

**HB**

**16**

SFIN

FILE

HB 16

was referred to the  
Senate Finance  
Committee

Hearing(s) were held

The bill did not move  
from Committee



Alaska State Legislature

- Interim (May-Dec) -  
10928 Eagle River Rd Suite 140  
Eagle River Alaska 99577  
☎ (907) 694-6651  
FAX (907) 694-1015

- Session (Jan - May) -  
Alaska State Capitol  
Juneau Alaska 99801-1182  
☎ (907) 465-2199  
FAX (907) 465-4587

Toll free (800) 342-2199

# REPRESENTATIVE FRED DYSON

## MEMORANDUM

May 2, 2001

To: Senator Rete Kelly, Co-chair  
Senator Dave Donley, Co-chair

From:   
State Representative

RE: Please add to HB 16 packets

On 4/30/01 HB 16 was reported out of Senate Judiciary before we got there to present the bill. We were under the impression that no changes were made because of the speedy manner in which it was handled, so I requested Senate Finance to hear CSSSHB 16(CRA) \J.

Today however, when I look at BASIS, I see the official version is SCS CSSSHB 16(JUD) \L. The change that was made was to strike the sections that allows a home rule community to call the Council whatever is locally appropriate and desirable. The option for the local naming of the Council and Mayor's office is a small but important issue. We are trying to make organizing under state law as attractive as possible.

With your approval, I request that the attached Judiciary version be tacked on to the Finance packets in the hopes that I can persuade Finance to adopt a SCS CSSSHB 16(FIN) version that is reflects what was in the CRA version.

I am open to your guidance if there is a better way to handle this.  
Thank you.

Electronic  
Representative Fred Dyson  
fred@state.ak.us

Internet  
http://www.alaskarepublicans.org



## REPRESENTATIVE FRED DYSON

### CSSSHB 16 (CRA) Sponsor Statement

Alaska State Legislature

- Interim (May-Dec) -  
10928 Eagle River Rd., Suite 14C  
Eagle River, Alaska 99577  
☎ (907) 694-6653  
FAX (907) 694-1015

- Session (Jan-May) -  
Alaska State Capitol  
Juneau, Alaska 99801-1182  
☎ (907) 465-2199  
FAX (907) 465-4567

Toll free (800) 342-2199

"An Act relating to villages; and providing for an effective date.

Updated: February 9, 2001

Contact: Representative Fred Dyson's office at (907) 465-2199

House Bill 16 allows an existing Second Class City, or unincorporated area, to form a "Home Rule Community" government structure under state law. The city or area would be allowed, through the charter system, to flexibly define its scope of governing powers and services to meet specific area needs.

For instance, a community charter may be drafted to provide for police or fire protection services while leaving transportation issues in the state purview. Under the provision of their charter, a local government may assume any of a wide range of powers, from alcohol and animal control to airport and public works management.

Currently, all home rule governments are required to meet strict financial auditing requirements, provide land-use, zoning and platting services and constitute their own school district. House Bill 16 removes these requirements\* allowing smaller communities to share in the strength and flexibility of the charter system while avoiding some the thickest mazes of red tape. The goal: greater self-determination and a more locally relevant government structure.

A new charter-base Home Rule Community may be the best option for unincorporated areas that would not be viable under the second class city model. Existing second class cities that are strained by general law requirements may find relief in a more narrowly crafted charter that allows them to forego services beyond their capability, while accepting responsibility for local needs that can be met with local resources.

CSSSHB 16 requires a conforming bill to be passed before becoming law. The conforming bill directs Legislative Legal Services to prepare a technical clean-up bill that adjusts language referring to municipalities *outside of this act* to treat Home Rule Communities like Second Class Cities. This conforming bill is set up to be the "trigger" to enact HB 16.

Please feel free to contact my office with questions or concerns.

###

\*Financial statements are required in lieu of a full audit. Land use, zoning and platting may be done, but are not required. A home rule community would not constitute a school district.

- E-mail -  
representative\_fred\_dyson@alaska.state.ak.us

- Internet -  
http://www.akrepublicans.org

## **Sectional for CSSHB 16**

22-LS0210\J

Updated: February 16, 2001

Section 1 and 22: Includes "home rule community" in the definition of "municipality".

Section 2: Defines "city" to mean a home rule community, home rule city, or general law city incorporated under the laws of the State of Alaska.

Section 3: Allows reclassification of a home rule community to a home rule city.

Section 4: Allows "charter approval" and "reclassification" to be considered together if a home rule community petitions to reclassify to a home rule city.

Section 5: Allows the standards for incorporation of a second class city to also apply to a home rule community.

Section 6: Allows for home rule communities to be considered in proposals for Municipal incorporation. Paragraph (13) allows for a home rule community to propose a charter.

Section 7: Allows a first class city or a second class city to adopt a charter and become a home rule city and a second class city to adopt a charter and become a home rule community.

Section 8: In an incorporation, merger, or consolidation election a municipality may adopt a charter and become a home rule community or a home rule borough.

Section 9: Includes "home rule communities" and "home rule" boroughs in the description of what petitioners must include to propose organization.

Section 10 and 21: Allows for local preference for name selection for the council and/or the mayor.

Section 11: Requires the department to prepare a model charter for a home rule community.

Section 12 and 14: Allows a home rule community a choice of either an audit or a annual income and expenditure statement.

Section 13: Equates home rule communities with second class city in the description of powers of eminent domain.

Section 15 and 17: Allows the power to provide for planning and platting as a charter option.

Section 16: Equates home rule communities with second class cities in prohibiting establishment of a public school system.

Section 18 and 19: Equates home rule communities with second class cities in option to tax and the related requirements.

Section 20: Includes home rule communities in definition of city.

Section 23: Adds the definition of a home rule city to exclude a home rule community.

Section 24: Requires and describes a CONFORMING BILL to be passed before HB 16 becomes law.

Section 25 and 26: Sets the effective date to be triggered upon passage of the conforming bill.

## SOUTHEAST CONFERENCE

*Working for strong economies, healthy communities, and a quality environment in Southeast Alaska*

February 21, 2001

Representative Fred Dyson  
Alaska State Legislature  
Room 104  
State Capitol Bldg.  
Juneau, AK 99801-1182

RE: Support for HB 16

Dear Representative Dyson:

The Southeast Conference Board offered support for HB 255 last year, related to "Home Rule Communities" and we continue to support that effort in HB 16, before the legislature this year. Thanks for your efforts last session, and we are hopeful you are successful in moving it though the House and Senate this year.

Many communities in the Southeast Alaska Region would benefit from the ability to offer services scaled to their local needs. This legislation provides the means for smaller communities to offer a limited range of services, without the prohibitive overhead associated with larger community organizations. We think the legislation has the potential to measurably improve the quality of life in the smaller communities, allowed to organize and provide services within their means.

The Southeast Conference appreciates your work on this important legislation, and we remain hopeful it can be signed into law this year.

Sincerely,



Loren Gerhard  
Executive Director

# HYDER COMMUNITY ASSOC. INC.

P. O. BOX 149  
HYDER, ALASKA  
99823  
(804) 838-8148  
FAX (804) 838-2714

IN JUNEAU REPLY TO:  
John Pearson  
HCA Economic Development Office  
8216 Cedar Drive  
Juneau, AK 99801  
Tel: 907-789-1402  
Fax: 907-789-1403

Date: March 22, 2000

To: Members of the Alaska Legislature  
From: Paul Larkin, Administrator, Hyder Community Association  
Ref: HB 255 "Home Rule Community"



Dear Legislative Members:

With great interest and full support, the Hyder Community Association, representing approximately 130 residents of Hyder, Alaska has become very supportive of HB255 addressing a new "Home Rule Community" designation.

We view this legislation as a great opportunity for smaller communities such as ours, to go the extra step in assuming local responsibility and providing added services within the community.

Under HB 255 we would be able to assume any of a wide range of local powers from environmental controls to public works management. This bill would allow us to contract with state and local governments to provide certain services; contract with private organizations for services, apply for and receive federal funds; engage in funding measures such as bonds, establish a legally recognized forum to address local concerns; and have a platform to petition the state and federal government.

Much of our interest in this bill results from our desire to improve life and bring positive economic development to Hyder, while not being strapped with the costly complications found in the Incorporated First Class City designation process.

As an unorganized community, the Hyder Community Association presently provides fire and emergency services, operates a library, plows snow on the side streets, oversees the state harbor, float facility and local roads. In addition we operate a visitor center, museum, and manage various grants.

Today Hyder is in the process of establishing a new job creating economic base. With a historical five or six, year round jobs in the community, we currently have a major Alaska bottled water plant under construction, creating 41 new jobs in Hyder. This remarkable feat, with no assistance from the State of Alaska in our efforts to eliminate all unemployment and welfare in our community, brings the focus this needed legislation into realistic view.

I want to assure you of our full support for HB255 and trust you will recognize the value this bill to our small Alaska communities.

Please feel free to contact John Pearson in Juneau, on 789-1402 if there are any questions or a need for additional support for this important bill.

**Subject: Small Communitis**

**Date: Sun, 05 Mar 2000 08:11:26 -0900**

**From: Richard Burton <rlbketchikan@worldnet.att.net>**

**To: Representative\_Fred\_Dyson@legis.state.ak.us**

I am writing to congratulate you on an attempt to do something that I have advocated for many years. You may remember me although we have only met briefly. I was Commissioner of Public Safety for both Jay Hammond and Wally Hickel. I spent my entire life in law enforcement and now do Public Safety Management consulting.

Any how. You are right on in what you are trying to do. A major part of the current problem with the rural areas that the state is currently experiencing, is the fact that local government as it is allowed by current title 29 does not and never has worked for small villages. I tried during my last service to get something started to do just what you are trying. There has to be a way to create a different level of local government which in fact allows local control to include a level of local law enforcement and public protection. I also believe the state has the authority to create a village or municipal level court. This would allow the small communities that are not easily accessible to the rest of the state to have courts (of limited jurisdiction) so that they could handle the minor, but most frequent, disturbances in the villages. I mean things like, curfew, truancy, drunk and disorderly conduct, etc. If a major crime, murder, rape, etc. occurs then Troopers could respond. I believe this would go along ways toward the villages having a feeling of being in control of their own communities in the same way that the residents of Anchorage, Fairbanks and other sizeable towns now do.

If you have the time and are interested I would like to talk to you more about this. For one thing, there are a lot more of these small communities than what could be considered major towns in Alaska, and they have special needs to provide for local autonomy. There is also the savings to be realized to the cost of state government by letting them handle many things at the local level. Think of the cost to send State Troopers into those villages to handle minor complaints that are probably best left to the community itself and the transported of people back and forth to jails and courts.

Richard L. Burtron  
443 Forest Park Drive  
Ketchikan, Alaska 99901  
Ph. 907-247-3334  
Fax 907-247-3335

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Richard Burton <rlbketchikan@worldnet.att.net>

Subject: [Fwd: HB 255]

Date: Thu, 23 Mar 2000 17:56:31 -0900

From: Representative Fred Dyson <Representative\_Fred\_Dyson@legis.state.ak.us>

To: Peter Torkelson <Peter\_Torkelson@legis.state.ak.us>

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Subject: HB 255

Date: Wed, 22 Mar 2000 13:57:39 -0900

From: Vic Fischer <afvf@UAA.ALASKA.EDU>

To: Representative\_Fred\_Dyson@legis.state.ak.us

Dear Fred --

Belated congratulations on your initiative and leadership in pushing the home rule community legislation. I think it will help accomplish many of the objectives we discussed some time ago.

I have just had a chance to glance at the 2/25/00 CS. It looks good. A couple of quick items:

- It might be worth encouraging Quinhagak-type cooperation by including specific authority for joint/collaborative/contractual/whatever performance of functions, provision of services -- there is a definition of "village" in Sec. 46.08.900 (16) that could be pertinent... Since, however, a home rule community would have that authority, such a provision may cause more problems than it solves.

