

**PRESENT.:
LOCAL
BOUNDARY
COMM.**

4/9/03




Alaska State Legislature

HOUSE COMMITTEE ON COMMUNITY AND REGIONAL AFFAIRS

Representative Carl Morgan
State Capitol Building, Room 408
Juneau, AK 99801
907-465-3882

MEMORANDUM

To: House and Senate Community and Regional Affairs Committee Members

From: Representative Carl Morgan, Chair 

Date: February 12, 2003

Subject: Joint CRA Meeting.

I have attached written testimony from Kathie Wasserman (Mayor of Pelican) and Nancy Galstad. This testimony came into my office this afternoon via email at 1:47 pm. Both Wasserman and Galstad are former LBC Commissioners.

Although it is too late to add to the committee's testimony records, I thought it appropriate to provide members with a copy.

If you have any questions or comments please contact my staff Sue Stancliff at #3882

Thank You.

Subject: views on LBC

Date: Wed, 12 Feb 2003 13:47:28 -0900

From: "Arnold Galstad" <ngalstad@earthlink.net>

To: sue_stancliff@legis.state.ak.us

Attached please find Kathie Wasserman and Nancy Galstad's comments to the LBC per your conversation with Kathie this PM.

I am sending this at Kathie's (Mayor of Pelican) request.

Arnie Galstad for:
SOLUTIONS Inc.
ngalstad@earthlink.net

RCUA
2/12/03
-wg

STATEMENT OF VIEWS ON BOUNDARY FORMATION IN ALASKA

By

**Nancy (Cannington) Galstad and Kathie Wasserman, DBA SOLUTIONS Inc
Former Local Boundary Commissioners (1995-2001)**

We believe everyone involved in the process of borough formation in Alaska finds the current process flawed, with no offer of incentives. We would request that the Local Boundary Commission include our comments in their February 19th report to the Alaska State Legislature in addressing this issue.

As former Commissioners on the Local Boundary Commission, we believe the process needs to be reviewed and *changed*. We are not alone in this belief, as Southeast Conference, the Southeast Conference of Mayors, the Alaska Municipal League and some municipalities, have recently passed resolutions that call for the establishment of more flexible boundaries. We support that resolution in that it requests a review of the regulations and standards under which the Model Borough Boundaries were established. The current process, based on the Model Borough Boundaries, attempts to *force* unrealistic borough boundaries upon huge areas that may encompass differing cultures and tribes, differing economic circumstances, and does not, in most cases, follow the Regional Education Attendance Areas (REAs) as mandated in AAC 3. 110.060(c).

The December 9th meeting includes mention that a few complaints have been received regarding the REAs. While Model Borough Boundaries are said to closely link with REA boundaries, only three of the eight actually do so. Further, REA complaints would probably not be directed to the Local Boundary Commission, but rather to the Alaska Department of Education. Even if problems do exist with REA boundaries, they do not affect nearly the number of people that problematic borough boundaries might.

The Commission Chairperson, in the December 9th meeting, acknowledged in passing, the resolution accepted by the Southeast Conference of Mayors, Southeast Conference and the Alaska Municipal League concerning the revisit and/or updating of the Model Borough Boundary study. However, the Commission then immediately proceeded with the list of potential borough areas based on that same current Model Borough Boundary study that was at issue with so many local government officials.

The Model Borough Boundaries were established in 1991, through a process of public hearings, held by a former Local Boundary Commission. The economic climate in Alaska was much different than today. The three major economic influences upon which the state relied for revenues (oil, fishing and timber) were still very healthy. Through regulation changes, declines and differing world markets, impacts have been felt in all Alaskan communities. As the State of

Alaska has had to rein in its spending habits, the burden and shortfall for many services has been shifted to local governments. Local sales tax revenues have been negatively impacted by e-commerce, while the Legislature has been considering a statewide sales tax, which would further erode the ability to tax locally. All this and more has happened since 1991. These changes have impacted not only local economies, but also population demographics due to the loss of jobs.

Changing factors in our State are many; population shifts, resource declines, economic changes, stronger acknowledgement of cultural ties, reapportionment, etc. As usual, the DCED staff, with regard to SB 359, has done an exemplary job of pulling so much information together in such a short amount of time. However, due to no fault of their own, much of the information is already outdated with regard to area conditions. If pertinent information, gathered a number of weeks ago is not current, this only reinforces the need for flexible standards that are based on changes in communities, not changes in Commissioners or Commissioners' changing interpretations.

The Local Boundary Commission seems to give little weight to these issues as they carry out the mandate of SB 359. In the December 9, 2002 meeting, the Commission Chairman recommended, with Commission concurrence, that the Model Borough Boundaries be adopted as a starting point for their discussion. Herein lies the problem. How is a solution possible if the "problem" is adopted as the starting point? The Alaska Constitution, Article X, Section 3, requires the entire state to be divided into boroughs, organized and unorganized. It further provides that each borough must embrace an area and population *with common interests to the maximum degree possible* (emphasis added). The Model Borough Boundary philosophy seems to contradict this constitutional standard.

The Alaska Constitution further, allows for *mergers and consolidations*. This standard appears to be ignored by DCED and the LBC when looking at borough formations. If areas are forced to encompass such huge areas to begin with, as the Model Borough Boundaries dictate, mergers and consolidations in the future would be impossible due to their unmanageable size.

We believe that the actual Commission process warrants change, as well. Law forbids LBC Commissioners from having ex-parte contact (3AAC 110.500) with *anyone other than DCED staff* concerning any pending petition/action before the Commission. DCED staff advises petitioners, assists with the petition process, researches, reviews and evaluates the petition. DCED then produces a Preliminary Report that is made public and allows for responsive comments. This is followed by a Final Report with recommendations to the Commission to adopt, deny, or adopt the petition with modifications.

Generally at the juncture between the Preliminary and Final Report, the Commission receives the first information it has seen on the petition. This comes

in the form of a stack of documents that includes all substantiating documentation (petition, maps, audit reports, independent studies, etc.) from the petitioner, written public comments (which at times can be substantial) the Preliminary Report with recommendations and the Final Report. This huge amount of paperwork (record, November 2001, Homer Annexation – 37 lbs. of paperwork) must be read, analyzed and compared to the recommendations of staff in a very short period of time by unpaid Commission appointees who have full-time jobs and families. Included in this time period is travel to and from the hearing site.

While we understand the need to limit *ex parte* contact, we believe that the Commission should be actively *involved* in the decision-making process as it develops. They should receive any materials at the time those materials are accepted for consideration by staff, and attend any required public hearings held within the affected areas. This would allow them the opportunity to receive a fair and balanced picture of the proceedings rather than relying on the information once the petition process, absent the final public hearing, is completed.

One suggestion might be to place the Commission under the Department of Law, as the Commission is deemed to be a *quasi-judicial* body. The legislature needs to provide more staff positions as the huge workload currently rests on one staff member and his technical assistant. Absent the institutional memory and tremendous dedication of this 23-year LBC employee and his assistant to handle the workload of many, one cannot imagine the void that would be created or the resultant backlog of petitions.

