

HCR

33/

SCR 36

Dear Senator Sturgulewski,

Just a short additional note to let you know I have sent copies of this letter to all committee members in both the house and senate. Also copies to the Governor, Anchorage Daily News and our two local news papers here in the Copper River basin.

I also have a letter from Ahlton Native Corporation voicing their strong opposition to any form of increased government.

It doesn't seem right that D.C.R.A. can take sides in an issue when they supposedly represent all the people of Alaska.

DG

Jan 30, 1988  
HC 60 Box 303  
Copper Center, Alaska  
99573

Senator Arliss Stungulewski  
Alaska State Legislature  
P.O. Box V (MS 3100)  
Juneau, Alaska 99811

Dear Senator Stungulewski,

I am writing to express my emphatic opposition to the forced formation of a borough government in the Copper River Basin, and to comment on the misleading, deceptive and slanted report produced by the Department of Community and Regional Affairs for the State Legislature. The report is entitled "Regional Government Study".

This report which DCRA calls a study is nothing more than a support document for a political agenda which seeks to encumber the unorganized areas of Alaska with a form of government the local people do not desire, and in many cases find repugnant.

One of my main criticisms of this report is its misleading and deceptive use of data to support the goal of increased government and taxation in rural Alaska.

In section I page 3, the report indicates that 80% of the population of the unorganized borough already live within a municipal government structure, inferring wide range acceptance and support for local government. While the numbers may be correct, they are absolutely not representative

of the Copper River Basin on the Copper River Rural Education Attendance Area (CREAA). To my knowledge there is not one incorporated Home Rule, First class, or Second class city in the Copper River Basin. The more logical conclusion here is that the people do not desire any local government, taxation or associated services.

In section II the report references 9 tables in support of its agenda. In these tables the information base and on area is adjusted to suit the author's (DCRA) purpose by including areas that are not geographically, socially, or economically connected to the Copper River Basin. For example in tables 4, 5, 6, and 8, the Copper River Basin is included in the Valdez-Condova Census area. This inclusion dramatically distorts the figures such as per capita income, average monthly wage, unemployment rates, and racial composition. Naturally these figures are meant to project an affluent area well able to financially support local government. Nothing could be farther from the truth. I also take exception with table 1, which shows the Copper River REAA with fully taxable property in the amount of 1.2 billion dollars. This figure must either include the Valdez Pipeline terminal or a gold mine which has yet to be discovered. I would suspect that 95% of this figure is Trans Alaska Pipeline property which is already taxed by the State of Alaska.

Section III of this report which supposedly deals with "Options for Decision Makers" is a broad based attack on the current school funding system. While completely ignoring the cost differential of providing education facilities, transportation, and utilities in a school district like the CRREA which covers such a large geographical area, this report focuses on a so called inequity based solely on the amount of state money received per student.

Finally, this document goes on to state that we may be in violation of the State Constitution because we don't have

a local government. This is absolutely preposterous. The Constitution of the State of Alaska in Article X, Section 3 specifically states, "The entire State shall be divided into boroughs, organized or unorganized". It gives equal emphasis to both.

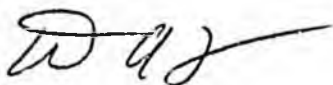
Further, in Section 6 the Constitution reads, "The legislature shall provide for the performance of services it deems necessary or advisable in unorganized boroughs, allowing for maximum local participation and responsibility."

Based on the State Constitution then, we have as much right to remain an unorganized borough as other areas have to remain organized. In fact some concern has been expressed that the DCRA orchestrated plan to force borough government on unorganized areas is unconstitutional.

The final kicker in this report is a statement on page 17 and I quote "While the Department does not advocate any particular course of action in this regard, this report would not be considered complete without the following final comments.". This statement is an outright falsehood. Any person of reasonable intelligence who reads and studies this document can see that the DCRA is advocating the elimination of unorganized boroughs to accomplish its political agenda which is the TAXATION of all privately held property in the state of Alaska.

This report by the DCRA is biased, misleading, and insulting to the intelligence of the people of Alaska. As a State Senator I hope that you will support our constitutional right to remain an unorganized borough and hold DCRA accountable for its obvious misuse of public funds in support of a particular political agenda.

