

Introduced: 1/26/72
Referred: Local Government
and Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 CS HOUSE BILL NO. 552

3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act creating a Department of Community and
7 Regional Development; and providing for an effective
8 date."

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

10 * Section 1. AS 44.15.010(14) is amended to read:

11 (14) Department of Community and Regional [ECONOMIC]

12 Development

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

14 CHAPTER 47. DEPARTMENT OF COMMUNITY AND
15 REGIONAL DEVELOPMENT

16 ARTICLE 1. ORGANIZATION AND PURPOSE.

17 Sec. 44.47.010. COMMISSIONER OF COMMUNITY AND REGIONAL DEVELOP-
18 MENT. The principal executive officer of the Department of Community
19 and Regional Development is the commissioner of community and
20 regional development.

21 Sec. 44.47.020. PURPOSE OF DEPARTMENT. The purpose of the depart-
22 ment is to render maximum state assistance to the political, social and
23 economic development of Alaska at the community and regional level.

24 ARTICLE 2. COMMUNITY AND REGIONAL DEVELOPMENT.

25 Sec. 44.47.030. POWERS AND DUTIES. The department is authorized
26 to

- 27 (1) advise and assist local governments;
28 (2) serve as staff for the local boundary commission;
29 (3) conduct studies and carry out experimental and pilot

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

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

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

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

12 (7) prepare regulations governing the content of notice
13 of bond sale advertisements, prospectuses and other bonding matters
14 issued by local governments;

15 (8) provide advice and assistance on efficient development
16 of economic potential at the community and regional level including
17 planning, feasibility studies and negotiations with government bodies
18 and with private enterprise;

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

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

24 (11) study existing and proposed laws and state activities
25 that affect community and regional affairs and recommend to the
26 governor changes in the laws and activities which it considers
27 advisable;

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

1 (13) promote the development of new communities and serve as
2 the agent of the state for purposes of participation in federal
3 programs relating to new communities;

4 (14) provide planning assistance upon request to community
5 and regional governments, state departments and agencies, and other
6 planning bodies;

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

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

14 (17) review and approve or reject applications for small
15 business loans provided for in AS 45.95, evaluating applications in
16 accordance with the extent to which the enterprise to be assisted by
17 the loan (A) meets needs created by governmental action, such as
18 construction of airports, highways, and ferry terminals; (B) conforms
19 to local comprehensive plans (C) provides opportunity for acquisition
20 of job skills (D) can be carried out without adverse effect on
21 environmental quality and competing uses for the same natural resources;

22 (18) provide staff assistance, as requested, to the Rural
23 Affairs Commission, the Council of Economic Advisors, and the
24 Fisheries Marketing and Development Board;

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

28 (20) utilize the resources of other agencies of state
29 government in carrying out the purposes of this chapter to the extent

1 such utilization is more efficient than maintaining departmental
2 staff, reimbursing the other agencies when appropriate;

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

6 ARTICLE 3. RURAL DEVELOPMENT.

7 Sec. 44.47.040. POWERS AND DUTIES. To promote development of
8 rural areas of the state the department is authorized to

9 (1) investigate social and economic conditions of rural
10 areas to determine the need to expand economic opportunities and
11 improve living conditions;

12 (2) formulate a coordinated program to broaden and
13 diversify the economic base of rural areas;

14 (3) coordinate administration of emergency relief, surplus
15 food distribution, or other public assistance programs, except the
16 regular relief and assistance programs of the federal government in
17 rural areas;

18 (4) formulate and conduct a program of construction of
19 basic facilities to improve health, welfare and economic security and
20 provide employment and income in the rural areas;

21 (5) promote training and education programs designed to
22 expand employment opportunities for residents of rural areas.

23 ARTICLE 4. FISHERIES MARKETING AND
24 DEVELOPMENT ADVISORY BOARD.

25 Sec. 44.47.050. FISHERIES MARKETING AND DEVELOPMENT ADVISORY
26 BOARD. A Fisheries Marketing and Development Advisory Board is
27 established in the Department of Community and Regional Affairs.