We further believe that, as requested by Southeast Conference, Southeast Conference of Mayors, the Alaska Municipal League and municipalities, that a review of the standards should be undertaken. We view the Model Borough Boundaries standard to be a major disincentive for borough formation and feel it should be deleted from the Administrative Code. However, if there is to be such a thing as "model borough boundaries," they should have a complete review every five years to consider the changes in the economic climate affecting jobs, population shifts, education and the very ability of local government to operate efficiently and effectively.

We feel the process has evolved into something different from that envisioned by the founders of our Constitution. Alaska Statutes were developed as a guide to form boroughs. Those statutes are straightforward and clear. The development of Administrative Code standards by the DCED is, however, where the process begins to erode; one of them being the standard for the Model Borough Boundaries (3 AAC 110.190 (c)). In our opinion, this standard has been held to as high a standard and weighted as heavily in the decision making process as the Constitution or the Alaska Statutes.

The Commission states they are given broad latitude in decision-making, however, we do not see that power given under law, but instead only through Supreme Court decisions (*Mobil Oil Corporation v. Local Boundary Commission*, 518 P.2d, 92,98, Alaska, 1974 and *Valley's Borough Support Committee v. Local Boundary Commission*, 863 P.2d 232,234 Alaska, 1993). It is apparent to us that DCED has exercised that broad latitude to interpret whether standards are met to a degree that a petitioner cannot possibly meet if they have not first met the preconceived idea of DCED's concept of "how the state should look." A prime example is the recent denial of the only borough proposal to come before the Commission in over 10 years. Skagway borough proposal (September, 2002) demonstrated that it had much more "common interest" with its neighbor, the Yukon Territories, than it did with its neighbor, the Haines Borough. Yet, the petition was denied. The "common interests" with Haines was touted to be manifest, though testimony from representatives of both Skagway and Haines argued to the contrary. The Haines Borough even passed a resolution in support of a Skagway borough.

Absent any clear and convincing reason to deny Skagway's petition based on the standards, language was used, such as "*narrowly meets,*" *minimally met,*" "*in a narrow interpretation of,*" "*when applied in the proper regional context,*" "*when...standard is applied in an appropriately broad context,*" "*when applied in the broader regional context,*" and "*unjustifiably small,*" in the Preliminary Report (emphasis added). In the final decisional transcriptions, the Skagway petition was denied based on a number of points pulled from a dissenting opinion from an earlier Yakutat Borough formation. These points were not discussed by Commissioners in the public hearing from which the transcriptions were based. They were added after the fact.

It is interesting to note that in the Commission's first cut to forward to the legislature, the list of areas that could potentially form boroughs is based on economic ability. As much of this whole discussion centers on economics, we find it ironic that a community such as Skagway, having proven itself financially capable of supporting borough government and in light of increased pressure for areas to form boroughs, saw their petition denied by the Local Boundary Commission. The "future" decline of areas is used as a basis for exclusion from this list of eight, as well. This also seems confusing as the trend of increases in the Skagway area was disregarded during that hearing.

This current push for borough formation is based on action from legislators who are concerned with the transfer of education costs onto local governments and other economic factors. Let us not forget, however argued, that Impact Aid/PILT is indeed a local contribution and should be recognized as such. The state must provide incentives to form boroughs such as a less restrictive and tedious permitting process and should agree to be a partner in the development of local government entities.

It should be noted that there are 11 First Class or Home Rule cities in the list of eight potential boroughs to be forwarded to the Legislature. Those communities already support their own schools. Those small communities in outlying areas, as stated over and over in the report done by LBC staff, often are subsistence communities without the ability to pay for their own schools. Therefore, will we simply see the burden of supporting schools go from the State coffers to the Borough coffers, supported by the tax payers in the "wealthier" communities and/or simply surrounded by large expanses of uninhabited land, changing virtually nothing.

Mention is made throughout the LBCs public meetings regarding the lack of time with which to accomplish this task. We agree that it is unfortunate that an issue of such concern to the residents of the State, and which involves so many aspects of state and local government, should be required to be completed in such a short time, allowing no time for site visits and very little for public involvement and/or comments. The December 9th meeting briefly mentions face-to-face comments and travel to affected communities, but we have seen no sign of that to date. Without a public process that allows the opportunity and time to suggest alternatives and options about our own areas, much less the list of eight areas potentially forwarded to the Legislature, how can one reasonably and credibly answer one of the Commissioner's ill-defined questions as to whether the list of eight areas seem "out of whack?"

During the January 22, 2003 "listen only" meeting, reference was made to the inclusion of Kake and Angoon into the Glacier Bay Borough. On what basis was this idea formed? Has there been public comment requesting or suggesting this new configuration? Has there been any investigation into actual distance, transportation, communication and issues with these areas? More importantly, however, these types of suggestions show that the standards continue to be moving targets, leaving the public unsure as to when areas will be held to the strictest letter of the regulations (i.e. Model Borough Boundaries) and when the regulations will be disregarded substantially.

We are unclear as to why the decision was made to exclude areas that are partially in existing boroughs? Again, Skagway, attempted to accept the obligations of a borough government, but has been removed from the list that instead focuses on areas that have not (up to this point) actively stepped forward, for a number of various reasons. According to transcriptions, some of these decisions were made based on the "familiarity" of the Anchorage Chairman, to certain locales. If the rest of the Commission is not allowed adequate time to research this list on their own, this method seems tenuous at best, producing results based not on facts, but on summations.

We are concerned as to the State's long-range plans for those communities whose names will NOT be passed on to the Legislature. Will we simply continue to have some areas organized and others unorganized as now, simply changing

the configuration? Or rather, can we instead spend the time identifying incentives and flexible, evolving methods to accomplish borough formation across the entire state; methods that work positively for communities, rather than methods that are driven by fear of what the State or neighboring areas might do?

Until now, the State Legislature has been unwilling to serve as the Assembly of the Unorganized Borough. They have failed to provide the \$30,000 appropriation for Borough Feasibility studies under AS 44.33.840. The Local Boundary Commission spent much time discussing a cover letter meant to assure the people of Alaska that this report was given to the Legislature NOT to be used as a precursor to the State's requirement of a petition from the affected areas. However, the results of this report will have very little to do with the spirit in which the report is delivered, but rather in the spirit of how the Legislature decides to accept it. If the State of Alaska can establish a means to make uniform comparisons of the property tax base of municipal governments, it can certainly provide for clean and concise language in standards to be met to form boroughs.

To summarize, we believe that concentration must be given to the big picture. What is the overall goal and how do we get there in ways that benefit the residents of this State, as well as their local and State governments. We think it is unwise to proceed with a method that can only serve to continue to be met by a percentage of the State. We would propose addressing first the incentives or lack thereof, and the barriers that discourage or prohibit an area from borough formation. We would be happy to help identify specifics as they relate to these suggestions.