- Reclassification from second class city to home rule community might be accompanied by concurrent extension of boundaries. Extraterritorial jurisdiction under 29.35.020 is limiting, a nuisance. The communities should be able to exercise police, environmental, land use, and other controls in their whole ancillary area. (I again think of the problems Quinhagak had in obtaining state concurrence.)

- Sec. 8 of CSHB 255 (CRA) sounds as if only boroughs would have a charter "for its own government". Should be clear that applies in each case.

- Sec. 11 (p.4, l. 17) "and" would be better than "or".

I wish you the best with this legislation, and very best personal regards,

Vic

-----  
Victor Fischer, Professor of Public Affairs  
Institute of Social and Economic Research  
University of Alaska Anchorage  
tel 907-786-7718, fax -786-7739  
afvf@uaa.alaska.edu

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Fred Dyson <Representative_Fred_Dyson@legis.ak.us.> Representative State of Alaska Alaska Legislature
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# ALASKA CONSTITUTION

## ARTICLE 10 LOCAL GOVERNMENT

### Section 10.1 - Purpose and Construction.

The purpose of this article is to provide for maximum local self-government with a minimum of local government units, and to prevent duplication of tax-levying jurisdictions. A liberal construction shall be given to the powers of local government units.

### Section 10.2 - Local Government Powers.

All local government powers shall be vested in boroughs and cities. The State may delegate taxing powers to organized boroughs and cities only.

### Section 10.3 - Boroughs.

The entire State shall be divided into boroughs, organized or unorganized. They shall be established in a manner and according to standards provided by law. The standards shall include population, geography, economy, transportation, and other factors. Each borough shall embrace an area and population with common interests to the maximum degree possible. The legislature shall classify boroughs and prescribe their powers and functions. Methods by which boroughs may be organized, incorporated, merged, consolidated, reclassified, or dissolved shall be prescribed by law.

### Section 10.4 - Assembly.

The governing body of the organized borough shall be the assembly, and its composition shall be established by law or charter.

### Section 10.5 - Service Areas.

Service areas to provide special services within an organized borough may be established, altered, or abolished by the assembly, subject to the provisions of law or charter. A new service area shall not be established if, consistent with the purposes of this article, the new service can be provided by an existing service area, by incorporation as a city, or by annexation to a city. The assembly may authorize the levying of taxes, charges, or assessments within a service area to finance the special services.

### Section 10.6 - Unorganized Boroughs.

The legislature shall provide for the performance of services it deems necessary or advisable in unorganized boroughs, allowing for maximum local participation and responsibility. It may exercise any power or function in an unorganized borough which the assembly may exercise in an organized borough.

### Section 10.7 - Cities.

Cities shall be incorporated in a manner prescribed by law, and shall be a part of the borough in which they are located. Cities shall have the powers and functions conferred by law or charter. They may be merged, consolidated, classified, reclassified, or dissolved in the manner provided by law.

### Section 10.8 - Council.

The governing body of a city shall be the council.

### Section 10.9 - Charters.

The qualified voters of any borough of the first class or city of the first class may adopt, amend, or repeal a home rule charter in a manner provided by law. In the absence of such legislation, the governing body of a borough or city of the first class shall provide the procedure for the preparation and adoption or rejection of the charter. All charters, or parts or amendments of charters, shall be submitted to the qualified voters of the borough or city, and shall become effective if approved by a majority of those who vote on the specific question.

### Section 10.10 - Extended Home Rule.

The legislature may extend home rule to other boroughs and cities.

### Section 10.11 - Home Rule Powers.

A home rule borough or city may exercise all legislative powers not prohibited by law or by charter.

### Section 10.12 - Boundaries.

A local boundary commission or board shall be established by law in the executive branch of the state government. The commission or board may consider any proposed local government boundary change. It may present proposed changes to the legislature during the first ten days of any regular session. The change shall become effective forty-five days after presentation or at the end of the session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of each house. The commission or board, subject to law, may establish procedures whereby boundaries may be adjusted by local action.

### Section 10.13 - Agreements; Transfer of Powers.

Agreements, including those for cooperative or joint administration of any functions or powers, may be made by any local government with any other local government, with the State, or with the United States, unless otherwise provided by law or charter. A city may transfer to the borough in which it is located any of its powers or functions unless prohibited by law or charter, and may in like manner revoke the transfer.

### Section 10.14 - Local Government Agency.

An agency shall be established by law in the executive branch of the state government to advise and assist local governments. It shall review their activities, collect and publish local government information, and perform other duties prescribed by law.

### Section 10.15 - Special Service Districts.

Special service districts existing at the time a borough is organized shall be integrated with the government of the borough as provided by law.

**ACHIEVING  
ALASKA NATIVE  
SELF-GOVERNANCE**

*Toward Implementation of the Alaska  
Natives Commission Report*

*Final Report - AFN Version*

*May 1999*

*Stephen Cornell  
Jonathan Taylor  
Kenneth Grant  
THE ECONOMICS RESOURCE GROUP, INC.*

*Victor Fischer  
Thomas Morehouse  
THE INSTITUTE OF SOCIAL AND ECONOMIC RESEARCH,  
UNIVERSITY OF ALASKA, ANCHORAGE*

## **Preface**

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Four years ago, the Alaska Natives Commission noted that "a common theme" in the hearings it conducted with Native people over the preceding two years was "the need for Alaska Native villages—tribes in the federal terminology— to regain governmental control of their own communities and to exercise authority" in areas ranging from subsistence resources to criminal justice to social programs. The theme, in other words, was self-governance: the freedom and ability of Native peoples to control their own affairs and determine their own futures.

To follow up on the Commission's report and to pursue its implementation, the Alaska Federation of Natives in 1998 engaged the Economics Resource Group, Inc. (Stephen Cornell, Jonathan Taylor, Kenneth Grant) and the Institute of Social and Economic Research of the University of Alaska Anchorage (Victor Fischer, Thomas Morehouse) to examine Native self-governance in Alaska. The objective was to explore the range of options available to Alaska Natives as means of furthering self-determination and participation in decision making. This included, for example, an evaluation of existing and emerging institutions being utilized by Alaska Natives in developing the capacity for greater and more efficient self-governance.

Since the Alaska Native community has initiated its own process of setting goals and developing recommendations to the Congress, this AFN version of the ERG/ISER September 1998 Final Report eliminates the authors' specific recommendations. Aside from this change in the last section, the analysis and conclusions are those of the authors.

Julie Kitka, President  
Alaska Federation of Natives

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## **EXECUTIVE SUMMARY**

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### **Principal Findings and Conclusions**

Renewed attention recently has been focused on Alaska's Native communities. News accounts, government reports, and academic studies make it clear that Native communities continue to struggle with serious socioeconomic problems despite extensive federal and state programs designed to address them. The public debates arising out of the U. S. Supreme Court's decision in the *Venette* case,<sup>1</sup> the formation of the governor's Rural Governance Commission (not to mention previous commissions), and continuing subsistence conflicts highlight unresolved questions about what Native, state, and federal institutions should do to address the problems of village Alaska. Finally, the recent Alaska Inter-Tribal Council (AITC)-Rural Alaska Community Action Program (RurAL CAP) Conference of Tribes and the subsequent march, rally, and declaration illustrate continuing Native resolve to address the problems themselves. Clearly there is consensus that Native problems need urgent attention, but there is less agreement on what is to be done.

A central issue in this debate concerns Native self-governance. Can Native self-governance do a better job of dealing with Native problems than non-Native efforts have done? What should be the extent of such governance? What forms should it take?

This report considers these and related questions. By picking up where the Alaska Natives Commission left off and examining Native situations and Native actions in Canada, the lower forty-eight states, and Alaska, it attempts to further the debate about the future of Native self-governance. The report is based on an extensive review of available materials on the current political, economic, and social situation of Alaska Natives, on our own research on Alaska Native self-governance, and on existing studies of indigenous peoples and self-governance elsewhere in the United States and Canada.

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<sup>1</sup> For a discussion of the legal implications of the U.S. Supreme Court decision, see Appendix D

Among our central conclusions:

1. **Native self-governance is an essential ingredient in overcoming poverty and related social problems in rural Alaska.**

Without real powers of self-determination, Native communities are condemned to be either wards or victims of other institutions trying to either improve or exploit the Native situation. This is unlikely to produce sustained positive change. Nowhere in the history of Indian policy has sustained, successful economic development or sustained improvement in Indian welfare been achieved by communities whose decisions, resources, and internal affairs are substantially controlled by outside decision-makers. In asserting governing powers today, Native communities argue a principle that has found confirmation around the world: we who bear the consequences of decisions about our fate should be the ones making those decisions.

2. **Alaska's current approach to Native governance, while it offers some useful opportunities to Native communities, undermines their ability to deal effectively with their own problems and to develop their resources in ways that improve the socioeconomic conditions of rural Alaska.**

The current structure of self-governance in Alaska offers Natives a variety of institutional models to work with and has some benefits for Native communities. But it fragments responsibility and power among multiple governing units; tends to concentrate decision-making power and control over resources at regional and state levels, undermining rural development efforts and distorting accountability; provides inadequate fiscal support for local self-government; and otherwise constrains Native ability to effectively govern their communities and deal with their problems themselves.

3. **Alaska's Native peoples are currently engaged in a variety of resourceful and determined efforts to take control of their affairs and resources and use that control to solve their problems.**

The most promising Native political developments in Alaska today are happening at the village and sub-regional levels. The movement for tribal self-governance has produced a remarkable array of new governing strategies and institutions. From village-regional relations in the Northwest Arctic region to municipal-tribal government consolidation in Quinhagak to tribal consortia in the Yukon Flats and elsewhere, a number of Native communities are inventing solutions to their problems. Their efforts contain important lessons for all of rural Alaska and provide a number of self-governance options for Alaska's Natives to consider.

**4. These self-governance efforts deserve close attention and support.**

The self-governance efforts being made by Native communities often suffer from inadequate financial resources; from the hostility of existing non-Native institutions and even, at times, from the hostility of Native institutions as well; from internal design and capacity problems; and from the difficulties of effectively communicating models, experience, and ideas across rural Alaska. These problems have to be overcome if these crucial efforts are to realize their full potential. This will require support at regional, state, and federal levels.

**5. Certain key considerations should be taken into account in the effort to improve Native self-governance.**

As Native communities either work within the current system or experiment with new strategies and models, they have to take certain considerations into account. Among those considerations are: which institutional strategies (current or new) actually advance self-determination, which ones have legitimacy with the relevant Native community, which ones not only put Natives in control of their affairs but can deliver *effective* governance, and which ones best fit Native capabilities and resources?

**6. There are concrete changes that can be made at all levels—village, regional, state, federal—that could benefit not only Native communities, but the state as a whole.**

A number of actions can be taken at all governing levels to improve Native self-governance and, thereby, the socioeconomic conditions of rural Alaska. These range from improving the financial management and judicial capabilities of villages to state recognition of tribal status, from federal efforts to facilitate land transfers between Native corporations and tribal governments to regional support for the rural economic development efforts of tribes. Sustained improvement in the situation of rural Alaska will require the reconsideration of some long-established institutions and basic assumptions. But the benefits to Natives and to the state can be substantial.

### **Overview of the Report**

The report that follows is divided into six sections.

**Section I:** The opening section provides an overview of the general argument for self-governance. It draws upon existing empirical research on both Native and non-Native communities to highlight the relationship between self-determination and socioeconomic welfare. It offers empirical and analytical evidence for the assertion that self-governance is a necessary (though not sufficient) condition for creating healthier and more prosperous Native societies. It identifies some key strategic questions confronting Alaskan Natives as they move forward on the path toward greater self-governance.

