

Introduced: 1/14/85
Referred: Community and Regional Affairs
and Finance

1 IN THE SENATE

BY FERGUSON AND COGHILL

2

SENATE BILL NO. 50

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the determination of population
7 of municipalities for purposes of certain programs of
8 state aid and the recalculation of prior entitle-
9 ments; and providing for an effective date."

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

11 * Section 1. AS 29.88.015(a) is amended to read:

12 (a) Subject to (c) of this section, for [FOR] purposes of this
13 chapter [,] the population of a taxing unit shall be determined an-
14 nually by the latest figures of the United States Bureau of the Census
15 or other population data which, in the judgment of the department, is
16 reliable.

17 * Sec. 2. AS 29.88.015 is amended by adding a new subsection to read:

18 (c) If the department in determining the population of a munic-
19 ipality relies on population data submitted by the municipality, the
20 population figure determined by the department shall be compared to
21 the figure of the United States Bureau of the Census for the same
22 year, or when no figure is available for the same year, to the next
23 figure available after the population determination is made by the
24 department. If it is determined by the department that the municipal-
25 ity and all taxing units within it received a combined overpayment of
26 at least \$5,000,000 for the year under this chapter and AS 43.20.016
27 using the population data submitted by the municipality rather than
28 the figure of the United States Bureau of the Census in calculating
29 the entitlements, the amount of the overpayment under this chapter

1 shall be recaptured by reducing tax equalization entitlement payments
2 to the municipality and taxing units within it for the next two years.
3 If, during the year of the overpayment, other taxing units did not
4 receive full tax equalization entitlements under this chapter, money
5 withheld as a result of the overpayment shall be apportioned among
6 those taxing units.

7 * Sec. 3. AS 43.20.016(c) is amended to read:

8 (c) If the amount in the fund at the time of distribution ex-
9 ceeds the base amount to be distributed under (b) of this section, the
10 excess amount shall be distributed to each municipality [BOROUGH AND
11 CITY] on the basis of population. For the purpose of this subsection,
12 the population of a city within an organized borough shall be deducted
13 from the population of the borough. Subject to (e) of this section,
14 the population of each municipality [POPULATION], for the purpose of
15 this section, shall be as certified by the commissioner of community
16 and regional affairs.

17 * Sec. 4. AS 43.20.016 is amended by adding a new subsection to read:

18 (e) If the commissioner of community and regional affairs in
19 determining the population of a municipality relies on population data
20 submitted by the municipality, the population figure determined by the
21 commissioner shall be compared to the figure of the United States
22 Bureau of the Census for the same year, or, when no figure is avail-
23 able for the same year, to the next figure available after the popu-
24 lation determination is made by the commissioner. If it is determined
25 by the commissioner that the municipality received a combined overpay-
26 ment of at least \$5,000,000 for the year under this section and AS 29.
27 88 using the population data submitted by the municipality rather than
28 the figure of the United States Bureau of the Census in calculating
29 the entitlements, the amount of the overpayment under this section

1 shall be recaptured by reducing payments to the municipality under
2 this section for the next two years. If, during the year of the
3 overpayment, other municipalities did not receive the full base amount
4 they were entitled to under (b) of this section, money withheld as a
5 result of the overpayment shall be apportioned among those municipal-
6 ities.

7 * Sec. 5. This Act is retroactive to July 1, 1978.

8 * Sec. 6. This Act takes effect immediately in accordance with AS 01.-
9 10.070(c).