

ALASKA STATE LEGISLATURE
HOUSE COMMUNITY AND REGIONAL AFFAIRS STANDING COMMITTEE

March 9, 2017

8:02 a.m.

MEMBERS PRESENT

Representative Zach Fansler, Co-Chair
Representative Justin Parish, Co-Chair
Representative Harriet Drummond
Representative Dean Westlake
Representative George Rauscher
Representative Dan Saddler
Representative David Talerico

MEMBERS ABSENT

Representative DeLena Johnson (alternate)
Representative Jonathan Kreiss-Tomkins (alternate)

OTHER LEGISLATORS PRESENT

Representative Mike Chenault
Representative Gary Knopp

COMMITTEE CALENDAR

HOUSE BILL NO. 148

"An Act relating to service areas in second class boroughs; and providing for an effective date."

- MOVED HB 148 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 148

SHORT TITLE: SECOND CLASS BOROUGH SERVICE AREAS

SPONSOR(S): REPRESENTATIVE(S) CHENAULT

03/01/17	(H)	READ THE FIRST TIME - REFERRALS
03/01/17	(H)	CRA
03/07/17	(H)	CRA AT 8:00 AM BARNES 124
03/07/17	(H)	Heard & Held
03/07/17	(H)	MINUTE(CRA)
03/09/17	(H)	CRA AT 8:00 AM BARNES 124

WITNESS REGISTER

MIKE NAVARRE

Mayor

Kenai Peninsula Borough

Soldotna, Alaska

POSITION STATEMENT: During the hearing on HB 148, offered information in response to questions that had been asked during the bill hearing on 3/7/17.

ACTION NARRATIVE

[8:02:42 AM](#)

CO-CHAIR ZACH FANSLER called the House Community and Regional Affairs Standing Committee meeting to order at 8:02 a.m. Representatives Westlake, Talerico, Rauscher, Saddler, Parish, and Fansler were present at the call to order. Representative Drummond arrived as the meeting was in progress.

HB 148-SECOND CLASS BOROUGH SERVICE AREAS

[8:03:51 AM](#)

CO-CHAIR FANSLER announced that the only order of business would be HOUSE BILL NO. 148, "An Act relating to service areas in second class boroughs; and providing for an effective date."

CO-CHAIR FANSLER noted that since last hearing HB 148 on 3/7/17, the committee had received a letter of support from the Alaska Municipal League [included in the committee packet].

[8:05:14 AM](#)

MIKE NAVARRE, Mayor, Kenai Peninsula Borough, offered information in response to questions that had been asked during the bill hearing on 3/7/17. He reported that there are currently no third-class boroughs in Alaska. He said the Kenai Peninsula Borough has no concerns over whether or not the committee chooses to amend HB 148 to include a definition of "emergency services" as meaning fire and ambulance. Furthermore, the borough has no problem with the committee including a definition of "highway corridor" as a state highway right-of-way, but hopes it will not attempt to do so "within actual feet of the center line" [of a highway], because rights-of-way and where private property begins and ends fluctuates so much throughout highway corridors.

MR. NAVARRE reported that the borough had contacted all six second-class boroughs in the state and no one raised any objections to HB 148. He said the borough tried to get written statements, but there was not much time between the last meeting and today's meeting. He said the highway service area is a moot point in the Matanuska-Susitna (Mat-Su) Borough, because it already has area-wide emergency service powers and, thus, does not need the legislation. Furthermore, the legislation is not of concern to the boroughs of Kodiak Island, Ketchikan Gateway, Aleutians East, and Bristol Bay, because none of them have highways. He noted that his chief of staff, Larry Persily, had contacted John Fulton, [Chief Administrative Officer], Bristol Bay Borough, who expressed no concerns.

MR. NAVARRE reported that on Tuesday, [March 7, 2017], the Kenai Peninsula Borough passed both a resolution and an ordinance that "authorizes us to move forward with exploring and putting together additional information to bring back to the assembly." He added, "If this legislation goes through, we're going to do it concurrently, because we think it's a ... critical issue that needs to be addressed."

[8:07:42 AM](#)

REPRESENTATIVE SADDLER noted that at the last hearing, he had raised the issue of more narrowly defining "highway corridor" and "emergency services". He said he consulted with the prime sponsor and decided not to pursue that kind of amendment, because he wants to provide the local service areas with the authority to decide on the level of expansion or restriction. He noted that an analysis by Legislative Legal and Research Services stated that the definition of a highway corridor in Title 19 might be expansive.

[8:08:35 AM](#)

MAYOR NAVARRE, in response to a question from Representative Saddler, confirmed that under HB 148, the borough would be required to get the approval of the assembly in order to "move the corridor service area forward." In response to a follow-up question, he reiterated the borough's plan to gather information and bring it to the assembly, if the plan is cost effective and feasible. He said the borough has data - including the number of accidents in the corridor, how much traffic comes through the area, what percentage of the users of the corridor are local residents, and how many users are just passing through - but needs to better quantify the costs, because it would be taking

money from the federal PILT, which is already allocated in its budget, and must make the case to the assembly and appropriate the funds. He said the goal is to get everything in place in time for summer, when the traffic increases through the corridor.

[8:10:46 AM](#)

REPRESENTATIVE RAUSCHER said he spoke with Otto Feather, Director of Emergency Services for the Matanuska-Susitna (Mat-Su) Borough, and as long as no private properties will be "included in this kind of thing," the Mat-Su Borough has no problem with the proposed legislation.

[8:11:43 AM](#)

CO-CHAIR FANSLER reopened public testimony. After ascertaining that there was no one who wished to testify, he reclosed public testimony on HB 148.

[8:12:25 AM](#)

REPRESENTATIVE TALERICO said having previous experience in local government, he sees HB 148 as putting another tool in the tool box for local governments to improve services - not only for their residents but also for the traveling public. He expressed support for HB 148, and he said it sends a message that the legislature trusts boroughs to exercise the option that would be provided under HB 148.

[8:13:08 AM](#)

CO-CHAIR PARISH stated his support of HB 148.

[8:13:40 AM](#)

CO-CHAIR PARISH moved to report HB 148 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HB 148 was reported from the House Community and Regional Affairs Standing Committee.

[8:14:18 AM](#)

The committee took an at-ease from 8:14 a.m. to 8:18 a.m.

[8:18:29 AM](#)

ADJOURNMENT

There being no further business before the committee, the House Community and Regional Affairs Standing Committee meeting was adjourned at 8:18 a.m.