



LAWS OF ALASKA

1972

Source

CSHB 552

Chapter No.

200

AN ACT

Creating a Department of Community and Regional Affairs; and providing for an effective date.

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

* Section 1. AS 44.15.010 is amended by adding a new paragraph to read:

(17) Department of Community and Regional Affairs

* Sec. 2. AS 44 is amended by adding a new chapter to read:

CHAPTER 47. DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS.

ARTICLE 1. ORGANIZATION AND PURPOSE.

Sec. 44.47.010. COMMISSIONER OF COMMUNITY AND REGIONAL AFFAIRS. The principal executive officer of the Department of Community and Regional Affairs is the commissioner of community and regional affairs.

Sec. 44.47.020. PURPOSE OF DEPARTMENT. The purpose of the department is to render maximum state assistance to government at the community and regional level.

ARTICLE 2. COMMUNITY AND REGIONAL AFFAIRS.

Sec. 44.47.050. GENERAL POWERS AND DUTIES. The department may

- (1) advise and assist local governments;
- (2) serve as staff for the Local Boundary Commission;
- (3) conduct studies and carry out experimental

and pilot projects for the purpose of developing solutions to community and regional problems;

(4) promote cooperative solutions to problems affecting more than one community or region, including joint service agreements, regional compacts, and other forms of cooperation;

(5) serve as a clearinghouse for information useful in solution of community and regional problems, and channel to the appropriate authority requests for information and services;

(6) advise and assist community and regional governments on matters of finance, including but not limited to bond marketing and procurement of federal funds;

(7) prepare suggested guidelines relating to the content of notice of bond sale advertisements, prospectuses and other bonding matters issued by local governments;

(8) administer state funds appropriated for the benefit of unorganized regions within the state, allowing for maximum participation by local advisory councils and similar bodies;

(9) carry out those administrative functions in unorganized boroughs that the legislature may prescribe;

(10) study existing and proposed laws and state activities that affect community and regional affairs and submit to the governor recommended changes in those laws and activities;

(11) coordinate activities of the state which have impact on community and regional affairs;

(12) assist in the development of new communities and serve as the agent of the state for purposes of participation in federal programs relating to new communities;

(13) supervise planning, management, and other activities required for local eligibility for financial aid under those federal and state programs which provide assistance to community and regional governments;

(14) administer state, and, as appropriate, federal programs for revenue sharing, grants, and other forms of financial assistance to community and regional governments;

(15) provide staff assistance, as requested, to the Rural Affairs Commission;

(16) apply for, receive and use funds from federal and other sources, public or private, for use in carrying out the powers and duties of the department;

(17) request and utilize the resources of other agencies of state government in carrying out the purposes of this chapter to the extent such utilization is more efficient than maintaining departmental staff, reimbursing

the other agencies when appropriate;

(18) carry out other functions and duties, consistent with law, necessary or appropriate to accomplish the purpose of this chapter.

ARTICLE 3. PLANNING ASSISTANCE.

Sec. 44.47.080. PLANNING ASSISTANCE TO PLATTING AUTHORITIES. To facilitate urban planning in cities and other political subdivisions, the department may provide planning assistance, including but not limited to surveys, land-use studies, urban renewal plans, technical services, and other planning work to a city, borough, or other platting authority. In an area under the jurisdiction for planning purposes of a city, borough, or other platting authority, the department may not perform the planning work except at the request or with the consent of the local authority.

Sec. 44.47.090. ASSISTANCE BY CITIES AND PLATTING AUTHORITIES. A city or platting authority may make funds under its control available to the department for the purposes of obtaining planning work or planning assistance, or both, for its area. The department may contract for, accept, and expend the funds for urban planning for the local jurisdiction.

Sec. 44.47.100. PLANNING POWERS OF AUTHORITY. The department may accept and expend grants from the federal government and other public or private sources, may contract with reference thereto, and may enter into contracts and exercise all other powers necessary to carry out secs. 80 - 100 of this chapter.

ARTICLE 4. RURAL DEVELOPMENT.

