

HB

18

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred: April 7, 1993

FURTHER REFERRALS:

Date of Committee Action: 1/24/94

The FINANCE Committee considered:

HB 18

HOUSE BILL NO. 18

FEES FOR POLICE PROTECTION BY STATE

"An Act relating to police protection service areas in municipalities."

RECOMMENDATIONS:

be replaced with CS HB 18 (CRA) the same title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

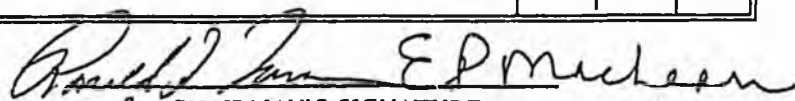
fiscal impact DPS

fiscal note(s) _____

zero fiscal note _____

zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<u>Tay Brown</u> ^{BROWN}	✓	<u>Eileen P. Maclean</u> ^{Maclean}			
		<u>Ronald J. Larson</u> ^{Larson}		X	
		<u>Mark Hanley</u> ^{Hanley}		X	
		<u>Terry Martin</u> ^{Martin}		Y	
		<u>Sean R. Pannell</u> ^{Pannell}		X	
		<u>Ben Grussendorf</u> ^{Grussendorf}	X		
		<u>Tom Hoffman</u> ^{Hoffman}		✓	
		<u>Mike Navarre</u> ^{Navarre}		✓	
		<u>Gene Theriault</u> ^{Theriault}		✓	


 Co-CHAIRMAN'S SIGNATURE
Larson Maclean

CS FOR HOUSE BILL NO. 18(CRA)
 IN THE LEGISLATURE OF THE STATE OF ALASKA
 EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Offered: 3/22/93

Referred: Judiciary, Finance

Sponsor(s): REPRESENTATIVE BUNDE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to police protection service areas in municipalities."

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

3 * Section 1. AS 29.10.200 is amended by adding a new paragraph to read:

4 (51) AS 29.35.495 (police protection service areas)

5 * Sec. 2. AS 29.35 is amended by adding a new section to article 7 to read:

6 Sec. 29.35.495. POLICE PROTECTION SERVICE AREAS. (a) The
 7 residents of an area in a municipality may file a petition with the municipal clerk for
 8 formation of a police protection service area for services to be provided by the
 9 Department of Public Safety. The petition form shall be supplied by the clerk at the
 10 request of a voter. The petition must describe the boundaries of the proposed service
 11 area and the additional police protection services to be provided by the Department of
 12 Public Safety in the area and shall be signed by a number of voters residing in the
 13 proposed service area equal to at least 10 percent of the number of residents in the
 14 area who voted in the last regular election.

1 (b) Upon receipt of a petition that meets the requirements of (a) of this section,
2 the municipal clerk shall submit the petition to the commissioner of public safety.
3 Within 30 days after receipt of the petition the commissioner shall notify the clerk of
4 what the estimated actual cost of providing the services in the proposed service area
5 each month will be for a three-year period.

6 (c) Upon receipt by the clerk of notification of the estimated actual cost of
7 providing the additional services in the proposed police protection service area, the
8 question of forming the proposed service area and of levying assessments to cover that
9 estimated cost shall be placed before the voters residing in the proposed service area
10 during the next regular or special election held in the municipality. If the question is
11 approved by a majority of those voting on the question, the service area is formed and
12 the commissioner of public safety shall provide the additional services in that area.

13 (d) The governing body shall levy assessments in the service area to finance
14 the additional police protection services in an amount equal to the estimated actual cost
15 provided by the commissioner of public safety. Payments shall be made to the
16 commissioner by the municipality on a yearly or monthly basis, as determined by the
17 commissioner. The municipality may deduct a reasonable fee from assessments for
18 administrative or other costs incurred by the municipality.

19 (e) At least once every three years an election shall be held by the
20 municipality in a police protection service area formed under this section on the
21 question of continuation of the service area. The commissioner of public safety shall
22 submit a revised notice of the estimated actual cost of providing the services during
23 the next three years for inclusion with the question. If the question is not approved
24 by a majority of the residents voting on the question, the service area is dissolved 120
25 days after certification of the election. If the question is approved, the rate of
26 assessments shall be adjusted by the municipality based upon the commissioner's
27 notice.

28 (f) This section applies to home rule and general law municipalities.

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO: CSHB 18(CBA)

Revision Date: _____ Dept. Affected: Public Safety
 Title: "An Act relating to police protection service areas in municipalities" BRU: Alaska State Troopers
 Sponsor: Representative Bunde Component: Detachments
 Requestor: (H) Finance COMPONENT SERIAL NO. 799

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	1,919.7	1,919.7	1,919.7	1,919.7	1,919.7	1,919.7
TRAVEL	72.0	72.0	72.0	72.0	72.0	72.0
CONTRACTUAL	1,171.7	633.5	633.5	633.5	633.5	633.5
SUPPLIES	32.0	32.0	32.0	32.0	32.0	32.0
EQUIPMENT	634.7	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	957.5	664.3	664.3	664.3	664.3	664.3
TOTAL OPERATING	4,787.6	3,321.5	3,321.5	3,321.5	3,321.5	3,321.5

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

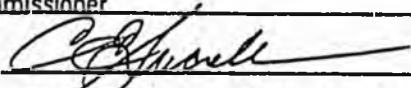
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	4,787.6	3,321.5	3,321.5	3,321.5	3,321.5	3,321.5
1006 GF/MHTIA						
Other						
TOTAL	4,787.6	3,321.5	3,321.5	3,321.5	3,321.5	3,321.5

Estimate of current year (FY 94) impact: \$ \$50,000 Recruiting Costs

POSITIONS:

FULL-TIME	29	29	29	29	29	29
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)
 See attached analysis.

Prepared By: C.E. Swackhammer Phone: 465-4322
 Division: Deputy Commissioner Date: 1/12/94
 Approved by Commissioner:  Date: 1-12-94
 Agency: Richard J. Burton, Dept. of Public Safety

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Assumptions

The area of Anchorage known as the Hillside (to include other areas such as Girdwood) is the home of about 40,000 citizens, a population equivalent to a small town. Prior to determining the size of the law enforcement presence, the demographics of the area must be reviewed. This area is primarily residential, with some small businesses and a small area of light manufacturing. There is one high school, one junior high school and five elementary schools. There is one bar in the area. The residential area consists of one large trailer court (400+ units), an area of primarily rental units and the majority of the population living in single family residences, in the mid to upper income level.

Suitable patrol presence on an average shift is three units, with a supervisor who is proactive and provides occasional initial response as well as backup for the three primary patrol units. Two followup investigators and three clerical positions support the patrol presence. The volume of calls in an area of this type will support the additional two dispatcher positions.

To administer a unit with twenty-two commissioned personnel and five civilians would require a First Sergeant and Lieutenant for a total of twenty-nine positions.

Costs not specifically associated with individual positions include the cost of leasing a substation (\$228.7), 911-Emergency telephone service from APD under a contract (\$60.0) and indirect management and administrative costs of 25% (\$957.5).

FIRST YEAR COSTS:

	4 x Sergeant	2 x Invest.	16 x Trooper	1 x Lieut.	1x F/Sgt.	3 x Clerk	2 x Disp.	Other*	Total
Pers. Serv.	\$316.5	\$143.4	\$1,104.8	\$78.5	\$73.8	\$109.8	\$92.9	-	\$1,919.7
Travel	12.0	6.0	48.0	3.0	3.0	-	-	-	72.0
Contractual	59.1	17.7	236.6	8.8	14.8	4.8	3.0	826.9	1,171.7
Supplies	3.9	1.9	15.4	1.0	1.0	7.8	1.0	-	32.0
Equipment	<u>103.9</u>	<u>47.4</u>	<u>406.1</u>	<u>22.8</u>	<u>26.0</u>	<u>28.0</u>	<u>0.5</u>	<u>-</u>	<u>634.7</u>
TOTAL	\$495.4	\$216.4	\$1,810.9	\$114.1	\$118.6	\$150.4	\$97.4	\$826.9	\$3,830.1

Management and Administration Overhead @ 25% 957.5

TOTAL \$4,787.6

PFT 29

* Other costs include:

Substation base	
(10,300 sq ft x \$1.85/per=)	\$228.7
911 Emergency Contract	60.0
Academy	<u>538.2</u>
	<u>\$826.9</u>