28 Sec. 44.47.060. COMPOSITION. The board consists of seven members
29 whose knowledge, experience and professional background qualify them

1 to review and evaluate proposals and staff work in the area of fisheries
2 marketing and development. The commissioner of community and regional
3 development, the commissioner of fish and game, or their designates,
4 and a representative from the college of biological sciences and
5 renewable resources of the University of Alaska, or his designate, may
6 sit as ex officio members of the board. Members other than ex officio
7 members, are subject to confirmation by the legislature in the manner
8 provided in AS 39.05.080.

9 Sec. 44.47.070. APPOINTMENT AND TERMS. Members are appointed
10 by the governor and serve at his pleasure for terms of three years,
11 except that, of the members first appointed two shall be appointed
12 for terms of one year, two for terms of two years, and three for terms
13 of three years.

14 Sec. 44.47.080. CHAIRMAN AND MEETINGS. The board shall select
15 one of its members as chairman. The board shall meet at least
16 quarterly in the state capitol, and at such other times and places as
17 circumstances require. Meetings may be called by the governor or by
18 the chairman with concurrence of two other members.

19 Sec. 44.47.090. FUNCTIONS OF THE BOARD. The board shall review,
20 analyze, and submit to the governor its recommendations and comments on
21 proposals prepared by the Department of Fish and Game, the Department
22 of Community and Regional Development and other agencies of the state
23 government in the area of fish marketing and development, including
24 particularly, proposals designed to

- 25 (1) assist and promote local processing efforts;
26 (2) foster development of new fishery products;
27 (3) make available at the local level technical and manage-
28 ment training designed to enable a maximum number of Alaskans to manage
29 their own business affairs in the area of fish processing and marketing.

1 Sec. 44.47.095. COMPENSATION AND PER DIEM. Members of the board
2 receive no salary for their services on the board but are entitled to
3 per diem and travel expenses authorized by law for boards and
4 commissions.

5 Sec. 44.47.100. ANNUAL REPORT. The board shall make an annual
6 report to the governor before the end of each fiscal year.

7 ARTICLE 5. ECONOMIC DEVELOPMENT.

8 Sec. 44.47.110. ECONOMIC DEVELOPMENT. To promote balanced
9 economic development of the state the department is authorized to

10 (1) formulate a continuing program for basic economic
11 development, promotion, planning and research;

12 (2) seek investors for development of industrial, commercial,
13 mining, recreational, agricultural, and other economic enterprises,
14 within the state;

15 (3) provide technical assistance to potential investors and
16 industries by drawing on professional, specialized, and technical
17 employees of the department and other agencies;

18 (4) provide technical assistance to the political sub-
19 divisions of the state which wish to attract industrial and commercial
20 investment.

21 ARTICLE 6. GENERAL PROVISIONS.

22 Sec. 44.47.120. DEFINITIONS. In this chapter

23 (1) "department" means the Department of Community and
24 Regional Development;

25 (2) "commissioner" means the commissioner of community and
26 regional development;

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

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

5 Sec. 44.47.130. REGULATIONS. The department may adopt procedures
6 and regulations to carry out the purposes of this chapter.

7 * Sec. 3. AS 18.55.020 is repealed and re-enacted to read:

8 Sec. 18.55.020. ALASKA STATE HOUSING AUTHORITY. There is
9 created within the Department of Community and Regional Development
10 the Alaska State Housing Authority administered by a board consisting
11 of the commissioner of community and regional development, two
12 members designated by the commissioner of community and regional
13 development and four members appointed by the governor. Members other
14 than the commissioner of community and regional development and his
15 designates serve at the pleasure of the governor for three year terms.
16 The terms of office shall be staggered. Members appointed by the
17 governor are subject to confirmation by the legislature in the manner
18 provided in AS 39.05.080.

