

**SB**

**96**

<TARGET><BILL>SB 96</BILL><SUBJECT>SB  
96</SUBJECT><COMM>SFIN27</COMM></TARGET>

# FISCAL NOTE

STATE OF ALASKA  
2011 LEGISLATIVE SESSION

Fiscal Note Number 1  
Bill Version CSSB 96(CRA)  
(S) Publish Date 3/23/11

Identifier (file name) SB096-DEC-FC-03-11-11 Dept. Affected Environmental Conserv  
Title Application of Village Safe Water Act Appropriation Division of Water  
Allocation Facility Construction  
Sponsor Senator Kookesh  
Requester Senate Community and Regional Affairs Committee OMB Component Number 637

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

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

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
<b>OPERATING EXPENDITURES</b>								
Personal Services	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Services	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Commodities	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Capital Outlay	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Grants	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0		0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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<b>CHANGE IN REVENUES</b>								
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts	0.0		0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0		0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0		0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0		0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Other (please identify)	0.0		0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2011) cost 0.0

**POSITIONS**

Full-time	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Part-time	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Temporary	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Why this fiscal note differs from previous version (if initial version, please note as such)

Not applicable, initial version.

Prepared by Lynn J. Tomich Kent, Director  
Division Water  
Approved by Dan Easton  
Deputy Commissioner

Phone (907) 269-7599  
Date/Time 3/11/11 8:00 AM  
Date 3/11/2011

FISCAL NOTE #1

STATE OF ALASKA  
2011 LEGISLATIVE SESSION

BILL NO. CSSB 96(CRA)

**Analysis**

There are no fiscal impacts on the Department of Environmental Conservation's Water programs from this proposed legislation.



**SENATOR ALBERT M. KOOKESH**  
ALASKA STATE LEGISLATURE SENATE DISTRICT C

State Capitol, Room 11  
Juneau AK, 99801-1182  
907-465-3473  
888-288-3473  
FAX 907-465-2827

**SPONSOR STATEMENT**

**CSSB 96 (C&RA): “An Act relating to the Village Safe Water Act”**

This bill makes the following changes to the Village Safe Water Act:

1. Raises the maximum population eligible for funding from 600 to 1000 for villages and first-class cities. This would allow those municipalities which are still facing clean water and sanitation issues to receive VSW grants despite their population growth. First Class cities Sand Point, King Cove, Hoonah and Klawock would become eligible for VSW grants.
2. Adds home rule municipalities whose population is below 1000 residents. This would allow Nenana (a Home Rule city) and the borough of Yakutat to become eligible to apply for VSW funding.
3. Changes the definition of village from “unincorporated community” to a village listed in 43 U.S.C. 1610 or 15 (ANCSA). This would make it mandatory for an applicant to have a structured government in place.

These changes to the Village Safe Water Act would direct the program funding to those regions of Alaska it was intended to help. Many villages in Alaska lack basic sanitation needs including safe sources of drinking water or hygienic means of sewage disposal.

The Department of Environmental Conservation is in full support of this bill. I urge your support the passing of this bill.

## Explanation of Changes

The original intent of this bill was to change the statutory language to add “home rule cities” to the Village Safe Water (VSW) program so the city of Nenana would be eligible for the program. Since introduction there were three changes that occurred to the bill;

- Increasing the maximum population from 600 to 1,000. This recommendation came from the DEC, it was recommended because there are a number of cities that are close to the maximum and a couple that are barely over the limit.
- Adding “home rule municipality” was also a recommendation of DEC and that would enable both the City of Nenana and Yakutat city and Borough to be eligible.
- Changing the definition of village from “unincorporated community” to U.S.C. 1610 or 15 (ANCSA). This was also a recommendation from the DEC, it makes it mandatory for a structured government to be in place, to be eligible for the grant.

These recommendations were added by the DEC/VSW to expand the services they provide.



*City of Nenana*  
PO Box 70, Nenana, Alaska 99760  
907-832-5501, 907-832-5503-fax  
<http://www.nenana.org>



Sen. Kookesh  
State Capitol Room 11  
Juneau AK, 99801

7-Feb-11

Re: Request for Statutory Language Change

Dear Senator,

The City of Nenana requests that legislation be submitted for approval to add a section to AS 46.07.080 as identified below.

Current Language

AS 46.07.080 Definitions

In this chapter

- 1) "commissioner" means the commissioner of environmental conservation.
- 2) "village" means an unincorporated community that has between 25 and 600 people residing within a two-mile radius, a second class city, or a first class city with not more than 600 residents.

We request that the second section be revised as follows

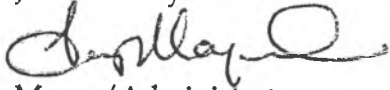
- 2) "village" means an unincorporated community that has between 25 and 600 people residing within a two-mile radius, a second class city, or a first class or home rule city with not more than 600 residents.