**Appendix A: Selected Governance Characteristics of BIA-  
Recognized Villages**

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## Appendix A

### SELECTED GOVERNANCE CHARACTERISTICS OF BIA-RECOGNIZED VILLAGES

Village Name	Village Corporation		Tribe			City			1990 Census		
	Village Corporation	V-Corp Status	Trad. IRA	Self-Gov. Compact	Reserve	Uninc.	Second	First	Home Rule	Population	Percent Native
<b>Ahtna Region <sup>1,2</sup></b>											
Cantwell	Ahtna, Inc.	M	•			•				147	22%
Chistochina	Ahtna, Inc.	M	•			•				60	61%
Chitina	Chitina Native Corporation	A	•			•				49	46%
Copper Center	Ahtna, Inc.	M	•			•				449	34%
Gakona	Ahtna, Inc.	M	•			•				25	-
Gulkana	Ahtna, Inc.	M	•			•				103	59%
Montasta Lake	Ahtna, Inc.	M	•			•				96	72%
Tazlina	Ahtna, Inc.	M	•			•				247	23%
<b>Aleut Region <sup>1,2</sup></b>											
Akulani	Akulani Corporation	A	•				•			589	13%
Atka	Atkam Corporation	A		•				•		73	91%
Belkofski	Belkofski Corporation	N	•			•				-	-
False Pass	Isanotski Corporation	A	•				•			68	76%
King Cove	King Cove Corporation	A	•					•		451	39%
Nelson Lagoon	Nelson Lagoon Corporation	A	•			•				83	80%
Nikolski	Chaluka Corporation	A		•		•				35	82%
Pauloff Harbor	Sanak Corp.	A	•			•				-	-
Saint George	Saint George Tanaq Corporation	A		•			•			138	94%
Saint Paul	Tanadgusix Corporation	A		•			•			763	66%
Sand Point	Shumagin Corporation	A	•					•		878	49%
Unalaska	Ounalashka Corporation	A	•					•		3,089	8%
Unga	Unga Corporation	A	•			•				-	-
<b>Arctic Slope Region <sup>1</sup></b>											
Anaktuvik Pass	Nunamut Corporation	A	•				•			259	81%
Atkasuk	Atkasuk Corporation	A	•				•			216	93%
Barrow	Ukpogvik Inupiat Corporation	A	•					•		3,469	63%
Kaktovik	Kaktovik Inupiat Corporation	A	•				•			224	84%
Nuiqsut	Kuukpuk Corporation	A	•				•			354	92%
Point Hope	Igara Corporation	A		•			•			639	91%
Point Lay	Cully Corporation	A		•		•				139	81%
Wainwright	Olgoonik Corporation	A	•				•			492	94%
<b>Bering Straits Region <sup>1,1</sup></b>											
Brevig Mission	Brevig Mission Native Corporation	A	•				•			198	92%
Council	Council Native Corporation	A				•				8	62%
Diomedes	Diomedes Native Corporation			•			•			178	93%
Elm	Elm Native Corporation	A		•			•			264	91%

## Appendix A

### SELECTED GOVERNANCE CHARACTERISTICS OF BIA-RECOGNIZED VILLAGES

Village Name	Village Corporation		Tribe				City				1990 Census	
	Village Corporation	V-Corp Status	Trad.	IRA	Self-Gov. Compact	Reserve	Uninc.	Second	First	Home Rule	Population	Percent Native
Gambell	Sivugaq Incorporated	A		•	•	•		•			525	96%
Golovin	Golovin Native Corporation	A	•					•			127	92%
King Island	King Island Native Corporation	A		•			•				-	-
Koyuk	Koyuk Native Corporation	A		•				•			231	94%
Mary's Igloo	Mary's Igloo Native Corp.	A	•				•				-	-
Nomo	Silnasauk Native Corporation	A		•					•		3,500	52%
St. Michael	St. Michael Native Corporation	A		•				•			295	91%
Savoonga	Savoonga Native Corporation	A		•		•		•			519	95%
Shaktolik	Shaktolik Native Corporation	A		•				•			178	94%
Shishmaref	Shishmaref Native Corporation	A		•				•			456	94%
Solomon	Solomon Native Corporation	A	•				•				6	100%
Stebbins	Stebbins Native Corporation	A		•				•			400	94%
Teller	Teller Native Corporation	A	•					•			151	86%
Unalakleet	Unalakleet Native Corporation	A		•				•			714	81%
Wales	Wales Native Corporation	A		•				•			161	88%
White Mountain	White Mountain Native Corp.	A		•				•			180	87%
<b>Bristol Bay Region <sup>1,2,3</sup></b>												
Aleknagik	Aleknagik Natives Limited	A	•					•			185	83%
Chignik	Far West, Incorporated	A	•					•			188	45%
Chignik Lagoon	Chignik Lagoon Native Corporation	A	•				•				53	56%
Chignik Lake	Chignik River Limited	A	•				•				133	91%
Clark's Point	Saguyak, Incorporated	A	•					•			60	88%
Dillingham	Choggiung, Limited	A	•						•		2,017	55%
Egegik	Becharof Corporation	A	•					•			122	70%
Ekwok	Choggiung, Limited	M	•				•				3	33%
Ekwok	Ekwok Natives Limited	A	•					•			77	87%
Igiugig	Igiugig Native Corporation	A	•				•				33	78%
Iliamna	Iliamna Natives Limited	A	•				•				94	66%
Ivanof Bay	Bay View Incorporated	A	•				•				35	94%
Kokhanok	Alaska Peninsula Corporation	M	•				•				152	90%
Koliganek	Koliganek Natives Limited	A	•				•				181	96%
Levelock	Levelock Natives Limited	A	•				•				105	82%
Manokotak	Manokotak Natives Limited	A	•					•			385	95%
Naknek	Paug-Vik, Incorporated, Limited	A	•				•				575	41%
New Stuyahok	Stuyahok, Limited	A	•					•			391	95%
Nowaiten	Alaska Peninsula Corporation	M	•					•			160	94%
Noodatun	Kyk Corporation	A	•					•			178	89%
Pedro Bay	Pedro Bay Native Corporation	A	•				•				42	90%
Perryville	Oceanside Corporation	A		•			•				108	94%
Pilot Point	Pilot Point Native Corporation	I	•					•			53	84%

## Appendix A

### SELECTED GOVERNANCE CHARACTERISTICS OF BIA-RECOGNIZED VILLAGES

Village Name	Village Corporation		Tribe				City			1990 Census		
	Village Corporation	V-Corp Status	Trad.	IRA	Self-Gov. Compact	Reserve	Uninc.	Second	First	Home Rule	Population	Percent Native
Port Heiden	Alaska Peninsula Corporation	AC†	•					•			119	72%
Portage Creek	Chogglung, Limited	M	•				•				5	60%
South Naknek	Alaska Peninsula Corporation	AC†	•				•				136	79%
Togiak	Togiak Natives Limited	A	•					•			613	87%
Twin Hills	Twin Hills Native Corporation	A	•				•				66	92%
Ugashik	Alaska Peninsula Corporation	M	•				•				7	85%
<b>Callista Region <sup>1</sup></b>												
Akiachak	Akiachak, Limited	A	•				•				481	95%
Akiak	Kokarmuit Corporation	A		•				•			285	97%
Alakanuk	Alakanuk Native Corporation	A	•					•			544	95%
Andreafsky	Nerklimate Native Corporation	A	•					•			410	84%
Aniak	Kuskokwim Corporation	M	•					•			540	70%
Atmautluak	Atmautluak Limited	A	•				•				258	96%
Bethel	Bethel Native Corporation	A	•					•			4,674	63%
Bill Moore's Slough	Kongnigilmuit Yuita Corp.	A	•				•				-	-
Chefornak	Chefarnmute Incorporated	A	•					•			320	97%
Chevak	Chevak Company Corporation	A	•					•			598	93%
Chuathbaluk	Kuskokwim Corporation	M	•					•			97	89%
Chulonnawick	Chulonnawick Corporation	I	•				•				-	-
Crooked Creek	Kuskokwim Corporation	M	•				•				106	90%
Eek	Iqijouaq Corporation	A	•					•			254	95%
Emmonak	Emmonak Native Corporation	A	•					•			642	92%
Georgetown	Kuskokwim Corporation	A	•				•				-	-
Goodnews Bay	Kuitsarak, Incorporated	A	•					•			241	95%
Hamilton	Nunapiglliraq Corporation	A	•				•				-	-
Hooper Bay	Sea Lion Corporation	A	•					•			845	96%
Kasigluk	Kasigluk Incorporated	A	•				•				425	95%
Kipnuk	Kugkaktik Limited	A	•				•				470	97%
Kongkanak	Qemirtalek Coast Corporation	A	•				•				294	97%
Kotlik	Kotlik Yupik Corporation	A	•					•			461	97%
Kwethluk	Kwethluk Incorporated	A	•					•			558	96%
Kwigillingok	Kwik Incorporated	A	•				•				278	95%
Lime Village	Lime Village Company	A	•				•				42	95%
Lower Kalskag	Kuskokwim Corporation	M	•					•			291	98%
Marshall	Maserculiq Incorporated	A	•					•			273	92%
Mekoryuk	Nima Corporation	A	•					•			177	99%
Mountain Village	Azachorak Incorporated	A	•					•			674	91%
Napaimule	Kuskokwim Corporation	M	•				•				3	100%
Napakiaak	Napakiaak Corporation	A	•					•			318	94%

## Appendix A

### SELECTED GOVERNANCE CHARACTERISTICS OF BIA-RECOGNIZED VILLAGES

Village Name	Village Corporation		Tribe				City			1990 Census		
	Village Corporation	V-Corp Status	Trad.	IRA	Self-Gov. Compact	Reserve	Uninc.	Second	First	Home Rule	Population	Percent Native
Napaskiak	Napaskiak Incorporated	A	.	.	.	.	.	.	.	.	328	94%
Newtok	Newtok Corporation	I	.	.	.	.	"	.	.	.	207	93%
Nightmute	Chinuruk, Inc.	AC†	.	.	.	.	.	.	.	.	153	95%
Nunapitchuk	Nunapitchuk, Limited	A	.	.	.	.	.	.	.	.	378	97%
Ohogamiut	Ohog Incorporated	I	.	.	.	.	.	.	.	.	.	.
Oscarville	Oscarville Native Corporation	A	.	.	.	.	.	.	.	.	57	91%
Paimiut	Paimiut Corporation	N	.	.	.	.	.	.	.	.	.	0%
Pilot Station	Pilot Station Native Corporation	A	.	.	.	.	.	.	.	.	463	95%
Pitka's Point	Pitka's Point Native Corporation	A	.	.	.	.	.	.	.	.	135	95%
Platinum	Arviq, Incorporated	A	.	.	.	.	.	.	.	.	64	92%
Quinhagak	Qanirtuuq, Incorporated	A	.	.	.	.	.	.	.	.	501	93%
Red Devil	Kuskokwim Corporation	M	.	.	.	.	.	.	.	.	53	50%
Russian Mission	Russian Mission Native Corp.	A	.	.	.	.	.	.	.	.	246	94%
Saint Mary's	Saint Mary's Native Corporation	A	.	.	.	.	.	.	.	.	441	83%
Scammon Bay	Askinuk Corporation	A	.	.	.	.	.	.	.	.	343	96%
Sheldon Point	Swan Lake Corporation	A	.	.	.	.	.	.	.	.	109	92%
Sleelmute	Kuskokwim Corporation	M	.	.	.	.	.	.	.	.	106	86%
Stony River	Kuskokwim Corporation	M	.	.	.	.	.	.	.	.	51	88%
Toksook Bay	Nunakaulak Yupik Corporation	A	.	.	.	.	.	.	.	.	420	95%
Tuluksak	Tulkisarmute, Incorporated	A	.	.	.	.	.	.	.	.	358	95%
Tuntutuliak	Qinarmiut Corporation	A	.	.	.	.	.	.	.	.	300	96%
Tununak	Tununmiut Rinit Corporation	I	.	.	.	.	.	.	.	.	316	96%
Umkumiut	Chinuruk, Inc.	C	.	.	.	.	.	.	.	.	.	.
Upper Kalskag	Kuskokwim Corporation	M	.	.	.	.	.	.	.	.	172	84%
<b>Chugach Region</b>												
Chenega Bay	Chenega Corporation	A	.	.	.	.	.	.	.	.	94	69%
Eyak	Eyak Corporation	A	.	.	.	.	.	.	.	.	172	7%
Nanwalek	English Bay Corporation	A	.	.	.	.	.	.	.	.	158	91%
Port Graham	Port Graham Corporation	A	.	.	.	.	.	.	.	.	166	90%
Tatitlek	Tatitlek Corporation	A	.	.	.	.	.	.	.	.	119	86%
<b>Cook Inlet Region</b>												
Chickaloon	Chickaloon-Moose Cr. Native Assoc.	A	.	.	.	.	.	.	.	.	145	6%
Eklutna	Eklutna, Incorporated	A	.	.	.	.	.	.	.	.	381	12%
Kenai	Kenai Natives Assoc., Inc.	A	.	.	.	.	.	.	.	.	6,327	8%
Knik	Knikatnu, Incorporated	A	.	.	.	.	.	.	.	.	272	11%
Ninilchik	Ninilchik Native Association, Inc.	A	.	.	.	.	.	.	.	.	456	19%
Salamatoff	Salamatoff Native Assoc., Inc.	A	.	.	.	.	.	.	.	.	999	10%
Seldovia	Seldovia Native Association	A	.	.	.	.	.	.	.	.	316	15%