Sincerely,



Thomas A. Maza

PUBLIC OPINION MESSAGE

DEAR: SENATOR STURGULEWSKI

NAME: WILLIAM L. ELMORE

TITLE: MAYOR

ADDRESS: CITY OF EAGLE

CITY: EAGLE

ZIP: 99738

PHONE: 547-2265

BILL NO: SCR 36

SUBJECT: LOCAL BOUNDARY COMMISSION ANNEXATIONS

MESSAGE: I, AS MAYOR OF EAGLE, AS DO THE OTHER MEMBERS OF THE COMMON COUNCIL OF EAGLE, OPPOSE IN ITS ENTIRETY, THE ANNEXATION OF EAGLE INTO THE ORGANIZED BOROUGH. WE SUPPORT SCR 36 IN THE INTERIM UNTIL TOTAL DEFEAT OF HB1.

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DATE: 01/28/88

TIME: 12:54:19

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COPIES: SENATORS

COGHILL

HALFORD

KELLY

SZYMANSKI

ZHAROFF

Thomas A. Mays  
HC 60 Box 303  
Copper Center, AK 99573

P-590 855 394



January 9, 1988  
Connecticut



January 9, 1988  
Connecticut

22 USA



Milk Wagon 1900s  
5 USA



January 9, 1988  
Connecticut

Senator Anliss Stungulewski  
Alaska State Legislature  
P.O. Box V (MS 3100)  
Juneau, Alaska 99811



Father Flanagan  
1988  
59556

# Alaska State Legislature



Session Address:  
STATE CAPITOL BUILDING  
BOX V  
JUNEAU, ALASKA 99811  
(907) 465-3727

Interim Address:  
BOX 53  
PALMER, ALASKA 99645  
(907) 745-3826 - Palmer  
(907) 376-8628 - Wasilla

Representative Ronald L. Larson  
District 16B

TO: All Legislators

FROM: Representative Ronald L. Larson

SUBJ: Response to a recent letter regarding SCR 36, HCR 33,  
and 2nd SSHB 1

DATE: February 8, 1988

Attached is a letter sent to all legislators regarding SCR 36, HCR 33, and 2nd SSHB 1, as well as our response to the letter. I believe the letter raises some legitimate concerns. I hope I have addressed them adequately. Please feel free to give me a call if you have questions.

# Alaska State Legislature



Session Address:  
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BOX 53  
PALMER, ALASKA 99645  
(907) 745-3826 - Palmer  
(907) 376-8628 - Wasilla

Representative Ronald L. Larson  
District 16B

February 5, 1988

Armeda A. Bulard  
P.O. Box 87  
Cantwell, Alaska 99729

Dear Armeda:

Thank you for your letter regarding SCR 36, HCR 33 and 2nd SSHB 1. As prime sponsor to the last, I thought it important that I respond.

I agree with the first point you make. I have no problem with SCR 36 and HCR 33. An 18 month moratorium on borough annexation would have no effect on the process outlined in my bill. More importantly, I think a halt to all annexation attempts, so that regions being threatened can examine the formation of a borough on their own, would be a good thing. There is nothing I would like more than to see various regions of the state form their own boroughs on their own terms-- with the boundaries they choose and with a form of government that would best meet their needs. In fact, one of my underlying motivations in introducing HB 1 was to encourage this very thing. You hit it on the nose: Citizens of various regions in the state should assess their educational needs, their resource and economic capabilities, the effects borough government would have (both the pros and the cons), and then proceed accordingly.

As to your concern about the power wielded by the Local Boundary Commission, let me say this: The commission was purposely set up to be independent from the legislature and from any state agency. Moreover, it is made up of five citizens from around the state. I believe that it is appropriate that such an apolitical commission study and make recommendations to the legislature regarding municipal boundaries. If it were otherwise, I'm afraid, boundary decisions would likely be the result of political battles based on emotion and self interest.

You make the point that lesser classifications of local government should be considered. I disagree. In 1972 the legislature eliminated all Fourth Class Boroughs. In 1986 the legislature passed legislation mandating that no more Third Class Boroughs could be formed. I believe that in both instances legislative discussion pointed out the many problems associated with Third and Fourth Class Boroughs. I don't believe we have to debate the issue again, and I believe that to reverse the legislative decisions already made would be a mistake. Most

importantly, I believe the type of borough government called for in my current bill, that of Home Rule Boroughs, offers the most flexible and adaptable form of government available. Citizens of a region can literally mold their Home Rule Charter to their own circumstances and needs.

Even though I represent the Mat-Su Borough, I pretty much agree with your fourth point. There is some inequity in the provision of services to different areas within current boroughs. I believe it the responsibility of each Borough Assembly to eliminate that inequity as much as it can. I also agree that unless there are very unusual circumstances most boroughs should not add to their present boundaries. I would say that the Bristol Bay and the Ketchikan Boroughs might be exceptions.

