



# LAWS OF ALASKA

1974

Source

Chapter No.

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## AN ACT

Providing emergency financial assistance for oil-development-impacted municipalities; and providing for an effective date.

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

\* Section 1. DECLARATION OF PURPOSE. It is the intention of the legislature to provide temporary emergency financial assistance to municipalities for the purpose of meeting certain extraordinary operating and capital improvement expenditures necessitated by population growth resulting from oil-development construction. It is the further intention of the legislature that the state respond promptly to the oil-development related impact needs of municipalities.

\* Sec. 2. DISCRETIONARY GRANTS. (a) The department may make grants to an oil-development-impacted municipality demonstrating extraordinary municipal and educational operating expenditures, including the purchase of relocatable classrooms, which are beyond its reasonable capability to meet from growth in receipts from current municipal revenue sources. Grants made under this section may be expended only for municipal and educational operating services, including the purchase of relocatable classrooms.

(b) Grants may also be made to facilities qualified under AS 43.18.010(i) if previously approved by the Municipal Comprehensive Health Planning Agency not to exceed the maximum amount set out in AS 43.18.010(j).

(c) Grants may be made under this section to a municipality receiving a direct pipeline impact grant under ch. 147 SLA 1974, only after the municipality certifies as to the use or intended use of its direct pipeline impact grant and only if after application of that grant a further grant is considered necessary by the department.

(d) Grants made under this section may not be used directly or indirectly to reduce current municipal tax rates.

\* Sec. 3. CAPITAL IMPROVEMENT GRANTS. (a) Where the impact of rapid, sudden population growth threatens to develop open space land that otherwise would remain free of urban development, the department may make grants to an oil-development-impacted municipality contributing an equal amount for the acquisition or improvement of open space or greenbelt lands, recreation facilities, parks or wildlife refuges.

(b) No grant under this section may exceed \$500,000.

(c) Grants made under this section may not be used directly or indirectly to reduce current municipal tax rates or to retire existing bonded indebtedness.

\* Sec. 4. APPLICATIONS. Grants under this Act may be made only upon application by the municipality to the department. Each grant application shall state the intended use for which the grant will be expended.

\* Sec. 5. ACCOUNTABILITY FOR GRANTS. (a) A municipality receiving a direct pipeline impact grant under ch. 147 SLA 1974 shall submit a financial report covering the expenditure of the direct pipeline impact grant before a grant may be received under this Act.

(b) A municipality shall submit a financial report covering the expenditure of any grant already received under this Act to the department before another grant may be received under this Act.

(c) A municipality receiving grants under this Act shall

(1) maintain a separate account for the grants received under this Act;

(2) provide for an annual independent audit of the separate account for grants received under this Act; and

(3) submit a copy of the independent audit report to the department.

\* Sec. 6. POPULATION. A municipality shall submit estimated population and population growth figures to the department. These population and population growth figures are subject to review and approval by the department. The decisions of the department as to population and population growth figures are final.

\* Sec. 7. REGULATIONS. The department may adopt regulations necessary to carry out the purpose of this Act.

\* Sec. 8. AUTHORITY TO ACCEPT SERVICE, GIFTS, GRANTS, AND LOANS. When the federal government or an agency or officer of the federal government offers to the state, or through the state to a municipality, services, equipment, supplies, materials, or funds by way of gift, grant, or loan, for the purpose of alleviating the social or economic impact resulting from oil development construction, the state acting through the commissioner of community and regional affairs, or the municipality acting through its executive officer or governing body, may accept the offer subject to the terms of the offer and the rules and regulations of the agency making the offer.

\* Sec. 9. SPECIAL LEGISLATIVE OIL-DEVELOPMENT IMPACT REVIEW COMMITTEE. There is established the Special Legislative Oil-Development Impact Review Committee composed of three members of the senate appointed by the president of the senate and three members of the house appointed by the speaker of the house. The committee shall select its own chairman.

\* Sec. 10. TERM OF MEMBERSHIP. The committee shall be organized within 15 days after the organization of each legislature. Members serve for the duration of the legislature during which they are appointed. If they are reelected or their term of office extends into the next succeeding legislature, they continue to serve until reappointed or the appointment of their successor. The first committee shall be appointed within 15 days of the adjournment of the Second Special Session, Eighth Legislature.

\* Sec. 11. MEETINGS. (a) The committee may meet during sessions of the legislature and during the interim between sessions at such times and places in the state as the chairman may determine. Members may receive, for the minimum time required to get to and from meetings and for the period while attending meetings, the same travel and per diem allowances provided by law for members of the legislature when attending sessions, except that members of the committee receive no per diem during legislative sessions other than the per diem allowance paid to other members of the legislature.

(b) A majority of the members of the committee constitutes a quorum for the purpose of carrying out its duties under this Act.

\* Sec. 12. DUTIES OF COMMITTEE. Grants under this Act shall be made by the Department of Community and Regional Affairs at the direction of the governor subject to approval of the Special Legislative Oil-Development Impact Review Committee.

\* Sec. 13. DIVISION OF LEGISLATIVE FINANCE ASSISTANCE. The division of legislative finance shall cooperate with the committee and shall furnish technical assistance and personnel, if available, upon request.

\* Sec. 14. DEFINITIONS. In this Act

(1) "department" means the Department of Community and Regional Affairs;

(2) "municipality" means a home rule or general law city or borough, including but not limited to a unified municipality established under AS 29.68;

(3) "operating expenditures" means personal services, contractual services, travel, commodities, and up to \$20,000 per item of equipment, except that the term does not include any of these items if part of a capital improvement expenditure; relocatable classrooms are not subject to the \$20,000 limitation;

(4) "committee" means the Special Legislative Oil-Development Impact Review Committee.

\* Sec. 15. This Act takes effect on the day after its passage and approval or on the day it becomes law without approval.