

ALASKA LEGISLATURE COMMITTEE FILES 1993-1994 8672

8230 SENATE COMMUNITY & REGIONAL AFFAIRS

495

SENATE BILL NO. 203

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE BY REQUEST

Introduced: 4/21/93

Referred: CRA

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring unified municipalities to provide police protection and law
2 enforcement services; and providing for an effective date."

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

4 * Section 1. FINDINGS. The legislature finds that

5 (1) the provision of police protection and law enforcement services is a
6 fundamental responsibility of government;

7 (2) unified municipalities should assume this responsibility by providing for
8 police protection and law enforcement throughout their jurisdiction on a uniform basis;

9 (3) the costs of police protection and law enforcement should be paid from
10 general municipal revenue and borne by the residents uniformly.

11 * Sec. 2. AS 29.10.200 is amended by adding a new paragraph to read:

12 (51) AS 29.35.165 (police protection).

13 * Sec. 3. AS 29.35 is amended by adding a new section to read:

14 Sec. 29.35.165. POLICE PROTECTION. A unified municipality shall provide

1 police protection and law enforcement services within the entire area of the
2 municipality.

3 * Sec. 4. TRANSITION. Notwithstanding sec. 5 of this Act, a unified municipality that,
4 on June 30, 1993, is not already providing the services required by sec. 3 of this Act, has until
5 January 1, 1994, to begin providing the services.

6 * Sec. 5. This Act takes effect July 1, 1993.

Alaska State Legislature

Senator Tim Kelly, Chair
Senator Steve Rioger, Vice Chair
Senator Drue Pearce
Senator Judy Salo
Senator Georgianna Lincoln



SENATE LABOR AND COMMERCE
COMMITTEE

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POSITION PAPER FOR SB 203:

REQUIRING UNIFIED MUNICIPALITIES TO PROVIDE POLICE PROTECTION AND LAW ENFORCEMENT AREA WIDE

SB 203, introduced by the Senate Labor & Commerce Committee at the request of the Municipality of Anchorage, would require unified municipalities to provide law enforcement services on an areawide basis.

There are three unified municipalities in Alaska: Anchorage, Juneau, and Sitka. Both Juneau and Sitka currently provide areawide police coverage. The Municipality of Anchorage provides police service to approximately 80% of Anchorage. Hillside and portions of East South Anchorage have repeatedly rejected paying for police coverage, most recently this past April in municipal elections. (The Basher area and Southeast Midtown did vote to join the police service area effective January 1, 1994.)

The issues are public safety and equity among Anchorage's residents. As of this past summer, the State Troopers are not directly hooked up to the city's new enhanced 911 system and emergency response will be severely hampered. This is particularly alarming given that there are seven elementary and two secondary schools in the non-service area. The current system on the hillside, in which police officers respond to a call only if there is a car available, does not provide sufficient protection for the hundreds of teachers and students in that area. It is ironic that residents of Hillside and East South Anchorage want the rest of the city to help pay for their new schools, but they won't contribute to police coverage for them.

The second issue is simple fairness. While these residents do not help pay as does the rest of Anchorage's residents, they receive free emergency back-up from the Anchorage police department and State Troopers at their homes. Moreover they receive the benefit of regular free service when working, shopping, or engaging in other activity while in the rest of the city. It's time they pay for these services.

If enacted, this legislation would override any municipal charter prohibitions or local area vote.

BILL NO: SB 203

DATE: October 5, 1993

TITLE: "An Act requiring unified municipalities to provide police protection enforcement services. . ."

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

SB 203 states that a unified municipality shall provide police protection and law enforcement services within the entire area of the municipality. This legislation adds police protection to the list of provisions limiting home rule powers and the bill provides that the municipality has until January 1, 1994 to begin providing services.

In SB 203 the legislature finds that

- 1) the provision of police protection and law enforcement services is a fundamental responsibility of government;
- 2) unified municipalities should assume this responsibility by providing for police protection and law enforcement throughout their jurisdiction on a uniform basis; and
- 3) the cost of police protection and law enforcement should be paid from general municipal revenues and borne by the residents uniformly.

This legislation can help to contain growth in calls for Trooper services and improve the chances of being able to reallocate some trooper resources to critical traffic and other enforcement areas.


Reductions to the budget of the Alaska State Troopers have been made in prior years that were directed toward reducing services to local governments. Between FY86 and FY88 significant reductions were made to the budget of the Alaska State Troopers which included the loss of 46 positions, a portion of which were directly attributable to the legislature's desire to limit service to unified municipalities. Legislative Intent statements included in the FY86 and FY 92 budgets are representative of the reasons provided for the reductions:

"IT IS THE INTENT OF THE LEGISLATURE THAT ALASKA STATE TROOPER SERVICES SHALL NOT BE PROVIDED AFTER JULY 1,1987 TO THOSE ORGANIZED CITIES, BOROUGHs, AND MUNICIPALITIES WHICH HAVE POLICE POWERS." (FY86 short form, page 35)

"IT IS THE INTENT OF THE LEGISLATURE THAT THE ALASKA STATE TROOPER POSITIONS BE ELIMINATED FROM THE HILLSIDE SERVICE AREA BY OCTOBER 1,1991." (FY92 short form, page 3 A)

Passage of Senate Bill 203 could help allow AST to more appropriately address its traffic enforcement responsibilities with the goal of reducing fatal and serious injury accidents.

The Department of Public Safety supports legislation which requires a unified municipality to provide police protection to the residents of the municipality.



Richard L. Burton
Commissioner

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO: SB 203

Revision Date: _____ Dept. Affected: Public Safety
 Title: "An act requiring unified municipalities to provide police protection and law enforcement." BRU: Alaska State Troopers
 Component: Detachments
 Sponsor: Senate Labor and Commerce
 Requestor: Senate Community & Regional Affairs COMPONENT SERIAL NO. 799

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

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE FUND SOURCE:	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

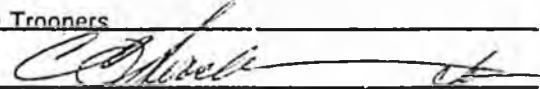
POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year (FY 94) impact: \$ _____

ANALYSIS: (Attach a separate page if necessary.)

No fiscal impact is anticipated.

Prepared By: Francis C. Allan Phone: 269-5691
 Division: Alaska State Troopers Date: 10/5/93
 Approved by Commissioner:  Date: 10/5/93
 Agency: Richard L. Burton, Dept. of Public Safety

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MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. _____

Meeting Date:

From: Mayor

Subject: Costs of Expansion of Police Services to Areawide

The attached revised Summary of Economic Effects (S.E.E.) replaces the S.E.E. submitted with AIM 225-92 pertaining to the expansion of Police services to Areawide.

The original S.E.E. mill rates were based on preliminary assessed valuation estimates used during the Assembly 1993 budget review process. The mill rates in this revised S.E.E. are based on revised assessed valuation estimates prepared by the Property Appraisal Division on January 7, 1993.

There have also been some minor changes in prosecution costs associated with this service expanding areawide.

Based on the 1993 Approved Operating Budget and most current assessed valuation estimates, the 1993 mill rate for the Police Service Area is 3.56 mills. With the expansion of police services to areawide, the rate would be reduced to 3.25 mills in the first year and 3.20 mills in subsequent years. The analysis in this memorandum considers the subsequent years costs and mill rate since the one-time start-up costs are not included. It is assumed that inflationary increases in costs will be absorbed within the budget or will be covered by increased assessed valuations in the subsequent years.

About \$6,248,600 in additional annual property tax revenues would be generated (3.20 mills x \$1,952,682,622 estimated assessed valuation of property currently outside of the Police Service Area). Some people may compare this to the \$3,013,430 annual additional costs required to bring police protection to those areas not currently served and think that they will be paying more than double the costs of the services they receive. However, the \$3.0 million represents only the additional costs necessary to bring police protection to those areas of the Municipality not currently in the Police Service Area. Those taxpayers currently outside of the Police Service Area would benefit from many more services than those represented by the \$3.0 million additional costs. They would also share in the "fixed costs" which make up a first class Police Department such as:

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Costs of Expansion of Police Services to Areawide
Page 2

- 1 . APD Crime Lab
- 2 . Communications (including 911 calls)
- 3 . Narcotics Enforcement Unit
- 4 . Police K-9 Dog Unit
- 5 . Crime Stopper Program
- 6 . Neighborhood Watch Program
- 7 . Crime Prevention Program
- 8 . Crisis Intervention Response Team
- 9 . Persons Crime Section
- 10 . Property Crimes Section
- 11 . Property and Evidence Section
- 12 . Reserve Officers Program
- 13 . Crime Scene Investigation Team
- 14 . Homicide Response Team
- 15 . Crimes Against Children
- 16 . Warrants
- 17 . Jail Contract
- 18 . Police Command Structure
- 19 . Police Academy and Continuing Training
- 20 . Police Records Management

21
22 Resources from the above police programs would benefit residents
23 currently not in the Police Service Area in areas of crime prevention and
24 responses to major incidents or crimes that would require more than the
25 efforts of the 29 added sworn positions.

26
27 It should also be noted that the personnel costs of \$2,430,860 included
28 in the incremental cost increase are for new sworn positions, dispatchers
29 and clerks that would have to be added to the force as a result of
30 service expansion to areawide. However, the personnel actually assigned
31 to duty outside of the current Police Service Area would be a mix of new
32 and veteran personnel whose costs will be greater than the costs of the
33 new personnel shown on the S.E.E.

34
35 The costs of police services in the 1993 Approved Operating Budget,
36 including jail, indigent defense, and prosecution costs, are \$44,814,340.
37 There are 259 sworn positions in the Police 1993 Approved Operating
38 Budget. However, considering the vacancy factor, the budget is
39 sufficient to fund 250 full-time equivalent sworn positions. Therefore,
40 the "fully loaded" costs of one full-time equivalent sworn position is
41 \$179,260. A total of 29 sworn positions are proposed to be added with
42 the expansion of Police services to areawide. The "fully loaded" costs
43 of these 29 positions would therefore be \$5,198,540 (\$179,260 x 29). The
44 expansion will reduce the "fully loaded" average cost of a sworn position
45 to \$171,390 and both the current Police Service Area taxpayers and the
46 taxpayers currently outside the Police Service Area would benefit from
47 the economies of scale resulting from the expansion of Police services.
48 For example, the "fixed costs" on lines 1 through 20 on this page of this
49 AIM would be spread over a larger number of taxpayers.
50

Costs of Expansion of Police Services to Areawide
Page 3

1 The "fully loaded" costs of a State Trooper position would be expected to
2 approximate the cost of an Anchorage Police Officer -- if the State
3 Trooper costs were able to be calculated. However, the underlying
4 concept and format of the State operating budget does not lend itself to
5 such analysis. The Municipal operating budget uses an Intragovernmental
6 Charge System to determine the full costs of projects and programs (e.g.,
7 police, fire, transit). The State does not use such a system; hence, it
8 is much more difficult to determine the full costs of State projects and
9 programs.

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11 Concern has also been expressed by some that certain taxpayers may
12 actually be paying more than something called a "fair share" of the costs
13 of Police protection. It is true that property taxes do discriminate on
14 the basis of value. Higher property valued areas not only in Anchorage
15 but throughout the United States generally pay more for their police
16 services (as well as other municipal services) than for the amount of
17 services they may actually receive in that area. Many of us can recall
18 cities in other parts of the country with areas of high property values
19 with relatively low crime problems that pay considerably more property
20 taxes than areas of low property values with high crime problems.

21
22 Fortunately, Anchorage does not have that great of a disparity between
23 our neighborhoods; however, the analogy is not completely lost. The
24 Hillside, for example, is not the only Anchorage area with high property
25 values that pays relatively higher property taxes than areas with lower
26 property values for the Municipal services it receives.

27
28 Police services benefit the entire community and the members of the
29 community benefit from those services whether they are in their own area
30 or elsewhere in the community. Everyone in the Municipality of
31 Anchorage benefits from the protection and safety of the services of the
32 Anchorage Police Department; however, some are receiving services that
33 others are paying for.

