

HB

360

STATE OF ALASKA THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
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POUCH Y. STATE CAPITOL
JUNEAU, ALASKA 99811
907.465.3800

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

HC & RA

*4-15-85 3p.m.
4-16-85 3p.m.
4-22-85 3p.m.*

ALASKA STATE SENATE

JOE P. JOSEPHSON
DISTRICT H — ANCHORAGE
1526 F STREET
ANCHORAGE, ALASKA 99501
(907) 277-4419

WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4525



COMMITTEES
BUDGET & AUDIT
HEALTH, EDUCATION & SOCIAL SERVICES
RULES
TRANSPORTATION
SENATE CHAIR, ANCHORAGE CAUCUS

OFFICE OF MINORITY WHIP

February 15, 1985

Ms. Patricia Alexander
Director
Division of Planning, Policy
and Evaluation
Health and Social Services
Department
Pouch H-01A
Juneau, Alaska 99811

Dear Ms. Alexander:

The discussions we have had with you in regard to Senate Bill 26 (notification of community councils) have been very helpful. I appreciate the ideas you have offered in your original position paper and subsequent conversations.

My original interest in this bill arose from a complaint by the Airport Heights Community Council over failure to be notified of a certificate of need application in their area. I had envisioned including certificate of need notification in SR 26, but your suggestion for administrative implementation appears to make more sense.

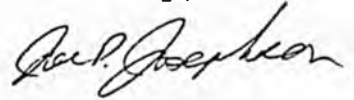
To achieve this end, I would like to pursue your offer to include affected community councils on your notification list. Enclosed is a recent mailing list of community councils in the Anchorage area. Updated address lists can be gotten by contacting the Community Councils Center, 801 West Fireweed Lane, Suite 103, Anchorage, Alaska 99503, phone is 279-1641. The Center may be willing to send you their updated lists, which they prepare periodically for their internal purposes.

The Sponsor Substitute for SB 26, which I just introduced, does not affect the Department of Health and Social Services because of your assurances that the matter will be handled administratively within your agency. Please advise me as to whether this administrative approach is still acceptable to your Department.

Ms. Patricia Alexander
February 14, 1985
Page Two

With best wishes, I am

Sincerely,



Joe P. Josephson
State Senator

JPJ:dfk
Enclosure

cc: Airport Heights Community Council
Campbell Park Community Council
Downtown Community Council
Fairview Community Council
Government Hill Community Council
Northeast Community Council
North Mt. View Community Council
Russian Jack Community Council
Scenic Park Area Community Council
South Addition Community Council
South Fork Community Council

ALASKA STATE SENATE

JOE P. JOSEPHSON
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WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4525

*amendment
limits ABC which has
to just CC which has
the license site*



OFFICE OF MINORITY WHIP

COMMITTEES
BUDGET & AUDIT
HEALTH, EDUCATION & SOCIAL SERVICES
RULES
TRANSPORTATION
SENATE CHAIR, ANCHORAGE CAUCUS

TO: Senate Community and Regional Affairs Members
FROM: Senator Joe Josephson
DATE: February 25, 1985

JPJ

RE: Sponsor Substitute for Senate Bill 26 notification
of community councils on certain state actions.

On February 13, 1985, I introduced the attached Sponsor Substitute in an attempt to incorporate comments from your Committee's previous hearing on the bill. I asked my staff to revise the bill and to address the primary notification problems of community councils, but with minimum disruption and costs to state agencies.

The original version of SB 26 would have applied to all departments, regardless of their current notification procedures. SSSB 26 affects only DOT-PF and the Alcoholic Beverage Control Board.

The Department of Health and Social Services was originally affected by the bill, but after meeting with Department representatives, it appeared that inclusion of community councils in notification about hospital "certificate of need" determinations could be best done administratively. My February 15, 1985, letter to Ms. Patricia Alexander of the Health and Social Services Department is attached.

The effects of SSSB 26 are:

Alcoholic Beverage Control Board

Section 1 Community councils would be sent a copy of the ABC Board meeting agenda (which is already sent to Board members) 10 days before the meeting.

Section 2 When the ABC Board holds a public hearing (a few times a year), councils will be sent a notice 20 days in advance

Section 3 When the ABC Board initially receives a liquor license application, the same notice now sent to the local governments within 10 days would also be sent to the community councils.

Department of Transportation & Public Facilities

Section 4 In cases where DOT-PF is required to notify a municipality of the construction of a proposed public project, affected community councils would also be notified.

Other Changes

To include community councils not "chartered" through local government, the reference has been changed to "each community council established by municipal charter or ordinance.

We have requested, and should have by tomorrow, fiscal notes from the ABC Board and DOT-PF for SSSB 26. They should be very small.

Attachments

"An act relating to notification of Community Councils of certain state actions."

Community Council notification is required of:

ALCOHOL BEVERAGE CONTROL BOARD

The board shall notify community councils created by municipal charter or ordinance of meeting agendas, application hearings and the receipt of liquor license applications.

PRISON FACILITIES

The commissioner of the Department of Corrections shall notify community councils of the department's plans to locate a prison facility or halfway house within an area represented by a community council.

TRANSPORTATION AND PUBLIC FACILITIES

The Department of Transportation and Public Facilities shall notify community councils of plans for public projects located within the area represented by the community council and allow for comment from the councils.

STATE LAND ACTIONS

The Department of Natural Resources shall notify community councils if state land within the area represented by the council is classified or reclassified, zoned, or sold or leased or otherwise disposed of..

Original sponsors: Pourchot, Boucher,
Martin, et al

1 IN THE HOUSE

BY THE COMMUNITY AND
REGIONAL AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 360 (C&RA)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to notification of community coun-
7 cils and nonprofit community organizations of certain
8 state actions."

