

A/B - 352

HB 352

Why does the Dept H&SS  
approve the design?

According to AS 46.030.090 -  
-110

the Dept. of Environmental  
Conservation has respon-  
sibility for waste  
disposal plans and  
permits

Call Morley

HB 352

Does munic. have to run & own the facility?

(ie Juneau does private concessions count  
Why H & SS

bill of certifying whether a munic has an adequate  
solid waste system

Problems -

definition

maintenance vs. construction v. both

1145 - providing allows for franchising?

# STATE OF ALASKA

**DEPT. OF COMMUNITY & REGIONAL AFFAIRS**

*DIVISION OF LOCAL GOVERNMENT ASSISTANCE*

JAY S. HAMMOND, Governor

POUCH B - JUNEAU 991 1

May 2, 1975

The Honorable Samuel R. Cotten  
Alaska House of Representatives  
Pouch V  
Juneau, Alaska 99811

Dear Representative Cotten:

In response to your request for comment on HB 205, 352, and 445, all of which would provide revenue sharing payments to municipalities carrying out certain solid waste handling responsibilities, I should like to offer a number of suggestions.

In view of the forthcoming legislative study on the total problem of revenue sharing and the various formulas which might be used to allocate revenue sharing payments, I recommend delay in adding new elements to this system until the second session of the Ninth Legislature. If you do elect to proceed with development of legislation at this time, however, the Department suggests consideration of certain desirable features which appear in each of the three measures.

Because of the lack of attention generally accorded this universal municipal problem, the Department does favor stimulation of proper municipal solid waste management through revenue sharing payments. Recognizing the economies of scale in handling refuse, the Department further favors the concept of a sliding scale of payments such as that set forth in HB 445. A fixed amount applicable to all municipal claimants would generally be inadequate for the purpose in smaller municipalities and could represent a substantial windfall to Alaska's larger cities and boroughs.

For consistency with other revenue sharing entitlements, the Department suggests that payment be made for operating or having operated solid waste disposal programs such as the suggestions in HB 205 and HB 445. In contrast, HB 352 appears to grant a one-time payment for construction of a facility. In that proper solid waste disposal may take a variety of forms such as incineration, sanitary land fill, or waste reclamation, facility construction might occur only once or it might be construed to be a continuous process in the case of a land fill.

May 2, 1975

The Department recommends that the wording of the finally approved bill be such that a municipality employing the services of a franchised private scavenger for solid waste handling as distinct from performance of the collection and disposal function by municipal forces would qualify for revenue sharing aid. Municipalities relying on private contractors would not appear to qualify under HB 352 and might not under HB 445.

The Department recommends inclusion of a firm criterion for compliance such as the wording in HB 445 that the municipal program be approved by the Department of Environmental Conservation. Presumably, the Department of Environmental Conservation would be expected to develop regulations, if it has not already done so, to reduce the amount of controversy regarding adequacy of sanitary handling of solid wastes.

The final bill should cover a situation where one municipal government operates the collection system (e.g., City of Fairbanks) and another the disposal operation (e.g., Fairbanks North Star Borough). It is suggested that the wording in such a case exclude the possibility that the same tax payer could entitle both governments to a revenue sharing payment.

If the intent of the Legislature is to provide a revenue sharing payment for construction of a "facility," presumably the 50% State ceiling of HB 352 is consistent with the idea of the 25% ceiling for hospital construction in the present law. It is not clear, however, what purpose might be served by section (7) (B) of HB 352, wherein 25% local participation is required.

The Department recommends against a percentage ceiling for revenue sharing payments in the operational phase of solid waste management. Revenue sharing payments for fire, police, or highway maintenance, may or may not adequately provide the actual costs of these services to a recipient municipality and it seems reasonable that payment for solid waste management similarly would not necessarily fully cover all costs involved.

In summary, I recommend development of a bill which will provide adequate stimulus to local governments to plan and manage this important municipal problem. Implicit in such a program will be an adequate definition of compliance, either in law or in regulations, so that the Department will not devote an undue amount of time to debate with local officials on adequacy of the local program for handling and disposal of wastes.

Sincerely,

  
Lee McAnerney  
Commissioner

HB 352

NOT.

Fest

Pres.

5/1

Rep Bradner  
Chenoweth

X

X


STATE OF ALASKA  
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

POUCH Y · STATE CAPITOL  
JUNEAU, ALASKA 99811  
907 465 3800

MEMORANDUM

April 1, 1976

SUBJECT: Low Water Waste Facilities  
TO: The Honorable Sam Cotten  
FROM: A. R. Latham  
Research Analyst 

Perhaps you would like to distribute this to the members  
of HCRA.

ARL:jm  
Attachments