

LEG. FINANCE - BILLS 1979 - 1980 1385

SB 545 cont. thru SB 555 1385



**DERALD SCHOON:
GENERAL CONTRACTOR**

"Let me make a couple of points about subcontractors," the blunt general contractor said. The speaker was Derald Schoon, president of Unit Co. of Anchorage.

"Especially on design-build jobs, you pick subcontractors you know you can rely on. You don't want problems in the middle of a job. With Rogers & Babler, "I don't even ask for bids."

"In every trade you have subcontractors who do poor quality work. With Rogers & Babler you don't have any hassles."



**FRANK HOFFMANN:
STATE ENGINEER**

As central region construction engineer for the State of Alaska's Department of Transportation & Public Facilities, Frank Hoffmann's relationship with Rogers & Babler goes back more than 15 years.

"They're one of Alaska's outstanding contractors in wanting to do a good job . . . they recognize the value of the taxpayer's dollar," Hoffmann said. "A lot of times they'll come in with constructive criticism and suggest a way they can save the State some money."

Anchorage writer/photographer Philip (Flip) Todd's articles have appeared in The Washington Post, Business Week and many Alaskan publications.



**BEN HARDING:
INFORMATION DIRECTOR**

"For the first time since the Gold Rush, Fairbanks is producing something the rest of the world needs. The sale of jet fuel has jumped 340% in the past year — this means increased revenue to the Fairbanks International Airport. As long as fuel is assured, prices here can remain competitive. Overall energy costs have not risen as fast, or as much here, as they would have if the refinery weren't here.

"More than half of Fairbanks' homes are heated with oil. To know that heating fuel is available locally, particularly in the cold and dark of winter days and nights, is comforting. Fuel is a life and death matter in Interior and Northern Alaska.

"The North Pole Refinery creates a ripple effect of economic benefits. It provides a solid tax base."



**EIICHI YAMAGUCHI:
JAPAN AIR LINES**

"We route 90 flights a week through Alaska from Tokyo to Los Angeles, San Francisco and New York. We've diverted 26 of our cargo flights to Fairbanks for refueling because fuel supplies in Anchorage were cut 15% — just at a time when we were expanding. We are happy that North Pole Refining can supply us. Prices were right at just the right time.

"Our DC-3 cargo planes will have to be retired in two or three years, then we will change to 747s. If a hydrant fuel system is installed at the Fairbanks Airport soon, and we can continue to get fuel from North Pole Refining at a reasonable price, then we could bring 747s to Fairbanks."



**BOB HUFMAN:
UTILITY MANAGER**

"Without a doubt North Pole Refining is the best thing to happen in Interior Alaska for a long time. GVEA is able to buy industrial turbine fuel for our oil-fired gas turbines at a more attractive price than any quoted by refiners in the Lower 48 states.

"Electrical and heating requirements are much greater here in winter than any place stateside. We've always hoped for a break in fuel prices because we use so much fuel. North Pole Refining gave us that break.

"We had a great deal of faith in Earth Resources and the refinery project. We began construction of our North Pole power plant before construction began on the refinery. The day North Pole Refining opened its doors, GVEA was ready and waiting."

Helen Atkinson is a longtime Alaskan and a well-known free-lance writer for state and national publications. Photos are by Margaret Bauman.

Overleaf: Delta Refining modernization is as impressive in its physical dimensions as it is in its potential for ERC.





RECORDS CERTIFICATION



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James O. Smith
Signature of Camera Operator

3/23/90
Date

COMMITTEE REPORT

SENATE

5/15/80

FURTHER: None

Date: _____

Mr. President:

The Committee on FINANCE has had SB 546
state aid for local capital projects

under consideration and (a majority of the committee) (the committee)
reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

COMMITTEE REPORT

SENATE

FURTHER:

Finance

4/3/80

Date: 5-15-80

Mr. President:

The Committee on COMMUNITY AND REGIONAL AFFAIRS has had SB 546

state aid for local capital projects

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for SB 546 same title new title
- and recommends reports it back as follows
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Patrick Boyle
Lenny P. Stinson

2 Bob Mulvaney No Rec
2 Tim Kelly No Rec

Arthur Sturgulewski
CHAIRMAN
Do Pass

Original sponsor: Community and Regional
Affairs Committee

Offered: 5/15/80
Referred: Finance

1 IN THE SENATE

BY THE COMMUNITY AND REGIONAL
AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 546

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state aid for local capital pro-
7 jects; establishing the capital projects foundation
8 fund; and providing for an effective date."

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

10 * Section 1. It is the purpose of AS 44.42.100 - 44.42.160 to create a
11 program which can provide a source of money which will be equitably distrib-
12 uted throughout the state to be used, alone or with money from other sources,
13 to finance capital projects. It is the intent of the legislature that plan-
14 ning for capital projects reflect local needs and priorities and that, when-
15 ever possible, political subdivisions of the state have sole responsibility
16 for the expenditure of state money provided through the program. Nothing in
17 AS 44.42.100 - 44.42.160 is intended to restrict the legislative authority to
18 appropriate money.

19 * Sec. 2. AS 44.42.020 is amended by adding a new paragraph to read:

20 (14) adopt regulations for management of the capital projects
21 foundation fund established under AS 44.42.100 and administer that fund.

22 * Sec. 3. AS 44.42 is amended by adding new sections to read:

23 ARTICLE 2. CAPITAL PROJECTS FOUNDATION ENTITLEMENTS.

24 Sec. 44.42.100. CAPITAL PROJECTS FOUNDATION FUND AND ENTITLEMENTS.

25 (a) There is established in the department a capital projects founda-
26 tion fund for the purpose of providing state assistance for improvement,
27 maintenance and new construction costs of local capital projects.
28 Within the limits of appropriations for the purpose, the department
29 shall make entitlements for capital projects to organized boroughs, to

1 home rule municipalities as defined in AS 29.08.010, and to municipali-
2 ties unified under AS 29.68 which have capital improvement plans.

3 (b) Within the limits of appropriations for the purpose, the
4 department shall make and manage entitlements for capital projects for
5 unorganized boroughs if a version of an Act entitled "An Act relating to
6 unorganized boroughs, establishing unorganized boroughs, establishing a
7 program of financial assistance for the preparation of regional plans by
8 unorganized boroughs, permitting adoption of home rule charters by
9 unorganized boroughs, and directing submission of recommendations con-
10 cerning adjustment of the boundaries of service areas of the unorganized
11 borough; and providing for an effective date" is enacted. If that bill
12 is not enacted, the department shall make and manage entitlements for
13 capital projects for each regional educational attendance area organized
14 under AS 14.08.031.

15 (c) The amount of appropriation authorized for the capital im-
16 provements foundation fund for each fiscal year is not less than \$400
17 times the state population as annually determined by the Department of
18 Labor.

19 Sec. 44.42.110. ELIGIBLE FACILITIES. (a) An entitlement from the
20 capital projects foundation fund may be used for improvement, main-
21 tenance, or construction costs of the following facilities

- 22 (1) libraries;
- 23 (2) community and emergency detention facilities;
- 24 (3) fire halls, including the purchase of fire vehicles;
- 25 (4) community parks and recreational facilities;
- 26 (5) water and sewer facilities;
- 27 (6) health facilities;
- 28 (7) community centers;
- 29 (8) cultural facilities;

1 (9) transportation facilities which do not duplicate state
2 facilities and which are not inconsistent with the state transportation
3 plan under AS 44.42.050 as determined by the department, including

4 (A) service roads;

5 (B) trails;

6 (C) harbors and docks for small boats;

7 (D) seaplane floats;

8 (E) public transit facilities, including the purchase of
9 transit vehicles;

10 (F) emergency and recreational airstrips for small
11 aircraft.

12 (b) A facility is eligible for an entitlement under this section
13 only if it is identified in a capital improvement plan formulated under
14 AS 44.42.130.

15 (c) If a facility is located in or to be located in a home rule or
16 unified municipality or organized borough, it is not eligible for an
17 entitlement under this section unless the borough or municipality

18 (1) has or will have title to the facility; and

19 (2) has authority under AS 29 to operate the facility.

20 Sec. 44.42.120. REGIONAL COUNCILS. (a) A regional council shall
21 be established for each unorganized borough if a version of an Act
22 entitled "An Act relating to unorganized boroughs, establishing un-
23 organized boroughs, establishing a program of financial assistance for
24 the preparation of regional plans by unorganized boroughs, permitting
25 adoption of home rule charters by unorganized boroughs, and directing
26 submission of recommendations concerning adjustment of the boundaries of
27 service areas of the unorganized borough; and providing for an effect
28 date." is enacted. If that bill is not enacted, a regional council shall
29 be established for each regional educational attendance area. A regional

1 council shall be composed of no more than 11 members as follows:

2 (1) at least one person from each first class city which is
3 located within an unorganized borough or regional educational attendance
4 area, or which is included in an unorganized borough's capital improve-
5 ment plan or a regional educational attendance area's capital improve-
6 ment plan under (b) of this section and who is an elected city official
7 selected by the city council;

8 (2) additional members selected by the governor from persons
9 nominated by the Department of Community and Regional Affairs who are
10 from second class cities and unincorporated communities within an unor-
11 ganized borough or regional educational attendance area; members from
12 second class cities shall be elected officials.

13 (b) A first class city which has not adopted a home rule charter
14 and which is outside of an organized borough and outside of a regional
15 educational attendance area shall be represented on the regional council
16 of a regional educational attendance area or an unorganized borough
17 which borders the city and shall be included in the capital improvement
18 plan.

19 Sec. 44.42.130. CAPITAL IMPROVEMENT PLANS. (a) With assistance
20 from the department, each regional council established under AS 44.42.120
21 shall formulate a capital improvement plan. A capital improvement plan
22 formulated in accordance with this section shall be a five-year plan
23 updated annually, and shall

24 (1) identify all capital projects needed in the unorganized
25 borough or regional educational attendance area;

26 (2) assign a priority to each capital project identified;

27 (3) include cost estimates for each capital project identi-
28 fied;

29 (4) include a list of needed capital projects which are not

1 eligible for an entitlement from the capital improvement foundation
2 fund;

3 (5) identify possibilities for capital projects involving
4 facilities having more than one use;

5 (6) consider the feasibility of waste heat utilization and
6 other energy-saving measures for capital projects;

7 (7) provide for site acquisition for capital projects; and

8 (8) provide for needed public access and utilities.

9 (b) A capital improvement plan and revisions to a capital improve-
10 ment plan for an unorganized borough or regional educational attendance
11 area shall be adopted by the regional council after a public hearing and
12 submitted to the department.

13 (c) To qualify to receive an entitlement from the capital projects
14 foundation fund, an organized borough, home rule municipality, or unified
15 municipality shall formulate and annually update a capital improvement
16 plan which covers at least a five-year period. A capital improvement
17 plan and revisions to a capital improvement plan for an organized
18 borough, home rule municipality, or unified municipality shall be sub-
19 mitted to the city council or borough assembly. After a public hearing,
20 and after approval by the council or assembly, the capital improvement
21 plan shall be submitted to the department.

