

SB

19

<TARGET><BILL>SB 19</BILL><SUBJECT>SB
19</SUBJECT><COMM>HCRA29</COMM></TARGET>

Alaska State Legislature

Senate Majority Leader

Joint Armed Services Committee

Co-Chairman

Judiciary Committee

Vice-Chairman

Resources Committee

State Affairs Committee

Legislative Council

Rules Committee



Senator John Coghill

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SB 19 - ROAD SERVICE AREA BOUNDARIES

SPONSOR STATEMENT

Under Title 29.35, *Municipal Powers and Duties*, " most annexations of parcels or subdivisions into a road service area require a vote of both the road service area and a vote of the property owners proposed to be annexed. SB 19 addresses single parcels and does not change voting requirements for subdivisions.

In November of 2013, the Fairbanks North Star Borough attempted to consolidate a parcel that was split into two road service areas. They were able to remove a portion of the parcel from one service area but had to hold an election to add that portion of the parcel to the other service area. The election failed because not one single property owner voted.

SB 19 would allow a borough assembly to forego the requirement of an election under certain unique circumstances. This legislation would allow annexation by a vote of the borough assembly at a public noticed meeting to modify boundaries of road services areas under the following circumstances:

1. A parcel (single tax lot) is split between two service areas-the tax lot would be placed in the service area that provides road access to the parcel.
2. A parcel is partially situated in an existing road service area and the only access to the parcel (tax lot) is on a road in the service area.

The Borough Clerk would have to give public notice that the assembly was considering such an action and the public would have the opportunity to testify on the action.

Fiscal Note

State of Alaska
2015 Legislative Session

Bill Version: SB 19
Fiscal Note Number: _____
() Publish Date: _____

Identifier: SB019-DOT-CO-3-5-15
Title: BOUNDARIES OF ROAD SERVICE AREAS
Sponsor: COGHILL
Requester: Senate Community & Regional Affairs

Department: Department of Transportation and Public Facilities
Appropriation: Administration and Support
Allocation: Commissioner's Office
OMB Component Number: 530

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2016	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2016 Request	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
OPERATING EXPENDITURES	FY 2016	FY 2016					
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

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Estimated SUPPLEMENTAL (FY2015) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2016) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed? N/A

Why this fiscal note differs from previous version:

Not applicable, initial version.

Prepared By:	Mike Lesmann, Spec Asst to the Comm II	Phone:	(907)465-4772
Division:	Commissioner's Office	Date:	03/05/2015 11:30 AM
Approved By:	Mary Siroky, Director	Date:	03/05/15
Agency:	Administrative Services Director		