Sec. 44.47.130. POWERS AND DUTIES. To promote development of rural areas of the state the department is authorized to

- (1) investigate social and economic conditions of rural areas to determine the need to expand economic opportunities and improve living conditions;
- (2) formulate a coordinated program to broaden and diversify the economic base of rural areas;
- (3) coordinate administration of emergency relief, surplus food distribution, or other public assistance programs, except the regular relief and assistance programs of the federal government in rural areas;
- (4) formulate and conduct a program of construction of basic facilities to improve health, welfare and economic security and provide employment and income in the rural areas;
- (5) promote training and educational programs designed to expand employment opportunities for residents of rural areas.

ARTICLE 5. GENERAL PROVISIONS.

Sec. 44.47.160. REGULATIONS. The department may adopt regulations in accordance with the Administrative Procedure Act (AS 44.62) to carry out the purposes of this chapter.

Sec. 44.47.170. DEFINITIONS. In this chapter

(1) "commissioner" means the commissioner of community and regional affairs;

(2) "community" means home rule cities and boroughs, cities and boroughs of any class, and unorganized boroughs and villages which are social units;

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

(4) "region" means an area larger than a community, or including all or part of more than one community, but sufficiently integrated that it may be treated as a unit for administration of particular services.

* Sec. 3. AS 43.18.010(a)(4)(B)(ii) is amended to read:

(ii) an annual contract with a recognized planning firm to provide land use planning and plan implementation on a consulting basis with a work program outline approved by the Department of Community and Regional Affairs; or

* Sec. 4. AS 43.18.010(a)(4)(B)(iii) is amended to read:

(iii) the state's continuing planning advisory service program through the Department of Community and Regional Affairs;

* Sec. 5. AS 44.19.250 is amended to read:

Sec. 44.19.250. LOCAL BOUNDARY COMMISSION. There is in the Department of Community and Regional Affairs a local boundary commission. The local boundary commission consists of five members appointed by the governor for overlapping five-year terms. One member shall be appointed from each of the four major senatorial election districts and one from the state at large. The member appointed from the state at large is the chairman of the commission.

* Sec. 6. AS 44.19.260(a)(3) is amended to read:

(3) consider a local government boundary change requested of it by the legislature, the commissioner of community and regional affairs, or a political subdivision of the state; and

* Sec. 7. AS 44.19.270 is amended to read:

Sec. 44.19.270. MEETINGS AND HEARINGS. The chairman of the commission or the commissioner of community and regional affairs with the consent of the chairman may call a meeting or hearing of the local boundary commission. All meetings and hearings shall be public.

* Sec. 8. AS 44.19.880(a)(10) is amended to read:

(10) assist the governor and the Department of Community and Regional Affairs in coordinating the activities of state agencies which have an impact on the solution of local and regional development problems;

* Sec. 9. When the titles "Local Affairs Agency" or "Rural Development Agency" appear in the law of this state, they shall be read as the "Department of Community and Regional Affairs".

* Sec. 10. AS 18.55.970 - 18.55.990; AS 44.19.180 - 44.19.-210; 44.19.580 - 44.19.620; 44.19.880(5) are repealed.

* Sec. 11. All litigation, hearings, investigations and other proceedings pending under a law amended or repealed or functions which may be transferred by this Act, continue in effect and may be continued and completed notwithstanding a transfer or amendment or repeal provided for in this Act. Certificates, orders, rules or regulations issued or filed under authority of law amended or repealed by this Act or functions which may be transferred by this Act, remain in effect for the term issued, until revoked, vacated, or otherwise modified under the provisions of this Act. All contracts or other obligations created by a law amended or repealed by this Act or by virtue of functions which may be transferred by this Act, and in effect on the effective date of this Act, remain in effect until revoked, or modified under the provisions of this Act. Appropriations, records, equipment and other property of agencies of the state integrated with the Department of Community and Regional Affairs established under this Act are transferred to the department. Appropriations and other money available and to become available to agencies the functions, powers and duties of which have been transferred to the Department of Community and Regional Affairs established under this Act shall be available for the objects and purposes for which appropriate or otherwise made available, subject to the terms, restrictions, limitations or other requirements imposed under this section or federal law.

* Sec. 12. This Act takes effect July 1, 1972.