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

10 * Section 1. AS 04.06.050 is amended to read:

11 Sec. 04.06.050. MEETINGS. The board shall meet at the call of
12 the chairman. The board shall also meet at least once each year in
13 each judicial district of the state to study this title and to modify
14 existing board regulations in light of statewide and local problems.
15 The board shall send a copy of the agenda of each board meeting at
16 least 10 days before the board meeting to each community council
17 established by municipal charter or ordinance and to each nonprofit
18 community organization that requests a copy.

19 * Sec. 2. AS 04.11.510(b) is amended to read:

20 (b) The board may review an application for the issuance, renew-
21 al, transfer of location, or transfer to another person of a license
22 without affording the applicant notice or hearing, except

23 (1) if an application is denied, the notice of denial shall
24 be furnished the applicant immediately in writing stating the reason
25 for the denial in clear and concise language; the notice of denial
26 shall inform the applicant that the applicant [HE] is entitled to an
27 informal conference with either the director or the board, and that,
28 if not satisfied by the informal conference, the applicant [HE] is
29 then entitled to a formal hearing before the board; if the applicant

1 requests a formal hearing, the board shall adhere to AS 44.62.330 -
2 44.62.630 [(ADMINISTRATIVE PROCEDURE ACT)]; all interested persons may
3 be heard at the hearing and unless waived by the applicant and the
4 board, the formal hearing shall be held in the area for which the
5 application is requested;

6 (2) the board may, on its own initiative or in response to
7 an objection or protest, hold a hearing to ascertain the reaction of
8 the public or a local governing body to an application if a hearing is
9 not required under (1), (3), or (4) or this subsection; the board
10 shall send notice of the hearing 20 days in advance to each community
11 council established by municipal charter or ordinance and to each
12 nonprofit community organization that requests notice;

13 (3) if a petition containing the signatures of 35 percent
14 of the adult residents having a permanent place of abode outside of
15 but within two miles of an incorporated city or an established village
16 is filed with the board, the board shall hold a public hearing on the
17 question of whether the issuance, renewal, or transfer of the license
18 in the city or village would be in the public interest;

19 (4) if a protest to the issuance, renewal, transfer of
20 location or transfer to another person of a license made by a local
21 governing body is based on a question of law, the board shall hold a
22 public hearing.

23 * Sec. 3. AS 04.11.520 is amended to read:

24 Sec. 04.11.520. NOTICE TO LOCAL GOVERNING BODY. After receipt
25 of an application from within (1) an established village, (2) an
26 incorporated city, (3) an organized borough, or (4) a unified munic-
27 ipality, the board shall transmit written notice to the local govern-
28 ing body within 10 days so that the local governing body may protest
29 under AS 04.11.480. The board shall also send written notice within

1 10 days to each community council established by municipal charter or
2 ordinance and to each nonprofit community organization that requests
3 written notice.

4 * Sec. 4. AS 33.30 is amended by adding a new section to read:

5 Sec. 33.30.025. SITING OF PRISON FACILITIES. The commissioner
6 shall notify each community council established by municipal charter
7 or ordinance of the department's plans to locate or to contract for
8 the operation of a prison facility or community residential facility
9 in the area represented by the community council. If the facility is
10 to be located or operated outside a municipality, the commissioner
11 shall notify the postmaster of each permanent settlement of more than
12 25 persons located within six miles of the proposed facility with a
13 request that the notice be posted in a conspicuous location.

14 * Sec. 5. AS 35.30.010(a) is amended to read:

15 (a) Except as provided in (b) of this section, before commencing
16 construction of a public project,

17 (1) if the project is located in a municipality, the de-
18 partment shall submit the plans for the project to the planning com-
19 mission of the municipality for review and approval;

20 (2) if the project is located within two miles of a vil-
21 lage, the department shall submit the plans to the village council for
22 review and comment;

23 (3) if the project is located within the area represented
24 by a community council established by municipal charter or ordinance,
25 the department shall submit the plans to the community council for
26 review and comment;

27 (4) if the project is located outside a municipality, the
28 department shall submit a description of the project to the postmaster
29 of each permanent settlement of more than 25 persons located within

1 six miles of the project with a request that the project description
2 be posted in a conspicuous location.

3 * Sec. 6. AS 38.05.945(c) is amended to read:

4 (c) Notice at least 30 days before action under (a) of this
5 section shall also be given to the following:

6 (1) to a municipality if the land is within the boundaries
7 of the municipality and to a community council established by municipi-
8 pal charter or ordinance if the land is within the area represented by
9 the council;

10 (2) to a regional corporation if the boundaries of the
11 corporation as established by sec. 7(a) of the Alaska Native Claims
12 Settlement Act encompass the land and the land is outside a municipali-
13 ty;

14 (3) to a village corporation organized under sec. 8(a) of
15 the Alaska Native Claims Settlement Act if the land is within six
16 miles of the village for which the corporation was established and the
17 land is located outside a municipality;

18 (4) to the postmaster of each [A] permanent settlement of
19 more than 25 persons located within six miles of the land if the land
20 is located outside a municipality, with a request that the notice be
21 posted in a conspicuous location.

REPRESENTATIVE PAT POURCHOT'S
OFFICE

COMMITTEE QUESTIONS AND SUGGESTIONS TO AMEND HB 360

- 1) p.3, lines 4-5, confusing language was questioned by Corrections and committee members. Suggested language for lines 3-5:

"or ordinance of the department's plans to locate or to contract for the operation of a prison facility or community residential facility in the area represented by the community council."

- 2) p.3, section 5, lines 6-18, should the legislation provide for a time limit for notification from DOT/PF to the community council?

This statute reference provides for the notification of planning commissions and municipalities of public projects by the department. There is no statutory time provision for notification of those two entities so it is somewhat illogical to extend a time provision to the community councils. The alternative is to amend the statutes to provide a time limit on notification for the municipalities and commissions but if a need has not been noted to this point, why should it be "corrected"?

