

ALASKA LEGISLATURE COMMITTEE FILES 1983-1984 86/2

2160 HCRA COMMISSIONER CONFIRMATION HEARING (FILE 3) - HB 119

foreclosure, unless sooner redeemed. During the one year period, any person having an interest in the property at the date of the judgment and decree of foreclosure, or any heir or devisee of such person, or any person holding a lien of record on the property, or any independent school district or public utility district having a lien on the property, may redeem the property by payment of the full amount applicable to the property under the judgment and decree, with interest thereon as provided by law, and the costs charged against such property. Property so redeemed shall be subject to assessment for taxation during the period of redemption, as though it had continued in private ownership. Any person holding a mortgage or other lien of record covering a part only of a particular parcel of real property included in the judgment and decree of foreclosure may redeem such part by payment of the proportionate amount applicable thereto under the judgment and decree.

(c) Not earlier than thirty days before the expiration of the redemption period the clerk shall publish a redemption period expiration notice. The notice shall contain the date of judgment, the date of expiration of the period of redemption and a warning to the effect that all properties ordered sold under the judgment, unless redeemed, shall be deeded to the city immediately on expiration of the period of redemption and that every right or interest of any person in the properties will be forfeited forever to the city. The notice shall be published once a week for four consecutive weeks in a newspaper of general circulation distributed within the city. If there is no newspaper of general circulation distributed within the city, the notice shall be posted in three public places for at least four consecutive weeks. The clerk shall send a copy of the published notice by certified mail to each record owner of property against whom a judgment of foreclosure has been taken. The notice shall be mailed within five days of the first publication. The mailing shall be sufficient if mailed to the property owner at the last address of record. The right of redemption shall expire thirty days after the date of the first publication notice.

(d) Upon filing proof of publication of notice of expiration of the redemption period as a part of the foreclosure proceedings, the properties not redeemed within the one-year period prescribed shall be deeded to the city by the clerk of the court. All rights of redemption, with respect to the real properties therein described, shall terminate on the execution of the deed to the city. No return or confirmation of the sale or deed to the city is required.

(e) When the city acquires real property under foreclosure procedures, the conveyance vests in the city title to the property, free from all liens and encumbrances except unpaid taxes and assessments duly levied for local improvements to the property, and liens of the United States and the state.

(f) No deed is invalid for irregularities, omissions or defects, unless the former owner has been misled to his injury. After two years from the date of the deed, its validity is conclusively presumed and any claim of the former owner is forever barred. (Ord. No. 218, § 13; Ord. No. 7539, §§ 8, 9.)

Sec. 25-15. Foreclosure on personal property.

(a) Owners of personal property assessed shall be personally liable for the amount of taxes assessed against their personal property and such tax, together with penalty and interest, may be collected after the same becomes due by a personal action brought in the name of the city against such owner in the courts of the state.

(b) In addition to the remedy given by the preceding subsection, which shall not be construed as exclusive, the lien of personal property taxes may be enforced by distraint and sale of the personal property of the person assessed. The city clerk shall first make demand of the person assessed for the amount of the tax, penalty and interest, and the sale shall be made at public auction after at least ten days' notice given by posting or publication. The city clerk shall issue a warrant directing the chief of police or any other officer of the city to forthwith seize, levy upon, distraint and sell such personal property of the person assessed as the tax may have been levied upon; and if the same is not sufficient to satisfy the tax, penalty and interest, and costs and expenses of such sale, such warrant may authorize the seizure, levy, distraint and sale of such other property of the person against whom the tax was assessed as may be sufficient to satisfy the tax, penalty, interest and cost of sale. The costs and expenses of such proceedings may be satisfied out of the proceeds of the property sold. The cost and expenses of such proceeding that may be satisfied from the proceeds of the property sold shall in no event exceed twenty per cent of the proceeds received from such sale.

(c) The lien of real property taxes on trailers and mobile homes which are about to be removed or have been removed from the city or which, subsequent to the accrual of the real property tax lien, become personal property within the meaning of this chapter, may be foreclosed by distraint and sales as set forth in subsection (b) of this section. (Ord. No. 218, § 14; Ord. No. 7008, § 1.)

Article II. Sales Tax.

Secs. 25-16 to 25-33. Repealed by Ordinance No. 7608, § 1.

Secs. 25-34 to 25-99. (Blank.)

Article III. Special Assessments.¹

Sec. 25-100. Authorized improvements.

A special assessment district may be initiated either by council or by petition for any public improvements including but not limited to the following:

- (1) Streets, alleys, curbs and gutters, driveways, curbcuts and sidewalks;
- (2) Storm sewers or drains;
- (3) Sanitary sewers.
- (4) Parks or playgrounds;
- (5) Off-street parking facilities;
- (6) Changes in channels of streams or watercourses;
- (7) Bridges, culverts, bulkheads, embankments or dikes for streams or watercourses;
- (8) Water supply system including water mains, water connections and fire hydrants; or
- (9) Fallout or disaster shelters;
- (10) Windbreaks. (Ord. No. 6705, § 1.)

Sec. 25-100.1. General limitations.

Notwithstanding any other provision of this article, the city may:

- (a) Refuse to proceed with the construction of any improvements or the creation of any district, if deemed not in the public interest, whether council or petition initiated; and
- (b) Advance or delay the construction of any improvements or the creation of any district based on city priorities, available funding, need to coordinate with other projects or any other reason whatsoever. (Ord. No. 8003, § 1.)

1. For state law as to local improvements and assessments, see A.S., § 29.63.010 et seq.

Sec. 25-101. Property to be assessed.

The council may assess for an improvement any real property, or any interest in real property, and the property specially benefitted may include abutting, adjoining, adjacent, contiguous, noncontiguous or other property or interest in property benefitted directly or indirectly by the improvement. The property to be assessed may include any property which is otherwise, for any reason, exempt from taxation by law. A benefitted property may be included in whole or in part in more than one special assessment district. (Ord. No. 6705, § 1.)

Sec. 25-102. Property owner.

The person whose name is listed on the latest city tax roll as the owner of the property to be assessed is presumed to be the legal owner of the property. If the property owner is unknown, the property may be assessed in the name of the "unknown owner." No assessment is invalidated by a mistake, omission or error in the name of the owner if the property is correctly described. (Ord. No. 6705, § 1.)

Sec. 25-103. Amount to be assessed.

The council may assess one hundred percent of any or all costs of a public improvement against each parcel of property benefitted by the improvement. Unless a specific method of computation of the benefit to the property is expressly provided for ascertaining the amount to be assessed against the property benefitted by a particular improvement, the council shall assess each parcel of property in a special assessment district in proportion to the value of the benefit received from the improvement using any reasonable method of apportionment.

Unless the council determines otherwise, the following general standards are applicable for assessments for public improvements:

(a) The city shall pay one hundred percent of the cost of the following improvements:

- (1) Reconstruction and maintenance of existing improvements;
- (2) Sewer interceptor and collector improvements;
- (3) Water transmission mains, supply and storage;
- (4) Storm sewer collectors and regional drainage improvements;
- (5) Collector roads; and
- (6) Sidewalks.

(b) The city shall pay fifty percent and the property owners shall be assessed for fifty percent of the cost of the following improvements:

- (1) Local sewer service improvements;
- (2) Local water service improvements;
- (3) Local road improvements; and
- (4) Local drainage improvements.

(c) The property owners shall be assessed one hundred percent of the costs of the following improvements:

- (1) All improvements to new subdivision; and
- (2) All improvements to which the council cannot or does not desire to contribute city funds.

The city may deviate from these general guidelines at any time for any reason whatsoever. (Ord. No. 6705, § 1; Ord. No. 8003, § 2.)

Sec. 25-104. Costs of improvements.

The costs of an improvement shall be the actual costs of the improvement, including acquisition of interests in land for the improvement, design, engineering, administration, overhead, professional services, bond costs and interest incurred as a result of the improvement and all other costs resulting from the construction of the improvement. Unless otherwise provided in the resolution confirming the assessment roll, the actual bond interest costs shall be considered to be four percent per annum of the costs, less bond interest, of the improvement calculated from the date of completion of the construction of the improvement until the special assessment is scheduled to be paid in full. (Ord. No. 6705, § 1.)

Sec. 25-105. Council initiated improvement districts--Authorized.

Council planning to make a public improvement shall establish local special improvement districts and the cost of the improvement shall be assessed against the property in any such local special assessment district. Council may determine upon and use any method for spreading the assessment among the properties within the district, which bears a reasonable relationship to the benefit received by the properties, including but not limited to assessments measured by the front foot and by the number of square feet in the property benefitted. The cost per unit of assessment need not be the same for all parcels

within the district, but insofar as is reasonable, properties similarly situated shall bear the same cost per assessment unit. Council shall also have power to enlarge or decrease the area of an improvement district and to change and revise the boundaries thereof from time to time. (Ord. No. 6705, § 1.)

Sec. 25-106. Same--Procedures for creation.

The council planning to make a public improvement at the expense in whole or in part of the owners of the properties benefitted shall order prepared the preliminary plans for the work and estimates of the cost of the same, and then before proceeding with the work, publish a notice of such fact at least once a week for two consecutive weeks in a newspaper of general circulation within the city and shall further post such notice in three public places within the city.

The notice shall state the nature, extent and approximate cost of such improvement and give the boundaries of the local special assessment district to which the costs of the improvements will be assessed. The notice shall contain a date not less than thirty days from the beginning of such publication on or before which time the owners of the properties affected may file their objections in writing with the city clerk to the work.

The council shall cause a plat of the improvement district to be made showing thereon the boundaries of the proposed improvement district with the various lots, tracts and parcels of land that will be included therein and affected thereby; together with a list of such various lots, tracts and parcels of land; a statement of the general method of assessment to be used, and a statement of the estimated cost of the improvement that will be assessed against each such lot, tract or parcel. The plat, method of assessment and list of parcels with estimated costs shall be available for public inspection during normal working hours of each working day during the period of publication of notice of the proposed assessment.

Five days or more after the termination of the thirty day publication period above described, council may proceed with the proposed improvement unless objection be filed either severally or by petition by the owners of property affected. (Ord. No. 6705, § 1.)

Sec. 25-107. Same--Objections and hearings.

(a) In the event objection is filed by the owner or owners of property affected, the council shall proceed to hold a public hearing. Notice shall be given of such hearing by one publication in a newspaper of general circulation in the city and by posting in three places within the city. The notice shall set forth the time and place of the hearing and that the council will consider the establishment of the improvement districts. Such notice shall be given at least one week prior to the time set for hearing.

(b) At the hearing, all of those appearing for or against the establishment of the improvement district may be heard, including any officer or employee of the city. After the hearing, the council may, if it determines that the improvement district is in the public interest and necessary, order the work to proceed, or may modify the plans of the improvement district or may order further proceedings suspended or terminated. However, if protests in writing as to the necessity of of the local improvement are made by owners of property who will bear fifty per

cent or more of the estimated cost of the improvement, council shall not proceed with the improvement until the protests have been reduced to less than fifty per cent, except upon the approval of at least five members of the council.

(c) After the public hearing is closed, council shall adopt a resolution determining either to proceed or not to proceed with the proposed improvement. The resolution to proceed shall find that the improvement is necessary and will benefit the properties within the district. The findings of the council are conclusive. The resolution shall require an account to be kept of all costs of the improvements and direct the proper city official to prepare the assessment roll. The council, in the resolution, shall assess the authorized percentage or rate of the cost of the improvement against the property within the district. (Ord. No. 6705, § 1.)

Sec. 25-108. Petition initiated improvement districts--Authorized.

In addition to improvement districts initiated by council, improvement districts and assessments may be initiated by petition in a form prescribed by the city administrator which shall include a description of the improvement sought by the petition. The original or copies of the petition shall be signed by the owners of property which will bear at least fifty per cent of the estimated cost of the improvement sought by the petition. The petition, when signed, shall be filed with the city clerk. No property owner may withdraw his signature of approval after the petition has been filed with the city clerk unless authorized so to do by council.

Upon receipt by the city administrator of the petition from the city clerk, the city administrator shall cause a survey and report to council to be made concerning the needs for and the estimated cost of the district. The report shall contain a plan defining the district, outlining the properties to be assessed and showing the desirable extent of the proposed improvement. The district may be defined by any convenient means, whether by a designation of the property to be assessed or by a boundary description. The survey and report of the city administrator may be made either before or at the time of a public hearing on the necessity for the proposed improvement. (Ord. No. 6705, § 1.)

Sec. 25-109. Same--Public hearings and notice thereof.

Before council shall take action on a proposed petition initiated improvement district, a public hearing shall be held at a time and place set by council or the city administrator, which public hearing may be continued from time to time as council may decide. After hearing the interested persons favoring or opposing the proposed improvement, council may decrease the extent or value of the improvement or may delete from the district properties not benefitted in whole or in part by the improvement. No change may be made resulting in an improvement district containing petitioners owning properties bearing less than fifty per cent of the estimated costs, unless other sufficient property owners are added to the petition.

Notice of the public hearing shall be published in a newspaper of general circulation in the city at least once a week for two consecutive weeks prior to the time fixed for the hearing. The city clerk shall send a written notice by first class mail at least fifteen days prior to the time of hearing to each owner of property to be assessed. The notice to be published shall include a summary of the improvement, the designation of the properties to be assessed in the special improvement district, the purpose of the public hearing and the time and place fixed for the public hearing. The notice by mail shall include a summary of the improvement, the designation of the addressee's property to be assessed, the purpose of the public hearing, the amount of the estimated or actual assessment against the property and the time and place for the public hearing. Each notice shall generally inform the property owner of the manner and method of protesting or objecting to the action to be taken at the public hearing.

