

**CS FOR SENATE BILL NO. 80(FIN)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Offered: 3/30/95

Referred: Rules

Sponsor(s): SENATOR RIEGER

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to police protection service areas in certain unified municipalities;  
2 and 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 with a population that exceeds 50,000  
9 residents may file a petition with the municipal clerk for formation of a police  
10 protection service area for services to be provided by the Department of Public Safety  
11 if the area is

12 (1) contiguous; and

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

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

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

19 (d) Upon receipt by the clerk of the estimated total cost prepared by the  
20 commissioner of public safety under (c) of this section, during the next regular or  
21 special election held in the unified municipality the question of forming the proposed  
22 police protection service area and of levying assessments to cover that estimated total  
23 cost, plus costs of collection incurred by the municipality not to exceed four percent  
24 of the estimated total cost, shall be placed before the voters residing in the proposed  
25 service area. If the question is approved by a majority of those voting on the question,  
26 the service area is formed and the commissioner of public safety shall provide the  
27 additional services in that area. However, if the services have never before been  
28 provided in the newly formed service area by the Department of Public Safety or if the  
29 services are different from those that have been previously provided by the department,  
30 the commissioner may phase in the service over a transition period of up to 18 months.

31 (e) The governing body shall levy assessments in the service area to finance

1 the additional police protection services in an amount equal to the estimated total cost  
2 provided by the commissioner of public safety plus the amount for administrative or  
3 other costs incurred by the unified municipality approved by the voters. Payments  
4 shall be made to the commissioner within 60 days of receipt of assessments by the  
5 municipality. The municipality may retain from assessments the amount levied for  
6 administrative or other costs incurred by the municipality.

7 (f) At least once every three years an election shall be held by the unified  
8 municipality in a police protection service area formed under this section on the  
9 question of continuation of the service area. The commissioner of public safety shall  
10 submit a revised notice of the estimated total cost of providing the services during the  
11 next three years prepared in accordance with (c) of this section for inclusion with the  
12 question, and the municipality shall indicate the amount for costs of collection incurred  
13 by the municipality not to exceed four percent of the revised estimated total cost. If  
14 the question is approved by a majority of the residents voting on the question, the rate  
15 of assessments shall be adjusted accordingly by the municipality. If the question is not  
16 approved, the service area is dissolved one year after certification of the election.  
17 During the one-year transition period, the rate of assessment shall be reduced by 40  
18 percent of the rate that had been in effect before the election and the services shall be  
19 phased out in an orderly fashion by the commissioner of public safety.

20 (g) This section applies to a unified municipality with a population that  
21 exceeds 50,000 residents, but not to other home rule or general law municipalities.