- 3) p.1, line 15, initial confusion about whether "meeting" referred to a meeting of the ABC Board or a meeting of the community council. The language does indicate that "meeting" refers to an ABC Board meeting. If it is the desire of the committee, there is no problem inserting "board" before "meeting."
- 4) One member indicated that the fiscal note could possibly be reduced if the agencies contacted only the Federation of Community Councils who could then notify individual councils. This appears to be impractical since the Federation of Community Councils represents Anchorage Community Councils and could not be expected to forward information to Mat-Su or other councils.
- 5) Fiscal note reduction was discussed as a possible way to have Finance waive consideration. The Finance Committee chair rarely waives a bill

already assigned to the committee and it will be easy to reduce the ABC Board fiscal note if desired.

- 6) Some concern was expressed about the lack of a definition for "community council" beyond a council "established by municipal charter or ordinance." By leaving out a definition in state statutes, it allows municipal assemblies to charter councils which would then have access to notification by the named agencies. This is a local option approach which gives the municipality discretion on what entity qualifies as a "community council."
- 7) A member of the committee asked what the definition of "community council" was in Anchorage. As defined in the municipality's code (Chapter 2.40, Section 2.40.030):

"Community councils are non-profit, voluntary, self-governing associations composed of residents, property owners and representatives from non-profit associations and other entities located within geographical areas designated as districts by the assembly. Residents, for the purpose of this chapter, are defined as: residents, property owners, and representatives from non-profit associations and other entities located within the geographical areas designated as districts by the assembly."
- 8) A member of the committee suggested that agency notification be expanded beyond the concept of "community councils." Nothing in this legislation precludes distribution of the information by the municipalities to any group. It perhaps preserves local option if municipalities are allowed to designate what a "community council" is for the purposes of these statutory provisions.

Pete's Mark up
Copy

Introduced: 4/9/85
Referred: Community & Regional
Affairs, Judiciary and Finance

~~BY POURCHOT, BOUCHER, MARTIN,
GRUENBERG, CLOCKSIN, UEHLING
AND PEARCE~~

1 IN THE HOUSE

HOUSE BILL NO. 360

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to notification of community coun-
7 cils of certain state actions."

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

9 * Section 1. AS 04.06.050 is amended to read:

10 Sec. 04.06.050. MEETINGS. The board shall meet at the call of
11 the chairman. The board shall also meet at least once each year in
12 each judicial district of the state to study this title and to modify
13 existing board regulations in light of statewide and local problems.

14 ~~The board shall send a copy of the agenda of each meeting at least 10~~
15 ~~days before the meeting to each community council established by~~
16 ~~municipal charter or ordinance.~~ *BOARD*
organizing requesting
state notice.

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19 al, transfer of location, or transfer to another person of a license
20 without affording the applicant notice or hearing, except

21 (1) if an application is denied, the notice of denial shall
22 be furnished the applicant immediately in writing stating the reason
23 for the denial in clear and concise language; the notice of denial
24 shall inform the applicant that the applicant [HE] is entitled to an
25 informal conference with either the director or the board, and that,
26 if not satisfied by the informal conference, the applicant [HE] is
27 then entitled to a formal hearing before the board; if the applicant
28 requests a formal hearing, the board shall adhere to AS 44.62.330 -
29 44.62.630 [(ADMINISTRATIVE PROCEDURE ACT)]; all interested persons may

Handwritten bracket on the left side of the page, spanning from line 14 down to line 29.

AND TO ANY non-profit community organization requesting such notice. ANY municipality or A.M.W. may request such notice on behalf of its community council.

1 be heard at the hearing and unless waived by the applicant and the
2 board, the formal hearing shall be held in the area for which the
3 application is requested;

4 (2) the board may, on its own initiative or in response to
5 an objection or protest, hold a hearing to ascertain the reaction of
6 the public or a local governing body to an application if a hearing is
7 not required under (1), (3), or (4) or this subsection; the board
8 shall send notice of the hearing 20 days in advance to each community
9 council established by municipal charter or ordinance, to each community council.

10 *Same* ~~AS 04.11.520~~ (3) if a petition containing the signatures of 35 percent
11 of the adult residents having a permanent place of abode outside of
12 but within two miles of an incorporated city or an established village
13 is filed with the board, the board shall hold a public hearing on the
14 question of whether the issuance, renewal, or transfer of the license
15 in the city or village would be in the public interest;

16 (4) if a protest to the issuance, renewal, transfer of
17 location or transfer to another person of a license made by a local
18 governing body is based on a question of law, the board shall hold a
19 public hearing.

20 * Sec. 3. AS 04.11.520 is amended to read:

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22 of an application from within (1) an established village, (2) an
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24 ipality, the board shall transmit written notice to the local govern-
25 ing body within 10 days so that the local governing body may protest
26 under AS 04.11.480. The board shall also send written notice within
27 10 days to each community council established by municipal charter or
28 ordinance.

29 * Sec. 4. AS 33.30 is amended by adding a new section to read:

1 (3) to a village corporation organized under sec. 8(a) of
2 the Alaska Native Claims Settlement Act if the land is within six
3 miles of the village for which the corporation was established and the
4 land is located outside a municipality;

5 (4) to the postmaster of a permanent settlement of more
6 than 25 persons located within six miles of the land if the land is
7 located outside a municipality, with a request that the notice be
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10 partment shall submit the plans for the project to the planning com-
11 mission of the municipality for review and approval;

12 (2) if the project is located within two miles of a vil-
13 lage, the department shall submit the plans to the village council for
14 review and comment;

15 (3) if the project is located within the area represented
16 by a community council established by municipal charter or ordinance,
17 the department shall submit the plans to the community council for
18 review and comment. (4) See p. 4

19 * Sec. 6. AS 38.05.945(c) is amended to read:

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OFFICE

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①
CS
OK

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ADD
was
Board in
2 places

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- 8) A member of the committee suggested that agency notification be expanded beyond the concept of "community councils." Nothing in this legislation precludes distribution of the information by the municipalities to any group. It perhaps preserves local option if municipalities are allowed to designate what a "community council" is for the purposes of these statutory provisions.