19 * Sec. 4. AS 41.25.010 is amended to read:

20 Sec. 41.25.010. GRANTS FOR TOURIST DEVELOPMENT. A political
21 subdivision of the state, a nonprofit organization formed under
22 AS 10.20.010 - 10.20.060, or a bona fide nonprofit civic, fraternal,
23 or service organization which is certified by the commissioner of
24 community and regional [ECONOMIC] development [AND PLANNING] as
25 qualified as developing tourist attractions as one of its purposes is
26 eligible to receive tourist attraction development matching money from
27 the state.

28 * Sec. 5. AS 41.25.020 is amended to read:

29 Sec. 41.25.020. USE OF MATCHING MONEY. Tourist attraction

1 development matching money may be obtained for the purpose of developing
2 tourist attractions of historical or contemporary interest found to be
3 worthwhile by the commissioner of community and regional [ECONOMIC]
4 development [AND PLANNING AND THE DIRECTOR OF TOURISM]. Available
5 money shall be divided on a fair and equitable basis between
6 applicants. No applicant may receive more than \$1,000 on first
7 application. Tourist attraction development may include the production,
8 preservation, and display of historical documents, artifacts, totem
9 poles, historical markers, native dances, blanket tossing, native
10 handicraft, and art, and any other worthwhile tourist attraction
11 dealing with Alaskan history or culture. Tourist attraction develop-
12 ment does not include the preparation and distribution of community
13 and other advertising material.

14 * Sec. 6. AS 41.25.030 is amended to read:

15 Sec. 41.25.030. QUALIFYING FOR MATCHING MONEY. In order to
16 qualify for tourist attraction development matching money, the
17 applicant shall submit and have approved by the commissioner of
18 community and regional [ECONOMIC] development [AND PLANNING AND THE
19 DIRECTOR OF TOURISM,] plans, programs, contracts, or agreements to be
20 used for carrying out the development of the tourist attraction.

21 * Sec. 7. AS 41.25.050 is amended to read:

22 Sec. 41.25.050. ADMINISTRATION OF SECS. 10 - 50 OF THIS CHAPTER.
23 The commissioner of community and regional [ECONOMIC] development
24 [AND PLANNING AND THE DIRECTOR OF TOURISM] shall administer secs.
25 10 - 50 of this chapter. All participating subdivisions and
26 organizations shall submit to the commissioner of community and
27 regional [ECONOMIC] development [AND PLANNING AND THE DIRECTOR OF
28 TOURISM] complete reports covering both the expenditure of state and
29 local matching money for tourist attraction programs. These reports,

1 in the case of programs extending over 12 months, shall be submitted
2 annually. Reports on shorter matching programs shall be submitted at
3 the completion of the program.

4 * Sec. 8. AS 43.18.010(a)(4)(B)(ii) is amended to read:

5 (ii) an annual contract with a recognized
6 planning firm to provide land use planning and plan
7 implementation on a consulting basis with a work program
8 outline approved by the Department of Community and
9 Regional Development [LOCAL AFFAIRS AGENCY]; or

10 * Sec. 9. AS 43.18.010(a)(4)(B)(iii) is amended to read:

11 (iii) the state's continuing planning advisory
12 service program through the Department of Community and
13 Regional Development [LOCAL AFFAIRS AGENCY];

14 * Sec. 10. AS 43.18.300(h)(1) is amended to read:

15 (1) "commissioner" means the commissioner of community and
16 regional [ECONOMIC] development;

17 * Sec. 11. AS 44.19.250 is amended to read:

18 Sec. 44.19.250. LOCAL BOUNDARY COMMISSION. There is in the
19 Department of Community and Regional Development [LOCAL AFFAIRS AGENCY]
20 a local boundary commission. The local boundary commission consists
21 of five members appointed by the governor for overlapping five-year
22 terms. One member shall be appointed from each of the four major
23 senatorial election districts and one from the state at large. The
24 member appointed from the state at large is the chairman of the
25 commission.