34
35 Concurrence:

Prepared by:

36
37
38
39 Larry D. Crawford
40 Municipal Manager

Eugene A. Dusek
Operating Budget Officer

41
42
43 Respectfully submitted,

44
45
46
47 Tom Fink
48 Mayor

49
50 E:\JP\AIM4

**COST PROJECTIONS FOR EXPANSION
OF POLICE SERVICES
ON A MUNICIPAL-WIDE BASIS**

		<u>First Year Costs</u>	<u>Subsequent Years Cost</u>
21	New Officers	\$1,288,980	\$1,448,790
3	Traffic Officers	184,140	206,970
5	Detectives	410,000	410,000
<u>29</u>	Subtotal	<u>\$1,883,120</u>	<u>\$2,065,760</u>
2	Dispatchers	\$ 104,580	\$ 114,940
2	Police Clerks	94,760	97,920
<u>4</u>	Subtotal	<u>\$ 199,340</u>	<u>\$ 212,860</u>
<u>33</u>			
	Education Allowance	\$ -0-	\$ 44,310
	Overtime at 5%	104,120	113,930
	Total Personnel Cost	<u>\$2,186,580</u>	<u>\$2,436,860</u>
	Girdwood sub-station Lease	\$ 12,000	\$ 12,000
	Prosecution Costs	302,170	273,170
	Indigent Defense	100,000	100,000
	Uniforms, Radios, Misc.	208,800	17,400
	29 New Police Vehicles - Initial Purchase	493,000	-0-
	29 New Police Vehicles - Maintenance & Replacement Reserve	<u>174,000</u>	<u>174,000</u>
		<u>\$3,476,550</u>	<u>\$3,013,430</u>

NOTE: First six months of first year salary costs of the 29 sworn positions are at 80% of full rate while the incumbent is in the academy and in field training.

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MUNICIPALITY OF ANCHORAGE
 Summary of Economic Effects - General Government

AO Number: 91-164(5) Title: Areawide Police Service Area
 Sponsor: Chairman of the Assembly
 Preparing Agency: Police/OMB
 Others Impacted: Municipal Attorney

CHANGES IN EXPENDITURES AND REVENUES:		(Thousands of Dollars)				
Operating Expenditures		FY94	FY95	FY96	FY97	FY98
1000 Personal Services		2,187	2,437	2,437	2,437	2,437
2000 Supplies		209	17	17	17	17
3000 Other Services		414	385	385	385	385
4000 Debt Service						
5000 Capital Outlay		493				
TOTAL DIRECT COSTS:		3,303	2,839	2,839	2,839	2,839
ADD: 6000 Charge from Others		174	174	174	174	174
LESS: 7000 Charge to Others						
FUNCTION COST:		3,477	3,013	3,013	3,013	3,013
REVENUES:						
CAPITAL:						
POSITIONS: FT/PT and Temp.		33	33	33	33	33

PUBLIC SECTOR ECONOMIC EFFECTS:

Attached are the cost projections for expansion of Police services on an areawide basis and the mill rate impact of areawide Police services.

PRIVATE SECTOR ECONOMIC EFFECTS:

The property owners currently in the Police Service Area would have their property taxes reduced by \$31 on a \$100,000 home in the first year and \$36 per year thereafter. Currently about 85% of Anchorage residents live in the Police Service Area.

The 15% of Anchorage residents who currently do not live in the Police Service Area would have their property taxes increased by \$325 on a \$100,000 home in the first year and \$320 per year thereafter.

Prepared by: Eugene A. Dusek, Operating Budget Officer Telephone: 343-4490

Validated by OMB: _____ Date: _____

Approved by: _____ Date: _____
(Director, Preparing Agency)

Concurred by: _____ Date: _____
(Director, Impacted Agency)

Approved by: _____ Date: _____
(Executive Manager)

E:\JP\AIM4

MUNICIPALITY OF ANCHORAGE
1993 LEGISLATIVE PROGRAM

LEGISLATIVE ISSUES

TITLE: *Mandatory Municipal Police Service*

The Municipality of Anchorage strongly endorses the concept of areawide police service within the boundaries of unified municipalities and home rule cities. It is one of the most fundamental services of the governing body to provide protection of life and property for its citizens.

Currently, the Municipality of Anchorage provides police service for approximately 80% of its residents, with the geographical area know as Hillside receiving free police protection from the Alaska State Troopers and from the Anchorage Police Department as back-up emergency services when the Troopers are unavailable. Hillside residents also receive free police protection from the Anchorage Police Department when they work, shop, and engage in recreational activities within the police service area.

The Municipality of Anchorage feels that all of its citizens should receive equal protection through equal taxation and supports 1992's HB 350 as the means to achieve this goal.

Contact: *Chief Kevin O'Leary*
Anchorage Police Department
Phone: *786-8590*

(23)

~~1) Project~~

1) What has done since April's Election? → ARLO

2) 1 mil = 90% 100 ne^A 100,000

3) Pay Trooper Coverage.

4) Dilard Road → Dist. Ent. H.

Prun 1
Kotzebue
Tunard
Fairbanks 1
Kodiak
Ketchikan
Valdez
Eglin

8-LS0626M
Cook
1/24/94

CS FOR SENATE BILL NO. 203()
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATE LABOR AND COMMERCE COMMITTEE BY REQUEST

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to police protection service areas in unified municipalities; and
2 to police protection provided by the state in certain municipal areas."

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

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

5 (53) AS 29.35.495 (police protection service areas)

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

7 Sec. 29.35.495. POLICE PROTECTION SERVICE AREAS. (a) The
8 residents of an area in a unified municipality may file a petition with the municipal
9 clerk for formation of a police protection service area for services to be provided by
10 the Department of Public Safety if the area is

11 (1) contiguous; and

12 (2) includes at least 50 residents or three percent of the municipal
13 population, whichever is greater.

14 (b) The petition form shall be supplied by the clerk at the request of a voter.

CS Proposed by Sen Rieger

1 The petition must describe the boundaries of the proposed service area and the
2 additional police protection services to be provided by the Department of Public Safety
3 in the area. It shall be signed by a number of voters residing in the proposed service
4 area equal to at least 10 percent of the number of residents in the area who voted in
5 the last regular election.

6 (c) Upon receipt of a petition that meets the requirements of (a) of this section,
7 the municipal clerk shall submit the petition to the commissioner of public safety.
8 Within 30 days after receipt of the petition the commissioner shall notify the clerk of
9 what the estimated actual cost of providing the services in the proposed service area
10 each month will be for a three-year period. The estimate shall be based on the
11 personnel costs of troopers to be assigned to the area. If a trooper is expected to
12 routinely cover an area larger than the proposed service area, the cost of that trooper
13 shall be prorated proportionally to the amount of duty time spent within the service
14 area. In addition to the trooper costs, the estimate shall include an amount to cover
15 administrative expenses incurred by the department not to exceed 15 percent of the
16 trooper costs.

17 (d) Upon receipt by the clerk of notification of the estimated actual cost of
18 providing the additional services in the proposed police protection service area, during
19 the next regular or special election held in the unified municipality, the question of
20 forming the proposed service area and of levying assessments to cover that estimated
21 actual cost plus an amount for administrative or other costs incurred by the
22 municipality not to exceed four percent of the estimated actual cost shall be placed
23 before the voters residing in the proposed service area. If the question is approved by
24 a majority of those voting on the question, the service area is formed and the
25 commissioner of public safety shall provide the additional services in that area.

26 (e) The governing body shall levy assessments in the service area to finance
27 the additional police protection services in an amount equal to the estimated actual cost
28 provided by the commissioner of public safety plus the amount for administrative or
29 other costs incurred by the unified municipality approved by the voters. Payments
30 shall be made to the commissioner within 60 days of receipt of assessments by the
31 municipality. The municipality may retain from assessments the amount levied for

1 administrative or other costs incurred by the municipality.

2 (f) At least once every three years an election shall be held by the unified
3 municipality in a police protection service area formed under this section on the
4 question of continuation of the service area. The commissioner of public safety shall
5 submit a revised notice of the estimated actual cost of providing the services during
6 the next three years for inclusion with the question, and the municipality shall indicate
7 the amount for administrative or other costs incurred by the municipality not to exceed
8 four percent of the revised estimated actual costs. If the question is not approved by
9 a majority of the residents voting on the question, the service area is dissolved 120
10 days after certification of the election. If the question is approved, the rate of
11 assessments shall be adjusted accordingly by the municipality.

12 (g) This section applies to unified municipalities, but not to other home rule
13 or general law municipalities.

14 * Sec. 3. POLICE PROTECTION SERVICES IN CERTAIN MUNICIPAL AREAS. (a)
15 Beginning January 1, 1995, if a unified municipality is not providing local police protection
16 services in an area within its boundaries with a population greater than 6,000, the municipality
17 shall levy property taxes within the area to pay for police protection services provided by the
18 state. This section does not apply if the area forms a police protection service area under
19 AS 29.35.495.

20 (b) The unified municipality shall levy property taxes under (a) of this section so that
21 \$120,000 is collected from the area annually for each trooper assigned to the area. The
22 municipality shall retain four percent of the money collected for costs of implementing this
23 section. The balance of the money shall be paid to the Department of Public Safety to be
24 accounted for by the department as a program receipt.

25 (c) Beginning January 1, 1995, the Department of Public Safety shall assign troopers
26 to provide police protection services to a unified municipality that is required to pay the state
27 for police protection under this section. The department shall provide one trooper for each
28 2,000 people in the municipality, but not more than 12 troopers in a single municipality.

29 * Sec. 4. Section 3 of this Act is repealed January 1, 2000.

3-LS0626Q
Cook
2/7/94

CS FOR SENATE BILL NO. 203()
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsors(s): SENATE LABOR AND COMMERCE COMMITTEE BY REQUEST

A BILL

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2 to police protection provided by the state in certain municipal areas."

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5 (53) AS 29.35.495 (police protection service areas)

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

7 Sec. 29.35.495. POLICE PROTECTION SERVICE AREAS. (a) The
8 residents of an area in a unified municipality may file a petition with the municipal
9 clerk for formation of a police protection service area for services to be provided by
10 the Department of Public Safety if the area is

11 (1) contiguous; and

12 (2) includes at least 50 residents or three percent of the municipal
13 population, whichever is greater

14 (b) The petition form shall be supplied by the clerk at the request of a voter.

CS Proposed by Sen. Kinze

1 The petition must describe the boundaries of the proposed service area and the
2 additional police protection services to be provided by the Department of Public Safety
3 in the area. It shall be signed by a number of voters residing in the proposed service
4 area equal to at least 10 percent of the number of residents in the area who voted in
5 the last regular election.

6 (c) Upon receipt of a petition that meets the requirements of (a) of this section,
7 the municipal clerk shall submit the petition to the commissioner of public safety.
8 Within 30 days after receipt of the petition the commissioner shall notify the clerk of
9 what the estimated total cost of providing the services in the proposed service area
10 each month will be for a three-year period. The estimate shall be based on the direct
11 costs of troopers to be assigned to the area. If a trooper is expected to routinely cover
12 an area larger than the proposed service area, the cost of that trooper shall be prorated
13 proportionally to the amount of duty time spent within the service area. In addition
14 to the direct costs of troopers, the estimate shall include an amount to cover
15 administrative costs incurred by the department not to exceed 15 percent of the direct
16 costs. The sum of the direct costs and administrative costs equals the estimated total
17 cost for purposes of this section.

18 (d) Upon receipt by the clerk of the estimated total cost prepared by the
19 commissioner of public safety under (c) of this section, during the next regular or
20 special election held in the unified municipality the question of forming the proposed
21 police protection service area and of levying assessments to cover that estimated total
22 cost, plus costs of collection incurred by the municipality not to exceed four percent
23 of the estimated total cost, shall be placed before the voters residing in the proposed
24 service area. If the question is approved by a majority of those voting on the question,
25 the service area is formed and the commissioner of public safety shall provide the
26 additional services in that area.