After the public hearing is closed, council shall proceed to adopt a resolution determining to proceed or not to proceed with the proposed improvement. The council resolution to proceed shall find that the improvement is necessary and of benefit to the properties to be assessed and that the petition for the improvement has been signed by sufficient and proper petitioners. The findings of the council are conclusive. The resolution shall require an account to be kept of all the costs of the improvement and direct the proper city officials to prepare the assessment roll. The council, in its resolution, shall assess the authorized percentage or rate of the cost of the improvement against the properties within the district. Thereafter, the improvement shall proceed and the cost thereof be assessed in the same manner as assessments are levied for special improvement districts initiated by council action. (Ord. No. 6705, § 1.)

Sec. 25-110. Same -- Maximum assessment.

No parcel of property within a special improvement district initiated by petition shall be assessed in an amount greater than its proportionate share of two-thirds of the cost of the improvement unless the petition shall be signed by the owners of the properties which will bear at least seventy-five per cent of the cost of the improvement and unless such petition requests an assessment in an amount greater than two-thirds of the cost of the improvement. (Ord. No. 6705, § 1.)

Sec. 25-111. Computation of assessments.

Except in cases otherwise specifically provided for, and unless otherwise provided in the resolution ordering such improvement, the improvement district shall include all of the property within the boundaries established by city council. All property included within such limits of the district shall be considered and held to be the property and to be all the property specially benefitted by such public improvement and shall be the property to be assessed to pay the cost and expense thereof or such part thereof as may be chargeable, which cost and expense shall be assessed upon all such properties to be benefitted in accordance with the special benefits conferred on such property in the proportion determined by the assessments method adopted by the city council for the particular public improvement.

Property may be included in more than one assessment district; provided, it is benefitted by the public improvements for which such districts are created. (Ord. No. 6705, § 1.)

Sec. 25-112. Levy of assessments; notice of hearing on objections.

(a) When it has been decided to make such public improvement and to levy such assessments, correct account shall be kept of all expense of such improvement and as soon as the latter shall be completed, the city council shall apportion such percentage of the cost as was previously determined upon and shall assess the same against the various tracts of real property in proportion to and consistent with the apportionment method set forth in the resolution authorizing the improvement.

(b) Such apportionment of costs shall be designed the assessment roll and shall contain a brief description or designation of each tract or parcel of property, the name of the owner or reputed owner thereof and the amount of the assessment. When the same is completed, the council shall fix a time at which to hear objections to such assessment. The city clerk shall then send a written notice by mail to each owner of a tract against which an assessment is made, which notice shall state the amount of the assessment against any particular tract, and the time fixed by the council for hearing objections. Such notice shall be mailed at least fifteen days before the date of the hearing. (Ord. No. 6705, § 1.)

Sec. 25-113. Hearing on objections; signing of assessment roll.

At the time of such hearing, all persons concerned shall have a right to present their objections to the assessment or any part thereof and to point out errors and inequalities and submit such reasons for amendments and corrections as they may have and such hearings may be continued from time to time as council shall decide. Council shall have power to vary the assessments made according to the formula set forth for the particular improvement in individual cases where, because of peculiar circumstances, the property assessed is not benefitted commensurate with the amount of the assessment. After the council has heard all objections and suggestions, it shall correct all errors, if any, which it finds to exist in the assessment roll as originally made, and when the same is finally settled, the mayor shall sign the assessment roll and provide for the terms of payment of the assessments contained therein. (Ord. No. 6705, § 1.)

Sec. 25-114. Notice to owner of assessment.

Within ten days after final passage of the ordinance levying the assessment, the city clerk shall mail, postage prepaid, a notice to the owner of each property assessed which notice shall designate the property, the amount of the assessment, the time of delinquency and the amount of penalty, if any. Within five days after the notices have been mailed, the clerk shall file his affidavit setting forth such mailing, which affidavit shall be conclusive as to the facts therein set forth. (Ord. No. 6705, § 1.)

Sec. 25-115. Assessments to be lien on property.

Such assessments shall be a lien upon the property assessed from the time the assessment is levied, which lien shall be paramount and superior to any other lien heretofore or hereafter created whether by mortgage or otherwise, except a lien for prior assessments and for general taxes, and shall be payable at such time and when delinquent, shall bear such interest and penalty as city council may prescribe and may be enforced in the same manner provided for the collection and enforcement of general taxes. (Ord. No. 6705, § 1.)

Sec. 25-116. Assessments to be binding.

The regularity or validity of assessments as provided herein may not in any manner be contested or questioned by any proceeding whatsoever by any person not filing objections to such assessment roll prior to the confirmation thereof. (Ord. No. 6705, § 1.)

Sec. 25-117. Appeal.

The decision of council upon any objection may be reviewed by the state superior court in the manner prescribed by law. (Ord. No. 6705, § 1.)

Sec. 25-118. Reassessment--To be made where original assessment invalidated.

Whenever an assessment provided for in this article is set aside, annulled or declared void, or its enforcement refused by a court of the state or the United States, whether directly or by virtue of a decision of a court, the council may, by ordinance or resolution, make a new assessment or reassessment upon the lots, blocks, or parcels of land benefitted by the improvement, not to exceed, however, two-thirds of the cost of the improvement. The reassessment shall be based on the special and peculiar benefit of the improvement to the respective parcels of land assessed at the time it was originally made. (Ord. No. 6705, § 1.)

Sec. 25-119. Same--Valid notwithstanding irregularities.

The proceedings required by law to be taken before the making of an original assessment are not required to be taken in connection with a reassessment under this article. The reassessment shall be made and become a charge upon the property notwithstanding the omission, failure or neglect of an officer, body or person to comply with the provisions of law relating to improvement and assessment, and whether or not the proceedings of the council or a person connected with the work may have been irregular or defective and whether or not an irregularity was jurisdictional. (Ord. No. 6705, § 1.)

Sec. 25-120. Foreclosure of liens for unpaid assessments.

Liens for unpaid assessments shall be foreclosed and the property sold in the same manner as provided for foreclosure of property for taxes. (Ord. No. 6705, § 1.)

Article IV. Municipal Service Areas.

Sec. 25-121. Created.

There is hereby created two service areas within the city denominated Zone One and Zone Two. Zone One shall receive all municipal services. (Ord. No. 7011, § 1; Ord. No. 7810, § 1.)

Sec. 25-122. Boundaries designated.

These zones are described as follows:

(1) Zone One shall be that area included within the boundary described as follows:

Beginning at the northeast corner of Section 29, Township 8 South, Range 6 West, Copper River Meridian; thence West 39.78 chains to a point on the South boundary of Section 20, Township 8 South, Range 6 West, Copper River Meridian; thence North 80.0 chains more or less to a point on the North boundary of Section 20, Township 8 South, Range 6 West, Copper River Meridian; thence West 80 chains more or less to the intersection point of the North-South centerline and the North boundary of Section 19, Township 8 South, Range 6 West, Copper River Meridian; thence South along the North-South centerline of Sections 19, 30 and 31, Township 8 South, Range 6 West, Copper River Meridian to the point of intersection with the West boundary of U. S. Survey No. 639; thence on a bearing South 45° 57' West, along the West boundary of said U. S. Survey 639, a distance of 29.4 chains, more or less, to the Southwest Corner of U. S. Survey 639; thence on a bearing South 80° 55' East, along the South boundary of said U. S. Survey 639, a distance of 23.0 chains, more or less, to the Southeast Corner of U. S. Survey 639, also being a point of angulation on the westerly boundary of Black Gold No. 2 Subdivision as per plat, recorded in the Valdez Recording District, Valdez Reception No. 74-661, Plat 74-5, thence on a bearing South 0° 43' 56" East, along said westerly boundary a distance of 110.00 feet to the Southwest Corner of said Black Gold No. 2, thence on a bearing South 89° 11' 04" East along the South boundary of said Black Gold No. 2 Subdivision, a distance of 102.42 feet; thence in a southerly direction, a distance of 14.88 chains, more or less, along a line of intersection with the Northwest Corner of the Standard Oil Company of California parcel of land, Tract "A," common with the Northeast Corner of the Standard Oil Company of California parcel of land, Tract "B," and identified on the ground by a brass disc embedded in a concrete pillar, flush with the ground, and marked NW COR STD OIL; thence on a bearing North 79° 55' West, along the North boundary of the Standard Oil Company of California parcel of land, Tract "B," a distance of 7.378 chains, more or less, to the Northwest Corner of Tract "B." Tract "B" is defined by Deed dated November 14th, 1967, and recorded in the Valdez Recording District in Book 60, page 18, Reception No. 67-578; thence on a bearing South along the West boundary of Standard Oil Company of California Tract "B," a distance of 6.95 chains, more or less, to the Southwest Corner of Tract "B"; thence on a bearing

South 80° 55' East, along the South boundary of Tract "B," a distance of 7.36 chains, more or less, to the Southeast Corner of Tract "B," identified on the ground by a brass disc embedded in a concrete pillar, flush with the ground, and marked on the west side of the disc SE COR STD OIL TRACT B, and on the east side of the disc STD OIL CO, TRACT A; thence in a southerly direction a distance of 21.21 chains, more or less, to the point of intersection with the line of mean low, low water of Valdez Bay; thence easterly, along the line of mean low, low water of Valdez Bay to the point of intersection with the North-South centerline of Section 33, Township 8 South, Range 6 West; Copper River Meridian; thence North along the North-South centerline of Sections 33 and 28, Township 8 South, Range 6 West, Copper River Meridian, to the point of intersection with the East-West centerline of Section 28, Township 8 South, Range 6 West, Copper River Meridian; thence West along the East-West centerline of Section 28, Township 8 South, Range 6 West, Copper River Meridian to the point of intersection with the East Boundary of Section 29, Township 8 South, Range 6 West, Copper River Meridian; thence North along the East boundary of Section 29, Township 8 South, Range 6 West, Copper River Meridian to the Northeast corner of Section 29, Township 8 South, Range 6 West, Copper River Meridian, the point of beginning.

This area may also be described as all of that portion of the city located within its boundary, as that boundary existed subsequent to the deannexation of May 5, 1969, and prior to the annexation of March 8, 1970, and also located to the West of the North-South centerline of Sections 33, 28 and 21, Township 8 South, Range 6 West, Copper River Meridian.

(2) Zone Two shall be all of that portion of the city that is not located within Zone One. (Ord. No. 7011, § 2; Ord. No. 7609, § 1; Ord. No. 7810, § 2.)

Sec. 25-123. Differential tax levied.

There shall be a differential tax rate levied in each zone, and that rate shall be related to the estimated cost of services provided in that zone. (Ord. No. 7011, § 3.)

Article V. Tax on Pipeline Property.

Sec. 25-124. Levied on "taxable property."

There is hereby levied a tax on all pipeline and terminal property as defined in House Bill No. 1 as "taxable property." (Ord. No. 7316, § 1.)

Sec. 25-125. Levied on "construction equipment."

There is hereby levied a tax on all "equipment used in the construction of the pipeline" as described in item 4 of the Free Conference Committee report on Free Conference CS for Senate CS for House Bill No. 1. (Ord. No. 7316, § 2.)

Township 8 South, Range 7 West, Copper River Meridian, to the point of intersection with the line of mean low, low water of Valdez Bay; thence in a generally easterly and southerly direction along the line of mean low, low water of Valdez Bay to the point of intersection with the thread of the main channel of the Lowe River; thence in an easterly direction along the thread of the main channel of the Lowe River to the point of intersection with the north-south centerline of Section 20, Township 9 South, Range 5 West, Copper River Meridian; thence north along the centerline of Sections 20, 17, 8 and 5, Township 9 South, Range 5 West, Copper River Meridian, to the point of intersection with the south boundary of Section 32, Township 8 South, Range 5 West, Copper River Meridian; thence east along the south boundary of Section 32, Township 8 South, Range 5 West, Copper River Meridian, to the southeast corner of Section 32, Township 8 South, Range 5 West, Copper River Meridian; thence north along the east boundary of Sections 32 and 29, Township 8 South, Range 5 West, Copper River Meridian to the northeast corner of Section 29, Township 8 South, Range 5 West, Copper River Meridian; thence west along the north boundary of Sections 29 and 30, Township 8 South, Range 5 West, Copper River Meridian, and Sections 25 and 26, Township 8 South, Range 6 West, Copper River Meridian, to the northeast corner of Section 27, Township 8 South, Range 6 West, Copper River Meridian; thence south along the east boundary of Section 27, Township 8 South, Range 6 West, Copper River Meridian to the point of intersection with the east-west centerline of Section 27, Township 8 South, Range 6 West, Copper River Meridian; thence west along the east-west centerline of Sections 27 and 28 to the point of intersection with the east boundary of Section 29, Township 8 South, Range 6 West, Copper River Meridian; thence north along the east boundary of Section 29, Township 8 South, Range 6 West, Copper River Meridian, to the northeast corner of Section 29, Township 8 South, Range 6 West, Copper River Meridian, to the point of beginning.

(3) Zone Three shall be all of that portion of the city that is not located within Zone One or Zone Two. (Ord. No. 7011, § 2; Ord. No. 7609, § 1.)

Sec. 25-123. Differential tax levied.

There shall be a differential tax rate levied in each zone, and that rate shall be related to the estimated cost of services provided in that zone. (Ord. No. 7011, § 3.)

Article V. Tax on Pipeline Property.

Sec. 25-124. Levied on "taxable property."

There is hereby levied a tax on all pipeline and terminal property as defined in House Bill No. 1 as "taxable property." (Ord. No. 7316, § 1.)

Sec. 25-125. Levied on "construction equipment."

There is hereby levied a tax on all "equipment used in the construction of the pipeline" as described in item 4 of the Free Conference Committee report on Free Conference CS for Senate CS for CS for House Bill No. 1. (Ord. No. 7316, § 2.)

