30 and 31, language is added to allow the Department of Public Safety to enter into agreements with municipalities to pay the costs of their e-citation equipment.

Section 6

- A new section, section **AS 44.41.027** is added to AS 44.41. Establishes an Electronic Citations Fund within the general fund. The funds may be appropriated to the Department of Public Safety to purchase, maintain and update e-citation equipment throughout the state.

Section 7

- A new section, section AS **12.55.043** is added to The Uncodified Law of the State of Alaska section 3. Defining what makes an e-citation surcharge applicable to a defendant.

Section 8

- A new section is added to The Uncodified Law of the State of Alaska. Under Transition: Regulation, the Department of Public Safety may adopt and create regulations to comply with this act.

Section 9

- Department of Public Safety may adopt and create regulations immediately after this act is passed.



Office of the Circuit Court Clerk
18th Judicial Circuit Court • DuPage County, Illinois

Chris Kachiroubas
Circuit Clerk

Dewey Hartman
Chief Deputy Circuit Clerk

Date: January 31, 2013

Elijah Verhagen, Legislative Staff Member
Representative Peggy Wilson's Office
State Capitol Room 406

Re: DuPage County Illinois Electronic Citation Program

To whom it may concern,

Success of the electronic citation program in DuPage can be attributed to the actions of the Circuit Court Clerk, law enforcement, and state legislators whom understand the importance of technology and its benefits. Illinois legislators enacted an electronic citation fee, in order to offset the cost of operating the electronic citation solution.

The Circuit Clerk contracted with Advance Public Safety, a vendor, for an enterprise agreement that enhanced officer safety, improved citation accuracy, reduced time delays, and made the task of issuing citations totally electronic from the squad car to the court case management system. This enterprise agreement allows all DuPage law enforcement agencies, including state police, to participate in the electronic citation program. Innovative initiatives by the clerk have provided low cost solutions to law enforcement for equipment and paper used for violator copies.

This program has enabled officers to quickly create complete and accurate electronic citations while reducing time spent on the roadside. This increases patrol time, strengthens officer, violator and community safety, and significantly adds labor savings benefits to both law enforcement agencies and the clerk.

Additional advantages of mandatory compliance with the rules of court, scheduling, state statutes, municipal ordinances, and validation rules, make electronic citations a rewarding successful program for government and the citizens they serve.

Sincerely,

Chris Kachiroubas

Honorable Chris Kachiroubas
Clerk of the Circuit Court



Keith Brin
CLERK OF THE CIRCUIT COURT

OFFICE OF THE CLERK OF THE CIRCUIT COURT

Lake County Courthouse
18 North County Street
Waukegan Illinois 60085-4369
(847) 377-3380

Representative Wilson,

It has come to my attention that the State of Alaska is considering legislation similar to the law that we adopted in Illinois (Public Act 096-1210) relating to electronic citations ("e-citation"). I thought that I might share some insights about this legislation and a little more about our experience in implementing it in hopes that these observations might prove helpful.

In Illinois, e-citations are incredibly popular with both law enforcement and local circuit courts. E-citations are printed, rather than hand written, and can be sent electronically by the issuing officer to the court, where they are automatically incorporated into the court's record management system. E-citation enables law enforcement officers to more quickly issue citations, spend less time along the roadside in "harm's way" and concentrate more fully on the stop. This increased officer safety is incredibly important and inevitably saves lives.

In addition to increasing officer safety, e-citation aids courts by reducing data entry and other processing costs. With e-citation, already overstretched courts enjoy greater efficiency. Furthermore, the public can be assured that issued citations are legible, free of handwriting errors and can be reproduced as originally issued if required.

In my own jurisdiction in Lake County, for example, e-citation solves multiple issues that plague most paper-based systems: issues of timing for my clerks to receive tickets, entering ticket information to create a court case, and any human errors that accompany the process; issues involving interpreting difficult-to-read carbon copies of documents often with illegible handwriting; and timing problems associated with various court actions related to those matters (e.g., DUI tickets are often filed days after the actual event, but defense attorneys procedurally only have a certain amount of time from the time of the event to file certain matters in defense of the DUI).

With all of the benefits of e-citation, the only hurdle to adoption is the creation of funding sources to procure the necessary hardware and electronic records management system. To address this issue, the legislation that we adopted in Illinois added a \$5 fee to citations and misdemeanors to help finance e-citation and the records management system. The legislation did not have any impact on the state budget and received strong support from local governments, police and sheriff's departments, and circuit court judges and administrators.