A M E N D M E N T

Offered in the HOUSE

By Clocksin and Gruenberg

TO: CSHB 34(SA)

Page 1, following line 15, insert a new bill section to read:

"* Sec. 2. AS 04.11.310 is amended by adding a new subsection to read:

(b) Upon receipt of an application for the issuance, renewal, relocation, or transfer of ownership of a license within an area of a municipality under the jurisdiction of a community council established by municipal charter or ordinance to advise the municipal governing body, the board shall

(1) immediately provide to the community council written notice of the application; and

(2) at least 10 days before the date set for board action on the application provide to the community council written notice of the proposed action and the time and place for a hearing."

Renumber remaining bill sections accordingly.

Page 7, following line 19, insert a new bill section to read:

"* Sec. 13. AS 04.21.010 is amended by adding a new subsection to read:

(d) At least 10 days before the date set for municipal action on an application for the issuance, renewal, relocation, or transfer of ownership of a proposed license, the municipality shall provide written notice of the proposed action and the time and place for a hearing

to a community council that

(1) is established by municipal charter or ordinance to advise the municipal governing body; and

(2) has jurisdiction over the area affected by the proposed action."

Renumber remaining bill section accordingly.

Original sponsors: M.M. Miller and
Boucher

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 34 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL.

6 For an Act entitled: "An Act relating to the administration of liquor
7 licenses and the licensing of partnerships; and
8 providing for an effective date."

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

10 * Section 1. AS 04.06.100(b) is amended by adding a new paragraph to
11 read:

12 (16) required reports from partnerships and limited part-
13 nerships licensed under this title, including reports of transferred
14 interests of 10 percent or more.

15 * Sec. 2. AS 04.11.040(c) is amended to read:

16 (c) A person may not receive or transfer controlling interest in
17 a liquor license issued to a partnership, including a limited partner-
18 ship, or a corporation under this title except with the written con-
19 sent of the board.

20 * Sec. 3. AS 04.11 is amended by adding a new section to read:

21 Sec. 04.11.055. REPORTS REQUIRED OF PARTNERSHIPS. (a) A part-
22 nership, including a limited partnership, issued a license under this
23 title shall report to the board when a partnership interest of 10
24 percent or more is transferred and shall report a change of general
25 partners.

26 (b) The report to the board shall be made in writing in dupli-
27 cate and shall be sent within 10 days after the change in interest or
28 change of general partners.

29 * Sec. 4. AS 04.11.100 is amended by adding a new subsection to read:

1 (e) A license may be renewed under this section only if the
2 licensee provides evidence to the board's satisfaction that gross
3 receipts from the sale of food upon the licensed premises constitute
4 no less than 50 percent of the gross receipts of the licensed premises
5 for the preceding license year.

6 * Sec. 5. AS 04.11.260(a) is amended to read:

7 (a) An applicant for a new license or permit shall file with the
8 director a written application, signed and sworn to by the applicant,
9 giving the applicant's [HIS] name and address. If the applicant is a
10 corporation, the application shall be executed by the authorized
11 officers of the corporation. If the applicant is a partnership,
12 including a limited partnership, the application shall be executed by
13 an authorized general partner. The application shall include:

- 14 (1) the type of license or permit desired;
- 15 (2) a description of the premises for which the license or
16 permit is desired, giving the address by street and number, or other
17 information, so that the location of the premises can be definitely
18 determined;
- 19 (3) a statement of the residency of the applicant;
- 20 (4) the license fee;
- 21 (5) the duration of the license or permit desired;
- 22 (6) any other information required by the board.

23 * Sec. 6. AS 04.11.260 is amended by adding a new subsection to read:

24 (d) A partnership, including a limited partnership, that applies
25 for a license or permit shall provide information required by the
26 board including the names and addresses of all general partners and
27 all partners with an interest of 10 percent or more.

28 * Sec. 7. AS 04.11.310 is amended by adding a new subsection to read:

29 (b) Upon receipt of an application for the issuance, renewal,

1 presented;

2 (5) the application has not been completed in accordance
3 with AS 04.11.290;

4 (6) relocation [TRANSFER OF LOCATION] of the license would
5 result in violation of a local zoning law;

6 (7) relocation [TRANSFER OF LOCATION] of the license would
7 violate the restrictions pertaining to the particular license imposed
8 by this title;

9 (8) relocation [TRANSFER OF LOCATION] of the license is
10 prohibited under this title as a result of an election conducted in
11 accordance with AS 04.11.502;

12 (9) the licensed premises are to be located in a municipal-
13 ity, the type of license sought to be relocated [TRANSFERRED] is a
14 beverage dispensary or package store license, and that type of license
15 is already in effect in the municipality under a community liquor
16 license, unless the relocation [TRANSFER] is to become effective after
17 the community liquor license is no longer effective, whether as the
18 result of a local option election or otherwise;

19 (10) the license was issued under AS 04.11.400(g), (h), or
20 (j) [AS 04.11.400(j)].