22 * Sec. 4. AS 44.42 is amended by adding a new section to read:

23 Sec. 44.42.140. ALLOCATION AND DISTRIBUTION OF ENTITLEMENTS. (a)
24 Entitlements from the capital projects foundation fund shall be distri-
25 buted annually by the department to each organized borough, home rule
26 municipality, and unified municipality which has submitted a capital
27 improvement plan as required by AS 44.42.130(c). An organized borough
28 may agree that a city in the borough may receive and use money from an
29 annual entitlement for the borough which is for a facility located in

1 the city, if the city has authority under AS 29 to operate and hold
2 title to that type of facility.

3 (b) Entitlements from the capital projects foundation fund shall
4 be distributed annually to accounts established by the department for
5 each unorganized borough or for each regional educational attendance
6 area which has submitted a capital improvement plan as required by
7 AS 44.42.130(a) and (b). The commissioner shall enter into an agreement
8 with a city in an unorganized borough or regional educational attendance
9 area which elects to receive and use money from an annual entitlement to
10 the unorganized borough or regional educational attendance area which is
11 for a facility located in the city, if the city has authority under
12 AS 29 to operate and hold title to that type of facility.

13 (c) Entitlements shall be annually allocated from the capital
14 projects foundation fund as follows:

15 (1) seven-tenths on the basis of the population of the organ-
16 ized borough, home rule municipality, unified municipality, or un-
17 organized borough or regional educational attendance area; and

18 (2) three-tenths on the basis of the area of the organized
19 borough, home rule municipality, unified municipality, or unorganized
20 borough or regional educational attendance area.

21 * Sec. 5. AS 44.42 is amended by adding new sections to read:

22 Sec. 44.42.150. USE OF ENTITLEMENTS. (a) An entitlement from the
23 capital projects foundation fund distributed to an organized borough,
24 home rule municipality, or unified municipality may be used only for
25 projects identified in a capital improvement plan submitted to the
26 department. Each recipient shall determine which project or projects to
27 finance with the entitlement received each year under AS 44.42.140(a).

28 (b) A facility for which an entitlement from the capital projects
29 foundation fund is received which is located in an organized borough but

1 outside of a city shall be owned, operated and maintained by the borough.
2 A facility for which an entitlement from the capital projects foundation
3 fund is received which is located in a city within an organized borough
4 shall be owned, maintained and operated

5 (1) by the borough, if the borough has the authority under
6 AS 29 to operate and hold title to that type of facility;

7 (2) by the city, if the city has the authority under AS 29 to
8 operate and hold title to that type of facility; or

9 (3) by either the borough or city as they may agree, if both
10 the city and the borough have authority to operate and hold title to
11 that type of facility.

12 (c) An entitlement from the capital projects foundation fund for a
13 project in a first or second class city which is part of the capital
14 improvement plan of an unorganized borough or a regional educational
15 attendance area may be distributed to the city with the concurrence of
16 the city council subject to the following terms:

17 (1) that the city will secure, retain and protect title to
18 the site of an existing facility or to the site on which a new facility
19 is to be constructed; for purposes of this paragraph it is sufficient
20 that title is obtained in fee or by a lease which provides that the city
21 enjoys exclusive use of the site and any improvements for the estimated
22 life of the facility;

23 (2) that the city will assume responsibility for the operation
24 of the facility to be financed with the entitlement, and the feasibility
25 of the discharge of this obligation shall be demonstrated to the satis-
26 faction of the commissioner before the payment of the entitlement.

27 (d) If it appears that the cost of a capital project financed by
28 an entitlement from the capital projects foundation fund to an organized
29 borough, home rule municipality, or unified municipality will vary

1 substantially from the cost estimated at the time the entitlement was
2 made for the capital project, the recipient is responsible for obtaining
3 the additional money needed to complete the project. If a capital
4 project financed by an entitlement from the capital projects foundation
5 fund to an organized borough, home rule municipality, or unified municipi-
6 pality costs less to complete than estimated at the time the entitlement
7 was made, the recipient may use the excess entitlement for other capital
8 projects in its capital improvement plan.

9 (e) Each regional council shall annually determine which projects
10 in its capital improvement plan to finance with entitlements from the
11 capital projects foundation fund to an unorganized borough or regional
12 educational attendance area. The department is responsible for the
13 design and construction of the projects selected by a regional council
14 under this subsection and shall carry out the projects in accordance
15 with AS 35 unless the commissioner allows a city to receive and use an
16 entitlement in accordance with AS 44.42.140(b).

17 (f) An entitlement from the capital projects foundation fund may
18 be used to match state or federal grants.

19 Sec. 44.42.160. DEFINITIONS. In AS 44.42.100 - 44.42.160

20 (1) "area" means the area in square miles of a home rule
21 municipality, unified municipality, organized borough, or unorganized
22 borough or regional educational attendance area which has a capital
23 improvement plan;

24 (2) "population" means the population, as annually determined
25 by the Department of Labor using the latest figures of the United States
26 Bureau of the Census, of a home rule municipality, unified municipality,
27 organized borough, or unorganized borough or regional educational attend-
28 ance area which has a capital improvement plan;

29 (3) "improvement" means renovations and additions to an

1 existing facility which allow for better service than the facility
2 provided in its original condition;

3 (4) "improvement, maintenance or construction costs" includes,
4 in addition to costs directly related to the project, the total of all
5 costs of financing and carrying out the project; these include, but are
6 not limited to, the costs of surveys, plans and specifications, architec-
7 tural, engineering or other special services, acquisition of real pro-
8 perty, site preparation and development, purchase, construction, recon-
9 struction and improvement of real property;

10 (5) "maintenance" means restoration and repair needed to keep
11 a facility as close as possible to its original condition.

12 * Sec. 6. Sections 1 - 3 and 5 - 7 of this Act take effect July 1, 1980.

13 * Sec. 7. Section 4 of this Act takes effect July 1, 1981.
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SB 516

Introduced: 4/3/80
Referred: Community & Regional
Affairs and Finance

IN THE SENATE

BY THE COMMUNITY AND REGIONAL
AFFAIRS COMMITTEE

SENATE BILL NO. 546

IN THE LEGISLATURE OF THE STATE OF ALASKA

ELEVENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to state aid for local capital project establishing the capital projects foundation fund; and providing for an effective date."

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

* Section 1. AS 44.42.020 is amended by adding a new paragraph to read:

(14) adopt regulations for management of the capital projects foundation fund established under AS 44.42.100 and administer these funds.

* Sec. 2. AS 44.42 is amended by adding new sections to read:

ARTICLE 2. CAPITAL PROJECTS FOUNDATION ENTITLEMENTS.

Sec. 44.42.100. CAPITAL PROJECTS FOUNDATION FUND. (a) There is established in the department a capital projects foundation fund for the purpose of providing state assistance for improvement, maintenance and new construction costs of local capital projects. Within the limits of appropriations for the purpose, the department shall make entitlements for capital projects to organized first class boroughs, organized second class boroughs, and unified home rule municipalities which have capital improvement plans.

(b) Within the limits of appropriations for the purpose, the department shall make entitlements for capital projects and manage them for unorganized boroughs if a version of an Act entitled "An Act relating to unorganized boroughs, establishing unorganized boroughs, establishing a program of financial assistance for the preparation of regional plans by unorganized boroughs, permitting adoption of home rule charters by

1 unorganized boroughs, and directing submission of recommendations con-
2 cerning adjustment of the boundaries of service areas of the unorganized
3 borough; and providing for an effective date" is enacted. Otherwise,
4 the department shall make entitlements and manage them for each regional
5 educational attendance area organized under AS 14.08.031.

6 (c) The amount of appropriations authorized to be made to the
7 capital improvements foundation fund for a fiscal year is equal to \$200
8 times the state population as determined by the Department of Labor.

9 Sec. 44.42.110. ELIGIBLE FACILITIES. An entitlement from the
10 capital projects foundation fund may be used for improvement, main-
11 tenance, or new construction costs of the following type of facility if
12 the facility is identified in a capital improvement plan under AS 44.42.-
13 130:

- 14 (1) libraries;
- 15 (2) community and emergency detention facilities;
- 16 (3) fire halls, including the purchase of fire vehicles;
- 17 (4) parks;
- 18 (5) recreational facilities;
- 19 (6) water and sewer facilities;
- 20 (7) health facilities;
- 21 (8) community centers;
- 22 (9) cultural facilities;

23 (10) transportation facilities which do not duplicate state
24 facilities and which are not inconsistent with the state transportation
25 plan under AS 44.42.050 as determined by the department, including

- 26 (A) service roads;
- 27 (B) trails;
- 28 (C) harbors and docks for small boats;
- 29 (D) seaplane floats;

1 (E) public transit facilities, including the purchase of
2 transit vehicles;

3 (F) emergency and recreational airstrips for small
4 aircraft.

5 Sec. 44.42.120. REGIONAL COUNCILS. (a) A regional council shall
6 be established for each unorganized borough or regional educational
7 attendance area composed of 15 members as follows:

8 (1) no more than 11 members, selected by their city councils
9 or assemblies, who are elected officials from first or second class
10 cities located within the unorganized borough or regional educational
11 attendance area;

12 (2) additional members selected by the governor from persons
13 nominated by the Department of Transportation and Public Facilities or
14 the Department of Community and Regional Affairs who are from unincor-
15 porated communities within the unorganized borough or regional educa-
16 tional attendance area.

17 Sec. 44.42.130. CAPITAL IMPROVEMENT PLANS. (a) With assistance
18 from the department, each regional council established under AS 44.42.120
19 shall formulate a capital improvement plan. To qualify to receive an
20 entitlement from the capital projects foundation fund, each first and
21 second class borough and unified home rule municipality shall formulate
22 a capital improvement plan. The capital improvement plans shall be
23 five-year plans updated annually, and shall

24 (1) identify all capital projects needed;

25 (2) assign a priority to each project identified;

26 (3) include cost estimates for each project;

27 (4) include needed facilities and capital improvements which
28 are not eligible for an entitlement under the capital improvement founda-
29 tion fund;

1 (5) identify possibilities for facilities having more than
2 one use;

3 (6) consider the feasibility of waste heat utilization and
4 other energy-saving measures;

5 (7) provide for site acquisition; and

6 (8) provide for supporting systems, including but not limited
7 to provisions for public access and needed utilities.

8 (b) A capital improvement plan and revisions to a plan for an
9 unorganized borough or regional educational attendance area shall be
10 adopted by the regional council after a public hearing and submitted to
11 the department.

12 (c) A capital improvement plan and revisions to a plan for an
13 organized first or second class borough or unified home rule municipality
14 shall be submitted for approval by the council or assembly after a
15 public hearing, and after approval shall be submitted to the department.

16 * Sec. 3. AS 44.42 is amended by adding a new section to read:

17 Sec. 44.42.140. DISTRIBUTION OF ENTITLEMENTS. (a) Entitlements
18 from the capital projects foundation fund shall be distributed annually
19 by the department to each first and second class borough and unified
20 home rule municipality which has a capital improvement plan as required
21 by AS 44.42.130. Entitlements from the capital projects foundation fund
22 shall be distributed annually to accounts established by the department
23 for each unorganized borough or for each regional educational attendance
24 area with a capital improvement plan.