I hope that our experience in Illinois proves valuable to your review. Should you have any questions, please do not hesitate to contact me. I am a big believer in working together and sharing best practices, so I am happy to assist you.

Most respectfully,

Honorable Keith Brin
Clerk of the Circuit Court

JUNEAU POLICE DEPARTMENT

6255 ALAWAY AVE. • JUNEAU, ALASKA 99801

GREG BROWNING
CHIEF OF POLICE

Alaska's Capital City

BUSINESS (907) 586-0600
FAX (907) 463-4808

February 25, 2013

The Honorable Peggy Wilson
Alaska House of Representatives
State Capital Room 406
Juneau, AK 99801-1182

Re: Support of House Bill 108, Electronic Citations

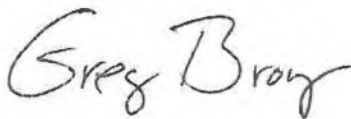
Madam:

The Juneau Police Department is fully supportive of the provisions of House Bill 108, which would provide a funding source in support of electronic traffic citations.

Our department has participated in recent state-wide efforts to modernize our traffic citation systems and we have started using electronic citations. It is our belief that electronic citations will benefit the officer on the street and make our traffic enforcement efforts more effective. Error rates will be drastically reduced. Citation processing will be streamlined. This will not only benefit local and state police departments, but also the courts and the DMV. The public in general will benefit from safer highways.

This pioneering program has been funded primarily by federal funds that are likely to end. This legislation provides for an equitable way to support electronic citations as we move forward. Once again, the Juneau Police Department is supportive of the legislation.

Sincerely,



Greg Browning
Chief of Police



Alaska Association of Chiefs of Police

February 18, 2013

The Honorable Peggy Wilson
Alaska State House of Representatives
State Capitol, Rm. 406
120 4th Street,
Mail Stop 3100
Juneau AK 99801-1182

Dear Representative Wilson:

In my capacity as President of the Alaska Association of Chiefs of Police, I am writing to express our unequivocal support of House Bill 108, *An Act relating to electronic citations; creating the electronic citations fund; and providing for an effective date.* Our Association is comprised of more than 100 law enforcement executives from all across Alaska, and we feel this Bill provides us with an important tool to help maintain our electronic ticketing equipment.

You should be proud of a well crafted piece of legislation which, if passed, will give law enforcement agencies a mechanism by which to fund equipment and maintenance needs associated with electronic ticketing while still allowing them the flexibility to decide what works best for their own agency. Thank you for your strong commitment to the needs of public safety agencies in Alaska.

We would be pleased to work with your staff to insure that HB 108 is passed, and encourage you to contact our Executive Director, Kalie Klaysmat, at 907-394-5426 or by email at kalie.klaysmat@aacop.org should there be some way we can be of assistance in that regard. Again, thank you for your dedication and service to the law enforcement community.

Respectfully,

A handwritten signature in black ink, appearing to read "Tom Clemons", written over a horizontal line.

Chief Tom Clemons, President



FAIRBANKS POLICE
911 Cushman Street
Fairbanks, Alaska 99701-4616
Phone: (907) 450-6500
Fax: (907) 450-6595
Email: fpd@ci.fairbanks.ak.us



February 12, 2013

Representative Peggy Wilson
State Capitol Room 406
Juneau, AK 99801-1182

Re: Support of House Bill relating to electronic citations (electronic citation fund)

The Fairbanks Police Department is proud to support Representative Wilson's efforts to promote the broader (state-wide) migration to electronic traffic citations through the creation of an electronic citation fund.

It is our belief that electronic citations promote public safety, reduce error rates, and streamline citation processing. This bill, by creating a fund supporting electronic citations, provides a viable way of encouraging wider and earlier participation in this proven system. The proposed approach allows for local adaptation, yet preserves an essential level of standardization. We find it balanced and equitable, both for the public and for the eligible police agencies.

Thank you for your consideration of this important legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Laren J Zager", with a long horizontal flourish extending to the right.