21 * Sec. 9. AS 04.11.400(a) is amended to read:

22 (a) Except as provided in (g), (h), (i), and (j) of this sec-
23 tion, a new license may not be issued and the board may prohibit
24 relocation of [OR] an existing license [TRANSFERRED TO A NEW LOCATION]

25 (1) outside an established village, incorporated city; [A]-
26 unified municipality, or organized borough [AN ESTABLISHED VILLAGE] if
27 after the issuance or relocation [TRANSFER] there would be more than
28 one restaurant or eating place license [OF EACH TYPE] for each 1,500
29 population or fraction of 1,500 population or more than one license

1 of each other type, including licenses which have been issued under
2 (g) or (h) of this section, for each 3,000 population or fraction of
3 3,000 population in a radius of five miles of the licensed premises or
4 location of premises sought to be licensed, excluding the populations
5 of established villages, incorporated cities, unified municipalities,
6 and organized boroughs that are wholly or partly included within the
7 radius;

8 (2) inside an established village, [AN] incorporated city,
9 or [A] unified municipality if after the issuance or relocation
10 [TRANSFER] there would be inside the established village, incorporated
11 city, or unified municipality more than one restaurant or eating place
12 license [OF EACH TYPE] for each 1,500 population or fraction of 1,500
13 population or more than one license of each other type, including
14 licenses which have been issued under (g) or (h) of this section, for
15 each 3,000 population or fraction of 3,000 population inside the
16 established [BOUNDARIES OF THE] village, incorporated city, or unified
17 municipality;

18 (3) inside an organized borough but outside an established
19 village or incorporated city located within the borough, if after the
20 issuance or relocation there would be inside the borough, but outside
21 the established villages and incorporated cities located within the
22 borough, more than one restaurant or eating place license for each
23 1,500 population or fraction of 1,500 population or more than one
24 license of each other type, including licenses that have been issued
25 under (g) or (h) of this section, for each 3,000 population or
26 fraction of 3,000 population inside the borough, excluding the
27 population of those established villages that have conducted an
28 election on a question set out in AS 04.11.490, 04.11.496, or
29 04.11.500, and excluding the population of incorporated cities located

1 within the organized borough.

2 * Sec. 10. AS 04.11.400(b) is amended to read:

3 (b) IF [THE APPLICATION IS FOR A LICENSE OUTSIDE OF AN ESTAB-
4 LISHED VILLAGE, INCORPORATED CITY, OR UNIFIED MUNICIPALITY AND] the
5 radius described in (a)(1) of this section encompasses all of an [THE]
6 established village, incorporated city, or unified municipality and
7 the population resident inside and outside the established village,
8 incorporated city, or unified municipality but inside the radius
9 described in (a)(1) of the section is less than 3,000 [1,500], the
10 board may deny the issuance or relocation [TRANSFER] of the license.

11 * Sec. 11. AS 04.11.400(c) is amended to read:

12 (c) In (a)(1) of this section, "population" includes only those
13 persons residing inside the radius not later than the date the appli-
14 cation is received by the board and not earlier than 60 days before
15 the application is received by the board [BUT OUTSIDE OF AN ESTAB-
16 LISHED VILLAGE, AN INCORPORATED CITY, OR A UNIFIED MUNICIPALITY AS OF
17 DECEMBER 31 OF THE YEAR PRECEDING THE DATE OF APPLICATION].

18 * Sec. 12. AS 04.11.400(f) is amended to read:

19 (f) In (a)(2) and (3) of this section, "population" includes
20 only those persons residing inside the [AN] established village, [AN]
21 incorporated city, [OR A] unified municipality, or organized borough
22 as of December 31 of the year preceding the date of application.

23 * Sec. 13. AS 04.11.400(g) is repealed and reenacted to read:

24 (g) The board may approve the issuance or transfer of ownership
25 of a beverage dispensary or restaurant or eating place license without
26 regard to (a) of this section if it appears that the issuance or
27 transfer will encourage the tourist trade by encouraging the construc-
28 tion or improvement of

29 (1) a hotel, motel, resort, or similar business relating to

1 the tourist trade with a dining facility or having kitchen facilities
2 in a majority of its rental rooms and at least a minimum number of
3 rental rooms required according to the population of the established
4 village, incorporated city, unified municipality or population area
5 established under AS 04.11.400(a) in which the facility will be
6 located, as follows:

7 (A) 15 rental rooms if the population is less than
8 1,501;

9 (B) 20 rental rooms if the population is between 1,501
10 and 2,500;

11 (C) 25 rental rooms if the population is between 2,501
12 and 5,000;

13 (D) 30 rental rooms if the population is between 5,001
14 and 15,000;

15 (E) 35 rental rooms if the population is between
16 15,001 and 25,000;

17 (F) 40 rental rooms if the population is between
18 25,001 and 50,000; and

19 (G) 50 rental rooms if the population is greater than
20 50,000; or

21 (2) an airport terminal.

22 * Sec. 14. AS 04.11.400(h) is amended to read:

23 (h) The board may approve the issuance or transfer of ownership
24 of a [A] restaurant or eating place license without regard to [MAY BE
25 ISSUED OR TRANSFERRED NOTWITHSTANDING] (a) of this section if

26 (1) the premises of the restaurant or eating place are more
27 than 18 miles from the corporate limits of a city or unified municipi-
28 pality;

29 (2) the premises will serve food to the traveling public;

(3) the board finds that the public convenience will be promoted by the issuance or transfer.

15. AS 04.11.400(1) is amended to read:

(1) An application requesting a transfer of location of licensed premises limited under (a) or (b) of this section shall be granted without regard to [NOTWITHSTANDING] (a) of this section if the new location is less than one mile from the original location and

(1) no ground for denial exists under AS 04.11.340(1) or 04.11.340(2); and

(2) relocation of the licensed premises is necessary due to

(A) termination of a lease or rental agreement;

(B) condemnation of the premises;

(C) the substantial destruction of the premises by any

cause.

Sec. 16. AS 04.11.400(j) is amended to read:

(j) The board may approve the issuance or transfer of ownership of [ISSUE] a restaurant or eating place [NEW] license in a municipality without regard to [NOTWITHSTANDING THE PROVISIONS OF] (a) of this section if the board finds that issuance or transfer of the license is necessary for the public convenience.

* Sec. 17. AS 04.11.430(a) is amended to read:

(a) Each license shall be issued to a specific individual or individuals, to a partnership, including a limited partnership, or to a corporation. If the license is issued to a corporation, the registered agent of the corporation must be an individual resident of the state.