ALASKA STATE LEGISLATURE

SENATE COMMUNITY & REGIONAL AFFAIRS COMMITTEE

Senator Tom Wagoner, Chair



Official Business

Senator Robin Taylor, Vice-Chair
Senator Kim Elton
Senator Georgianna Lincoln
Senator Gary Stevens

State Capitol, Room 427
Juneau, AK 99801-1182
Phone: (907) 465-4989
Fax: (907) 465-4779

DATE: April 3, 2003

TO: Senate Secretary

FROM: Senator Tom Wagoner, Chair
Senate Community and Regional Affairs Committee

RE: Meeting Schedule: April 7 through April 11, 2003

April 7: No meeting scheduled.

April 9: +1:30 - 3:30pm: Fahrenkamp, Room #203

++ Local Boundary Commission Presentation on Legislative Directive for
Unorganized Borough Review

April 11: No meeting scheduled.

* First Hearing
+ Teleconferenced
++ Testimony by invitation only

ALASKA STATE LEGISLATURE



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State Capitol, Room 427
Juneau, AK 99801-1182
Phone: (907) 465-4989
Fax: (907) 465-4779

DATE: April 8, 2003

TO: Senate C&RA Committee Members

FROM: Senator Tom Wagoner 

RE: LBC Presentation on Borough Report

As you know, the Local Boundary Commission will make a presentation to us on their Borough Report.

Please be aware, I have purposely not provided for public testimony on this report. It is a report to the committee; there is no action to be taken on this matter.

If there is any action taken, it will have to come in the form of a bill. At that point, the opportunity for public comment will be provided.

I am providing you again a copy of input that was previously provided to my office when the LBC presented their annual report. It is specific to this borough report.

RCUA
2/12/03
-129

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**REMARKS TO THE SENATE COMMUNITY & REGIONAL
AFFAIRS COMMITTEE OF THE FIRST SESSION OF THE
23RD ALASKA LEGISLATURE**

State Capitol, Room 203, Fahrenkamp Room

April 9, 2003 – 1:30 p.m.

Senate Community and Regional Affairs Committee membership

CHAIR: Senator Wagoner

VICE-CHAIR: Senator Taylor

MEMBER: Senator Stevens

MEMBER: Senator Lincoln

MEMBER: Senator Elton

Good afternoon. I am Darroll Hargraves, Chair of the Alaska Local Boundary Commission. I am a resident of Wasilla.

There are three other members of the Commission with me this afternoon. They are:

- ✕ ▪ Bob Hicks from Seward;
- ✕ ▪ Georgianna Zimmerle from Ketchikan; and
- ✕ ▪ Tony Nakazawa from Fairbanks.

There is a fifth member of the Commission who could not be present today. He is Bob Harcharek from Barrow.

I also want to introduce representatives of the Department of Community and Economic Development:

- Gene Kane, Division Director, and
- Dan Bockhorst, who serves as staff to the Local Boundary Commission.

The Commission is here today at the invitation of the Senate Community and Regional Affairs Committee to present information about the recently completed review of the unorganized borough.

Last year, the legislature passed Senate Bill 359 by unanimous vote among all members of the Senate and House that were present. The legislation was signed into law as Chapter 53, Session Laws of Alaska, 2002.

The law directed the Local Boundary Commission to review the unorganized borough in terms of the standards for borough incorporation. It also directed the Local Boundary Commission to report to the 2003 Legislature those unorganized areas that meet the standards for borough incorporation.

Four members of the Commission that participated in the review of the unorganized borough are no longer on the Commission. It is fitting that I recognize the hard work of those former Commissioners regarding this matter. Those former members are Kevin Waring, Allan Tesche, Ardith Lynch, and Myrna Gardner. J

FD/S

The Commission began its review shortly after the law took effect on September 17 of last year. The Commission endeavored to promote broad public awareness about and participation in the review.

The Commission met six times concerning the unorganized borough review

- October 22, 2002
- November 13, 2002
- December 9, 2002
- January 22, 2003
- February 8, 2003 and
- February 11, 2003.

During the February 8 meeting, the Commission held a statewide hearing on the matter and received testimony from residents of twenty-seven communities. 110 individuals and organizations submitted written comments on the matter to the Commission.

All written comments, along with a transcript of the Commission's meetings of December 9, January 22, February 8, and February 11 are part of the record reviewed by the Commission.


The Commission filed its report with the Legislature on February 19 of this year. A copy of the report was provided to each legislator. The report and a copy of the correspondence and transcripts have also been provided to the Secretary of the Senate and the Chief Clerk of the House.

Again, four of the five current members of the Commission did not participate in the review of the unorganized borough. However, the currently appointed members of the Commission have had the opportunity to fully review the February 19 report on the unorganized borough. The Commission met two days ago to address the matter at length.

Chapter 53, SLA 2002 imposed on the Commission a duty only to make a determination as to which unorganized areas meet borough standards. The law was clear that the Commission's report to the legislature did not constitute a formal recommendation for incorporation of boroughs in any areas under Article X, Section 12 of the constitution. As such, the Commission's duties under Chapter 53 have been fulfilled. The Commission will address any future directives by the legislature regarding in accordance with the law.

Dan Bockhorst, staff to the Commission, is prepared to provide a summary of the Commission's review of the unorganized borough. The summary that he will provide reflects the current views of the Commission.

Mr. Chairman, with your permission, Mr. Bockhorst will provide you with a summary of the study and report.




Local Boundary Commission

Presented to the
Senate Community and Regional Affairs Committee
April 9, 2003

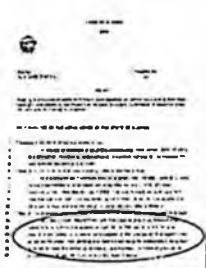
- 1. LBC's duty to review the unorganized borough & study local government boundary problems;**
- 2. Key background information about establishment of boroughs;**
- 3. Significant conclusions reached by the LBC regarding borough establishment;**
- 4. Unorganized areas that meet borough incorporation standards.**

Part I


Duty of the LBC to Review the Unorganized Borough & Study Local Government Boundary Problems




CHAPTER 63,
SESSION LAWS OF ALASKA, 2002




"The Local Boundary Commission shall review conditions in the unorganized borough. ... the commission shall report to the legislature the areas it has identified that meet the standards for incorporation."

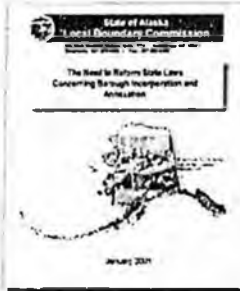


AS 44.33.812





"The Local Boundary Commission shall make studies of local government boundary problems ..."






"Shortcomings in the manner in which the borough concept has been implemented" were studied by the Commission in 2001.






"The Commission considers the lack of a strong State policy promoting the extension of borough government to be the most pressing 'local government boundary problem' facing Alaska."


Part II




Key Background Information About Establishment of Boroughs




Constitutional Background





STATE OF ALASKA CONSTITUTIONAL CONVENTION
UNIVERSITY OF ALASKA
NOV. 8, 1955 - FEB. 8, 1956







The Committee on Local Government met 44 times before presenting the Local Government Article to the Convention.





