

HB

170

<TARGET><BILL>HB 170</BILL><SUBJECT>HB
170</SUBJECT><COMM>HCRA27</COMM></TARGET>

27-LS0562\B
Bullard
3/29/11

CS FOR HOUSE BILL NO. 170()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE FEIGE

A BILL
FOR AN ACT ENTITLED

1 **"An Act relating to municipal property tax exemptions on residences of certain**
2 **volunteer emergency services personnel and the widows and widowers of volunteer**
3 **emergency services personnel; and providing for an effective date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 *** Section 1.** AS 29.45.030(f) is amended to read:

6 (f) To be eligible for an exemption under (e) or (o) of this section for a year, a
7 municipality may by ordinance require that an individual also meet requirements
8 under one of the following paragraphs: (1) the individual shall be eligible for a
9 permanent fund dividend under AS 43.23.005 for that same year or for the
10 immediately preceding year; or (2) if the individual has not applied or does not apply
11 for one or both of the permanent fund dividends, the individual would have been
12 eligible for one of the permanent fund dividends identified in (1) of this subsection
13 had the individual applied. An exemption may not be granted under (e) or (o) of this
14 section except upon written application for the exemption. Each municipality shall, by

1 ordinance, establish procedures and deadlines for filing the application. The governing
2 body of the municipality for good cause shown may waive the claimant's failure to
3 make timely application for exemption and authorize the assessor to accept the
4 application as if timely filed. If an application is filed within the required time and is
5 approved by the assessor, the assessor shall allow an exemption in accordance with the
6 provisions of (e) or (o) of this section. If the application for exemption is approved
7 after taxes have been paid, the amount of tax that the claimant has already paid for the
8 property exempted shall be refunded to the claimant. The assessor shall require proof
9 in the form the assessor considers necessary of the right to and amount of an
10 exemption claimed under (e) or (o) of this section, and shall require a disabled veteran
11 claiming an exemption under (e) of this section to provide evidence of the disability
12 rating. The assessor may require proof under this subsection at any time.

13 * **Sec. 2.** AS 29.45.030(g) is amended to read:

14 (g) The state shall reimburse a borough or city, as appropriate, for the real
15 property tax revenues lost to it by the operation of (e) and (o) of this section.
16 However, reimbursement may be made to a municipality for revenue lost to it only to
17 the extent that the loss exceeds an exemption that was granted by the municipality, or
18 that on proper application by an individual would have been granted under
19 AS 29.45.050(a). If appropriations are not sufficient to fully fund reimbursements
20 under this subsection, the amount available shall be distributed pro rata among eligible
21 municipalities.

22 * **Sec. 3.** AS 29.45.030(h) is amended to read:

23 (h) Except as provided in (g) of this section, nothing in (e) - (j) and (o) of this
24 section affects similar exemptions from property taxes granted by a municipality on
25 September 10, 1972, or prevents a municipality from granting similar exemptions by
26 ordinance as provided in AS 29.45.050.

27 * **Sec. 4.** AS 29.45.030(i) is amended to read:

28 (i) In (e) - (i) and (o) of this section,

29 (1) "disabled veteran" means a disabled person

30 (A) separated from the military service of the United States
31 under a condition that is not dishonorable who is a resident of the state, whose

1 disability was incurred or aggravated in the line of duty in the military service
2 of the United States, and whose disability has been rated as 50 percent or more
3 by the branch of service in which that person served or by the United States
4 Department of Veterans Affairs; or

5 (B) who served in the Alaska Territorial Guard, who is a
6 resident of the state, whose disability was incurred or aggravated in the line of
7 duty while serving in the Alaska Territorial Guard, and whose disability has
8 been rated as 50 percent or more;

9 (2) "real property" includes but is not limited to mobile homes,
10 whether classified as real or personal property for municipal tax purposes;

11 **(3) "volunteer" has the meaning given in AS 18.15.250.**

12 * **Sec. 5.** AS 29.45.030 is amended by adding a new subsection to read:

