

ALASKA STATE LEGISLATURE
HOUSE COMMUNITY AND REGIONAL AFFAIRS STANDING COMMITTEE

April 15, 2014

8:07 a.m.

MEMBERS PRESENT

Representative Gabrielle LeDoux, Co-Chair
Representative Benjamin Nageak, Co-Chair
Representative Bob Herron
Representative Sam Kito III

MEMBERS ABSENT

Representative Neal Foster
Representative Kurt Olson
Representative Lora Reinbold

COMMITTEE CALENDAR

SENATE BILL NO. 157

"An Act relating to municipal fire protection service area boundary changes."

- MOVED HCS SB 157(CRA) OUT OF COMMITTEE

SENATE BILL NO. 213

"An Act relating to the appointment of municipal election boards."

- MOVED SB 213 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SB 157

SHORT TITLE: FIRE PROTECTION SERVICE AREAS

SPONSOR(S): SENATOR(S) COGHILL

02/05/14	(S)	READ THE FIRST TIME - REFERRALS
02/05/14	(S)	CRA
02/18/14	(S)	CRA AT 3:30 PM BUTROVICH 205
02/18/14	(S)	Heard & Held
02/18/14	(S)	MINUTE(CRA)
02/20/14	(S)	CRA AT 3:30 PM BUTROVICH 205
02/20/14	(S)	Moved SB 157 Out of Committee
02/20/14	(S)	MINUTE(CRA)
02/21/14	(S)	CRA RPT 5DP

02/21/14 (S) DP: MICCICHE, EGAN, BISHOP, GIESSEL,
HOFFMAN
02/24/14 (S) TRANSMITTED TO (H)
02/24/14 (S) VERSION: SB 157
02/26/14 (H) READ THE FIRST TIME - REFERRALS
02/26/14 (H) CRA
04/15/14 (H) CRA AT 8:00 AM BARNES 124

BILL: SB 213

SHORT TITLE: MUNICIPAL ELECTION BOARDS
SPONSOR(s): COMMUNITY & REGIONAL AFFAIRS

03/17/14 (S) READ THE FIRST TIME - REFERRALS
03/17/14 (S) CRA
03/20/14 (S) CRA AT 3:30 PM BUTROVICH 205
03/20/14 (S) Moved SB 213 Out of Committee
03/20/14 (S) MINUTE(CRA)
03/21/14 (S) CRA RPT 4DP
03/21/14 (S) DP: MICCICHE, EGAN, BISHOP, GIESSEL
04/11/14 (S) TRANSMITTED TO (H)
04/11/14 (S) VERSION: SB 213
04/13/14 (H) READ THE FIRST TIME - REFERRALS
04/13/14 (H) CRA
04/15/14 (H) CRA AT 8:00 AM BARNES 124

WITNESS REGISTER

HANS RODVIK, Intern
to Senator John Coghill
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HCS SB 157, version C, on behalf of Senator Coghill.

DAVID GIBBS, Director
Emergency Operations
Fairbanks North Star Borough
Fairbanks, Alaska

POSITION STATEMENT: Spoke in support of HCS SB 157, Version C.

JEFF TUCKER, Representative
Alaska Fire Chiefs Association
Kenai, Alaska

POSITION STATEMENT: Spoke in support of HCS SB 157, Version C.

LARRY SIMMONS, Staff
to Senator Peter Micciche

Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented SB 213 on behalf of Senator Micciche.

JOHNI BLANKENSHIP, Clerk
Kenai Peninsula Borough
Kenai, Alaska

POSITION STATEMENT: Testified in support of SB 213.

ACTION NARRATIVE

[8:07:36 AM](#)

CO-CHAIR GABRIELLE LEDOUX called the House Community and Regional Affairs Standing Committee meeting to order at 8:07 a.m. Representatives Herron, Kito, Nageak, and LeDoux were present at the call to order.

SB 157-FIRE PROTECTION SERVICE AREAS

[8:08:33 AM](#)

CO-CHAIR LEDOUX announced that the first order of business would be SENATE BILL NO. 157, "An Act relating to municipal fire protection service area boundary changes."