FISCAL NOTE ANALYSIS

**STATE OF ALASKA
2015 LEGISLATIVE SESSION**

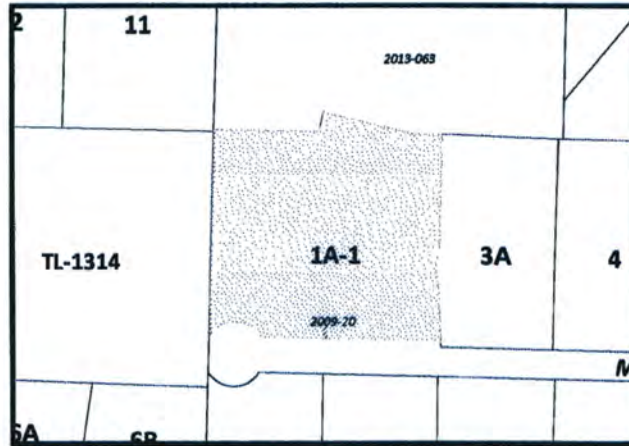
BILL NO. SB 19

Analysis

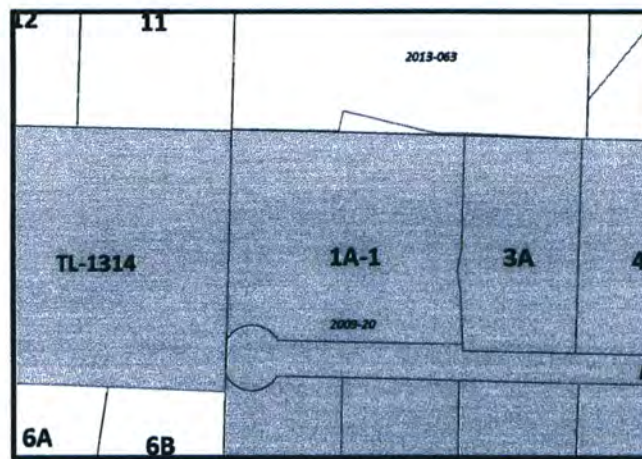
This legislative proposal results in no fiscal impact to the Department.



Sunny Hills Terrace Service Area



Parcel 1A-1 Block 5 Sunny Hills Terrace 2nd Addition



Summerwood Service Area (Green) and Sunny Hills Terrace Service Area (Pink) Boundaries

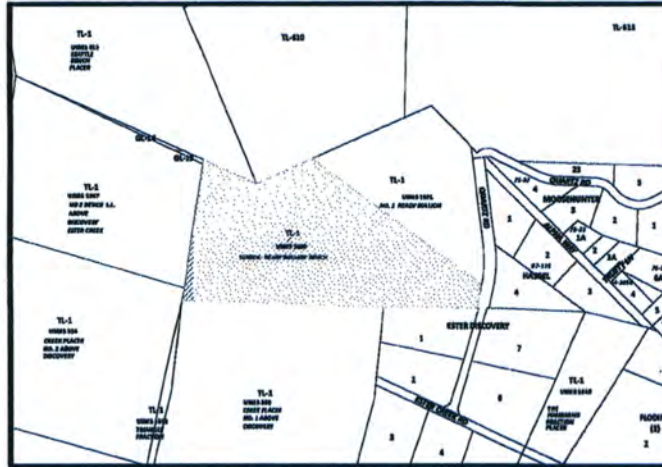
In this example, parcel 1A-1 was re-platted adding an additional triangle portion to the north side of the property. This one parcel was split between two separate service areas. The Summerwood Service Area boundary needed to change to remove the small portion of Lot 1A-1 from the service area. That same portion needed to be annexed into the Sunny Hills Terrace Service Area.

In 2013 the removal of Lot 1A-1 from Summerwood Service Area was approved through ordinance using AS29.35.450(c)(4). The annexation of that portion of Lot 1A-1 was sent to a Sunny Hills Terrace Service Area election via ordinance. The election failed with zero residents casting a vote.

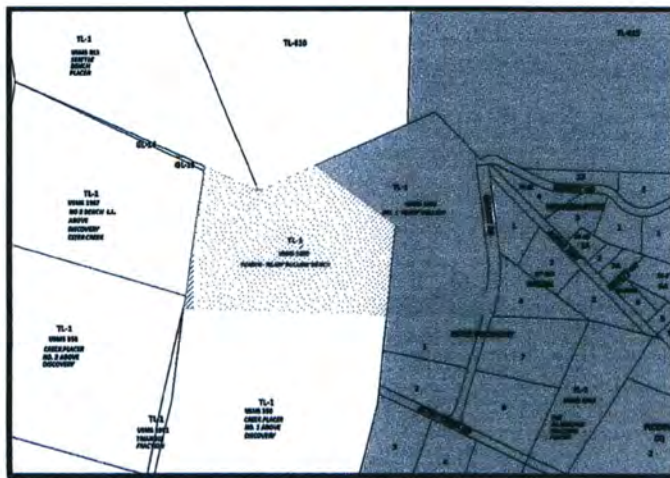
That portion of parcel is now not within any service area, and the tax assessors must split the taxation into two separate millage groups.