13 (o) Unless exempted under (e) of this section, the real property owned and
14 occupied as the primary residence and permanent place of abode by a resident who
15 serves as a volunteer with a fire department or emergency medical or rescue services
16 agency or who is the widow or widower of a person who was a volunteer with a fire
17 department or emergency medical or rescue services agency at the time of the person's
18 death is exempt from taxation on the first \$150,000 of the assessed value of the real
19 property. In addition to other requirements, a person qualifies as a volunteer under this
20 subsection only if the person has been a volunteer of the fire department or emergency
21 medical or rescue services agency for at least two years before the date the
22 municipality receives the application for the exemption and the person meets standards
23 for the determination of active volunteer status that have been jointly established by
24 the fire department or emergency medical or rescue services agency and the
25 municipality. Only one exemption may be granted for the same property, and, if two
26 or more persons are eligible for an exemption for the same property, the parties shall
27 decide between or among themselves who is to receive the benefit of the exemption.
28 Real property may not be exempted under this subsection if the assessor determines,
29 after notice and hearing to the parties, that the property was conveyed to the applicant
30 primarily for the purpose of obtaining the exemption. The determination of the
31 assessor may be appealed under AS 44.62.560 and 44.62.570. A municipality may opt

WEL
↓
✓

1 out of this subsection by ordinance that takes effect on January 1 immediately
 2 following adoption of the ordinance. A municipality that has opted out of this
 3 subsection may make itself subject to this subsection by ordinance opting in that takes
 4 effect on January 1 immediately following adoption of the ordinance. If a fire
 5 department or emergency medical or rescue services agency, in writing, requests a
 6 municipality that has opted out of this subsection to opt back in and the municipality
 7 has not considered opting in during the 36 months immediately before receiving the
 8 request, the governing body shall consider the request in a hearing held within six
 9 months after receipt of the request. If the hearing is not held within the six-month
 10 period, this subsection automatically applies to the municipality on January 1
 11 immediately following the end of the six-month period.

12 * **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to
 13 read:

14 APPLICATION. A municipality may by ordinance adopted on or before July 1, 2012,
 15 opt out of application of AS 29.45.030(o), added by sec. 5 of this Act. Unless the municipality
 16 has opted out, AS 29.45.030(o) first applies in the municipality on January 1, 2013.

17 * **Sec. 7.** This Act takes effect immediately under AS 01.10.070(c).

L

need to vote to opt in
period - asked it to be retired
only

① Muni must pass an
ordinance to opt out
& it takes place Effect
the next Jan.

② The muni can opt in
effective the next Jan

③ If muni is not in they
have to go thru the opt
out process every 36 months
if someone ask them to
opt in or they are
automatically in

REPRESENTATIVE
ERIC FEIGE
House District 12

House Resources Committee Co-Chair
Education Committee
Transportation Committee
Joint Armed Services Committee

Alaska State Legislature



House of Representatives

During Session:
State Capitol Room 126
Juneau, Alaska 99801-1182
(907) 465-4859
Fax (907) 465-3799
1-888-465-4859

MEMORANDUM

TO: Rep. Cathy Munoz, Chair, House Community and Regional Committee

FROM: Rep. Eric Feige *EF*

RE: Committee Hearing, HB 170

DATE: March 16, 2010

I am requesting that HB 170, which has been referred to the House Community and Regional Affairs Committee be heard before that committee.

Attached is the current version of the bill, sponsor statement, and other related information.

My staff member assigned to handle the bill is Michael Paschall, his direct number is 465-5446.

REPRESENTATIVE
ERIC FEIGE
House District 12

House Resources Committee Co-Chair
Education Committee
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Scheduled to testify are:

Rep. Eric Feige

Michael Paschall, aide to Rep. Feige.

Jeff Tucker, President, Alaska State Fire Chiefs Association (Off Net)

Paul Delys, Board President, Chena Volunteer Fire Department (OffNet)

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SPONSOR STATEMENT

HOUSE BILL 170 -- providing an exemption to municipal property tax for certain volunteer emergency services personnel and the widows and widowers of volunteer emergency services personnel.

Volunteers provide vital emergency services to local communities, protecting life and property. Today Alaskans spend more personal time working to pay the high cost of energy and fuel, commit more time to their families, and spend more time enjoying recreational activities in the Greatland. Alaskans have less time to commit to help their neighbors and others in need.

I have introduced House Bill 170 to promote volunteerism in Alaska's emergency services by providing an incentive to qualified emergency service volunteers. These volunteers often spend significant money out of their own pocket, especially through the use of personal vehicles. In many situations the time volunteered means a loss of income.