25 (b) The amount of an entitlement shall be allocated one-half on
26 the basis of adjusted population and one-half on the basis of adjusted
27 area. An individual entitlement shall be the ratio of its adjusted
28 population to the total adjusted population plus the ratio of its
29 adjusted area to the total adjusted area, times the total amount of an

1 appropriation to the capital improvement foundation fund.

2 * Sec. 4. AS 44.42 is amended by adding new sections to read:

3 Sec. 44.42.150. USE OF ENTITLEMENTS. (a) An entitlement to a
4 first or second class borough or to a unified home rule municipality may
5 be used only for facilities identified in a capital improvement plan.
6 Each recipient shall determine which project or projects to finance with
7 the entitlement received each year under AS 44.42.140.

8 (b) An entitlement to a first or second class borough or unified
9 home rule municipality shall be disbursed in accordance with the terms
10 of an agreement between the commissioner and the recipient. The agree-
11 ment may include any provision agreed upon by the parties, including the
12 following:

13 (1) that a first or second class city shall secure, retain
14 and protect title to the site of an existing facility or on which a new
15 facility is to be constructed; for purposes of this paragraph it is
16 sufficient that title is obtained in fee or by a lease which provides
17 that the city enjoys exclusive use of the land and any improvements for
18 the estimated life of the facility;

19 (2) that the first or second class city agrees to assume
20 responsibility for the operation of the facility, and the feasibility of
21 the discharge of this obligation shall be demonstrated to the satisfac-
22 tion of the commissioner before the payment of state money;

23 (c) If it appears that the cost of a facility financed in part by
24 an entitlement to a first or second class borough or unified home rule
25 municipality will vary substantially from costs estimated at the time
26 the entitlement was made for the facility from the capital projects
27 foundation fund, the recipient is responsible for obtaining the addi-
28 tional money. The additional money may be obtained from other entitle-
29 ments made from the capital projects foundation fund to the recipient.

1 If a project costs less to complete than estimated, the recipient may
2 use this money on other projects as determined by its capital improvement
3 plan.

4 (d) In the unorganized boroughs or regional educational attendance
5 areas each regional council shall determine annually which projects
6 identified in its capital improvement plan to finance. The department
7 is responsible for the design and construction of the projects selected
8 and shall carry out the projects in accordance with AS 36.

9 (e) An entitlement from the capital projects foundation fund may
10 be used to match other state or federal grants.

11 Sec. 44.42.160. DEFINITIONS. In AS 44.42.100 - 44.42.160

12 (1) "adjusted area" means the area in square miles of a
13 unified home rule municipality, organized first or second class borough,
14 or unorganized borough or regional educational attendance area which has
15 a capital improvement plan, multiplied by the construction cost differen-
16 tial;

17 (2) "adjusted population" means the population, as determined
18 by the Department of Labor using the latest figures of the United States
19 Bureau of the Census, of a unified home rule municipality, organized
20 first or second class borough, or unorganized borough or regional educa-
21 tional attendance area which has a capital improvement plan multiplied
22 by the construction cost differential;

23 (3) "construction cost differential" means one plus the
24 percentage by which average construction costs in a region are greater
25 than or less than the average construction costs in Anchorage as deter-
26 mined by the department using the latest available figures;

27 (4) "improvement" means renovations and additions to an
28 existing facility which allow for better service than the facility
29 provided in its original condition;

1 (5) "improvement, maintenance or new construction costs"
2 includes, in addition to costs directly related to the project, the
3 total of all costs of financing and carrying out the project; these
4 include, but are not limited to, the costs of surveys, plans and speci-
5 fications, architectural, engineering or other special services, acquisi-
6 tion of real property, site preparation and development, purchase,
7 construction, reconstruction and improvement of real property;

8 (6) "maintenance" means restoration and repair needed to keep
9 a facility as close as possible to its original condition.

10 * Sec. 5. Sections 1, 2, 4 and 5 of this Act take effect July 1, 1980.

11 * Sec. 6. Sections 3 and 6 of this Act take effect July 1, 1981.

ALASKA STATE LEGISLATURE

ELEVENTH Legislature SECOND Session

SENATE BILL NO. 546

By THE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

"An Act relating to state aid for local capital projects; establishing the capital projects foundation fund; and providing for an effective date."

Introduced in the Senate 4/31, 1980

HISTORY IN THE SENATE

19	80	Read first time and referred to Committee on C & RA AND FINANCE
4	3	Reported back with recommendation that <i>replace w/FS - 3dd pass & 2 no</i> <i>Re - to Fin</i>
		Read second time and
		Read third time and
		PASS Effective Date
		Yeas Yeas
		Nays Nays
		Absent Absent
		Excused Excused
		Reconsideration
		PASS Effective Date
		Yeas Yeas
		Nays Nays
		Absent Absent
		Excused Excused
		Reported correctly engrossed
		Signed by President
		Sent to House
SECRETARY OF THE SENATE		

HISTORY IN THE HOUSE

19		Read first time and referred to Committee on
		Reported back with recommendation that
		Read second time and
		Read third time and
		PASS Effective Date
		Yeas Yeas
		Nays Nays
		Absent Absent
		Excused Excused
		Reconsideration
		PASS Effective Date
		Yeas Yeas
		Nays Nays
		Absent Absent
		Excused Excused
		Reported correctly engrossed
		Signed by Speaker
		Returned to Senate
CHIEF CLERK OF THE HOUSE		

HISTORY IN THE SENATE

19		Received from House
		To enrolling
		Reported correctly enrolled
		Sent to Governor
	 by Governor
		Filed with Lt. Governor
		Chapter No.

CS SB 546

Section 1: Statement of Intent

Section 2: Gives regulation adoption authority to DOTPF

Section 3: Description of the Capital Foundation Fund to provide assistance for local construction projects to organized and unorganized boroughs, home rule municipalities and municipalities.

The amount of appropriation established at not less than \$400 times the state population.

Sec. 44.42.110 lists eligible projects, that is, projects of local interest and not part of statewide capital plans. (b) states that projects may only be built in local governments that have adopted the appropriate powers (ex. park facilities require adoption of park powers).

Sec. 44.42.120 Regional councils are established for unorganized boroughs for capital improvement planning. Board composition is specified.

Sec. 44.42.130 Requires a capital improvement plan as a condition of entitlement receipt. Plans must be at least for five years. Plans for unorganized areas must include specific considerations.

Sec. 44.42.140 Describes the allocations and distribution of entitlements. Direct distribution to organized boroughs which may distribute to cities. Commissioner keeps an account for unorganized boroughs and may enter into an agreement to distribute funds to cities in the unorganized boroughs, if project is identified for construction in that year.

Formula specified : 7/10 on basis of population, 3/10 on basis of area.

Sec. 5. 44.42.150 Use of Entitlements. For projects specified in the cip. Ownership (title) discussed, especially in relationship to local government powers.

Entitlements may be used to match state and federal grants.

44.42.160 Definitions are provided.

Sec. 6 and Sec. 7. Effective dates: the planning process starts July 1, 1980, but the funding does not begin til July 1, 1981



Official Business

Alaska State Legislature

SB 544

Senate Committee on Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

March 24, 1980

Senator Arliss Sturgulewski

Information Sheet

CAPITAL FOUNDATION FUND

The Capital Foundation Fund will, by appropriation, provide funds to all areas of the State for certain capital improvements. To expend funds, each area will need to develop an areawide capital improvement plan, approved by the local assembly when there is one, and developed with the Department of Transportation and Public Facilities when there is no local government.

Organized and unorganized boroughs are encouraged to conduct regionwide planning to avoid costly duplications of capital projects and to prioritize, on the local level, needs among communities, rather than leaving this process to state level government.

Each area, so long as appropriations are made, is certain of a source of funding for local projects. Each area will receive a formula share of the appropriation. This stability will be advantageous to local governments for planning purposes. Additionally, unlike the current situation, areas may have greater ability to use capital projects for anti-cyclic economic benefits by being in control of fund expenditures. Annual funds do not lapse and may be accumulated for locally determined purposes.

Capital Foundation Funds may be used as the local match required for certain state and federal projects. This will be particularly significant in rural areas which do not now have a source of local match.

Funds are eligible for both construction and maintenance costs. This means that local governments will be encouraged to consider life-cycle costs and encouraged to maintain buildings and other improvements in order to maximize the efficiency of their capital dollars.

Local governments, under the Capital Foundation Fund program, will be assured of a steady supply of state funds for capital improvements that will be directed toward locally determined project needs and can be expended at a locally determined pace.

CS SB 546

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Official Business

Alaska State Legislature

Senate Committee on Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

March 24, 1980

TO: Committee Members
Community and Regional Affairs

FROM: Senator Arliss Sturgulewski *(signature)*

RE: Capital Foundation Fund

The Capital Foundation Fund will, by appropriation, provide funds to all areas of the State for certain capital improvements. To expend funds, each area will need to develop an areawide capital improvement plan, approved by the local assembly when there is one, and developed with the Department of Transportation and Public Facilities when there is no local government.

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Playing the game of legislative end-around

by Tom Fink

THE LEGISLATURE is much like a football game. You don't win or lose until the game ends. Being an armchair quarterback, however, I am very disturbed by some of our plays and lack of success. It is as if the TV announcer is telling me that our team is running when I can in fact see that it is passing.

Our legislature and governor have resisted any tax repeals on the basis that we would be aiding non-residents. Yet they turn around and pass a new permanent fund law which unequivocally dedicates our permanent fund for investments for non-residents. The permanent fund law among other items specifically provides that not more than 15 percent of the fund can be invested in real estate mortgages in Alaska and in any case must have a yield equal to mortgages outside the state.

The permanent fund law is a non-resident law. It has many interesting provisions. After February of this year 50 percent of the oil monies shall go into the fund rather than 25. The fund is not designed for the benefit of Alaskans. It specifically demands that the state seek the highest possible return. It lists a series of permissible investments. Most of the investments are in federal government securities or securities backed by federal guarantees. However, the fund can invest in corporate bonds, short term corporate notes, and bankers acceptances.

Investments in corporate bonds are limited to 25 percent of the permanent fund and investments in Alaska real estate mortgages are limited to 15 percent of the fund. There is no limit on the other investments.

The bill further provides that the interest income only is considered income and goes to the general fund each year with two exceptions. Losses on the sale of any securities are deducted from the income and gains from the sales of securities are left in the permanent fund. Further, the income of the fund which is transferred to the general fund is the lesser of the actual income of the fund or the five year average of income.

THE HOUSE also has passed a bill taking \$900 million out of the general fund and transferring it into the permanent fund. If making the permanent fund larger than the constitution requires and investing substantially all of the money outside is aiding the residents, someone will have to point out some new logic.

At the same time the legislature dawdles in its consideration of any tax repeal. Since 10 percent of the recipients of the income tax repeal would be non-residents, the other 90 percent of us must continue to pay taxes even though everyone acknowledges the state treasury does not need our tax money. There is only one conclusion. The issue of resident or non-resident is a red herring. The governor and the legisla-

ture don't want to give up the power which is created by the retention and control of large sums of money.