* Sec. 18. AS 04.11.504(a) is amended to read:

(a) If a prohibition imposed on the issuance, renewal, [OR]

location of licenses between holders and locations
90 - 04.11.500 is removed by a vote of "no" on a
which the majority of the people voted "yes" in an
1. the board shall, upon application, issue the same
of licenses which were in effect in the municipality
village" on the date of certification of the earlier
the prohibition imposed on issuance, renewal, [OR]
relocation of licenses between holders and locations is
"yes" vote on a question set out in AS 04.11.492 and
board may issue the types of licenses specified in the
nted to the voters in the subsequent election. Licenses
for the same or other premises within the municipality
d village which were licensed on the date of certifica-
earlier election. However, if the local governing body
fewer licenses of a particular type be issued than would
issued if the provisions prescribing the ratio of popu-
censed premises in AS 04.11.400(a) are applied, only the
licenses of that particular type requested by the local
ody may be issued by the board. Priority shall be given
who were formerly licensees and whose licenses were not
ause of the results of the previous election. However,
cants have no legal right to a license and the board is not
approve the application.

AS 04.21.010 is amended by adding a new subsection to read:
At least 10 days before the date set for municipal action on
action for the issuance, renewal, relocation, or transfer of
of a proposed license, the municipality shall provide writ-
e of the proposed action and the time and place for a hearing
unity council that

1 (1) is established by municipal charter or ordinance to
2 advise the municipal governing body; and

3 (2) has jurisdiction over the area affected by the proposed
4 action.

5 * Sec. 20. This Act takes effect immediately in accordance with AS 01.-
6 0.070(c).

ALASKA STATE SENATE

JOE P. JOSEPHSON
DISTRICT H — ANCHORAGE
1526 F STREET
ANCHORAGE, ALASKA 99501
(907) 277-4419

WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4525



OFFICE OF MINORITY WHIP

COMMITTEES
BUDGET & AUDIT
HEALTH, EDUCATION & SOCIAL SERVICES
RULES
TRANSPORTATION
SENATE CHAIR, ANCHORAGE CAUCUS

February 15, 1985

Ms. Patricia Alexander
Director
Division of Planning, Policy
and Evaluation
Health and Social Services
Department
Pouch K-01A
Juneau, Alaska 99811

Dear Ms. Alexander:

The discussions we have had with you in regard to Senate Bill 26 (notification of community councils) have been very helpful. I appreciate the ideas you have offered in your original position paper and subsequent conversations.

My original interest in this bill arose from a complaint by the Airport Heights Community Council over failure to be notified of a certificate of need application in their area. I had envisioned including certificate of need notification in SB 26, but your suggestion for administrative implementation appears to make more sense.

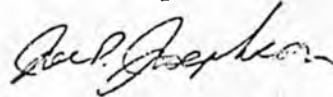
To achieve this end, I would like to pursue your offer to include affected community councils on your notification list. Enclosed is a recent mailing list of community councils in the Anchorage area. Updated address lists can be gotten by contacting the Community Councils Center, 801 West Fireweed Lane, Suite 103, Anchorage, Alaska 99503, phone is 279-1641. The Center may be willing to send you their updated lists, which they prepare periodically for their internal purposes.

The Sponsor Substitute for SB 26, which I just introduced, does not affect the Department of Health and Social Services because of your assurances that the matter will be handled administratively within your agency. Please advise me as to whether this administrative approach is still acceptable to your Department.

Ms. Patricia Alexander
February 14, 1985
Page Two

With best wishes, I am

Sincerely,



Joe P. Josephson
State Senator

JPJ:dfk
Enclosure

cc: Airport Heights Community Council
Campbell Park Community Council
Downtown Community Council
Fairview Community Council
Government Hill Community Council
Northeast Community Council
North Mt. View Community Council
Russian Jack Community Council
Scenic Park Area Community Council
South Addition Community Council
South Fork Community Council

ALASKA STATE SENATE

JOE P. JOSEPHSON
DISTRICT H -- ANCHORAGE
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WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4525

*amendment
limits ABC w/ F. H. H. H.
to just CC which has
the license site*



OFFICE OF MINORITY WHIP

COMMITTEES
BUDGET & AUDIT
HEALTH, EDUCATION & SOCIAL SERVICES
RULES
TRANSPORTATION
SENATE CHAIR, ANCHORAGE CAUCUS

TO: Senate Community and Regional Affairs Members
FROM: Senator Joe Josephson
DATE: February 25, 1985

JPJ

RE: Sponsor Substitute for Senate Bill 26 notification
of community councils on certain state actions.

On February 13, 1985, I introduced the attached Sponsor Substitute in an attempt to incorporate comments from your Committee's previous hearing on the bill. I asked my staff to revise the bill and to address the primary notification problems of community councils, but with minimum disruption and costs to state agencies.

The original version of SB 26 would have applied to all departments, regardless of their current notification procedures. SSSB 26 affects only DOT-PF and the Alcoholic Beverage Control Board.

The Department of Health and Social Services was originally affected by the bill, but after meeting with Department representatives, it appeared that inclusion of community councils in notification about hospital "certificate of need" determinations could be best done administratively. My February 15, 1985, letter to Ms. Patricia Alexander of the Health and Social Services Department is attached.

The effects of SSSB 26 are:

Alcoholic Beverage Control Board

Section 1 Community councils would be sent a copy of the ABC Board meeting agenda (which is already sent to Board members) 10 days before the meeting.

Section 2 When the ABC Board holds a public hearing (a few times a year), councils will be sent a notice 20 days in advance

Section 3 When the ABC Board initially receives a liquor license application, the same notice now sent to the local governments within 10 days would also be sent to the community councils.

Department of Transportation & Public Facilities

Section 4 In cases where DOT-PF is required to notify a municipality of the construction of a proposed public project, affected community councils would also be notified.

Other Changes

To include community councils not "chartered" through local government, the reference has been changed to "each community council established by municipal charter or ordinance.

