

**HOUSE BILL NO. 177**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVE BUNDE**

**Introduced: 2/13/95**

**Referred: Community and Regional Affairs, State Affairs, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to police protection service areas in unified municipalities; and**  
2 **to police protection provided by the state in certain municipal areas."**

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

4 **\* Section 1.** AS 29.10.200 is amended by adding a new paragraph to read:

5 (54) AS 29.35.495 (police protection service areas).

6 **\* Sec. 2.** AS 29.35 is amended by adding a new section to article 7 to read:

7 Sec. 29.35.495. POLICE PROTECTION SERVICE AREAS. (a) The  
8 residents of an area in a unified municipality may file a petition with the municipal  
9 clerk for formation of a police protection service area for services to be provided by  
10 the Department of Public Safety if the area is

11 (1) contiguous; and

12 (2) includes at least 50 residents or three percent of the municipal  
13 population, whichever is greater.

14 (b) The petition form shall be supplied by the clerk at the request of a voter.

1 The petition must describe the boundaries of the proposed service area and the  
2 additional police protection services to be provided by the Department of Public Safety  
3 in the area. It shall be signed by a number of voters residing in the proposed service  
4 area equal to at least 10 percent of the number of residents in the area who voted in  
5 the last regular election.

6 (c) Upon receipt of a petition that meets the requirements of (a) of this section,  
7 the municipal clerk shall submit the petition to the commissioner of public safety.  
8 Within 30 days after receipt of the petition the commissioner shall notify the clerk of  
9 what the estimated total cost of providing the services in the proposed service area  
10 each month will be for a three-year period. The estimate shall be based on the direct  
11 costs of troopers to be assigned to the area. If a trooper is expected to routinely cover  
12 an area larger than the proposed service area, the cost of that trooper shall be prorated  
13 proportionally to the amount of duty time spent within the service area. In addition  
14 to the direct costs of troopers, the estimate shall include an amount to cover  
15 administrative costs incurred by the department not to exceed 15 percent of the direct  
16 costs. The sum of the direct costs and administrative costs equals the estimated total  
17 cost for purposes of this section.

18 (d) Upon receipt by the clerk of the estimated total cost prepared by the  
19 commissioner of public safety under (c) of this section, during the next regular or  
20 special election held in the unified municipality the question of forming the proposed  
21 police protection service area and of levying assessments to cover that estimated total  
22 cost, plus costs of collection incurred by the municipality not to exceed four percent  
23 of the estimated total cost, shall be placed before the voters residing in the proposed  
24 service area. If the question is approved by a majority of those voting on the question,  
25 the service area is formed and the commissioner of public safety shall provide the  
26 additional services in that area.

27 (e) The governing body shall levy assessments in the service area to finance  
28 the additional police protection services in an amount equal to the estimated total cost  
29 provided by the commissioner of public safety plus the amount for administrative or  
30 other costs incurred by the unified municipality approved by the voters. Payments  
31 shall be made to the commissioner within 60 days of receipt of assessments by the

1 municipality. The municipality may retain from assessments the amount levied for  
2 administrative or other costs incurred by the municipality.

3 (f) At least once every three years an election shall be held by the unified  
4 municipality in a police protection service area formed under this section on the  
5 question of continuation of the service area. The commissioner of public safety shall  
6 submit a revised notice of the estimated total cost of providing the services during the  
7 next three years prepared in accordance with (c) of this section for inclusion with the  
8 question, and the municipality shall indicate the amount for costs of collection incurred  
9 by the municipality not to exceed four percent of the revised estimated total cost. If  
10 the question is not approved by a majority of the residents voting on the question, the  
11 service area is dissolved 120 days after certification of the election. If the question is  
12 approved, the rate of assessments shall be adjusted accordingly by the municipality.

13 (g) This section applies to unified municipalities, but not to other home rule  
14 or general law municipalities.