You present several arguments in your fifth point. Part of your argument is very similar to one I make in favor of borough formation. You are right, of the 56,000 people living in the Unorganized Borough, almost 80 percent of them live in some form of municipality right now. That is one of the primary arguments for borough formation: People are already familiar with, and part of, municipal government; the adjustment to borough government should not be difficult. As to the 13,000 not living in municipalities, little will change. They can continue their rural life style and continue to take care of themselves and their neighbors.

You end your fifth point by talking about the dollars I "can garner off such projects as the pipeline." I want you to know that I stand to garner nothing from borough formation--other than the satisfaction of making this state a better and a more effectively functioning one. As to the pipeline itself, you should know that the state now garners all the revenue from taxes on the pipeline in the Unorganized Borough (taxed at a 20 mills). With borough formation, each borough could tax the pipeline up to the 20 mill rate to use for its own purposes, and the state would receive only what remained short of 20 mills.

Finally, in your sixth point you castigate the Department of Community and Regional Affairs for authoring the Regional Government Study. You accuse the department for "its disloyalty to rural residents." I think you are wrong. I think the department is very much an advocate of rural Alaska. Each year it oversees and provides millions of dollars of programs and services to rural citizens.

In regards to HB 1 itself, the department has officially taken a stand against the bill as it is currently written. Though it strongly endorses the concept of borough formation across the state as a whole,

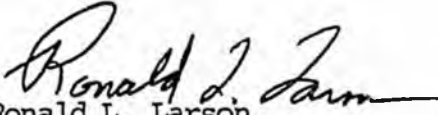
it has taken the stand that the process should be slowed and that an educational effort aimed at rural Alaska is necessary. I can agree with both. There is nothing magical about the year 1992. I can agree that there are some areas that will need a longer time to form as boroughs-- or need a large ongoing subsidy from the state. However, I also believe there are other areas that should have long ago formed as boroughs (and taken on some of the responsibilities now shouldered by the state). As to an educational effort, right now I am attempting to get funding for such an effort. It is important for the people who will be affected by borough formation to understand it, to know the pros and cons of it, and therefore be able to make an informed decision.

Ameda, I could go on to argue the merits of borough formation, but I won't. I will only say that there are many advantages, both to each region that would be organized and to the state as a whole. I won't deny that there is a "flip side to the coin," however. I have attended a number of public hearings on the issue; I will continue to do so. I have received and responded to several letters like your own. I have discussed the issue with many a rural legislator. I have listened, I have noted the problems that have been raised, and I have searched for solutions to those problems. I will continue to do the same.

Let me assure you, though. In the end--it may be 5 years, 10 years, or 20--the state as a whole will be organized into boroughs. In the end, all people of the state must have equal access to programs and services; all people of the state must share in local responsibility for those programs and services; and all people of the state must take local control of their affairs.

Again, thank you for writing.

Sincerely,

  
Ronald L. Larson  
Representative

January 28, 1988

All Legislators of Alaska  
P. O. Box V  
Juneau, AK 99811

To All the Legislators of the State of Alaska:

As a member of the rural constituency of Alaska I support and ask that you support SCR 36 or HCR 33. As an advocate of these resolutions, I oppose 2nd SSHB-1 and ask that you do likewise. The following are some of my reasons for supporting the resolutions and opposing the house bill.

1. Mandatory or voluntary formation or annexation of boroughs must be studied prior to and not after boundary decisions are made in order to determine residents desires, educational needs, resource and economic capabilities, usefulness to residents, etc.
2. The Local Boundary Commission wields more power over Alaskan residents than it should. We need to investigate this department to ensure it openly approaches the people of this state.
3. Lesser classifications of local government must be considered and presented to the people.
4. Present monstrously oversized boroughs that do not represent or service ALL of their residents should not be allowed any further annexation of land, people, and businesses until they can prove to the State of Alaska that they are meeting the needs of every person, place and business within their present boundaries (ie Mat-Su Borough). Inequities occur daily within these gigantic local government entities. I honestly believe the boroughs should not be allowed to get any larger but should be limited in size.

5. The creator of 2nd SSHB-1 stated in a letter to the Railbelt School District that "an area covering 2/3's of the state (is) operating under a complex...confusing system of...governments, and service areas...". This refers to land mass and not population density. The Regional Government Study states that of a total state population of 553,880 only 56,650 people (10% of the total population) live in unorganized areas with 40,516 of these people residing in 1st class, 2nd class or home rule cities. That leaves a mere 12,934 (2% of the total population) taking care of themselves and their neighbors in the unorganized areas. This leads me to conclude that the creator of 2nd SSHB-1 is not concerned with the people of rural Alaska, but rather with the number of dollars that he can garner off of such projects as the pipeline. It is therefore the land mass and not the people that the boroughs and their supporting urban legislators are lusting after.