We have requested, and should have by tomorrow, fiscal notes from the ABC Board and DOT-PF for SSSB 26. They should be very small.

Attachments

Original sponsors: Pourchot, Boucher,
Martin, et al

1
2 IN THE HOUSE

BY THE COMMUNITY AND
REGIONAL AFFAIRS COMMITTEE

3 CS FOR HOUSE BILL NO. 360 (C&RA)

4 IN THE LEGISLATURE OF THE STATE OF ALASKA

5 FOURTEENTH LEGISLATURE - FIRST SESSION

6 A BILL

7 For an Act entitled: "An Act relating to notification of community coun-
8 cils and nonprofit community organizations of certain
9 state actions."

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

11 * Section 1. AS 04.06.050 is amended to read:

12 Sec. 04.06.050. MEETINGS. The board shall meet at the call of
13 the chairman. The board shall also meet at least once each year in
14 each judicial district of the state to study this title and to modify
15 existing board regulations in light of statewide and local problems.
16 The board shall send a copy of the agenda of each board meeting at
17 least 10 days before the board meeting to each community council
18 established by municipal charter or ordinance and to each nonprofit
19 community organization that requests a copy.

20 * Sec. 2. AS 04.11.510(b) is amended to read:

21 (b) The board may review an application for the issuance, renew-
22 al, transfer of location, or transfer to another person of a license
23 without affording the applicant notice or hearing, except

24 (1) if an application is denied, the notice of denial shall
25 be furnished the applicant immediately in writing stating the reason
26 for the denial in clear and concise language; the notice of denial
27 shall inform the applicant that the applicant [HE] is entitled to an
28 informal conference with either the director or the board, and that,
29 if not satisfied by the informal conference, the applicant [HE] is
then entitled to a formal hearing before the board; if the applicant

1
2 requests a formal hearing, the board shall adhere to AS 44.62.330 -
3 44.62.630 [(ADMINISTRATIVE PROCEDURE ACT)]; all interested persons may
4 be heard at the hearing and unless waived by the applicant and the
5 board, the formal hearing shall be held in the area for which the
6 application is requested;

7 (2) the board may, on its own initiative or in response to
8 an objection or protest, hold a hearing to ascertain the reaction of
9 the public or a local governing body to an application if a hearing is
10 not required under (1), (3), or (4) or this subsection; the board
11 shall send notice of the hearing 20 days in advance to each community
12 council established by municipal charter or ordinance and to each
13 nonprofit community organization that requests notice;

14 (3) if a petition containing the signatures of 35 percent
15 of the adult residents having a permanent place of abode outside of
16 but within two miles of an incorporated city or an established village
17 is filed with the board, the board shall hold a public hearing on the
18 question of whether the issuance, renewal, or transfer of the license
19 in the city or village would be in the public interest;

20 (4) if a protest to the issuance, renewal, transfer of
21 location or transfer to another person of a license made by a local
22 governing body is based on a question of law, the board shall hold a
23 public hearing.

24 * Sec. 3. AS 04.11.520 is amended to read:

25 Sec. 04.11.520. NOTICE TO LOCAL GOVERNING BODY. After receipt
26 of an application from within (1) an established village, (2) an
27 incorporated city, (3) an organized borough, or (4) a unified munic-
28 ipality, the board shall transmit written notice to the local govern-
29 ing body within 10 days so that the local governing body may protest
under AS 04.11.480. The board shall also send written notice within

1
2 10 days to each community council established by municipal charter or
3 ordinance and to each nonprofit community organization that requests
4 written notice.

5 * Sec. 4. AS 33.30 is amended by adding a new section to read:

6 Sec. 33.30.025. SITING OF PRISON FACILITIES. The commissioner
7 shall notify each community council established by municipal charter
8 or ordinance of the department's plans to locate or to contract for
9 the operation of a prison facility or community residential facility
10 in the area represented by the community council.

11 * Sec. 5. AS 35.30.010(a) is amended to read:

12 (a) Except as provided in (b) of this section, before commencing
13 construction of a public project,

14 (1) if the project is located in a municipality, the de-
15 partment shall submit the plans for the project to the planning com-
16 mission of the municipality for review and approval;

17 (2) if the project is located within two miles of a vil-
18 lage, the department shall submit the plans to the village council for
19 review and comment;

20 (3) if the project is located within the area represented
21 by a community council established by municipal charter or ordinance,
22 the department shall submit the plans to the community council for
23 review and comment;

24 (4) if the project is located outside a municipality, the
25 department shall submit the plans to the postmaster of each permanent
26 settlement of more than 25 persons located within six miles of the
27 project with a request that the plans be posted in a conspicuous
28 location.

29 * Sec. 6. AS 38.05.945(c) is amended to read:

(c) Notice at least 30 days before action under (a) of this

1
2 section shall also be given to the following:

3 (1) to a municipality if the land is within the boundaries
4 of the municipality and to a community council established by municipi-
5 pal charter or ordinance if the land is within the area represented by
6 the council;

7 (2) to a regional corporation if the boundaries of the
8 corporation as established by sec. 7(a) of the Alaska Native Claims
9 Settlement Act encompass the land and the land is outside a municipali-
10 ty;

11 (3) to a village corporation organized under sec. 8(a) of
12 the Alaska Native Claims Settlement Act if the land is within six
13 miles of the village for which the corporation was established and the
14 land is located outside a municipality;

15 (4) to the postmaster of each [A] permanent settlement of
16 more than 25 persons located within six miles of the land if the land
17 is located outside a municipality, with a request that the notice be
18 posted in a conspicuous location.

