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ALASKA
STATE LEGISLATURE
MEMORANDUM

F: SB
535

4/14/78

Joe-

Chenoweth is still out sick. I talked to Berrier about SB 535 (emergency medical services) and he said that "on the face of it" he saw no problems or pitfalls with the bill...that it looked like a housekeeping measure to him.

Ben

SENATE COMMUNITY AND REGIONAL AFFAIRS
COMMITTEE MINUTES

April 13, 1978

Present: All Committee Members; Tom Scott, HESS; Larry Kimball, Department of C&RA; Dick Holden, Department of Transportation; Charlie Smith, Department of Public Safety; Bruce Aronson, Department of C&RA.

Senate Bill 535 and Senate Bill 533 were the bills before the committee.

SENATE BILL 535

Tom Scott, Department of Health, Education and Social Services and Charlie Smith, Department of Public Safety, testified that their Departments support the bill.

In response to Chairman Orsini's inquiry, Bruce Aronson, Department of Community and Regional Affairs, stated that his department also supported the legislation.

Senator Hackney recommended SB 535 be passed out of Committee with a DO PASS recommendation. There was no objection.

SENATE BILL 533

Larry Kimball, Department of Community and Regional Affairs, explained that his department is mandated to assist communities on a request basis. SB 533 would not change any of the authority C&RA already possesses.

Under Section 2 of the proposed committee substitute, Kimball stated that C&RA would analyze and inform the Department of Transportation and Public Works, and appropriate program agencies, of the effects the proposed capital improvements would have on land use planning and municipal facility procurement plans.

Chairman Orsini noted that the bill's language would need tightening to insure that C&RA was not mandated to plan for municipalities, but would only become involved in planning upon request by a municipality.

Kimball stated that 12 to 15 community development plans had gone through his department since 1973. The department has never prepared in-house plans since this would require a diversified staff numerous planners which the department could not support on an on-going basis. Kimball stated that C&RA has concentrated on the larger communities, most of which now have comprehensive plans. Additionally, he stated, C&RA has funded 3 or 4 capital improvement elements in the comprehensive plans.

Kimball explained that C&RA's involvement in the fiscal note would be the development of information that DOT and other agencies would need. At present, C&RA does not have the budget or staff to do this. He noted that after three years C&RA's fiscal involvement would disappear with the completion of the projects.

Richard Holden, Department of Transportation and Public Works, testified that the original bill requires DOT to budget on behalf of other agencies for capital improvements, which in his view was not a proper function for his department. He stated that DOT's job should be to help them coordinate both the capital needs required by their programs and the capital needs that are generated which inter-agency coordination would require.

Chairman Orsini questioned why DOT would not prepare facilities inventories for municipalities with populations greater than 12,000. Holden explained that DOT would grant them the funds to do their own inventory since these municipalities would have adequate expertise to do the job with their own personnel.

The Committee discussed the definition of "public facilities" in the legislation and expressed concern that the committee substitute might include any facilities which had in any degree received state funding or administrative support. Examples included fisheries, new farm enterprises, medical facilities, clinics and home finances with state veterans loans.

Chairman Orsini stated that SB 533 would be taken up for further Committee discussion on Tuesday, April 18, 1978.

The meeting was adjourned at 4:20 p.m.

SENATE BILL NO. 535

"An Act authorizing emergency medical services by municipalities inside and outside the corporate limits of municipalities."

The Department of Health and Social Services supports Senate Bill 535 as consistent with the program objectives of the Department.

Alaska law (AS 29.48.030) delineates which services home rule local government may provide within its municipal boundaries. Those services may not be provided outside of the boundaries unless specifically authorized by AS 29.048.037.

The purpose of Senate Bill 535 is to allow municipally operated ambulances to respond beyond the boundaries of the municipality. Presently, ambulances do respond beyond the boundaries of the municipality regardless of the law because human life is at stake. However, when the ambulance does leave the city limits any insurance the city may carry, including liability and workmen's compensation, does not cover the extraterritorial incident.

The City of Petersburg recently faced this problem. Ambulance and fire protection was not provided to those citizens living outside the boundaries of the City because of lack of insurance. The problem was solved when the city council determined that even though residents outside the boundaries do not pay city property tax that the city would provide the ambulance services first and then worry about liability.

This attitude is prevalent in Alaska. The law needs to be changed so that our cities are not penalized for providing vital services that no one else is providing or is able to provide.

The Department understands that this provision will not increase the cost to the State in revenue sharing or other obligations, nor will it allow the cities to tax extraterritorially for the services.

Recommended by: Robert I. Fraser 20 Feb 78
Robert I. Fraser, M.D., Director Date
Division of Public Health

Thomas Scott

Approved by: Helen D. Beirne 3/27/78
Helen D. Beirne, Commissioner Date
Department of Health and Social Services