Recently Sen. Sturguluski introduced a bill which is supposed to make state aid available to local government for capital improvement projects. That's not what the bill does. The bill makes state money available for capital improvement projects primarily in the areas of the state where there is no local government.

It would be quite simple to set up a local government capital improvement fund and allow each local government to draw on that fund based upon it's population. Sen. Sturguluski's bill, SB546, however, has an intricate formula of entitlement. It is safe to say that with Anchorage having nearly 50 percent of the population, it will only be able to draw about 5 percent of the money.

HER BILL DIVIDES half of the fund based on population plus a cost differential factor. The effect of the cost differential factor is that each Anchorage citizen is counted as one-fifth of a citizen or each remote area citizen is counted as five citizens. The other half of the fund is to be divided based upon area. Now what in the world does area have to do with capital improvements? Capital improvements are designed for the use of people. The size of the area is further bent by the application of the construction cost factor, which results in the urban areas being cut by five or the rural areas being multiplied by five.

Her bill provides that the state shall put \$200 per citizen into the fund and under her complicated formula, Anchorage will receive about \$10 per citizen. The other \$190 per citizen

will go to the other areas of the state where there is not any local government. All of the urban areas of the state are dramatically penalized.

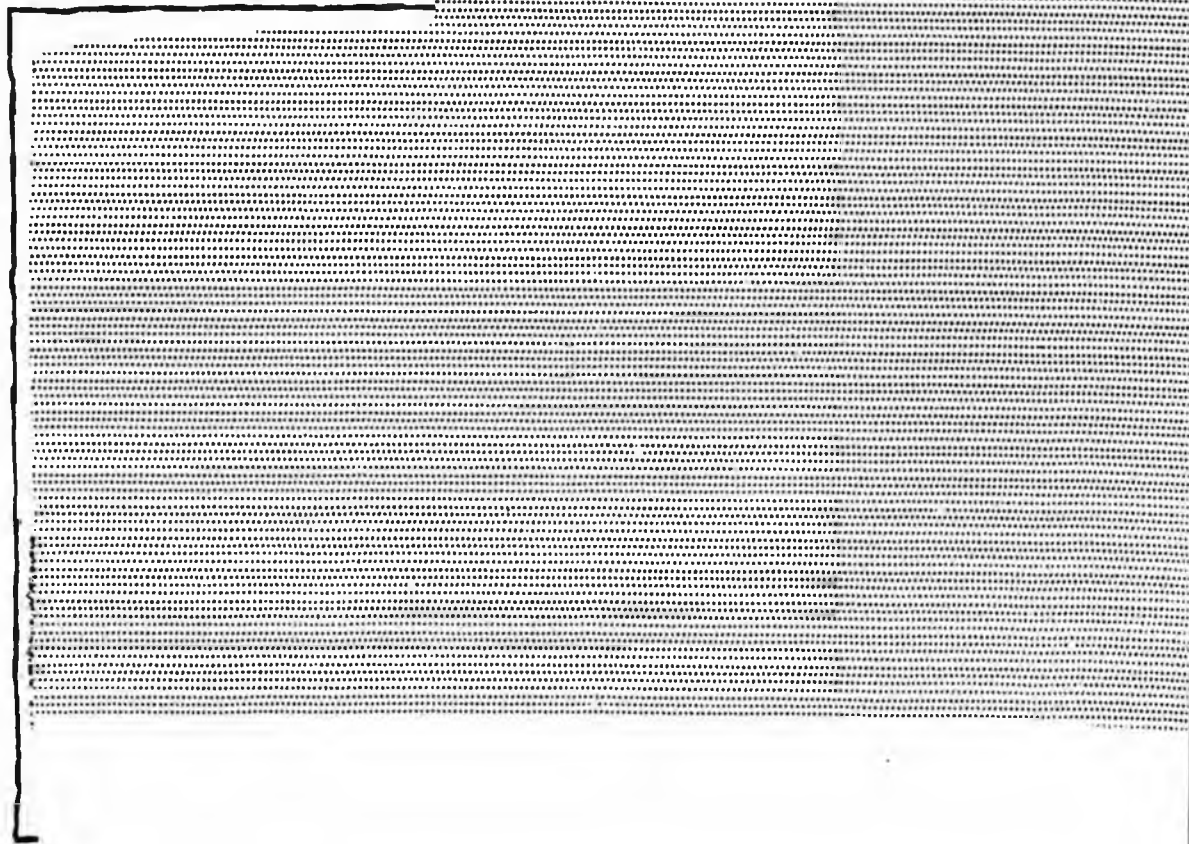
Our state government should be doing everything that it can to promote the rural areas of the state to form local governments. By forming local governments they can accept some of the tax burden of government and can assume the responsibility for providing the necessary local government services. This legislation is a disincentive to form a local government.

Also in Sen. Sturguluski's bill the urban area with the local government must assume the cost of maintenance and operation, which is appropriate. However, the vast areas of the state with little population can draw on the account for maintenance and operation.

Everyone, including a governor and a legislator, is entitled to his own opinion. However, our elected representatives ought not to tell us one thing while doing another.

We can still win, but it is now the fourth quarter and we, the Alaskans Citizens, are behind 49-7.

Tom Fink, an Anchorage insurance man, is a former speaker of the Alaska House of Representatives.





Alaska State Legislature

JOINT SENATE AND HOUSE
COMMUNITY AND REGIONAL AFFAIRS COMMITTEE
LOCAL GOVERNMENT STUDY

Co-Chairmen
Senator Arliss Sturgulewski
Representative Bill Parker

Address all
correspondence to:
LOCAL GOVERNMENT STUDY

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

April 3, 1980

Dear Alaskan:

This package of material is about SB 546, proposing a Capital Foundation Fund for construction of capital projects throughout Alaska. This bill is a further result of the work conducted by the Joint House and Senate Community and Regional Affairs Committees during the summer of 1979. During the course of the Committees' work, many people identified problems regarding planning for and funding capital projects. We feel that SB 546 proposes a viable solution to difficulties experienced throughout the state. We hope that you will read the enclosed descriptive materials and the bill itself.

Senate Bill 546 proposes a systematic approach to construction of capital projects. Every area of the state would receive a formula entitlement, much like revenue sharing. Expenditure of the entitlement requires only the development of a capital improvement plan. In organized boroughs and home rule municipalities, local governments plan for and expend these funds themselves for eligible projects. In unorganized boroughs (as defined in SB 348 and HB 580), an advisory group plans for the capital projects, though the funds are expended by the Department of Transportation and Public Facilities, as their fiscally responsible agent.

Funds may be used for a variety of capital projects. Priorities are annually established on the borough level. Maintenance costs are also eligible for use of these Capital Foundation Funds. There are many other significant considerations in SB 546. Please read the descriptive material and the bill itself. Contact us regarding any suggestions for changes, comments, etc.

We look forward to hearing from you about the Capital Foundation Fund.

Sincerely,

Senator Arliss Sturgulewski
Chairman, Senate C/RA

Representative Bill Parker
Chairman, House C/RA

Enclosure

*Disincentive created
based on area rather than population* ILLUSTRATION OF FORMULA (in round terms)

BASE:

	<u>Population</u>	X	<u>Construction Cost Differential</u>	=		<u>Area (Sq. Mi.)</u>	X	<u>Construction Cost Differential</u>	=	
Organized Areas	349,000		1.0	=	349,000	149,376		1.0	=	149,376
Unorganized Boroughs	80,000		1.25	=	100,000	437,036		1.25	=	546,295
	<u>429,000</u>				<u>449,000</u>					<u>695,671</u>

APPROPRIATION: 429,000 X \$200 = \$ 85,800,000
 429,000 X \$400 = \$171,600,000

ENTITLEMENTS:

$\frac{\text{Adjusted Local Population}}{\text{Adjusted Total Population}} + \frac{\text{Adjusted Local Area}}{\text{Adjusted Total Area}} \times \text{One-half Appropriation} = \text{Entitlement}$

Organized Areas

$\frac{349,000}{449,000} + \frac{149,376}{695,671} = .995 \times \$85,800,000 = \underline{\$85,371,000}$

Unorganized Boroughs

$\frac{80,000 \times 1.25}{449,000} + \frac{437,036 \times 1.25}{695,671} = 1.005 \times \$85,800,000 = \underline{\$86,229,000}$

STATEWIDE TOTAL = \$171,600,000

• Further Illustrations, Capital Foundation Program

$\frac{\text{Adjusted Local Population}}{\text{Adjusted Total Population}} + \frac{\text{Adjusted Local Area}}{\text{Adjusted Total Area}} \times \text{One-half Appropriation} = \text{Entitlement}$

Municipality of Anchorage

$$\frac{200,000}{449,000} + \frac{1,884}{695,671} = .4477 \quad \times \quad \$85,800,000 \quad = \quad \$38,412,660$$

Fairbanks North Star

$$\frac{60,227}{449,000} + \frac{7,500}{695,671} = .1448 \quad \times \quad \$85,800,000 \quad = \quad \$12,423,840$$

City & Borough of Juneau

$$\frac{23,115}{449,000} + \frac{3,100}{695,671} = .0555 \quad \times \quad \$85,800,000 \quad = \quad \$ 4,761,900$$

Ketchikan Gateway

$$\frac{13,463}{449,000} + \frac{1,250}{695,671} = .0318 \quad \times \quad \$85,800,000 \quad = \quad \$ 2,728,440$$

North Slope

$$\frac{7,971}{449,000} + \frac{88,281}{695,671} = .1447 \quad \times \quad \$85,800,000 \quad = \quad \$12,415,260$$

REAA Illustrations

N. W. Arctic

$$\frac{4,575}{449,000} + \frac{42,141}{695,671} = .0706 \times \$85,800,000 = \$ 6,057,480$$

Bering Straits

$$\frac{5,054}{449,000} + \frac{26,875}{695,671} = .0499 \times \$85,800,000 = \$ 4,281,420$$

Lower Yukon

$$\frac{3,269}{449,000} + \frac{22,363}{695,671} = .0394 \times \$85,800,000 = \$ 3,380,520$$

Lower Kuskokwim

$$\frac{9,275}{449,000} + \frac{26,328}{695,671} = .0579 \times \$85,800,000 = \$ 4,967,820$$

Upper Kuskokwim (Kuspuk)

$$\frac{1,100}{449,000} + \frac{14,538}{695,671} = .0233 \times \$85,800,000 = \$ 1,999,140*$$

Nushagak - Bristol Bay (Southwest)

$$\frac{3,275}{449,000} + \frac{26,223}{695,671} = .0377 \times \$85,800,000 = \$ 3,234,660$$

Lake & Peninsula - Bristol Bay

$$\frac{1,154}{449,000} + \frac{35,138}{695,671} = .0531 \times \$85,800,000 = \$ 4,555,980$$

Aleutian Chain

$$\frac{2,969}{449,000} + \frac{7,628}{695,671} = .0176 \times \$85,800,000 = \$1,510,080^*$$

Pribilofs

$$\frac{1,216}{449,000} + \frac{113}{695,671} = .0029 \times \$85,800,000 = \$248,820^*$$