Article VI. Hotel-Motel Room Tax.

Sec. 25-126. Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Contractor. A person or organization who undertakes to construct, alter, repair, move or demolish a building, highway, road, railroad or any type of fixed structure, including excavation, site development and erection of scaffolding.

Guest. An individual, corporation, partnership or association paying or agreeing to pay monetary consideration for the use of a room or rooms in a hotel-motel.

Hotel-motel. A structure or portion of a structure which is occupied or intended and designed for occupancy by transients for dwelling, lodging or sleeping purposes and includes any construction camp, hotel, motel, inn or similar structure.

Operator. A person who furnishes, offers for rent or otherwise makes rooms available in a hotel-motel in the city for monetary consideration, whether acting directly or through an agent or employee.

Person. An individual and entities recognized by law.

Quarter. Computed by use of the calendar year beginning with January and shall consist of a three-month period.

Rents. The amount paid as monetary consideration for the use of a room or rooms in a hotel-motel or other place of public accommodation by a transient.

Transient. A person who occupies or has available for occupancy a suite, room or rooms in a hotel-motel for fewer than thirty consecutive days. An employee who occupies or has available for fewer than thirty days a suite, room or rooms rented or leased for more than thirty consecutive days by an employer for use on a rotating basis by employees is not a transient. (Ord. No. 8112, § 1; Ord. No. 8126, § 1.)

Sec. 25-127. Levied; responsibility for payment; collection.

(a) The city hereby levies a tax on transient hotel-motel room rentals within the city equal to six percent of the room rental, effective October 1, 1981. The tax shall be applicable to all transient room rentals unless the rental is specifically exempted from taxation, as follows:

(1) The rent paid for a hotel-motel room by a federal, state or municipal officer or employee who is on official business is exempt from taxation.

(2) The rent paid for a hotel-motel room by an officer or employee of a foreign government who is exempt by reason of express provision of federal law or international treaty is exempt from taxation.

(3) The rent paid for a hotel-motel room by a contractor or employees of a contractor who are occupying or using the room while engaged in the actual construction of a project in the city is exempt from taxation.

No exemption shall be granted except upon a claim therefor made at the time rent is collected. Applications for exemptions under this subsection shall be made under penalty of perjury upon a form prescribed by the city.

(b) Each transient guest is responsible for the room rental tax imposed by this article, and the tax shall be due and payable at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due when the transient guest ceases to occupy or use space in the hotel-motel.

(c) Every operator renting rooms subject to taxation under this article shall collect the taxes imposed by this article from the transient guest at the time of collection of the room rental and shall transmit the same quarterly to the city. The tax imposed shall be shown on the billing to the guest as a separate and distinct item. (Ord. No. 8112, § 1; Ord. No. 8126, § 2.)

Sec. 25-128. Certificate of registration.

(a) Operators shall apply to the city for a certificate of registration not later than ten days from the effective date of the ordinance codified in this article, the date of commencement of business or the opening of additional places of business. Upon receipt of a properly executed application, the city may issue without charge a certificate of registration to the operator authorizing the operator to collect the tax at the business address stated on the certificate.

(b) The certificate must be displayed prominently at the registered place of business.

(c) The certificate of registration is nonassignable and nontransferable and must be surrendered to the city by the operator to whom it was issued upon the operator's cessation of business at the location stated in the certificate. If the business is continued at the same location but the form of business organization is changed, the operator shall surrender his old certificate to the city for cancellation. The new operator shall file a new application for the certificate of registration and, upon receipt of a properly executed application, a new certificate will be issued. If there is a change of address for the operator's place of business, a new certificate of registration is required showing the new location or address. (Ord. No. 8112, § 1.)

Sec. 25-129. Receipts--Segregation.

Title to the taxes collected pursuant to this article shall vest in the city upon collection. Such taxes shall be segregated by the operator from the funds of the operator or the hotel-motel and safeguarded until transmitted to the city as hereinafter provided. A separate account shall be maintained for all taxes collected. (Ord. No. 8112, § 1.)

Sec. 25-130. Same--Transmittal; due date; penalty.

(a) On or before thirty days after the end of each quarter, each operator shall prepare and submit to the city a return for the preceding quarter upon forms furnished by the city setting forth the amount received for:

- (1) Rentals within the city;
- (2) The amount received from nontaxable rents;
- (3) The amount received from all taxable rentals; and
- (4) The taxes collected.

In addition, the operator shall submit such other information and supporting papers as may be required by the city.

(b) The operator shall sign the return and transmit it together with the taxes collected to the city on or before the due date. A return shall be filed even if none of the reported rentals were taxable.

(c) Taxes collected by an operator as provided by this article shall be due thirty days after the end of each quarter. If taxes collected by an operator have not been received by the city on or before the due date, the operator shall incur a penalty equal to ten and one-half percent of the taxes which are due and shall be charged interest at the rate of ten and one-half percent per annum for each day the tax is delinquent.

(d) Where the city has reasonable grounds to believe that taxes due were not collected or taxes collected were not transmitted on or before the due date, or if the operator of a hotel-motel has failed to file a return as required by this article, the city shall prepare a notice of delinquency and shall deliver such notice to the operator. Payment of delinquent tax under a notice of delinquency shall include penalty and interest which shall be calculated as provided above. (Ord. No. 8112, § 1.)

Sec. 25-131. Returns to be confidential.

All returns filed with the city pursuant to the provisions of this article and all data obtained from such returns are confidential and may not be released for inspection by the public, except upon court order. (Ord. No. 8112, § 1.)

Sec. 25-132. Records--Maintenance and inspection.

Every operator of a hotel-motel engaged in business within the city shall keep and preserve suitable records of all rentals made and such other books or accounts as may be necessary to determine the amount of tax required to be collected. All books, invoices and other necessary records shall be maintained by the operator for a period of two years and shall be available for examination at reasonable times by the city for the purpose of ascertaining the correctness of a return or for the purpose of determining the amount of tax collected or levied. (Ord. No. 8112, § 1.)

Sec. 25-133. Same--Investigation by city.

The city may conduct investigations and hearings concerning any matters covered by this article, may examine relevant books, papers, records or memoranda of any operator and may require the attendance of the operator, his officers or employees. The city shall have the power to administer oaths to persons testifying, and may issue formal subpoenas to compel attendance or to require production of relevant books, papers, records of memoranda. All subpoenas issued under the terms of this article may be served on any person of legal age. The fees paid to witnesses for attendance at the hearings shall be the same as the fees paid to witnesses before the superior court, and such fees shall be paid when the witness is excused from further attendance. When a witness is subpoenaed at the insistence of any party to the proceeding, the cost of service of the subpoena and the fee of the witness shall be borne by the party at whose request the witness is summoned. A subpoena shall be served in the same manner as a subpoena issued by a superior court. The city or any party to an investigation or hearing before the city may cause the deposition of witnesses residing within or without the state to be taken in a manner prescribed by law for depositions in civil actions in the courts of this state and to that end may compel the attendance of witnesses and production of relevant books, papers, records or memoranda. (Ord. No. 8112, § 1.)

Sec. 25-134. Suits for collection.

Taxes due but not paid or taxes collected but not transmitted may be recovered in an action at law against the transient guest or the hotel-motel operator. Tax returns shall be prima facie proof of taxes collected but not transmitted. (Ord. No. 8112, § 1.)

Sec. 25-135. Prohibited acts.

(a) No person may fail or refuse to pay the tax imposed by this article when it is due and payable to an operator authorized to collect the tax.

(b) An operator may not advertise or state to the public or to any guest or renter directly or indirectly that the tax or any part of it will be assumed or absorbed by the operator, or that the tax will not be added to the rental, or that it will be refunded. An operator may not absorb or fail to add the tax or any part of it or refund any tax or fail to state the tax separately to the renter or guest. (Ord. No. 8112, § 1.)

Sec. 25-136. Civil penalties for violations.

An operator who rents accommodations in the city and who thereafter fails to file a tax return as required by this article shall incur civil penalty equal to ten percent of the taxes due to the city for each quarter for which a return was not filed as required by this article. An operator who, in the course of his business, rents accommodations upon which a tax is levied hereunder and who fails to collect such tax shall incur a civil penalty of double the tax which should have been collected. In addition, a violator of this article is subject to criminal penalties as set forth in section 1-7. (Ord. No. 8112, § 1.)

Sec. 25-137. Use of funds generated; creation of advisory board.

The funds generated by the hotel-motel tax, less costs of collection, shall be used only for promotion of tourism and tourist-related activities. Any person or organization which receives an appropriation of any of these funds from the city shall use the funds only for those purposes and under the limitations set forth by the city, and shall provide an accounting and records of the use of the funds in a form satisfactory to the city.

An advisory board is hereby created for the purpose of making recommendations to the council regarding the use of the proceeds of the hotel-motel room tax. This board shall consist of seven members who are appointed and serve at the pleasure of the council. At least three board members shall be connected with the hotel-motel business in the city, at least one board member shall be connected with the transportation industry in the city, and at least two board members shall be from the general business community of the city. (Ord. No. 8112, § 1.)

March 31, 1981

Re: Real Estate Values
for Properties Located
in the City of Valdez.

City of Valdez
P.O. Box 307
Valdez, Alaska 99686

Attention: Mr. Mark Lewis

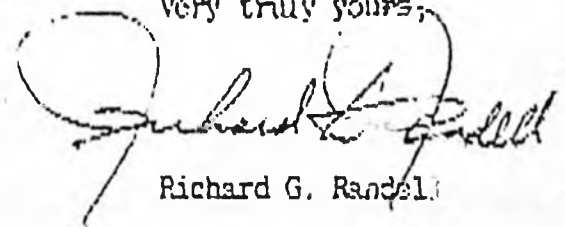
Dear Mr. Lewis,

In reference to our conversation of March 23, 1981 pertaining to assessed values for tax purposes in the city of Valdez, I feel that the valuations I arrived at are 100% of fair market value. However, it is not uncommon for appraisers to be as much as 15% to 20% apart in valuation and two appraisers could arrive at two different values on the same piece of property. Therefore, it would be reasonable to apply a percentage of increase or decrease to the values I arrived at for assessment purposes.

Real estate appraising is not a science, it is an estimation based on knowledge and analysis of the real estate market. The analyses utilized in arriving at an estimation is uniform throughout the appraisal field, but because of the many different variables involved in these processes different appraisers do arrive at different estimations of value.

I hope this satisfactorily answers your questions and if any others should arise please contact me.

Very truly yours,



Richard G. Randell

Patrick J. McKay
ATTORNEY AT LAW

716 W. 4th Avenue, Suite 400, Anchorage, Alaska 99501
(907) 276-5541

March 9, 1983

Mark Lewis
2733 Johr. Street
Juneau, Alaska 99810

Re: Valdez Tax Assessments

Dear Mark:

Pursuant to our recent telephone conversation, I have obtained copies of the Valdez ordinances concerning the real estate tax assessment process in the City of Valdez, and have reviewed the State's statutes, as well. Unfortunately, under the factual situation as described by both yourself and my conversation with Mr. Randell, it appears that there is no clear answer to your question as to "precertified tax roll changes vs. certified tax roll changes." The reason this is unclear is because according to the Valdez City ordinances, section 25-8, the tax rolls are not certified until after the board of equalization has met and heard all appeals. Therefore, it is my opinion that "certified tax rolls" can only be changed by the Superior Court, since all the municipal remedies would have been exhausted by that time.

However, as I understand your factual circumstances, the question really should be "who has the authority to change or suggest changes to tax rolls before the original submission to the City Council?" It appears that in this case the tax rolls were changed even prior to the first submission to the City Council. If my understanding is correct, the tax rolls were changed after a meeting with yourself and the city assessor, Richard Randell, a meeting that was reflected in Mr. Randell's letter of March 31, 1981 to yourself. At this point, the city tax rolls had not even been originally submitted to the City Council.

The original submission of the tax rolls to the City Council is not called for by ordinance, however, is the initial notification to council members that the tax rolls have been completed. Certification is not necessary prior to this original submission and as discussed above, is only necessary after the board of equalization meets.

Therefore, it appears that Mr. Randell, in his role as an expert appraiser as well as a city tax assessor, could receive input from any person he chooses, whether it be from the city administration or the citizenry in order to make determinations necessary as to the "full and true value" of the realty located in the city. Since Mr. Randell was present at the time the City Council received the tax rolls originally, it would appear that he assented to the change. Nothing in the city ordinances nor in the Alaska Statutes prohibit either yourself, other members of the administration, or even the citizenry, from making suggestions to Mr.

Mark Lewis
March 9, 1983
Page Two

Randell. The tax roll was submitted originally to the City Council after consultation with the city assessor and after his professional review, and on the bottom line, that's what really counts.

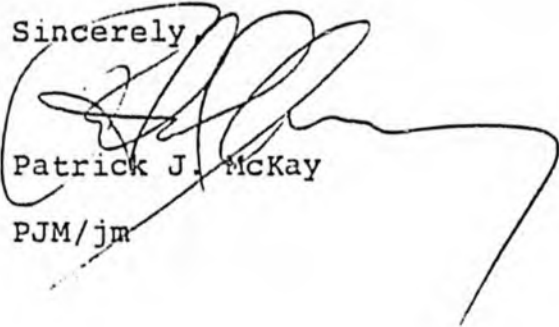
Upon review of your actions, it is my opinion that you did not violate any statutes or ordinances applicable to the situation.

I believe there might be a problem if changes had occurred after the original submission to the City Council. I believe there is a problem if changes would have occurred unilaterally after the rolls were submitted to the board of equalization. Clearly there would be a problem if changes occurred after the review by the board of equalization and prior to the certification by Mr. Randell of the tax rolls. Just as clearly, there would be a problem if any changes were made after certification.

