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SB77: Second Class Borough Service Areas

Sponsor Statement

This legislation would expand the authority for second-class boroughs to exercise the local option of creating a non-taxable service area to provide emergency response along state highway corridors not covered by existing emergency services areas. In particular, this legislation would enable the Kenai Peninsula Borough to establish a service area for coordinated coverage for the almost 90 miles of the heavily traveled Seward and Sterling highways that are not within the boundaries of any established emergency services area.

Alaska Department of Transportation statistics for 2015 show the average traffic count on those unprotected stretches of the Seward and Sterling highways at between 3,000 and 4,000 vehicles a day – with summer peaks at three times that level. In addition, several miles of the Hope Highway would be included in the proposed corridor service area. There were 126 traffic accidents (injuring almost 180 people) on those sections of the highways in 2015-2016. This legislation would allow for consistent and coordinated response to roadway accidents, rather than the current practice of “borrowing” emergency services personnel from neighboring areas to fill the gap. The legislation’s intent is improved year-round public safety, covering the heavy traffic of summer recreational and fishing travelers to the dark and icy roadways of winter.

The bill proposes additional language in AS 29.35.490(a) Establishment of a Service Area, allowing second-class boroughs to create service areas along state highway corridors by ordinance, provided that no voters reside within the service area boundaries and no new taxes are levied for the service area. Under the current statute, approval by a majority of voters is required to create a new service area with residents – this legislation would not change that provision. The intent is to deal only with unpopulated highway right-of-way corridors.

In the case of the Kenai Peninsula, subject to borough assembly approval, the municipal government could use a portion of its federal payment-in-lieu-of-taxes (PILT) allocation to cover the costs. Every highway corridor traveler will receive these vital emergency response benefits with no additional cost to the state.

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