Ester Lump Road Service Area



Tax Lot 1 USMS 2000

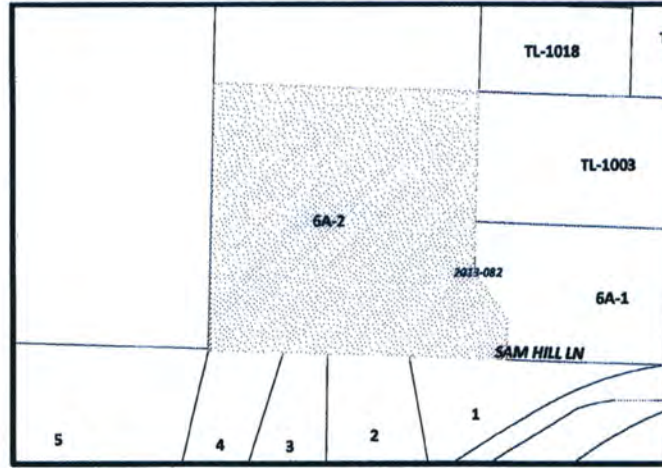


Ester Lump Road Service Area Boundary

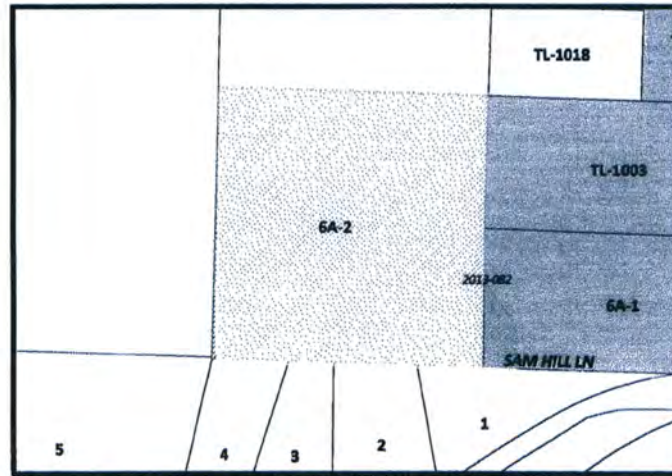
In this example, only a portion of Tax Lot 1 USMS 2000 is within the Ester Lump Road Service Area. The service area boundary should match the parcel boundary. Until the service area boundary is changed to include the entire parcel, the tax assessors must split the taxation into two separate millage groups.



Ridgecrest Service Area



Lot 6A-2



Ridgecrest Service Area Boundary

In this example, parcel 6A-2 was re-platted adding an additional portion to the east side of the property. This change created a portion of the parcel to be with Ridgecrest Service Area. Since Lot 6A-2 does not have access to the service area roads, that small portion of the lot within Ridgecrest Service Area needed to be removed.

Once removed the parcel will no longer be split up into two separate millage groups.

SB 19 – AN ACT RELATING TO ROAD SERVICE AREA BOUNDARY CHANGES

29.35 Municipal Powers & Duties

(c) A vote must occur to do the following:

- (1) Abolish a service area – majority vote of the service area
- (2) Abolish a service area and annex it to another service area – separate majority vote of the existing service area and those residents of the area to be annexed
- (3) Alter or combine service areas – separate vote of each service area

****Existing exceptions for inclusion in a road service areas with just the vote of the service area:**

- (c) 3 – a subdivision or parcel by which the only access to that subdivision or parcel is a road maintained by an adjacent road service area.

****Existing exceptions for inclusion in a road service areas without a vote**

- (c) 4 – exclude a subdivision or parcel in an existing road service area that does not rely on the use of roads maintained by the road service area for access to the subdivision or parcel.

****SB 19 adds two additional exceptions for adjusting boundaries of a service area without a vote:**

- (c) 5 – Removing a parcel that is located in more than one service area from one service area and adding it to the boundaries of the adjacent service area.
- (c) 6 – Adding a portion of a parcel to a road service area when a portion of the parcel is already within the boundaries of the service area and the only access to the parcel is a road maintained by the service area.