Laren J Zager
Chief of Police
Fairbanks Police Department

Table 1: Funding History of the TraCS Program

Fiscal Year	Title	Purpose	Amount of Funding	Funding Source
FY2008	TraCS Project Management w/DOT&PF	Programming contractor and training	\$44,211	Capital Improvement Project Receipts
FY2009	Mobile Data Computers	Purchase equipment	\$480,000	General Fund ⁽¹⁾
FY2010	Mobile Data Computers	Purchase equipment	\$240,000	General Fund ⁽²⁾
FY2010	TraCS Training Program RSA w/DOT&PF	Attend conference	\$1,237	Capital Improvement Project Receipts
FY2011	Alaska State Troopers Mobile Data Computers	Purchase equipment	\$250,000	General Fund ⁽³⁾
FY2011	TraCS Equipment w/DMV	Purchase and deploy equipment	\$519,383	Interagency Receipts
FY2011	TraCS Training Program RSA w/DOT&PF	Attend conference	\$1,561	Capital Improvement Project Receipts
FY2011	TraCS Training Program RSA w/DOT&PF	Attend conference	\$1,301	Capital Improvement Project Receipts
FY2012	National TraCS Training w/DOT&PF	Attend conference	\$5,000	Capital Improvement Project Receipts
FY2012	National TraCS Training w/DOT&PF	Attend conference	\$2,319	Capital Improvement Project Receipts
FY2012	TraCS Equipment w/DMV	Purchase and deploy equipment	\$31,609	Interagency Receipts
FY2012	TraCS Statewide Training w/DOT&PF	Programming contractor and training	\$203,759	Capital Improvement Project Receipts
FY2013	TraCS Equipment w/DMV	Purchase and deploy equipment	\$891,300	Interagency Receipts
FY2013	TraCS Training Program w/DOT&PF	Programming contractor and training	\$215,000	Capital Improvement Project Receipts
Total			\$2,886,680	
Note:	<p>A Reimbursable Services Agreement, or RSA, is an agreement or contract between two state agencies (or between appropriations within one agency) wherein one agency provides a service and the other agency provides funds in payment for the service. An RSA is allowed only when the requesting agency does not have the skills, expertise, or capability to carry out the necessary work or service.</p> <p>(1) Chapter 29 SLA 2008. (2) Chapter 15 SLA 2009. (3) Chapter 43 SLA 2010.</p> <p>Ms. Howell did not provide us with citations for the projects funded with Interagency Receipts and Capital Improvement Project receipts.</p>			
Source:	Kelly Howell, Special Assistant to the Commissioner, Alaska Department of Public Safety, 907-465-4336.			

In Table 2, we provide a summary of the number of State Troopers and local law enforcement personnel in the state.

Table 2: Law Enforcement Officers and Civilian Staff in Alaska, 2012

Agency	Law Enforcement Officers	Civilian Employees	Total
Alaska Department of Public Safety	399	238	637
Fish and Wildlife	93	49	142
Troopers	306	189	495
Alcohol Beverage Control Board	0	0	0
Anchorage Airport Police	58	2	60
Anchorage Police Department	372	139	511
Anvik Police Department	0	0	0
Bethel Police Department	13	10	23
Bristol Bay Police Department	4	5	9
Cordova Police Department	5	7	12
Craig Police Department	5	5	10
Dillingham Department of Public Safety	6	12	18
Emmonak Police Department	0	0	0
Fairbanks Airport Police	25	7	32
Fairbanks Police Department	47	3	50
Fort Yukon Police Department	0	0	0
Galena Police Department	1	0	1
Haines Police Department	5	5	10
Homer Police Department	13	10	23
Hoonah Police Department	2	3	5
Juneau Police Department	48	31	79
Kake Police Department	0	0	0
Kenai Police Department	19	9	28
Ketchikan Police Department	22	12	34
King Cove Police Department	4	1	5
Klawock Police Department	3	0	3
Kodiak Police Department	17	22	39
Kotzebue Police Department	8	10	18
Metlakatla Police Department	0	0	0
Nome Police Department	8	6	14
North Pole Police Department	12	1	13
North Slope Borough DPS	38	26	64
Palmer Police Department	14	14	28
Petersburg Police Department	8	7	15
Saint Paul Dept. of Public Safety	0	0	0
Sand Point Police Department	3	2	5
Table 2 is continued on the following page.			

Table 2 continued: Law Enforcement Officers and Civilian Staff in Alaska, 2012

Agency	Law Enforcement Officers	Civilian Employees	Total
Seldovia Police Department	0	0	0
Seward Police Department	10	14	24
Sitka Police Department	15	14	29
Skagway Police Department	4	5	9
Soldotna Police Department	14	3	17
Togiak Police Department	0	0	0
Unalaska Dept. of Public Safety	12	16	28
University of Alaska Anchorage PD	14	8	22
University of Alaska Fairbanks PD	10	5	15
Valdez Police Department	11	0	11
Wasilla Police Department	22	23	45
Whittier Police Department	4	0	4
Wrangell Police Department	7	7	14
Yakutat Police Department	4	1	5
Total	40	1030	1,286
<p>Notes: These data are collected through the Alaska Department of Public Safety's Uniform Crime Reporting Program. Not all law enforcement agencies are represented in the table; however, the communities served by the agencies included in this table represent about 99 percent of the State's population. This table does not include Village Public Safety Officers.</p> <p>Source: Kathryn Monfreda, Chief, Criminal Records and Identification Bureau, Alaska Department of Public Safety, 907-269-5581.</p>			

We hope this is helpful. If you have questions or need additional information, please let us know.