27 (e) The governing body shall levy assessments in the service area to finance
28 the additional police protection services in an amount equal to the estimated total cost
29 provided by the commissioner of public safety plus the amount for administrative or
30 other costs incurred by the unified municipality approved by the voters. Payments
31 shall be made to the commissioner within 60 days of receipt of assessments by the

1 municipality. The municipality may retain from assessments the amount levied for
2 administrative or other costs incurred by the municipality.

3 (f) At least once every three years an election shall be held by the unified
4 municipality in a police protection service area formed under this section on the
5 question of continuation of the service area. The commissioner of public safety shall
6 submit a revised notice of the estimated total cost of providing the services during the
7 next three years prepared in accordance with (c) of this section for inclusion with the
8 question, and the municipality shall indicate the amount for costs of collection incurred
9 by the municipality not to exceed four percent of the revised estimated total cost. If
10 the question is not approved by a majority of the residents voting on the question, the
11 service area is dissolved 120 days after certification of the election. If the question is
12 approved, the rate of assessments shall be adjusted accordingly by the municipality.

13 (g) This section applies to unified municipalities, but not to other home rule
14 or general law municipalities.

8-LS0626D
Cook
1/19/94

Kelly
Proposal

CS FOR SENATE BILL NO. 203()
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:

Referred:

Sponsor(s): SENATE LABOR AND COMMERCE COMMITTEE BY REQUEST

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to service areas in unified municipalities to provide police
2 protection and law enforcement services; and providing for an effective date."

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

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

5 (53) AS 29.35.495 (police protection service areas).

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

7 Sec. 29.35.495. POLICE PROTECTION SERVICE AREAS. (a)

8 Notwithstanding provisions in the home rule charter, a service area to provide police
9 protection and law enforcement services may be established, operated, altered, or
10 abolished in a unified municipality by ordinance. The ordinance may provide for an
11 appointed or elected board to supervise the furnishing of the police protection services.

12 (b) A unified municipality may by ordinance levy taxes, charges, or
13 assessments to finance the police protection services in a service area. Restrictions or
14 limitations on the levy of taxes, charges, or assessments in the home rule charter do

1 not apply to taxes, charges, or assessments levied under this section, nor shall they be
2 considered in applying the restrictions or limitations.

3 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).

BILL NO: CSSB 203()
(8-LS0626\D)

DATE: January 27, 1994

TITLE: "An Act requiring unified municipalities to provide police protection and law enforcement"

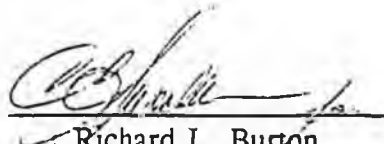
CONTACT: C.E. Swackhammer
Deputy Commissioner
465-4322

CSSB 203() (8-LS0626\D) allows assemblies in a unified municipality, notwithstanding provisions in the home rule charter, to establish, operate, alter, or abolish a service area to furnish police protection and law enforcement services. It also allows a unified municipality, by ordinance, to levy taxes, charges, or assessments to finance the police protection services in a service area. This act would take effect immediately.

The Task Force on Governmental Roles, formed under SCS CSHCR 17(CRA) by the 17th Legislature, examined the functions of state, federal, and local governments and made recommendations as to the appropriate roles and relationships of the different levels of government with respect to several governmental functions. The Task Force was composed of House and Senate members, representatives of the executive branch, representatives from the Municipal League, and a representative from the unorganized borough. In their final report the Task Force made the following recommendation: "...To encourage and facilitate the implementation of police protection and to generate economies of scale, the Task Force advocates a change in Title 29 to permit assemblies of unified municipalities and home rule boroughs to establish service areas for police protection, not withstanding charter provisions that place restrictions on the service area formation process. Authority to form service areas for police protection should also be given to general law boroughs. This would resolve the Hillside problem and prevent similar situations in other municipalities. ..."

The Department of Public Safety feels that the approach recommended by the Task Force is better public policy and would support legislation which requires a unified municipality to provide police protection to the residents of the municipality.

The Department of Public Safety supports this bill.



Richard L. Burton
Commissioner

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO: CSSB 203()
8-LS0626\D

Revision Date: _____ Dept. Affected: Public Safety
 Title: "An act requiring unified municipalities
to provide police protection and law enforcement." BRU: Alaska State Troopers
 Component: Detachments
 Sponsor: Senate Labor and Commerce
 Requestor: Senate Community & Regional Affairs COMPONENT SERIAL NO. 799

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

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE FUND SOURCE:	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-


POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year (FY 94) impact: \$ _____

ANALYSIS: (Attach a separate page if necessary.)

No fiscal impact is anticipated.

Prepared By: Francis C. Allan Phone: 269-5691
 Division: Alaska State Troopers Date: 01/26/94
 Approved by Commissioner:  Date: 01/26/94
 Agency: Richard F. Burton, Dir. of Public Safety

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8-LS0626X ✓
Cook
1/11/94

1st KELLY COMPROMISE
SUB CONTRACTING

CS FOR SENATE BILL NO. 203()

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATE LABOR AND COMMERCE COMMITTEE BY REQUEST

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the Department of Public Safety providing police protection
2 and law enforcement services in unified municipalities; and providing for an
3 effective date."

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

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

6 (53) AS 29.35.230 (police protection in unified municipalities).

7 * Sec. 2. AS 29.35 is amended by adding a new section to article 3 to read:

8 Sec. 29.35.230. POLICE PROTECTION IN UNIFIED MUNICIPALITIES.

9 (a) The Department of Public Safety shall charge a unified municipality for the costs
10 of providing police protection and law enforcement services to any area of the unified
11 municipality that is not receiving police protection provided by the municipality itself.
12 The commissioner of public safety shall negotiate a contract with the municipality
13 setting out the level of services to be provided, charges to be imposed, terms of
14 payment, and other conditions.

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(b) Payments by the municipality under (a) or (d) of this section for police protection services may be funded only with revenue generated from the area receiving the services. Notwithstanding the home rule charter, the assembly may adjust the mill rate, charges, or fees within the area to the extent necessary to fund the police protection services.

(c) The commissioner of public safety may contract with a municipality to provide police protection services under (a) of this section.

(d) If the commissioner of public safety and a unified municipality fail to reach an agreement within 60 days after the commissioner initiates negotiations on a contract under (a) of this section, the commissioner shall provide police protection services in the area that is the subject of the negotiation and charge the municipality the costs of the services.

* Sec. 3. This Act takes effect July 1, 1994.

Task Force on Governmental Roles

Final Report

by

Brad Pierce, Task Force Staff

July 10, 1992

This document was produced jointly by the Governor's Office of Management and Budget and the Alaska Municipal League.



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

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

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

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

medical treatment and prisoner transportation. The department believes it is currently paying for costs which are not directly related to operating and maintaining jails. An October 1991 Office of Management and Budget audit confirmed that the contract jail program lacks accountability.⁸ In recent years, Kodiak, Cordova, Dillingham, Unalaska and Kotzebue have threatened to close their facilities if they did not receive more funding. Finally, there are varying opinions about how much the state should pay for providing local incarceration ranging from Sitka, which provides 18 percent local funding of its contract jail, to Kodiak, which believes it should receive a 10 percent administrative fee for having a contract jail.

Legislation proposed by the Hillside Administration during the 17th Legislature, (SB 221) would have required all boroughs with no state pretrial facilities and cities with populations of more than 1,000 that are located 50 miles or more from a state pretrial facility to provide for the care and custody of prisoners charged under state law. The bill would have applied to home rule and general law municipalities. Under provisions of the bill, the Commissioner of Public Safety would have been authorized to reimburse the contracting municipality for reasonable costs, but there would have been no guarantee of funding for such reimbursement. Municipal officials fear that this approach could potentially result in another unfunded or underfunded mandate on municipalities.

The basic Task Force position on this issue is that contract jails are a state responsibility.

TASK FORCE RECOMMENDATIONS

Because they are all aspects of basic public protection, a comprehensive solution is required for the challenges of providing police, prosecution and jail services. The Task Force position is that the initiatives embodied in HB 350 (mandating areawide police), HB 551 (local prosecution) and SB 221 (custody and care of prisoners) appear piecemeal and aimed at specific problems in the Hillside, Wasilla, Fairbanks and communities with contract jails. The population thresholds in these bills do not relate to any recognized model of what services various classes and sizes of municipalities are capable of providing. These measures failed to pass during the 17th Legislature because of municipal opposition and any future legislation mandating the level of public protection services that municipalities must provide is very likely to suffer a similar fate.

Alaska State Legislature

Senator Tim Kelly, Chair
Senator Steve Rieger, Vice Chair
Senator Bert Sharp
Senator Judy Salo
Senator Georgianna Lincoln



STATE CAPITOL, SUITE 101
JUNEAU, ALASKA 99801-1182
PHONE: (907) 465-3822
FAX: (907) 465-3756

SENATE LABOR AND COMMERCE COMMITTEE MEMORANDUM

716 W. 4TH, SUITE 400
ANCHORAGE, AK 99501-2133
PHONE: (907) 258-8180
FAX: (907) 258-4524

TO: The Senate Community & Regional Affairs Committee
FROM: Senator Tim Kelly
DATE: January 20, 1994
RE: Past Elections on Annexation to the Police Service Area

At the last Senate Community & Regional Affairs hearing on November 3, 1993, voting results from those areas that voted on joining the Police Service Area were misrepresented in testimony. For your information, I have obtained the actual results from the Municipality of Anchorage's City Clerk's office:

April 20, 1993 Ballot:

S.E. Midtown	51.8%-Yes (1,465)	48.2%-No (1,363)
Lower Hillside	46.2%-Yes (1,355)	53.8%-No (1,580)
Upper Hillside	33.7%-Yes (1,795)	66.3%-No (3,538)
Turnagain Arm Area	27.4%-Yes (128)	72.6%-No (339)
Basher Area	55.7%-Yes (68)	44.3%-No (54)

December 14, 1993 Ballot:

Independence Park (Prnct. 343)	74.4%-Yes (96)	25.6%-No (33)
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This should clear up any discrepancy.

(Note: Highlighted Areas voted to join the Police Service Area.)

Alaska Statutes

Title 29. Municipal Government.

Chapter

- 10. Home Rule Municipalities (§ 29.10.200)
- 20. Municipal Officers and Employees (§ 29.20.090)
- 35. Municipal Powers and Duties (§§ 29.35.055, 29.35.131 — 29.35.137, 29.35.200, 29.35.210, 29.35.625)
- 45. Municipal Taxation (§ 29.45.050)
- 55. Municipal Programs (§ 29.55.020)
- 60. State Programs (§§ 29.60.450, 29.60.600, 29.60.650)

Chapter 10. Home Rule Municipalities.

Article

- 2. Home Rule Limitations (§ 29.10.200)

Article 2. Home Rule Limitations.