These volunteers are your neighbors who leave work during the middle of the day to help someone in need. They get up at three in the morning to help the neighbor who called in a fire alarm, or who is suffering chest pain. They'll say they're just doing their job. They never ask anything in return.

This bill is an opportunity for us to reward and honor our neighbors who willingly give their time and resources to help others and make our communities and families safe.

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number _____
 Bill Version HB 170
 () Publish Date _____

Identifier (file name) HB170-CCED-DCRA-03-18-11 Dept. Affected DCCED
 Title Municipal Tax Exemptions Appropriation Community and Regional Affairs
 Allocation Community and Regional Affairs
 Sponsor Representative Feige
 Requester House Community and Regional Affairs OMB Component Number 2879

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants								
Miscellaneous								
TOTAL OPERATING		0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES

--	--	--	--	--	--	--	--	--

CHANGE IN REVENUES

--	--	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other (please identify)								
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2011) cost _____

POSITIONS

Full-time								
Part-time								
Temporary								

Why this fiscal note differs from previous version (if initial version, please note as such)

Initial Version

Prepared by Scott Ruby, Director
 Division Community and Regional Affairs
 Approved by Susan K. Bell, Commissioner
Commerce, Community, and Economic Development

Phone 269-4569
 Date/Time 3/18/11 5:30 PM
 Date 3/19/2011

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. HB 170

Analysis

HB 170 would provide a municipal tax exemption to certain volunteer emergency services personnel. There would be no fiscal impact to the division if this legislation was enacted.



SALCHA FIRE & RESCUE, Inc.

7153 Richardson Highway, PO Box 140069

Salcha Alaska 99714

salcharescue@acsalaska.net

Station 1: 488-5274 Fax: 488-4525 Station 2: 488-5280

Representative Eric Feige
House District 12
State Capitol Room 126
Juneau, Alaska 99801

17 Mar 2011

House Bill 170 Support --Municipal property tax exemptions on residences of certain volunteer emergency services personnel and the widows and widowers of volunteer emergency services personnel.

Eric

Thank you for introducing HB 170. This proposed legislation addresses an extremely important issue affecting the future of almost every emergency services organization in our state: **Recruiting and retaining quality volunteers to provide emergency services to our communities.**

Particularly in rural communities, like Salcha, we can't afford to hire paid staff. We depend entirely on the time-honored tradition of local volunteers to serve our community. It is no surprise that volunteerism is on the decline nationwide, and with the weak economy and skyrocketing fuel prices, our current volunteers are working harder and longer just to survive. New, quality, recruits are facing the same situation. The mere act of buying gasoline to respond to emergencies is becoming a significant burden on household budgets.

At the same time, our borough governments continue to raise both property taxes and assessed value of our homes. Again, an additional burden on household budgets... along with heating oil prices going through the roof. The Fairbanks North Star Borough currently offers a \$10,000 reduction in assessed value as compensation to our volunteers, which we are grateful for. However the real return on most property values in our community amounts to the equivalent of a few tanks of gasoline for our car, which our volunteer responders burn through in a few weeks. At \$4 per gallon, annual out of pocket gasoline expenses for our volunteers in the rural areas can amount to over \$1000 dollars!

HB 170 can provide a real incentive for our most valued volunteers, those who have a vested stake in our communities, those who are volunteers for years. The proposed \$200,000 reduction in assessed property value provides real incentive for our dedicated volunteers, gives their household budget a break, and shows them that we value their sacrifice by helping them keep their homes. Without dedicated volunteers, I can guarantee you that volunteer emergency services organizations like Salcha Rescue will not survive, especially in rural areas.

If there is any additional information you need, please feel free to call me directly (488-5275@work, 490-5999@home) or email (chief@acsalaska.net).

Sincerely,

Jim Skotnicki

JAMES R. SKOTNICKI, Chief
Salcha Fire and Rescue

NFIB

The Voice of Small Business®

ALASKA

March 17, 2011

Honorable Cathy Munoz, Chair
House Community and Regional Affairs Committee
Alaska House of Representative
State Capitol Building
Juneau, AK 99801-1182

RE: Property Tax Exemptions

Dear Representative Munoz:

On behalf of the National Federation of Independent Business/Alaska, I wish to express our opposition to adding new groups to or increasing residential property tax exemptions. Over 60% of the NFIB/AK membership voted to oppose increases in the residential property tax exemption in the NFIB Alaska State Ballot. The National Federation of Independent Business is the largest small-business advocacy group in Alaska.