1030 currently
 87 will use it soon
 176 Not using it.
~~176~~

The list of agencies across Alaska currently using TraCS are as follows:

Department of Public Safety, Anchorage Airport Police, Bethel Police Department, Cordova Police Department, Fairbanks Airport Police, Haines Police Department, Homer Police Department, Juneau Police Department, Kenai Police Department, Kodiak Police Department, North Slope Borough Police Department, Nome Police Department, Palmer Police Department, Seward Police Department, Skagway Police Department, Soldotna Police Department, University of Anchorage Police, University of Fairbanks Police, Valdez Police Department, Wasilla Police Department and Whittier Police Department. Anchorage Police Department (is using another electronic solution).

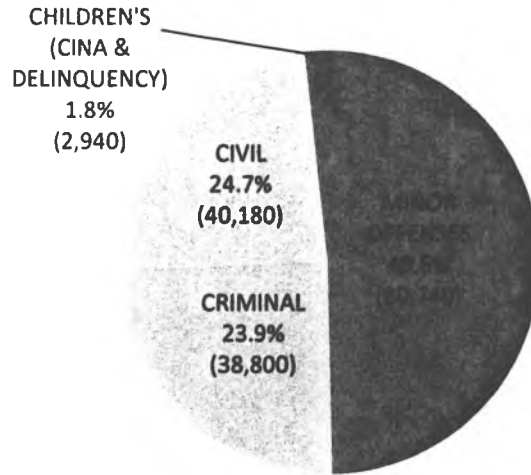
We expect that the following agencies will be using TraCS within the year:

Craig Police Department, Hoonah Police Department, Ketchikan Police Department, Kotzebue Police Department and Sand Point Police Department.

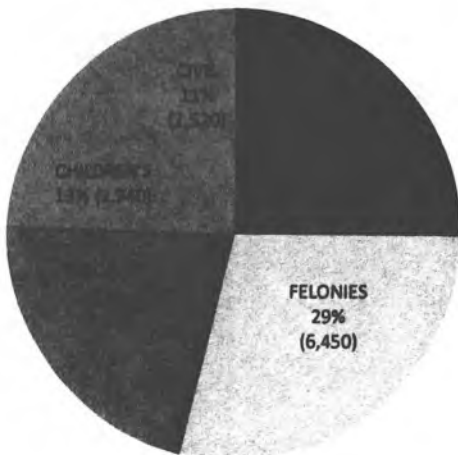
Lt. Kat Peterson. DPS
TraCS Steering Committee Chair

FY11 FILINGS STATEWIDE

SUPERIOR AND DISTRICT COURTS COMBINED (162,647 total trial court cases filed in FY11)

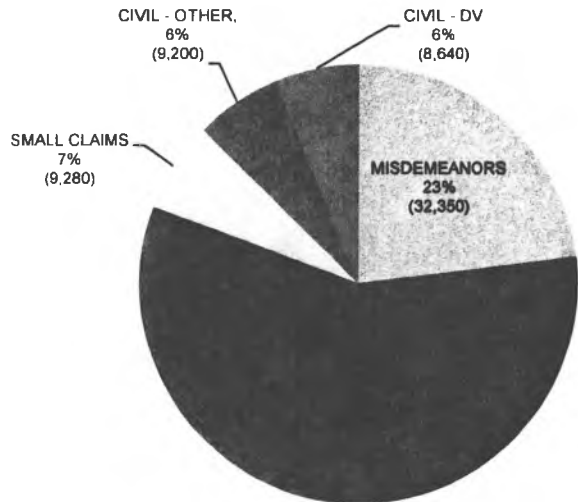


SUPERIOR COURT FILINGS (42 judges) (22,440 superior court cases filed in FY11)



[In addition to 6450 new felony case filings, superior courts handled 4500 felony PTRPs in FY11]

DISTRICT COURT FILINGS (23 judges & 43 magistrates and masters; 140,207 district court cases filed in FY11)



[31% of MO citations statewide were filed electronically]

Numbers of case filings rounded to nearest ten; percentages rounded to the nearest whole percent in superior and district court pie charts.