I hope this letter has answered your questions. I also hope this letter finds you in the best of health, and next time you are in Anchorage, give me a call.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Patrick J. McKay

PJM/jm

H B

3 /

COMMITTEE REPORT

HOUSE

(7)
1/17/3

FURTHER: FINANCE

Date: _____

Mr. Speaker:

The Committee on C.S. RA has had HB 31

Providing for exemption of the residence of a disabled veteran from levy and collection of real property taxes; and providing for an effective date.

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 31 same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

AN ACT RELATING TO CERTAIN TAX BENEFITS FOR DISABLED VETERANS
AND SENIOR RESIDENTS,
AND PROVIDING FOR AN EFFECTIVE DATE

PRIME SPONSOR: FURNACE. GENERAL DOLLARS: \$300,000 (F. NOTE)

OTHER DOLLARS: \$0
CO-SPONSORS: BARNES, GRUSSENDORF, KOPONEN, PHILLIPS, LINDAUER, ABOOD, LISKA,
LARSON, FRITZ.

CURRENT STATUS: 4/27/84 CHAPTER 0040 SLA 84

DATE	SEQ	PAGE	LEGISLATIVE ACTION
01/17/83	01	0025	FIRST READING -- COMMITTEE REPORTS
02/15/83	02	0259	C&RA -- CS03, NR04
02/15/83	03	0259	F/NOTE HSE SUPPL #9
03/02/83	04	0380	FIN -- C&RA CS11
03/02/83	05	0384	SECOND READING
03/02/83	06	0385	C&RA CS ADOPTED BY UNAN CONSENT
03/02/83	07	0385	AM01 ADOPTED BY UNAN CONSENT
03/02/83	08	0385	ADVANCED TO 3RD READING BY UNAN CONSENT
03/18/83	20	0549	AM05 ADOPTED BY UNAN CONSENT
03/18/83	21	0000	ADVANCED TO 3RD READING BY UNAN CONSENT
03/02/83	09	0385	THIRD READING
03/02/83	10	0386	PASSED BY DIV 36-04-00
03/02/83	11	0387	EFFECTIVE DATE VOTE SAME AS PASSAGE
03/02/83	12	0387	NOTICE OF RECONSIDERATION GIVEN
03/04/83	13	0405	POSTPONED UNTIL 03/09/83 BY UNAN CONSENT
03/09/83	14	0430	POSTPONED UNTIL 03/14/83 BY UNAN CONSENT
03/14/83	15	0493	POSTPONED UNTIL 03/16/83 BY UNAN CONSENT
03/16/83	16	0513	POSTPONED UNTIL 03/18/83 BY UNAN CONSENT
03/18/83	17	0545	FAILED TO RETN 2ND READING BY DIV 04-33-03
03/18/83	18	0546	FAILED TO RETN 2ND READING BY DIV 04-31-05

03/18/83	19	0549	RETURNED TO 2ND READING BY UNAN CONSENT
03/18/83	22	0549	PASSED ON RECONSIDERATION BY DIV 34-01-05
03/18/83	23	0550	EFFECTIVE DATE VOTE SAME AS PASSAGE
04/09/84	36	3255	CONCURRED IN SENATE AHS BY DIV 37-02-01
04/09/84	37	3255	EFFECTIVE DATE VOTE SAME UNAN CONSENT
04/10/84	38	3270	TRANSMITTED TO GOVERNOR
04/27/84	39	3505	SIGNED BY GOVERNOR-CH0040, EFF 01/01/85

03/21/83	24	0446	FIRST READING -- COMMITTEE REPORTS
04/20/83	25	0760	C&RA -- CS02, NR01
04/20/83	26	0760	C&RA F/NOTE SEN SUPPL #21
03/01/84	27	2223	FIN -- CS03, NR03
03/01/84	28	2238	FIN F/NOTE SEN SUPPL #59
04/04/84	29	2634	RLS -- FIN CS05, OTHER05 TAKEN UP IMMEDIATELY
04/04/84	30	2635	SECOND READING
04/04/84	31	2636	FIN CS ADOPTED BY UNAN CONSENT
04/04/84	32	2636	ADVANCED TO 3RD READING BY UNAN CONSENT
04/04/84	33	2636	THIRD READING
04/04/84	34	2636	PASSED BY DIV 20-00-00
04/04/84	35	2636	EFFECTIVE DATE VOTE SAME AS PASSAGE

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: 12/29/83

REQUEST

FISCAL DETAIL

Bill/Resolution No.: HB 031 CS(C&RA) Agency Affected: Community & Regional Affairs
 Title: Residence Exemption/Disabled Veterans Program Category Affected: Development
 Rec ID 364
 Sponsor: C&RA Committee BRU, Program or Subprogram(s) Affected:
 Requestor: Jay Hogan
 Date of Request: 12/16/83

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL		3.0	3.3	3.6	4.0	4.4
300 CONTRACTUAL						
400 SUPPLIES		2.0	2.2	2.4	2.6	2.9
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS		214.0	235.5	259.0	285.0	313.5
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	219.0	241.0	265.0	291.6	320.8
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND		219.0	241.0	265.0	291.6	320.8
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Mar Wingan Phone: 465-4750
 Division: Municipal and Regional Assistance Date: 12/29/83
 Approved by Commissioner: [Signature] Date: 12/29/83
 Agency: Community & Regional Affairs

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

12/1/83

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: 12/29/83

Bill/Resolution No.: HB 031 CS
Title: Residence Exemption/Disabled Veterans
Rec ID 364

ANALYSIS:

Assumptions:

See Attachment A.

Positions:

Negligible impact.

Other Expenditures:

Funding:

General Fund.

Section Cost Analysis:

Computations:

See Attachment A.

Economic Impact:

None.

Impact on Local Government:

Negligible

Attachments

Attachment A - assumptions & computations.

ATTACHMENT A

Assumptions:

1. Of the 75% disabled veterans in Alaska whose disability ratings are 50% or higher, we assume 1.5% to be over 65 years of age, and therefore, already exempt under Senior Citizen programs.
2. The percentage of disabled veterans who rent is similar to those who own their homes.
3. The average exemption for homeowners is \$427 per year. The average rebate for renters is \$295 per year.
4. The annual increase is 10%. This allows for inflation, increasing participation and increased property taxes.

Computations:

Homeowners

<u>% Disability</u>	<u>Number</u>	<u>Total Payment to Municipalities</u>
50%	150	\$ 32,025
60%	149	38,174
70%	92	27,499
80%	46	15,714
90%	2	769
100%	<u>162</u>	<u>69,174</u>
TOTAL	601	\$ 183,355

Renters Property

<u>% Disability</u>	<u>Number</u>	<u>Total Rebate to Renters</u>
50%	38	\$ 5,605
60%	37	6,549
70%	17	3,511
80%	11	2,596
90%	1	266
100%	<u>41</u>	<u>12,095</u>
TOTAL	145	\$ 30,622

Administration

Forms Design & Printing	\$ 2,000
Travel (Outreach)	3,000
	<u>\$ 5,000</u>

GRAND TOTAL \$ 218,977
 CALL: \$ 219,000

Alaska State Legislature



Barbara Lacher, Chairman
Mac Tischer, Vice-Chairman
Randy Phillips
Milo Fritz
Don Clocksin
Jack McBride
Mike Szymanski

Room 104
State Capitol
Juneau, Alaska 99811

Pouch V
Juneau, Alaska 99811

House of Representatives Committee on Community & Regional Affairs


TO: House C & R A Committee
FROM: Staff
DATE: February 14, 1983
SUBJECT: CSHB 31

CSHB 31 adds a provision for disabled veterans who are renters to receive a rebate on the portion of rent that is estimated to be equal to the tax payment.

It makes property tax exemption and rental rebate applicable to disabled veterans with a minimum of 50 percent disability.

The committee substitute incorporates requests of committee members which require verification of disability and provides for exceptions to the deadline for applications.

To: Representatives Barbara Lacher, Chairperson
House Committee on Community and Regional Affairs

Through: Representative Walt Furnace 

From: Steven C. Levi, Staff

Date: January 20, 1982

RE: HB 31

This bill, when enacted, will allow a property tax exemption for a disabled Alaska veterans in the percentage of his or her disability on his or her residential, permanent abode. Thus, an Alaskan veteran who is 75% disabled would have a 75% reduction in his or her property taxes. A disabled veterans may be required to show evidence of disability. Disability shall be defined as that percentage of physical damage which has been rated by the branch of the service in which the person served or by the Veterans Administration. Such veteran must have been honorably discharged.

Staff notes that Alaskans 65 years or older pay no property assessments and that only one exemption may be granted for any piece of property -- even if two or more eligible Alaskans reside at the same address.



Veterans Administration

January 25, 1983

In Reply Refer To: 363/27

Representative Barbara Lacher
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Mrs. Lacher,

We do not have a precise breakdown of disabled veterans by state and percentage of disability.

We do, however, know the exact number of Alaska veterans receiving service connected disability payments, and that figure is 3,436.

Also, we do have a breakdown by percentage of disability on a national basis. That is as follows:

<u>DISABILITY</u>	<u>PERCENT OF TOTAL</u>
10%	39.5
20%	15.9
30%	14.1
40%	8.3
50%	5.1
60%	5.5
70%	3.4
80%	1.7
90%	0.1
100%	6.0

You can see from this chart that, for example, 39.5% of the veterans nationally are receiving 10% disability compensation. If you apply the same percentage (39.5) to the total number of Alaska veterans (3436) you will arrive at a good approximation of the number of veterans in Alaska receiving 10% compensation.

2.

Representative Barbara Lacher

Attached you will find a copy of our current compensation rates. Historically, the rates have been adjusted on October 1st to reflect increases in cost-of-living.

Sincerely,



WILLIAM R. HARRELL
Staff Assistant/Veterans Services Officer

38 U.S.C. 314

BASIC RATES

Entitlement Codes
11, 21, 31, 41, 51,
61, 71 and 91

lowest
10-1-82

PL 97-
Effective 10-1-82

DEP CODE	(a) 10%	(b) 20%
00	Veteran	\$114

DEP. CODE	38 USC 314 Percent	30%	40%	50%	60%	70%	80%	90%	100%	38 USC Percent	DEP. CODE
00	Veteran	\$173	249	352	443	559	648	729	1213	Veteran	00
10	V-W	195	278	389	487	610	707	795	1287	V-W	10
11	V-W-1C	210	298	414	517	645	747	840	1337	V-W-1C	11
12	V-W-2C	222	314	434	541	673	779	876	1377	V-W-2C	12
13	V-W-3C	234	330	454	565	701	811	912	1417	V-W-3C	13
14	V-W-4C	246	346	474	589	729	843	948	1457	V-W-4C	14
15	V-W-5C	258	362	494	613	757	875	984	1497	V-W-5C	15
16	V-W-6C	270	378	514	637	785	907	1020	1537	V-W-6C	16
17	V-W-7C	282	394	534	661	813	939	1056	1577	V-W-7C	17
18	V-W-8C	294	410	554	685	841	971	1092	1617	V-W-8C	18
19	V-W-9C	306	426	574	709	869	1003	1128	1657	V-W-9C	19
	Ea. Add'l Child	12	16	20	24	28	32	36	40	Ea. Add'l Child	
	Ea. School Child	32	44	56	67	78	89	100	112	Ea. School Child	
81	V-1C	188	269	377	473	594	688	774	1263	V-1C	81
82	V-2C	200	285	397	497	622	720	810	1303	V-2C	82
83	V-3C	212	301	417	521	650	752	846	1343	V-3C	83
84	V-4C	224	317	437	545	678	784	882	1383	V-4C	84
20/30	V-W-1P	213	302	419	523	652	755	849	1347	V-W-1P	20/30
21/31	V-W-1P-1C	228	322	444	553	687	795	894	1397	V-W-1P-1C	21/31
22/32	V-W-1P-2C	240	338	464	577	715	827	930	1437	V-W-1P-2C	22/32
23/33	V-W-1P-3C	252	354	484	601	743	859	966	1477	V-W-1P-3C	23/33
24/34	V-W-1P-4C	264	370	504	625	771	891	1002	1517	V-W-1P-4C	24/34
40	V-W-2P	231	326	449	559	694	803	903	1407	V-W-2P	40
41	V-W-2P-1C	246	346	474	589	729	843	940	1457	V-W-2P-1C	41
42	V-W-2P-2C	258	362	494	613	757	875	984	1497	V-W-2P-2C	42
43	V-W-2P-3C	270	378	514	637	785	907	1020	1537	V-W-2P-3C	43
44	V-W-2P-4C	282	394	534	661	813	939	1056	1577	V-W-2P-4C	44
50/60	V-1P	191	273	382	479	601	696	783	1273	V-1P	50/60
51/61	V-1P-1C	206	293	407	509	636	736	828	1323	V-1P-1C	51/61
52/62	V-1P-2C	218	309	427	533	664	768	864	1363	V-1P-2C	52/62
53/63	V-1P-3C	230	325	447	557	692	800	890	1403	V-1P-3C	53/63
54/64	V-1P-4C	242	341	467	581	720	832	936	1443	V-1P-4C	54/64
70	V-2P	209	297	412	515	643	744	837	1333	V-2P	70
71	V-2P-1C	224	317	437	545	678	784	882	1383	V-2P-1C	71
72	V-2P-2C	236	333	457	569	706	816	918	1423	V-2P-2C	72
73	V-2P-3C	248	349	477	593	734	848	954	1463	V-2P-3C	73
74	V-2P-4C	260	365	497	617	762	880	990	1503	V-2P-4C	74
Additional For A/A Spouse Add		18	24	30	36	42	48	54	60	Additional For A/A Spouse Add	

22-1
Change
Appendix



Official Business

Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

January 24, 1983

TO: Representative Barbara Lacher

FROM: Staff

SUBJECT: HB 31 Summary

This proposed amendment provides tax exemption of real property (permanent place of abode) for disabled veterans. The amount of the exemption is the same percentage as the percentage of disability as established by the service disability rating of the veteran.

