

CITY OF HOMER
HOMER, ALASKA

RESOLUTION 89-81

A RESOLUTION OF THE HOMER CITY COUNCIL REQUESTING THE STATE OF ALASKA INDEMNIFY MUNICIPALITIES FROM CIVIL ACTIONS OCCURRING IN JAILS OPERATED UNDER CONTRACT WITH THE STATE OF ALASKA THAT DO NOT STEM FROM CRIMINAL ACTS ON THE PART OF EMPLOYEES OR OTHER AGENTS OF THE AFFECTED MUNICIPALITY.

WHEREAS, political subdivisions operating jails under contract with the State of Alaska Department of Public Safety are required by contract to purchase liability insurance, and

WHEREAS, deaths due to suicide and other causes within contract jails have caused insurance rates to become exorbitant and in some cases impossible to obtain, and

WHEREAS, the State of Alaska is mandated by statute to operate jail and prison facilities or to ensure that these facilities exist in the form of contracts with municipalities for jail operations, and

WHEREAS, jails are necessary to ensure the safety of our communities and that jails operated by the political subdivision in which they are located better serve local needs, and

WHEREAS, municipalities are subsidizing a statutorily mandated responsibility of the State of Alaska in the form of exorbitant liability insurance rates;

NOW, THEREFORE, BE IT RESOLVED by the Homer City Council that the Alaska Municipal League urges the Alaska legislature and Governor to pass legislation requiring the State of Alaska to indemnify municipalities and other political subdivisions operating jails under contract with the State of Alaska from actions arising from deaths and other occurrences within contract jails that are not caused by criminal acts on the part of jail employees.

PASSED AND APPROVED this 9th of October, 1989.

CITY OF HOMER


JOHN P. CALHOUN, MAYOR


ATTEST


PATTI J. WHALIN, CITY CLERK