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IN THE HOUSE

BY Mr. Plummer
HOUSE BILL NO. 90 By Request.

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

TWENTY-SECOND SESSION

A BILL

For an Act entitled: "An Act to provide an additional method for formation of Consolidated Health Districts, defining organization; powers and duties."

*check
with
file*

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

Section 1. The residents and inhabitants of any two or more local governments in Alaska may consolidate to form a single health district to have and exercise all powers relating to public health over the entire area of such consolidated health district. As used in this Act, "local government" means any city, school district, public utility district or other local government unit or district that receives any revenue from taxation.

Sec. 2. The people of two or more local governments may establish a consolidated health district for the regulation of public health, instead of having each of the local governments separately perform any health functions; and they may declare that the regulation of public health is for the general welfare of the people of Alaska. The territory within any such consolidated local government may become a health district and shall legally be described as "The _____ Health District."

Sec. 3. Each health district formed pursuant to this Act shall be a body politic and corporate. It may sue and be sued, purchase, own, hold and lease real and personal property

The title of the bill should be amended to read as follows:
"A bill for an Act entitled: an Act provided^{ing an additional method} for the formation of consolidated health districts consisting of local government units or districts, defining their powers and duties and providing for their organization and authorizing them to levy a property tax within certain limitations, if necessary."

change "provided" to "providing" in line 2 of title
In line 2 of title after "providing" insert "an additional method"

1 reasonably adapted for use in performing its functions. In ad-
2 dition to all powers expressly herein conferred, such district
3 shall possess such additional powers as may be reasonably neces-
4 sary for it to perform efficiently and economically the purposes
5 for which it has been created.

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SECTION 4. Delete Section 4 and insert a new Section 4 reading as follows: "Sec. 4: Within any area in Alaska where two or more local governments have adjacent, abutting or overlapping boundaries the majority of such local governments may, by similar resolution, submit to the voters within their respective corporate limits the question of consolidation to form a single health district at any general or special election; provided, if the corporate limits of one such resolving body embrace the corporate limits of other governing bodies to be affected by this Act, a single election within the corporate limit of such resolving body shall, if all affected resolving bodies agree thereto, be sufficient to establish whether a health district shall be formed."

section 4: line 7: change "limit" to "limits"
line 8: change "embraces" to "embrace"

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Sec. 7. Each local government forming the district shall turn over all real and personal property in its possession that is owned for the purpose of providing health protection and service; and each such local government shall be deemed compensated for such property by the assumption and performance by the district of the duties and obligations of such local government in regard to public health.

Sec. 8. The board of health shall arrange for a permanent meeting place and hold at least one regular meeting each month. The board shall elect a chairman, and vice chairman, annually and may elect from outside its membership, a secretary and such other officers and employees as it deems necessary for the administration of the affairs of the district. The members of the board shall serve without compensation; but shall be reimbursed for their necessary expense in performing their duties.

Sec. 9. The board of each health district, organized pursuant to the provisions of this Act, shall annually estimate the amount of money necessary to conduct the affairs of the district during the next fiscal year, and shall report to the governing body of each local government in the health district the number of mills necessary to be levied upon all taxable property of the district, during the fiscal year next ensuing, for the performance of the functions of the district. The governing bodies are directed, authorized and required to levy and collect the number of mills required by the board of the health district in the same manner as other taxes are levied and collected; and said governing bodies shall turn over the tax monies so collected to the financial officer of the district; Provided, that the aggregate

SECTION 7. Delete Section 7 and insert a new Section 7, reading as follows: "Sec. 7. Each local government forming the district shall transfer to the district all real and personal property in its possession and ownership, and devoted to health purposes; said property shall be appraised or valued at a price to be determined by the joint resolution of the participating local governments creating the district. Each local government so transferring property shall be credited with said valuation which shall be credited to its share of the district health budget over a period equal to the composite estimated life of the property in equal installments."