26 * Sec. 12. AS 44.19.260(a)(3) is amended to read:

27 (3) consider a local government boundary change requested
28 of it by the legislature, the commissioner of community and regional
29 development [THE DIRECTOR OF LOCAL AFFAIRS], or a political subdivision

1 of the state; and

2 * Sec. 13. AS 44.19.270 is amended to read:

3 Sec. 44.19.270. MEETINGS AND HEARINGS. The chairman of the
4 commission or the commissioner of community and regional development
5 [DIRECTOR OF LOCAL AFFAIRS] with the consent of the chairman may call a
6 meeting or hearing of the local boundary commission. All meetings and
7 hearings shall be public.

8 * Sec. 14. AS 44.19.880(a)(10) is amended to read:

9 (10) assist the governor and the Department of Community and
10 Regional Development [LOCAL AFFAIRS AGENCY] in coordinating the
11 activities of state agencies [THE ACTIVITIES OF] which have an impact
12 on the solution of local and regional development problems [PROGRAMS];

13 * Sec. 15. AS 44.60.020 is amended to read:

14 Sec. 44.60.020. SMALL BUSINESS DEVELOPMENT CORPORATION OF ALASKA.
15 The Small Business Development Corporation of Alaska is a public
16 corporation of the state. The corporation is an instrumentality of
17 the state within the Department of Community and Regional [ECONOMIC]
18 Development, but has a legal existence independent of and separate
19 from the state.

20 * Sec. 16. AS 44.61.020 is amended to read:

21 Sec. 44.61.020. CREATION OF AUTHORITY. There is created the
22 Alaska Industrial Development Authority. The authority is a public
23 corporation of the state and a body corporate and politic within the
24 Department of Community and Regional Development [CONSTITUTING A
25 POLITICAL SUBDIVISION WITHIN THE DEPARTMENT OF ECONOMIC DEVELOPMENT],
26 but with separate and independent legal existence.

27 * Sec. 17. AS 45.95.070(3) is repealed and re-enacted to read:

28 (3) the commissioner of community and regional development
29 certifies that the application accords with the standards set forth in

1 AS 44.47.030(17).

2 * Sec. 18. Whenever the titles "Local Affairs Agency" or "Rural
3 Development Agency" appear in the law of this state, they shall be read as
4 the "Department of Community and Regional Development."

5 * Sec. 19. The following laws are repealed: AS 18.55.970 - 18.55.990;
6 AS 44.19.180 - 44.19.210; AS 44.19.580 - 44.19.620; AS 44.19.880(5); and
7 AS 44.45.

8 * Sec. 20. All litigation, hearings, investigations and other proceed-
9 ings pending under any law amended or repealed or functions which may be
10 transferred by this Act, continue in effect and may be continued and
11 completed notwithstanding any such transfer or amendment or repeal provided
12 for in this Act. Certificates, orders, rules or regulations issued or
13 filed under authority of law amended or repealed by this Act or functions
14 which may be transferred by this Act, remain in effect for the term issued,
15 unless or until revoked, vacated, or otherwise modified under the provisions
16 of this Act. All contracts or other obligations created by any law amended
17 or repealed by this Act or by virtue of functions which may be transferred
18 by this Act, and in effect on the effective date of this Act, remain in
19 effect unless or until revoked, or modified under the provisions of this
20 Act. Appropriations, records, equipment and other property of the Depart-
21 ment of Economic Development and other agencies of the state integrated
22 with the Department of Community and Regional Development established under
23 this Act are transferred to the department. Appropriations and other money
24 available and to become available to the Department of Economic Development
25 and other agencies the functions, powers and duties of which have been
26 transferred to the Department of Community and Regional Development
27 established under this Act shall be available for the objects and purposes
28 for which appropriate or otherwise made available, subject to the terms,
29 restrictions, limitations or other requirements imposed under this section

1 or federal law.

2 * Sec. 21. This Act takes effect July 1, 1972.

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