CO-CHAIR NAGEAK moved to adopt the House Committee Substitute to SB 157, labeled 28-LS1329\C, as the working document.

CO-CHAIR LEDOUX objected.

[8:09:19 AM](#)

HANS RODVIK, Intern, Senator John Coghill, Alaska State Legislature, said Version C changes SB 157 to apply only to Alaska's seven second class boroughs. He noted that fire service areas in second class boroughs serve only areas that are outside of city limits, and there were concerns of "first class boroughs scooping up some areas that are on the borders." The intent of SB 157 is to ensure that in the case of an emergency, property owners are served by the nearest fire department. He provided maps to the committee, which show there are some fire departments that travel through a different fire service area to reach the parcel requesting help. Fire crews will sometimes pass by another fire department, and SB 157 allows property

owners and municipalities a quick fix to this problem, he explained. Under current law, local assemblies can moderately increase the number of land parcels in a fire service area without the vote of property owners, and SB 157 will allow an assembly to also reduce the number of parcels in a fire service area so long as the property owners concur.

MR. RODVIK noted that current law requires an election of the entire service area just to remove one parcel or make a minor boundary change. That is costly and cumbersome, he stated, and the vote often has dismal participation. The bill simplifies the process by allowing property owners, only in second class boroughs, to request removal from a fire service area or be transferred into another area that provides more accessible fire protection. He said that fire service areas are constantly growing and being created, and SB 157 allows property owners to adjust quickly to these boundary changes.

[8:14:39 AM](#)

REPRESENTATIVE KITO III asked if there are problems with existing statute for increasing the number of parcels in a service area; the map makes it look like there would be a parcel that would be removed from a service area and added to another.

MR. RODVIK said SB 157 simplifies the process of shifting the parcel. Currently, that shift would require a fire service area-wide election. Under the bill, if the property owners request being transferred to another service area, it can be done without having to go through the long election process.

[8:16:16 AM](#)

CO-CHAIR LEDOUX withdrew her objection. There being no further objections, Version C was before the committee.

[8:16:39 AM](#)

DAVID GIBBS, Director, Emergency Operations, Fairbanks North Star Borough, said that the Fairbanks North Star Borough supports the new version of SB 157. Fire service areas were established in the early 1980s, he explained, with an estimate of future growth patterns. There are a few situations where development has not occurred as anticipated, and service area residents may be receiving substandard response times. The fix is overly cumbersome as it requires the expense and effort of multiple elections to make even minor adjustments to the

boundaries of existing fire service areas, he stated. Senate Bill 157 provides a much needed tool by giving a municipality the authority to decrease or transfer, by ordinance, a small number of parcels in a fire service area, and it provides property owners with an opportunity for a public hearing before any action is taken. He noted that some residents are still paying fire protection taxes, but due to limited accessibility cannot expect to receive high quality fire services. Passage of SB 157, along with companion ordinances by municipalities, will allow a property owner to petition a municipality to have the property removed from a fire service area until there is better road access, for example. He said there is no mechanism now to remove people from fire service areas who cannot receive the service. Parcels can also be transferred to a closer fire service area for increased fire protection, he added.

[8:20:16 AM](#)

JEFF TUCKER, Representative, Alaska Fire Chiefs Association, said he was recently the chief of the North Star Volunteer Fire Department. The Alaska Fire Chiefs Association supports SB 157 as it will help provide the most effective and efficient fire service, he stated. The current process is cumbersome, he said, and disallows a municipality to adjust fire service boundaries so that the closest fire service can respond.

[8:21:41 AM](#)

CO-CHAIR LEDOUX closed public testimony.

CO-CHAIR NAGEAK moved to report HCS SB 157, Version 28-LS1329\C, Bullard, 4/14/14, out of committee with individual recommendations and the accompanying fiscal note. There being no objection, HCS SB 157(CRA) was reported from the House Community and Regional Affairs Standing Committee.

The committee took an at-ease from 8:22 a.m. to 8:24 a.m.