The taxes lost to a municipality as a result of this amendment shall be paid to the municipality by the State (29.53.020g). The manner for the veteran to receive the exemption and for the municipality be reimbursed is the same as existing law for persons 65 years of age or older.

TO: HB 31 files
FROM: Staff

According to Bill Harrell of the Veterans Administration in Anchorage there are 3436 veterans who are drawing disability compensation. Of these

39.5%	10% disability	1,357
15.9%	20%	
14.1	30%	
8.3%	40%	
5.1	50%	
5.5	60%	
3.4%	70%	
1.7	80%	
.1%	90%	(4)
6.0	100%	(206)

The above figures are close approximations and thus do not come out exactly at 100%

In addition to the above disability rating, there are special letter ratings from A-R. The loss of one eye for example is a K rating and entitles the veteran to an additional amount of money.

The % of disability rating is based on the "average man's income loss" For example, it is determined that the average man would lose a certain percentage of his earning power for a particular injury and so anyone, be they a concert pianist or a truck driver will receive the same amount of compensation for a particular disability. The rate scale is updated annually.

THE LEGISLATURE OF THE STATE OF ALASKA
THIRTEENTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CS For HB 31 (C&RA)
 Title "... providing for the exemption of the residence of a disabled veteran..."
 Requested by House Community & Regional Affairs Date 2/8/83

II. FISCAL DETAIL
 Agency Affected Community & Regional Affairs
 Program Category Affected _____
 BRU, Program, Or Subprogram(s) Affected State Assessor - Grants
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		289.7	315.8	344.2		

FUNDING (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
GENERAL FUND		289.7	315.8	344.2		
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

See Attached

RECEIVED

FEB 9 1983

LEGISLATIVE FINANCE

Terry Earley

IV. DATE 2/8/83 PREPARED BY Terry Earley
 AGENCY Community & Regional Affairs

Original: Legislative Finance PHONE 465-4730
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/82) OMB Reviewed by: David Gentry *D. Gentry*

FISCAL NOTE

"...providing for exemption of the residence of disabled veterans..."

The following tables show estimated number of veterans by percent of disability and is based on average payments made to senior citizens under current statutes.

HOMEOWNERS

<u>% Disability</u>	<u>Number</u>	<u>Total</u>
10%	1070	\$63,828
20%	430	\$51,301
30%	382	\$68,361
40%	225	\$53,687
50%	150	\$44,739
60%	149	\$53,329
70%	92	\$38,416
80%	46	\$21,952
90%	2	\$1,074
100%	162	\$96,636
	<u>2,708</u>	<u>\$493,323</u>

RENTERS

10	268	\$8,920
20	108	\$7,190
30	95	\$9,486
40	56	\$7,456
50	38	\$6,324
60	37	\$7,389
70	17	\$5,658
80	11	\$226
90	1	\$300
100	41	\$13,647
	<u>672</u>	<u>\$66,596</u>

Grand Total

\$559,919

Assumptions

1. There are 3,436 eligible disabled veterans in the state.
2. Census statistics show the over 65 male population of the state to comprise 1.4% and this percentage also applies to disabled veterans. Therefore, that 1.4% of the disabled veterans are presently exempt by virtue of age.
3. The percentage of disabled veterans who rent is similar to senior citizens who rent.

RECEIVED

FEB 2 1983

THE LEGISLATURE OF THE STATE OF ALASKA
THIRTEENTH LEGISLATURE

LEGISLATIVE FINANCE

FISCAL NOTE

I. REQUEST
Bill/Resolution No. CS For HB 31 (C&RA)
Title "providing for exemption of the residence of a disabled veteran..."
Requested by House Community & Regional Affairs Date 1/28/83

II. FISCAL DETAIL
Agency Affected Community & Regional Affairs
Program Category Affected _____
BRU, Program, Or Subprogram(s) Affected State Assessor - Grants
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		559.9	610.3	665.2		

FUNDING (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
GENERAL FUND		559.9	610.3	665.2		
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

See Attached

IV. DATE 1/28/83 PREPARED BY Terry Earley
AGENCY Community & Regional Affairs

Original: Legislative Finance PHONE 465-4730
cc: Budget and Management
Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/82)
OMB Reviewed by: David Gentry

D. Gentry

RECEIVED

FEB 2 1983

THE LEGISLATURE OF THE STATE OF ALASKA
THIRTEENTH LEGISLATURE

LEGISLATIVE FINANCE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS For HB 31 (C&RA)
Title "... providing for exemption of the residence of a disabled veteran..."
Requested by House Community & Regional Affairs Date 1/28/83

II. FISCAL DETAIL

Agency Affected Community & Regional Affairs
Program Category Affected _____
BRU, Program, Or Subprogram(s) Affected State Assessor - Grants
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		559.9	610.3	665.2		

FUNDING (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
GENERAL FUND		559.9	610.3	665.2		
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

See Attached

IV. DATE 1/28/83 PREPARED BY Terry Earley
AGENCY Community & Regional Affairs
PHONE 465-4730
Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/82)

OMB Reviewed by: David Gentry

D. Gentry

M E M O R A N D U M

TO: House C & RA Committee Members
FROM: Staff
SUBJECT: HB 31

Message from Mr. Dave Barrett, Alaska Director of Veterans Administration, as relayed by Mr. Pete Everingham, Juneau VA representative.

The Veterans Administration can provide to state agencies the necessary data to implement HB 31 as presently written, that is, exemptions and payments based on a percentage of disability as rated by the Veterans Administration.

The Veterans Administration cannot provide the necessary information should tax exemptions and payments be based on income or need because they do not and cannot maintain this data.

TO: Representative Barbara Lacher
FROM: Staff
SUBJECT: CS HB 31

The proposed CSHB 31 retains the same provisions as HB 31 but provides for property tax equivalency payments for disabled veterans who are renters of an abode in the same manner as is presently provided for citizens 65 years of age or older who are renters. (AS 29.73.060)

The disabled veteran will be eligible for payment of that portion of his rent that approximates the property tax of his abode, but the amount of payment made will be the same percentage as the percentage of the veterans' disability rating.

STATE OF ALASKA

JAY S. HAMMOND, Governor

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

OFFICE OF THE COMMISSIONER

POUCH B
JUNEAU, ALASKA 99811
PHONE: (907) 465-4700

Position Paper

Re: HB 31

Sponsor: Furnace

Program Effects of Bill

A property tax exemption for the homeowners of a given segment of the population may prompt companion legislation to provide for property tax rebates for renters within that same segment of taxpayers (see AS 29.73.060. Property tax equivalency payments). Additional legislation could extend into areas such as sewer and water assessment exemptions (see AS 29.63.065.) and motor vehicle tax exemptions [see AS 28.10.411(d)].

As a result of the adoption of those programs, additional administrative costs may be incurred by this department, and similar impacts could occur in numerous taxing municipalities across the State.

Comments

The Department does not oppose veterans benefits in concept. However, there are ramifications to be considered. Although this specific bill might not have a significant financial impact on the State, it could set a precedent which we believe could have such an impact.

The Department is also concerned with the deterioration of the property tax base through the passage of such bills. As more tax exemptions are passed, the net result is that fewer property owners are required to pay more in local tax dollars to maintain the existing level of municipal services.



Official Business

Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

January 31, 1983

TO: Representative Don Clocksin

FROM: Bob Harris
House C & RA Staff

Subject: HB 31, Disabled Veterans Tax Exemption

The attached draft reflects the corrections and revisions requested during our hearing on the bill on January 26.

Please review and let me know if there are any other concerns to address before we bring it back to the Committee.



Alaska State Legislature

House of Representatives

JAN 31 1983

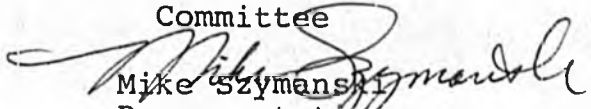
Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

MEMORANDUM

DATE: January 29, 1983

TO: Rep. Barbara Lacher
Chairman
House Community and
Regional Affairs
Committee

FROM: 
Mike Szymanski
Representative

SUBJECT: HB 31 Exempting Disabled Veterans
from Paying Real Property Tax

Before we move on this legislation I would recommend the following questions be either addressed by the sponsor or researched by committee staff:

- Full*
-30
no 1. If we restrict eligibility to "special disabled" (30% or more), what will the fiscal note be?
- no* 2. Can a needs survey be initiated which would support the funding of disabled veterans as proposed in the legislation.
- no* 3. Is it possible to tie the amount of tax exemption to the true income of the disabled veteran?

no Finally, I would also request identification of where in the existing operating budget of the State the sponsor or supporter of this legislation would reduce funding to accommodate this new program so as not to increase the already bulging and inflated operating budget.

If you have any questions concerning this request, please feel free to contact me.

THE LEGISLATURE OF THE STATE OF ALASKA
THIRTEENTH LEGISLATURE

RECEIVED

FISCAL NOTE

FEB 7 1983

I. REQUEST
 Bill/Resolution No. HB 31
 Title An Act providing for exemption of the residence of a disabled veteran
 Requested by _____ Date LEGISLATIVE FINANCE

II. FISCAL DETAIL
 Agency Affected Department of Commerce and Economic Development
 Program Category Affected Economic Development
 BRU, Program, Or Subprogram(s) Affected Loans and Veterans Affairs
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		-0-	-0-	-0-		

FUNDING (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

This bill will provide a benefit to disabled veterans but will have no major effect on this division.

IV. DATE January 21, 1983 PREPARED BY D. A. Hostak, Director
AGENCY Commerce & Economic Development
 Original: Legislative Finance PHONE 465-2555 Division of Loans & Veterans Affairs
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/82)

OMB review by Guy Bell

33

Sec. 29.68.390. Election on charter.

NOTES TO DECISIONS

Cited in Municipality of Anchorage v. Frohne, Sup. Ct. Op. No. 1477 (File Nos. 3050, 3104), 568 P.2d 3 (1977).

Chapter 73. Miscellaneous Provisions.

Section	Section
60. Property tax equivalency payments	80. Emergency services communications centers
70. Taxpayer notice	

Sec. 29.73.020. Eminent domain.

NOTES TO DECISIONS

Quoted in Tunley v. Municipality of Anchorage School Dist., Sup. Ct. Op. No. 2160 (File Nos. 4796, 4797, 4826), 617 P.2d 490 (1980).

Sec. 29.73.060. Property tax equivalency payments. (a) A resident of the state 65 years of age or older who rents a permanent place of abode is eligible for tax equivalency payments from the state through the Department of Community and Regional Affairs.

(b) For purposes of determining payments to eligible persons, the department shall calculate a property tax equivalent percentage for each home rule or general law municipality which levies a general property tax at the rate of one percent per mil. The property tax equivalent percentage applied to the annual rent charged to the applicant equals the property tax equivalency payment payable under this section.

(c) To obtain tax equivalency payments the eligible resident must apply to the department for payment for the preceding year by January 15 of each year on forms and in the manner prescribed by the department. Each applicant shall submit with the application rental receipts or, if rental receipts are not available, other evidence satisfactory to the department for determination of the fact of payment of rent and the amount paid.

(d) If two or more persons occupy a residence as tenants, not all of whom are eligible for tax equivalency payments under this section, the assessor shall determine equitable partial payments to be made to the eligible tenants. However, tax equivalency payments to an eligible applicant may not be reduced because the spouse is less than 65 years of age. If all occupants in a residence are eligible for tax equivalency payments under this section, the occupants shall decide between and among themselves which shall receive payment. (§ 2 ch 217 SLA 1976; am § 1 ch 124 SLA 1980)

Effect of amendm
amendment, retroac
1980, inserted a com
ipality" and "general
tuted "one" for "1/2

Sec. 29.73.070
collects real or p
vide the followin

For the curren
following amc
under the app

PUBLIC SCH
SISTANC
STATE AID I
STRUCT
MUNICIPAL
SISTANC
STATE AID
SERVICI

The millage e
a mill in the
for the precet

PUBLIC SCH
TION PRO
SISTANCE
STATE AID
MENT OF
STRUCTIC
MUNICIPAL
EQUALIZ.
SISTANCE
STATE AID
LANEOUS
SERVICES
TOTAL MIL
EQUIVAL

(1) the residence of a bishop, pastor, priest, rabbi, minister or religious order of a recognized religious organization;

(2) a structure, its furniture and its fixtures used solely for public worship, charitable purposes, religious administrative offices, religious education or a nonprofit hospital;

(3) lots supporting and adjacent to a structure or residence mentioned in (1) or (2) of this subsection which are necessary to convenient use;

(4) lots required by local ordinance for parking near a structure defined in (2) of this subsection.

(c) Property described in (a) or (b) of this section from which income is derived is exempt only if that income is solely from use of the property by nonprofit religious, charitable, hospital, or educational groups for classroom space.

(d) Laws exempting certain property from execution under the Code of Civil Procedure (AS 09) do not exempt the property from taxes levied and collected by municipalities.

(e) The real property owned and occupied as a permanent place of abode by a resident 65 years of age or over is exempt from taxation of the assessed value of the real property. Only one exemption may be granted with respect to the same property and, if two or more persons are eligible for an exemption with respect to the same property, the parties shall decide between or among themselves which shall receive the benefit of the exemption. No real property may be exempted under this subsection which the assessor determines, after notice and hearing to the parties concerned, has been conveyed to the applicant primarily for the purpose of obtaining the exemption. The determination of the assessor is appealable under AS 44.62.560 — 44.62.570.

