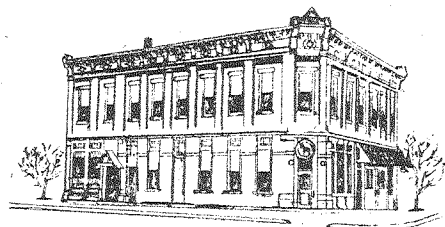


The City of Lindsborg



City Hall

February 29, 2016

To: Senate Ways and Means Committee

From: Tim Berggren, Public Safety Director and Chief of Police

RE: SB403

Thank you for the opportunity to provide written testimony on behalf of Lindborg City Council, Lindsborg Public Safety and the City of Lindsborg.

I am writing in opposition to SB403 which would place limits on revenue generated through traffic citations. There are three areas that raise concern. The concerns are the limitation on the percent of general operating revenue that can be generated, the requirement of remitting revenue for violations on the national network of highways, and barring court costs on a plea.

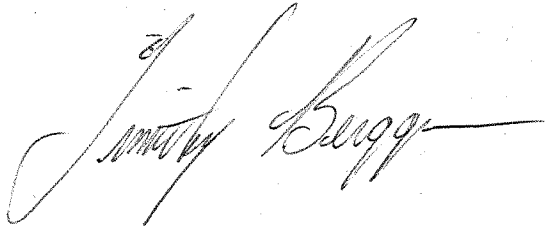
In Lindsborg the total revenue generated from all court costs has not approached 10% of the total general operating revenue. For the past 5 years, 2011-2015, the percentage revenue has been 2.7%, 4.0%, 4.1%, 2.8% and 3.0% respectively. While the 10% threshold has not been approached in Lindsborg, you can see that it does vary on an annual basis. This variation is based upon the number of violations relative to the annual operating revenue. When the property tax lid goes into effect, over time the percentage of revenue from traffic infractions will increase due to the stagnation of property revenue as part of the total general operating revenue.

The second issue is extremely troubling. This mandates that 70% of all fines generated from violations on the "national network of highways" be remitted to the State of Kansas for the credit of the state highway fund. The national network of highways that travel through our community are patrolled by local law enforcement and maintained by the Lindsborg Street Department. The City of Lindsborg does not receive any state or federal funding for providing the public safety services on the "national network of highways" nor do the limited connecting link payments offset the cost of maintenance and repair of these highways. Both the law enforcement and road maintenance costs are borne by the local taxpayer, not state government. So submitting fine revenue to the State of Kansas only increases the tax burden on the local taxpayer to offset the loss of revenue that would be mandated to be transferred to the state.

The final issue with SB403 is the inability to charge court costs on a plea and payment of fine. A case that is pled still is processed as if the defendant had been found guilty. A plea case involves the time of the municipal court judge, city prosecutor, and court clerk. The case filing requirements to the state remain the same. Not being able to charge court costs only decreases the revenue on the plea case, it does not reduce the expense of processing the case. This reduction in revenue also reduces the revenue that would be submitted to the Judicial Branch Education Fund (K.S.A. 12-4416), Law Enforcement Training Reimbursement Fund (K.S.A. 12-4117), Law Enforcement Training Center Fund (K.S.A. 12-4117), Kansas

Commission on Peace Officers Standard Training Fund (K.S.A. 12-2117), Juvenile Detention Training Center Fund (K.S.A. 12-4117), Protection From Abuse Fund (K.S.A. 12-4117), Crime Victims Assistance Fund (K.S.A. 12-4117), Department of Corrections Forensic Psychologist Fund (K.S.A. 12-4177), and the Trauma Fund (K.S.A. 12-4117).

Based upon the aforementioned reasons, the Lindsborg City Council and I strongly urge you to reject SB403.

A handwritten signature in cursive script, appearing to read "Amy Bugg", with a long horizontal flourish extending to the right.