SECTION 9. Delete Section 9, and insert a new Section 9, reading as follows: "Sec. 9: The board of each health district organized pursuant to the provisions of this Act shall annually budget the amount of money necessary to conduct the affairs of the district during its next fiscal year, which said fiscal year shall be set forth in the resolutions of the local governments creating the district, which amount shall not exceed 1/20th of 1% of the aggregate value of the real and personal property located in the health district based upon the current valuations of the local governments comprising the district. The budget shall be adopted only after public hearing with reasonable notice thereof; subject to such controls as may be adopted by the local governmental units participating in the formation thereof and as set out in the joint resolutions creating the district.

The share of each local government unit comprising the district shall be the proportion of the total value of the real and personal property therein to the total value of the real and personal property in the entire district.

The share of each local government unit may be raised by a tax on real and personal property within said unit levied during the fiscal year next ensuing, or it may be raised from other sources; if raised by property tax, the governing bodies are [directed] authorized [and required] to levy and collect the necessary number of mills, not in excess of the number of mills herein authorized which may be in excess of present limitations on mill rates, required to meet the share of the health district budget in the same manner as other property taxes are assessed, levied and collected, particularly as provided by law for Independent School Districts in Art. 4, Chapt. 3, Title 37, AGLA, 1949 as amended, and the said tax revenue shall be turned over on collection to the health district board; if payments are made from sources other than the property tax herein authorized, payment shall be made quarterly, on the first day of the fiscal year and the first day of each quarter thereafter. Where two or more units exercise jurisdiction in the same geographical area, one of such units may be required by the board to assess the property and levy the tax herein provided for, in the area of concurrent jurisdiction."

1 health district tax shall not exceed in any one year one-half
2 mill upon the value of the property so taxed.

3 Sec. 10. The board of health shall have and exercise, sub-
4 ject to applicable statutes, the executive power and authority
5 and shall assume the responsibility concerning public health now
6 or hereafter vested by statutes or regulations in each and every
7 local government within the health district, and shall have the
8 title, control and management of the property owned by such local
9 governments and used exclusively for health activities. The
10 health district shall have the power and it shall be its duty to
11 adopt measures for the control and eradication of preventable or
12 communicable diseases, the inculcation of modern scientific
13 methods of hygiene and sanitation, and the education of the pub-
14 lic in matters relating to public health.

15 Sec. 11. Any person who violates any of the provisions of
16 this Act, or any rule or regulation made by the district health
17 board, under the authority of this Act, shall be deemed guilty
18 of a misdemeanor, punishable by a fine, for each offense, not
19 less than ten dollars nor more than two hundred dollars.

20 Sec. 12. In the event any local government within the
21 health district desires special health services not given by the
22 health district to all inhabitants of the district, it shall be
23 the duty of the health district to furnish such service, and the
24 local government shall pay the health district for the cost of
25 such special service or services.

26 Sec. 13. The district board of health shall have power to
27 make and publish rules and regulations for the protection of the
28 public health and such rules shall conform at least to the mini-
29 mum requirements, rules and regulations of the Department of

SECTION 11. Delete Section 11 and insert a new Section 11, reading as follows: "Sec. 11: Every act prohibited hereby or by any lawful rule or regulation made by the district health board under the authority hereof is hereby declared unlawful and a misdemeanor and every person convicted of a violation of any provision hereof or of any rule or regulation set forth or issued in pursuance hereof shall be punished by a fine of not more than Three Hundred Dollars (\$300). Each act or violation and every day upon which any such violation shall occur shall constitute a separate offense.

In addition to the above penalty, violators shall upon a conviction of a second violation have their right to do business suspended until compliance with this Act or any lawful rule and regulation made pursuant hereto be had and during said period no persons whose right to do business has been suspended or revoked shall open for business to the public for any purpose whatsoever until he has brought his place of business to conform with the standards hereof or lawful rules and regulations made pursuant hereto and the health director so certifies, in which case the suspension shall be revoked and any permit that might have been suspended, reinstated. All public places violating the provisions of this Act or any lawful rule and regulation issued pursuant to the provisions hereof shall be deemed public nuisances."