(f) No exemption may be granted except upon written application for the exemption on a form prescribed by the state assessor for use by local assessors. The claimant must file the application no later than January 15 of the assessment year for which the exemption is sought, but during the same year the governing body of the municipality for good cause shown may waive the claimant's failure to make timely application for the exemption for that year and authorize the assessor to accept the application as if timely filed. The claimant must file a separate application for each assessment year in which the exemption is sought. If an application is filed within the required time and is approved by the assessor, he shall allow an exemption in accordance with the provisions of this section. If a claimant whose failure to file by January 15 of the assessment year has been waived as provided in this subsection and the application for exemption is approved, the amount of tax which the claimant may have already paid for the assessment year with respect to the property exempted shall be refunded to him. The assessor may at any time require proof in the form he considers necessary of the right and amount of an exemption claimed under this section.

(g) The state shall reimburse a borough or city, as appropriate, for the real property tax revenues lost to it by the operation of (e) of this section. However, reimbursement will be made to a borough or city for revenue lost to it only to the extent that the loss exceeds an exemption which was granted by the borough or city, or which upon proper application by an individual would have been granted by the borough or city, under AS 29.53.025(a).

(h) Except as provided in (g) of this section, nothing in (e)—(i) of this section affects similar exemptions from property taxes granted by municipalities on September 10, 1972 or prevents municipalities from granting similar exemptions by ordinance as provided in AS 29.53.025(a).

(i) In (e) — (i) of this section the term "real property" includes but is not limited to mobile homes, whether classified as real or personal property for municipal tax purposes.

(j) Two percent of the assessed value of a structure is exempt from taxation if the structure contains a fire protection system approved under AS 18.70.081, in operating condition, and incorporated as a fixture or part of the structure. The exemption granted by this subsection is limited to

(1) an amount equal to two percent of the value of the structure based on the assessment for 1981, if the fire protection system is a fixture of the structure on January 1, 1981; or

(2) an amount equal to two percent of the value of the structure based on the assessment as of January 1 of the year immediately following the installation of the fire protection system if the fire protection system becomes a fixture of the structure after January 1, 1981. (§ 2 ch 118 SLA 1972; am §§ 1, 2 ch 60 SLA 1973; am § 1 ch 65 SLA 1975; am § 1 ch 191 SLA 1976; am § 1 ch 217 SLA 1976; am §§ 1, 2 ch 229 SLA 1976; am § 1 ch 97 SLA 1977; am §§ 2, 3 ch 45 SLA 1980; am § 2 ch 95 SLA 1980)

Effect of amendments. — The 1973 amendment deleted "whose gross annual income totals less than \$10,000" preceding "is exempt" in the first sentence of subsection (e), deleted the language beginning "however" from the end of the present second sentence of that subsection, and deleted the language following "exemption claimed under this section" from the end of the fourth sentence of subsection (f).

The 1975 amendment, in subsection (f), divided the former second sentence into the present second and third sentences by substituting "The claimant" for "and" at the beginning of the present third sentence, added the language beginning "but during the same year" to the end of the second sentence, and added the present fifth sentence.

The first 1976 amendment, in subsection (b), substituted "a bishop, pastor" for "the pastor" in paragraph (1) and inserted "religious administrative offices" in paragraph (2).

The second 1976 amendment, in subsection (e), deleted "After January 1, 1973" from the beginning of the first sentence, added the language beginning "up to and including an assessed value limit" to the end of that sentence, and added the former second sentence.

The third 1976 amendment added the second sentence of subsection (g), added "Except as provided in (g) of this section," to the beginning of subsection (h), and deleted the former second sentence of subsection (h), which read "However, under (e) — (i) of this section only the amount of

revenue lost to the
of the exemption au
sions may be reir
ipality by the state
The 1977 amend
deleted "up to and
value limit determ
uary 15 of each ye
of the Departmen
Regional Affairs" l
sentence and dele

Strict constru
The courts mus
utes granting t
Anchorage Area
Charity of House
Op. No. 1299 (Fil
(1976).

Burden of s
exemption. — A
exemption has th
the property is e
Greater Anchor
ters of Charity
Sup. Ct. Op. No.
P.2d 467 (1976)

Exclusive u
gious, etc., pur
order to qualif
taxpayer must
exclusive use
charitable, cen
tional purpose:
Borough v. Sis
Providence, Su
2445), 553 P.2

When the p
even in part by
private busine
exemption. Gr
ough v. Sister

Sec. 29.
ipalities m
erty from t
special ele
may not e:
(b) Mun
(1) clas
lish the a
registered
valuation
net tons
than five

HB 31

HB 31 VII Pete Everingham

proof ^{for exemption} + kept on percentage basis - ok
stay to provide.

From State Director * Reimburse ON to amount received
of AIC Fed. VA Dave Barrett from VA by Veteran - approval -
because (loss, divorce, combat zone)

Service notes < 100-

No data avail on Renters /

~~_____~~ 55-60,000 Vets in UK
20,000 Veterans, etc
Dept of Recreation
→ 30% Special disabled Employees of Govt -

Get Service of Govt - No of Vets going to -

Need ~~Service~~ ^{Adviser} - Veterans Veterans sponsored by HESS

? - Double check - any way to double dip
esp. Retirees w/ 5 over 65

Syzymski -
definition of fund ?

See Classis for Clean up Language

TR Classis

- Tell Committee - refer to each other formally during meetings. Not titles

Committee members - address the Chair, not each other.

~~Evans~~ ✓
~~Clark~~ ✓
~~McBride~~ ✓
~~...~~ ✓

HB 37 Hearing

page 47 line 14 may to "shall"

Ferrico 4 yrs. Air Force -

Evans V.A.

10% = \$62⁰⁰ per mo from VA
100% = \$2100 per mo VA

How many (clocks) of the 3436 in the state are female?

McBride - How many are combat & non combat rated.
- What is the point - at which a disability rating really affects earning power.

(definition)

x - Disability - "other than dishonorable"

Clocks - How many are renters?

(Disability retirement awarded by Services (Army) etc) do not come thru V.A.

How many? (Evansham estimate 200)

x → Terry Early - Dead line for Renters filing 15 Jan
- need to allow hours of decline (McBride)

29,73,060 (c) McBride also

H B

4 1

COMMITTEE REPORT

HOUSE

FURTHER: TRANSPORTATION
FINANCE

(7)
2/17/83

Date: 2/17/83

Mr. Speaker:

The Committee on TRANSPORTATION has had HB 41

Relating to state aid to municipalities for roads; and providing for an effective date.

under consideration and reports it back as follows:

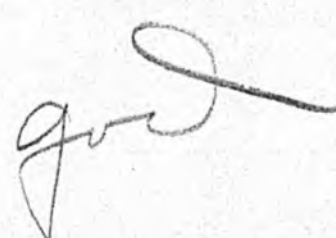
- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

Notti



March 21, 1983

Emil Notti
Legislative Liaison
Governor Sheffield's Office
State Capital

Dear Mr. Notti,

Enclosed is a copy of a letter from Mr. Snell, acting Deputy Commissioner of Transportation, to Gary Thurlow, Borough Manager of Mat-Su. You will note that the Capital budget does not include Pittman Road. It was my understanding that this would be considered a top priority item in the Capital budget.

Sincerely,

Barbara Lacher
Representative
District 16

BL/sr

Copy
Emil
Motta
will cover

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION and PUBLIC FACILITIES

file
HB 41

Bill Sheffield, Governor

MAR 13 1983

4111 AVIATION AVENUE, POUCH 6900
ANCHORAGE 99502 (TELEX 25-188)

March 9, 1983

Gary Thurlow
Borough Manager
Matanuska-Susitna Borough
Box B
Palmer, AK 99645

Dear Mr. Thurlow:

RE: State Maintained Roads

This letter is in response to your inquiry regarding the Department's position on including in the Governor's budget improvements to State maintained collector roads in the Matanuska-Susitna Borough. Improvements to these collector roads were recommended by the Department's Central Region Planning and Programming Division in their Transportation Improvement Program (TIP), which was submitted to the Governor for use in preparing his budget. More specifically you have inquired about the following State maintained collector roads:

1. Pittman Road
2. Trunk Road
3. Big Lake Road
4. Church Road
5. Hatcher Pass Road
6. Hyer Road

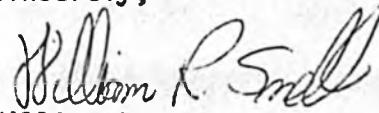
Of the roads listed above, the Fishhook-Willow Road (Hatcher Pass Road) was included as a road which could be considered for preliminary engineering funding under the "Highways Preliminary Engineering" item of the Governor's budget. None of the other roads identified above were included in the Governor's FY'84 capital budget.

Unfortunately not all Statewide Transportation projects can be met due to the limited amount of funds available for yearly capital projects. The Department and the Governor realize the need to improve the State collector roads which serve the rapidly developing rural residential area of the Matanuska-Susitna Borough. Although none of the road you have mentioned above are included in the Governor's capital budget, the Governor is currently developing a supplemental budget for submission to the Legislature. As the supplemental budget is developed, careful consideration will be given to funding for the improvement of State roads in the Borough which serve a collector function.

March 9, 1983

Thank you for bringing your concerns to my attention. I am hopeful that funding will be made available this session to meet some of the recognized transportation needs which were identified in your letter. If you have any questions please call.

Sincerely,



William R. Snell
Acting Deputy Commissioner
Central Region

cc: Senator Jay Kerttula
Representative Barbara Lacher
Representative Ronald L. Larson

Alaska
MUNICIPAL
League

TELEPHONES
(907) 586-1325
586-6526

204 N. FRANKLIN ST.
JUNEAU, ALASKA 99801

February 1, 1983

to: House CRA Committee
from: Ginny Chitwood *Ginny*
re: HB 41 - State Aid to Municipalities for Roads

The Alaska Municipal League supports the adoption of HB 41, increasing state aid to municipalities for roads from \$2,500 a mile to \$3,500 a mile if the revenue sharing appropriation is increased to cover the increased entitlement. If the total appropriation is not increased, then municipalities will receive decreased funding in the other revenue sharing categories to make up for the road increases.

It has been three years since the allocation per mile has been increased. Needless to say, the cost of road maintenance has gone up considerably since then. At that time, it was estimated that the actual costs of maintaining a mile of road were between \$4,000 and \$8,000.

Liska's ofc

3732 Many

HB 41

why was word "municipality" used rather than "local govt"

Tamara
Cook

W/D
13-03/4

~~The~~ local govt is term being phased out of statutes because municipality is term used most freqly in municipal code.

Also in first title of code, trying to get in definitions of commonly used terms; municipality is one word they're trying to get in Title 29 revision. Being done for consistency; words can actually be used ~~the~~ interchangeably. Doing it for sake of uniformity. Trying to

13- ~~02~~ 0311

municipal aid request
establishing pgm of municipal
aid.

Remind
Barbara -
it's still on hold.

Tamara Cook

STATE OF ALASKA

Bill Sheffield, Governor

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

OFFICE OF THE COMMISSIONER

POUCH B
JUNEAU, ALASKA 99811
PHONE: (907) 465-4700

Position Paper

Re: HB 41

Sponsor: Representative Lacher

Programs Effects

This Bill would increase the per mile amount distributed for road maintenance under the Municipal Revenue Sharing program. It would raise it from \$2500 per mile to \$3500 per mile.

Comments

The Department supports the intent of this bill to increase aid to communities. The Department would suggest an increase to the appropriation to the Municipal Revenue Sharing Fund if this bill were passed. For the current year Chapter 89 Revenue Sharing funds are prorated at 81% of the total each community is eligible for; if this bill were in place that proration factor would be approximately 75%. That would mean that Municipal Revenue sharing for other areas (Health Care, Volunteer Fire Departments, and Unincorporated Communities.) would be reduced to pay for increased assistance for roads if the appropriation were not increased.

Additionally, increasing the amount per mile of road could weight the formula disproportionately in favor of Municipalities located on the road system.

The bill should also be reviewed in light of other proposed changes in the Municipal Revenue Sharing program and projected funding over the next few years.



Official Business

Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

TO: House C & RA Committee Members

FROM: Staff

SUBJECT: House Bill 41

AS 29.89.020 provides \$2,500 per road mile to municipalities that maintain roads excluding the official state highway system (state maintained) and roads maintained under the local service roads and trails program.

The amount of \$2,500 per road mile of maintainance was established by the Legislature in 1980. There has been no increase in the amount authorized in recognition of inflation in the cost of maintaining roads.

According to figures provided by the Department of Transportation and Public Facilities, they requested an average of \$9,300 per mile for maintenance of state roads in FY 83.



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

Pouch Y, State Capitol
Juneau, Alaska 99811
(907) 465-3991

January 31, 1983

MEMORANDUM

TO: Representative Barbara Lacher
Attention: Bob Harris

FROM: Christine Johnson and Jonathan Sherwood
Research Staff

RE: Road Maintenance Costs
Research Requests 83-33

Bob Harris of your staff has requested the following information for hearings scheduled on HB 41. This bill would increase the amount municipalities receive from the State for road maintenance from \$2,500 to \$3,500 per road mile.

- (1) How would HB 41 affect the amount of money received for road maintenance in each election district?
- (2) How much did the State Department of Transportation and Public Facilities receive for road maintenance in FY 83?
- (3) What is the average cost of maintenance per road mile on roads maintained by the State?

Increase in Revenues by Election District

Table 1 on the following page shows the amount of money which would be received in each House district in FY 84 at \$2,500 per mile and at \$3,500 per mile. As the table indicates, municipalities would receive approximately \$11.1 million for road maintenance in FY 84 under HB 41. This compares to \$7.9 million which they could receive under the current program in FY 84, given full funding. The amounts shown on the table include a cost-of-living adjustment computed by the Department of Administration. State law (AS 29.89.070) currently requires that payments to municipalities under this program reflect area cost-of-living differentials.