## Appendix A

### SELECTED GOVERNANCE CHARACTERISTICS OF BIA-RECOGNIZED VILLAGES

Village Name	Village Corporation		Tribe				City			1990 Census		
	Village Corporation	V-Corp Status	Trad.	IRA	Self-Gov. Compact	Reserve	Uninc.	Second	First	Home Rule	Population	Percent Native
Tyonok	Tyonok Native Corporation	A	.	.	.	.	.	.	.	.	154	92%
<b>Doyon Region <sup>1,2,3</sup></b>												
Alaina	K'oyill'ots'ina, Limited	C	.	.	.	.	.	.	.	.	31	93%
Allakaket	K'oyill'ots'ina, Limited	C	.	.	.	.	.	.	.	.	170	94%
Anvik	Ingalik, Inc.	A	.	.	.	.	.	.	.	.	82	91%
Arctic Village			.	.	.	.	.	.	.	.	96	93%
Beaver	Beaver Kwitchin Corporation	A	.	.	.	.	.	.	.	.	103	95%
Birch Creek	Tihteel'aii, Incorporated	A	.	.	.	.	.	.	.	.	42	90%
Chalkyitsik	Chalkyitsik Native Corporation	A	.	.	.	.	.	.	.	.	90	92%
Circle	Danzhit Hanlaih Corporation	A	.	.	.	.	.	.	.	.	73	86%
Dot Lake	Dot Lake Native Corporation	A	.	.	.	.	.	.	.	.	70	54%
Eagle Village	Hungwitchin Corporation	A	.	.	.	.	.	.	.	.	35	80%
Evansville	Evansville, Incorporated	A	.	.	.	.	.	.	.	.	33	57%
Fort Yukon	Gwitchyaa Zhee Corporation	A	.	.	.	.	.	.	.	.	580	85%
Galena	Gana-A' Yoo, Limited	AC*	.	.	.	.	.	.	.	.	833	45%
Grayling	Heo-Yea-Lingde Corporation	A	.	.	.	.	.	.	.	.	208	93%
Healy Lake	Mendas Cha-ag Native Corporation	A	.	.	.	.	.	.	.	.	47	85%
Holy Cross	Deloycheet, Incorporated	A	.	.	.	.	.	.	.	.	277	93%
Hughes	K'oyill'ots'ina, Limited	C	.	.	.	.	.	.	.	.	54	92%
Huslia	K'oyill'ots'ina, Limited	C	.	.	.	.	.	.	.	.	207	90%
Kallag	Gana-A' Yoo, Limited	C	.	.	.	.	.	.	.	.	240	92%
Koyukuk	Gana-A' Yoo, Limited	C	.	.	.	.	.	.	.	.	126	97%
Manley Hot Springs	Bean Ridge Corporation	A	.	.	.	.	.	.	.	.	96	14%
McGrath	MTNT Limited	C	.	.	.	.	.	.	.	.	528	47%
Minto	Seth-De-Ya-Ah Corporation	A	.	.	.	.	.	.	.	.	218	97%
Nenana	Togloithele Corporation	A	.	.	.	.	.	.	.	.	393	47%
Nikolai	MTNT Limited	C	.	.	.	.	.	.	.	.	102	89%
Northway Village	Northway Natives, Incorporated	A	.	.	.	.	.	.	.	.	113	94%
Nulato	Gana-A' Yoo, Limited	C	.	.	.	.	.	.	.	.	359	96%
Rampart	Ban-O-Yeel Kon Corporation	A	.	.	.	.	.	.	.	.	68	94%
Ruby	Dineega Corporation	A	.	.	.	.	.	.	.	.	170	74%
Shageluk	Zho-Tso, Incorporated	A	.	.	.	.	.	.	.	.	139	95%
Stevens Village	Dinyee Corporation	A	.	.	.	.	.	.	.	.	102	91%
Takotna	MTNT Limited	C	.	.	.	.	.	.	.	.	38	44%
Tanacross	Tanacross, Incorporated	A	.	.	.	.	.	.	.	.	106	94%
Tanana	Tozitna, Limited	A	.	.	.	.	.	.	.	.	345	78%
Telida	MTNT Limited	C	.	.	.	.	.	.	.	.	11	90%
Tetlin	Tetlin Native Corp	A	.	.	.	.	.	.	.	.	87	95%
Venebe		I	.	.	.	.	.	.	.	.	182	94%

## Appendix A

### SELECTED GOVERNANCE CHARACTERISTICS OF BIA-RECOGNIZED VILLAGES

Village Name	Village Corporation		Tribe			City			1990 Census		
	Village Corporation	V-Corp Status	Trad. IRA	Self-Gov. Compact	Reserve	Uninc.	Second	First	Home Rule	Population	Percent Native
<b>Koniag Region</b>											
Afognak	Afognak Native Corporation	A	•			•				-	-
Akhiok	Akhiok-Kaguyak, Inc.	AC**	•				•			77	93%
Kaguyak	Akhiok-Kaguyak, Inc.	C	•			•				-	-
Kanatak				•		•				-	-
Karluk	Koniag, Inc.	M		•		•				71	91%
Larsen Bay	Anton Larsen, Inc.	A	•				•			147	84%
Old Harbor	Old Harbor Native Corporation	A	•				•			284	88%
Ouzinkie	Ouzinkie Native Corporation	I	•				•			209	85%
Port Lions	Afognak Native Corporation	M	•				•			222	67%
Woody Island	Lesnoi, Inc.	A	•			•				-	-
<b>NANA Region</b> <sup>1,2</sup>											
Ambler	NANA Regional Corporation	M	•				•			311	89%
Buckland	NANA Regional Corporation	M		•			•			318	95%
Deering	NANA Regional Corporation	M		•			•			157	94%
Kiana	NANA Regional Corporation	M	•				•			385	93%
Kivalina	NANA Regional Corporation	M		•			•			317	97%
Kobuk	NANA Regional Corporation	M	•				•			69	89%
Kolzebue	Kikiktatruk Inupiat Corp.	A		•			•			2,751	75%
Noatak	NANA Regional Corporation	M		•		•				333	96%
Noorvik	NANA Regional Corporation	M		•			•			531	93%
Selawik	NANA Regional Corporation	M		•			•			596	95%
Shungnak	NANA Regional Corporation	M		•			•			223	94%
<b>Sealaska Region</b> <sup>1,3</sup>											
Angoon	Koo'znoowoo, Incorporated	A	•				•			638	82%
Craig	Shain-Seet, Incorporated	A	•					•		1,260	22%
Haines	N/A		•					•		1,238	18%
Hoonah	Huna Totem Corporation	A	•					•		795	67%
Hydaburg	Haida Corporation	A	•					•		384	89%
Juneau	Goldbelt, Incorporated	A								26,751	12%
Kake	Kake Tribal Corporation	A	•		•			•		700	73%
Kasaan	Kavlico, Incorporated	A	•					•		54	53%
Ketchikan			•		+				•	8,263	15%
Klawock	Klawock Heenya Corporation	A	•					•		722	54%
Klukwan	Klukwan, Incorporated	A	•			•				129	86%
Metlakatla			•							1,464	82%
Petersburg			•						•	3,207	10%

## Appendix A

### SELECTED GOVERNANCE CHARACTERISTICS OF BIA-RECOGNIZED VILLAGES

Village Name	Village Corporation		Tribe				City				1990 Census	
	Village Corporation	V-Corp Status	Trad.	IRA	Self-Gov. Compact	Reserve	Uninc.	Second	First	Home Rule	Population	Percent Native
Saxman	Cape Fox Corporation	A	.	.	.	.	.	.	.	.	369	77%
Sitka	Shee Alika, Incorporated	A	.	.	.	.	.	.	.	.	8,588	20%
Skagway			.	.	.	.	.	.	.	.	692	5%
Wrangell			.	.	.	.	.	.	.	.	2,479	20%
Yakutat	Yak-Tai Kwaan, Incorporated	A	.	.	.	.	.	.	.	.	534	55%
<b>Totals/Average</b>			<b>150</b>	<b>71</b>	<b>8</b>	<b>7</b>	<b>94</b>	<b>99</b>	<b>17</b>	<b>5</b>	<b>-</b>	<b>77%</b>

**Notes:**

- <sup>1</sup> The non-profit corporation affiliated with this region has a BIA Compact.
- <sup>2</sup> The non-profit corporation affiliated with this region has an IHS Compact. In addition, several other health organizations have IHS compacts. They are: Chugachmiut, Eastern Aleutian Tribes, Norton Sound Health Corporation, Southcentral Foundation, Southeast Alaska Health Consortium, and Yukon-Kuskokwim Health Corporation.
- <sup>3</sup> The non-profit corporation affiliated with this region has re-compacting agreements with villages.
  - ° Dissolved second-class city
  - + IHS Compact

**Village Corporation Status Codes:**

- M Formed by merger
- A Corporation in good standing
- N Corporation not in good standing
- AC Corporation in good standing into which other corporations have been consolidated
- C Corporation that has been consolidated into another village corporation
- ! Involuntarily dissolved
- † The Alaska Peninsula Corporation was formed through the consolidation of Kokhanok Corp., Meshink, Inc., Newhalen Native Corp., Oinuyang, Inc., and Ugashik Native Corp.
- ‡ Chinuruk Incorporated was formed through the consolidation of NGTA, Inc and Umkumiute.
- \* Gana-A'Yoo, Limited was formed through the consolidation of Mineelghaadza, Limited, Notaghlinedin, Limited, and Takathlee-Tondin, Inc.
- \*\* Akhuok-Kaguyak, Inc. was formed through the consolidation of Natives of Akhuok, Inc., and Kaguyak, Inc.