Section

- 200. Limitation of home rule powers

Sec. 29.10.200. Limitation of home rule powers. Only the following provisions of this title apply to home rule municipalities as prohibitions on acting otherwise than as provided. These provisions supersede existing and prohibit future home rule enactments that provide otherwise:

- (1) AS 29.05.140 (transition);
- (2) AS 29.06.010 (change of municipal name);
- (3) AS 29.06.040 — 29.06.060 (annexation and detachment);
- (4) AS 29.06.090 — 29.06.170 (merger and consolidation);
- (5) AS 29.06.190 — 29.06.420 (unification of municipalities);
- (6) AS 29.06.450 — 29.06.530 (dissolution);
- (7) AS 29.10.100 (charter amendment);
- (8) AS 29.20.010 (conflict of interest);
- (9) AS 29.20.020 (meetings public);
- (10) AS 29.20.050 (legislative power);
- (11) AS 29.20.060 — 29.20.120 (assembly composition and apportionment);
- (12) AS 29.20.140 (qualifications of members of governing bodies);
- (13) AS 29.20.150 (term of office);
- (14) AS 29.20.220 (executive power);
- (15) AS 29.20.270(e) (ordinance veto by mayor);
- (16) AS 29.20.630 (prohibited discrimination);

- (17) AS 29.20.640 (reports);
- (18) AS 29.25.010(a)(10) (municipal exemption on contractor bond requirements);
- (19) AS 29.25.050 (codification);
- (20) AS 29.25.060 (resolutions);
- (21) AS 29.26.030 (notice of elections);
- (22) AS 29.26.050 (voter qualification);
- (23) AS 29.26.250 — 29.26.360 (recall);
- (24) AS 29.35.020 (extraterritorial jurisdiction);
- (25) AS 29.35.030 (eminent domain);
- (26) AS 29.35.050 (garbage and solid waste services);
- (27) AS 29.35.055 (local air quality control program);
- (28) AS 29.35.060 (franchises and permits);
- (29) AS 29.35.070 (public utilities);
- (30) AS 29.35.080 (alcoholic beverages);
- (31) AS 29.35.120 (post audit);
- (32) AS 29.35.131 (enhanced 911 system);
- (33) AS 29.35.145 (regulation of firearms);
- (34) AS 29.35.160 (education);
- (35) AS 29.35.170(b) (assessment and collection of taxes);
- (36) AS 29.35.180(b) (land use regulation);
- (37) AS 29.35.250 (cities inside boroughs);
- (38) AS 29.35.260 (cities outside boroughs);
- (39) AS 29.35.340 (acquisition of areawide power);
- (40) AS 29.35.500 — 29.35.590 (hazardous materials and wastes);
- (41) AS 29.40.160(a) — (c) (title to vacated areas);
- (42) AS 29.40.200 (subdivisions of state land);
- (43) AS 29.45.010 — 29.45.570 (property taxes);
- (44) AS 29.45.650(c), (d), (e), and (f) (sales and use tax);
- (45) AS 29.45.700(d) (sales and use tax);
- (46) AS 29.47.200(b) (security for bonds);
- (47) AS 29.47.260 (construction);
- (48) AS 29.60.050(a) (limitation on computation and use of payment);
- (49) AS 29.60.120(a) and (c) (state aid for health facilities and hospitals);
- (50) AS 29.65 (general grant land);
- (51) AS 29.71.040 (procurement preference for state agricultural and fisheries products);
- (52) AS 29.71.050 (procurement preference for recycled Alaska products). (§ 6 ch 74 SLA 1985; am §§ 1, 2 ch 38 SLA 1986; am § 6 ch 70 SLA 1986; am § 12 ch 80 SLA 1986; am § 3 ch 108 SLA 1986; am § 49 ch 14 SLA 1987; am § 1 ch 30 SLA 1988; am § 2 ch 63 SLA 1988; am § 1 ch 64 SLA 1988; am § 3 ch 57 SLA 1993; am § 5 ch 74 SLA 1993)

actor bond

Revisor's notes. — Reorganized in 1986 to restore numerical order to the referenced provisions. Paragraph (52) was enacted as (49) and renumbered as (50) in 1988; renumbered again in 1993. Paragraphs (27) and (32) were each enacted as (51) and renumbered in 1993.

Effect of amendments. — The first 1993 amendment, effective June 9, 1993, added paragraph (32).

The second 1993 amendment, effective June 26, 1993, added paragraph (27).

Chapter 20. Municipal Officers and Employees.

Article

2. Governing Bodies (§ 29.20.090)

Article 2. Governing Bodies.

Section

90. Apportionment appeals

Sec. 29.20.090. Apportionment appeals. (a) A reapportionment ordinance approved by the voters, or a decision of the assembly that the standards of AS 29.20.060 do not require a change in apportionment, may be appealed to the commissioner. Fifty voters may submit a petition to the commissioner requesting the commissioner to determine whether the proposed reapportionment ordinance approved by the voters meets the standards of AS 29.20.060 or whether a decision of the assembly that the standards of AS 29.20.060 do not require a change of apportionment is correct. If the petition asks the commissioner to review an ordinance approved by the voters under AS 29.20.080(e), the petition shall be delivered to the commissioner not later than 20 days after certification of the election. If the petition asks the commissioner to review a decision of the assembly under AS 29.20.080(c), the petition shall be delivered to the commissioner within 20 days of the decision of the assembly.

(b) The commissioner shall review the petition and may make the determination requested. The commissioner shall provide copies of the determination to the persons petitioning for appeal and to borough officials not later than 60 days after the commissioner receives the petition.

(c) If the commissioner determines that the proposed reapportionment ordinance approved by the voters does not meet the standards of AS 29.20.060, or if the commissioner determines that the decision of the assembly that the standards of AS 29.20.060 do not require a change of apportionment is not correct, the commissioner shall, by order, direct the assembly to prepare a reapportionment ordinance that meets the standards of AS 29.20.060 and submit the ordinance to the voters.

(d) When the assembly has been directed by the commissioner to prepare a reapportionment ordinance under (c) of this section, the assembly shall, within two months after its receipt of the commis-

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SEP 30 '93 03:25PM ANCHORAGE POLICE
SEP 29 1993 MKD 18:44

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TF 9-30

J. Hamerski
FBI

P.O. Box 110371
Anchorage, AK 99511

September 29, 1993

RECEIVED

SEP 29 1993

MAYOR'S OFFICE

Laddie Shaw
Alaska Police Standards Council
P.O. Box 111200
Juneau, AK 99811

Dear Mr. Shaw:

As per our conversation today I am providing written notice of the following:

As per the Constitution of the United States and the State of Alaska, the voters of Block 1, Lot 1 & Lot 2, and Track B in Rabbit Creek View have voted and authorized ourselves to act as a volunteer police force.

The reason behind our actions is that we have no protection from criminals and lawlessness has taken over our area. The Alaska State Troopers refuse to come up, and the Anchorage Police refuse to come up when called for and will not even send us information on their Crime Watch program.

If you have any pertinent information or questions, please do not hesitate to call me at 345-2056.

Sincerely,

Johann Hamerski Act. Vol. Pol. Chief

Johann Hamerski
Acting Volunteer Police Chief
Rabbit Creek View
Block 1, Lot 1&2, and
Track B

cc: Governor Walter Hickel
Mayor Tom Fink

RECEIVED

SEP 30 1993

Anchorage Police Department

**MUNICIPALITY OF ANCHORAGE
1993 LEGISLATIVE PROGRAM**

LEGISLATIVE ISSUES

TITLE: Mandatory Municipal Police Service

The Municipality of Anchorage strongly endorses the concept of areawide police service within the boundaries of unified municipalities and home rule cities. It is one of the most fundamental services of the governing body to provide protection of life and property for its citizens.

Currently, the Municipality of Anchorage provides police service for approximately 80% of its residents, with the geographical area know as Hillside receiving free police protection from the Alaska State Troopers and from the Anchorage Police Department as back-up emergency services when the Troopers are unavailable. Hillside residents also receive free police protection from the Anchorage Police Department when they work, shop, and engage in recreational activities within the police service area.

The Municipality of Anchorage feels that all of its citizens should receive equal protection through equal taxation and supports 1992's HB 350 as the means to achieve this goal.

Contact: Chief Kevin O'Leary
Anchorage Police Department
Phone: 786-8590

(23)



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. _____

Meeting Date:

From: Mayor

Subject: Costs of Expansion of Police Services to Areawide

The attached revised Summary of Economic Effects (S.E.E.) replaces the S.E.E. submitted with AIM 226-92 pertaining to the expansion of Police services to Areawide.

The original S.E.E. mill rates were based on preliminary assessed valuation estimates used during the Assembly 1993 budget review process. The mill rates in this revised S.E.E. are based on revised assessed valuation estimates prepared by the Property Appraisal Division on January 7, 1993.

There have also been some minor changes in prosecution costs associated with this service expanding areawide.

Based on the 1993 Approved Operating Budget and most current assessed valuation estimates, the 1993 mill rate for the Police Service Area is 3.56 mills. With the expansion of police services to areawide, the rate would be reduced to 3.25 mills in the first year and 3.20 mills in subsequent years. The analysis in this memorandum considers the subsequent years costs and mill rate since the one-time start-up costs are not included. It is assumed that inflationary increases in costs will be absorbed within the budget or will be covered by increased assessed valuations in the subsequent years.

About \$6,248,600 in additional annual property tax revenues would be generated (3.20 mills x \$1,952,682,622 estimated assessed valuation of property currently outside of the Police Service Area). Some people may compare this to the \$3,013,430 annual additional costs required to bring police protection to those areas not currently served and think that they will be paying more than double the costs of the services they receive. However, the \$3.0 million represents only the additional costs necessary to bring police protection to those areas of the Municipality not currently in the Police Service Area. Those taxpayers currently outside of the Police Service Area would benefit from many more services than those represented by the \$3.0 million additional costs. They would also share in the "fixed costs" which make up a first class Police Department such as:

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Costs of Expansion of Police Services to Areawide
Page 2

- 1 • APD Crime Lab
- 2 • Communications (including 911 calls)
- 3 • Narcotics Enforcement Unit
- 4 • Police K-9 Dog Unit
- 5 • Crime Stopper Program
- 6 • Neighborhood Watch Program
- 7 • Crime Prevention Program
- 8 • Crisis Intervention Response Team
- 9 • Persons Crime Section
- 10 • Property Crimes Section
- 11 • Property and Evidence Section
- 12 • Reserve Officers Program
- 13 • Crime Scene Investigation Team
- 14 • Homicide Response Team
- 15 • Crimes Against Children
- 16 • Warrants
- 17 • Jail Contract
- 18 • Police Command Structure
- 19 • Police Academy and Continuing Training
- 20 • Police Records Management

21
22 Resources from the above police programs would benefit residents
23 currently not in the Police Service Area in areas of crime prevention and
24 responses to major incidents or crimes that would require more than the
25 efforts of the 29 added sworn positions.

26
27 It should also be noted that the personnel costs of \$2,436,860 included
28 in the incremental cost increase are for new sworn positions, dispatchers
29 and clerks that would have to be added to the force as a result of
30 service expansion to areawide. However, the personnel actually assigned
31 to duty outside of the current Police Service Area would be a mix of new
32 and veteran personnel whose costs will be greater than the costs of the
33 new personnel shown on the S.E.E.

34
35 The costs of police services in the 1993 Approved Operating Budget,
36 including jail, indigent defense, and prosecution costs, are \$44,814,340.
37 There are 259 sworn positions in the Police 1993 Approved Operating
38 Budget. However, considering the vacancy factor, the budget is
39 sufficient to fund 250 full-time equivalent sworn positions. Therefore,
40 the "fully loaded" costs of one full-time equivalent sworn position is
41 \$179,260. A total of 29 sworn positions are proposed to be added with
42 the expansion of Police services to areawide. The "fully loaded" costs
43 of these 29 positions would therefore be \$5,198,540 (\$179,260 x 29). The
44 expansion will reduce the "fully loaded" average cost of a sworn position
45 to \$171,390 and both the current Police Service Area taxpayers and the
46 taxpayers currently outside the Police Service Area would benefit from
47 the economies of scale resulting from the expansion of Police services.
48 For example, the "fixed costs" on lines 1 through 20 on this page of this
49 AIM would be spread over a larger number of taxpayers.
50

Costs of Expansion of Police Services to Areawide
 Page 3

1 The "fully loaded" costs of a State Trooper position would be expected to
 2 approximate the cost of an Anchorage Police Officer -- if the State
 3 Trooper costs were able to be calculated. However, the underlying
 4 concept and format of the State operating budget does not lend itself to
 5 such analysis. The Municipal operating budget uses an Intragovernmental
 6 Charge System to determine the full costs of projects and programs (e.g.,
 7 police, fire, transit). The State does not use such a system; hence, it
 8 is much more difficult to determine the full costs of State projects and
 9 programs.

10
 11 Concern has also been expressed by some that certain taxpayers may
 12 actually be paying more than something called a "fair share" of the costs
 13 of Police protection. It is true that property taxes do discriminate on
 14 the basis of value. Higher property valued areas not only in Anchorage
 15 but throughout the United States generally pay more for their police
 16 services (as well as other municipal services) than for the amount of
 17 services they may actually receive in that area. Many of us can recall
 18 cities in other parts of the country with areas of high property values
 19 with relatively low crime problems that pay considerably more property
 20 taxes than areas of low property values with high crime problems.

21
 22 Fortunately, Anchorage does not have that great of a disparity between
 23 our neighborhoods; however, the analogy is not completely lost. The
 24 Hillside, for example, is not the only Anchorage area with high property
 25 values that pays relatively higher property taxes than areas with lower
 26 property values for the Municipal services it receives.