Delegates formally considered the Local Government Article on January 19, 20, and 30, 1956.





John Rosswog, Chair, Committee on Local Government

"... we allow for the boroughs remaining unorganized until they are able to take on their local government functions."

Alaska Constitution Convention Proceedings, Alaska Legislative Council, page 2612



Delegate Barrie White

Alaska Constitution Convention Proceedings, Alaska Legislative Council, page 2650

"Haven't we here inducement to an area to remain an unorganized borough and to get the state to provide all the necessary functions?"



Victor Rivers, Committee on Local Government member

Alaska Constitution Convention Proceedings, page 2650

"... it was our thought there would be enough inducement for them to organize and exercise home rule so that as time went on they would gradually all become incorporated boroughs."

Maynard Londborg, Local Government Committee member, added that boroughs could be organized on a voluntary or mandatory basis, but the Committee desired the former.



Alaska Constitution Convention Proceedings, Alaska Legislative Council, page 2673

Delegate James Hurley

"Is my idea correct that no organized borough will become effectuated without the voice of the people in the area?"



Vic Fischer, Secretary, Local Government Committee

Alaska Constitution Convention Proceedings, Alaska Legislative Council, page 2673

"The answer, I think, would be 'no'. ...when a certain area reaches a position where it can support certain services and act in its own behalf, it should take on the burden of its own government."




Alaska Constitution Convention Proceedings, Alaska Legislative Council, page 2674

Vic Fischer, continued


"... we don't actually visualize that the state will force boroughs to organize, since we feel that they should be set up on such a basis that there will be enough inducement for each one to organize."



Article X was adopted by the Convention on January 30, 1956.




The Constitution was ratified by voters on April 24, 1956 and took effect January 3, 1959.
2:1 ratio




ALASKA CONSTITUTION ARTICLE X
Section 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.

The legislature has a duty under the constitution to set State policy regarding establishment of boroughs.




ALASKA CONSTITUTION ARTICLE X
Section 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.

Boroughs – organized or unorganized – must be established throughout Alaska.



ALASKA CONSTITUTION ARTICLE X
Section 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.

All boroughs – organized and unorganized – must be established according to standards and procedures enacted by the legislature.



The 1961 Legislature set the initial State policy regarding establishment of boroughs.
Local option

1961 ACT

- Procedures for incorporation of organized boroughs by local option were enacted.

1961 ACT


- Standards for incorporation of organized boroughs were enacted.

CH. 196 SLA 1961

- Independent school districts formed under Territorial law – but not sanctioned under Alaska's constitution – were given two years to be integrated into boroughs.


- A single unorganized borough was established encompassing all of Alaska not within organized boroughs.
- 1 BORO
656,000 sq miles

State policy makers anticipated that the Borough Act of 1961 would be generally ineffective in promoting borough formation.




Jay Hammond, State Representative at the time of the Borough Act of 1961.

"Attractive enough on paper, in practice, the organized borough concept had little appeal to most communities. After all, why should they tax themselves to pay for services received from the state, gratis?"




Roger W. Pegues, Director, Local Affairs Agency, 1960-1962

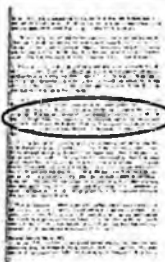
"It was generally believed [by the drafters and supporters of the original Borough Act of 1951] that the 1963 legislature would adopt a mandatory incorporation law."




The Metropolitan Experiment in Alaska - A Study of Borough Government, page 92



"... like the constitution writers, the authors of the 1961 act were wrong" (Alaskans were not generally induced to voluntary borough incorporation).




Alaska's Urban and Rural Governments, page 43




John Rader, first State A.G., State Rep. (1959, 1963-1966), State Senator (1969 - 1978)


"... the moment [a proposed borough] began to have an immediate tax equalization feature, the borough had two chances for success - slim and none."



The Metropolitan Experiment in Alaska - A Study of Borough Government, page 91





Arguments against boroughs in the early 1960s were similar to those voiced today.




Alaska's Urban and Rural Governments, page 43



"School district officials wanted to avoid loss of autonomy, city residents saw no need for a new layer of government and taxation, and Alaskans outside cities and school districts wanted to preserve their tax-free status."

As anticipated, the Borough Act of 1961 proved to be generally ineffective in promoting borough formation.




- In the two years allowed, none of the nine regions containing independent school districts had formed boroughs.
- The deadline for integration of independent school districts into boroughs was just months away when the 1963 Legislature convened.


The Metropolitan Experiment in Alaska, page 93

“... the greatest unresolved political problem of the State was the matter of boroughs. ... A great opportunity to create something of value could be lost.”

John Rader



In 1963, Representative Rader sponsored HB 90 mandating that the nine election districts encompassing independent school districts must incorporate boroughs by January 1, 1964.






Following amendment to exclude one of the nine areas, HB 90 was enacted.

*excluded one was
ICY STRAITS/LYNN
CANAL AREA*



Ch. 52, SLA, 1963 mandated boroughs in:


- Ketchikan
- Sitka
- Juneau
- Kodiak Island
- Kenai Peninsula
- Anchorage
- Mat-Su
- Fairbanks






Section 1. Declaration of Intent.

“It is the intention of the legislature to provide for maximum local self-government with a minimum number of local government units and tax-levying jurisdictions.”

*Chapter 52,
Session Laws of
Alaska, 1963*







*Chapter 52,
Session Laws of
Alaska, 1963*

Section 1. Declaration of Intent continued

"... No area incorporated as an organized borough shall be deprived of state services, revenues, or assistance or be otherwise penalized because of incorporation."





In 1964, the Alaska Supreme Court characterized the 1963 Mandatory Borough Act as (emphasis added):



"An additional means for accomplishing the constitutional objective of establishing borough government was provided by chapter 52 SLA 1963. Here the legislature did not leave the question of the formation of boroughs to local option, as it did in the 1961 statute."

Walters v. Case, 394 P.2d 870 (Alaska 1964)







The Metropolitan Experiment in Alaska, page 81


"It was only after a series of repeated failures that in 1963 the State legislature finally exercised the authority which had previously been delegated to others."

John Rader




Despite its general ineffectiveness, the State returned to the policy of delegating borough establishment to local residents after 1963.

- 
- In 44 years of statehood, boroughs have formed under the local option process in areas encompassing just 4% of Alaskans.
 - In contrast, the eight boroughs formed under the 1963 Mandatory Borough Act encompass 83% of Alaskans.




- Incentives to incorporate boroughs were generally inadequate in the early 1960s.
- Since then, borough incentives have diminished substantially.



Excerpts from:
Municipal Government in
Alaska - WHITE PAPER
< <http://www.akml.org/>>

Alaska Municipal League


- "The state has failed to continue the evolution of local government directed by the Constitution. Article X of the Constitution states, "The entire state shall be divided into boroughs, organized and unorganized."



