

HB

255

HFIN

FILE

(11)

HOUSE COMMITTEE REPORT

Date Referred to Committee: February 25, 2000

FURTHER REFERRALS:

Date of Committee Action: 3/20/00

The FINANCE Committee considered:

HB 255

HOUSE BILL NO. 255

HOME RULE VILLAGES

"An Act relating to villages; and providing for an effective date."

recommends it be replaced with the following committee substitute CS HB 255 (CRA) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____ APPROVES PREVIOUS: (Dept/Date) _____

fiscal note(s) _____ fiscal note(s) NA

zero fiscal note(s) _____ zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<u>George Mulder</u>	✓			
<u>Gene Thernault</u>	✓			
<u>Bob Bunde</u>			✓	
<u>Alan Austerman</u>	✓			
<u>Sal J. Davis</u>	X			
<u>Ben Grossendorf</u>			X	
<u>Paul E. Moses</u>	X			
<u>Paul Foster</u>	X			
<u>William Williams</u>	X			
<u>Paul Phillips</u>	✓			

CHAIR'S SIGNATURE

Lee Mulder Gene Thernault
Mulder Thernault

FISCAL NOTE

Bill Version: CSHB 255 (CRA)
 (H) Publish Date: 2/25/00

STATE OF ALASKA
 2000 LEGISLATIVE SESSION

Revision Date/Time (Note if correction) _____ Dept. Affected _____ Law _____
 Title "An Act relating to cities incorporated under BRU Civil Division
 state law that are home rule communities." Component Governmental Affairs
 Sponsor Representative Dyson
 Requester House Community & Regional Affairs Component No. 2207

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services	2.4	2.4	2.4	2.4	2.4	2.4
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.4	0.4	0.4	0.4	0.4	0.4
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	2.8	2.8	2.8	2.8	2.8	2.8

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	2.8	2.8	2.8	2.8	2.8	2.8
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	2.8	2.8	2.8	2.8	2.8	2.8

Estimate of any current year (FY2000) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

CSHB 255 (CRA) allows an existing second class city or unincorporated area to form a "home rule community" government structure. This new classification would permit the city or area to choose a narrower scope of governing powers than current law requires.

The Department of Law will provide legal assistance in developing the new model charters for home rule communities, and provide advice to the Local Boundary Commission as charter petitions are received. We anticipate approximately 30 hours of attorney time per year will be required for these more routine functions. Any litigation arising from the new charter process would require additional time. Because we have no way of predicting how much, if any, new litigation there might be, these costs are not included in this fiscal note.

Prepared by: Joan M. Kasson *Joan M. Kasson* Phone 465-5370
 Division Attorney General's Office Date/Time 2/22/00, 11:42 AM
 Approved by Commissioner Bruce M. Botelho, Attorney General Date 2/22/00
 Agency Department of Law

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FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. CSHB 255 (CRA)

ANALYSIS CONTINUATION

Based on the department's FY 2001 hourly attorney rate, which includes clerical support, communications, space, supplies, data processing, and other normal overhead expenses, the cost of CSHB 255 (CRA) would be \$2,802.60 (30 hours x \$93.42/hour).

Sponsor Statement for CS for House Bill 255 (CRA)

The Community and Regional Affairs Committee Substitute for House Bill 255 is intended to allow an existing second class city, or unincorporated area, to form a "home rule community" government structure under state law. The city or area would be allowed, through the charter system, to flexibly define its scope of governing power and services to meet specific area needs.

For instance, a community charter may be drafted to provide for police or fire protection services while leaving transportation issues in the state purview. Under the provision of their charter, a local government may assume any of a wide range of powers, from alcohol and animal control to airport and public works management.

Currently, all home rule governments are required to meet strict financial auditing requirements, provide land-use, zoning and platting services and constitute their own school district. The proposed substitute for House Bill 255 removes these requirements* allowing smaller communities to share in the strength and flexibility of the charter system while avoiding some the thickest red tape. The goal: greater self-determination and a more locally relevant government structure.

A new charter-base home rule community may be the best option for unincorporated areas that would not be viable under the second class city model. Existing second class cities which are strained by general law requirements may find relief in a more narrowly crafted charter that allowed them to forego services beyond their capability while accepting responsibility for local needs that can be met with local resources.

Please feel free to contact my office with questions or concerns.

*Financial statements are required in lieu of a full audit. Land use, zoning and platting may be done, but are not required. A home rule community would not constitute a school district.

Subject: Small Communitis

Date: Sun, 05 Mar 2000 08:11:26 -0900

From: Richard Burton <rlbketchikan@worldnet.att.net>

To: Representative_Fred_Dyson@legis.state.ak.us

I am writing to congratulate you on an attempt to do something that I have advocated for many years. You may remember me although we have only met briefly. I was Commissioner of Public Safety for both Jay Hammond and Wally Hickel. I spent my entire life in law enforcement and now do Public Safety Management consulting.

Any how. You are right on in what you are trying to do. A major part of the current problem with the rural areas that the state is currently experiencing, is the fact that local government as it is allowed by current title 29 does not and never has worked for small villages. I tried during my last service to get something started to do just what you are trying. There has to be a way to create a different level of local government which in fact allows local control to include a level of local law enforcement and public protection. I also believe the state has the authority to create a village or municipal level court. This would allow the small communities that are not easily accessible to the rest of the state to have courts (of limited jurisdiction) so that they could handle the minor, but most frequent, disturbances in the villages. I mean things like, curfew, truancy, drunk and disorderly conduct, etc. If a major crime, murder, rape, etc. occurs then Troopers could respond. I believe this would go along ways toward the villages having a feeling of being in control of their own communities in the same way that the residents of Anchorage, Fairbanks and other sizeable towns now do.

If you have the time and are interested I would like to talk to you more about this. For one thing, there are a lot more of these small communities than what could be considered major towns in Alaska, and they have special needs to provide for local autonomy. There is also the savings to be realized to the cost of state government by letting them handle many things at the local level. Think of the cost to send State Troopers into those villages to handle minor complaints that are probably best left to the community itself and the transported of people back and forth to jails and courts.

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