**Sources:**

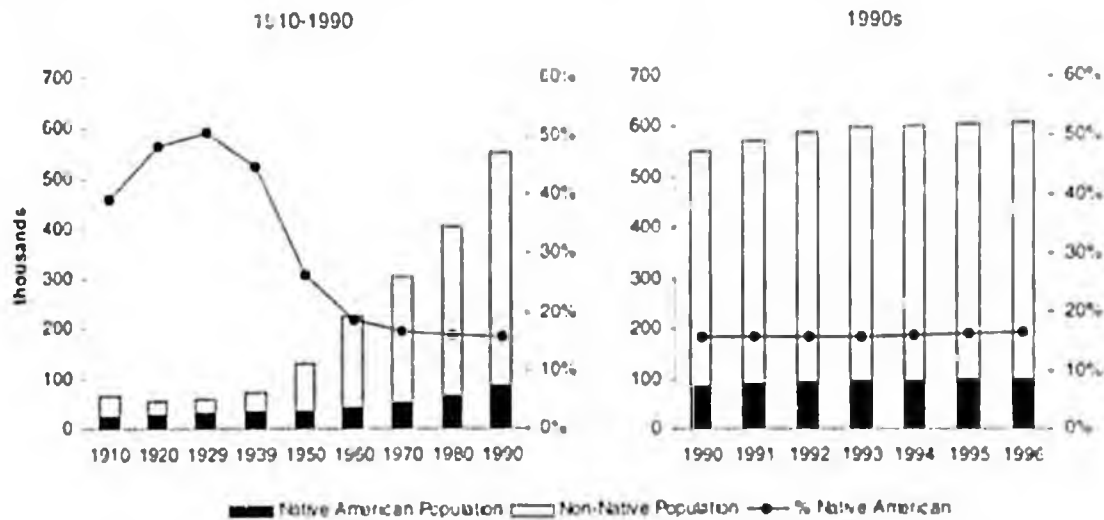
- V-Corp Status: Division of Bank, Securities and Corporations, March 23, 1998
- Traditional and IRA Government designations: Bureau of Indian Affairs
- Self-Governance Compact: Bureau of Indian Affairs, Indian Health Service
- Reservation Status: Anders, Gary and Kathleen Anders, "Incompatible Goals in Unconventional Organization: The Politics of Alaska Native Corporations," Organization Studies, 1986 at 214
- City Types: DCRA Community Database
- Population: DCRA Community Database

## Appendix B: Native Alaskan Demographics

### *Trends*

The total of Alaska Natives living in Alaska is just over 100,000—a number greater than ever in history. Another 20,000 Alaska Natives are estimated to live in other states. The total population of Alaska has increased tenfold since 1910, largely as a result of immigration. During the same period, Alaska's Native population increased four times, despite substantial emigration. More significantly, while the state's overall population has doubled since 1970, so did the Native population, which now constitutes close to 17 percent of the state's total. Since 1990, the proportion of Native population has grown slowly but steadily (see Figure 1). This trend will probably continue. The Native birth rate will likely remain relatively high, while there is not likely to be any influx of non-Natives comparable to that caused by trans-Alaska pipeline construction in the 1970s and state spending in the early 1980s. The trend of Native population growth exists among all Native groups in Alaska (see Table 4).

**Figure 1**  
Native and Non-Native Population of Alaska in the Twentieth Century



Note: The horizontal axes are measured in different units; 1996 values are estimates.  
Source: Alaska Department of Labor, *Alaska Population Overview*, Table 1.4, Native Population and Total Population of Alaska, 1910-96.

**Table 4**  
Population by Tribal Group  
Alaska 1980, 1990

	1980	1990	Change
Native American	64,103	85,698	33.7%
Eskimo	34,144	44,401	30.0%
Alaska Athabascan	8,744	11,695	33.8%
Tlingit	6,764	9,448	39.7%
Haida	994	1,063	9.0%
Tsimshian	1,168	1,653	41.5%
Alaska Native (Other)		566	
Other North American Tribes	3,028	4,633	53.0%
Tribe Not Reported or Specified	1,933	2,166	12.1%
Aleut	8,090	10,052	24.0%

Source: Alaska Department of Labor, *Alaska Population Overview*, Table 1.5, Population by Race and Tribal Group, Alaska and U.S., 1980, 1990

Anchorage has become the largest Native community in Alaska, with around 20,000 Natives. The Native population of Anchorage is growing at a rate twice that of the overall Native population. Much of the city's rapid growth in Native population has been a result of in-migration from rural parts of Alaska. Despite this migration, the Native population continues to increase in most other regions of Alaska as well (see Table 5), and it is demographically clear that Native villages are going to remain an integral part of Alaska.

**Table 5**  
**Native Alaska Population: Growth and Regional Distribution**  
**1980-95**

	1995			1980			Native Percent Increase 80-95	Ratio of Native Growth to Total Regional Growth 80-95
	Total	Native	Native Share	Total	Native	Native Share		
<b>ALASKA TOTAL</b>	<b>615,900</b>	<b>97,004</b>	<b>15.7%</b>	<b>401,851</b>	<b>64,103</b>	<b>16.0%</b>	<b>51.3%</b>	<b>0.96</b>
Aleutian Islands	8,369	2,851	34.1%	7,768	1,934	24.9%	47.4%	6.13
Anchorage	257,780	18,124	7.0%	174,431	8,953	5.1%	102.4%	2.14
Bethel	15,367	12,857	83.7%	10,999	9,247	84.1%	39.0%	0.98
Bristol Bay	1,307	482	36.9%	1,094	360	32.9%	33.9%	1.76
Dillingham	6,260	4,889	78.1%	4,616	3,520	76.3%	38.9%	1.09
Fairbanks/North Star	64,880	5,673	6.7%	53,983	2,987	5.5%	89.9%	1.60
Haines	2,310	299	12.9%	1,680	214	12.7%	39.7%	1.06
Juneau	29,228	3,478	11.9%	19,528	2,190	11.2%	58.8%	1.18
Kenai Peninsula	46,759	3,213	6.9%	25,282	1,738	6.9%	84.9%	1.00
Ketchikan Gateway	15,082	1,794	11.9%	11,316	1,406	12.4%	27.6%	0.83
Kodiak Island	15,400	2,361	15.3%	9,939	1,864	19.0%	25.3%	0.46
Matanuska-Susitna	50,601	2,123	4.2%	17,816	688	3.9%	208.6%	1.19
Nome	8,991	6,988	77.7%	6,537	5,174	79.1%	35.1%	0.93
North Slope	6,989	4,884	69.9%	4,199	3,225	76.8%	51.4%	0.77
Northwest Arctic	6,634	5,949	88.9%	4,831	4,113	85.1%	44.6%	1.16
Prince of Wales/Outer Ketchikan	6,934	2,767	39.9%	3,822	1,651	43.2%	67.6%	0.83
Sitka	9,154	1,845	20.1%	7,809	1,669	21.4%	10.5%	0.59
Skagway/Yakutat/Angoon	4,617	1,878	40.7%	3,478	1,462	42.0%	28.5%	0.87
Southeast Fairbanks	6,522	818	12.5%	5,670	725	12.8%	12.8%	0.85
Valdez/Cordova	10,657	1,543	14.5%	8,348	1,060	12.7%	45.6%	1.65
Wade-Hampton	6,670	6,294	94.4%	4,665	4,347	93.2%	44.8%	1.04
Wrangell/Petersburg	7,303	1,355	18.6%	6,167	1,190	19.3%	13.9%	0.75
Yukon-Koyukuk	8,468	4,541	53.5%	7,873	4,368	55.5%	4.0%	0.51

Source: Scott Goldsmith, ISER.

### *Tribes*

There are 226 federally recognized tribes in Alaska. Native communities range from the populous and heterogeneous Anchorage Native community, with representatives from every Native Alaskan cultural group, to the small and relatively culturally homogeneous communities of the bush. Compared to tribes in the lower forty-eight states, Alaskan tribes are relatively small, but the Alaskan experience with small tribes is by no means unique within the United States (see Figure 2 below). Of the 205 tribes in the lower forty-eight states with fewer than 1,000 members, 91 are in California, where small rancherias vastly outnumber traditional reservations. Another 56 are in Arizona, Nevada, Oklahoma and Washington.

## Appendix C: Home Rule as a Native Self-Governance Option

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Alaska's constitution establishes a policy of maximizing local self-government.<sup>133</sup> This also is the goal the Native peoples of Alaska have for themselves. As shown in this report, Native communities have pursued different paths toward this goal of self-government, many participating in the state system, others staying outside it. Home rule for rural Native communities is a largely unexplored self-governance option. Implementing home rule in most Native communities would require some changes in home rule requirements, but in general, anything the state can do to facilitate the development of self-governing institutions will benefit not only Alaska's Natives but the state's overall system of governance and would come closer to realizing the state's constitutionally expressed self-governance objective.

The second class city status of many Native villages in Alaska does not carry with it any significant measure of local autonomy and control. Under this status, city governance and operations are carried out in accordance with state general law, with no leeway for adaptation to traditional values or local circumstances. The main benefits of this status have come from higher state revenue sharing payments and greater access to other state assistance programs than are possible for unincorporated areas. However, the state constitution provides the means to create local governments that could be far more adaptable and appropriate for rural Alaska than the existing municipal system.

Alaska's home rule provision is the most extensive in the United States. It provides that "a home rule borough or city may exercise all legislative powers not prohibited by law or by charter."<sup>134</sup> Exercising "legislative powers" essentially means that a home rule jurisdiction can have any powers that the Alaska state leg-

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<sup>133</sup> Constitution of the State of Alaska, Article X, Section I.

<sup>134</sup> Constitution of the State of Alaska, Article X, Section II.

islature has, subject only to limitations of the state constitution, state statutes, and the municipality's own charter. The legislature has enumerated a number of specific limits on home rule organization and powers, but beyond these, the community itself can determine how to design its own government.<sup>135</sup>

Under current law, first class cities and communities with a permanent population of over 400 people can attain home rule by an affirmative vote of the people and their adoption of a charter.<sup>136</sup> However, there is no particular reason to retain these classification and size constraints on this particular form of self-government. The constitution allows home rule to be extended to other classes of cities.<sup>137</sup> It would take only an act of the legislature to allow other communities in Alaska to adopt home rule charters.

Making home rule available to rural communities would be a significant step toward more effective local government. This is especially the case where Natives constitute a clear majority of the population and can expect continued control of the local government, and where tribal institutions and village corporations work together. Instead of having to follow everything that is spelled out in general law, as is now required in second class cities, a home rule community would be able to design its own government to meet its own needs, circumstances, and objectives. Along with the ability to create a more appropriate municipal governance structure, home rule could provide tools for the effective exercise of law enforcement and other police powers, management of land and resources, protection of subsistence habitat and environmental quality, and for carrying out other public responsibilities.

To accomplish some of these objectives, home rule city boundaries would need to include sufficient land, water, and subsistence resources to protect the community and its ways of making a living, and the state would need to remove existing statutory obstacles to effective local control and adaptation to local ways of self-governing. Finally, the state would need to abide by the constitutional directive that "A liberal construction shall be given to the powers of local government units."<sup>138</sup>

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<sup>135</sup> The North Slope Borough provides an excellent example of the freedom that exists for a home rule municipality or borough to mold its own governance structure, take advantage of resource opportunities, and serve its population in ways appropriate to local goals, needs, and circumstances. Although not all areas have similar resources available to them, descriptions of the Northwest Arctic and Yakutat boroughs in Section IV of this report (see above) demonstrate the flexibility of the home rule tool.

<sup>136</sup> There currently are 20 home rule municipalities in Alaska, ranging in size from Nenana (population 450) to Anchorage (population 255,000).

<sup>137</sup> Constitution of the State of Alaska, Article X, Section 10.

<sup>138</sup> Constitution of the State of Alaska, Article X, Section 1.

## Appendix D: A Legal Analysis of the Venetie Decision

Heather Kendall-Miller of the Native American Rights Fund wrote the following memorandum for the Alaska Federation of Natives. She argued *State of Alaska, et al. v. Native Village of Venetie Tribal Government, et al.* for the Village of Venetie before the U.S. Supreme Court. This memorandum describes the decision of the Supreme Court and its implications for Native Alaska.