Investigator I
Anchorage
FY 95

PERSONAL SERVICES

Salary - Range 77, Step A, including 120 hours of overtime	\$49,987
Benefits	<u>21,725</u>
Total Personal Services	\$71,712

TRAVEL AND PER DIEM

Average - Training, Transfer costs, etc.	3,000
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CONTRACTUAL

Telephone/Postage, \$85 per mo	1,020
Photo processing, \$40 per mo	480
PSEA Physical exam, average	325
HWCF Vehicle - Class 116 - Yearly Operating/Replacement costs per SEF	<u>7,020</u>
Total Contractual	8,845

SUPPLIES & MATERIALS

Replacement uniforms, jackets, hats, handcuffs, etc. \$2,091 x 15% replaced yearly	314
Film supplies, office supplies, etc.	325
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>
Total Supplies & Materials	964

EQUIPMENT

Vehicle - SEF Class 116P, (unmarked)	16,800
Car radio with siren	3,000
Portable radio	2,000
Office furniture - desk, chair, etc.	1,100
Firearms - S&W .4006 & Rem 870P	<u>782</u>
Total Equipment	<u>23,682</u>

TOTAL COST	\$108,203
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State Trooper
Anchorage
FY 95

PERSONAL SERVICES

Salary - Range 76, Step A, including 120 hours of overtime	\$48,001
Benefits	<u>21,046</u>
Total Personal Services	\$69,047

TRAVEL AND PER DIEM

Average - Training, Transfer costs, etc.	3,000
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CONTRACTUAL

Telephone/Postage, \$85 per mo	1,020
Photo processing, \$40 per mo	480
PSEA Physical exam, average	325
HWCF Vehicle - Class 115 - Yearly Operating/Replacement costs per SEF	<u>12,960</u>
Total Contractual	14,785

SUPPLIES & MATERIALS

Replacement uniforms, jackets, hats, handcuffs, etc. \$2,091 x 15% replaced yearly	314
Film supplies, office supplies, etc.	325
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>
Total Supplies & Materials	964

EQUIPMENT (one time cost)

Vehicle - SEF Class 115P	20,000
Car radio	2,100
Portable radio	2,000
Officer furniture - (shared)	500
Firearms - S&W .4006 & Rem 870P	<u>782</u>
Total Equipment	<u>25,382</u>

TOTAL COST	\$113,178
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Sergeant
Anchorage
FY 95

PERSONAL SERVICES

Salary - Range 78, Step A, including 120 hours of overtime	\$55,515
Benefits	<u>23,612</u>
Total Personal Services	\$79,127

TRAVEL AND PER DIEM

Average - Training, Transfer costs, etc.	3,000
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CONTRACTUAL

Telephone/Postage, \$85 per mo	1,020
Photo processing, \$40 per mo	480
PSEA Physical exam, average	325
HWCF Vehicle - Class 115 - Yearly Operating/Replacement costs per SEF	<u>12,960</u>
Total Contractual	14,785

SUPPLIES & MATERIALS

Replacement uniforms, jackets, hats, handcuffs, etc. \$2,091 x 15% replaced yearly	314
Film supplies, office supplies, etc.	325
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>
Total Supplies & Materials	964

EQUIPMENT

Vehicle - SEF Class 115P, (unmarked)	20,000
Car radio	2,100
Portable radio	2,000
Officer furniture - desk, chair, etc.	1,100
Firearms - S&W .4006 & Rem 870P	<u>782</u>
Total Equipment	<u>25,982</u>

TOTAL COST

\$123,858

Clerk Typist III
FY 95

PERSONAL SERVICES

Salary - Clerk III - Range 8, Step A, including 120 hours of overtime	\$24,237
Benefits	<u>12,350</u>
Total Personal Services	\$36,587

CONTRACTUAL

Telephone/Postage, \$50 per mo	600
Repair and maintenance on micro computer	500
Utilities	<u>500</u>
Total Contractual	1,600

SUPPLIES & MATERIALS

Computer paper	500
Registration forms	1,000
Stationary, copy machine paper, etc.	<u>1,100</u>
Total Supplies & Materials	2,600

EQUIPMENT

Desk	500
Chair	225
Computer table	600
Micro computer with printer	<u>8,000</u>
Total Equipment	<u>9,325</u>

TOTAL COST	\$50,112
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Dispatcher II
Anchorage
FY95

PERSONAL SERVICES

Salary - Range 12, Step A, including 120 hours of overtime benefits	\$31,860 <u>14,610</u>
Total Personal Services	\$46,470

CONTRACTUAL

Utilities	500
Repair Maintenance of Radio Equipment	<u>1,000</u>
Total Contractual	\$1,500

SUPPLIES AND MATERIALS

Stationery, copy machine paper, etc.	\$ 500
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EQUIPMENT

Chair	<u>\$ 225</u>
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TOTAL COST	\$48,695
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Lieutenant
Anchorage
FY 95

PERSONAL SERVICES

Salary - Range 22, Step A,	\$55,872
Benefits	<u>22,620</u>
Total Personal Services	\$78,492

TRAVEL AND PER DIEM

Average - Training, Transfer costs, etc.	3,000
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CONTRACTUAL

Telephone/Postage, \$85 per mo	1,020
Photo processing, \$40 per mo	480
Physical exam, average	325
HWCF Vehicle - Class 116 - Yearly	
Operating/Replacement costs per SEF	<u>7,020</u>
Total Contractual	8,845

SUPPLIES & MATERIALS

Replacement uniforms, jackets, hats, handcuffs, etc.	
\$2,091 x 15% replaced yearly	314
Film supplies, office supplies, etc.	325
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>
Total Supplies & Materials	964

EQUIPMENT

Vehicle - SEF Class 116	16,800
Car radio	2,100
Portable radio	2,000
Officer furniture - (shared)	1,100
Firearms - S&W .4006 & Rem 870P	<u>782</u>

Total Equipment	<u>22,782</u>
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TOTAL COST	\$114,083
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First Sergeant
Anchorage
FY 95

PERSONAL SERVICES

Salary - Range 21, Step A,	\$52,344
Benefits	<u>21,517</u>
Total Personal Services	\$73,861

TRAVEL AND PER DIEM

Average - Training, Transfer costs, etc.	3,000
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CONTRACTUAL

Telephone/Postage, \$85 per mo	1,020
Photo processing, \$40 per mo	480
Physical exam, average	325
HWCf Vehicle - Class 115 - Yearly	
Operating/Replacement costs per SEF	<u>12,960</u>
Total Contractual	14,785

SUPPLIES & MATERIALS

Replacement uniforms, jackets, hats, handcuffs, etc.	
\$2,091 x 15% replaced yearly	314
Film supplies, office supplies, etc.	325
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>
Total Supplies & Materials	964

EQUIPMENT

Vehicle - SEF Class 115	20,000
Car radio	2,100
Portable radio	2,000
Officer furniture - (shared)	1,100
Firearms - S&W .4006 & Rem 870P	<u>782</u>

Total Equipment	<u>25,982</u>
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TOTAL COST	\$118,592
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Position Title Clerk Typist III		Number of Positions 3	Range/Step 8/A	Bargaining Unit ASEA	
Time Status PFT	Staff Months 12	Location Anchorage (statewide)	Election District 18		
Type of Expenditure		Justification			
Amount		<p>These three positions will provide general clerical support for the nineteen commissioned officers assigned to Hillside duty under the contract. Duties will include typing case reports, correspondence, filing, etc.</p>			
1	2				3
Salary*	24,237				
Benefits*	12,350				
Premium Pay (Included in Above)					
Other					
Total Personal Services					36,587
Travel					
Contractual					1,600
Commodities					2,800
Equipment		9,325			
Other					
Total Cost		50,112			
Funding Source For Total Cost					
Federal Receipts	1002				
G.F. Match	1003				
General Fund	1004				
Program Receipts/GF	1005		50,112		
I-A Receipts	1007				
CIP Receipts	1061				
Other					
* Personal Services Salary and Benefits Costs are from PACS calculations.					

