

**HB**

**163**

<TARGET><BILL>HB 163</BILL><SUBJECT>HB  
163</SUBJECT><COMM>HSTA30</COMM></TARGET>



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

**Department of Public Safety**

OFFICE OF THE COMMISSIONER  
Walt Monegan

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March 9, 2017

The Honorable Jonathan Kreiss-Tomkins  
Chair, House State Affairs Standing Committee  
Alaska State Capitol  
Juneau, AK 99801

Dear Representative Kreiss-Tomkins,

Please accept this request to schedule HB163—DPS LAW ENFORCE. SVCS: AGREEMENTS/FEES—  
for consideration by the House State Affairs Committee at your earliest convenience.

As you are aware, currently budget realities have forced the Department of Public Safety to reduce service areas and it is expected that further reductions may have to be made. Current law does not allow a community with the means to do so to share the costs of Trooper services to their area. This bill would allow nonprofit regional corporations and government agencies to pay for Trooper presence in their area. This eventually will allow the Department of Public Safety to offset our current expenses and thus allow us to strengthen the overall number of Troopers, which will have a positive net effect on public safety statewide. This bill would limit contracts to communities that currently do not have their own local police force. And to be clear, we would not relocate any of our rural assigned troopers to staff such contracts.

Colonel James Cockrell of the Alaska State Troopers will be present when the bill is considered and available to answer any questions the committee may have.

If you should need any additional information please contact Allison Hanzawa at 465-5505 or [Allison.Hanzawa@alaska.gov](mailto:Allison.Hanzawa@alaska.gov).

Thank you in advance for your prompt attention to this bill.

Sincerely,

A handwritten signature in black ink, appearing to be "Walt Monegan", with a horizontal line extending to the right.

Walt Monegan  
Commissioner

Cc: Governor's Legislative Office

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Governor Bill Walker  
STATE OF ALASKA

March 7, 2017

The Honorable Bryce Edgmon  
Speaker of the House  
Alaska State Legislature  
State Capitol, Room 208  
Juneau, AK 99801-1182

Dear Speaker Edgmon:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill authorizing the Department of Public Safety to enter into agreements with and collect fees from nonprofit regional corporations and federal, tribal, and local government agencies to provide law enforcement services.

The State's current fiscal crisis has forced many agencies to reevaluate how they allocate their limited resources. In particular, the Department of Public Safety has been forced to reduce its Trooper presence in some areas. Under current law, the Department of Public Safety does not have the ability to enter into contractual agreements with communities to provide continued law enforcement services. This requires many of these areas to consider procuring alternate law enforcement services. The bill would allow nonprofit regional corporations and governmental agencies to contract with the Department of Public Safety and pay for Trooper presence in their area. This will not only have a positive effect on public safety in those local areas, but will also allow the Department to better allocate resources in order to continue to provide basic law enforcement services statewide. This bill would limit contracts to communities that currently lack an organized police force.

I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in blue ink that reads "Bill Walker".

Bill Walker  
Governor

Enclosure

**AMENDMENT**

OFFERED IN THE HOUSE

TO: HB 163

- 1 Page 2, lines 4 - 9:
- 2       Delete all material.
- 3
- 4 Renumber the following bill section accordingly.

## HB 163– DPS LAW ENFORCE. SVCS: AGREEMENTS/FEES

March 9, 2017

**Summary:** This bill allows the Department of Public Safety to enter into agreements with nonprofit regional corporations and government agencies to provide law enforcement services and to collect reasonable fees for the law enforcement services provides. It provides the Department receipt authority for the funds collected and limits applicability to entities that do not have a police force of public safety coverage as of the effective date of the Act.

**Section 1:** Amends 37.05.146 (c) by adding a new subsection:  
(90) fees collected by the Department of Public Safety for law enforcement services under AS 44.41.020 (g)

**Section 2:** Amends AS 44.41.020 by adding a new subsection (g); this additional subsection gives the Department the authority to enter into agreements with nonprofit regional corporations, or federal, tribal, or local governments and to collect reasonable fees to cover the costs of providing services;

**Section 3:** Amends the uncodified law by adding a new section that limits the applicability of AS 44.41.020 (g) to nonprofit regional corporations or federal, tribal, and local government agencies that do not have an organized police force or contracted public safety coverage as of the effective date of the Act.

**Section 4:** Provides for an effective day of July 1, 2017.

# Fiscal Note

State of Alaska  
2017 Legislative Session

Bill Version:	HB 163
Fiscal Note Number:	1
(H) Publish Date:	3/8/2017

Identifier: DOA-PUR-01-20-17  
 Title: DPS LAW ENFORCE. SVCS:  
           AGREEMENTS/FEES  
 Sponsor: RLS BY REQUEST OF THE GOVERNOR  
 Requester: Governor

Department: Department of Administration  
 Appropriation: Shared Services of Alaska  
 Allocation: Purchasing  
 OMB Component Number: 60

**Expenditures/Revenues**

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

	FY2018 Appropriation Requested	Included in Governor's FY2018 Request	Out-Year Cost Estimates					
			FY 2018	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Fund Source (Operating Only)**

None								
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Positions**

Full-time								
Part-time								
Temporary								

**Change in Revenues**

None								
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Estimated SUPPLEMENTAL (FY2017) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2018) 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:**

Not applicable; initial version.
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Prepared By: Kevin Brooks, Director	Phone: (907)465-4889
Division: Shared Services of Alaska	Date: 01/20/2017 03:00 PM
Approved By: Sheldon Fisher, Commissioner	Date: 01/25/17
Agency: Administration	

FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2017 LEGISLATIVE SESSION

**Analysis**

This bill authorizes the Department of Public Safety to enter into agreements with federal, tribal, local government or non-profit regional corporations to provide law enforcement services in areas that would otherwise be left without coverage due to budget cuts. The Department of Public Safety is authorized to collect fees for services provided with an effective date of July 1, 2017. The Shared Services of Alaska, Purchasing component anticipates no impact as a result of adopting this language.