27
 28 Police services benefit the entire community and the members of the
 29 community benefit from those services whether they are in their own area
 30 or elsewhere in the community. Everyone in the Municipality of
 31 Anchorage benefits from the protection and safety of the services of the
 32 Anchorage Police Department; however, some are receiving services that
 33 others are paying for.

34
 35 Concurrence: Prepared by:
 36
 37
 38
 39 Larry D. Crawford Eugene A. Dusek
 40 Municipal Manager Operating Budget Officer

41
 42
 43 Respectfully submitted,
 44

45
 46
 47 Tom Fink
 48 Mayor

49
 50 E:\JP\AIM4

COST PROJECTIONS FOR EXPANSION
OF POLICE SERVICES
ON A MUNICIPAL-WIDE BASIS

		<u>First Year Costs</u>	<u>Subsequent Years Cost</u>
21	New Officers	\$1,288,980	\$1,448,790
3	Traffic Officers	184,140	206,970
5	Detectives	410,000	410,000
<u>29</u>	Subtotal	<u>\$1,883,120</u>	<u>\$2,065,760</u>
2	Dispatchers	\$ 104,580	\$ 114,940
2	Police Clerks	94,760	97,920
<u>4</u>	Subtotal	<u>\$ 199,340</u>	<u>\$ 212,860</u>
<u>33</u>			
	Education Allowance	\$ -0-	\$ 44,310
	Overtime at 5%	104,120	113,930
	Total Personnel Cost	<u>\$2,186,580</u>	<u>\$2,436,860</u>
	Girdwood sub-station Lease	\$ 12,000	\$ 12,000
	Prosecution Costs	302,170	273,170
	Indigent Defense	100,000	100,000
	Uniforms, Radios, Misc.	208,800	17,400
	29 New Police Vehicles - Initial Purchase	493,000	-0-
	29 New Police Vehicles - Maintenance & Replacement Reserve	<u>174,000</u>	<u>174,000</u>
		<u>\$3,476,550</u>	<u>\$3,013,430</u>

NOTE: First six months of first year salary costs of the 29 sworn positions are at 80% of full rate while the incumbent is in the academy and in field training.

E:\JP\AIM4

MUNICIPALITY OF ANCHORAGE
 Summary of Economic Effects - General Government

AO Number: 91-164(S) Title: Areawide Police Service Area
 Sponsor: Chairman of the Assembly
 Preparing Agency: Police/OMB
 Others Impacted: Municipal Attorney

CHANGES IN EXPENDITURES AND REVENUES:		(Thousands of Dollars)				
Operating Expenditures	FY94	FY95	FY96	FY97	FY98	
1000 Personal Services	2,187	2,437	2,437	2,437	2,437	
2000 Supplies	209	17	17	17	17	
3000 Other Services	414	385	385	385	385	
4000 Debt Service						
5000 Capital Outlay	493					
TOTAL DIRECT COSTS:	3,303	2,839	2,839	2,839	2,839	
ADD: 6000 Charge from Others	174	174	174	174	174	
LESS: 7000 Charge to Others						
FUNCTION COST:	3,477	3,013	3,013	3,013	3,013	
REVENUES:						
CAPITAL:						
POSITIONS: FT/PT and Temp.	33	33	33	33	33	

PUBLIC SECTOR ECONOMIC EFFECTS:

Attached are the cost projections for expansion of Police services on an areawide basis and the mill rate impact of areawide Police services.

SUMMARY OF ECONOMIC EFFECTS

PRIVATE SECTOR ECONOMIC EFFECTS:

The property owners currently in the Police Service Area would have their property taxes reduced by \$31 on a \$100,000 home in the first year and \$36 per year thereafter. Currently about 85% of Anchorage residents live in the Police Service Area.

The 15% of Anchorage residents who currently do not live in the Police Service Area would have their property taxes increased by \$325 on a \$100,000 home in the first year and \$320 per year thereafter.

Prepared by: Eugene A. Dusek, Operating Budget Officer Telephone: 343-4490

Validated by OMB: _____ Date: _____

Approved by: _____ Date: _____
(Director, Preparing Agency)

Concurred by: _____ Date: _____
(Director, Impacted Agency)

Approved by: _____ Date: _____
(Executive Manager)

E:\JPA\AIM4

POLICE AREAWIDE FIRST YEAR BUDGET IMPACTS
(in 1994 Dollars)

A. Tax Costs

\$32,909,590 Tax Costs of Police SA in Approved 1994 General Government
Operating Budget plus Independence Park
3,316,020 Additional Tax Costs to go Areawide (a)
\$36,225,610

(a) \$3,061,600 Police
186,420 Prosecution
68,000 Indigent Defense
0 Jail Costs (assumes no increase from current
\$1.5 million costs)
\$3,316,020

NOTE: The above costs assume no Police pay increase for 1994.

B. Police Service Area Assessed Valuation

\$ 9,494,205,035 Police SA as of January 1, 1994 (including Independence
Park)
1,357,618,565 Outside of Police SA as of January 1, 1994
\$10,851,823,600

C. Mill Rate

\$ 36,225,610
----- = 3.34 mills (vs. 3.47 mills in Approved 1994 budget plus
Independence Park)
\$10,851,823,600

D. Property Tax Impacts

Current Police SA: - \$ 13 property tax on \$100,000 home
Outside Current Police SA: + \$334 property tax on \$100,000 home

E. Property Taxes Collected and Incremental Costs in Added Area

3.34 mills x \$1,357,618,565 = \$4,534,446 Property Taxes
3,316,020 Incremental Costs
\$1,218,426 (b)

(b) Includes share of the "fixed costs" including services such as APD
Crime Lab, Communications, Narcotics Enforcement Unit, Crisis
Intervention Response Team, Police K-9 Dog Unit, Crimes Against
Children Unit, and Neighborhood Watch Program, to name just a few.

POLICE AREAWIDE (EXCLUDING TURNAGAIN ARM AREA) FIRST YEAR BUDGET IMPACTS
(in 1994 Dollars)

A. Tax Costs

\$32,909,590	Tax Costs of Police SA in Approved 1994 General Government Operating Budget plus Independence Park
<u>2,658,580</u>	Additional Tax Costs to go Areawide (Excluding Turnagain Arm Area) (a)
<u>\$35,568,170</u>	
(a) \$2,409,160	Police
186,420	Prosecution
63,000	Indigent Defense
0	Jail Costs (assumes no increase from current \$1.5 million costs)
<u>\$2,658,580</u>	

NOTE: The above costs assume no Police pay increase for 1994.

B. Police Service Area Assessed Valuation

\$ 9,494,205,035	Police SA as of January 1, 1994 (including Independence Park)
1,156,042,370	Outside of Police SA as of January 1, 1994 (excluding Turnagain Arm Area)
<u>\$10,650,247,405</u>	

C. Mill Rate

\$ 35,568,170	
<u>-----</u>	= 3.34 mills (vs. 3.47 mills in Approved 1994 budget plus Independence Park)
\$10,650,247,405	

D. Property Tax Impacts

Current Police SA: - \$ 13 property tax on \$100,000 home
Outside Current Police SA: + \$334 property tax on \$100,000 home

E. Property Taxes Collected and Incremental Costs in Added Area

3.34 mills x \$1,156,042,370	= \$3,861,181 Property Taxes
	<u>2,658,580</u> Incremental Costs
	<u>\$1,202,601</u> (b)

(b) Includes share of the "fixed costs" including services such as APD Crime Lab, Communications, Narcotics Enforcement Unit, Crisis Intervention Response Team, Police K-9 Dog Unit, Crimes Against Children Unit, and Neighborhood Watch Program, to name just a few.

Municipality of Anchorage



P.O. BOX 196650
ANCHORAGE, ALASKA 99519-6650
(907) 343-4496

TOM FINK
MAYOR

OFFICE OF MANAGEMENT & BUDGET

FAX COVER LETTER

Fax Number: (907) 343-4110

DATE: 1-11-94

TO: JOSH FINK

FAX NO. 465-3756

FROM: Gene Dusek, Budget Director, Office of Management and Budget

PHONE NO. (907) 343-4490

Total Number of Pages (including cover letter): 3

Comments: _____

MUNICIPALITY OF ANCHORAGE

M E M O R A N D U M

DATE: January 12, 1994
 TO: Josh Fink, Senator Kelly's office
 FROM: Daniel Moore, OMB
 SUBJECT: Thursday 9am Teleconference regarding Mandatory Police Service

I presume the teleconference begins at 9am. rather than 8:30am. As requested, here is what's planned for tomorrow morning's teleconference:

- The teleconference will be in the Mayor's conference room--phone #343-4689
- Expected to testify re: SB203 (Mandatory Police Service) is Duane Udland, Deputy Police Chief.
- No one else is expected to testify, however Gene Dusek, Budget Director for the Municipality, and Scott Brandt Erichsen, Assistant Municipal Attorney, will be present to answer any budget or legal questions from the Municipality's standpoint.
- You should already have received fiscal impact data from Gene Dusek yesterday, as well as Scott Brandt Erichsen's comments from a memo dated November 23, 1993.
- If possible, the Municipality will try to send you an advance copy of our position paper toward the end of today.

Please call me at 343-4282 should you need any other assistance.

legis/mdm01

Post-It™ brand fax transmittal memo 7871		# of pages ▶ 1	
To	Josh Fink	From	Dan Moore
Co.	Sen. Kelly's	Co.	MOA
Dept.		Phone #	343-4282
Fax #	465-3756	Fax #	343-4110



Alaska State Legislature

Senate

Please enter into the record my testimony to the Committee on Regional Affairs
mandatory Muni. Police Services
committee name
 committee on SB 203, dated 2-1-94
bill/subject

*Please See Attached
 Testimony from
 City of Sitka*

Signed: T. Cole, City Attorney
Testifier
City of Sitka
Representing (Optional)
304 Lake St., Sitka Alaska
Address
247-3294 ext 112
Phone No.

**WRITTEN TESTIMONY OF ATTORNEY FOR
THE CITY AND BOROUGH OF SITKA**

Sitka is extremely concerned about the implications of SB 203, regarding area wide police services in unified City-Boroughs. There is a tendency to forget that there are three unified municipalities. Juneau and Anchorage have historically received significant State Trooper coverage. Sitka has not.

It is not the issue of State Trooper involvement in Sitka which concerns us. It is the possible legal and liability implications of the requirements of SB 203. Sitka is the largest in area of the three municipalities with, by far, the smallest road system. However, there are logging camps and small communities like Baranof Warm Springs which are not on the road systems and often are only populated part of the year. They are provided police services on an as needed basis but there is no regular police activity at those locations.

We are concerned that SB 203 could impose additional unnecessary requirements and liabilities upon Sitka during a time when our resources are already stretched to the limit.

Please call for any questions

2 of 2

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

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

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

MEMORANDUM

March 23, 1993

SUBJECT: Police Protection Service Areas (HB 18)

TO: Senator Randy Phillips

FROM: Tamara Brandt Cook
Director *TBC*

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

Article X, sec. 5 provides in full

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

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

Senator Randy Phillips

March 23, 1993

Page 2

between the authority granted to form a service area and the limitation on the formation of a service area is uncertain.

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

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

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

TBC:lmb:pl
93-079.lmb

Alaska State Legislature

Senator Tim Kelly, Chair
Senator Steve Rieger, Vice Chair
Senator Druce Pearce
Senator Judy Salo
Senator Georgianna Lincoln



SENATE LABOR AND COMMERCE
COMMITTEE

STATE CAPITOL, SUITE 101
JUNEAU, ALASKA 99801-1182
PHONE: (907) 465-3822
FAX: (907) 465-3756

3111 C STREET, SUITE 550
ANCHORAGE, ALASKA 99503
(907) 561-7612

POSITION PAPER FOR SB 203:

REQUIRING UNIFIED MUNICIPALITIES TO PROVIDE POLICE PROTECTION AND LAW ENFORCEMENT AREA WIDE

SB 203, introduced by the Senate Labor & Commerce Committee at the request of the Municipality of Anchorage, would require unified municipalities to provide law enforcement services on an areawide basis.