Unincorporated Communities With Populations Greater Than 25 Within Organized Boroughs

BOROUGH/COMMUNITY POPULATION

Aleutians East Borough	
Nelson Lagoon	83
Bristol Bay Borough	
King Salmon	696
Naknek	575
South Naknek	136
Denali Borough	
Cantwell	147
Ferry	56
Healy	487
Lignite	99
McKinley Park	171
Fairbanks North Star Borough	
College	11249
Eielson AFB	5251
Ester	147
Fox	275
Harding Lake	27
Moose Creek	610
Pleasant Valley	401
Salcha	354
Two Rivers	453
Haines Borough	
Covenant Life	47
Lutak	45
Mosquito Lake	80
Kenai Peninsula Borough	
Anchor Point	866
Clam Gulch	79
Cohoe	508
Cooper Landing	243
Crown Point	62

Unincorporated Communities With Populations Greater Than 25 Within Organized Boroughs

Fox River	382
Fritz Creek	1426
Halibut Cove	78
Happy Valley	309
Hope	161
Jakolof Bay	28
Kalifonsky	285
Kasilof	383
Moose Pass	81
Nanwalek	158
Nikiski	2743
Nikolaevsk	371
Ninilckik	456
Port Graham	165
Primrose	63
Ridgeway	2018
Salamatof	999
Sterling	3802
Tyonek	154

Kodiak Island Borough

Chinlak	69
Karluk	710
Kodiak Station	2025
Womens Bay	620

Lake and Peninsula Borough

Chignik Lagoon	53
Chignik Lake	133
Igiugig	33
Iliamna	94
Ivanof Bay	35
Kokhanok	152
Levelook	105
Pedro Bay	42
Perryville	108
Port Alsworth	55

Unincorporated Communities With Populations Greater Than 25 Within Organized Boroughs

Matanuska-Susitna Borough

Alexander Creek	40
Big Lake	1477
Butte	2039
Chase	38
Chickaloon	145
Knik	272
Lazy Mountain	838
Meadow Lakes	2374
Skwentna	85
Sutton	308
Talkeetna	250
Trapper Creek	296
Willow	285

Municipality of Anchorage

Eklutna	381
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North Slope Borough

Deadhorse	26
Point Lay	139
Prudhoe Bay	47

Northwest Arctic Borough

Noatak	333
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total # = 76

# MEMORANDUM

# STATE OF ALASKA Community & Economic Development

To: Tena Young  
Grants Administrator  
DCBD

Date: July 10, 2000

File

Thru:

Phone: 465-4733

From: Bill Rolfzen  
Program Administrator  
DCBD

Subject: FY 02 Unincorporated  
Community Capital Project  
Matching Grant List

Following is a list of unincorporated communities that we have determined were entitled to receive state aid under AS 29.60.140 for FY 01.

Unincorporated communities entitled to receive funding under the state revenue sharing program must be a place in the unorganized borough that is not incorporated as a city and in which 25 or more persons reside as a social unit and in which there is either an incorporated nonprofit entity or Native village council.

Should you have any questions, please call me at 465-4733.

Akiachak	Arctic Village	Atmautluak
Beaver	Chalkyitsik	Chenega Bay
Klukwan	Chistochina	Chitina
Circle	Central	Elfin Cove
Glennallen	Crooked Creek	Delta Junction
Birch Creek	Dot Lake Services	Dot Lake
Dry Creek	Eagle Village	Edna Bay
Evansville	Four Mile Road	Gakona
Gulkana	Gustavus	Healy Lake
Hollis	Hyder	Kasigluk
Kenny Lake	Kipnuk	Koliganek
Kongiganak	Kwigillingok	Lake Minchumina
Lime Village	Manley Hot Springs	McCarthy
Mentasta Lake	Metlakatla	Minto
Copper Center	Naukati	Nelchina/Mendeltna
Newtok	Nikolski	Northway
Oscarville	Paxson	Pitka's Point
Point Baker	Port Protection	Rampart
Red Devil	Silver Springs	Slana Community
Slana League	Sleetmute	Stevens Village
Stony River	Takotna	Tanacross
Tatitlek	Tetlin	Tazlina
Tok	Tolsona	Tuluksak
Tuntutuliak	Tununak	Twin Hills
Venetie	Whale Pass	Wiseman

# FISCAL NOTE

STATE OF ALASKA  
2001 LEGISLATIVE SESSION

Fiscal Note Number: \_\_\_\_\_  
Bill Version: SSHB 16  
( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Law  
Title "An Act relating to cities incorporated under BRU Civil Division  
state law that are home rule communities. . ." Component Governmental Affairs  
Sponsor Representative Dvson  
Requester House Community & Regional Affairs Component No. 2207

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services	2.5	2.5	2.5	2.5	2.5	2.5
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.4	0.4	0.4	0.4	0.4	0.4
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>2.9</b>	<b>2.9</b>	<b>2.9</b>	<b>2.9</b>	<b>2.9</b>	<b>2.9</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	2.9	2.9	2.9	2.9	2.9	2.9
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>2.9</b>	<b>2.9</b>	<b>2.9</b>	<b>2.9</b>	<b>2.9</b>	<b>2.9</b>

Estimate of any current year (FY2001) cost: 0.0

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

SSHB 16 allows an existing second class city or unincorporated area to form a "home rule community" government structure. This new classification would permit the city or area to choose a narrower scope of governing powers than current law requires.

The Department of Law will provide legal assistance in developing the new model charters for home rule communities during FY02, and provide advice to the Local Boundary Commission as charter petitions are received in the following years. We anticipate approximately 30 hours of attorney time per year will be required for these more routine functions. Any litigation arising from the new charter process would require additional time. Because we have no way of predicting how much, if any, new litigation there might be, these costs are not included in this fiscal note.

Based on the department's FY02 hourly attorney rate, which includes clerical support, communications, space, supplies, data processing, and other normal overhead expenses, the cost of SSHB 16 would be \$2,927.10 (30 hours x \$97.57/hour)

Prepared by: Joan M. Kasson Phone: 465-5370  
Division: Attorney General's Office Date/Time: 2/5/01 10:37 AM  
Approved by: Kathryn Daughhete for Bruce M. Botelho, Attorney General Date: 2/5/01  
Agency: Department of Law

For distribution information, call the Governor's Legislative Office



## Appendix C: Home Rule as a Native Self-Governance Option

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<sup>134</sup> Constitution of the State of Alaska, Article X, Section 11

islature has, subject only to limitations of the state constitution, state statutes, and the municipality's own charter. The legislature has enumerated a number of specific limits on home rule organization and powers, but beyond these, the community itself can determine how to design its own government.<sup>135</sup>

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<sup>138</sup> Constitution of the State of Alaska, Article X, Section 1.

proved by the voters as prescribed by law. Each bill for appropriations for capital projects in excess of the limit shall be confined to capital projects of the same type, and the voters shall, as provided by law, be informed of the cost of operations and maintenance of the capital projects. No other appropriation in excess of this limit may be made except to meet a state of disaster declared by the governor as prescribed by law. The governor shall cause any unexpended and unappropriated balance to be invested so as to yield competitive market rates to the treasury.

#### **SECTION 17. BUDGET RESERVE FUND.**

(a) There is established as a separate fund in the State treasury the budget reserve fund. Except for money deposited into the permanent fund under Section 15 of this article, all money received by the State after July 1, 1990, as a result of the termination, through settlement or otherwise, of an administrative proceeding or of litigation in a State or federal court involving mineral lease bonuses, rentals, royalties, royalty sale proceeds, federal mineral revenue sharing payments or bonuses, or involving taxes imposed on mineral income, production, or property, shall be deposited in the budget reserve fund. Money in the budget reserve fund shall be invested so as to yield competitive market rates to the fund. Income of the fund shall be retained in the fund. Section 7 of this article does not apply to deposits made to the fund under this subsection. Money may be appropriated from the fund only as authorized under (b) or (c) of this section.

(b) If the amount available for appropriation for a fiscal year is less than the amount appropriated for the previous fiscal year, an appropriation may be made from the budget reserve fund. However, the amount appropriated from the fund under this subsection may not exceed the amount necessary, when added to other funds available for appropriation, to provide for total appropriations equal to the amount of appropriations made in the previous calendar year for the previous fiscal year.

(c) An appropriation from the budget reserve fund may be made for any public purpose upon affirmative vote of three-fourths of the members of each house of the legislature.

(d) If an appropriation is made from the budget reserve fund, until the amount appropriated is repaid, the amount of money in the general fund available for appropriation at the end of each succeeding fiscal year shall be deposited in the budget reserve fund. The legislature shall implement this subsection by law.

### **ARTICLE X. LOCAL GOVERNMENT.**

**SECTION 1. PURPOSE AND CONSTRUCTION.** The purpose of this article is to provide for maximum local self-government with a minimum of local government units, and to prevent duplication of tax levying jurisdictions. A liberal construction shall be given to the powers of local government units.

**SECTION 2. LOCAL GOVERNMENT POWERS.** All local government powers shall be vested in boroughs and cities. The State may delegate taxing powers to organized boroughs and cities only.

**SECTION 3. BOROUGHIS.** The entire State shall be divided into boroughs, organized or unorganized. They shall be established in a manner and according to standards provided by law. The standards shall include population, geography, economy, transportation, and other factors. Each borough shall embrace an area and population with common interests to the maximum degree possible. The legislature shall classify boroughs and prescribe their powers and functions. Methods by which boroughs may be organized, incorporated, merged, consolidated, reclassified, or dissolved shall be prescribed by law.

**SECTION 4. ASSEMBLY.** The governing body of the organized borough shall be the assembly, and its composition shall be established by law or charter.

**SECTION 5. SERVICE AREAS.** Service areas to provide special services within an organized borough may be established, altered, or abolished by the assembly, subject to the provisions of law or charter. A new service area shall not be established if, consistent with the purposes of this article, the new service can be provided by an existing service area, by incorporation as a city, or by annexation to a city. The assembly may authorize the levying of taxes, charges, or assessments within a service area to finance the special services.

**SECTION 6. UNORGANIZED BOROUGHIS.** The legislature shall provide for the performance of services it deems necessary or advisable in unorganized boroughs, allowing for maximum local participation and responsibility. It may exercise any power or function in an unorganized borough which the assembly may exercise in an organized borough.

**SECTION 7. CITIES.** Cities shall be incorporated in a manner prescribed by law, and shall be a part of the borough in which they are located. Cities shall have the powers and functions conferred by law or charter. They may be merged, consolidated, classified, reclassified, or dissolved in the manner provided by law.

**SECTION 8. COUNCIL.** The governing body of a city shall be the council.

**SECTION 9. CHARTERS.** The qualified voters of any borough of the first class or city of the first class may adopt, amend, or repeal a home rule charter in a manner provided by law. In the absence of such legislation, the governing body of a borough or city of the first class shall provide the procedure for the preparation and adoption or rejection of the charter. All charters, or parts or amendments of charters, shall be sub-

mitted to the qualified voters of the borough or city, and shall become effective if approved by a majority of those who vote on the specific question.

**SECTION 10. EXTENDED HOME RULE.** The legislature may extend home rule to other boroughs and cities.

**SECTION 11. HOME RULE POWERS.** A home rule borough or city may exercise all legislative powers not prohibited by law or by charter.

**SECTION 12. BOUNDARIES.** A local boundary commission or board shall be established by law in the executive branch of the state government. The commission or board may consider any proposed local government boundary change. It may present proposed changes to the legislature during the first ten days of any regular session. The change shall become effective forty-five days after presentation or at the end of the session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of each house. The commission or board, subject to law, may establish procedures whereby boundaries may be adjusted by local action.

**SECTION 13. AGREEMENTS; TRANSFER OF POWERS.** Agreements, including those for cooperative or joint administration of any functions or powers, may be made by any local government with any other local government, with the State, or with the United States, unless otherwise provided by law or charter. A city may transfer to the borough in which it is located any of its powers or functions unless prohibited by law or charter, and may in like manner revoke the transfer.