# Fiscal Note

State of Alaska  
2017 Legislative Session

Bill Version:	HB 163
Fiscal Note Number:	2
(H) Publish Date:	3/8/2017

Identifier: DPS-AST-02-28-17  
 Title: DPS LAW ENFORCE. SVCS:  
 AGREEMENTS/FEES  
 Sponsor: RLS BY REQUEST OF THE GOVERNOR  
 Requester: Governor

Department: Department of Public Safety  
 Appropriation: Alaska State Troopers  
 Allocation: Alaska State Trooper Detachments  
 OMB Component Number: 2325

**Expenditures/Revenues**

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

	FY2018	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2018 Request	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
<b>OPERATING EXPENDITURES</b>	<b>FY 2018</b>	<b>FY 2018</b>					
Personal Services	***		***	***	***	***	***
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	***	0.0	***	***	***	***	***

**Fund Source (Operating Only)**

None							
<b>Total</b>	***	0.0	***	***	***	***	***

**Positions**

Full-time							
Part-time							
Temporary							

**Change in Revenues**

None	***		***	***	***	***	***
<b>Total</b>	0.0	0.0	0.0	0.0	0.0	0.0	0.0

**Estimated SUPPLEMENTAL (FY2017) cost:** 0.0 (separate supplemental appropriation required)  
 (discuss reasons and fund source(s) in analysis section)

**Estimated CAPITAL (FY2018) 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:**

Not applicable, initial version.

Prepared By:	Kelly Howell	Phone:	(907)465-4336
Division:	Administrative Services	Date:	02/28/2017 06:20 PM
Approved By:	Walt Monegan, Commissioner	Date:	02/28/17
Agency:	Public Safety		

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2017 LEGISLATIVE SESSION

## Analysis

This legislation amends AS 44.41.020 by adding a new subsection to allow the Department of Public Safety (DPS) to enter into agreements with nonprofit regional corporations and federal, tribal, and local government agencies to provide law enforcement services to those entities, and to allow DPS to charge reasonable fees to cover the costs of providing services under these agreements. It also amends AS 37.05.146 by adding a new subsection giving DPS the authority to receive such fees.

It is anticipated that DPS would negotiate with each entity wanting to enter into an agreement for law enforcement services to determine the appropriate level of coverage given the service area, population, crime rate, geographic location(s), and other variables such as whether the service area is on the road system or not or whether a designated post would need to be opened. An estimated cost of \$200,000 per trooper would be used as a base for establishing the cost of the agreement.

Because the number of agreements DPS would ultimately enter into is unknown, the fiscal impact of this legislation cannot be accurately determined at this time. Therefore, an indeterminate fiscal note is being submitted.

30-GH1811\D  
Martin  
3/30/17

**CS FOR HOUSE BILL NO. 163( )**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**THIRTIETH LEGISLATURE - FIRST SESSION**

**BY**

**Offered:**  
**Referred:**

**Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act authorizing the Department of Public Safety to enter into agreements with**  
2 **nonprofit regional corporations and federal, tribal, and local government agencies to**  
3 **provide law enforcement services; authorizing the Department of Public Safety to collect**  
4 **fees for certain law enforcement services; and providing for an effective date."**

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

6 **\* Section 1.** AS 37.05.146(c) is amended by adding a new paragraph to read:

7 (90) fees collected by the Department of Public Safety for law  
8 enforcement services under AS 44.41.020(g).

9 **\* Sec. 2.** AS 44.41.020 is amended by adding a new subsection to read:

10 (g) The department may enter into an agreement with a nonprofit regional  
11 corporation or a federal, tribal, or local government agency to provide law  
12 enforcement services to the nonprofit regional corporation or federal, tribal, or local  
13 government agency at agreed upon hours and locations. The department may charge  
14 reasonable fees to cover the costs of providing services under an agreement. In this

1 section, "nonprofit regional corporation" means a nonprofit regional corporation  
2 qualified to participate in the village public safety officers program under  
3 AS 18.65.670.

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

6 APPLICABILITY. The Department of Public Safety may enter an agreement  
7 authorized by AS 44.41.020(g), added by sec. 2 of this Act, only with a nonprofit regional  
8 corporation or a federal, tribal, or local government agency that does not have an organized  
9 police force or contracted public safety coverage agreements as of the effective date of this  
10 Act. Nothing in this section requires a nonprofit regional corporation or a federal, tribal, or  
11 local government agency without an organized police force or contracted public safety  
12 coverage agreement to enter into an agreement authorized by AS 44.41.020(g), added by sec.  
13 2 of this Act.

14 \* **Sec. 4.** This Act takes effect July 1, 2017.