There are three unified municipalities in Alaska: Anchorage, Juneau, and Sitka. Both Juneau and Sitka currently provide areawide police coverage. The Municipality of Anchorage provides police service to approximately 80% of Anchorage. Hillside and portions of East South Anchorage have repeatedly rejected paying for police coverage, most recently this past April in municipal elections. (The Basher area and Southeast Midtown did vote to join the police service area effective January 1, 1994.)

The issues are public safety and equity among Anchorage's residents. As of this past summer, the State Troopers are not directly hooked up to the city's new enhanced 911 system and emergency response will be severely hampered. This is particularly alarming given that there are seven elementary and two secondary schools in the non-service area. The current system on the hillside, in which police officers respond to a call only if there is a car available, does not provide sufficient protection for the hundreds of teachers and students in that area. It is ironic that residents of Hillside and East South Anchorage want the rest of the city to help pay for their new schools, but they won't contribute to police coverage for them.

The second issue is simple fairness. While these residents do not help pay as does the rest of Anchorage's residents, they receive free emergency back-up from the Anchorage police department and State Troopers at their homes. Moreover they receive the benefit of regular free service when working, shopping, or engaging in other activity while in the rest of the city. It's time they pay for these services.

If enacted, this legislation would override any municipal charter prohibitions or local area vote.

Senator Tim Kelly

FOR IMMEDIATE RELEASE

APRIL 21, 1993

SENATOR KELLY INTRODUCES BILL REQUIRING MUNICIPALITIES TO PROVIDE AREAWIDE POLICE SERVICE

Senator Tim Kelly (R-Anchorage) introduced legislation today, SB 203, that would require municipalities to provide law enforcement services on an areawide basis. If enacted, this legislation would override any municipal charter prohibitions or local area vote.

"If communities such as Dillingham, with populations under 2000, can pay for police service, the residents of large municipalities should be required to do the same," said Senator Kelly.

This bill would require unified municipalities, such as Anchorage, Juneau and Sitka, to provide police coverage and law enforcement services for the entire area inside a municipality. The costs of the police coverage would be paid for by all areas within the municipality.

Senator Kelly was particularly concerned about the lack of coverage on Anchorage's hillside, and the recent vote by many hillside residents rejecting police coverage. Hillside residents do not currently pay for police coverage either at their homes, their schools, or while they're in town, and are dependant upon service by the Alaska State Troopers. Starting this summer, the State Troopers will not be directly hooked up to the city's new enhanced 911 system and emergency response will be severely hampered. This is particularly alarming given that there are seven elementary and two secondary schools in the non-service area.

"The current system on the hillside, in which police officers respond to a call only if there is a car available, does not provide sufficient protection for the hundreds of teachers and students in that area," Kelly said. "If the people on hillside want new schools built outside a Police Service Area, they should to have to pay for the costs of police coverage to those schools. With Stuckagain Heights now included, every home in my district currently pays for areawide police protection and so should the Hillside. It's simply a question of fairness."

"With all the problems we're constantly addressing regarding drugs, violence, and even weapons in schools, it doesn't make a lot of sense to me to leave entire schools, and surrounding areas, without immediate police response. The notoriety of no police coverage on Hillside is just like waving a red flag to attract criminal activity that might not otherwise occur. I worry that we're just inviting trouble"

(For additional information, please contact Senator Tim Kelly at 465-3819.)

Tim,

Attached is the last CS on the police bill. (Note that on the second page I crossed out "may" and replaced it with "shall".)

Sen. Rieger has reviewed this draft (with the "may") and says he thinks you and him can reach a compromise. His staff told me he would get together with you informally, and had not instructed them to set up an appointment.

Most people, with the exception of Steve and his Hillside friends, greatly prefer the original bill. Some problems with this CS you need to know about:

Burton says the subcontracting Trooper service through the APD may cause labor contract problems.

Burton is also concerned with liability -- who bares it... the city or State. In speaking with Tam Cook, she said this is a grey area, and that if she were suing she would go after the city and state. I've asked risk management to take a look at liability costs to the State.

Prosecution and public defender costs pose a potential problem. Right now, Anchorage pays for prosecution of misdemeanors when suspect is apprehended by the APD. The muni also pays for public defense in such cases. For all felonies, the State pays for prosecution and public defense, as well as for misdemeanors in areas they service. So the question results: who pays for prosecution and public defense for arrests in an area serviced by the Troopers but contracted to the APD.

8-LS0626X
Cook
1/11/94

Latest Copy from [unclear]

CS FOR SENATE BILL NO. 203()

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATE LABOR AND COMMERCE COMMITTEE BY REQUEST

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the Department of Public Safety providing police protection
2 and law enforcement services in unified municipalities; and providing for an
3 effective date."

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

5 * Section 1. AS 29.10.200 is amended by adding a new paragraph to read:
6 (53) AS 29.35.230 (police protection in unified municipalities).

7 * Sec. 2. AS 29.35 is amended by adding a new section to article 3 to read:
8 Sec. 29.35.230. POLICE PROTECTION IN UNIFIED MUNICIPALITIES.
9 (a) The Department of Public Safety shall charge a unified municipality for
10 of providing police protection and law enforcement services to any area of the unified
11 municipality that is not receiving police protection provided by the municipality itself.
12 The commissioner of public safety shall negotiate a contract with the municipality
13 setting out the level of services to be provided, charges to be imposed, terms of
14 payment, and other conditions.

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(b) Payments by the municipality under (a) or (d) of this section for police protection services may be funded only with revenue generated from the area receiving the services. Notwithstanding the home rule charter, the assembly may adjust the mill rate, charges, or fees within the area to the extent necessary to fund the police protection services.

(c) The commissioner of public safety may contract with a municipality to provide police protection services under (a) of this section.

(d) If the commissioner of public safety and a unified municipality fail to reach an agreement within 60 days after the commissioner initiates negotiations on a contract under (a) of this section, the commissioner ^{shall} ~~may~~ provide police protection services in the area that is the subject of the negotiation and charge the municipality the costs of the services.

* Sec. 3. This Act takes effect July 1, 1994.


**DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

(907) 465-3867 or 465-2450
FAX (907) 465-7029
Mail Stop 3101

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

MEMORANDUM

October 29, 1993

SUBJECT: CSSB 203()
TO: Senator Kelly
Attn: Josh Fink
FROM: Pam Finley 
Assistant Revisor

Although we sent you a blank CS for SB 203 (O version), I am sending another that adds to the title a reference to adjustment of the mill rate (the R version). Arguably the title as it is in the O version does not adequately reflect the contents of the bill, and we prefer not to take chances with titles.

Another possibility would be "relating to police protection and law enforcement services in unified municipalities;" this would avoid mentioning the mill rate in the title, but would also allow significant changes in the House. Since the original title was specific, I followed that approach. Let me know if you want something different.

PF:gc
93-517.glc

Enclosure

WORK DRAFT

WORK DRAFT

WORK DRAFT

8-LS0626R
Cook/Finley
10/29/93

CS FOR SENATE BILL NO. 203()

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): SENATE LABOR AND COMMERCE COMMITTEE BY REQUEST

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring unified municipalities to provide police protection and law
2 enforcement services and allowing adjustments of the mill rate to pay for them;
3 and providing for an effective date."

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

5 * Section 1. FINDINGS. The legislature finds that

6 (1) the provision of police protection and law enforcement services is a
7 fundamental responsibility of government;

8 (2) unified municipalities should assume this responsibility by providing for
9 police protection and law enforcement throughout their jurisdiction on a uniform basis;

10 (3) the costs of police protection and law enforcement should be paid from
11 general municipal revenue and borne by the residents uniformly.

12 * Sec. 2. AS 29.10.200 is amended by adding a new paragraph to read:

13 (53) AS 29.35.165 (police protection).

14 * Sec. 3. AS 29.35 is amended by adding a new section to read:

10/29/93 09:40

LAA LEGAL4652029

003

WORK DRAFT

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1 Sec. 29.35.165. POLICE PROTECTION. (a) A unified municipality shall
 2 provide police protection and law enforcement services within the entire area of the
 3 municipality.

4 (b) Notwithstanding the charter of a unified municipality, the municipality may
 5 adjust the mill rate to the extent necessary to recover the amount required to fund the
 6 costs of providing police protection and law enforcement services in areas not
 7 receiving those services on the effective date of this section.

8 * Sec. 4. TRANSITION. Notwithstanding sec. 5 of this Act, a unified municipality that,
 9 on June 30, 1994, is not already providing the services required by sec. 3 of this Act, has until
 10 January 1, 1995, to begin providing the services.

11 * Sec. 5. This Act takes effect July 1, 1994.

WORK DRAFT

WORK DRAFT

WORK DRAFT

8-LS06260
Cook/Finley
10/28/93

CS FOR SENATE BILL NO. 203()
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): SENATE LABOR AND COMMERCE COMMITTEE BY REQUEST

A BILL

FOR AN ACT ENTITLED

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WORK DRAFT

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9 January 1, 1995, to begin providing the services.

10 * Sec. 5. This Act takes effect July 1, 1994.

**SOUTHEAST ANCHORAGE
LAW ENFORCEMENT SURVEY
SUMMARY OF RESULTS
February 10, 1992**

RESULTS OF 2,067 RESPONSES

1. Response totals by community council district:

Question: Please circle the Community Council District in which you live (the attached map indicates those areas)

Abbott Loop	466	Glen Alps	17	Mid-Hillside	295
Basher	21	Hillside East	182	Rabbit Creek	355
Bear Valley	43	Huff-O'Malley	578	Don't Know/missing	110

2. Types of law enforcement identified by respondents as important*:

Question: What types of law enforcement do you see as important for you and your family? Please give a score for each to show how important you think each service is (3=very important, 2=somewhat important, 1=not important)

**Percentages may not total 100% due to rounding*

a) respond to and investigate serious crimes, accidents with injury, crimes in progress

very important	1,935	(94%)
somewhat important	59	(3%)
not important	39	(2%)
no response	34	(2%)

b) conduct regular neighborhood patrols

very important	459	(22%)
somewhat important	779	(38%)
not important	773	(37%)
no response	56	(3%)

c) investigate civil problems, noise/nuisance, disorderly conduct, non-motor vehicle accidents, run-away juveniles

very important	438	(21%)
somewhat important	995	(48%)
not important	571	(28%)
no response	63	(3%)

d) investigate non-violent crimes (e.g., burglary, theft, criminal mischief, trespass, embezzlement) with no immediate suspect

very important	834	(40%)
somewhat important	964	(47%)
not important	221	(11%)
no response	48	(2%)

6. Respondents' support for law enforcement service alternatives:

Question: Please indicate your support by circling yes or no for each of the following alternatives for law enforcement. (Options a) and b) are the only ones currently available to southeast Anchorage. If high interest is shown in any of the other options, the task force will pursue their legal and political possibilities.)

alternative	yes	no	no response
a) Anchorage Police Dept. at \$380 per \$100,000 assessed value (Oct 1991 ballot)	433 (21%)	1,501 (73%)	131 (6%)
b) Leave things as they are now	618 (30%)	1,264 (61%)	185 (9%)
c) Seek a separate service area using State Troopers, supported by taxes (but lower than \$380 per \$100,000 assessed value)	1,246 (60%)	620 (30%)	201 (10%)
d) Seek a separate service area using State Troopers supported by taxes (but lower than \$380 per \$100,000 assessed value), with a further contribution to the APD of no more than \$50 per \$100,000 assessed value for services we receive from APD when travelling downtown and for APD emergency backup to the Troopers in Southeast Anchorage	749 (36%)	1,094 (53%)	224 (11%)
e) Seek a separate service area using the APD, supported by taxes (but lower than \$380 per \$100,000 assessed value)	732 (35%)	1,108 (54%)	227 (11%)
f) Gradually phase into APD to full service and cost	428 (21%)	1,364 (66%)	275 (13%)

#

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

**SOUTHEAST ANCHORAGE
LAW ENFORCEMENT SURVEY
SUMMARY OF RESULTS
February 10, 1992**

RESULTS OF 2,067 RESPONSES

1. Response totals by community council district:

Question: Please circle the Community Council District in which you live (the attached map indicates those areas)

Abbott Loop	466	Glen Alps	17	Mid-Hillside	295
Basher	21	Hillside East	182	Rabbit Creek	355
Bear Valley	43	Huff-O'Malley	578	Don't Know/missing	110

2. Types of law enforcement identified by respondents as important*:

Question: What types of law enforcement do you see as important for you and your family? Please give a score for each to show how important you think each service is (3=very important, 2=somewhat important, 1=not important)

*Percentages may not total 100% due to rounding

a) respond to and investigate serious crimes, accidents with injury, crimes in progress

very important	1,935	(94%)
somewhat important	59	(3%)
not important	39	(2%)
no response	34	(2%)

b) conduct regular neighborhood patrols

very important	459	(22%)
somewhat important	779	(38%)
not important	773	(37%)
no response	56	(3%)

c) investigate civil problems, noise/nuisance, disorderly conduct, non-motor vehicle accidents, run-away juveniles

very important	438	(21%)
somewhat important	995	(48%)
not important	571	(28%)
no response	63	(3%)

d) investigate non-violent crimes (e.g., burglary, theft, criminal mischief, trespass, embezzlement) with no immediate suspect

very important	834	(40%)
somewhat important	964	(47%)
not important	221	(11%)
no response	48	(2%)

**SOUTHEAST ANCHORAGE
LAW ENFORCEMENT SURVEY
SUMMARY OF RESULTS
February 10, 1992**

Attached is the summary of results of a law enforcement survey conducted in southeast Anchorage in January 1992.