6. Department of Community and Regional Affairs was instituted to oversee the needs and services of the people in the unorganized, rural areas. It has not been discharging these duties satisfactorily for some time. The fact that D.C.R.A. produced the Regional Government Study in an extremely one-sided manner is proof of its disloyalty to rural residents. This also warrants investigation.

Many other arguments in favor of the Alaskan rural people and their lifestyle could be presented during the course of comparing all of the reports, letters, and bill revisions that have been introduced. I will settle for the six that I have set forth in this letter as I'm sure other rural Alaskans have submitted these and other points of contention. Interest in being

forced into a new borough or annexed into an existing borough is not as preeminent as urban legislators and borough assemblypeople would have every one believe.

I reiterate my request for your support of SCR 36 or HCR 33 as the proposed movement to total government must be studied to a maximum before any drastic measures are taken.

Sincerely yours,

*Armeda A. Bulard*

Armeda A. Bulard  
P. O. Box 87  
Cantwell, AK 99729

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 5-DAY NOTICE  
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER:

\*\*FISCAL NOTE(S) ATTACHED \*\*  
IN ACCORDANCE WITH AS 24.08.035  
(see below)

1/20/88  
Mr. President:

DATE TURNED INTO OFFICE 2/5/88

C&RA Committee considered SCR 36

Relating to annexations recommended by the Local Boundary Commission

and recommended:

- replace with CS from SCR 36  same title
- attached amendment(s) and  new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to \_\_\_\_\_
- letter of intent adopted and attached

\*\* Committee  attached or  adopted fiscal note(s)  
 zero  fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Tim Kelly  
Rich Halford  
\_\_\_\_\_  
\_\_\_\_\_  
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Arthur Sturgulovich  
Chairman signature and recommendation

Committee Backup Attached

**STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE**

Bill Version: CS for SCR 36  
 Publish Date: \_\_\_\_\_

**REQUEST:** \_\_\_\_\_

Revision Date: \_\_\_\_\_  
 Title: Relative to annexations  
Recommended by LOCAL BOUNDARY COMMISSION  
 Sponsor: 0  
 Requestor: \_\_\_\_\_

Agency Affected: LOCAL BOUNDARY COMMISSION  
 BRU: DC + RA  
 Components: \_\_\_\_\_

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	/					
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>- 0 -</b>					

<b>CAPITAL</b>	<b>- 0 -</b>					
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<b>REVENUE</b>	<b>- 0 -</b>					
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**FUNDING:** (Thousands of Dollars)

GENERAL FUND	/					
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		<b>- 0 -</b>				

**POSITIONS:**

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

**ANALYSIS :** (Attach a separate page if necessary)

\_\_\_\_\_  
 \_\_\_\_\_

Prepared by: MELIE CAMPBELL Phone: 465-3818  
 Division: SENATE COMM. + REG. AFFAIRS COMM. Date: 2/4/88

Approved by Commissioner: SENATOR ARIUSS STURCULEWICH Date: 2/4/88  
 Agency: by M&B

- Distribution (by preparer):
- Legislative Finance
  - Legislative Sponsor
  - Requestor
  - Office of Management and Budget
  - Impacted Agency(ies)
  - Senate Secretary

# Alaska State Legislature

ARLISS STURGULEWSKI, Chairman  
TIM KELLY, Vice Chairman  
RICK HALFORD  
MIKE SZYMANSKI  
FRED ZHAROFF



P. O. BOX V  
JUNEAU, ALASKA 99811  
(907) 465-4989

## Senate Community and Regional Affairs Committee

TO: Senate C&RA Committee February 3, 1988

FROM: Senate C&RA Staff *ME*

RE: CS for Senate Concurrent Resolution No. 36 (C&RA)

This measure was before the committee on January 26th, at the meeting with the Local Boundary Commission. At that time the LBC expressed some reservation regarding the resolution.

The original resolution asked the LBC to postpone any annexation procedures for 18 months. This was a result of the interest by the Mat-Su borough in annexing adjoining portions of the unorganized borough which contain pipeline.

This CS has been developed in cooperation with the sponsor, the LBC and its staff, all of whom support it. The CS recognizes that the LBC has statutory and constitutional responsibilities for hearing annexation petitions, clarifies the resolution is aimed at annexations by boroughs, inserts a date certain (Dec. 1, 1989) and inserts a trigger mechanism where the delay has to be requested by a person involved in a borough organization effort.