Please note that where a municipality encompasses more than one House district we have combined those districts.

State Expenditures for Road Maintenance

According to Paul Harris, with the Department of Transportation and Public Facilities Maintenance and Operation Division in Anchorage,

Representative Lacher
January 31, 1983
Page No. 2

the approximate cost of State road maintenance can be obtained by adding the FY 83 appropriation for each region in the Maintenance and Operation Budget Request Unit of DOT/PF's budget (see FY 84 Executive Budget, page 481). The total for all regions, including the Dalton Highway is about \$56 million. According to Mr. Harris, the State is responsible for maintaining approximately 6,000 road miles. Based on this estimate, the average cost per road mile of maintaining State roads is \$9,300.

If you would like any additional information on this topic, please don't hesitate to contact us.

CJ:JS

TABLE I
Amount Which Would Be Received in Each Election District
for Road Maintenance in FY 84
at \$2,500 Per Mile and \$3,500 Per Mile
(Cost-of-Living Adjustment Included)

Election District		Miles of Road	\$2,500 Per Mile	\$3,500 Per Mile	Difference in Revenues
1	Ketchikan-Wrangell-Petersburg	39.28	\$ 99,795	\$ 139,712	\$ 39,917
2	Inside Passage-Cordova	53.85	143,671	201,134	57,463
3	Baranof-Chichagof	23.46	61,346	85,884	24,538
4	Juneau	59.44	148,600	208,040	59,440
5 & 6	Kenai Peninsula	590.35	1,596,029	2,234,436	638,407
7-15	Anchorage	590.91	1,477,275	2,068,185	590,910
16	Matanuska-Susitna	766.99	1,989,382	2,785,133	795,751
17	Interior Highways	32.81	104,637	146,488	41,851
18-21	Fairbanks Area	223.75	648,150	907,406	259,256
22	North Slope-Kotzebue	87.75	305,549	427,765	122,216
23	Norton Sound	52.47	180,806	253,125	72,319
24	Interior Rivers	152.24	526,712	737,396	210,684
25	Lower Kuskokwim	17.97	60,315	84,438	24,123
26	Bristol Bay-Aleutian Islands	147.46	477,002	667,798	190,796
27	Kodiak-East Alaska Peninsula	44.62	120,074	168,102	48,028
TOTAL ALL HOUSE DISTRICTS		2883.35	\$7,939,343	\$11,115,042	\$3,175,699

Source: House Research Agency, 1/83.

ALASKA

DIVISION OF ELECTIONS
STATE OF

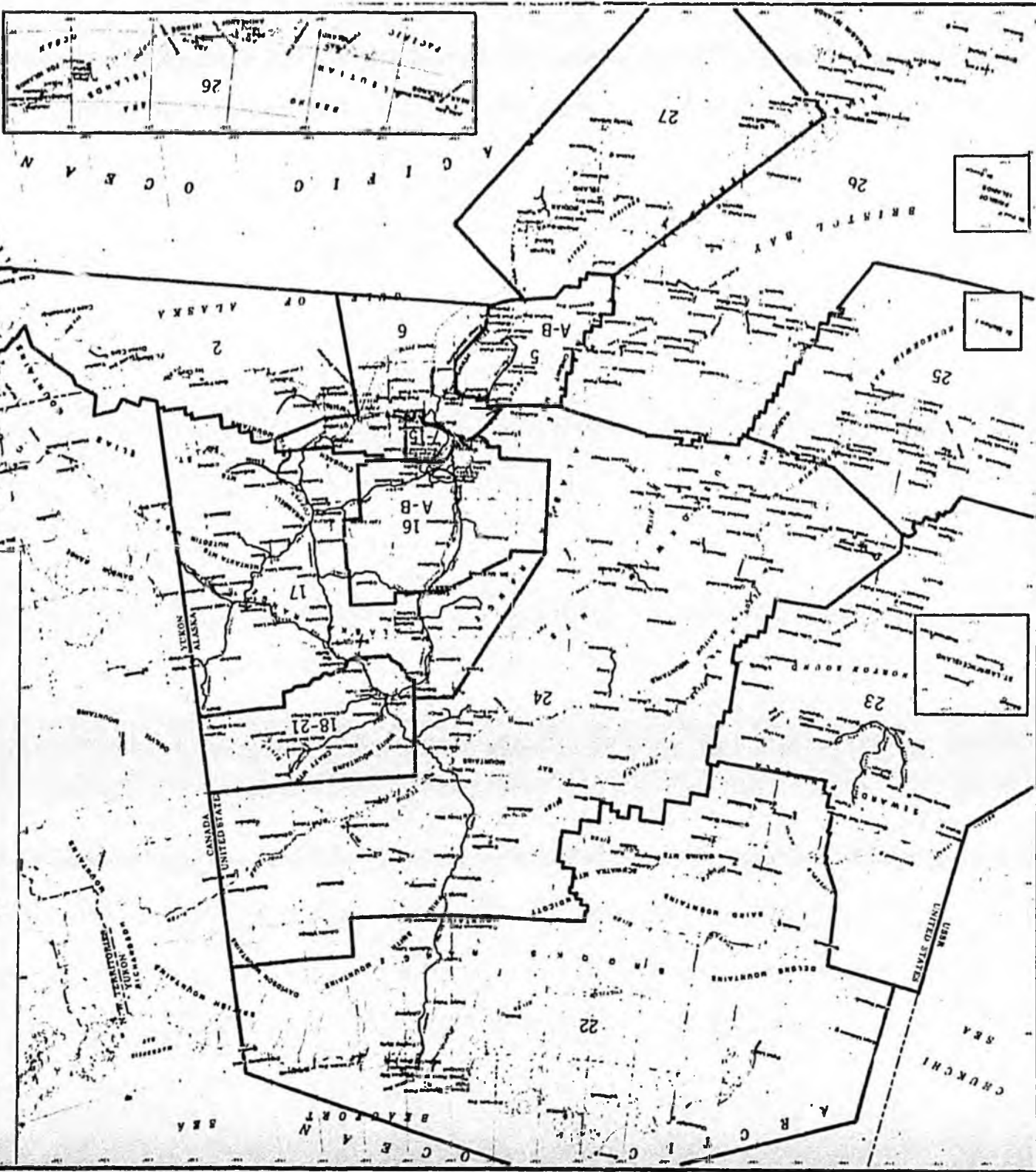
OFFICIAL ELECTION DISTRICT MAP
AS DETERMINED BY
THE STATE SUPREME COURT

JUNE 1, 1982

HOUSE DISTRICTS

- A 1 SA 91'
- B 2, 3
- C 4 SA 91, 92
- D 5 SA 91, 92 SA 91
- E 6 SA 91, 92 SA 91
- F 7 SA 91, 92 SA 91
- G 8 SA 91, 92 SA 91
- H 9 SA 91, 92 SA 91
- I 10 SA 91, 92 SA 91
- J 11 SA 91, 92 SA 91
- K 12 SA 91, 92 SA 91
- L 13 SA 91, 92 SA 91
- M 14 SA 91, 92 SA 91
- N 15 SA 91, 92 SA 91

(A-B) - Two - number district with dashed line
Solid line indicates house district boundaries



ST. LAWRENCE ISLAND

ADAMS ISLAND

ST. LAWRENCE ISLAND

USA
UNITED STATES

CHUKCHI SEA

STATE OF ALASKA

Bill Sheffield, Governor

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

OFFICE OF THE COMMISSIONER

POUCH B
JUNEAU, ALASKA 99811
PHONE: (907) 465-4700

TO: The Honorable Barbara Lacher
Chairman
House Committee on Community
and Regional Affairs

FROM: Karen Perdue *RP* by *RP*
Legislative Liaison, DCRA

SUBJECT: Fiscal Notes

31 Jan

A Fiscal Note for HB 41 has been forwarded by the Department of Community & Regional Affairs to the Office of Management and Budget.

Any questions regarding the status of these Fiscal Notes should be referred to the Office of Management & Budget.

THE LEGISLATURE OF THE STATE OF ALASKA
THIRTEENTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. HB 41
 Title "State aid to municipalities for roads..."
 Requested by Representative Lacher Date 1/31/83

II. FISCAL DETAIL
 Agency Affected Community & Regional Affairs
 Program Category Affected Development
 BRU, Program, Or Subprogram(s) Affected Local Government Assistance-Grants
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		\$3,185.8	3,345.1	3,512.4		

FUNDING (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
GENERAL FUND		3,185.8	3,345.1	3,512.4		
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

This bill would increase the amount Municipalities receive from State Aid (AS 29.89) for road maintenance.

The above projections are based on the currently approved 2883.35 road miles and incorporates the COLA for all the areas. They reflect the difference between the current \$2500 per mile and the proposed \$3500 per mile.

IV. DATE 1/31/83 PREPARED BY T. Farley
 AGENCY Community & Regional Affairs
 Original: Legislative Finance PHONE 465-4730
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/82)

OMB Reviewed by: Sana Efird *SE*

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

December 20, 1982

SUBJECT: State aid to municipalities for roads
(Work Order No. 13-0314)

TO: Representative-elect Barbara Lacher

FROM: Tamara Brandt Cook
Legislative Counsel

TBC

Here is a draft of the bill you requested that would increase the amount of state aid to municipalities for roads. As you may be aware, an effort was made during the Twelfth Legislative Session to revise all of the municipal code. A similar revision bill may be introduced again this coming session. I have attempted to draft this legislation so that the increase in state aid will be effective even if a bill revising the municipal code is enacted. Section 1 of this draft amends existing law. Section 2 amends the relevant provision as it may exist under a revision bill, but that section is effective only upon the enactment of the municipal code revision. Additional changes to this legislation may be necessary to reconcile it with a municipal code revision bill if one is introduced.

Please let me know if you would like changes made to this draft or if you would like it to be prefiled.

TBC:lmb

Enclosure

(2) to a Native village government under AS 29.89.050. (§ 3 ch 155 SLA 1980)

Sec. 29.89.020. State aid to municipalities for roads. (a) The department shall pay to a municipality which has power to provide for road maintenance and exercises that power, \$2,500 a mile for each mile of road, street or highway maintained by the local government, excluding (1) the official state highway system, (2) roads, streets or highways not dedicated to public use, (3) roads, streets or highways maintained under the local service road program (AS 19.30.111 — 19.30.251), and (4) alleyways, in accordance with regulations adopted by the Department of Transportation and Public Facilities. A payment may not be made under this subsection for maintenance of a road which is not used by automotive equipment.

(b) A frozen waterway and a connection from an inhabited area to a waterway which may be safely used for public transportation by automotive equipment and is so used during a portion of a year is eligible for a payment of \$1,500 per mile if the waterway and connection are maintained during the period of use by a municipality or combination of municipalities. The department, after consultation with the Department of Transportation and Public Facilities, shall determine which waterways and connections qualify and, where the waterways or connections lie outside the corporate limits of a municipality, which municipalities shall receive the payments under this subsection, unless the municipalities involved have agreed in writing to a particular distribution. (§ 3 ch 155 SLA 1980)

Sec. 29.89.030. State aid to municipalities and other eligible recipients for health facilities and hospitals. (a) The department shall pay

(1) to a municipality which has the power to provide hospital facilities and services and which exercises that power, \$1,000 per bed for each bed actually used for patient care, limited to the number of beds provided for in the construction design of the hospital, or \$250,000 a hospital for those hospitals with 10 or more beds, or \$50,000 a hospital for those hospitals with less than 10 beds, as the municipality may elect; money received under this paragraph may be used only for hospitals and shall be apportioned among qualifying hospitals as the municipality determines;

(2) on the basis set out in (1) of this subsection to a municipality for a nonprofit hospital not operated by a municipality if the municipality first certifies to the department that the nonprofit hospital is in compliance with all standards for hospitals which have been adopted by the municipality; money may not be paid on behalf of a nonprofit hospital without this certification; payments to the municipality shall be transferred to the nonprofit hospital in accordance with the basis by which the payment was generated by the hospital, and shall be applied to the

The Borough's experience has been that \$2,500 per road mile will cover the cost of about six snowplowing, plus a late Spring grading and a late Fall grading. Very little is left for other road maintenance such as ditching and culverts. A series of heavy Winter snowfalls puts all Summer maintenance in jeopardy. State maintenance costs average well over \$4,000 per road mile, even though many state roads are paved or are otherwise built to a high standard with respect to surface, width and drainage.

HB

119

COMMITTEE REPORT

HOUSE

FURTHER: FINANCE

1/26/83

Date: 2/14/83

Mr. Speaker:

The Committee on C & RA has had NB 119

An Act making a special appropriation for payment as a grant to the community of Tok for a rescue/ambulance apparatus; and providing for an effective date.

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for NB 119 same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached
- referred to the _____ Committee

**MEMBERS SIGNING
DO PASS**

[Signature]

[Signature]

[Signature]

**MEMBERS HAVING
OTHER RECOMMENDATIONS:**

[Signature]

[Signature] No Rec

[Signature] NB 119 Rec

CHAIRMAN

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: 12/29/83

REQUEST

Bill/Resolution No.: HB 119 CS
 Title: SP Approp/Rescue Approp/
Grant/Tok Rec ID 64
 Sponsor: CRA Committee
 Requestor: Jay Hogan
 Date of Request: 12/16/83

FISCAL DETAIL

Agency Affected: Community & Regional Affairs
 Program Category Affected: Development
 BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
900 MISCELLANEOUS						
TOTAL OPERATING	No fiscal impact DCRA					
CAPITAL	No fiscal impact DCRA					
REVENUE	No fiscal impact DCRA					

FUNDING: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Mar Winegar Phone: 465-4750
 Division: Municipal & Regional Assistance Date: 12/29/83
 Approved by Commissioner: [Signature] Date: 12/29/83
 Agency: Community and Regional Affairs

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: 12/29/83

Bill/Resolution No.: HB 119 CS (CRA)
Title: SP Approp/Rescue Approp/Grant/Tok
Rec ID 64

ANALYSIS:

Assumptions:

AS 37.05.315 - .319 programs are administered by the Department of Administration. As a result DCRA would not be fiscally impacted though the legislation could be helpful to the municipality.