The intent of the survey was to obtain as much feedback as possible on what southeast Anchorage residents want in police protection related to levels of service, costs, and providers, in order that direction would be available to the task force and to elected officials.

The survey was prepared by the Southeast Anchorage Police Protection Task Force, organized in October 1991 to explore alternatives for law enforcement in southeast Anchorage and to work toward alternatives which can be supported by the residents and which may be recommended to elected officials and voters in southeast Anchorage. The task force is composed of representatives of each of the southeast Anchorage community councils and HALO, Inc., a southeast Anchorage homeowners and landowners' organization. The contact for the task force is Maribeth Brown, Chair, 345-1468.

The survey was mailed to 10,546 households in southeast Anchorage. The mailing labels were obtained from Motznik Computer Services, Inc., from lists of registered voters in southeast Anchorage who voted in any 1990 or 1991 election or who have registered to vote since October 6, 1990. (Where two or more registered voters with the same last name were shown at the same address, one collectively-addressed form was sent.)

A total of 2,067 responses were received as of January 31.

Responses are summarized in total and are also subtotaled by community council.

(Review copies of survey results by Community Council area are available from your Community Council and at Samson-Diamond Library.)

6. Respondents' support for law enforcement service alternatives:

Question: Please indicate your support by circling yes or no for each of the following alternatives for law enforcement. (Options a) and b) are the only ones currently available to southeast Anchorage. If high interest is shown in any of the other options, the task force will pursue their legal and political possibilities.)

alternative	yes	no	no response
a) Anchorage Police Dept. at \$380 per \$100,000 assessed value (Oct 1991 ballot)	433 (21%)	1,501 (73%)	131 (6%)
b).Leave things as they are now	618 (30%)	1,264 (61%)	185 (9%)
c) Seek a separate service area using State Troopers, supported by taxes (but lower than \$380 per \$100,000 assessed value)	1,246 (60%)	620 (30%)	201 (10%)
d) Seek a separate service area using State Troopers supported by taxes (but lower than \$380 per \$100,000 assessed value), with a further contribution to the APD of no more than \$50 per \$100,000 assessed value for services we receive from APD when traveling downtown and for APD emergency backup to the Troopers in Southeast Anchorage	749 (36%)	1,094 (53%)	224 (11%)
e) Seek a separate service area using the APD, supported by taxes (but lower than \$380 per \$100,000 assessed value)	732 (35%)	1,108 (54%)	227 (11%)
f) Gradually phase into APD to full service and cost	428 (21%)	1,364 (66%)	275 (13%)

#

e) conduct routine traffic patrols and enforcement

very important	409	(20%)
somewhat important	748	(36%)
not important	851	(41%)
no response	60	(3%)

f) establish and support community service programs, such as Neighborhood Watch Program, School Liaison Program

very important	398	(19%)
somewhat important	780	(38%)
not important	817	(40%)
no response	72	(4%)

3. Highest taxes respondents willing to pay for law enforcement indicated as "very important" and "somewhat important" in above question.

Question: What is the most you are willing to pay for the law enforcement you have indicated as "very important" and "somewhat important" in question 2? Please check one.

\$0	213	(10%)
\$100 per \$100,000 assessed value	655	(32%)
\$200 per \$100,000 assessed value	516	(25%)
\$300 per \$100,000 assessed value	302	(15%)
\$400 per \$100,000 assessed value	247	(12%)
no response	135	(7%)

4. Respondents' satisfaction with level of law enforcement in area (after 11-1-91):

Question: Rate your satisfaction with the current (after November 1, 1991) level of law enforcement in your area (the information sheet describes those services). Please check one.

very satisfied	313	(15%)
satisfied	480	(23%)
neutral	574	(28%)
dissatisfied	421	(20%)
very dissatisfied	236	(11%)
no response	43	(2%)

5. Law enforcement agency generally preferred by respondents.

Question: Check the law enforcement agency that you generally prefer for your area.

Alaska State Troopers	1,076	(52%)
Anchorage Police Dept	272	(13%)
It doesn't matter to me	687	(33%)
no response	32	(2%)

**WRITTEN TESTIMONY OF ATTORNEY FOR
THE CITY AND BOROUGH OF SITKA**

Sitka is extremely concerned about the implications of SB 203, regarding area wide police services in unified City-Boroughs. There is a tendency to forget that there are three unified municipalities. Juneau and Anchorage have historically received significant State Trooper coverage. Sitka has not.

It is not the issue of State Trooper involvement in Sitka which concerns us. It is the possible legal and liability implications of the requirements of SB 203. Sitka is the largest in area of the three municipalities with, by far, the smallest road system. However, there are logging camps and small communities like Baranof Warm Springs which are not on the road systems and often are only populated part of the year. They are provided police services on an as needed basis but there is no regular police activity at those locations.

We are concerned that SB 203 could impose additional unnecessary requirements and liabilities upon Sitka during a time when our resources are already stretched to the limit.

Please call for any questions



This was faxed 2-1-94
original enclosed

Alaska State Legislature

Senate

Please enter into the record my testimony to the Committee on Personnel Affairs

Manufacturing and Police Services committee name

committee on SB 303, dated 2-1-94

bill/subject

Please See Attached
Testimony from
City of Sitka

Signed: T. Cole, City Attorney

Testifier

City of Sitka
Representing (Optional)

324 Lake St Sitka Alaska
Address

(907)-3294 22-42
Phone No.


MEMORANDUM**State of Alaska**

TO: Lt. John Glass
Deputy Commander
Alaska State Troopers
Palmer Alaska

DATE: September 17, 1993

FILE NO: C:\WP51\DOCK\KASNICK\HILLSIDE.RIV

TELEPHONE NO: 269-5086

FROM: Captain P. A. Kasnick 
Commander, "B" Detachment
Alaska State Troopers

SUBJECT: 9/16/93
Revised Response Policy
Southeast Anchorage
(Hillside)

Effective October 1, 1993, the following additional reduced service to Southeast (Hillside) Anchorage will go into effect.

Present Policy

1. No routine patrols
2. Non violent crimes not investigated unless suspect can be identified, is in custody, or crime in progress

New Policy

- No change
- No response unless in progress or suspect is in custody

Note: Included in No. 2 above are noise complaints, non hazardous nuisances, thefts, trespass, criminal mischief, disorderly conduct, lost/found property (except stolen property or weapons), routine non-criminal calls for service. Others as determined on case by case basis by patrol supervisor.

Not included in new policy pertaining to No. 2 would be auto thefts and weapons thefts. (Officer safety).

- | | |
|---|---|
| <ol style="list-style-type: none"> 3. No response to traffic comp. unless suspect readily identifiable, suspect is in custody or offense is in progress. | <p>No response unless suspect in custody or offense is in progress and AST is immediately available to respond. No action taken by AST on arrival unless observed * by AST.</p> |
|---|---|

*This does not preclude AST from making DWI arrests in cases which the trooper is authorized to make an on scene arrest.

- | | |
|--|------------------|
| <ol style="list-style-type: none"> 4. No alarm response unless panic (personal) alarm. Burglar alarm if independent verification of crime in progress possible. | <p>No change</p> |
|--|------------------|

Memorandum
 Colonel John Murphy
 Revised Response Policy
 September 17
 Page 2 of 3

Present Policy

5. No investigation of burglaries unless:
 - A. \$1,000 loss/damage
OR
 - B. apparent leads at scene
OR
 - C. unusual m.o.
OR
 - D. known connection to other burglaries
OR
 - E. eyewitness and suspect is identified
OR
 - F. in progress

6. No investigation of motor vehicle crash unless
 - A. death/injury
OR
 - B. DWI/stolen
OR
 - C. Hazard posing imminent danger

7. No response to fraud/checks/embezzlement/forgery unless suspect can be identified.

8. No response to controlled substance unless
 - A. suspect can be identified
OR
 - B. need to seize contraband

9. No response to juvenile reports unless
 - A. child welfare
OR
 - B. health/safety
OR
 - C. missing/runaway

New Policy

No investigation of commercial burglaries unless:

- A. \$10,000 loss/damage
OR
- B. suspect can be identified
OR
- C. in progress

No change in response criteria for non-commercial burglary.

No change

No response

No response by patrol.
 Referred to SWDU

No change

Memorandum
Colonel John Murphy
Revised Response Policy
September 17
Page 3 of 3

Present Policy

10. Respond to animal cruelty
in progress.

New Policy

Refer to animal control

The following incidents will continue to be responded to by CIB:

1. Homicide
2. Aggravated assault
3. Arson
4. Sexual assault
5. Robbery
6. Kidnapping
7. Unattended death (except "no code" or traffic related)

Additionally, there will be a continued AST response for all calls in which the physical safety of persons is, or may become, in jeopardy. This includes suspicious persons/circumstances, crimes of violence not handled by CIB, and others as may be determined by the on duty patrol supervisor.

cc: Major Glenn Godfrey

**ANCHORAGE & GIRDWOOD OFFENSES
FOR 1992 & 1993**

Beat	Offense Group	1992	1993 (As of November 1)
HDSB	(Girdwood Area)		
	ALCOHOL	2	0
	ASSAULT-MISDEMEANOR	6	9
	AUTO THEFT	16	7
	BURGLARY	30	14
	FISH AND GAME	1	0
	LARCENY	56	39
	MOTOR VEH ACCIDENT	17	12
	NON-CRIMINAL	96	101
	OTHER CRIMINAL	11	17
	OTHER DEATHS	1	0
	PUBLIC ADMIN/ORDER	1	0
	SEXUAL ABUSE OF MINOR	0	2
	SEXUAL ASSAULT	0	3
	TRAFFIC	14	33
	WEAPONS	1	1
	Subtotal:	252	238
UEBA1	(Hillside Area)		
	ALCOHOL	26	24
	ASSAULT-FELONY	39	34
	ASSAULT-MISDEMEANOR	280	229
	AUTO THEFT	203	116
	BURGLARY	409	216
	DRUGS	15	7
	FINANCIAL CRIMES	18	13
	FISH AND GAME	4	2
	HOMICIDE	3	5
	LARCENY	1079	730
	MOTOR VEH ACCIDENT	506	346
	NON-CRIMINAL	3261	2953
	OFFN AGAINST MINORS	1	5
	OTHER CRIMINAL	889	766
	OTHER DEATHS	31	21
	PUBLIC ADMIN/ORDER	17	23
	ROBBERY	17	5
	SEXUAL ABUSE OF MINOR	17	35
	SEXUAL ASSAULT	1	14
	TRAFFIC	37	370
	WEAPONS	37	36
	Subtotal:	7222	5950
	TOTAL:	7474	6188

BILL NO: SB 203

DATE: October 5, 1993

TITLE: "An Act requiring unified municipalities to provide police protection enforcement services. . ."