The City makes this request in order for the community to be specifically eligible for Village Safe Water capital improvement programs.

Nenana has previously applied and been approved for a grant from VSW for an extensive renovation of our failing water and sewer system. At some point after the grant was awarded, it was brought to our attention that it was a mistake as Nenana, being a Home Rule City, was not eligible under the current language. We therefore request that this language change be submitted so as to restore our grant eligibility.

Please contact me with any questions you or your office may have. I am happy to share the history and background information with you and your colleges.

Sincerely,  
Jason P. Mayrand

A handwritten signature in black ink, appearing to read "J. Mayrand", with a stylized flourish at the end.

Mayor/ Administrator  
City of Nenana

Cc; Rep. Dick, Sen. Coghill

**CITY OF KLAWOCK  
ALASKA**

PO Box 469  
Klawock AK 99925

Phone# (907)755-2261  
(907)755-2262  
Fax# (907)755-2403

"Site of the First Salmon Cannery in Alaska"

**March 16, 2011**

**Honorable Senator Kookesh  
State Capital Room 11  
Juneau, AK 99801**

**Re: Support for SB96**

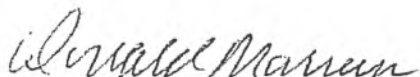
**Dear Senator Kookesh,**

**I am writing this letter on behalf of the community of Klawock to express our support for SB96. The change in the language of SB96 to a population of 1,000 residents would make Klawock eligible for the Village Safe Water Act funds.**

**By making Klawock eligible for the Village Safe Water Act program, we will be able to more effectively address the issue of our aging infrastructure. In small villages around the State there exists a real need to fund projects that address our aging infrastructure. By addressing these needs we will be able to enhance the health and welfare of the people of Klawock.**

**Thank you for introducing this language change and for your support.**

**Sincerely,**

  
**Donald Marvin  
Mayor of Klawock**

Sen. Kookesh  
State Capitol Room 11  
Juneau AK, 99801

Re: Support for SB 96

Dear Senator,

The Nenana Native Council expresses its support for adoption of a language change to add Home Rule organized communities to the Statute.

Making the community eligible for inclusion in this program will enable us to greatly enhance the health and welfare of the members of the community.

Thank you for your support.

Sincerely,



Robin Campbell  
Tribal Administrator  
Nenana Native Council

**NENANA CITY PUBLIC SCHOOLS**

P.O. BOX 00010  
NENANA, ALASKA 99760  
907-832-5464  
FAX 907-832-2008

Sen. Kookesh  
State Capitol Room 11  
Juneau AK, 99801

March 15, 2011

Re: Support for SB 96

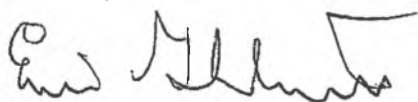
Dear Senator,

The Nenana School District expresses its support for adoption of a language change to add Home Rule organized communities to the Statute.

Making the community eligible for inclusion in this program will enable us to greatly enhance the health and welfare of the members of the community.

Thank you for your support.

Sincerely,



Eric Gebhart  
Superintendent

Sen. Kookesh  
State Capitol Room 11  
Juneau AK, 99801

Re: Support for SB 96

Dear Senator,

The Nenana Native Council expresses its support for adoption of a language change to add Home Rule organized communities to the Statute.

Making the community eligible for inclusion in this program will enable us to greatly enhance the health and welfare of the members of the community.

Thank you for your support.

Sincerely,



Robin Campbell  
Tribal Administrator  
Nenana Native Council



**CITY & BORO of YAKUTAT**

P.O. Box 160  
Yakutat, Alaska 99689  
Phone (907) 784-3323  
Fax (907) 784-3281

March 18, 2011

Senator Albert Kookesh,  
Alaska State Legislature  
Juneau, Alaska

**VIA FAX (907) 465-2827**

**Re: SB 96**

Dear Senator Kookesh;

The City and Borough of Yakutat would like to lend its support to SB 96 in that legislation's attempt to stabilize funding under the Village Safe Water Act.

Significant, temporary, population fluctuations occur in the State of Alaska as a result of development decisions made by one or more of the many large land owners who characterize property ownership in Alaska in general and Southeast in particular. Seldom are those fluctuations a reflection of core village society and economics.

The changes suggested by SB 96 will help address temporary population "bubbles" as well as guarantee continuity of project work from one building season to the next.

Thank you for your good work and continued concern for your constituency.

Sincerely,

A handwritten signature in black ink, appearing to read "Skip Ryman". The signature is fluid and cursive.

Frank L. "Skip" Ryman  
Manager, City and Borough of Yakutat