

Original sponsor: Rules Committee by request
of the Governor

Offered: 3/16/72
Referred: Finance

1 IN THE HOUSE

BY THE LOCAL GOVERNMENT COMMITTEE

2 CS FOR 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 Affairs; and providing for an effective date."

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

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

10 (17) Department of Community and Regional Affairs

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

12 CHAPTER 47. DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS.

13 ARTICLE 1. ORGANIZATION AND PURPOSE.

14 Sec. 44.47.010. COMMISSIONER OF COMMUNITY AND REGIONAL AFFAIRS.

15 The principal executive officer of the Department of Community and
16 Regional Affairs is the commissioner of community and regional affairs.

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

20 ARTICLE 2. COMMUNITY AND REGIONAL AFFAIRS.

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

22 (1) advise and assist local governments;

23 (2) serve as staff for the local boundary commission;

24 (3) conduct studies and carry out experimental and pilot
25 projects for the purpose of developing solutions to community and
26 regional problems;

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

1 (5) serve as a clearinghouse for information useful in solu-
2 tion of community and regional problems, and channel to the appropriate
3 authority requests for information and services;

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

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

10 (8) administer state funds appropriated for the benefit
11 of unorganized regions within the state, allowing for maximum partici-
12 pation by local advisory councils and similar bodies;

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

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

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

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

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

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

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

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

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

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

12 ARTICLE 3. PLANNING ASSISTANCE.

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

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

28 Sec. 44.47.100. PLANNING POWERS OF AUTHORITY. The department
29 may accept and expend grants from the federal government and other

1 public or private sources, may contract with reference thereto, and
2 may enter into contracts and exercise all other powers necessary to
3 carry out secs. 80 - 100 of this chapter.

4 ARTICLE 4. RURAL DEVELOPMENT.

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

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

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

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

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

19 (5) promote training and educational programs designed to
20 expand employment opportunities for residents of rural areas.

21 ARTICLE 5. GENERAL PROVISIONS.

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

25 Sec. 44.47.170. DEFINITIONS. In this chapter

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

28 (2) "community" means home rule cities and boroughs, cities
29 and boroughs of any class, and unorganized boroughs and villages which

1 are social units;

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

4 (4) "region" means an area larger than a community, or in-
5 cluding all or part of more than one community, but sufficiently inte-
6 grated that it may be treated as a unit for administration of particular
7 services.

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

9 (ii) an annual contract with a recognized
10 planning firm to provide land use planning and plan imple-
11 mentation on a consulting basis with a work program outline
12 approved by the Department of Community and Regional Affairs
13 [LOCAL AFFAIRS AGENCY]; or

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

15 (iii) the state's continuing planning advisory
16 service program through the Department of Community and
17 Regional Affairs [LOCAL AFFAIRS AGENCY];

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

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

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

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

1 the state; and

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

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

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

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

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

16 * Sec. 10. AS 18.55.970 - 18.55.990; AS 44.19.180 - 44.19.210; AS 44.19.-
17 580 - 44.19.620; AS 44.19.880(5) are repealed.

18 * Sec. 11. All litigation, hearings, investigations and other proceedings
19 pending under a law amended or repealed or functions which may be trans-
20 ferred by this Act, continue in effect and may be continued and completed
21 notwithstanding a transfer or amendment or repeal provided for in this
22 Act. Certificates, orders, rules or regulations issued or filed under
23 authority of law amended or repealed by this Act or functions which may be
24 transferred by this Act, remain in effect for the term issued, until re-
25 voked, vacated, or otherwise modified under the provisions of this Act. All
26 contracts or other obligations created by a law amended or repealed by
27 this Act or by virtue of functions which may be transferred by this Act, and
28 in effect on the effective date of this Act, remain in effect until revoked,
29 or modified under the provisions of this Act. Appropriations, records,

1 equipment and other property of agencies of the state integrated with the
2 Department of Community and Regional Affairs established under this Act
3 are transferred to the department. Appropriations and other money available
4 and to become available to agencies the functions, powers and duties of
5 which have been transferred to the Department of Community and Regional
6 Affairs established under this Act shall be available for the objects and
7 purposes for which appropriate or otherwise made available, subject to the
8 terms, restrictions, limitations or other requirements imposed under this
9 section of federal law.

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