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

SB 203 states that a unified municipality shall provide police protection and law enforcement services within the entire area of the municipality. This legislation adds police protection to the list of provisions limiting home rule powers and the bill provides that the municipality has until January 1, 1994 to begin providing services.

In SB 203 the legislature finds that

- 1) the provision of police protection and law enforcement services is a fundamental responsibility of government;
- 2) unified municipalities should assume this responsibility by providing for police protection and law enforcement throughout their jurisdiction on a uniform basis; and
- 3) the cost of police protection and law enforcement should be paid from general municipal revenues and borne by the residents uniformly.

This legislation can help to contain growth in calls for Trooper services and improve the chances of being able to reallocate some trooper resources to critical traffic and other enforcement areas.


Reductions to the budget of the Alaska State Troopers have been made in prior years that were directed toward reducing services to local governments. Between FY86 and FY88 significant reductions were made to the budget of the Alaska State Troopers which included the loss of 46 positions, a portion of which were directly attributable to the legislature's desire to limit service to unified municipalities. Legislative Intent statements included in the FY86 and FY 92 budgets are representative of the reasons provided for the reductions:

"IT IS THE INTENT OF THE LEGISLATURE THAT ALASKA STATE TROOPER SERVICES SHALL NOT BE PROVIDED AFTER JULY 1, 1987 TO THOSE ORGANIZED CITIES, BOROUGHs, AND MUNICIPALITIES WHICH HAVE POLICE POWERS." (FY86 short form, page 35)

"IT IS THE INTENT OF THE LEGISLATURE THAT THE ALASKA STATE TROOPER POSITIONS BE ELIMINATED FROM THE HILLSIDE SERVICE AREA BY OCTOBER 1, 1991." (FY92 short form, page 37-A)

Passage of Senate Bill 203 could help allow AST to more appropriately address its traffic enforcement responsibilities with the goal of reducing fatal and serious injury accidents.

The Department of Public Safety supports legislation that requires a unified municipality to provide police protection to the residents of the municipality.

A handwritten signature in cursive script, appearing to read "Richard L. Burton".

Richard L. Burton
Commissioner

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO: SB 203

Revision Date: _____ Dept. Affected: Public Safety
 Title: An act requiring unified municipalities BRU: Alaska State Troopers
to provide police protection and law enforcement Component: Departments
 Sponsor: Senate Labor and Commerce
 Requestor: Senate Community & Regional Affairs COMPONENT SERIAL NO. 799

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

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	0
REVENUE FUND SOURCE:	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 G ⁺ Match						
1004 3F						
1005 GF/Program Receipts						
1007 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-


POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year (FY 94) impact: \$ _____

ANALYSIS: (Attach a separate page if necessary.)

No fiscal impact is anticipated.

Prepared By: Francis C. Allan Phone: 269-6621
 Division: Alaska State Troopers Date: 10/5/93
 Approved by Commissioner:  Date: 10/5/93
 Agency: Richard L. Burson, Dept. of Public Safety

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BILL NO: CSSB 203()
(8-LS0626\D)

DATE: January 27, 1994

TITLE: "An Act requiring unified municipalities to provide police protection and law enforcement"

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

CSSB 203() (8-LS0626\D) allows assemblies in a unified municipality, notwithstanding provisions in the home rule charter, to establish, operate, alter, or abolish a service area to furnish police protection and law enforcement services. It also allows a unified municipality, by ordinance, to levy taxes, charges, or assessments to finance the police protection services in a service area. This act would take effect immediately.

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

The Department of Public Safety feels that the approach recommended by the Task Force is better public policy and would support legislation which requires a unified municipality to provide police protection to the residents of the municipality.

The Department of Public Safety supports this bill.



Richard L. Burton
Commissioner

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO: CSSB 203()
8-LS0626\D

Revision Date: _____ Dept. Affected: Public Safety
 Title: "An act requiring unified municipalities
to provide police protection and law enforcement." BRU: Alaska State Troopers
 Component: Detachments
 Sponsor: Senate Labor and Commerce
 Requestor: Senate Community & Regional Affairs COMPONENT SERIAL NO. 799

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

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE FUND SOURCE:	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

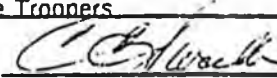
POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year (FY 94) impact: \$ _____

ANALYSIS: (Attach a separate page if necessary.)

No fiscal impact is anticipated.

Prepared By: Francis C. Allan Phone: 269-5691
 Division: Alaska State Troopers Date: 01/26/94
 Approved by Commissioner:  Date: 01/26/94
 Agency: Richard Y. Burton, Dept. of Public Safety

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BILL NO: CSSB 203()
(8-LS0626\D)

DATE: January 27, 1994

TITLE: "An Act requiring unified municipalities to provide police protection and law enforcement"

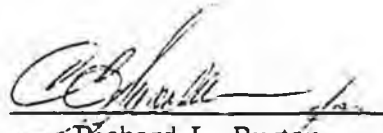
CONTACT: C.E. Swackhammer
Deputy Commissioner
465-4322

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The Department of Public Safety feels that the approach recommended by the Task Force is better public policy and would support legislation which requires a unified municipality to provide police protection to the residents of the municipality.

The Department of Public Safety supports this bill.


Richard L. Burton
Commissioner

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO: CSSB 203()
8-LS0626\D

Revision Date: _____ Dept. Affected: Public Safety
Title: "An act requiring unified municipalities
to provide police protection and law enforcement." BRU: Alaska State Troopers
Sponsor: Senate Labor and Commerce Component: Detachments
Requestor: Senate Community & Regional Affairs COMPONENT SERIAL NO. 799

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

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE FUND SOURCE:	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-


POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year (FY 94) impact: \$ _____

ANALYSIS: (Attach a separate page if necessary.)

No fiscal impact is anticipated.

Prepared By: Francis C. Allan Phone: 269-5691
Division: Alaska State Troopers Date: 01/26/94
Approved by Commissioner:  Date: 01/26/94
Agency: Richard V. Burton, Dept. of Public Safety

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BILL NO: CSSB 203()
Workdraft 8-LS0626\M

DATE: February 1, 1994

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

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

Section 1 amends AS 29.10.200 (Limitation of home rule powers) to add police protection service areas to the list of provisions.

Section 2, subsection (a) allows residents of an area within a unified municipality to file a petition with the municipality for formation of a police protection service area for police services to be provided by the Department of Public Safety. Subsection (b) sets out the requirements for which the petition must satisfy.

Subsection (c) provides as part of the petition process, the Commissioner of the Department of Public Safety to determine the estimated actual cost of providing the services to the area for a three year period based upon the trooper costs and associated administrative expenses not to exceed 15 percent. If a trooper routinely covers an area larger than the proposed service area, the cost of the trooper assigned to the area shall be prorated proportionally to the amount of duty time spent within the service area.

Subsection (d) provides for the question of forming the proposed service area and of levying assessments to cover the estimated actual cost plus the administrative or other costs incurred by the municipality not to exceed 4 percent to be placed before the voters residing in the service area. If approved the commissioner shall provide the additional services to that area.

Subsection (e) provides for the levying of assessments in the service area to finance the police protection services equal to the estimated actual cost plus the amount of administrative or other costs incurred by the municipality. Payments to the commissioner shall be made within 60 days of receipt of assessments by the municipality.

Subsection (f) provides for an election at least once every three years to continue police services based on a revised estimate of actual costs provided by the Commissioner of Public Safety in addition to the amount for administrative or other costs incurred by the municipality not to exceed 4 percent of the revised estimated actual costs. If not approved the service area is dissolved within 120 days of certification, otherwise the rate of assessments shall be adjusted accordingly by the municipality.

Subsection (g) specifies that Section 2 only applies to unified municipalities.

Section 3 (a) provides a process whereby if a unified municipality is not providing police services in an area with a population greater than 6,000 by January 1, 1995, the municipality shall levy property taxes within that area to pay for police services provided

Subsection (b) provides that the municipality shall levy property taxes to collect \$120,000 annually for each trooper assigned to the area. The municipality shall retain 4 percent of the money collected and the remainder shall be paid to the Department of Public Safety and accounted for by the department as a program receipt.

Subsection (c) provides that beginning January 1, 1995, the Department of Public Safety shall assign troopers to provide police services at a rate of one trooper for each 2,000 people in the municipality but not more than 12 troopers in a single municipality.

Section 4 provides that Section 3 is repealed January 1, 2000.

This bill would immediately affect the Hillside/Girdwood area within the unified municipality of Anchorage. Currently the Department of Public Safety has sixteen uniformed troopers plus three Sergeant supervisors and a First Sergeant assigned to the Anchorage Post which includes the Girdwood Post. The Department also provides support services in serious felony crimes through the Statewide Criminal Investigation Bureau.

Presently, the Anchorage Post spends slightly more than 60% of their time in response directly to the Hillside/Girdwood area. The other 40% response time is spent on the highway systems and the responsibilities in the Anchorage area that fall under the statutory responsibilities of the Department of Public Safety. These responsibilities include patrol and accident investigation on the highway system, search and rescues, response to the community of Tyonek, prisoner transport, criminal response to the correctional facilities, API, McLaughlin Youth Center, and the court house.

In addition, the Central Communications Message Center (CCMC) provides communication dispatch service for the Department of Public Safety within the Anchorage/Palmer area. Approximately 30% of CCMC's workload is dedicated to the Hillside/Girdwood areas. This excludes Dispatch response to the other duties provided by the Troopers in the Anchorage Bowl. CCMC is comprised of ten Radio Dispatcher IIs and three Radio Dispatcher III supervisors and a CCMC supervisor.

Currently the Hillside is handled by the Anchorage Post with a limited response policy. This or similar limited response policies have been in effect since late 1991 for the Hillside when the issue of Hillside residents paying for police services surfaced.

It has been the position of the Commissioner of Public Safety to withdraw Troopers from urban areas which are authorized to provide police protection on their own, and to concentrate the Department's resources in rural and unorganized areas of the State. This bill runs counter to that position, allowing residents of unified municipalities to require

police protection from Troopers. Those areas forming service areas would have a contractual right to a certain level of service from Troopers that rural citizens would not share. Many rural communities have never had a local Trooper, and other communities have lost their Trooper Posts as budget cuts have forced the department to reduce services.

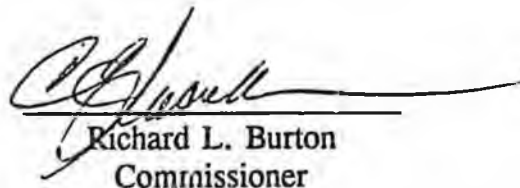
The Department is concerned about potential problems raised by this bill including:

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

Section 3 of the bill would not provide any flexibility for the Commissioner to determine the appropriate number of troopers for an area. The ratio of 1 trooper per 2,000 people is not adequate; and

It takes approximately 18 months for recruitment, hiring, and training to occur for addition troopers.

The Department believes that the approach recommended by the Task Force on Governmental Roles provides for better public policy, as it avoids several of the potential problems raised by this bill. However, if contracting for police services is desirable by the legislature, the Department of Public Safety would recommend the deletion of Section 3 of this bill as Section 2 provides the greatest amount of flexibility to the Department in contracting for police services.


Richard L. Burton
Commissioner

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO: CSSB 203 ()
 Workdraft 8-LS0626\IM

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

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

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING						
CAPITAL EXPENDITURES						
CHANGE IN REVENUES (1005) <small>Revenue Code</small>	970.4	1,940.7	1,940.7	1,940.7	1,940.7	1,940.7

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1005 GF/MHTIA						
Other						
TOTAL						

Estimate of current year (FY 94) impact: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

See attached

Prepared By: Ken Bischoff Phone: 465-4336
 Division: Administrative Services Date: 01/31/94
 Approved by Commissioner: *Richard L. Burton* Date: 01/31/94
 Agency: Richard L. Burton, Dept. of Public Safety

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