Excerpts from:
Municipal Government in
Alaska - WHITE PAPER
< <http://www.akml.org/>>

Alaska Municipal League


- "Alaska is the only state with no local government for a large geographical part of the state."



Excerpts from:
Municipal Government in
Alaska - WHITE PAPER
< <http://www.akml.org/>>

Alaska Municipal League


- "Article X of the Constitution also states, 'The purpose of this article is to provide for maximum local self government with a minimum of local government units.' In the Unorganized Borough the opposite is true. There is currently a minimum of local self-government with a maximum of local government units."




Excerpts from:
Municipal Government in
Alaska - WHITE PAPER
< <http://www.akml.org/>>

Alaska Municipal League

- "Adding borough government would not be a new, expensive layer of government. Local services are currently provided by the state and a patchwork of over 400 separate [entities]. Current service delivery is neither inexpensive or efficient, due to the lack of coordinated service delivery."



Part III



Significant Conclusions Reached by the Commission Regarding Establishment of Borough in Alaska

**CERTAIN FUNDAMENTAL
REQUIREMENTS OF
ARTICLE X, SECTION 3
REMAIN UNFULFILLED**

Standards for establishment of unorganized boroughs have never been enacted.

Procedures for establishment of unorganized boroughs have yet to be enacted.


The single "residual" unorganized borough encompasses an area and population with highly diverse interests, not common interests as required by the constitution.

**BOROUGHES PROMOTE
EQUITY AMONG ALASKANS**

Boroughs Promote Equity
Art. I, Sec. 1 requires equal responsibility among Alaskans. Yet, statutory law singles out organized boroughs and home rule & first class cities in the unorganized borough by requiring them to provide significant support for fundamental services such as public education.
*EQUAL PROT or
EQUAL RESPON*

Local contributions required of municipal school districts under AS 14.17.410 reduce education foundation funding that would otherwise be paid by the State to boroughs and home rule & first class cities in the unorganized borough.

Reduction of funding conflicts with the express intent of the 1963 Mandatory Borough Act.



"... No area incorporated as an organized borough shall be deprived of state services, revenues, or assistance or be otherwise penalized because of incorporation."




The requirement for local contributions for schools is, in effect, a \$160 million annual State tax levied only on organized boroughs and home rule & first class cities in the unorganized borough.

In the absence of standards and procedures to determine whether unorganized areas have the capacity to take on responsibility for their own government, the current disparate treatment of Alaskans lacks a rational basis.



**BOROUGHS PROMOTE
MAXIMUM LOCAL
SELF-GOVERNMENT**

Recall the comments of John Rader:



"... A great opportunity to create something of value could be lost."

As noted earlier, the 1963 Legislature mandated eight boroughs, in part, to provide for maximum local self-government.



"It is the intention of the legislature to provide for maximum local self-government ..."

In 1974, the Alaska Supreme Court construed the section of the constitution promoting maximum local self-government to favor upholding borough formation. Specifically, the court stated:

"Our review of the record has been undertaken in light of the statement of purpose accompanying article X, the local government article of the Alaska Constitution. Section 1 declares in part:

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 . . .

We read this to favor upholding organization of boroughs ..." *Mobil Oil Corp. v. LBC, 518 P.2d 92, 99 (Alaska 1974)*

"Our constitution encourages their creation. Alaska const. Art. X, § 1."

Mobil Oil Corp. v. LBC, 518 P.2d 92, 101 (Alaska 1974)

Boroughs Promote Maximum

Practical examples of the manner in which boroughs promote maximum local self-government include:

- providing capacity to supplement State funding for fundamental regional services like education (REAs are dependent upon the State);

- establishing an entity with ability to issue bonds to construct or rebuild regional facilities such as schools (REAs lack authority to issue bonds);
- creating a government to levy taxes to provide services not otherwise available (boroughs are the only regional governmental unit in Alaska with taxing power);


Local Self Government

Boroughs Promotion

- establishing a municipal platting authority (the State has the burden of serving as the platting authority in the unorganized borough outside the relatively few cities that exercise such power);
- offering a mechanism to provide alcohol control on a regional basis (currently available only on a community basis in the unorganized borough);

- providing the capacity to participate in the National Flood Insurance Program (currently limited in the unorganized borough to areas within city government boundaries).

Part IV



Unorganized Areas that Meet Borough Standards

Unorganized Areas of Alaska that Meet Borough Incorporation Standards
A Report by the Alaska Local Boundary Commission to the Alaska Legislature Pursuant to Chapter 11, Section 106 of Alaska 2002
 February 2003

1. Aleutians West;
2. Upper Tanana Basin;
3. Copper River Basin;
4. Prince William Sound;
5. Glacier Bay;
6. Chatham;
7. Wrangell-Petersburg



1. Population size and stability;
2. Regional commonalities;
3. Economic capacity;
4. Broad public interest.

- POP. SIZE & Stability*
- The 7 regions had populations in 2000 ranging from 1,354 to 6,964.
 - Each region exceeded the presumptive minimum population standard of 1,000.
 - 1980 – 2000 population trends were reasonably stable in all regions except Aleutians West.
 - When adjusted for base closures, Aleutians West population was reasonably stable.
- ADAK & CHUM CLOSURES*

Regional Communities

Each area conforms to model boundaries which were defined on the basis of regional common interests including:

- natural geography;
- social, cultural & economic characteristics;
- transportation facilities;

Regional Communities

4. communications and exchange;
5. consideration of REAA boundaries; and
6. presence of multiple communities.

Economic Capacity

LBC considered the following factors in judging the economic capacity of the regions:

- mandatory powers of boroughs;
- anticipated borough expenses;
- projected borough revenues;

Economic Cap.


4. ability to generate income;
5. economic base, land use, & development;
6. property valuations;
7. personal income; and
8. prior borough feasibility studies.

Broad Pub. Int.

Broad Public Interest

Broad public interest is served by:

- maximum local self-government;
- promoting a minimum of local government units; and
- relieving the State of responsibility for local services.



Local Boundary Commission

**SUMMARY OF UNORDERED
LBC REVIEW**

50% lived w/in city limits
now only 17% live w/in city limits.

ALASKA STATE LEGISLATURE




SENATE COMMUNITY & REGIONAL AFFAIRS COMMITTEE

Senator Tom Wagoner, Chair

Official Business

Senator Robin Taylor, Vice-Chair
Senator Kim Elton
Senator Georgianna Lincoln
Senator Gary Stevens

State Capitol, Room 427
Juneau, AK 99801-1182
Phone: (907) 465-4989
Fax: (907) 465-4779

DATE: April 8, 2003
TO: Senate C&RA Committee Members
FROM: Senator Tom Wagoner 
RE: LBC Presentation on Borough Report

As you know, the Local Boundary Commission will make a presentation to us on their Borough Report.

Please be aware, I have purposely not provided for public testimony on this report. It is a report to the committee; there is no action to be taken on this matter.

If there is any action taken, it will have to come in the form of a bill. At that point, the opportunity for public comment will be provided.