**REQUEST FOR
NEW POSITION**

AGENCY Department of Public Safety

BRU Alaska State Troopers

COMPONENT Detachments

FY 95

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Revised Date

(1792) POSITION.NEW

Position Title Investigator I		Number of Positions 2	Range/Step 77/A	Bargaining Unit PSEA
Time Status PFT	Staff Months 12	Location Anchorage (statewide)	Election District 18	
Type of Expenditure		Amount		
1	2	3		
Salary*	49,987			
Benefits*	21,725			
Premium Pay (Included in Above)				
Other				
Total Personal Services		71,712		
Travel		3,000		
Contractual		8,845		
Commodities		964		
Equipment		23,682		
Other				
Total Cost		108,203		
Funding Sources For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005	108,203		
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				
Justification These two positions will be required to provide investigative services including follow-ups on initial Trooper contacts.				

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety

BRU Alaska State Troopers

COMPONENT Detachments

FY 95

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Revised Date

Position Title State Trooper		Number of Positions 13	Range/Step 76/A	Bargaining Unit PSEA
Time Status PFT	Staff Months 12	Location Anchorage (statewide)	Election District 18	
Type of Expenditure		Amount		
1	2	3		
Salary*	48,001	/		
Benefits*	21,046			
Premium Pay (Included in Above)				
Other				
Total Personal Services		69,047		
Travel		3,000		
Contractual		14,785		
Commodities		964		
Equipment		25,382		
Other				
Total Cost		113,178		
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005	113,178		
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				

Justification
 These positions will provide general police services typical of a municipal police department (more services than are generally expected from a standard Trooper).

**REQUEST FOR
NEW POSITION**

AGENCY Department of Public Safety

BRU Alaska State Troopers

COMPONENT Detachments

FY 95

Page **13** of **17**

 Revised Date

Position Title Sergeant, Public Safety			Number of Positions 1	Range/Step 78/A	Bargaining Unit PSEA
Time Status PFT	Staff Months 12		Location Anchorage (statewide)	Election District 18	
Type of Expenditure			Justification This position will act as the relief Sergeant to the Anchorage Post of 'B' Detachment that will be required when AST contracts for additional services.		
		Amount			
1	2	3			
Salary*	55,515				
Benefits*	23,612				
Premium Pay (Included in Above)					
Other					
Total Personal Services		79,127			
Travel		3,000			
Contractual		14,785			
Commodities		964			
Equipment		25,982			
Other					
Total Cost		123,858			
Funding Source For Total Cost					
Federal Receipts	1002				
G.F. Match	1003				
General Fund	1004				
Program Receipts/GF	1005	123,858			
I-A Receipts	1007				
CIP Receipts	1061				
Other					
* Personal Services Salary and Benefits Costs are from PACS calculations.					

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety

BRU Alaska State Troopers

COMPONENT Detachments

FY 95

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Revised Date

(1/92) POSITION.NEW

Position Title Dispatcher II			Number of Positions 2	Range/Step	Bargaining Unit ASEA
Time Status PFT	Staff Months 12		Location Anchorage (statewide)	Election District 18	
Type of Expenditure			Justification		
			Two additional dispatchers will be required to provide full dispatching services to the Hillside area.		
1		2	3		
Salary*		31,860			
Benefits*		14,610			
Premium Pay (Included in Above)					
Other					
Total Personal Services			46,470		
Travel					
Contractual			1,500		
Commodities			500		
Equipment			225		
Other					
Total Cost			48,695		
Funding Source For Total Cost					
Federal Receipts	1002				
G.F. Match	1003				
General Fund	1004				
Program Receipts/GF	1005		48,695		
I-A Receipts	1007				
CIP Receipts	1061				
Other					
* Personal Services Salary and Benefits Costs are from PACS calculations.					

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety

FY 95

BRU Alaska State Troopers

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COMPONENT Detachments

Revised Date

(1/92) POSITION.NEW

Position Title Lieutenant, P.S.		Number of Positions 1	Range/Step 22/A	Bargaining Unit SU
Time Status PFT	Staff Months 12	Location Anchorage (statewide)	Election District 18	
Type of Expenditure		Amount		
1	2	3		
Salary*	55,872			
Benefits*	22,620			
Premium Pay. (Included in Above)				
Other				
Total Personal Services		78,492		
Travel		3,000		
Contractual		8,845		
Commodities		964		
Equipment		22,782		
Other				
Total Cost		114,083		
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005	114,083		
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				

Justification
This position will provide management of the new unit to include contract compliance.

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety

BRU Alaska State Troopers

COMPONENT Detachments

FY 95

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Revised Date

Position Title First Sergeant, P.S.		Number of Positions 1	Range/Step 21/A	Bargaining Unit SU
Time Status PFT	Staff Months 12	Location Anchorage (statewide)	Election District 18	
Type of Expenditure		Amount		
1	2	3		
Salary*	52,344			
Benefits*	21,517			
Premium Pay (Included in Above)				
Other				
Total Personal Services		73,861		
Travel		3,000		
Contractual		14,785		
Commodities		964		
Equipment		25,982		
Other				
Total Cost		118,592		
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005	118,592		
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				

Justification
This position will be needed to provide supervision of the shift and relief sergeants as well as the two investigators and the clerical staff.

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety

BRU Alaska State Troopers

COMPONENT Detachments

FY 95

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Revised Date

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

No. 1
Bill Version: CSHB 18 (CRA)
(H) Publish Date: 3/22/93

Revision Date: _____ Dept. Affected: Public Safety
Title: "An Act relating to police protection
service areas in municipalities." BRU: Alaska State Troopers
Sponsor: Representative Bunde Component: Detachments
Requestor: Representative Bunde COMPONENT SERIAL NO. 799

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	1,885.8	1,885.8	1,885.8	1,885.8	1,885.8	1,885.8
TRAVEL	72.0	72.0	72.0	72.0	72.0	72.0
CONTRACTUAL	1,165.4	633.0	533.0	633.0	633.0	633.0
SUPPLIES	68.2	68.2	68.2	68.2	68.2	68.2
EQUIPMENT	624.2	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	953.9	664.7	664.7	664.7	664.7	664.7
TOTAL OPERATING	4,769.5	3,323.7	3,323.7	3,323.7	3,923.7	3,323.7

CAPITAL						
---------	--	--	--	--	--	--

REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	4,769.5	3,323.7	3,323.7	3,323.7	3,323.7	3,323.7
1006 GF/MHTIA						
Other						
TOTAL	4,769.5	3,323.7	3,323.7	3,323.7	3,323.7	3,323.7

POSITIONS:

FULL-TIME	29	29	29	29	29	29
PART-TIME						
TEMPORARY						

Estimate of current year (FY 93) impact: \$ _____

ANALYSIS: (Attach a separate page if necessary.)

See attached analysis.

Prepared By: C. E. Swackhammer Phone: 465-4322
Division: Commissioner's Office Date: 3/17/93
Approved by Commissioner: *Richard L. Burton* Date: 3/17/93
Agency: Richard L. Burton, Dept. of Public Safety

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For fur

Office

Department of Public Safety
Fiscal Note - HB 18
Page 2 of 18

Assumptions

The area of Anchorage known as the Hillside (to include other areas such as Girdwood) is the home of about 40,000 citizens, a population equivalent to a small town. Prior to determining the size of the law enforcement presence, the demographics of the area must be reviewed. This area is primarily residential, with some small businesses and a small area of light manufacturing. There is one high school, one junior high school and five elementary schools. There is one bar in the area. The residential area consists of one large trailer court (400+ units), an area of primarily rental units and the majority of the population living in single family residences, in the mid to upper income level.

Suitable patrol presence on an average shift is three units, with a supervisor who is proactive and provides occasional initial response as well as backup for the three primary patrol units. Two followup investigators and three clerical positions support the patrol presence. The volume of calls in an area of this type will support the additional two dispatcher positions.

To administer a unit with twenty-two commissioned personnel and five civilians would require a First Sergeant and Lieutenant for a total of twenty-nine positions.

Costs not specifically associated with individual positions include the cost of leasing a substation (\$228.7), 911-Emergency telephone service from APD under a contract (\$60.0) and indirect management and administrative costs of 25% (\$953.9).

