

Introduced: 2/2/76
Referred: Community &
Regional Affairs and Finance

1 IN THE HOUSE

BY RHODE

2 HOUSE BILL NO. 681

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act requiring state reimbursement to municipali-
7 ties of the costs of state-mandated local programs or
8 services; and providing for an effective date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. PURPOSE. This Act is intended to insure that programs or
11 services mandated to municipalities under state laws and regulations be
12 supported by state funds adequate to meet the costs of the programs or ser-
13 vices.

14 * Sec. 2. AS 43.18 is amended by adding a new section to read:

15 Sec. 43.18.060. REIMBURSEMENTS OF COSTS OF STATE-MANDATED PRO-
16 GRAMS. (a) The state shall pay a municipality an amount to reimburse
17 the full costs of a program or service, or an increased level of
18 service of a program or service, which is mandated to the municipality
19 by law or regulation taking effect after the effective date of this
20 Act.

21 (b) A law or regulation within the scope of (a) of this section
22 and taking effect after the effective date of this Act shall incorporate
23 the requirement of (a) of this section and shall include, for the first
24 fiscal year in which the law or regulation is effective, an estimate of
25 the total cost for all municipalities of the mandated program or ser-
26 vice. The sum estimated is authorized for appropriation for the fiscal
27 year. Sums appropriated for each mandated program shall be allocated
28 among eligible municipalities on the basis of claims submitted by the
29 municipalities and estimating the cost of the particular mandated pro-

1 gram for the fiscal year. For subsequent fiscal years claims shall be
2 paid on the basis of the estimated costs of the mandated program for
3 the then current fiscal year with payment adjusted to correct for
4 underpayment or overpayment of the actual costs mandated in the prior
5 fiscal year. The department may audit municipal records to verify
6 actual costs under this subsection. The commissioner may reduce claims
7 under this subsection which appear to be excessive or unreasonable.
8 Determinations of the commissioner are final.

9 (c) Claims under (b) of this section shall be made and paid
10 upon verification and at the time and in the manner as the department
11 by regulation prescribes. The department may adopt additional regula-
12 tions it considers necessary to carry out the purpose of this section.

13 (d) If funds appropriated by the legislature to carry out the
14 provisions of this chapter are insufficient for that purpose, such funds
15 as are available shall be distributed pro rata among eligible munici-
16 palities.

17 (e) Funds received by a municipality under this section may be
18 used for any public purpose.

19 (f) In this section

20 (1) "commissioner" means the commissioner of community and
21 regional affairs;

22 (2) "department" means the Department of Community and
23 Regional Affairs;

24 (3) "increased level of service" means a requirement mandated
25 by state law or regulation which makes necessary expanded or additional
26 costs to a municipality;

27 (4) "municipality" means a home rule or general law city or
28 organized borough of the state, including but not limited to a unified
29 municipality organized under AS 29.68.240 - 29.68.440.

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* Sec. 3. AS 43.18.010 is amended by adding a new subsection to read:

(m) Payment under sec. 60 of this chapter for the full costs of a program or service mandated to a municipality after the effective date of this Act replaces payment based on the program or service as authorized under this section.

* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-070(c).

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