Increases in or addition of new classes to the residential property tax exemption is one more step toward a "split roll" tax that will shift property taxation onto businesses. As small business owners, we believe that all users of municipal services should share property taxes equally. As fewer individuals are directly impacted by property taxes, tax increases are more likely. For small businesses that will increase operating costs and, particularly in the current economic situation, may reduce the ability of small businesses to increase employment and help our economy grow. In some cases, it will be the cost that causes businesses to close their doors.

While we appreciate the concern about the impact of local property taxes on residential property, we believe that reducing expenditures is a more appropriate means of reducing those costs, rather than shifting them to others.

Sincerely yours,



Dennis L. DeWitt
Alaska State Director

Salcha Member Support Letter

From: Kelley Wemark [trailbound@mosquitonet.com]
Sent: Friday, March 18, 2011 4:32 AM
To: Rep. Eric Feige
Subject: HB 170 Support

Categories: Mike

Representative Eric Feige
House District 12
State Capital Room 126
Juneau, AK 99801

Dear Representative Eric Feige and Legislative Aide Michael Paschall,

It has recently come to my attention that you are responsible for presenting this bill to increase EMS volunteers' property tax exemption from a mere 10,000 to 200,000. I can say that this would be a very positive method towards ensuring that our more rural areas have sufficient strength in numbers to continue providing the vital services to their communities. I have been a volunteer for Salcha Fire and Rescue here in the Interior for just under 2 years and we are exceedingly strapped for enough volunteers to carry on the duties expected of us. This would be an incredible incentive for prospective volunteers to more readily commit to the huge time commitment that volunteering for these organizations require.

With fuel prices doing nothing but rising, it is a struggle for many just to heat their homes, let alone fuel their vehicles to be able to respond to emergencies when they arise. We need every break we can to ensure that these services can continue in these rural areas. Again, I thank you for introducing this Bill, and Alaska's EMS will benefit far into the future if you can make this a reality.

Sincerely,

Kelley Wemark
EMT 1A
Salcha Fire and Rescue
Director at Large

Hollis Member Support Letter

From: Robert Andrews [andrews@aptalaska.net]
Sent: Monday, March 21, 2011 2:33 PM
To: Michael Paschall
Subject: HB 170

To: Rep Eric Feige -
Re: HB 170

Dear Rep Feige;

As a volunteer firefighter yourself, I don't have to explain the time and dedication exhibited by members of a volunteer fire dept. I would urge you to push this bill as hard as possible. I believe it is a great way to say thank you to the hundreds of volunteers around our state who give so much of their time and expertise.

Respectfully,
Bob Andrews
Hollis Volunteer Fire Dept.



Central Emergency Services

Central Kenai Peninsula Fire & EMS Providers

Keith Hamilton
On-call Division Captain

February 23, 2011

Michael Paschall
Legislative Aide
Representative Eric Feige
Reference to HB 170

To Whom It May Concern,

I stand in full support of HB 170 which would tremendously allow agencies like Central Emergency Services to both recruit and retain volunteer firefighters. I have been a volunteer EMT and Firefighter for 33 years and know that keeping the middle aged member of fire and EMS services active in the department is helped by incentives and financial support where possible.

At CES, we have a number of young members who we recruit that don't normally have homes and are more transient. We have also a small number of volunteers who are closer to retirement years and find it harder to make ends meet with reduced workloads or retirement approaching. We have found in our ranks that the best volunteers to recruit (that are retained the most) are the ones with families that are working fully in our community and are staying the long haul and wish to give back to their community.

With the spirally cost of fuel among other expenses for volunteers, this manner of reducing tax burden would be an incredible way to retain people who are giving sacrificially to their communities. A few thousand dollars in tax breaks would be very encouraging for those who put their lives on the line to save taxpayers and homes thousands of dollars each year.

The Fire Chief of CES and I are in full support of this bill that would represent the 35 volunteers of Central Emergency Services.