FIRST YEAR COSTS:

	<u>4 x Sergeant</u>	<u>2 x Invest.</u>	<u>16 x Trooper</u>	<u>1 x Lieut.</u>	<u>1x F/Sgt.</u>	<u>1 x Clerk</u>	<u>3 x Disp.</u>	<u>2 x Other*</u>	<u>Total</u>
Pers. Serv.	\$317.2	\$143.7	\$1,073.0	\$78.8	\$74.1	\$109.1	\$89.9	-	\$1,885.8
Travel	12.0	6.0	48.0	3.0	3.0	-	-	-	72.0
Contractual	35.7	17.9	251.5	15.7	15.7	4.8	3.0	821.1	1,165.4
Supplies	9.9	4.9	39.6	2.5	2.5	7.8	1.0	-	68.2
Equipment	<u>90.9</u>	<u>47.2</u>	<u>405.2</u>	<u>26.2</u>	<u>26.2</u>	<u>28.0</u>	<u>0.5</u>	<u>-</u>	<u>624.2</u>
TOTAL	\$465.7	\$219.7	\$1,817.3	\$126.2	\$121.5	\$149.7	\$94.4	\$821.1	\$3,815.6
Management and Administration Overhead @ 25%									953.9
TOTAL									<u>\$4,769.5</u>
PFT									29

* Other costs include:

Substation base (10,300 sq ft x \$1.85/per=)	\$228.7
911 Emergency Contract	60.0
Academy	<u>532.4</u>
	<u>\$821.1</u>

CSHS 18(C2A)
Do. 1

Investigator I
Anchorage
FY 94

PERSONAL SERVICES

Salary - Range 77, Step A, including 120 hours of overtime	\$49,987	
Benefits	<u>21,874</u>	
Total Personal Services		\$71,861

TRAVEL AND PER DIEM

Average - Training, Transfer costs, etc.		3,000
--	--	-------

CONTRACTUAL

Telephone/Postage, \$85 per mo	1,020	
Photo processing, \$40 per mo	480	
PSEA Physical exam, average	325	
PSEA Cloth. Allowance, \$53 per mo	636	
HWCF Vehicle - Class 116P - Yearly Operating/Replacement costs per SEF	<u>6,480</u>	
Total Contractual		8,941

SUPPLIES & MATERIALS

Initial Issue - uniforms with accessories - jacket, hats, handcuffs, etc,	1822	
Film supplies, office supplies, etc.	325	
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>	
Total Supplies & Materials		2,472

EQUIPMENT

Vehicle - SEF Class 116P, (unmarked)	16,800	
Car radio with siren	3,000	
Portable radio	1,900	
Office furniture - desk, chair, etc.	1,100	
Firearms - S&W .4006 & Rem 870P	<u>782</u>	
Total Equipment		<u>23,582</u>

TOTAL COST		\$109,856
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PERSONAL SERVICES

Salary - Range 76, Step A, including 120 hours of overtime	\$46,418	
Benefits	<u>20,645</u>	
Total Personal Services		\$67,063

TRAVEL AND PER DIEM

Average - Training, Transfer costs, etc.		3,000
--	--	-------

CONTRACTUAL

Telephone/Postage, \$85 per mo	1,020	
Photo processing, \$40 per mo	480	
PSEA Physical exam, average	325	
PSEA Clothing Allowance, \$53 per mo	636	
HWCF Vehicle - Class 115C - Yearly Operating/Replacement costs per SEF	<u>13,260</u>	
Total Contractual		15,721

SUPPLIES & MATERIALS

Initial Issue - uniforms with accessories - jacket, hats, handcuffs, etc.	1,822	
Film supplies, office supplies, etc.	325	
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>	
Total Supplies & Materials		2,472

EQUIPMENT (one time cost)

Vehicle - SEF Class 115P	20,000	
Car radio	2,000	
Portable radio	1,900	
Officer furniture - (shared)	500	
Firearms - S&W .4006 & Rem 870P	<u>927</u>	
Total Equipment		<u>25,327</u>

TOTAL COST

\$113,583

Sergeant
Anchorage
FY 94

PERSONAL SERVICES

Salary - Range 73, Step A, including 120 hours of overtime	\$55,515	
Benefits	<u>23,779</u>	
Total Personal Services		\$79,293

TRAVEL AND PER DIEM

Average - Training, Transfer costs, etc.		3,000
--	--	-------

CONTRACTUAL

Telephone/Postage, \$85 per mo	1,020	
Photo processing, \$40 per mo	480	
PSEA Physical exam, average	325	
PSEA Clothing Allowance, \$53 per mo	636	
HWCF Vehicle - Class 116P - Yearly Operating/Replacement costs per SEF	<u>6,480</u>	
Total Contractual		8,941

SUPPLIES & MATERIALS

Initial Issue - uniforms with accessories - jacket, hats, handcuffs, etc.	1,822	
Film supplies, office supplies, etc.	325	
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>	
Total Supplies & Materials		2,472

EQUIPMENT

Vehicle - SEF Class 116P, (unmarked)	16,800	
Car radio	2,000	
Portable radio	1,900	
Officer furniture - desk, chair, etc.	1,100	
Firearms - S&W .4006 & Rem 870P	<u>927</u>	
Total Equipment		<u>22,727</u>

TOTAL COST

\$116,433

Clerk Typist III
FY 94

PERSONAL SERVICES

Salary - Clerk III - Range 8, Step A, including 120 hours of overtime	\$24,237	
Benefits	<u>12,145</u>	
Total Personal Services		\$36,382

CONTRACTUAL

Telephone/Postage, \$50 per mo	600	
Repair and maintenance on micro computer	500	
Utilities	<u>500</u>	
Total Contractual		1,600

SUPPLIES & MATERIALS

Computer paper	500	
Registration forms	1,000	
Stationary, copy machine paper, etc.	<u>1,100</u>	
Total Supplies & Materials		2,600

EQUIPMENT

Desk	500	
Chair	225	
Computer table	600	
Micro computer with printer	<u>8,000</u>	
Total Equipment		<u>9,325</u>

TOTAL COST

\$49,907

Dispatcher II
Anchorage
FY94

PERSONAL SERVICES

Salary - Range 12. Step A,
including 120 hours of overtime
Benefits

\$30,803
14,158

Total Personal Services

\$44,961

CONTRACTUAL

Utilities
Repair Maintenance of Radio Equipment

500
1,000

Total Contractual

\$1,500

SUPPLIES AND MATERIALS

Stationery, copy machine paper, etc.

\$ 500

EQUIPMENT

Chair

\$ 225

TOTAL COST

\$47,186

Lieutenant
Anchorage
FY 94

PERSONAL SERVICES

Salary - Range 22, Step A,	\$55,872	
Benefits	<u>22,886</u>	
Total Personal Services		\$78,758

TRAVEL AND PER DIEM

Average - Training, Transfer costs, etc.		3,000
--	--	-------

CONTRACTUAL

Telephone/Postage, \$85 per mo	1,020	
Photo processing, \$40 per mo	480	
Physical exam, average	325	
Clothing Allowance, \$53 per mo	636	
HWCF Vehicle - Class 115 - Yearly		
Operating/Replacement costs per SEF	<u>13,260</u>	
Total Contractual		15,721

SUPPLIES & MATERIALS

Initial Issue - uniforms with accessories - jacket, hats, handcuffs, etc,	1,822	
Film supplies, office supplies, etc.	325	
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>	
Total Supplies & Materials		2,472

EQUIPMENT

Vehicle - SEF Class 115P	20,000	
Car radio	2,000	
Portable radio	1,900	
Officer furniture - (shared)	1,100	
Firearms - S&W .4006 & Rem 870P	<u>927</u>	
Total Equipment		26,227

TOTAL COST

\$126,173

First Sergeant
Anchorage
FY 94

PERSONAL SERVICES

Salary - Range 21, Step A,	\$52,344	
Benefits	<u>21,741</u>	
Total Personal Services		\$74,085

TRAVEL AND PER DIEM

Average - Training, Transfer costs, etc.		3,000
--	--	-------

CONTRACTUAL

Telephone/Postage, \$85 per mo	1,020	
Photo processing, \$40 per mo	480	
Physical exam, average	325	
Clothing Allowance, \$53 per mo	636	
HWCF Vehicle - Class 115 - Yearly		
Operating/Replacement costs per SEF	<u>13,260</u>	
Total Contractual		15,721

SUPPLIES & MATERIALS

Initial Issue - uniforms with accessories - jacket, hats, handcuffs, etc,	1,822	
Film supplies, office supplies, etc.	325	
Vehicle accessories - blanket, tire chains, snow tires, flares, etc.	<u>325</u>	
Total Supplies & Materials		2,472

EQUIPMENT

Vehicle - SEF Class 115P	20,000	
Car radio	2,000	
Portable radio	1,900	
Officer furniture - (shared)	1,100	
Firearms - S&W .4006 & Rem 870P	<u>927</u>	
Total Equipment		26,227

TOTAL COST		\$121,505
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Position Title Clerk Typist III		Number of Positions 2	Range/Step 8/A	Bargaining Unit ASEA
Time Status PFT	Staff Months 12	Location Anchorage (statewide)	Election District 18	
Type of Expenditure		Amount		
1	2	3		
Salary*	24,237			
Benefits*	12,145			
Premium Pay (Included in Above)				
Other				
Total Personal Services		36,382		
Travel				
Contractual		1,600		
Commodities		2,600		
Equipment		9,325		
Other				
Total Cost		49,907		
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005	49,907		
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				

Justification
 These two positions will provide general clerical support for the nineteen commissioned officers assigned to Hillside duty under the contract. Duties will include typing case reports, correspondence, filing, etc.