Adak

$$\frac{4,000}{449,000} + \frac{263}{695,671} = .0093 \times \$85,800,000 = \$797,940^*$$

McGrath (Iditarod)

$$\frac{914}{449,000} + \frac{57,744}{695,671} = .0850 \times \$85,800,000 = \$7,293,000$$

Middle Yukon (Yukon - Koyukuk)

$$\frac{3,535}{449,000} + \frac{77,779}{695,671} = .1197 \times \$85,800,000 = \$10,270,260$$

Upper Yukon (Yukon Flats)

$$\frac{1,255}{449,000} + \frac{72,705}{695,671} = .1073 \times \$85,800,000 = \$9,206,340$$

Upper Railbelt (Alaska Central Railbelt)

$$\frac{1,369}{449,000} + \frac{11,398}{695,671} = .0194 \times \$85,800,000 = \$1,664,520^*$$

Upper Tanana West (Delta - Grceley)

$$\frac{3,814}{449,000} + \frac{7,373}{695,671} = .0191 \times \$85,800,000 = \$1,638,780^*$$

Upper Tanana East (Alaska Gateway)

$$\frac{985}{449,000} + \frac{23,108}{695,671} = .0354 \times \$85,800,000 = \$3,037,320$$

Copper River

$$\frac{2,406}{449,000} + \frac{30,568}{695,671} = .0493 \times \$85,800,000 = \$4,229,940$$

Northern Panhandle (Chatham)

$$\frac{3,973}{449,000} + \frac{17,063}{695,671} = .0334 \times \$85,800,000 = \$2,865,720$$

Southern Panhandle (southeast Islands)

$$\frac{11,760}{449,000} + \frac{18,238}{695,671} = .0524 \times \$85,800,000 = \$4,495,920$$

Metlakatla - Annette

$$\frac{1,203}{449,000} + \frac{250}{695,671} = .0030 \times \$85,800,000 = \$257,400^*$$

Chugach

$$\frac{9,298}{449,000} + \frac{17,263}{695,671} = .0455 \times \$85,800,000 = \$3,903,900$$

CAPITAL FOUNDATION PROGRAM
(Construction and Maintenance)

FORMULA

Appropriations. The amount of appropriations authorized to be made to the capital foundation program for a fiscal year is equal to two hundred dollars times the state population.

Distribution. Amounts in the capital foundation program shall be distributed annually to municipalities and unorganized boroughs by the department by (a) allocating one-half of the amounts on the basis of population and one-half on the basis of area; and (b) determining the share of an individual municipality or unorganized borough by multiplying its population and area by the construction cost differential for that region. The minimum grant shall be five per cent of the largest distribution made to any municipality or unorganized borough.

Construction Cost Increases. The Department of Transportation and Public Facilities shall submit to the legislature on or before February 15 of each year an estimate of the average percentage increase in construction costs in the state during the previous year.

DEFINITIONS

(1) "population" means the population of the state, municipality, or an unorganized borough as determined by the department using the latest figures of the U.S. Bureau of the Census or other reliable population data, including but not limited to school enrollments, public utility connections, registered voters, or certified employment payrolls.

(2) "construction cost differential" means one plus the percentage by which average construction costs in a region are greater than or less than the average construction costs in Anchorage as determined by the Department of Transportation and Public Facilities using the latest figures.

(3) "department" means the Department of Community and Regional Affairs.

Distribution

Capital Foundation Program funds will be distributed by formula to boroughs and to unified home rule municipalities, provided each has developed a capital improvement plan which includes a priority listing of capital improvement projects. In organized boroughs the cip will need assembly approval, after a public hearing.

In third class boroughs and for the unorganized borough, the following measures are taken to provide for planned regional development of capital improvements, as there is no regional government responsible for planning and expending funds.

Funds will be distributed to unorganized boroughs (SB 348). If this legislation is not passed, funds will be distributed to those areas identified as REAA's.

However, expenditure of the funds for unorganized boroughs is the responsibility of DOTPF. In order to properly plan for and prioritize capital improvements in the unorganized boroughs, advisory groups are established to assist DOTPF. (Amend Chap. 168 SLA 78).

Regional Advisory Councils

Advisory Council members are appointed by the Governor.

Membership of the advisory groups will consist of one elected official from each first class city or municipality, selected by the city. Additional representation from elected officials of second class cities and representatives of unincorporated communities shall be selected from nominations made by the Division of Community Planning, DCRA and DOTPF. Each regional advisory council shall consist of fifteen members.

The regional advisory councils will assist DOTPF in the development of a regional capital improvement plan, in prioritization among projects, in decision making regarding trade-offs between maintenance and new construction, and in project scheduling.

If an unorganized borough opts to become organized, the borough government will assume the capital improvement planning responsibility, responsibility for foundation program funds and may take title to existing capital improvement projects.

Definitions

Maintenance means preservation, upkeep and repair to keep a facility as close as possible to original condition.

Betterment means improvements, adjustments, additions which more than restore to a former condition for better service without major changes in original construction.

Operation means all costs attributable to utilization of the facility, such as heat, light, janitorial services.

CAPITAL FOUNDATION

FUND

Intent

It is the intent of this legislation to establish a capital foundation program which will equitably provide funds for the orderly development of capital improvements throughout the state. It is intended that the planning for such developments reflect regional and local needs and priorities and that, whenever possible, borough governments have complete responsibility for the expenditure of the capital foundation program funds.

This legislation recognizes that most capital development projects have greater than local significance and should, therefore, be planned and prioritized on the regional level. Further, the legislation acknowledges that the cost of construction and the cost of maintenance are closely related and that maximally efficient use of funds is encouraged by combining maintenance and construction funds.

Formula Please see attached pages.

Funds may be used for either capital construction, betterment or maintenance, but not operation of the facilities. Funds allocated to either organized or unorganized boroughs do not lapse and may be accumulated for large projects or for growth management purposes.

Question: Should there be a ceiling on the amount which may be accumulated by any one borough?

Eligible Facilities

libraries

public protection facilities including fire service and holding facilities

neighborhood parks and other recreation facilities

water/sewer

solid waste and resource recovery facilities

health facilities

community facilities

Transportation facilities such as local service roads & trails, small boat harbors, seaplane floats, local transit facilities and equipment, upgrading and improvements in existing air transport facilities such as aviation aides and improvements and associated field improvements, emergency and/or recreational airstrips, so long as no transportation facilities jeopardize or are inconsistent with the state system as defined in the regional transportation plans and the State Facilities Plan.

However, only projects identified in the capital improvement plan are eligible for Capital Foundation Program expenditures.

ILLUSTRATION OF FORMULA (in round terms)

Base:	<u>Population</u>	X	<u>Construction Cost Differential</u>	=		<u>Area (Sq. Mi.)</u>	X	<u>Construction Cost Differential</u>	=	
Organized Areas	349,000		1.0	=	349,000	149,376		1.0	=	149,376
Unorganized Boroughs	80,000		1.25	=	100,000	437,036		1.25	=	546,295
	<u>429,000</u>				<u>449,000</u>					<u>695,671</u>

Appropriation: 429,000 X \$200 = \$85,800,000

Grant:

Adjusted Per Cent of Population X \$200
Adjusted Per Cent of Area X \$200

Organized Areas

$\frac{349,000}{449,000} = .78 \times \$42,900,000 = \$33,462,000$

$\frac{149,376}{695,671} = .215 \times \$42,900,000 = 9,223,500$
\$42,685,500

\$42,685,500

Unorganized Boroughs

$\frac{100,000}{449,000} = .22 \times \$42,900,000 = \$9,438,000$

$\frac{546,295}{695,671} = .785 \times \$42,900,000 = 33,676,500$
\$43,114,500

Total $\frac{43,114,500}{\$85,800,000}$

SPECIAL APPROPRIATIONS, BONDS AND CAPITAL PROJECTS BY ELECTION DISTRICT
(\$ millions - all funds)

District	Name	FY 78		FY 79		FY 80		FY 78-80	
		Amount	%	Amount	%	Amount	%	Amount	%
01	Ketchikan/Prince of Wales	1.3	2.5	13.2	4.3	4.9	3.4	19.4	3.
02	Wrangell/Petersburg	.6	1.1	7.0	2.3	4.6	3.2	12.2	2.
03	Sitka	.9	1.7	8.7	2.9	.1	.1	9.7	1.
04	Juneau/Lynn Canal	6.3	12.1	32.8	10.8	15.7	10.8	54.8	10.
05	Cordova/Valdez/Seward	1.3	2.5	42.9	14.1	6.0	4.1	50.2	10.
06	Palmer	.7	1.3	5.4 ^{1/}	1.8	2.6	1.8	8.7	1.
07-12	Anchorage	19.8	37.9	95.9	31.5	42.9	29.6	158.6	31.
13	Kenai/Cook Inlet	1.3	2.5	9.2	3.0	.5	.3	11.0	2.
14	Kodiak	.1	.2	5.2	1.7	3.2	2.2	8.5	1.
15	Aleutian Chain	1.7	3.3	3.9	1.3	1.2	.8	6.8	1.
16	Bristol Bay	1.0	1.9	6.0	2.0	10.2	7.0	17.2	3.
17	Bethel	2.0	3.8	11.2	3.7	4.2	2.9	17.4	3.
18	Wade Hampton	1.2	2.3	3.1	1.0	7.4	5.1	11.7	2.
19	Yukon/Tanana	1.1	2.1	9.7 ^{2/}	3.2	19.4	13.4	30.2	6.
20	Fairbanks	9.5	18.2	21.5 ^{2/}	7.1	15.4	10.6	46.4	9.
21	Barrow/Kobuk	3.0	5.7	15.8 ^{2/}	5.2	2.0	1.4	20.8	4.
22	Nome	.4	.8	13.3	4.4	4.5	3.1	18.2	3.
TOTAL		52.2	100.0	304.8	100.0	144.8	100.0	501.8	100.

Source: "Free Conference Committee Report, Operating and Capital Budget, Election District", FY 78-FY 80.