Sincerely,

Captain Keith J. Hamilton



Alaska State Firefighters Association
209 Lake Street
Sitka, Alaska 99835
907-747-4895

March 22, 2011

Representative Eric Feige
State Capitol, Room 126
Juneau, AK 99801

Re: HB170 "An act relating to the municipal property tax exceptions on residences of certain volunteer emergency services personnel and the widows and widowers of volunteer emergency services personnel; and providing for an effective date."

Dear Representative Feige,

The Alaska State Firefighters Association supports your introduction of HB170. HB170 shows support for those members of the communities that spend countless hours training and responding to emergency in their community.

The Alaska State Firefighters Association looks forward to working with you and your cosponsors on HB170.

Sincerely,

Robert Dennard, President
Alaska State Firefighters Association

Alaska Professional Volunteers Support Letter

From: apvchief@gmail.com on behalf of Roy Sursa [apv1@gci.net]
Sent: Wednesday, March 23, 2011 9:04 AM
To: Michael Paschall
Cc: ACEMS-Soren Threadgil; ACEMS - BJ Coopes; David Hull; Donald Hudson Dr.; ACEMS - Mary M Leemhuis, R.N.; David Hull; John Dickens; Shelley Owens
Subject: HB 170

I have been involved with EMS since 1988 and this is the answer to every non paid volunteer agency biggest problem.

The ability to recruit and maintain volunteers for over 20 years has been at the mercy of the economy since we had very little to offer our volunteers.

This will allow volunteers to justify to their families and friends in a way that they can understand why they want to assist the public by providing essential services. Now they can show a monetary reason that most people have a better understanding of.

When they come home after a long day of work, that helps to pay the bills, and need to go back out for meetings, drill, or response this will help their families to understand and support them.

Thank you,--
Roy Sursa
President & EMS Chief
Alaska Professional Volunteers Inc.
Cell 907.229.0066



Jack Willard
Fire Chief

CHENA-GOLDSTREAM FIRE & RESCUE

P.O. Box 80487, Fairbanks, Alaska 99708-0487

Business (907) 479-5672 FAX: (907) 479-5858

EMERGENCY: 911



Paul Delys
President

March 22, 2011

Mr. Paschall,

On the off-chance Legislators are unaware of the effort it takes to be a volunteer firefighter or medic, let me give a little background as to what CGFR requires of its members. Depending on their interests, new volunteers take a 120+ FireFighter 1 or EMT 1 class. Many volunteers ultimately take both. Another half dozen mandated, day-long classes are required before anyone can respond. These are the same minimum requirements to which most career/paid fire departments adhere. Beyond the initial training, volunteers must pull shifts and attend weekly training. Advanced firefighting, EMT, leadership and technical rescue classes are taken by many volunteers. All in preparation for actually assisting a (probable) stranger who called 9-1-1! As a rough estimate, the average CGFR volunteer's active contribution to the department is 160 hours/year, 4 full work weeks. Including shift time, the average volunteer probably gives 800-900 hours/year to the community.

Quite a few of our volunteers are college students who move on after a few years. Their services are invaluable, but CGFR's backbone is established local residents who volunteer, potentially, for decades. Years of training and experience are required to become a safe, qualified battalion chief, lead medic or company officer. These are the people whose leadership, decisions and actions save lives and property.

Today's society pulls people in many different directions. Increasing legal liabilities and training requirements continually pressure volunteer fire services to become more competent and professional. Many years have passed since volunteering in the fire service could be a casual commitment. Years of training and experience are the key to developing effective emergency responders. There's little public recognition of the substantial effort involved in volunteering. I strongly believe a \$200k property tax exemption will provide substantial motivation for volunteers to spend additional years in the fire service. That longevity is critical to effective emergency operations.

Respectfully,

Paul Delys
CGFR Board President

Chena Member Solomon Support Letter

From: Terry Solomon [tsolomon@cgfr.com]
Sent: Tuesday, March 22, 2011 8:15 PM
To: Michael Paschall
Cc: chief@cgfr.com
Subject: HB 170

To Whom It May Concern,

Please pass HB 170 to exempt the first \$200,000 of assessed value from tax for the primary dwelling of a volunteer firefighter or rescue squad worker.

Volunteer Fire Fighters and EMS members spend many hours every month training and responding to fire and emergency medical requests. They are also involved in fire prevention activities and First Aid/CPR training in the community with all age groups.