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety
 BRU Alaska State Troopers
 COMPONENT Criminal Investigation Bureau

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 Revised Date

FY 94

CSHS 181024

(1/92) POSITION.NEW

Position Title Investigator I		Number of Positions 1	Range/Step 77/A	Bargaining Unit PSEA
Time Status PFT	Staff Months 12	Location Anchorage (statewide)	Election District 18	
Type of Expenditure		Justification		
Amount		This position will be required to provide investigative services including follow-ups on initial Trooper contacts.		
1	2	3		
Salary*	49,987			
Benefits*	21,874			
Premium Pay (Included in Above)				
Other				
Total Personal Services		71,861		
Travel		3,000		
Contractual		8,941		
Commodities		2,472		
Equipment		23,582		
Other				
Total Cost		109,856		
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005	109,856		
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				

**REQUEST FOR
NEW POSITION**

AGENCY Department of Public Safety
 BRU Alaska State Troopers
 COMPONENT Criminal Investigation Bureau

FY 94

Page 12 of 18
 Revised Date _____

12/1/93

(1/92) POSITION.NEW

Position Title State Trooper		Number of Positions 13	Range/Step 76/A	Bargaining Unit PSEA
Time Status PFT	Staff Months 12	Location Anchorage (statewide)		Election District 18
Type of Expenditure		Justification		
1	2	Amount		
3				
Salary*	46,418	These positions will provide general police services typical of a municipal police department (more services than are generally expected from a standard Trooper).		
Benefits*	20,645			
Premium Pay (Included in Above)				
Other				
Total Personal Services	67,063			
Travel	3,000			
Contractual	15,721			
Commodities	2,472			
Equipment	25,327			
Other				
Total Cost	113,583			
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005	113,583		
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety

BRU Alaska State Troopers

COMPONENT Criminal Investigation Bureau

FY 94

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Revised Date

CS/HS 18 (C-24)

(1/92) POSITION.NEW

Position Title Sergeant, Public Safety		Number of Positions 1	Range/Step 78/A	Bargaining Unit PSEA
Time Status PFT	Staff Months 12	Location Anchorage (statowide)		Election District 18
Type of Expenditure		Justification		
		This position will act as the relief Sergeant to the Anchorage Post of 'B' Detachment that will be required when AST contracts for additional services.		
Amount				
1	2	3		
Salary*	55,515			
Benefits*	23,779			
Premium Pay (Included in Above)				
Other				
Total Personal Services		79,293		
Travel		3,000		
Contractual		8,941		
Commodities		2,472		
Equipment		22,727		
Other				
Total Cost		116,433		
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005	116,433		
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety
BRU Alaska State Troopers
COMPONENT Criminal Investigation Bureau

FY 94

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Revised Date

CSHB 18(DRA)

(1/92) POSITION.NEW

Position Title Corporal		Number of Positions 4	Range/Step 77/A	Bargaining Unit PSEA
Time Status PFT	Staff Months 12	Location Anchorage (statewide)	Election District 18	
Type of Expenditure		Justification		
1	2	3	<p>These four positions will act as both shift supervisors and providers of direct general police services as situations and work load dictates. Each will supervise three on-duty trooper positions.</p>	
Salary*	49,987			
Benefits*	21,874			
Premium Pay (Included in Above)				
Other				
Total Personal Services		71,861		
Travel		3,000		
Contractual		15,721		
Commodities		2,472		
Equipment		25,327		
Other				
Total Cost			118,381	
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005		118,381	
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety

BRU Alaska State Troopers

COMPONENT Criminal Investigation Bureau

FY 94

Page 15 of 18
Revised Date

CS HAS 13C(24)
2.1

(1/92) POSITION.NEW

Position Title Dispatcher II		Number of Positions 2	Range/Step	Bargaining Unit ASEA
Time Status PFT	Staff Months 12	Location Anchorage (statewide)	Election District 18	
Type of Expenditure		Justification		
		Two additional dispatchers will be required to provide full dispatching services to the Hillside area.		
1	2	3		
Salary*	30,803			
Benefits*	14,158			
Premium Pay (Included in Above)				
Other				
Total Personal Services		44,961		
Travel				
Contractual		1,500		
Commodities		500		
Equipment		225		
Other				
Total Cost		47,186		
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005	47,186		
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety
BRU Alaska State Troopers
COMPONENT Criminal Investigation Bureau

FY 94

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Revised Date

CS HB 18(644)
Mo. 1

(1/92) POSITION.NEW

Position Title Lieutenant, P.S.		Number of Positions 1	Range/Step 22/A	Bargaining Unit SU
Time Status PFT	Staff Months 12	Location Anchorage (statewide)	Election District 18	
Type of Expenditure		Amount		
1	2	3		
Salary*	55,872			
Benefits*	22,886			
Premium Pay (Included in Above)				
Other				
Total Personal Services		78,758		
Travel		3,000		
Contractual		15,721		
Commodities		2,472		
Equipment		26,227		
Other				
Total Cost		126,178		
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005	126,178		
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				
Justification This position will provide management of the new unit to include contract compliance.				

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety
BRU Alaska State Troopers
COMPONENT Detachment

FY 94

Page 17 of 18
Revised Date

CS HS 18 (CAA)
No. 1

(1/92) POSITION.NEW

Position Title First Sergeant, P.S.		Number of Positions 1	Range/Step 21/A	Bargaining Unit SU
Time Status PFT	Staff Months 12	Location Anchorage (statewide)	Election District 18	
Type of Expenditure		Justification		
		This position will be needed to provide supervision of the shift and relief sergeants as well as the two investigators and the clerical staff.		
Amount				
1	2	3		
Salary*	52,344			
Benefits*	21,741			
Premium Pay (Included in Above)				
Other				
Total Personal Services		74,085		
Travel		3,000		
Contractual		15,721		
Commodities		2,472		
Equipment		26,227		
Other				
Total Cost		121,505		
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004			
Program Receipts/GF	1005	121,505		
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety
BRU Alaska State Troopers
COMPONENT Detachments

Page 18 of 18
Revised Date

FY 94

No. 1 (4/2/94)

House of Representatives

SPONSOR STATEMENT
HOUSE BILL 18

This bill authorizes residents within a borough or municipality to petition for the formation of a service area with defined boundaries, for the purpose of police protection. Police services will be provided by the Department of Public Safety. Property owners within service areas will be assessed for the contracted amount by their local governments, who will in turn reimburse The Department of Public Safety.

The possibilities for police protection service areas within boroughs under HB 18 are practically limitless. Residents in any geographical location within a borough could petition for a service area, and if the majority of residents within the area voted favorably on the measure, they would get the police service.

Residents of boroughs that already provide police protection on an area wide basis could presumably take advantage of the opportunity created by this bill, on the grounds that they want more or less police protection than the borough is providing. For example, a neighborhood in the Mendenhall Valley of Juneau could petition for a service area to obtain the patrol of a state trooper to supplement municipal police service.

Most residents of municipalities and boroughs that are currently without a local police department are currently served by the State Troopers at no cost to the residents. There is always the possibility that enactment of HB 18 would create an incentive for the Department of Public Safety to hasten the process of withdrawing from areas without local police service that have property tax resources. That is, in response to budgetary belt-tightening, the department might reduce services to areas with property tax resources with the expectation of obtaining a reimbursement contract with a new service area. Many communities will probably want to compare the costs and benefits of forming a local police force with that of trooper service through a service area. HB 18 would give The Department of Public Safety the opportunity to

shift the cost of services it now provides from its general fund appropriation to the beneficiaries of its services. If this were to happen, more service areas might be formed than would otherwise be the case.

