



LAWS OF ALASKA

1981

Source

HCS CSSB 168(Fin)

Chapter No.

60

AN ACT

Relating to state assistance for municipalities and unincorporated communities; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 10

Approved by the Governor: July 10, 1981
Actual Effective Date: July 11, 1981

AN ACT

Relating to state assistance for municipalities and unincorporated communities; and providing for an effective date.

* Section 1. MUNICIPAL AID PROGRAM. (a) During the fiscal year ending June 30, 1982, the Department of Administration shall compute and pay an entitlement to each qualified municipality. An entitlement to a municipality with a population of at least 1,000 shall be used for social services and capital projects at the discretion of the municipality. An entitlement to a municipality with a population of less than 1,000 shall be used for social services, capital projects, or operating expenses of capital projects at the discretion of the municipality. The entitlement for each municipality shall be computed in accordance with (b) of this section, and is payable by the Department of Administration in accordance with AS 37.05.315 to the extent that the provisions of AS 37.05.315 are consistent with (c), (d), and (e) of this section.

(b) Within the limits of appropriations for the purpose, each municipality is entitled to receive \$1,000 per person residing within the boundaries of the municipality.

(c) A municipality may grant money received under this section to a nonprofit corporation for

(1) any capital project of the nonprofit corporation that serves a public purpose;

(2) social services;

Chapter 60

1 (3) the operating expenses of a capital project of the nonprofit
2 corporation if the project serves a public purpose and the municipality has
3 a population of less than 1,000.

4 (d) Before money received under this section may be used for a capital
5 project with a total cost of \$1,000,000 or more, the project must be approved
6 by the voters of the municipality at a regular state election or a general
7 or special municipal election. However, money received under this section
8 may be used without voter approval for improvement or rehabilitation to an
9 existing public facility if the total cost of the improvement or rehabilita-
10 tion is not more than \$5,000,000.

11 (e) A municipality may not receive money as an entitlement under this
12 section until it provides the Department of Administration a copy of an
13 ordinance or resolution adopted by it that

14 (1) authorizes the municipality to receive and spend the money to
15 be provided by the entitlement;

16 (2) identifies the social services, capital projects, and, if the
17 municipality has a population of less than 1,000, the operating expenses of
18 capital projects for which the money will be spent; and

19 (3) indicates the total amount of money that the municipality may
20 receive, the amount of money that will be used by the municipality or a
21 nonprofit corporation for social services, the amount of money that will be
22 used for each capital project, and, if the municipality has a population of
23 less than 1,000, the amount of money that will be used for operating expenses
24 of capital projects.

25 * Sec. 2. AID TO UNINCORPORATED COMMUNITIES. (a) During the fiscal
26 year ending June 30, 1982, the Department of Community and Regional Affairs
27 shall compute and pay an entitlement to each unincorporated community in the
28 unorganized borough. The entitlement for each community shall be computed
29 in accordance with (b) of this section, and is payable by the Department of

Community and Regional Affairs in accordance with (c) of this section.

(b) Within the limits of appropriations for the purpose, each unincorporated community in the unorganized borough is entitled to receive \$1,000 per person residing within that community.

(c) By August 15, 1981, the Department of Community and Regional Affairs shall notify each unincorporated community that its entitlement is available. The Department of Community and Regional Affairs with advice from the Department of Law shall determine whether there is, in the unincorporated community, an incorporated entity or a federally chartered entity that does not possess sovereign immunity and will agree to receive and spend the money received under the entitlement. If there is in the unincorporated community more than one qualified incorporated or federally chartered entity, the Department of Community and Regional Affairs shall pay the money under the entitlement to the entity that the department finds most qualified to receive and spend the money consistent with (d) and (e) of this section. In selecting the recipient entity, the Department of Community and Regional Affairs shall give preference to a nonprofit corporation organized by an unincorporated community for receipt of the entitlement.

(d) Money received as an entitlement under this section may be used for social services, capital projects, or operating expenses of capital projects in the unincorporated community.

(e) An unincorporated community may not receive money as an entitlement under this section until the recipient selected by the Department of Community and Regional Affairs under (c) of this section provides the Department of Community and Regional Affairs a copy of a resolution adopted by it that

(1) authorizes the recipient to receive and spend the money provided by the entitlement;

(2) identifies the social services, capital projects, and operat-

Chapter 60

ing expenses of capital projects for which the money will be spent;
(3) indicates the total amount of money that the recipient may receive, the amount of money that will be used for social services, the amount of money that will be used for each capital project, and the amount of money that will be used for operating expenses of capital projects;

(4) identifies each party

(A) that owns or will own a capital project for which money is spent under this section; or

(B) that will be responsible for the maintenance and operation of a capital project for which money is spent under this section; and

(5) agrees that each capital project for which money is spent under this section will be operated on a nondiscriminatory basis for the benefit of the public.

(f) If there is no qualified incorporated entity or federally chartered entity willing to receive the money in an unincorporated community, the entitlement for that unincorporated community may not be paid.

* Sec. 3. DETERMINATION OF POPULATION. (a) For purposes of this Act, the population of a municipality and of an unincorporated community shall be determined from the latest figures of the United States Bureau of the Census.

(b) For purposes of determining the population of a home rule or general law borough, the population of each city located within the boundaries of the borough shall be subtracted from the population of the borough.

* Sec. 4. MUNICIPAL AID ACCOUNT. The municipal aid account is established in the Department of Administration. Money to carry out the provisions of sec. 1 of this Act shall be appropriated to the account and distributed by the Department of Administration as authorized in sec. 1 of this Act. If the amount appropriated to the account is not sufficient to finance all entitlements, the amount appropriated shall be distributed pro rata

among eligible municipalities.

* Sec. 5. UNINCORPORATED COMMUNITY AID ACCOUNT. The unincorporated community aid account is established in the Department of Community and Regional Affairs. Money to carry out the provisions of sec. 2 of this Act shall be appropriated to the account and distributed by the Department of Community and Regional Affairs as authorized in sec. 2 of this Act. If the amount appropriated to the account is not sufficient to finance all entitlements, the amount appropriated shall be distributed pro rata among eligible recipients.

* Sec. 6. DEFINITIONS. In this Act,

(1) "capital project" means

(A) a public facility; or

(B) equipment that may be necessary to construct, operate,

or maintain a public facility or service;

(2) "municipality" means a city, borough, or unified municipality incorporated under state law and includes home rule and general law municipalities;

(3) "social services" means child care services, protective services for children and adults, services for children and adults in foster care, services related to the management and maintenance of the home, day care services for adults, transportation services, training and related services, employment services, information, referral, and counseling services, the preparation and delivery of meals, health support services, full range of legal services, and appropriate combinations of services designed to meet the special needs of children, the aged, the developmentally disabled, the blind, the mentally ill, the physically handicapped, and alcoholics and drug addicts;

(4) "unincorporated community" means a place in the unorganized borough not incorporated as a municipality and in which 25 or more persons

Chapter 60

1 reside as a social unit.

2 * Sec. 7. This Act takes effect July 1, 1981.
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29