I have been an active volunteer since 2002. Volunteers at our department range from HS and college students to retired professionals. Many of our volunteers are home owners and established in our community.

There is a wide range of reasons for these citizens to make the initial commitment to volunteer. As one of the Recruitment Officers at Chena-Goldstream Fire and Rescue, I have the opportunity to point out all of the benefits of volunteering to potential recruits. One thing we make an effort to do is make it reasonable and possible for people to commit to the training and shift coverage time without it having to impinge on their other responsibilities of jobs, school and family.

Volunteering requires time away from family, recreation activities and sometimes sleep. There is also gas money, and wear and tear on personal vehicles to attend training and to respond to emergency calls. Many times volunteers get called out of bed in the middle of the night, miss birthdays, anniversaries and other important events. Even though our first goal is for our personal safety, by the nature of our calls, many times we are putting ourselves at risk. At times it is hard to compete with the negative effects of this commitment.

By passing this bill and giving our dedicated volunteers a tax break, you provide a monetary benefit for potential volunteers and will be encouraging our valuable, current volunteers to remain in service to the community.

I thank you in advance for your consideration,

Terry K. Solomon, LT
Chena-Goldstream Fire and Rescue
907-388-1521

PS I will be traveling home from Minnesota Thursday during the hearing and will not be able to testify. If you have any further questions I would be happy to respond if I am not on an airplane.

Valdez Member Major Support Letter

From: Major, Justin [Justin.Major@alaska-pipeline.com]
Sent: Wednesday, March 23, 2011 8:45 AM
To: Michael Paschall
Subject: HB-170

Legislative Aide, Michael Paschall and Representative Eric Feige,

Hi, my name is Justin Major and I am a volunteer firefighter in Valdez. When I first heard of this bill, I thought to myself, "that would be nice". I have never contacted any of my representatives before, so I figured I would start now. I am in full support of this bill, as Valdez has one of the highest property taxes in the state. It has a huge incentive for future firefighters to protect our community and all the communities statewide. This bill would do all sorts of wonders for our communities statewide because who would not want a tax break on the first \$200,000 of their home value?

We are spreading the word here in Valdez, and I have seen numerous emails going statewide thru the Alaska Division of Fire and Life safety email distribution lists.

Hopefully I'm not the first email you have received.

Thanks for supporting those who support you!!

Justin Major

Salcha Member Support Letter

From: Kelley Wemark [trailbound@mosquitonet.com]
Sent: Friday, March 18, 2011 4:32 AM
To: Rep. Eric Feige
Subject: HB 170 Support

Categories: Mike

Representative Eric Feige
House District 12
State Capital Room 126
Juneau, AK 99801

Dear Representative Eric Feige and Legislative Aide Michael Paschall,

It has recently come to my attention that you are responsible for presenting this bill to increase EMS volunteers' property tax exemption from a mere 10,000 to 200,000. I can say that this would be a very positive method towards ensuring that our more rural areas have sufficient strength in numbers to continue providing the vital services to their communities. I have been a volunteer for Salcha Fire and Rescue here in the Interior for just under 2 years and we are exceedingly strapped for enough volunteers to carry on the duties expected of us. This would be an incredible incentive for prospective volunteers to more readily commit to the huge time commitment that volunteering for these organizations require.

With fuel prices doing nothing but rising, it is a struggle for many just to heat their homes, let alone fuel their vehicles to be able to respond to emergencies when they arise. We need every break we can to ensure that these services can continue in these rural areas. Again, I thank you for introducing this Bill, and Alaska's EMS will benefit far into the future if you can make this a reality.

Sincerely,

Kelley Wemark
EMT 1A
Salcha Fire and Rescue
Director at Large

REPRESENTATIVE
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HB 170 CS Version 27-LS0562\I

This bill gives the legislature the authority to reimburse municipalities for property taxes exempted by a municipality for qualified fire department, emergency medical, or rescue services agency personnel or their widow or widower. The decision to provide an exemption is an opt-in decision by the municipality. Defining specifically who qualifies and how they qualify is left to the discretion of the municipality, except that they must have been a member of the organization for at least two years.