The fiscal note that accompanies this packet is highly questionable, in my opinion. The Department of Public Safety has totally ignored the statewide ramifications of this legislation, and has instead chosen to direct their fiscal note at only the Anchorage Hillside area. There are less than 10,000 Anchorage Hillside residents effected by this legislation, and Girdwood currently has a trooper both patrolling and living in the area. The department assumes a level of service that has not been requested in any negotiations with any agency. Additionally, the department of public safety is unable to statistically support the number of additional personnel they have deemed necessary in this fiscal note. Therefore, the fiscal note would be, in my estimation, a negative fiscal note, because it would generate revenue for the department.

This bill addresses a need that is statewide. If this bill is enacted any area of the state has the right to form a service area and pay for the level of protection they feel is necessary. HB 18 would fill a gap for many communities throughout the state, I urge the passage of the legislation.

1/14/94

House of Representatives

SECTIONAL ANALYSIS
HOUSE BILL 18

Section 1: Amends AS 29.10.200 by adding a new paragraph to read:
(51) AS 29.35.495 (police protection service areas)

Section 2: Amends AS 29.35 by adding a new section to article 7. Section
29.35.495 POLICE PROTECTION SERVICE AREAS .

(a) This section allows residents of an area in a municipality to file a petition for the formation of a police protection service area. The boundaries must be described in the petition, and the additional police protection services to be provided by the Department of Public Safety in the area shall be signed by at least 10% of the voters in the proposed service area.

(b) Upon receipt of the petition the Commissioner of Public Safety has 30 days to notify the clerk of the estimated actual cost of providing the services in the proposed service area.

(c) Upon receipt of the estimated actual cost of providing the additional services in the proposed service area, the question of levying assessments to cover the estimated cost shall be placed before the voters residing in the proposed special service area during the next regular or special election held in the municipality.

(d) The governing body shall levy assessments to finance additional police protection services in the amount equal to the estimated actual cost from the Dept. of Public Safety. Payment shall be made to the commissioner by the municipality or borough.

(e) At least once every three years an election shall be held by the municipality in a police protection service area that has been formed. The Commissioner of Public Safety shall submit a revised notice of the estimated actual cost of providing the services during the next three years for inclusion. If the question is not approved by a majority of residents voting, the service area shall be dissolved 120 days after certification of the election. If the question is approved, the rate of assessments shall be adjusted by the municipality.

(f) This section applies to home rule and general law municipalities.

BILL NO: HB 18

DATE: March 17, 1993

TITLE: "An Act relating to police protection service areas in municipalities"

CONTACT: C.E. Swackhammer
Deputy Commissioner
465-4322

HB 18 allows residents of a municipality to form a police protection service area in which the Department of Public Safety will provide a specified level of police protection funded by assessments upon the residents.

It has been the position of the Governor and the Commissioner of Public Safety to withdraw Troopers from urban areas which are authorized to provide police protection on their own, and to concentrate the Department's resources in rural and unorganized areas of the State. This bill runs counter to that position, allowing residents of organized municipalities to require police protection from Troopers. Those areas forming service areas would have a contractual right to a certain level of service from Troopers that rural citizens would not share. Many rural communities have never had a local Trooper, and other communities have lost their Trooper Posts as budget cuts have forced the Department to reduce services.

The Department is concerned about potential problems raised by HB 18 including:

The process for establishing a service district, including the requirements that such contracts may impose on the Department to hire (or layoff) employees bypasses the Legislature;

The bill does not provide any information on what happens if the assessment accepted by the voters is insufficient to fund the level of service contracted, (who makes up the difference?);

There would be a loss of local control over police protection as there would be no local setting of policies, and no enforcement of local ordinances;

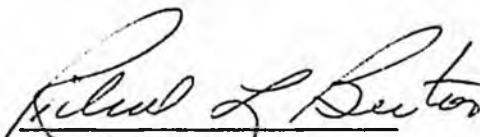
The Department could experience a highly variable demand for Troopers as municipalities adopt and reject service areas, requiring hiring and training efforts in some years and layoffs in others;

Individual Troopers could find that employment with the Department was less predictable, less stable, and therefore less desirable due to the uncertainty that any given service area contract would be extended; and,

Because of the long lag time in selecting, hiring, and training Troopers, adoption of service area contracts could mean reduced services to the rest of the citizens served by the Department.

The Task Force on Governmental Roles, formed under SCS CS HCR 17 (CRA) by the 17th Legislature, examined the functions of state, federal, and local governments and made recommendations as to the appropriate roles and relationships of the different levels of government with respect to several governmental functions. The Task Force was composed of House and Senate members, representatives of the executive branch, representatives from the Municipal League, and a representative from the unorganized borough. In their final report the Task Force made the following recommendation: "...To encourage and facilitate the implementation of police protection and to generate economies of scale, the Task Force advocates a change in Title 29 to permit assemblies of unified municipalities and home rule boroughs to establish service areas for police protection, notwithstanding charter provisions that place restrictions on the service area formation process. Authority to form service areas for police protection should also be given to general law boroughs. This would resolve the Hillside problem and prevent similar situations in other municipalities. ..." The Department feels that the approach recommended by the Task Force is better public policy, as it avoids several of the potential problems raised by HB 18.

The Department of Public Safety opposes the bill.



Richard L. Burton
Commissioner

DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

January 22, 1994

SUBJECT: Police Protection Service Areas (HB 18)

TO: Representative Con Bunde

FROM: Tamara Brandt Cook
Director *TBC*

HB 18 sets up a procedure whereby residents of an area in a municipality may form a police protection service area with the services to be provided by the Department of Public Safety. You have asked whether the bill violates Article X, sec. 5 of the state constitution. While it is possible that a court would find the bill invalid under that section, it is more likely that the bill would withstand constitutional scrutiny.

Article X, sec. 5 provides in full

Section 05. Service Areas. Service areas to provide special services within an organized borough may be established, altered, or abolished by the assembly, subject to the provisions of law or charter. A new service area shall not be established if, consistent with the purposes of this article, the new service can be provided by an existing service area, by incorporation as a city, or by annexation to a city. The assembly may authorize the levying of taxes, charges, or assessments within a service area to finance the special services.

The purpose behind this provision was to ensure centralized planning and coordination of governmental functions by limiting the taxing power to governmental units with broad rather than specialized concerns. (State v. Alex, P. 2d 203 (Alaska 1982); Alaska Constitutional Convention Proceedings, Pages 2699-2700) While the court has considered Article X, sec. 5 in several other cases, it has not identified a service area formed in a borough in violation of this section. (Concerned Citizens v. Kenai Peninsula Borough, 527 P. 2d 447 (Alaska 1974)); Falks v. Fairbanks North Star Borough, 648 P. 2d 597 (Alaska 1982); Fairbanks North Star Borough v. College Utilities Corporation, 689 P. 2d 460 (Alaska 1984)) For this reason, the relationship between the authority granted to form a service area and the limitation on the formation of a service area is uncertain.

The second sentence of Article X, sec. 5 prohibits formation of a new service area if the service could be provided by an existing service area, by incorporation as a city, or by annexation to a city. If HB 18 is enacted, it is possible that a court would conclude that some service areas formed under the authority of that statute are, nonetheless, invalid because the service could have been provided by an existing service area or city. Other service areas formed under the authority of HB 18 might be perfectly fine. In short, I believe that HB 18 does not violate the limitation on formation of service on its face, but that the constitutional restriction on formation of service areas will limit the application of HB 18 in certain circumstances.

In addition, Art. X, sec. 5 authorizes the formation of service areas by the assembly. While it is true that under existing law the exercise of a power on a service area basis is subject to voter approval in many cases (AS 29.35.490), an ordinance is required for service area formation and that requires assembly action. Under HB 18 a police protection service area is formed by petition and vote of the residents of the area. The assembly plays no role in the formation of the service area. This seems questionable under the first sentence of Article X, sec. 5.

But, once again, it is not clear to me that the outcome of a challenge to HB 18 on this theory is a foregone conclusion. The constitutional language does not say only an assembly may form a service area, and formation of a service area is "subject to the provisions of law." However, to lessen the possibility of an adverse decision based upon this provision, HB 18 could be modified to give a greater role to the assembly in the formation of police protection service areas.

