

HOUSE CS FOR SENATE BILL NO. 157(CRA) am H

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Amended: 4/20/14

Offered: 4/16/14

Sponsor(s): SENATOR COGHILL

A BILL

FOR AN ACT ENTITLED

1 **"An Act exempting solicitations or voluntary agreements to provide ambulance,**
2 **emergency, or fire department services from regulation as insurance; relating to**
3 **municipal fire protection service area boundary changes."**

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

5 *** Section 1.** AS 21.03.021 is amended by adding a new subsection to read:

6 (h) This title does not apply to the solicitation of an agreement, or an
7 agreement between a prospective recipient of ambulance, emergency, or fire
8 protection services and a municipality or community-based nonprofit that provides
9 ambulance, emergency, or fire protection services.

10 *** Sec. 2.** AS 29.35.450(c) is amended to read:

11 (c) If voters reside within a service area that provides road, fire protection, or
12 parks and recreation services, abolishment of the service area is subject to approval by
13 the majority of the voters residing in the service area who vote on the question. A
14 service area that provides road, fire protection, or parks and recreation services in

1 which voters reside may not be abolished and replaced by a larger service area unless
 2 that proposal is approved, separately, by a majority of the voters who vote on the
 3 question residing in the existing service area and by a majority of the voters who vote
 4 on the question residing in the area proposed to be included within the new service
 5 area but outside of the existing service area. A service area that provides road, fire
 6 protection, or parks and recreation services in which voters reside may not be altered
 7 or combined with another service area unless that proposal is approved, separately, by
 8 a majority of the voters who vote on the question and who reside in each of the service
 9 areas or in the area outside of service areas that is affected by the proposal. This
 10 subsection does not apply

11 (1) to a proposed change to a service area that provides fire protection
 12 services

13 (A) that would result in increasing the number of parcels of
 14 land in the service area or successor service area if the increase is not more
 15 than six percent and would add not more than 1,000 residents;

16 **(B) in a second class borough that would result in**

17 **(i) decreasing the number of parcels of land in the**
 18 **service area or successor service area if the owner of the property**
 19 **to be removed from the area requests removal and the removal**
 20 **meets criteria adopted by ordinance; or**

21 **(ii) increasing or decreasing the number of parcels**
 22 **of land in the service area or successor service area if the parcel is**
 23 **transferred to a service area that provides more accessible fire**
 24 **protection services to the transferred parcel;**

25 (2) in a second class borough to abolishment of a road service area or
 26 consolidation of two or more road service areas if

27 (A) taxes have not been levied in the service area for road
 28 maintenance or construction during the last 12 months and there is no balance
 29 in any account available to pay for these road services for the service area;

30 (B) during the last 12 months, the service area board has not
 31 met with a quorum present and in accordance with law; or

1 (C) there are no road maintenance contracts in effect for the
2 service area or the existing road maintenance contracts fail to provide for
3 minimum road standards required by law that are necessary to protect the
4 borough from civil liability;

5 (3) to require approval by the voters residing in a subdivision or parcel
6 proposed to be added to a road service area if roads maintained by the service area
7 provide the only access to the subdivision or parcel or provide access to the
8 subdivision or parcel that is required by the subdivision plat or by other regulation or
9 ordinance;

10 (4) to a change in the boundaries of a road service area to exclude a
11 subdivision or parcel that does not rely on the use of roads maintained by the service
12 area for the subdivision's or parcel's only access or for access that is required by the
13 subdivision plat or by other regulation or ordinance.