1 Health and the principles of public health and sanitation recog-
2 nized by the medical profession.

3 Sec. 14. All measures that have been enacted by any local
4 government to effect any of the functions conferred upon a
5 health district by this Act shall remain in full force and effect
6 until a measure covering the same subject matter shall have been
7 adopted by the board of the health district. Upon the adoption
8 of such a measure, pre-existing regulations shall become and be
9 inoperative.

10 Sec. 15. Any health district, organized pursuant to this
11 Act may provide for the inspection of foods, drinks and pro-
12 perties within the district, and may impose upon the owners or
13 possessors of such food, drinks or properties, a reasonable fee
14 to cover the cost of such district of all inspections necessary
15 to reasonably safeguard the public health.

16 Sec. 16. The limitations provided by Section 9 of this
17 Act as to the amount of levy which may be certified by the board
18 of health, shall not apply to emergency expenditures and obliga-
19 tions to abate or control an extreme outbreak or epidemic of
20 disease or the occurrence of some disaster affecting the public
21 health in the health district. The existence of such an emer-
22 gency may be conclusively established by joint resolutions de-
23 claring such an emergency by the governing bodies of each of the
24 local governments within the district.

25 Sec. 17. The district board of health: (a) may make an
26 agreement or contract with the Department of Health of the Terri-
27 tory of Alaska relative to the expenditure of local, Territorial,
28 federal or other funds available for public health; (b) shall
29 establish and maintain an approved local full-time public health

SECTION 15. Delete Section 15, and insert a new Section 15, reading as follows: "Sec. 15: Health districts may provide for the inspection of all places subject to the provisions of this Act or any lawful measure, ordinance, rule or regulation adopted pursuant hereto; fees may be imposed to cover the cost of said inspections."

Delete SECTION 16.

p. 4. strike proposed amendments to Section 17 (c) and 18 (b)

SECTION 17. Amend by deleting subparagraph (c) therefrom and substituting therefor the following: "(c): shall employ a health director at a salary that the board authorizes, who shall be qualified in accordance with the merit system regulations of the Territory and approved by the Department of Health;"

SECTION 18. Amend by deleting subparagraph (b) and substituting therefor the following: "(b): appoint a staff of such other personnel as may be authorized by the board, at salaries that the board authorizes and whose qualifications shall conform to the Alaska merit system."

1 service established and operating in accordance with rules and
2 regulations of the Department of Health; (c) shall select a
3 health director qualified in accordance with the merit system
4 regulations of the Territory and approved by the Department of
5 Health; (d) shall enforce and observe the rules and regulations
6 of the Department of Health and all laws of the Territory of
7 Alaska pertaining to the preservation of health; (e) shall dis-
8 tribute free, as the local needs may require, all vaccines, drugs,
9 serums and other preparations obtained from the Department of
10 Health, or purchased for public health purposes by the district
11 board.

12 Sec. 14¹. The health director shall have the power and the
13 duty to: (a) be the executive officer of the district board of
14 health; (b) appoint a staff of such other personnel as may be
15 necessary whose qualifications shall conform to the Alaska Merit
16 System; (c) subject to the supervision of the district board, do
17 all acts and things necessary to carry out the functions of the
18 health district; (d) deposit in the General Fund of the District
19 and disburse the monies of the district in accordance with the
20 budget adopted by the district board of health.

21 Sec. 14². The health district shall make application for
22 financial assistance from the Department of Health; and under
23 rules and regulations of the Territorial Board of Health shall be
24 entitled to receive such Territorial and Federal funds as may be
25 available. The Territorial Board of Health shall establish by
26 regulation for distribution of funds taking into account, when-
27 ever possible, but not by way of limitation: (a) population; (b)
28 per capita income; and (c) special health needs of the district;
29 such funds to serve as matching funds for the development of

1 local health services.

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