STATE OF ALASKA 1985 LEGISLATIVE SESSION

FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB360
 Title: Notification of
Community Councils
 Sponsor: Rep. Pourchot, et al
 Requestor: House C & RA Committee
 Date of Request: 4/10/85

FISCAL DETAIL

Agency Affected: Department of Revenue
 Program Category Affected: Public Protection
 BRU, Program or Subprogram(s) Affected: Alcoholic Beverage Control Board

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		1.0	1.0	1.0	1.0	1.0
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLA. 45						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	1.5	1.5	1.5	1.5	1.5

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	1.5	1.5	1.5	1.5	1.5
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Patrick L. Sharrock Director Phone: 277-8638
 Division: Alcoholic Beverage Control Board Date: 4/17/85

Approved by Commissioner: Mary A. Jordan Date: 4/19/85
 Agency: Department of Revenue

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

7/1/84

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: CSHB360
 Title: Notification of Community
Councils
 Sponsor: Pourchot ET AL
 Requestor: C&RA
 Date of Request: 4-18-85

FISCAL DETAIL

Agency Affected: DOT&PF
 Program Category Affected: Transportation
 BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

This document speaks only to portions of this bill affecting AS 33.30.010 as other statutes mentioned do not directly relate to this department. Currently, the Department makes every effort to notify communities and villages of forthcoming construction activity. Providing notice to post-masters of small communities outside a municipality will add minimal cost to the Department's operation.

Prepared By: Daniel F. Malick *DA* Phone: 465-4070
 Division: HO Plans & Programs Date: 4/19/85

Approved by Commissioner: W. S. Spink Date: 4/19/85
 Agency: DOT&PF

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 360
Title: Notice to community councils
or certain state actions

Sponsor: Pourchot, et al.
Requestor: _____
Date of Request: _____

FISCAL DETAIL

Agency Affected: Natural Resources
Program Category Affected: NRMEC

BRU, Program or Subprogram(s) Affected:
Land and Water Management

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		-0-	-0-	-0-	-0-	-0-
CAPITAL		-0-	-0-	-0-	-0-	-0-
REVENUE		-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL		-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

No fiscal impact

Prepared By: Mike Vediner
Division: Land and Water Management
Approved by Commissioner: Mrs. D'Amico, Deputy
Agency: Natural Resources

Phone: 465-2400
Date: April 12, 1985
Date: April 12, 1985

Distribution (by Agency preparing fiscal note):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

7/1/84

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST:

Bill/Resolution No.: HB 360
 Title: "An Act relating to notification of community councils of certain state actions."
 Sponsor: Representative Pourchot
 Requestor: (H) C&RA
 Date of Request: April 12, 1985

FISCAL DETAIL:

Agency Affected: DEPARTMENT OF CORRECTIONS
 Program Category Affected: _____
 Administration of Justice
 BRU, Program or Subprogram(s) Affected: Offender Confinement, Reformation and Supervision

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary.

This legislation will create no fiscal impact on the Department of Corrections.

Prepared By: William W. Ladwig *William W. Ladwig*
 Division: Deputy Commissioner - Administration

Phone: 465-3376
 Date: April 12, 1985

Approved by Commissioner: *Stan Veale*
 Agency: DEPARTMENT OF CORRECTIONS

Date: April 12, 1985

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency (ies)

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST
 Bill/Resolution No.: CSSSSB26
 Title: Notification of
 community councils
 Sponsor: _____
 Requestor: Sen. HESS Committee
 Date of Request: April 5, 1985

FISCAL DETAIL
 Agency Affected: Dept. of Revenue
 Program Category Affected: Public
 Protection
 BRU, Program or Subprogram(s) Affected:
 Alcoholic Beverage Control Board

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		.5	.5	.5	.5	.5
400 SUPPLIES		.7	.7	.7	.7	.7
500 EQUIPMENT		.3	.3	.3	.3	.3
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	1.5	1.5	1.5	1.5	1.5

CAPITAL						
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REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	1.5	1.5	1.5	1.5	1.5
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Patrick L. Sharrock Phone: 277-8638
 Division: Alcoholic Beverage Control Board Date: 4-10-85
 Approved by Commissioner: Max A. Nordmark Date: 4/11/85
 Agency: Department of Revenue

Distribution (by Agency preparing fiscal note):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SSSB 26
 Title: Notice to Community Councils
 Sponsor: Senator Josephson
 Requestor: Same
 Date of Request: 2/21/85

FISCAL DETAIL

Agency Affected: DOT&PF
 Program Category Affected: Transportation
 BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Although this bill would require a duplication of paperwork in submitting public project plans to municipal councils as well as planning commissions, the requirement melds with the current process well enough to warrant no increased costs to the Department.

Prepared By: *Carol Taylor* Phone: 465-4070
 Division: Plans and Programs, Headquarters Date: 2/21/85
 Approved by ^{for} Commissioner: *Wm S. Spivey* - Date: 2/25/85
 Agency: DOT&PF

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

7/1/84



Dept. of Transportation & Public Facilities

Position Paper

BILL NO: Sponsor Substitute for Senate Bill 26 **APPROVED:** *W. J. Knapp*
R. J. Knapp
for Commissioner

TITLE: Notice to Community Councils **DATE:** 2-22-85

The Department is pleased to see the Sponsor Substitute for Senate Bill 26 since we feel that it provides community councils with a much more workable arrangement for the review of construction projects proposed by the Department within areas served by the community councils. Currently the Department submits plans of all pending construction projects to the municipalities. This substitute bill would require the Department to also submit these plans directly to community councils authorized under municipal charter in impact areas. Since the Department submits plans for municipal review in a timely fashion allowing comment to be reflected in design and project management changes, a concurrent review by community councils would provide those individuals in the immediate vicinity of a project (and therefore most likely to be impacted by it) a reasonable time and sufficient materials to request project improvements.

The substitute bill also considers activities of the Alcoholic Beverage Control Board which fall outside the mandate of the Department of Transportation and Public Facilities and therefore this position paper remains mute to those items.



RECORDS CERTIFICATION

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James O. Smith
Signature of Camera Operator

7/25/89
Date