Positions:

Other Expenditures:

Funding:

Section Cost Analysis:

Computations:

Economic Impact:

Impact on Local Government:

Attachments

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: CS HB 119 Date on Bill: _____
 Title: Special appropriation to the Tok Volunteer Fire Dept for rescue/ambulance
 Sponsor: Representative Shultz apparatus
 Requestor: House Community & Regional Affairs Committee

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86
Capital		-0-	-0-	-0-
Operating		-0-	-0-	-0-
Total		-0-	-0-	-0-

b. Revenues:

Revenue							
---------	--	--	--	--	--	--	--

2. Source of funds to offset fiscal impact of bill:

The sponsor did not identify the source of funds to offset the cost of this bill.

3. Assumptions:

A single Legislative grant as set up by this bill would not add significant administrative costs to the Department. Large numbers of new grants would, however, add to the administrative responsibilities and costs of the Department.

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It therefore does not represent the final estimate of fiscal impact.

Prepared By: Richard Rainery *RR* Phone: 465-4703
 Division: Commissioner's Office Date: 3/7/83
 Approved by Commissioner: *[Signature]* Date: 3/7/83
 Department: Community and Regional Affairs

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/15/83

STATE OF ALASKA

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

OFFICE OF THE COMMISSIONER

BILL SHEFFIELD, GOVERNOR

POUCH B
JUNEAU, ALASKA 99811
PHONE: (907) 465-4700

225 CORDOVA STREET - BLDG B
ANCHORAGE, ALASKA 99501
PHONE: (907) 264-2294

March 3, 1983

BILL ANALYSIS

RE: HB 119

SPONSOR: Representative Shultz

Program Effects Of The Bill

This bill would provide \$203,787 to the Community of Tok for their volunteer fire department to purchase rescue/ambulance apparatus.

Comments

Governor Sheffield has set up a process for review and prioritization of Capital Grants on a statewide basis. This Grant has been included in that review process. With this process in place, the Department believes that an alternative to individual capital appropriation bills exists and should be considered by the Legislature.



STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: HB 119 Date on Bill: January 26, 1983
 Title: Special appropriation..to the Community of Tok for rescue/ambulance/
 Sponsor: Representative Shultz apparatus
 Requestor: House Community & Regional Affairs Committee

1. Estimated fiscal impacts on: Department of Community & Regional Affairs

a. Expenditures:

(Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86
Capital		-0-	-0-	-0-
Operating		-0-	-0-	-0-
Total		-0-	-0-	-0-

b. Revenues:

Revenue				
---------	--	--	--	--

2. Source of funds to offset fiscal impact of bill:

The sponsor did not identify the source of funds to offset the cost of this bill.

3. Assumptions:

A single Legislative grant as set up by this bill would not add significant administrative costs to the Department. Large numbers of new grants would, however, add to the administrative responsibilities and costs of the Department.

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It therefore does not represent the final estimate of fiscal impact.

Prepared By: Terry Earley Phone: 465-4730
 Division: Local Government Assistance Date: 3/3/83
 Approved by Commissioner: [Signature] Date: 3/3/83
 Department: Community & Regional Affairs

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/15/83

Rep Shultz #
City of Delta Junction

Box 229

Delta Junction, Alaska 99737

907 - 895 - 4656

The North End of the Alaska Highway

March 3, 1983

Representative Richard Shultz
Pouch V
Juneau, Alaska 99811

Dear Representative Shultz:

The City Council of Delta Junction reviewed pending legislation at their March 1, 1983 meeting. They voted unanimously to endorse and provide their support on the following bills:

- HB42 An Act relating to the determination of population for purposes of calculating amounts of state aid; and providing for an effective date.
- HB100 An Act relating to an avalanche and fire weather forecasting system; and providing for an effective date.
- HB119 An Act making a special appropriation for payment as a grant to the community of TOK for a rescue ambulance apparatus; and providing for an effective date.
- HB136 An Act making an appropriation to the Department of Revenue for financial assistance to municipalities; and providing for an effective date.
- HB153 An Act making a supplemental appropriation to the Department of Revenue for financial assistance to municipalities; and providing for an effective date.
- HB162 An Act authorizing general law municipalities to limit the number of consecutive full terms certain municipal officials may serve.
- HB172 An Act relating to municipal government; and providing for an effective date. (Title 29 rewrite).

House Bill 164 was also reviewed by the Council and they voted four to two against endorsing and supporting this legislation.

Sincerely,

Lou Heinbockel

Louis E. Heinbockel, Mayor
City of Delta Junction

*they are reluctant to face the
community "hassle" on deciding
what to do with the money.*



STATE OF ALASKA
OFFICE OF THE GOVERNOR

MAR 2 - 1983

BILL ANALYSIS

Department Natural Resources	Sponsor (Principal) Lacher and Larson	Bill Number HB 148
Department Position DNR supports the concept embodied in this legislation.		
Division Director Bill Heim	Date 3-1-83	Commissioner's Signature <i>Wm S. Arnold, Deputy</i> Date 3-1-83

GOVERNOR'S OFFICE USE

Comments:

Position Noted By _____ Date _____

SUMMARY

1. a) Related Bills (Similar or Conflicting) SJR 3	1. b) Other Agencies Affected by Bill
2. a) Organizational Support for Bill not researched by DNR	2. b) Organizational Opposition to Bill not researched by DNR

3. Program Effects of Bill
Implementation of this program would require the Division of Agriculture to prepare documents, arrange appraisals, handle public meetings and follow up on verification of compliance with land use requirements. Benefit to the State would be preservation of present privately owned agricultural lands from further non-agricultural development. Could be implemented on a very select basis.

4. Fiscal Impact: None Fiscal Note Attached

5. Amendments Proposed:

6. Comments:

Tok Emergency Medical Technicians

P.O. Box 5 Assoc.

Tok, Alaska 99780

FEB 14 1983

*file
not filed*

Jeanne Ostness
Executive Director
IREMSC, Inc.
PO Box 2120
Fairbanks AK 99701

February 8, 1983

Dear Jeanne:

We want it to be known that the Tok EMTs are not in opposition to the activities of the Tok Fire Department. Furthermore, we are not opposed to the passage of House Bill No. 119 entitled: "An Act making a special appropriation to the community of Tok for a rescue/ambulance apparatus; and providing for an effective date" providing that passage of the bill:

1. Does not jeopardize future EMS expenditures in the Tok area.
2. Does not jeopardize the purchase of the ambulance that the Tok Clinic Board is currently applying for.

From the amount of information that we have recieved concerning this proposed vehicle, we feel that it might be a piece of equipment that any EMT group would be happy to use. But, we were not involved in drawing up this proposal and are not very well informed about the specifics of the vehicle itself. Due to our lack of knowlege, we cannot make any informed comments concerning it either in support or opposition.

Thank you.

*Patricia Matthews EMT
William D. Child EMT
Daisy Wells EMT*

Sincerely,
*Jerry Taylor, EMT
Carolyn Hoffman EMT
Robert Clark EMT
Michael P.A.C. Medical Advisor.
Tok EMTs meeting on this date*

- cc: Representative Dick Schultz
 Tony Conrad, Chief of Tok Volunteer Fire Dep't.
 Larry Weisz, Chairman of Tok Clinic Board
 Mark Johnson, Director of Alaska EMS
 Governor Bill Sheffield
 Rep. Barbara Lacker, Chairperson-House Comm. & Reg. Affairs Committee
 Senator Frank Fergeson, Chairman-Senate Comm. & Reg. Affairs Committee
 Rep. Al Adams, Chairman - House Finance Committee
 Senator John Sackett, Co-Chairman - Senate Finance Committee
 Senator Don Bennet, Co-Chairman - Senate Finance Committee
 Senator Pappy Moss

POSITION PAPER

House Bill No. 119

"An Act making a special appropriation for payment as a grant to the community of Tok for a rescue/ambulance apparatus; and providing for an effective date."

This bill would appropriate the sum of \$203,787 to the community of Tok for the Tok volunteer fire department to purchase a rescue ambulance apparatus.

The Emergency Medical Services Section of the Division of Public Health, Department of Health and Social Services cannot endorse this bill at the present time for the following reasons:

- 1) The Tok Ambulance Service currently operates independently from the fire department. Therefore, we are concerned that this appropriation may create a duplication of services.
- 2) We only endorse EMS expenditures which are approved by local EMS or health councils, endorsed by a physician, and approved by a Regional EMS Council.
- 3) Interior Region EMS Council, Inc. has initiated a fund, with donations from other communities, to purchase a new ambulance for Tok. This fund currently has about \$42,000 which is approximately \$10,000 to \$15,000 short of the amount needed for a new four wheel drive ambulance.
- 4) The amount of money to be appropriated by this bill seems excessive unless it will purchase some type of fire apparatus.

Recommended by:

E. S. Rabeau, M.D.
E.S. Rabeau, M.D., Director
Division of Public Health

Date:

Jan. 31, 1983

Approved by:

Robert London Smith
Robert London Smith
Commissioner

Date:

2/2/83

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: House Bill No. 119 Date on Bill: January 26, 1983
 Title: An Act making a special appropriation for payment as a grant to the community of Tok...
 Sponsor: Schultz
 Requestor: _____

1. Estimated fiscal impacts on: Emergency Medical Services

a. Expenditures:

(Thousands of Dollars)

			FY 83	FY 84	FY 85	FY 86		
Capital				-0-	-0-	0		
Operating				-0-	-0-	-0-		
Total				-0-	-0-	-0-		

b. Revenues:

Revenue				-0-	-0-	-0-		
---------	--	--	--	-----	-----	-----	--	--

2. Source of funds to offset fiscal impact of bill:

Responsibility for identification of funding is that of the author of the bill.

3. Assumptions:

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It does not represent the policy of the Sheffield Administration or the final estimate of fiscal impact. *RJA*

Prepared By: Mark S. Johnson *W. H. L.* Phone: 465-3027
 Division: Emergency Medical Services, Div. of Public Health, DHSS Date: Jan. 28, 1983

Approved by Commissioner: *Robert Landon Smith* Date: 2/15/83
 Department: Health & Social Services

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/8/83

STATE OF ALASKA

DEPARTMENT OF PUBLIC SAFETY

DIVISION OF STATE TROOPERS

WILLIAM SHEFFIELD
~~WILLIAM XGAN~~, GOVERNOR

Phone: 907-883-5111

Box 335
Tok, Alaska 99780

February 1, 1983

Tony Conrad, Chief
Tok Volunteer Fire Department
P. O. Box 204
Tok, Alaska 99780

Dear Mr. Conrad:

I am in receipt of your letter and attachments concerning your need for a rescue unit to be stationed in the Tok area. You have provided considerable information as to the proposed construction and use of the desired unit and your letter establishes the need for such a vehicle in the Tok area.

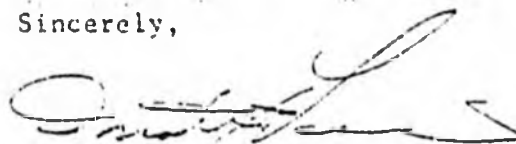
I have been in contact with Sgt. Dowd and other Troopers assigned to the Tok area and they concur with your finding of need due to the extensive areas you cover and the current lack of a quick response-type rescue unit to handle both rescue and fire on a limited basis. I understand that oftentimes victim transportation is provided by private vehicle to medical facilities in Fairbanks due to the availability of only one ambulance in Tok. The services you have provided to the public, as well as the Department of Public Safety in the past, are greatly appreciated and have been valuable to us in the overall objective of saving lives.

It is my understanding that you are applying for either grant funds or legislative funds to purchase the proposed rescue unit, and I would offer the support of this Detachment by way of this letter to verify the need.

In the past, the Tok Volunteer Fire Department has coordinated its efforts with the Alaska State Troopers providing freely of its resources and volunteer manpower. I am looking forward to a continuation of this working relationship and I hope that this letter provides some assistance in establishing the need for implementing your proposal.

If you need any further assistance to you, please feel free to contact me.

Sincerely,



Captain Donald Lawrence
Commander
"E" Detachment



DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

Commanding Officer
USCG LORAN-C Station
P. O. Box 479
Tok, AK 99780

08 February 1983

To Whom It May Concern,

After viewing the proposal offered by Mr. Tony Conrad, it is my opinion as a resident of the Tok community, that a vehicle of this type would be an asset to this geographic area.

To the best of my knowledge, to date, Tok has been ineffectual in its efforts to provide an effective RESCUE/EMERGENCY vehicle for use in this enormous service area. Severe Arctic type weather conditions, long distances to emergency scenes, and the potential for mass casualties have to be considered when planning for the acquisition of an emergency vehicle. Mr. Conrad's idea meets these and many more requirements peculiar to the Tok environment.

The operation or housing of this vehicle, as I view the problem, is secondary to the prime need---to get an adequate emergency vehicle into our area. If we let our personal feelings influence our judgement in this case, we may very well never have an opportunity to acquire a vehicle of this quality again.

Mr. Conrad should be congratulated for his initiative and concern for this community's well-being in his efforts to organize this fine proposal. An asset, which when operational, will help not one or two groups---but all people in this vast wilderness we call home.

H. Kevin Madigan
H. KEVIN MADIGAN, CW02, USCG
COMMANDING OFFICER



It's a law we
can live with.