I am providing you again a copy of input that was previously provided to my office when the LBC presented their annual report. It is specific to this borough report.

RCUA
2/12/03
-WJ

STATEMENT OF VIEWS ON BOUNDARY FORMATION IN ALASKA

By

**Nancy (Cannington) Galstad and Kathie Wasserman, DBA SOLUTIONS Inc
Former Local Boundary Commissioners (1995-2001)**

We believe everyone involved in the process of borough formation in Alaska finds the current process flawed, with no offer of incentives. We would request that the Local Boundary Commission include our comments in their February 19th report to the Alaska State Legislature in addressing this issue.

As former Commissioners on the Local Boundary Commission, we believe the process needs to be reviewed and *changed*. We are not alone in this belief, as Southeast Conference, the Southeast Conference of Mayors, the Alaska Municipal League and some municipalities, have recently passed resolutions that call for the establishment of more flexible boundaries. We support that resolution in that it requests a review of the regulations and standards under which the Model Borough Boundaries were established. The current process, based on the Model Borough Boundaries, attempts to *force* unrealistic borough boundaries upon huge areas that may encompass differing cultures and tribes, differing economic circumstances, and does not, in most cases, follow the Regional Education Attendance Areas (REAs) as mandated in AAC 3. 110.060(c).

The December 9th meeting includes mention that a few complaints have been received regarding the REAs. While Model Borough Boundaries are said to closely link with REA boundaries, only three of the eight actually do so. Further, REA complaints would probably not be directed to the Local Boundary Commission, but rather to the Alaska Department of Education. Even if problems do exist with REA boundaries, they do not affect nearly the number of people that problematic borough boundaries might.

The Commission Chairperson, in the December 9th meeting, acknowledged in passing, the resolution accepted by the Southeast Conference of Mayors, Southeast Conference and the Alaska Municipal League concerning the revisit and/or updating of the Model Borough Boundary study. However, the Commission then immediately proceeded with the list of potential borough areas based on that same current Model Borough Boundary study that was at issue with so many local government officials.

The Model Borough Boundaries were established in 1991, through a process of public hearings, held by a former Local Boundary Commission. The economic climate in Alaska was much different than today. The three major economic influences upon which the state relied for revenues (oil, fishing and timber) were still very healthy. Through regulation changes, declines and differing world markets, impacts have been felt in all Alaskan communities. As the State of

Alaska has had to rein in its spending habits, the burden and shortfall for many services has been shifted to local governments. Local sales tax revenues have been negatively impacted by e-commerce, while the Legislature has been considering a statewide sales tax, which would further erode the ability to tax locally. All this and more has happened since 1991. These changes have impacted not only local economies, but also population demographics due to the loss of jobs.

Changing factors in our State are many; population shifts, resource declines, economic changes, stronger acknowledgement of cultural ties, reapportionment, etc. As usual, the DCED staff, with regard to SB 359, has done an exemplary job of pulling so much information together in such a short amount of time. However, due to no fault of their own, much of the information is already outdated with regard to area conditions. If pertinent information, gathered a number of weeks ago is not current, this only reinforces the need for flexible standards that are based on changes in communities, not changes in Commissioners or Commissioners' changing interpretations.

The Local Boundary Commission seems to give little weight to these issues as they carry out the mandate of SB 359. In the December 9, 2002 meeting, the Commission Chairman recommended, with Commission concurrence, that the Model Borough Boundaries be adopted as a starting point for their discussion. Herein lies the problem. How is a solution possible if the "problem" is adopted as the starting point? The Alaska Constitution, Article X, Section 3, requires the entire state to be divided into boroughs, organized and unorganized. It further provides that each borough must embrace an area and population *with common interests to the maximum degree possible* (emphasis added). The Model Borough Boundary philosophy seems to contradict this constitutional standard.

The Alaska Constitution further, allows for *mergers and consolidations*. This standard appears to be ignored by DCED and the LBC when looking at borough formations. If areas are forced to encompass such huge areas to begin with, as the Model Borough Boundaries dictate, mergers and consolidations in the future would be impossible due to their unmanageable size.

We believe that the actual Commission process warrants change, as well. Law forbids LBC Commissioners from having ex-parte contact (3AAC 110.500) with *anyone other than DCED staff* concerning any pending petition/action before the Commission. DCED staff advises petitioners, assists with the petition process, researches, reviews and evaluates the petition. DCED then produces a Preliminary Report that is made public and allows for responsive comments. This is followed by a Final Report with recommendations to the Commission to adopt, deny, or adopt the petition with modifications.

Generally at the juncture between the Preliminary and Final Report, the Commission receives the first information it has seen on the petition. This comes

in the form of a stack of documents that includes all substantiating documentation (petition, maps, audit reports, independent studies, etc.) from the petitioner, written public comments (which at times can be substantial) the Preliminary Report with recommendations and the Final Report. This huge amount of paperwork (record, November 2001, Homer Annexation – 37 lbs. of paperwork) must be read, analyzed and compared to the recommendations of staff in a very short period of time by unpaid Commission appointees who have full-time jobs and families. Included in this time period is travel to and from the hearing site.

While we understand the need to limit *ex parte* contact, we believe that the Commission should be actively *involved* in the decision-making process as it develops. They should receive any materials at the time those materials are accepted for consideration by staff, and attend any required public hearings held within the affected areas. This would allow them the opportunity to receive a fair and balanced picture of the proceedings rather than relying on the information once the petition process, absent the final public hearing, is completed.

One suggestion might be to place the Commission under the Department of Law, as the Commission is deemed to be a *quasi-judicial* body. The legislature needs to provide more staff positions as the huge workload currently rests on one staff member and his technical assistant. Absent the institutional memory and tremendous dedication of this 23-year LBC employee and his assistant to handle the workload of many, one cannot imagine the void that would be created or the resultant backlog of petitions.

We further believe that, as requested by Southeast Conference, Southeast Conference of Mayors, the Alaska Municipal League and municipalities, that a review of the standards should be undertaken. We view the Model Borough Boundaries standard to be a major disincentive for borough formation and feel it should be deleted from the Administrative Code. However, if there is to be such a thing as "model borough boundaries," they should have a complete review every five years to consider the changes in the economic climate affecting jobs, population shifts, education and the very ability of local government to operate efficiently and effectively.

We feel the process has evolved into something different from that envisioned by the founders of our Constitution. Alaska Statutes were developed as a guide to form boroughs. Those statutes are straightforward and clear. The development of Administrative Code standards by the DCED is, however, where the process begins to erode; one of them being the standard for the Model Borough Boundaries (3 AAC 110.190 (c)). In our opinion, this standard has been held to as high a standard and weighted as heavily in the decision making process as the Constitution or the Alaska Statutes.