- NOTES: 1. Excludes new capital city bonds
2. Excludes North Slope Haul Road maintenance

PREPARED BY:
LEGISLATIVE FINANCE DIVISION
May 7, 1980

GENERAL APPROPRIATIONS ACT
 FY 80 CAPITAL PROJECTS BY ELECTION DISTRICT
 (\$ millions - All Funds)

<u>District</u>	<u>Name</u>	<u>Total</u>	<u>%</u>
01	Ketchikan	1,671.4	1.34
02	Wrangell/Petersburg	2,605.0	2.09
03	Sitka	91.0	.07
04	Juneau	15,632.8	12.58
05	Cordova/Valdez/Seward	5,610.0	4.51
06	Palmer/Wasilla/Matanuska	2,475.0	1.99
07-12	Anchorage	42,735.2	34.41
13	Kenai/Soldotna/Homer	546.2	.43
14	Kodiak	1,222.6	.98
15	Aleutian Islands/Kodiak	1,030.0	.82
16	Dillingham/Bristol Bay	10,136.4	8.16
17	Bethel/Lower Kuskokwim	4,150.6	3.34
18	Galena/McGrath/Hooper Bay	5,761.7	4.63
19	Nenana/Ft. Yukon/Tok	18,426.9	14.83
20	Fairbanks	5,660.7	4.55
21	Barrow/Kotzebue	1,986.3	1.59
22	Nome/Seward Peninsula	<u>4,445.6</u>	<u>3.57</u>
	Total	\$124,187.4	99.89

ILLUSTRATIONS, CAPITAL FOUNDATION PROGRAM (9 May 80)

Appropriation: \$400 X 421,227 = \$168,490,800

Entitlement: Ratio of Population to Area of .7 to .3

Recipient

Northwest Arctic	\$ 3,959,533
Bering Straits	3,015,985
Lower Yukon	2,291,474
Lower Kuskokwim	3,908,986
Upper Kuskokwim	1,263,681
Nushagak-Bristol Bay (SW)	2,561,060
Lake & Peninsula	2,712,701
Aleutian Chain	1,196,284
Pribilof	286,434
Adak	791,906
McGrath (Iditarod)	4,229,119
Middle Yukon (Yukon-Koyuk)	6,217,310
Upper Yukon (Yukon Flats)	5,358,007
Upper Railbelt (Central)	1,095,190
Upper Tanana West (Delta/Greely)	1,364,775
Upper Tanana East (Ak. Gateway)	1,836,549
Copper River	2,679,003
Southern Panhandle	3,908,986
Northern Panhandle (Chatam)	2,089,285
Metlakatla/Annette	-269,585
Chugach	3,285,570
City and Borough of Juneau	6,739,632
City and Borough of Sitka	2,847,495
Municipality of Anchorage	52,046,808
North Slope Borough	9,957,806
Bristol Bay Borough	572,869
Fairbanks North Star Borough	17,523,043
Kenai Peninsula Borough	8,424,540
Ketchikan Gateway Borough	3,875,288
Kodiak Island Borough	2,982,287
Matanuska-Susitna Borough	8,289,747
Haines Borough	775,058

.053	.0290	.97/1
.0300	.0290	1./0
.0136	.008	
.0124	.009	
.0007	.002	
.0195	.017	
.0039	.002	
.0092	.004	
.0068	.002	
.0061	.002	
.0021	.002	
.0069	.002	
.0095	.001	
.0168	.004	
.0122	.001	
.0039	.002	
.0075	.002	
.0049	.001	
.0083	.004	
.0226	.022	
.0091	.007	
.0020	.002	
.0183	.012	
.0499	.054	
.0195	.020	
.3962	.439	
.0325	.019	
.0030	.004	
.1300	.141	
.0570	.060	
.0290	.037	

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Haines Borough	775,058

.057	.0290	.0200	.9/.1	1./0
.0038	.0038	.0038	.0136	.008
.0033	.0033	.0033	.0124	.009
.0032	.0032	.0032	.0087	.006
.0031	.0031	.0031	.0195	.017
.0030	.0030	.0030	.0039	.002
.0029	.0029	.0029	.0092	.006
.0028	.0028	.0028	.0068	.002
.0027	.0027	.0027	.0061	.005
.0026	.0026	.0026	.0021	.002
.0025	.0025	.0025	.0069	.007
.0024	.0024	.0024	.0095	.001
.0023	.0023	.0023	.0168	.006
.0022	.0022	.0022	.0122	.002
.0021	.0021	.0021	.0039	.002
.0020	.0020	.0020	.0075	.007
.0019	.0019	.0019	.0049	.001
.0018	.0018	.0018	.0083	.004
.0017	.0017	.0017	.0226	.022
.0016	.0016	.0016	.0091	.007
.0015	.0015	.0015	.0020	.002
.0014	.0014	.0014	.0183	.017
.0013	.0013	.0013	.0499	.054
.0012	.0012	.0012	.0195	.020
.0011	.0011	.0011	.3962	.439
.0010	.0010	.0010	.0325	.019
.0009	.0009	.0009	.0038	.004
.0008	.0008	.0008	.1300	.143
.0007	.0007	.0007	.0570	.060
.0006	.0006	.0006	.0290	.032
.0005	.0005	.0005	.0200	.020
.0004	.0004	.0004	.057	.057

...LY CALCULATES FACTORS FOR THE FULL APPROPRIATION
 ...ULATION AND LAND AREA

...LATED FOUNDATION CAPITAL PROGRAM FACTORS FOR VARIOUS STATE RECIPIENTS WITH THE
 ...S FOR ADJUSTED POPULATION AND ADJUSTED LAND AREA VARIED FROM A ZERO-ONE
 ... (POP. TO LAND) TO A ONE-ZERO WEIGHT (POP. TO LAND).

RECIPIENT	0./1.	.1/.9	.2/.8	.3/.7	.4/.6	.5/.5	.6/.4	.7/.3	.8/.2	.9/.1	1./0
WEST ARCTIC	.0582	.0533	.0483	.0434	.0384	.0335	.0285	.0235	.0186	.0136	.0087
NG STRAITS	.0371	.0344	.0316	.0289	.0261	.0234	.0206	.0179	.0151	.0124	.0096
R YUKON	.0309	.0284	.0260	.0235	.0210	.0186	.0161	.0136	.0111	.0087	.0062
R KUSKOKWIM	.0364	.0345	.0326	.0307	.0289	.0270	.0251	.0232	.0214	.0195	.0176
R KUSKOKWIM	.0201	.0183	.0165	.0147	.0129	.0111	.0093	.0075	.0057	.0039	.0021
NGAK-BRISTOL BAY (SW)	.0362	.0332	.0302	.0272	.0242	.0212	.0182	.0152	.0122	.0092	.0062
S PENINSULA	.0485	.0439	.0393	.0346	.0300	.0254	.0207	.0161	.0115	.0068	.0022
TIAN CHAIN	.0105	.0100	.0096	.0091	.0086	.0081	.0076	.0071	.0066	.0061	.0056
LOF	.0002	.0004	.0006	.0008	.0010	.0012	.0014	.0017	.0019	.0021	.0023
	.0004	.0011	.0018	.0025	.0033	.0040	.0047	.0054	.0062	.0069	.0076
ATH (IDITAROD)	.0798	.0720	.0642	.0564	.0486	.0408	.0330	.0251	.0173	.0095	.0017
LE YUKON (YUKON-KOYUK)	.1075	.0974	.0873	.0772	.0672	.0571	.0470	.0369	.0269	.0168	.0067
R YUKON (YUKON FLATS)	.1004	.0906	.0808	.0710	.0612	.0514	.0416	.0318	.0220	.0122	.0024
R RATHBELL (CENTRAL)	.0157	.0144	.0131	.0118	.0105	.0092	.0079	.0065	.0052	.0039	.0026
R TANANA WEST (DELTA/GREE)	.0102	.0099	.0094	.0093	.0090	.0087	.0084	.0081	.0078	.0075	.0072
R TANANA EAST (AK GATEWAY)	.0319	.0289	.0259	.0229	.0199	.0169	.0139	.0109	.0079	.0049	.0019
ER RIVER	.0422	.0385	.0347	.0309	.0272	.0234	.0196	.0159	.0121	.0083	.0044
HERN PANHANDLE	.0252	.0249	.0246	.0243	.0241	.0238	.0235	.0232	.0229	.0226	.0223
HERN PANHANDLE (CHATAM)	.0236	.0220	.0204	.0188	.0172	.0156	.0140	.0124	.0108	.0091	.0074
AKATLA/ANNETTE	.0003	.0005	.0007	.0009	.0011	.0013	.0015	.0016	.0018	.0020	.0022
ACH	.0238	.0232	.0224	.0220	.0214	.0208	.0201	.0195	.0189	.0183	.0177
AND BOROUGH OF JUNEAU	.0054	.0103	.0153	.0202	.0252	.0301	.0351	.0400	.0450	.0499	.0549
AND BOROUGH OF SITKA	.0077	.0090	.0104	.0117	.0130	.0143	.0156	.0169	.0182	.0195	.0209
CIPALITY OF ANCHORAGE	.0033	.0469	.0906	.1342	.1779	.2216	.2652	.3089	.3525	.3962	.4399
II SLOPE BOROUGH	.1525	.1391	.1258	.1125	.0991	.0858	.0725	.0591	.0458	.0325	.0192
COL BAY BOROUGH	.0021	.0023	.0025	.0027	.0028	.0030	.0032	.0034	.0036	.0038	.0040
WANKS NORTH STAR BOROUGH	.0130	.0260	.0390	.0520	.0650	.0780	.0910	.1040	.1170	.1300	.1430
Y PENINSULA BOROUGH	.0254	.0209	.0324	.0359	.0394	.0430	.0465	.0500	.0535	.0570	.0605
YUKON GATEWAY BOROUGH	.0022	.0051	.0081	.0111	.0141	.0171	.0200	.0230	.0260	.0290	.0320
YLAND BOROUGH	.0094	.0106	.0118	.0129	.0141	.0153	.0165	.0177	.0188	.0200	.0212
SUSITNA BOROUGH	.0355	.0374	.0394	.0413	.0433	.0453	.0472	.0492	.0511	.0531	.0550
IGH	.0045	.0045	.0045	.0045	.0045	.0045	.0046	.0046	.0046	.0046	.0046

ARCTIC STRAITS
 LOWER YUKON
 5 UPPER KUSKOKWIM
 6 NUSHAGAK-BRISTOL BAY (SW)
 7 LAKE & PENINSULA
 8 ALEUTIAN CHAIN
 9 FRIBILOF
 10 ADAK
 11 MCGRATH (IDITAROD)
 12 MIDDLE YUKON (YUKON-KOYUK)
 13 UPPER YUKON (YUKON FLATS)
 14 UPPER RAILBELT (CENTRAL)
 15 UPPER TANANA WEST (DELTA/GREELEY)
 16 UPPER TANANA EAST (AK GATEWAY)
 17 COPPER RIVER
 18 SOUTHERN PANHANDLE
 19 NORTHERN PANHANDLE (CHATAM)
 20 METLAKATLA/ANNETTE
 21 CHUGACH
 22 CITY AND BOROUGH OF JUNEAU
 23 CITY AND BOROUGH OF SITKA
 24 MUNICIPALITY OF ANCHORAGE
 25 NORTH SLOPE BOROUGH
 26 BRISTOL BAY BOROUGH
 27 FAIRDANKS NORTH STAR BOROUGH
 28 KENAI PENINSULA BOROUGH
 29 KETCHIKAN GATEWAY BOROUGH
 30 KODIAK ISLAND BOROUGH
 31 NATANUSKA-SUSITNA BOROUGH
 32 HAINES BOROUGH

POP	AREA
3660	33713
4043	21500
2615	17090
7420	21062
880	11630
2620	20978
923	20110
2375	6102
973	90
3200	210
731	46195
2828	62223
1004	58164
1095	9118
3051	5898
788	18486
1925	24464
9408	14590
3178	13650
926	200
7438	13810
23115	3100
8787	4480
185280	1884
8055	88281
1685	1200
60227	7500
25507	14697
13463	1250
8926	5440
23177	20544
1924	2620
421227	579069

ready
 BASIC OLD DAVE2

Submitted by: Chairman of the Assembly
Prepared by: Municipal Clerk
Meeting: April 15, 1980

B

ANCHORAGE, ALASKA
RESOLUTION AR NO. 80-65

APPROVED
Date: 4-15-80

A RESOLUTION IN SUPPORT OF PUBLIC HEARINGS ON SENATE BILL SB 546 IN VARIOUS COMMUNITIES

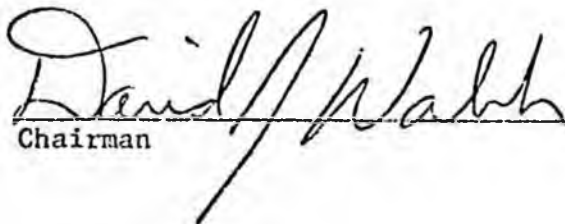
WHEREAS, SB 546 has major impact on the Municipality of Anchorage; and

WHEREAS, citizens who are affected in a major way by governmental action have the right to review and comment on such action; and

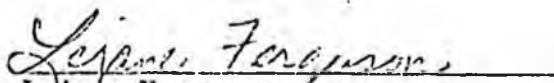
WHEREAS no public hearings have been held in Anchorage which would provide adequate opportunity for community input.