SB 213-MUNICIPAL ELECTION BOARDS

[8:24:25 AM](#)

CO-CHAIR LEDOUX announced that the final order of business would be SENATE BILL NO. 213, "An Act relating to the appointment of municipal election boards."

LARRY SIMMONS, Staff, Senator Peter Micciche, Alaska State Legislature, said SB 213 allows municipalities to conduct elections efficiently. Currently, Alaska statute requires that an election board be established for every election and for every precinct. If an election is conducted by other than in-person balloting, the municipality still has to hire an election board, but the board does not have a job to do in every precinct, because people are not voting in person, he explained. "This bill simply allows, through statute, for municipalities to conduct elections efficiently by means other than in-person balloting," he said. There is a zero fiscal note, and it has the support of the Alaska Municipal Clerks Association, he said. The Kenai Peninsula Borough requested this change, he added.

[8:26:04 AM](#)

REPRESENTATIVE KITO III asked if Alaska allows non-in-person municipal elections.

MR. SIMMONS replied yes, Alaska statute allows for other balloting, like mail-in ballots.

[8:26:37 AM](#)

CO-CHAIR LEDOUX noted that the Lake and Peninsula Borough holds all municipal elections by absentee ballots. Is it true that, currently, that borough has to have an election board even though the board would have nothing to do?

MR. SIMMONS said his understanding is that in conducting elections, there must be an election board for each precinct. He said he does not know what the make-up of the Lake and Peninsula Borough's election precincts look like, but the current statute says that they must have an election board for each precinct, and this bill would allow a municipality to choose to only have election boards at, for example, an absentee precinct, "so that people would be able to go to an absentee precinct and vote in person, and the rest of the mail-in ballots would not require - because they're not voting in-person - it would not require an election board at each precinct."

[8:28:09 AM](#)

CO-CHAIR LEDOUX inquired as to what an election board does.

MR. SIMMONS suggested that a clerk answer that question.

CO-CHAIR LEDOUX opened public testimony.

[8:28:46 AM](#)

JOHNI BLANKENSHIP, Clerk, Kenai Peninsula Borough, said "we requested this bill" because [the Kenai Peninsula Borough] would like to conduct elections by mail, and in reviewing the state statutes it became clear that even if the borough did conduct its elections by mail, it would still have to hire election judges to sit at polling locations where there was no balloting actually taking place. She explained that SB 213 would allow municipalities to conduct elections by mail or other means and to only hire election boards where necessary.

[8:29:51 AM](#)

CO-CHAIR LEDOUX asked if there are election judges at every polling place, in addition to the person checking in voters.

MS. BLANKENSHIP said those people are one in the same. Those who check voters in are considered the election board and judges, she explained.

[8:30:37 AM](#)

CO-CHAIR LEDOUX recalled that in Kodiak there was one precinct where no one could vote—it was a mail-in precinct. "So election judges had to be hired specifically for that precinct even though nobody was going to vote there?"

MS. BLANKENSHIP said the current law is written such that the municipality "shall appoint an election board composed of at least three judges for each precinct." She said she does not know that that was done [in Kodiak], but "we wanted to make sure that the statutes allowed us to conduct the elections in such a way that we wouldn't have to hire people when there was nothing but by-mail balloting going on."

[8:31:52 AM](#)

REPRESENTATIVE HERRON asked if the reason for an election board is because identification cards are not required to vote if a judge knows the voter and can confirm his or her identity.

MS. BLANKENSHIP answered yes, if the voter is personally known to one of the three judges [no identification card is required].

CO-CHAIR LEDOUX, upon determining no one else wished to testify, closed public testimony.

[8:32:57 AM](#)

REPRESENTATIVE HERRON noted that he supports SB 213.

CO-CHAIR NAGEAK moved to report SB 213 out of committee with individual recommendations and the accompanying fiscal note. There being no objection, SB 213 was reported from the House Community and Regional Affairs Standing Committee.

[8:33:51 AM](#)

ADJOURNMENT

There being no further business before the committee, the House Community and Regional Affairs Standing Committee meeting was adjourned at 8:33 a.m.