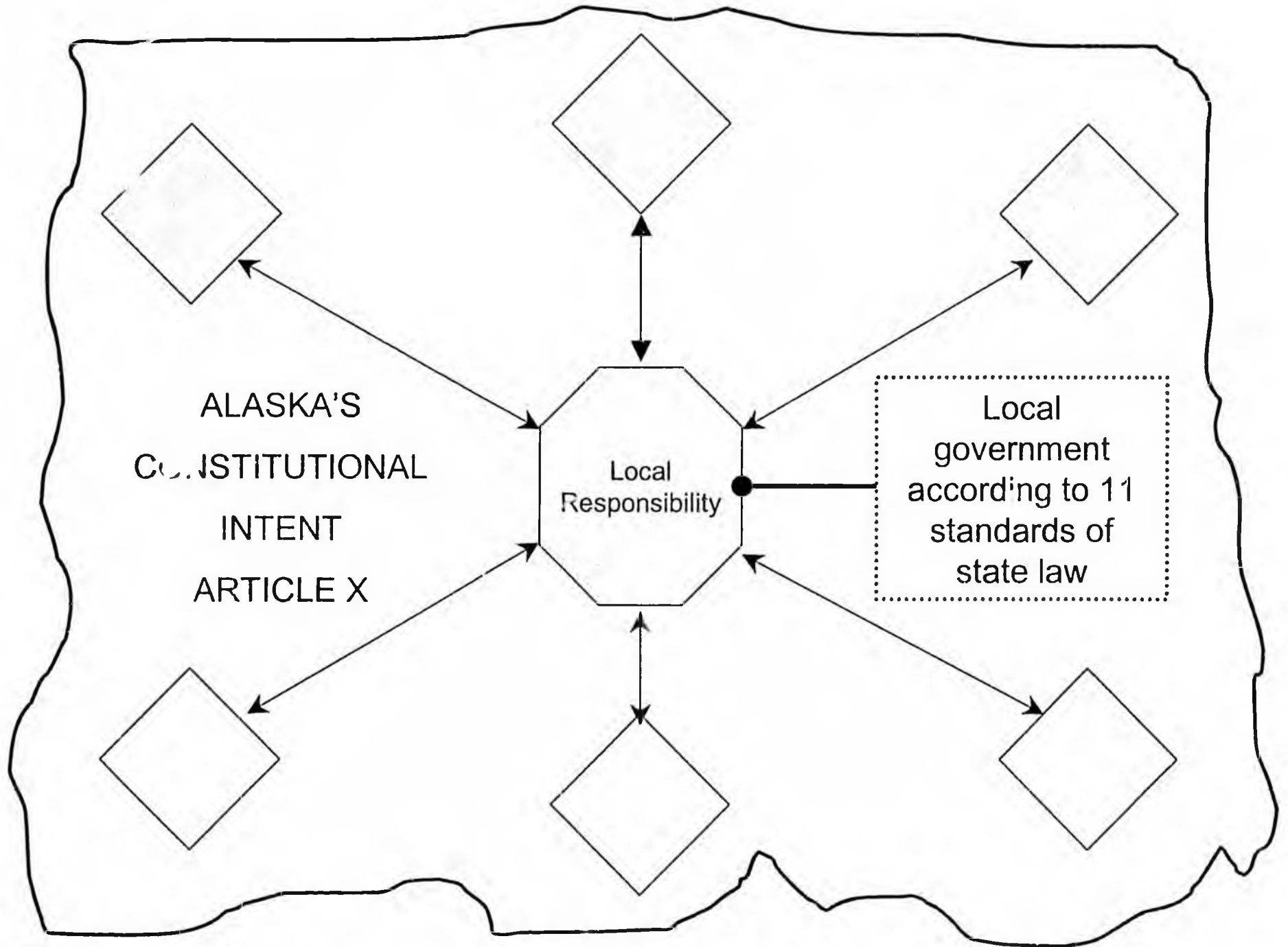
**SECTION 14. LOCAL GOVERNMENT AGENCY.** An agency shall be established by law in the executive branch of the state government to advise and assist local governments. It shall review their activities, collect and publish local

Provided by Gary Wilken

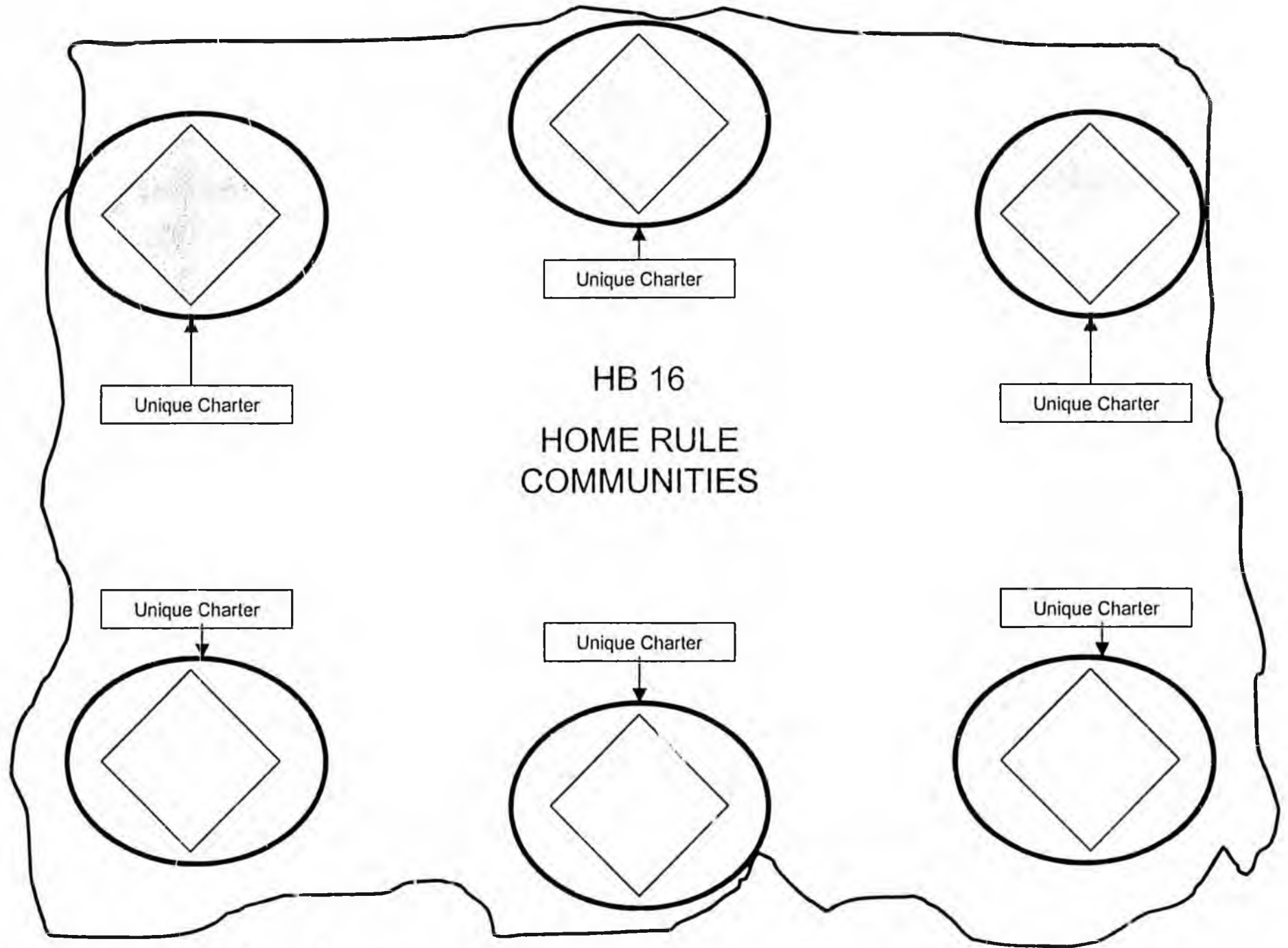
# Standards for Borough Incorporation

	Standard	Description	Authority			Citation
			Constitution	Statute	Regulation	
<input type="checkbox"/>	Adequate Facilities	Each area must have facilities that provide needed communication and integration of gov't.		X	X	AS 29.05.031(a)(4) 3 AAC 110.045(c)-(d)
<input type="checkbox"/>	Alaska must be divided into boroughs	Each area (organized or unorganized) should have a population and area with common interests.		X		AS 29.05.100
<input type="checkbox"/>	Best Interest	Borough incorporation must be in the best interest of the state.		X		AS 29.05.100
<input type="checkbox"/>	Conform to REAA Boundaries	Boundaries must conform to REAA boundaries, unless LBC allows otherwise.			X	3 AAC 110.060(c)
<input type="checkbox"/>	Financial/Human Resources	Each area must have the ability to support and provide government services.		X	X	AS 29.05.031(a)(3) 3 AAC 110.055
<input type="checkbox"/>	Incorporation Encouraged	Borough incorporation is encouraged under Alaska's Constitution.	X			Article X, Section 1
<input type="checkbox"/>	Interrelated & Integrated	Residents must be socially, culturally, and economically related		X	X	AS 20.05.031(a)(1) 3 AAC 110.045(a)-(b)
<input type="checkbox"/>	Large/Stable Populations	Formally presumed that each area will have at least 1,000 permanent residents.		X	X	AS 20.05.031(a)(3) 3 AAC 110.050
<input type="checkbox"/>	Larger Boroughs	Constitution favors larger boroughs in order to avoid proliferation of small boroughs.	X			Article X, Section 3
<input type="checkbox"/>	Model Borough Boundaries	Consideration must be given to boundaries adopted by the Local Boundary Commission.			X	3 AAC 110.060(b)
<input type="checkbox"/>	Similar Geography	Boundaries must conform to natural geography and include areas necessary for full services.		X	X	AS 29.05.031(a)(2) 3 AAC 110.060(a)

Prepared by Local Boundary Commission Staff  
Summarized by Senator Gary Wilken



Provided by Gary Wilken



Provided by Gary Wilken

## STRUCTURES of LOCAL GOVERNMENT in ALASKA

Type	No.	Requirement	Powers by	Jurisdiction-wide			Other Powers	Examples
				Educ	Plan <sup>1</sup>	Tax <sup>2</sup>		
Home Rule City (Organized Boro)	7	= or >400 residents	Charter	NO	MAY <sup>3</sup>	MAY	May exercise all legislative powers not prohibited by law or charter. (Art.X, Sec 11, AK. Constitution)	S&W; Fr; Pl; Rc; Ut; Lb; P&H; Rd; Pk
Home Rule City (Unorganized Boro)	5	= or >400 residents	Charter	MUST	MUST	MAY	May exercise all legislative powers not prohibited by law or charter. (Art.X, Sec 11, AK. Constitution)	S&W; Fr; Pl; Rc; Ut; Lb; P&H; Rd; Pk
First Class City (Organized Boro)	8	= or >400 residents	State Statutes	NO	MAY <sup>3</sup>	MAY	May exercise a power not otherwise prohibited by law (AS 29.35.250)	S&W; Fr; Pl; Rc; Lb; P&H; Rd; Hc
First Class City (Unorganized Boro)	13	= or >400 residents	State Statutes	MUST	MUST	MAY	May exercise a power not otherwise prohibited by law (AS 29.35.260)	S&W; Fr; Pl; Rc; Lb; P&H; Rd; Hc
Second Class City (Organized Boro)	34	= or >25 voters	State Statutes	NO	MAY <sup>3</sup>	MAY	May exercise a power not otherwise prohibited by law (AS 29.35.250)	S&W; Fr; PS; Rc; Lb; Hc;Ws; Pk
Second Class City (Unorganized Boro)	78	= or >25 voters	State Statutes	NO	MAY	MAY	May exercise a power not otherwise prohibited by law (AS 29.35.260)	S&W; Fr; PS; Rc; Lb; Hc;Ws; Pk
Home Rule Community (Organized Boro)	?	= or >25 voters	Charter	NO	MAY <sup>3</sup>	MAY	May exercise all legislative powers not prohibited by law or charter. (Home Rule Communities are not addressed in AK. Constitution)	
Home Rule Community (Unorganized Boro)	?	= or >25 voters	Charter	NO	MAY	MAY	May exercise all legislative powers not prohibited by law or charter. (Home Rule Communities are not addressed in AK. Constitution)	
Unified Municipalities (Unified Borough)	3	Area & population with same interests	Charter	MUST	MUST	MUST <sup>5</sup>	May exercise all legislative powers not prohibited by law or charter. (Art.X, Sec 11, AK. Constitution)	S&W; Fr; Pl; Rc; Ut; Lb; P&H; Rd; Pk; Pz; Ac
Home Rule Borough (Non-Unified)	5	Area & population with same interests	Charter	MUST	MUST	MUST <sup>5</sup>	May exercise all legislative powers not prohibited by law or charter. (Art.X, Sec 11, AK. Constitution)	S&W; Fr; Pl; Rc; Lb; P&H; Hc; Ws
First Class Borough (Non-Unified)	0	Area & population with same interests	State Statutes	MUST	MUST	MUST <sup>5</sup>	May exercise by ordinance (not voter approval) on a non-areawide basis any power not otherwise prohibited by law. (AS 29.35.200)	No First Class Boroughs Exist
Second Class Borough (Non-Unified)	7	Area & population with same interests	State Statutes	MUST	MUST	MUST <sup>5</sup>	May exercise by voter approval on a non-areawide basis any power not otherwise prohibited by law. (AS 29.35.200)	S&W; Fr; Pl; Rc; Lb; Rd; Pk; Pz; Ac; Hp
Third Class Borough (Non-Unified)	1	Area & population with same interests	State Statutes	MUST	NO	MUST <sup>5</sup>	May exercise any power not prohibited by law, but only on a service area basis. Home Rule/1st Class city within Boro has land use powers. <sup>4</sup>	Fr; Rc; Lb; Rd; Pz; Hc; P&H

<sup>1</sup> Plan means planning, platting and land use regulation.