NOW THEREFORE, BE IT RESOLVED that the Municipality of Anchorage hereby requests the Legislature and the Department of Community and Regional Affairs delay action on SB 546 and schedule public hearings in Anchorage and Fairbanks and other affected communities as soon as practically possible.

Passed and approved by the Anchorage Assembly this 15th day of April, 1980.


Chairman

ATTEST:


Lejane Ferguson,
Deputy Clerk

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. SB 546
 Title Capital Projects Foundation Fund
 Requested by Parker Date 5-2-80

II. FISCAL DETAIL
 Agency Affected DOTPF
 Program Category Affected Transportation/Public Facilities
 BRU, Program, or Subprogram(s) Affected Planning and Programming
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES		2,950	3,250	3,575	3,950	4,350
200 TRAVEL		1,500	1,650	1,785	1,965	2,165
300 CONTRACTUAL		570	630	700	770	850
400 COMMODITIES		100	110	120	135	150
500 EQUIPMENT		100	10	10		
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		5,220	5,650	6,190	6,820	7,515

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND		5,220	5,650	6,190	6,820	7,515
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
FULL TIME		45	45	45	45	45
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. DATE 5-2-80 PREPARED BY Robinson
 AGENCY Southeast Planning and Programming
 PHONE 465-2475
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Original sponsor: Community and Regional
Affairs Committee

Offered: 5/15/80
Referred: Finance

1 IN THE SENATE

BY THE COMMUNITY AND REGIONAL
AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 546

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state aid for local capital pro-
7 jects; establishing the capital projects foundation
8 fund; and providing for an effective date."

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

10 * Section 1. It is the purpose of AS 44.42.100 - 44.42.160 to create a
11 program which can provide a source of money which will be equitably distrib-
12 uted throughout the state to be used, alone or with money from other sources,
13 to finance capital projects. It is the intent of the legislature that plan-
14 ning for capital projects reflect local needs and priorities and that, when-
15 ever possible, political subdivisions of the state have sole responsibility
16 for the expenditure of state money provided through the program. Nothing in
17 AS 44.42.100 - 44.42.160 is intended to restrict the legislative authority to
18 appropriate money.

19 * Sec. 2. AS 44.42.020 is amended by adding a new paragraph to read:

20 (14) adopt regulations for management of the capital projects
21 foundation fund established under AS 44.42.100 and administer that fund.

22 * Sec. 3. AS 44.42 is amended by adding new sections to read:

23 ARTICLE 2. CAPITAL PROJECTS FOUNDATION ENTITLEMENTS.

24 Sec. 44.42.100. CAPITAL PROJECTS FOUNDATION FUND AND ENTITLEMENTS.

25 (a) There is established in the department a capital projects founda-
26 tion fund for the purpose of providing state assistance for improvement,
27 maintenance and new construction costs of local capital projects.
28 Within the limits of appropriations for the purpose, the department
29 shall make entitlements for capital projects to organized boroughs, to

1 home rule municipalities as defined in AS 29.08.010, and to municipali-
2 ties unified under AS 29.68 which have capital improvement plans.

3 (b) Within the limits of appropriations for the purpose, the
4 department shall make and manage entitlements for capital projects for
5 unorganized boroughs if a version of an Act entitled "An Act relating to
6 unorganized boroughs, establishing unorganized boroughs, establishing a
7 program of financial assistance for the preparation of regional plans by
8 unorganized boroughs, permitting adoption of home rule charters by
9 unorganized boroughs, and directing submission of recommendations con-
10 cerning adjustment of the boundaries of service areas of the unorganized
11 borough; and providing for an effective date" is enacted. If that bill
12 is not enacted, the department shall make and manage entitlements for
13 capital projects for each regional educational attendance area organized
14 under AS 14.08.031.

15 (c) The amount of appropriation authorized for the capital im-
16 provements foundation fund for each fiscal year is not less than \$400
17 times the state population as annually determined by the Department of
18 Labor.

19 Sec. 44.42.110. ELIGIBLE FACILITIES. (a) An entitlement from the
20 capital projects foundation fund may be used for improvement, main-
21 tenance, or construction costs of the following facilities

- 22 (1) libraries;
- 23 (2) community and emergency detention facilities;
- 24 (3) fire halls, including the purchase of fire vehicles;
- 25 (4) community parks and recreational facilities;
- 26 (5) water and sewer facilities;
- 27 (6) health facilities;
- 28 (7) community centers;
- 29 (8) cultural facilities;

1 (9) transportation facilities which do not duplicate state
2 facilities and which are not inconsistent with the state transportation
3 plan under AS 44.42.050 as determined by the department, including

4 (A) service roads;

5 (B) trails;

6 (C) harbors and docks for small boats;

7 (D) seaplane floats;

8 (E) public transit facilities, including the purchase of
9 transit vehicles;

10 (F) emergency and recreational airstrips for small
11 aircraft.

12 (b) A facility is eligible for an entitlement under this section
13 only if it is identified in a capital improvement plan formulated under
14 AS 44.42.130.

15 (c) If a facility is located in or to be located in a home rule or
16 unified municipality or organized borough, it is not eligible for an
17 entitlement under this section unless the borough or municipality

18 (1) has or will have title to the facility; and

19 (2) has authority under AS 29 to operate the facility.

20 Sec. 44.42.120. REGIONAL COUNCILS. (a) A regional council shall
21 be established for each unorganized borough if a version of an Act
22 entitled "An Act relating to unorganized boroughs, establishing un-
23 organized boroughs, establishing a program of financial assistance for
24 the preparation of regional plans by unorganized boroughs, permitting
25 adoption of home rule charters by unorganized boroughs, and directing
26 submission of recommendations concerning adjustment of the boundaries of
27 service areas of the unorganized borough; and providing for an effect
28 date." is enacted. If that bill is not enacted, a regional council shall
29 be established for each regional educational attendance area. A regional

1 council shall be composed of no more than 11 members as follows:

2 (1) at least one person from each first class city which is
3 located within an unorganized borough or regional educational attendance
4 area, or which is included in an unorganized borough's capital improve-
5 ment plan or a regional educational attendance area's capital improve-
6 ment plan under (b) of this section and who is an elected city official
7 selected by the city council;

8 (2) additional members selected by the governor from persons
9 nominated by the Department of Community and Regional Affairs who are
10 from second class cities and unincorporated communities within an unor-
11 ganized borough or regional educational attendance area; members from
12 second class cities shall be elected officials.

13 (b) A first class city which has not adopted a home rule charter
14 and which is outside of an organized borough and outside of a regional
15 educational attendance area shall be represented on the regional council
16 of a regional educational attendance area or an unorganized borough
17 which borders the city and shall be included in the capital improvement
18 plan.

19 Sec. 44.42.130. CAPITAL IMPROVEMENT PLANS. (a) With assistance
20 from the department, each regional council established under AS 44.42.120
21 shall formulate a capital improvement plan. A capital improvement plan
22 formulated in accordance with this section shall be a five-year plan
23 updated annually, and shall

24 (1) identify all capital projects needed in the unorganized
25 borough or regional educational attendance area;

26 (2) assign a priority to each capital project identified;

27 (3) include cost estimates for each capital project identi-
28 fied;

29 (4) include a list of needed capital projects which are not

1 eligible for an entitlement from the capital improvement foundation
2 fund;

3 (5) identify possibilities for capital projects involving
4 facilities having more than one use;

5 (6) consider the feasibility of waste heat utilization and
6 other energy-saving measures for capital projects;

7 (7) provide for site acquisition for capital projects; and

8 (8) provide for needed public access and utilities.

9 (b) A capital improvement plan and revisions to a capital improve-
10 ment plan for an unorganized borough or regional educational attendance
11 area shall be adopted by the regional council after a public hearing and
12 submitted to the department.

13 (c) To qualify to receive an entitlement from the capital projects
14 foundation fund, an organized borough, home rule municipality, or unified
15 municipality shall formulate and annually update a capital improvement
16 plan which covers at least a five-year period. A capital improvement
17 plan and revisions to a capital improvement plan for an organized
18 borough, home rule municipality, or unified municipality shall be sub-
19 mitted to the city council or borough assembly. After a public hearing,
20 and after approval by the council or assembly, the capital improvement
21 plan shall be submitted to the department.

22 * Sec. 4. AS 44.42 is amended by adding a new section to read:

23 Sec. 44.42.140. ALLOCATION AND DISTRIBUTION OF ENTITLEMENTS. (a)
24 Entitlements from the capital projects foundation fund shall be distri-
25 buted annually by the department to each organized borough, home rule
26 municipality, and unified municipality which has submitted a capital
27 improvement plan as required by AS 44.42.130(c). An organized borough
28 may agree that a city in the borough may receive and use money from an
29 annual entitlement for the borough which is for a facility located in

1 the city, if the city has authority under AS 29 to operate and hold
2 title to that type of facility.

3 (b) Entitlements from the capital projects foundation fund shall
4 be distributed annually to accounts established by the department for
5 each unorganized borough or for each regional educational attendance
6 area which has submitted a capital improvement plan as required by
7 AS 44.42.130(a) and (b). The commissioner shall enter into an agreement
8 with a city in an unorganized borough or regional educational attendance
9 area which elects to receive and use money from an annual entitlement to
10 the unorganized borough or regional educational attendance area which is
11 for a facility located in the city, if the city has authority under
12 AS 29 to operate and hold title to that type of facility.

13 (c) Entitlements shall be annually allocated from the capital
14 projects foundation fund as follows:

15 (1) seven-tenths on the basis of the population of the organ-
16 ized borough, home rule municipality, unified municipality, or un-
17 organized borough or regional educational attendance area; and

18 (2) three-tenths on the basis of the area of the organized
19 borough, home rule municipality, unified municipality, or unorganized
20 borough or regional educational attendance area.

21 * Sec. 5. AS 44.42 is amended by adding new sections to read:

22 Sec. 44.42.150. USE OF ENTITLEMENTS. (a) An entitlement from the
23 capital projects foundation fund distributed to an organized borough,
24 home rule municipality, or unified municipality may be used only for
25 projects identified in a capital improvement plan submitted to the
26 department. Each recipient shall determine which project or projects to
27 finance with the entitlement received each year under AS 44.42.140(a).