The Commission states they are given broad latitude in decision-making, however, we do not see that power given under law, but instead only through Supreme Court decisions (*Mobil Oil Corporation v. Local Boundary Commission*, 518 P.2d, 92,98, Alaska, 1974 and *Valley's Borough Support Committee v. Local Boundary Commission*, 863 P.2d 232,234 Alaska, 1993). It is apparent to us that DCED has exercised that broad latitude to interpret whether standards are met to a degree that a petitioner cannot possibly meet if they have not first met the preconceived idea of DCED's concept of "how the state should look." A *prime* example is the recent denial of the only borough proposal to come before the Commission in over 10 years. Skagway borough proposal (September, 2002) demonstrated that it had much more "common interest" with its neighbor, the Yukon Territories, than it did with its neighbor, the Haines Borough. Yet, the petition was denied. The "common interests" with Haines was touted to be manifest, though testimony from representatives of both Skagway and Haines argued to the contrary. The Haines Borough even passed a resolution in support of a Skagway borough.

Absent any clear and convincing reason to deny Skagway's petition based on the standards, language was used, such as "*narrowly meets,*" *minimally met,*" "*in a narrow interpretation of,*" "*when applied in the proper regional context,*" "*when...standard is applied in an appropriately broad context,*" "*when applied in the broader regional context,*" and "*unjustifiably small,*" in the Preliminary Report (emphasis added). In the final decisional transcriptions, the Skagway petition was denied based on a number of points pulled from a dissenting opinion from an earlier Yakutat Borough formation. These points were not discussed by Commissioners in the public hearing from which the transcriptions were based. They were added after the fact.

It is interesting to note that in the Commission's first cut to forward to the legislature, the list of areas that could potentially form boroughs is based on economic ability. As much of this whole discussion centers on economics, we find it ironic that a community such as Skagway, having proven itself financially capable of supporting borough government and in light of increased pressure for areas to form boroughs, saw their petition denied by the Local Boundary Commission. The "future" decline of areas is used as a basis for exclusion from this list of eight, as well. This also seems confusing as the trend of increases in the Skagway area was disregarded during that hearing.

This current push for borough formation is based on action from legislators who are concerned with the transfer of education costs onto local governments and other economic factors. Let us not forget, however argued, that Impact Aid/PILT is indeed a local contribution and should be recognized as such. The state must provide incentives to form boroughs such as a less restrictive and tedious permitting process and should agree to be a partner in the development of local government entities.

It should be noted that there are 11 First Class or Home Rule cities in the list of eight potential boroughs to be forwarded to the Legislature. Those communities already support their own schools. Those small communities in outlying areas, as stated over and over in the report done by LBC staff, often are subsistence communities without the ability to pay for their own schools. Therefore, will we simply see the burden of supporting schools go from the State coffers to the Borough coffers, supported by the tax payers in the "wealthier" communities and/or simply surrounded by large expanses of uninhabited land, changing virtually nothing.

Mention is made throughout the LBCs public meetings regarding the lack of time with which to accomplish this task. We agree that it is unfortunate that an issue of such concern to the residents of the State, and which involves so many aspects of state and local government, should be required to be completed in such a short time, allowing no time for site visits and very little for public involvement and/or comments. The December 9th meeting briefly mentions face-to-face comments and travel to affected communities, but we have seen no sign of that to date. Without a public process that allows the opportunity and time to suggest alternatives and options about our own areas, much less the list of eight areas potentially forwarded to the Legislature, how can one reasonably and credibly answer one of the Commissioner's ill-defined questions as to whether the list of eight areas seem "out of wack?"

During the January 22, 2003 "listen only" meeting, reference was made to the inclusion of Kake and Angoon into the Glacier Bay Borough. On what basis was this idea formed? Has there been public comment requesting or suggesting this new configuration? Has there been any investigation into actual distance, transportation, communication and issues with these areas? More importantly, however, these types of suggestions show that the standards continue to be moving targets, leaving the public unsure as to when areas will be held to the strictest letter of the regulations (i.e. Model Borough Boundaries) and when the regulations will be disregarded substantially.

We are unclear as to why the decision was made to exclude areas that are partially in existing boroughs? Again, Skagway, attempted to accept the obligations of a borough government, but has been removed from the list that instead focuses on areas that have not (up to this point) actively stepped forward, for a number of various reasons. According to transcriptions, some of these decisions were made based on the "familiarity" of the Anchorage Chairman, to certain locales. If the rest of the Commission is not allowed adequate time to research this list on their own, this method seems tenuous at best, producing results based not on facts, but on summations.

We are concerned as to the State's long-range plans for those communities whose names will NOT be passed on to the Legislature. Will we simply continue to have some areas organized and others unorganized as now, simply changing

the configuration? Or rather, can we instead spend the time identifying incentives and flexible, evolving methods to accomplish borough formation across the entire state; methods that work positively for communities, rather than methods that are driven by fear of what the State or neighboring areas might do?

Until now, the State Legislature has been unwilling to serve as the Assembly of the Unorganized Borough. They have failed to provide the \$30,000 appropriation for Borough Feasibility studies under AS 44.33.840. The Local Boundary Commission spent much time discussing a cover letter meant to assure the people of Alaska that this report was given to the Legislature NOT to be used as a precursor to the State's requirement of a petition from the affected areas. However, the results of this report will have very little to do with the spirit in which the report is delivered, but rather in the spirit of how the Legislature decides to accept it. If the State of Alaska can establish a means to make uniform comparisons of the property tax base of municipal governments, it can certainly provide for clean and concise language in standards to be met to form boroughs.

To summarize, we believe that concentration must be given to the big picture. What is the overall goal and how do we get there in ways that benefit the residents of this State, as well as their local and State governments. We think it is unwise to proceed with a method that can only serve to continue to be met by a percentage of the State. We would propose addressing first the incentives or lack thereof, and the barriers that discourage or prohibit an area from borough formation. We would be happy to help identify specifics as they relate to these suggestions.

Sponsor and/or Committee Name			Date
SCRA- Sen. Thomas Wagoner, Chair			4-9-03
Start/End Time	Chairing site	Juneau Room	Testimony
1:30p 3:30p	Juneau	CAP 203	Yes ___ No ___ Invitational <input checked="" type="checkbox"/>
Contact Person and	Phone Number	Other sites may add?	Testimony Limit
Mary Jackson	465-4989	<input checked="" type="checkbox"/>	

Subject of meeting and/or Bills on agenda

see attached

Sites - LIOs	Sites - Offnets	Phone #
Anchorage	<input checked="" type="checkbox"/>	
Barrow		
Bethel		
Cordova		
Delta Junction		
Dillingham		
Fairbanks		
Glennallen		
Homer	<input checked="" type="checkbox"/>	
Juneau		
Kenai		
Ketchikan		
Kodiak		
Kotzebue		
Matsu		
Nome		
Petersburg		
Seward		
Sitka		
Tok		
Valdez		
Wrangell		

Notes



CITY OF PALMER

231 West Evergreen Avenue • Palmer, Alaska 99645
PHONE (907) 745-3271
FAX (907) 745-0930

CELEBRATING FIFTY YEARS

1951 - 2001

February 10, 2003

Senator Tom Wagoner, Chair
Senate Community and Regional Affairs Committee

Representative Carl Morgan, Chair
House Community and Regional Affairs Committee

RE: Report of the Local Boundary Commission

Dear Senator Wagoner and Representative Morgan:

The City understands there will be a joint meeting of the Senate and House Community and Regional Affairs Committees this Wednesday morning to hear the presentation of the Local Boundary Commission's Report to the First Session of the Twenty-Third State Legislature.