This bill leaves it to the discretion of the municipality to address the concerns raised by committee members regarding qualifications and procedures including:

1. Whether or not an annual application would be required. It seems appropriate for an annual application, since the exemption is for annual property taxes.
2. Defining qualifications for active volunteer.
3. Length of time a widow or widower would qualify and whether this would change if they remarried.
4. If paid on-call responders received the exemption.

27-LS0562M
Bullard
4/6/11

CS FOR HOUSE BILL NO. 170()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE FEIGE

A BILL
FOR AN ACT ENTITLED

1 **"An Act relating to an optional municipal property tax exemption for certain residences**
2 **of volunteer emergency services personnel and the widows and widowers of volunteer**
3 **emergency services personnel; and providing for an effective date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 *** Section 1.** AS 29.45 is amended by adding a new section to read:

6 **Sec. 29.45.054. Exemption for certain residences of volunteer emergency**
7 **services personnel.** (a) Unless exempted under AS 29.45.030(e), the real property
8 owned and occupied as the primary residence and permanent place of abode by a
9 resident who serves as a volunteer with a fire department or emergency medical or
10 rescue services agency or who is the widow or widower of a person who was a
11 volunteer with a fire department or emergency medical or rescue services agency at
12 the time of the person's death may by ordinance be exempted from taxation on the first
13 \$150,000 of the assessed value of the real property. Only one exemption may be
14 granted for the same property, and, if two or more persons are eligible for an

1 exemption for the same property, the parties shall decide between or among
2 themselves who is to receive the benefit of the exemption. Real property may not be
3 exempted under this subsection if the assessor determines, after notice and hearing to
4 the parties, that the property was conveyed to the applicant primarily for the purpose
5 of obtaining the exemption. The determination of the assessor may be appealed under
6 AS 44.62.560 and 44.62.570.

7 (b) In addition to other requirements, a person qualifies as a volunteer for
8 purposes of this section only if the person has been a volunteer of the fire department
9 or emergency medical or rescue services agency for at least two years before the date
10 the municipality receives the application for the exemption and the person meets
11 standards for the determination of active volunteer status that have been jointly
12 established by the fire department or emergency medical or rescue services agency
13 and the municipality. To be eligible for an exemption under this section for a year, a
14 municipality may by ordinance require that an individual also meet requirements
15 under one of the following paragraphs:

16 (1) the individual shall be eligible for a permanent fund dividend under
17 AS 43.23.005 for that same year or for the immediately preceding year; or

18 (2) if the individual has not applied or does not apply for one or both
19 of the permanent fund dividends identified in (1) of this subsection, the individual
20 would have been eligible for one of the permanent fund dividends had the individual
21 applied.

22 (c) An exemption may not be granted under this section except on written
23 application for the exemption. Each municipality shall, in the ordinance establishing
24 the exemption, set out procedures and deadlines for filing the application. The
25 governing body of the municipality for good cause shown may waive the claimant's
26 failure to make timely application for exemption and authorize the assessor to accept
27 the application as if timely filed. If an application is filed within the required time and
28 is approved by the assessor, the assessor shall allow an exemption in accordance with
29 the provisions of this section. If the application for exemption is approved after taxes
30 have been paid, the amount of tax that the claimant has already paid for the property
31 exempted shall be refunded to the claimant. The assessor shall require proof in the

1 form the assessor considers necessary of the right to and amount of an exemption
2 claimed under this section. The assessor may require proof under this subsection at
3 any time.

4 (d) The state shall reimburse a borough or city, as appropriate, for the real
5 property tax revenue lost to it by permitting exemptions under this section. However,
6 reimbursement may be made to a municipality for revenue lost to it only to the extent
7 that the loss exceeds an exemption that was granted by the municipality or that, on
8 proper application by an individual, would have been granted under AS 29.45.050(a).
9 If appropriations are not sufficient to fully fund reimbursements under this subsection,
10 the amount available shall be distributed pro rata among eligible municipalities.

11 (e) Nothing in this section affects similar exemptions from property taxes
12 granted by a municipality on September 10, 1972, or prevents a municipality from
13 granting similar exemptions by ordinance as provided in AS 29.45.050.

14 (f) In this section,

15 (1) "real property" includes mobile homes, whether classified as real or
16 personal property for municipal tax purposes;

17 (2) "volunteer" has the meaning given in AS 18.15.250.

18 * **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).