Lastly, you have asked how HB 18, if enacted, would affect a home rule municipality. Because the section added by this bill, AS 29.35.495, specifically serves as a limit on home rule authority, the statute would control over any conflicting provisions that might be contained in the charter of a home rule municipality. That is, even if the charter contains restrictions on the formation of a service area or on the types of functions that can be performed on a service area basis, residents would be able to form a service area under AS 29.35.495.

TBC:lmb
94-017.lmb

Backup

METRO

ANCHORAGE DAILY NEWS

SECTION B



BILL ROTH / Anchorage Daily News

homes farther north. This one landed recently at Westchester.

Troopers trim duty in Wasilla

Cutbacks force move

By PAMELA DOTO
Daily News reporter

Alaska State Troopers will stop patrolling Wasilla next month — a move that has some residents skittish about the city's vulnerability to crime.

Trooper administrators, who have been planning the move since January, say budget cutbacks will force them to direct their attention elsewhere. Besides, the town of 4,400 should have its own police force like neighboring Palmer, said trooper director Col. John Murphy.

"As far as we're concerned, it's time for Wasilla to start paying its own way," Murphy said.

Troopers now patrol the city limits and respond to routine calls, like thefts, car accidents and burglaries. They even arrest an average of 30 drunken drivers in the city each month.

But that will stop May 1. Troopers will still be able to arrest some drunken drivers while they're patrolling the highways, but not as many. And they won't respond to any more thefts, minor accidents and burglaries.

Wasilla residents can do the paperwork themselves and mail a report to troopers if they want them to investigate, troopers said.

If the situation is life-threatening or a major crime, however, troopers will still respond, Murphy said.

But, "It's our belief that they should have their own police department," he said.

Murphy said the cutbacks will be similar to how the troopers now handle the Hillside area, which they stopped patrolling early last winter.

There are only three troopers and one sergeant for each shift to patrol an area

Raise tuition rates

will undergo reorganization

full-time resident semester, up from

at or below the comparable institu-

discussed raising

dent, criticized wasteful university spending and said it was time for regents to begin finding other ways to cut the budget.

"The students are serious," he said. "It's time to roll up our sleeves and get to work."

Students have also lobbied legislators, regents and Gov. Wally Hickel for additional building maintenance funding.

Peninsula prison may see job cuts

The Associated Press

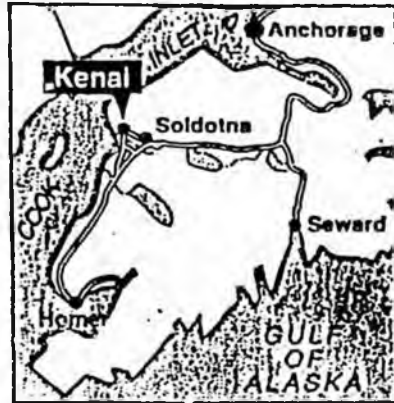
KENAI — The Department of Corrections says it could meet more than half its goal of \$7.5 million in budget cuts by closing most of the Wildwood medium-security prison.

The move would eliminate 60 area jobs.

Frank Prewitt, deputy commissioner of the Department of Corrections, said the prison would operate with 50 or fewer inmates while renovations were made to enlarge the institution for eventual reopening later.

Wildwood Correctional Center houses about 200 prisoners.

Although about 150 corrections jobs are headed for layoffs statewide, the Ke-



KEVIN POWELL / Anchorage Daily News

na's Wildwood prison will be hardest hit, Prewitt said.

Ken Brown, Wildwood superintendent, said workers found out Wednesday they may be out of a job.

"They're demoralized and

angry," Brown said. "They feel as though it's politics, and politics is an unseemly business."

Prewitt said Wildwood workers with seniority might move to other state prisons if they want to relocate. Some of the staff cuts may be accomplished through an early retirement program, he added.

The proposal has upset local politicians who say it's a state Senate attempt to keep jails open in the Matanuska and Susitna valleys and Anchorage.

Wildwood expansion would use prison labor. The project is part of a five- to 10-year plan being pursued separate from the budget-cutting exercise.

"In the short haul, it is a tough hit for the Kenai community," Prewitt said.

Wildwood Pre-Trial Facility, which employs 40 people and houses offenders before they are sentenced, would remain open during prison renovations.

Sentenced inmates serving time at the medium-security prison would be housed elsewhere in the state.

Prewitt said space would open up perhaps as soon as July when minimum-security prisoners are released to halfway houses, electronic monitoring programs or other community programs.

"We're getting to the point where we've about settled on this plan," Prewitt said.



Murder suspect Ch

WASILLA: Troopers to stop patrolling Valley town

Continued from Page B-1

their efforts in areas that cannot support a police force, like Big Lake. That community has had a spree of burglaries and other crimes.

"We haven't been able to give it enough attention," Trooper Capt. Pat Kasnick said.

Wasilla residents have twice voted down a proposal to establish their own police force.

But Mayor John Stein said support for a police

department is growing because Wasilla is maturing into a family-oriented community.

"Residents are beginning to feel a little insecure," Stein said.

Still, Stein said not everyone wants Wasilla to have its own police, and the support he's seen so far isn't enough to get a proposal on the table.

Some residents have a frontier attitude toward public safety, he said.

"There are a lot of people that arm themselves and

their homes," he said.

A police force would cost the city anywhere from \$500,000 to \$600,000 a year and would double residents' property tax rate, Stein said.

The city's business community — made up of about 700 stores and shops — is receptive to having their own police protection. Many merchants, however, can't even vote on the issue because they don't live in Wasilla, said Cheryl Riggs, vice president of the city's chamber of commerce.

"I think the city of Wasilla is pretty volatile," Riggs said. "It doesn't have the protection it really needs for a first-class city."

Murphy said there may be a lot of changes statewide in the areas troopers will actively patrol because of the budget cuts. And if residents don't like it, they should let state lawmakers know, he said.

"The citizens of this state have to make a decision on what's important to them," Murphy said. "We're going to do what we can with what we have."

Lawyer seeks v

By GAIL RANDALL Daily News reporter

A lawyer for Ch worker accused of last summer, said moved somewhere rural community.

"I think it w Glennallen," said Smithart's case la Dleni withdrew. " Smithart's trial Lemaire disapp

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DEPARTMENT OF PUBLIC SAFETY
COMMISSIONER'S OFFICE
Juneau, Alaska

JAN 28 1993

January 26, 1993

Richard L. Burton, Commissioner
Department of Public Safety
P.O. Box 111200
Juneau, AK 99811-1200

Re: Legislation with respect to the exercise of municipal police protection powers.

Dear Dick:

As usual, it was delightful and refreshing to see you again at the SWAMC Conference and to be able to exchange ideas and concerns with you. With regard to the problem perceived by the state of the municipal assumption of police protection, I enclose for your review Section IVB of the Final Report of the Task Force on Governmental Roles. This section of the report deals with the relationship of the state and municipalities in the area of police protection, criminal prosecution and jails.

The Task Force was formed under SCS CS HCR 17 (CRA) of the 17th Legislature. The task of the Task Force was to examine the functions of state, federal and local governments and to make recommendations as to the appropriate roles and relationships of the different levels of government with respect to the different governmental functions. The committee focused almost exclusively on the state/local relationships. Because the governor vetoed the appropriation for the Task Force, it was unable to address all the governmental functions in which there is an interface between the state and municipalities. However, it did address some of the public safety issues, and that part of the report is included. I was one of two public members appointed to the Task Force by the governor. The other members of the Task Force consisted of Senate and House members, persons appointed by the Municipal League, persons representing the executive branch and a person representing an unincorporated community in the unorganized borough.

The committee recommendation with respect to the police protection power issue is in the second paragraph on page 25 of the final report. This position was something of a compromise between the administration's position that all municipalities over a certain size should be required to provide police protection and the position of the municipalities that they should not be forced to undertake a state function they are unwilling to assume. If legislation were adopted to implement this recommendation, it would have the effect of placing squarely in the hands of the assembly of second class

January 26, 1993
Page 2

and home rule boroughs and unified municipalities the authority to establish service areas for police protection without a vote of the residents. A vote is currently required for second class boroughs and is often required under the charters of home rule boroughs and unified municipalities. The legislation would be drafted so as to remove and override all charter and statutory impediments to the formation by the local governing body of service areas for police protection purposes. Although I believe the Task Force recognized that such legislation would not, in itself, either establish or require the establishment of police protection service areas, it would remove the statutory and charter restrictions that may currently exist. I am sure that Barbara Blasco or one of her assistants in the governmental affairs section of the AG's office could provide you with legislation to implement this recommendation of the Task Force.