There would be no fiscal impact from this measure. Senator Coghill or a representative will be at the meeting to testify.

# Alaska State Legislature

ARLISS STURGULEWSKI, Chairman  
TIM KELLY, Vice Chairman  
RICK HALFORD  
MIKE SZYMANSKI  
FRED ZHAROFF



P. O. BOX V  
JUNEAU, ALASKA 99811  
(907) 465-4989

## Senate Community and Regional Affairs Committee

TO: Senate C&RA Committee

February 3, 1988

FROM: Senate C&RA Staff

Handwritten initials, possibly "MZA", written in dark ink over the printed text.

RE: CS for Senate Concurrent Resolution No. 36 (C&RA)

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There would be no fiscal impact from this measure. Senator Coghill or a representative will be at the meeting to testify.

# Alaska State Legislature

ARLISS STURGULEWSKI, Chairman  
TIM KELLY, Vice Chairman  
RICK HALFORD  
MIKE SZYMANSKI  
FRED ZHAROFF



P. O. BOX V  
JUNEAU, ALASKA 99811  
(907) 465-4989

## Senate Community and Regional Affairs Committee

TO: Senate C&RA Committee

February 16, 1988

FROM: Senate C&RA Staff *MEL*

RE: SCS for HCR 33 (C&RA) - Relating to annexations recommended by the Local Boundary Commission.

This resolution by Representative Schultz asks the LBC to postpone any annexation procedures for 18 months. HCR 33 is identical to SCR 36 which this committee has previously considered.

The committee replaced SCR 36 with a CS and recommended unanimous "Do Pass". An identical CS is proposed for HCR 33. Rep. Schultz supports the proposed CS, as does the Local Boundary Commission and the Department of Community and Regional Affairs.

Original sponsor: Shultz

IN THE HOUSE

BY THE COMMUNITY AND REGIONAL  
AFFAIRS COMMITTEE

SENATE CS FOR HOUSE CONCURRENT RESOLUTION NO. 33 (C&RA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

FIFTEENTH LEGISLATURE - SECOND SESSION

Relating to annexations recommended by  
the Local Boundary Commission.

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

WHEREAS Article X of the Constitution of the State of Alaska encourages the formation of local governments; and

WHEREAS municipalities are best operated when they are closest to the people governed; and

WHEREAS residents of a community are the best determiners of what system of government best fits the community needs; and

WHEREAS a municipality can petition the Local Boundary Commission for annexation of an area without first consulting with the residents of the area to be annexed and without the residents' consent; and

WHEREAS the Local Boundary Commission was established to consider proposed local government boundary changes and may present changes to the legislature within the first 10 days of any regular session; and

WHEREAS various communities in the unorganized borough are studying the concept of self-government and this study may conflict with Local Boundary Commission recommendations for annexation; and

WHEREAS the legislature recognizes that the Local Boundary Commission has statutory and constitutional responsibilities for hearing annexation petitions;

BE IT RESOLVED by the Alaska State Legislature that the Local Boundary Commission is requested to take into full consideration the desire of residents of an area in the unorganized borough to be self-governing and give them reasonable time to study the concept of self-government; and

② ③ BE IT FURTHER RESOLVED that the Local Boundary Commission is requested to postpone borough annexation procedures until after December 1, 1989, in an area where the formation of an organized borough is being studied if a person residing in the area proposed to be annexed and involved in the organization effort requests the delay.

*date certain instead of 18 mo from when?*

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February 9, 1988

SENATE JOURNAL

p. 2189

HCR 33

HOUSE CONCURRENT RESOLUTION NO. 33 by Representative Shultz,

Relating to annexations recommended by the  
Local Boundary Commission.

was read the first time and referred to the Community and  
Regional Affairs Committee.

February 18, 1988

SENATE JOURNAL

p. 2328

HCR 33

The Community and Regional Affairs Committee considered  
HOUSE CONCURRENT RESOLUTION NO. 33 "Relating to annexations  
recommended by the Local Boundary Commission" and  
recommended it be replaced with

SENATE CS FOR HOUSE CONCURRENT RESOLUTION NO. 33 (C&RA)

Senator Sturgulewski, Chairman and Senator Halford signed  
"do pass." Senators Zharoff and Szymanski signed "no  
recommendation."

Zero fiscal note published today from Department of  
Community and Regional Affairs.

HOUSE CONCURRENT RESOLUTION NO. 33 was referred to the Rules  
Committee.