<sup>2</sup> Tax means tax assessment and collection.

<sup>3</sup> Borough must assess/collect taxes IF levied thru local choice.

<sup>4</sup> This power requires delegation from the borough.

<sup>5</sup> State law prohibits formation of new third class boroughs - AS 29.05.031.

### Example of Other Powers -- Code Explanation

Ac - Animal Control	Lb - Library	P&H - Ports & Harbors	Ut - Utilities
Fr - Fire/Paid or Volunteer	Pk - Parks/Recreation	Rc - Refuse Collection/Landfill	Ws - Washeterias
Hc - Health Clinic	Pz - Planning/Zoning	Rd - Road Maintenance	
Hp - Hospital	Pl - Police/VPSO	S&W - Sewer/Water	

## STRUCTURES of LOCAL GOVERNMENT in ALASKA

Home Rule Cities							
Cordova	* Kenai	* Kodiak	* North Pole	Petersburg	Valdez		
* Fairbanks	* Ketchikan	Nenana	* Palmer	* Seward	Wrangell		
First Class Cities							
* Barrow	Galena	Hoonah	* King Cove	Pelican	* Seldovia	Tanana	
Craig	* Haines	Hydaburg	Klawock	St. Mary's	Skagway	Unalaska	
Dillingham	* Homer	Kake	Nome	* Sand Point	* Soldotna	* Wasilla	
Second Class Cities							
* Akhik	Bethel	Eagle	* Houston	Kupreanof	Nikolai	* Port Helden	Shishmaref
Akiak	Bettles	Eek	Hughes	Kwethluk	* Nondalton	* Port Lions	* Shungnak
* Akutan	Brevig Mission	* Egegik	Huslia	* Larsen Bay	* Noorvik	Quinhagak	Stebbins
Alakanuk	* Buckland	Ekwok	* Kachemak	Lower Klaskag	* Nuiqsut	Ruby	Teller
Aleknagik	Chefornak	Elim	* Kaktovik	Manokotak	Nulato	Russian Mission	Tenakee Sprg.
Allakaket	Chevak	Emmonak	Kaltag	Marshall	Nunam Iqua	St. George	Thorne Bay
* Ambler	* Chignik	* False Pass	Kasaan	McGrath	Nunapitchuk	St. Michael	Togiak
* Anaktuvuk Pass	Chuathbauk	Fort Yukon	* Kiana	Mekoryuk	* Old Harbor	St. Paul	Toksook Bay
* Anderson	Clark's Point	Gambell	* Kivalina	Mt. Village	* Quzinkie	Savoonga	Unalakleet
Angoon	Coffman Cove	Golovin	* Kobuk	Napakiak	* Pilot Point	* Saxman	Upper Kalskag
Aniak	* Cold Bay	Goodnews Bay	Kotlik	Napaskiak	Pilot Station	Scammon Bay	* Wainwright
Anvik	* Deering	Grayling	* Kotzebue	NewStuyahok	Platinum	* Selawik	Wales
Atka	Delta Jct.	Holy Cross	Koyuk	* Newhalen	* Point Hope	Shageluk	White Mt.
* Atkasuk	Diomedes	Hooper Bay	Koyukuk	Nightmute	Pt. Alexander	Shaktolik	Whittier

\*City is within an organized borough.

Unified Municipality
Municipality of Anchorage City & Borough of Juneau City & Borough of Sitka
Home Rule Borough
Denali Lake and Peninsula North Slope Northwest Arctic Yakutat
Second Class Borough
Aleutians East Bristol Bay Fairbanks North Star Kenai Peninsula Ketchikan Gateway Kodiak Island Matanuska-Susitna
Third Class Borough
Haines
(1st Class Boro = none)

Organized City Government				Organized Borough Government		Definitions	
Type	In Org.	In Unorg.	Total				
	Boro	Boro					
Home Rule	7	5	12	Unified Municipalities	3	<b>Areawide</b> - throughout the entire borough <b>Non areawide</b> - throughout the entire borough exclusive of the area lying within the corporate limits of city governments <b>Service Area</b> - an area in which the borough provides higher or different levels of service than it provides on an areawide or non-areawide basis.	
First Class	8	13	21	Home Rule Boroughs	5		
Second Class	34	78	112	First Class Boroughs	0		
				Second Class Boroughs	7		
<b>Total</b>	<b>49</b>	<b>96</b>	<b>145</b>	Third Class Boroughs	1		
				<b>Total</b>	<b>16</b>		

- \* Eight boroughs were formed under the 1963 Mandatory Borough Act. (Mat-Su, Kodiak Is., Ketchikan Gateway, Kenai Peninsula, Fairbanks North Star, Anchorage, Sitka, Juneau)
- \* In 2000, 87% of the total population resided in organized boroughs.
- \* Currently 83% of Alaskans live in mandated boroughs; 4% live in boros formed voluntarily.
- \* Denali, Lake and Peninsula, Northwest Arctic and Aleutians East Boroughs have no property tax.
- \* Three percent of Alaskans live outside any municipal government.
- \* Alaska is the only state in the union that has unorganized regions within its boundaries.

Tony Knowles, Governor



# State of Alaska Local Boundary Commission

550 West Seventh Avenue, Suite 1770 • Anchorage, AK 99501  
Telephone: 907-269-4560 • Fax: 907-269-4539

March 22, 2002

The Honorable Pete Kelly  
Co-Chair  
Senate Finance Committee  
State Capitol, Room 518  
Juneau, Alaska 99801-1182

The Honorable Dave Donley  
Co-Chair  
Senate Finance Committee  
State Capitol, Room 506  
Juneau, Alaska 99801-1182

RE: House Bill Number 16

Dear Senators Kelly and Donley:

I am aware that the Senate Finance Committee has scheduled a hearing regarding *SENATE CS FOR CS FOR SS FOR HOUSE BILL NO. 16(JUD)* on March 25. The Local Boundary Commission reviewed that bill and other legislative proposals of interest at a meeting on March 9.

House Bill 16 would authorize a new form of local government in Alaska – a "home rule community", governed by its own charter. The sponsor's goal is "greater self-determination and a more locally relevant government structure."<sup>1</sup> The legislation is certainly well intended and the Local Boundary Commission commends the sponsor for seeking ways to improve the structure of local government in Alaska.

Nonetheless, the Commission has concerns about House Bill 16. Specifically, the Commission believes that a "home rule community" as proposed would, in practice, merely duplicate a general law second class city, but with the added burden of developing a home rule charter. A home rule community would have restrictions identical to those of a second class city government for such fundamental powers and duties as education, planning, platting, land use regulation, property taxation, financial reporting, and eminent domain.

<sup>1</sup> See Sponsor Statement for HB 16, updated February 9, 2001.

Senator Pete Kelly  
Senator Dave Donley  
March 22, 2002  
Page 2

Advocates for the legislation indicate that the proposed new form of local government would allow communities to choose to "provide police or fire protection while leaving transportation issues in the state purview." They note further that, "Under the provision of their charter, a local government may assume any of a wide range of powers, from alcohol and animal control to airport and public works management."

In fact, second class cities already enjoy these options. For example, a second class city is not obligated to exercise any particular function. It may exercise any power not otherwise prohibited by law (see AS 29.35.250(a) and 29.35.260(a)). Thus, under existing law, a second class city could provide police or fire protection without having to assume responsibility for transportation facilities and services, and choose or choose not to exercise other powers.

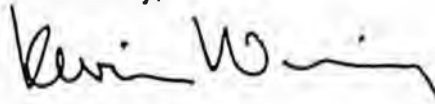
The fundamental distinction between a second class city and the proposed "home rule community" is that the latter would have a charter. Under current law, organized boroughs and first class cities may adopt charters. Additionally, an unincorporated community may now incorporate a home rule city if it has at least 400 permanent residents. Those limitations recognize that a community must have a substantial population in order to draft a proper charter.

The Commission's experience over the years has been that drafting a charter is a daunting task. A charter is, in effect, a constitution for the home rule local government. Accordingly, preparation of a charter requires substantial community expertise and commitment. In recent years, even communities and regions with substantial populations (e.g., Delta-Greely and Talkeetna) have had difficulty drafting a legally proper charter. Notwithstanding that record, House Bill 16 would permit any second class city, regardless of population, to adopt a charter.

In sum, the Commission is concerned that the "opportunity" to develop a charter would needlessly burden small communities for no purpose, since a "home rule community" would neither gain additional powers nor avoid any requirements applicable to second class cities.

For these reasons, the Local Boundary Commission at its March 9<sup>th</sup> meeting voted unanimously to not support House Bill No. 15.

Cordially,



Kevin Waring  
Chairman

cc: The Honorable Fred Dyson, State Representative, District 25

# SENATE COMMITTEE REPORT

DATE: 4/19/01

FURTHER: Finance

DATE TURNED  
IN TO OFFICE: 4-30-01

Judiciary Committee considered

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 16(CRA)  
HOME RULE COMMUNITIES

"An Act relating to cities incorporated under state law that are home rule communities; and providing for an effective date."

and recommends:

- be replaced with S CS C.S.S.H.B. 16 (JUD)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**Senate Bill:**

- same title
- new title

**House Bill:**

- same title
- technical title
- new: SCR # \_\_\_\_\_

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	FN#
<u>DeLaw</u>	<u>2/5/01</u>	<input checked="" type="checkbox"/>		<u>1</u>

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
<i>[Signature]</i>			<input checked="" type="checkbox"/>	
<i>[Signature]</i>			<input checked="" type="checkbox"/>	
CHAIR: <i>[Signature]</i>	<input checked="" type="checkbox"/>			

# SENATE COMMITTEE REPORT

DATE: 2/20/01

FURTHER: Finance

DATE TURNED  
IN TO OFFICE: 2-18-01

C&RA Committee considered CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 16(CRA)

"An Act relating to cities incorporated under state law that are home rule communities; and providing for an effective date."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**Senate Bill:**

- same title
- new title

**House Bill:**

- same title
- technical title
- new: SCR # \_\_\_\_\_

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	FN#
LAW	2/05	✓		1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>			✓	
<i>[Signature]</i>				
CHAIR: <i>[Signature]</i>			✓	

3/25/02

HB 16-HOME RULE COMMUNITIES  
SENATE FINANCE COMMITTEE

SIGN - IN

NAME: Kevin Ritchie Subject/Bill No: HB16  
Co./Dept./Title: ALASKA Municipal League Phone: 586 1325  
Address: 217 2nd St Seward AK Zip: 99801

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_  
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Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

*[Handwritten mark]*