A good portion of the Report addresses the annexation of 861.44 acres to the City of Palmer. This is a legislative review annexation that is of significant importance to Palmer. I welcome an opportunity to address any questions you or fellow committee members may have regarding this annexation.

I plan to be present by teleconference for the joint committee meeting on Wednesday morning. However, if that meeting does not provide ample opportunity to address committee member's questions, or another hearing is more appropriate for that purpose, please let me know and I will make arrangements to be available.

Thank you for your consideration of this issue.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tom Healy", is written over a faint, larger version of the same signature.


Thomas Healy
City Manager

CITY OF PALMER

TRANSMITTAL MEMO

231 W. Evergreen Ave.
Palmer, AK 99645

(907) 745-3271
(907) 745-0930 FAX

TO: MARY JACKSON
FROM: Tom Healy, City Manager 
DATE: February 10, 2003
RE: CRA Hearing

Thanks for the information on the joint House and Senate CRA committee hearing on Wednesday morning.

Attached is a letter to both Senator Wagoner and Representative Morgan. I have also faxed this letter to Representative Morgan's office. I will mail the originals.

Please see that the CRA committee members receive a copy of this letter.

Thanks.



OFFICIAL BUSINESS

Alaska State Legislature

Senate

STATE CAPITOL, ROOM 213
JUNEAU, ALASKA 99801-1182
(907) 465-3701
FAX 465-2832
EMAIL: senate_secretary@legis.state.ak.us

February 3, 2003

MEMORANDUM

TO: Senator Wagoner, Chair
Community and Regional Affairs Committee

FROM: Kirsten Waid *KW*
Secretary of the Senate

SUBJECT: Local Boundary Commission Report

In accordance with AS 23.40.215, President Therriault has referred the following report to your committee:

Report of the Local Boundary Commission to the First Session of the Twenty-Third
Alaska State Legislature

KW/lc
Attachment

Report of the Local Boundary Commission
to the First Session of the
Twenty-Third Alaska State Legislature

JAN 30 2003

January 30, 2003

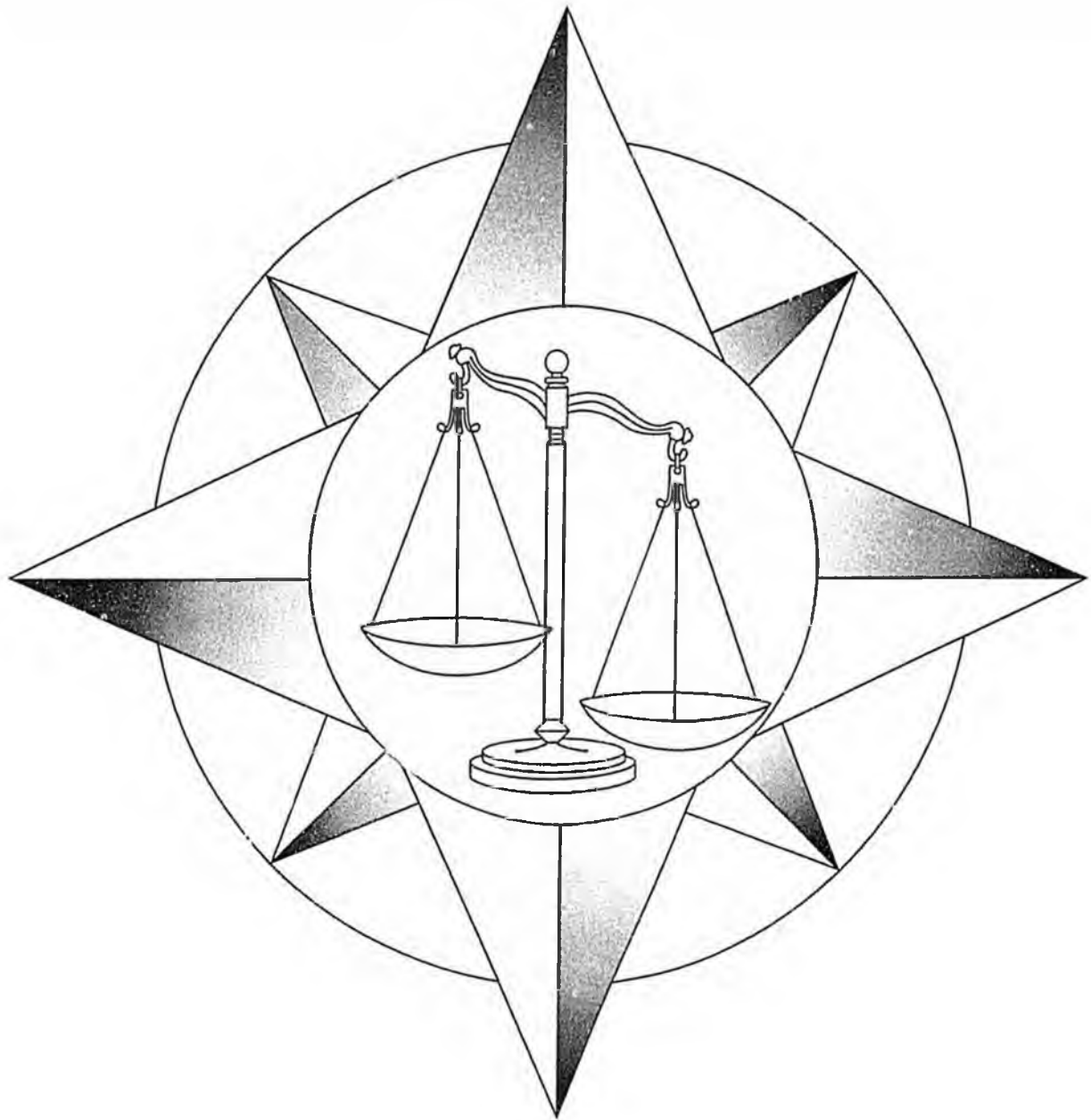
JAN 30 2003



Kevin Waring, Chair
Myrna Gardner, First Judicial District
Robert Harcharek, Second Judicial District
Allan Tesche, Third Judicial District
Ardith Lynch, Vice-Chair, Fourth Judicial District



Local Boundary Commission
550 West Seventh Avenue, Suite 1770
Anchorage, Alaska 99501-3510
Phone: 907-269-4560
Fax: 907-269-4539



The Local Boundary Commission complies with Title II of the Americans with Disabilities Act of 1990. Upon request, this report will be made available in large print or other accessible formats. Requests for such should be directed to the Local Boundary Commission staff at 907-269-4560.

This report is also available on the Local Boundary Commission's website at:

<http://www.dced.state.ak.us/cbd/lbc/lbc.htm>