While most municipalities applaud the removal of restrictions on the exercise of municipal powers, the legislation discussed above might not be as universally acceptable to municipalities.

I share with most municipalities their concern for the understaffing and underbudgeting of your department and hope the legislature will see its way clear to provide you with the resources you need to serve our state.

Sincerely,

PRESTON THORGRIMSON
SHIDLER GATES & ELLIS

By: 
Gerald Lee Sharp

Enclosures
LTRA94LBURTON.115

An ultimate state policy goal should be to maintain local choice without imposing unnecessary costs on the state. To this end the Task Force advocates that the administration adopt a much tougher policy line with municipalities that refuse to pay for basic public protection services. For example, the Department of Public Safety could guarantee a minimum level of trooper response, similar to that in unincorporated areas, but require a contractual arrangement with local authorities covering complete costs for state troopers to provide any higher level of response to a particular service area.

To encourage and facilitate the implementation of police protection and to generate economies of scale, the Task Force advocates a change in Title 29 to permit the assemblies of unified municipalities and home rule boroughs to establish service areas for police protection, notwithstanding charter provisions that place restrictions on the service area formation process. Authority to form service areas for police protection should also be given to general law boroughs. This would resolve the Hillside problem and prevent similar situations in other municipalities.

The state must prosecute offenses charged under state laws. The Task Force position is that areawide police and prosecution services should apply to all classes of municipalities to encourage unified delivery. If the City and Borough of Juneau with a population of 28,965 provides prosecution services, then why not Kenai Peninsula Borough (40,802), Kodiak Island Borough (15,535), or Matanuska-Susitna Borough (41,797)? Withholding Municipal Assistance, with the Department of Law determining how much it costs to prosecute certain classes of misdemeanor offenses, is a dubious idea at best and seems like a prescription for endless legal disputes.

In place of punitive legislation, the Task Force endorses an approach that would provide incentives to provide local police and prosecution services. One solution would be to make (or, actually, to reimpose) public protection as a funding category within the Revenue Sharing program and to provide funding based on the number of police officers employed, criminal caseload or other criteria. Once a municipality accepted funding from the state for police or prosecution services, that service would become a continuing local responsibility. Municipal representatives on the Task Force, however, have concerns about the state's ongoing commitment to funding such services. They point to the funding history of the Revenue Sharing program, which the legislature has chronically underfunded and would like some guaranteed level of state aid if municipalities assume additional service responsibilities.

15140 Mesa Place
Anchorage, AK 99516
April 3, 1993

Rep. Con Bunde
State Capitol
Juneau, AK 99801

BY FACSIMILE

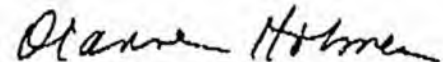
Dear Rep. Bunde:

There is a lot to be said for allowing communities to vote for and pay for the level of services they feel they need. With declining state revenues, I believe this type of government is the harbinger of what is to come. And the passage of HB 18 is exactly the kind of grass roots effort that speaks directly to this type of government.

Passage of HB 18 will not only help ensure some much needed revenue for the Dept. of Public Safety and will also show that you believe politics should not dictate good government.

There are also other reasons why HB 18 should pass and they deal with the difference in training of Troopers vs smaller community-based Public Safety departments. Training is very important for Public Safety officers. You may be aware that many smaller communities forced with paying for their own police can not and do not always provide quality and on-going training. The Troopers on the other hand have a good system for continuing training that helps ensure quality police service.

Sincerely,



Dianne Holmes
345-1514

JOHN W. ABBOTT

Atto ~~Law~~
P. 88
Anchorage, Alaska 99510

COPY

Office and Facsimile Number
(907) 346-1039

April 3, 1993

FACSIMILE TRANSMISSION SENT
THIS DATE TO: (907) 465-3834
CONFORMING COPY MAILED

The Honorable Brian Porter
Chair, House Judiciary Committee
Capitol Rm. 122
State Capitol
Juneau, Alaska 99801-1182

Re: CS for House Bill N^o. 18 (CRA); Hearing on Bill.

Dear Chairman Porter:

I am writing this letter to express my support for the above-referenced bill, and in lieu of testimony that would have been offered but for the last-minute cancellation of a scheduled teleconferenced hearing. I would like to have my comments read into the record and made available to all of the members of the House Judiciary Committee.

I am presently a resident in the lower hillside area, an area not presently included as a part of a police protection service area. For the most part, my neighborhood is not provided with police protection due to the limited response of the Alaska State Troopers and Anchorage Police Department. I would like to have police protection and am willing to pay a reasonable amount for such protection. I am unwilling to further subsidize the insatiable appetite of the Anchorage Police Department for new electronic and other toys. I have no desire to pour additional monies into the creation of a still greater bureaucracy

Letter to Representative
Brian Porter, Members of
House Judiciary Committee
CS for HB 18 (CRA)
April 3, 1993
Page 1 of 3

by the APD. Unlike a majority of the members of the hillside Task Force, I have confidence about the level of professionalism of the APD. Notwithstanding, I am unwilling to subsidize police protection services in other areas and to perpetuate the growth of the APD administrative staff, resulting in a high cost for obtaining such police protection. Having said that, I would like to briefly state my reasons for favoring the enactment of HB 18.

As the members of the Committee may not be aware (excepting, of course, the Chair), the Charter resulting from the merger of the City of Anchorage and the Greater Anchorage Area Borough in 1975 provided, *inter alia*, that creation of a police protection service area required a vote of approval from a majority of the residents living in the proposed service area. On several occasions now, the residents of the lower and upper hillside areas have voted against the creation of a service area or areas. Maneuvering by the Anchorage Assembly continues to the present in an effort to force residents of the hillside area to pay for "protection" by the APD. In other words, certain members of the Assembly, the Fink administration and the Anchorage Police Department are unwilling to abide by the terms of the 1975 charter.

I, like many others living in the hillside areas, would like to have police protection available. However, I favor use of the Alaska State Troopers because of the high professionalism of that organization, its considerably lower cost, and insulation from local politics. This same approach is favored by the Southeast Anchorage Police Protection Task Force in its position paper dated March 31, 1993.

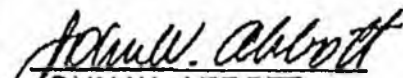
HB 18 is properly viewed as a reasonable alternative to what will certainly be a continued division between those residing in the hillside areas and the Fink administration and APD who favor subsidization of other police service areas by means of taxes imposed upon hillside residents (taxes based upon service plus subsidization as opposed to the actual cost of service for an area). Contracting with the Alaska State Troopers would provide for a fair and reasonable tax rate for the services performed and would provide a highly professional police organization presence in the area.

The continued practice of cross-subsidization is in all likelihood unlawful and is certainly unfair. Hillside residents already pay generally higher property taxes because of the tax assessed value of hillside homes. It is just not fair to assess a police service protection area tax that reflects both the cost of the service as well as payment to other service areas to lower those service area costs. This approach by the APD and the Fink administration has probably been the major stumbling block in achieving a positive vote for police protection in the hillside areas.

Letter to Representative
Brian Porter, Members of
House Judiciary Committee
CS for HB 18 (CRA)
April 3, 1993
Page 2 of 3

To summarize, if passed, HB 18 will provide a method whereby hillside residents can obtain highly professional police protection at a fair and reasonable costs to taxpayers. The proposed method for collection of tax proceeds for payment to the State of Alaska (having the Municipality collect taxes for payment to the State) is a method used frequently in Alaska. The cost of protection would bear some resemblance to the cost of providing the service and would not include subsidization of another service area. Even in the absence of the provisions of the Municipal Charter, residents should have some voice in whether or not they accept a service and the reasonableness of the service cost. HB 18 will provide a method to this end. I strongly urge the support of the House Judiciary Committee members in voting "do pass" for this bill. Whether or not the bill passes legislative scrutiny, it should at least be presented to the full legislature for an up or down vote and should not die in committee.

Very truly yours,


JOHN W. ABBOTT

Letter to Representative
Brian Porter, Members of
House Judiciary Committee
CS for HB 18 (CRA)
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