28 (b) A facility for which an entitlement from the capital projects
29 foundation fund is received which is located in an organized borough but

1 outside of a city shall be owned, operated and maintained by the borough.
2 A facility for which an entitlement from the capital projects foundation
3 fund is received which is located in a city within an organized borough
4 shall be owned, maintained and operated

5 (1) by the borough, if the borough has the authority under
6 AS 29 to operate and hold title to that type of facility;

7 (2) by the city, if the city has the authority under AS 29 to
8 operate and hold title to that type of facility; or

9 (3) by either the borough or city as they may agree, if both
10 the city and the borough have authority to operate and hold title to
11 that type of facility.

12 (c) An entitlement from the capital projects foundation fund for a
13 project in a first or second class city which is part of the capital
14 improvement plan of an unorganized borough or a regional educational
15 attendance area may be distributed to the city with the concurrence of
16 the city council subject to the following terms:

17 (1) that the city will secure, retain and protect title to
18 the site of an existing facility or to the site on which a new facility
19 is to be constructed; for purposes of this paragraph it is sufficient
20 that title is obtained in fee or by a lease which provides that the city
21 enjoys exclusive use of the site and any improvements for the estimated
22 life of the facility;

23 (2) that the city will assume responsibility for the operation
24 of the facility to be financed with the entitlement, and the feasibility
25 of the discharge of this obligation shall be demonstrated to the satis-
26 faction of the commissioner before the payment of the entitlement.

27 (d) If it appears that the cost of a capital project financed by
28 an entitlement from the capital projects foundation fund to an organized
29 borough, home rule municipality, or unified municipality will vary

1 substantially from the cost estimated at the time the entitlement was
2 made for the capital project, the recipient is responsible for obtaining
3 the additional money needed to complete the project. If a capital
4 project financed by an entitlement from the capital projects foundation
5 fund to an organized borough, home rule municipality, or unified munici-
6 pality costs less to complete than estimated at the time the entitlement
7 was made, the recipient may use the excess entitlement for other capital
8 projects in its capital improvement plan.

9 (e) Each regional council shall annually determine which projects
10 in its capital improvement plan to finance with entitlements from the
11 capital projects foundation fund to an unorganized borough or regional
12 educational attendance area. The department is responsible for the
13 design and construction of the projects selected by a regional council
14 under this subsection and shall carry out the projects in accordance
15 with AS 35 unless the commissioner allows a city to receive and use an
16 entitlement in accordance with AS 44.42.140(b).

17 (f) An entitlement from the capital projects foundation fund may
18 be used to match state or federal grants.

19 Sec. 44.42.160. DEFINITIONS. In AS 44.42.100 - 44.42.160

20 (1) "area" means the area in square miles of a home rule
21 municipality, unified municipality, organized borough, or unorganized
22 borough or regional educational attendance area which has a capital
23 improvement plan;

24 (2) "population" means the population, as annually determined
25 by the Department of Labor using the latest figures of the United States
26 Bureau of the Census, of a home rule municipality, unified municipality,
27 organized borough, or unorganized borough or regional educational attend-
28 ance area which has a capital improvement plan;

29 (3) "improvement" means renovations and additions to an

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existing facility which allow for better service than the facility provided in its original condition;

(4) "improvement, maintenance or construction costs" includes, in addition to costs directly related to the project, the total of all costs of financing and carrying out the project; these include, but are not limited to, the costs of surveys, plans and specifications, architectural, engineering or other special services, acquisition of real property, site preparation and development, purchase, construction, reconstruction and improvement of real property;

(5) "maintenance" means restoration and repair needed to keep a facility as close as possible to its original condition.

* Sec. 6. Sections 1 - 3 and 5 - 7 of this Act take effect July 1, 1980.

* Sec. 7. Section 4 of this Act takes effect July 1, 1981.

Introduced: 4/3/80
Referred: Community & Regional
Affairs and Finance

1 IN THE SENATE

BY THE COMMUNITY AND REGIONAL
AFFAIRS COMMITTEE

2 SENATE BILL NO. 546

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state aid for local capital pro-
7 jects; establishing the capital projects foundation
8 fund; and providing for an effective date."

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

10 * Section 1. AS 44.42.020 is amended by adding a new paragraph to read:

11 (14) adopt regulations for management of the capital projects
12 foundation fund established under AS 44.42.100 and administer these
13 funds.

14 * Sec. 2. AS 44.42 is amended by adding new sections to read:

15 ARTICLE 2. CAPITAL PROJECTS FOUNDATION ENTITLEMENTS.

16 Sec. 44.42.100. CAPITAL PROJECTS FOUNDATION FUND. (a) There is
17 established in the department a capital projects foundation fund for the
18 purpose of providing state assistance for improvement, maintenance and
19 new construction costs of local capital projects. Within the limits of
20 appropriations for the purpose, the department shall make entitlements
21 for capital projects to organized first class boroughs, organized second
22 class boroughs, and unified home rule municipalities which have capital
23 improvement plans.

24 (b) Within the limits of appropriations for the purpose, the
25 department shall make entitlements for capital projects and manage them
26 for unorganized boroughs if a version of an Act entitled "An Act relating
27 to unorganized boroughs, establishing unorganized boroughs, establishing
28 a program of financial assistance for the preparation of regional plans
29 by unorganized boroughs, permitting adoption of home rule charters by

1 unorganized boroughs, and directing submission of recommendations con-
2 cerning adjustment of the boundaries of service areas of the unorganized
3 borough; and providing for an effective date" is enacted. Otherwise,
4 the department shall make entitlements and manage them for each regional
5 educational attendance area organized under AS 14.08.031.

6 (c) The amount of appropriations authorized to be made to the
7 capital improvements foundation fund for a fiscal year is equal to \$200
8 times the state population as determined by the Department of Labor.

9 Sec. 44.42.110. ELIGIBLE FACILITIES. An entitlement from the
10 capital projects foundation fund may be used for improvement, main-
11 tenance, or new construction costs of the following type of facility if
12 the facility is identified in a capital improvement plan under AS 44.42.-
13 130:

- 14 (1) libraries;
- 15 (2) community and emergency detention facilities;
- 16 (3) fire halls, including the purchase of fire vehicles;
- 17 (4) parks;
- 18 (5) recreational facilities;
- 19 (6) water and sewer facilities;
- 20 (7) health facilities;
- 21 (8) community centers;
- 22 (9) cultural facilities;
- 23 (10) transportation facilities which do not duplicate state
24 facilities and which are not inconsistent with the state transportation
25 plan under AS 44.42.050 as determined by the department, including
- 26 (A) service roads;
- 27 (B) trails;
- 28 (C) harbors and docks for small boats;
- 29 (D) seaplane floats;

1 (E) public transit facilities, including the purchase of
2 transit vehicles;

3 (F) emergency and recreational airstrips for small
4 aircraft.

5 Sec. 44.42.120. REGIONAL COUNCILS. (a) A regional council shall
6 be established for each unorganized borough or regional educational
7 attendance area composed of 15 members as follows:

8 (1) no more than 11 members, selected by their city councils
9 or assemblies, who are elected officials from first or second class
10 cities located within the unorganized borough or regional educational
11 attendance area;

12 (2) additional members selected by the governor from persons
13 nominated by the Department of Transportation and Public Facilities or
14 the Department of Community and Regional Affairs who are from unincor-
15 porated communities within the unorganized borough or regional educa-
16 tional attendance area.

17 Sec. 44.42.130. CAPITAL IMPROVEMENT PLANS. (a) With assistance
18 from the department, each regional council established under AS 44.42.120
19 shall formulate a capital improvement plan. To qualify to receive an
20 entitlement from the capital projects foundation fund, each first and
21 second class borough and unified home rule municipality shall formulate
22 a capital improvement plan. The capital improvement plans shall be
23 five-year plans updated annually, and shall

24 (1) identify all capital projects needed;

25 (2) assign a priority to each project identified;

26 (3) include cost estimates for each project;

27 (4) include needed facilities and capital improvements which
28 are not eligible for an entitlement under the capital improvement founda-
29 tion fund;

1 (5) identify possibilities for facilities having more than
2 one use;

3 (6) consider the feasibility of waste heat utilization and
4 other energy-saving measures;

5 (7) provide for site acquisition; and

6 (8) provide for supporting systems, including but not limited
7 to provisions for public access and needed utilities.

8 (b) A capital improvement plan and revisions to a plan for an
9 unorganized borough or regional educational attendance area shall be
10 adopted by the regional council after a public hearing and submitted to
11 the department.

12 (c) A capital improvement plan and revisions to a plan for an
13 organized first or second class borough or unified home rule municipality
14 shall be submitted for approval by the council or assembly after a
15 public hearing, and after approval shall be submitted to the department.

16 * Sec. 3. AS 44.42 is amended by adding a new section to read:

17 Sec. 44.42.140. DISTRIBUTION OF ENTITLEMENTS. (a) Entitlements
18 from the capital projects foundation fund shall be distributed annually
19 by the department to each first and second class borough and unified
20 home rule municipality which has a capital improvement plan as required
21 by AS 44.42.130. Entitlements from the capital projects foundation fund
22 shall be distributed annually to accounts established by the department
23 for each unorganized borough or for each regional educational attendance
24 area with a capital improvement plan.

25 (b) The amount of an entitlement shall be allocated one-half on
26 the basis of adjusted population and one-half on the basis of adjusted
27 area. An individual entitlement shall be the ratio of its adjusted
28 population to the total adjusted population plus the ratio of its
29 adjusted area to the total adjusted area, times the total amount of an

1 appropriation to the capital improvement foundation fund.

2 * Sec. 4. AS 44.42 is amended by adding new sections to read:

3 Sec. 44.42.150. USE OF ENTITLEMENTS. (a) An entitlement to a
4 first or second class borough or to a unified home rule municipality may
5 be used only for facilities identified in a capital improvement plan.
6 Each recipient shall determine which project or projects to finance with
7 the entitlement received each year under AS 44.42.140.

8 (b) An entitlement to a first or second class borough or unified
9 home rule municipality shall be disbursed in accordance with the terms
10 of an agreement between the commissioner and the recipient. The agree-
11 ment may include any provision agreed upon by the parties, including the
12 following:

13 (1) that a first or second class city shall secure, retain
14 and protect title to the site of an existing facility or on which a new
15 facility is to be constructed; for purposes of this paragraph it is
16 sufficient that title is obtained in fee or by a lease which provides
17 that the city enjoys exclusive use of the land and any improvements for
18 the estimated life of the facility;

19 (2) that the first or second class city agrees to assume
20 responsibility for the operation of the facility, and the feasibility of
21 the discharge of this obligation shall be demonstrated to the satisfac-
22 tion of the commissioner before the payment of state money;

23 (c) If it appears that the cost of a facility financed in part by
24 an entitlement to a first or second class borough or unified home rule
25 municipality will vary substantially from costs estimated at the time
26 the entitlement was made for the facility from the capital projects
27 foundation fund, the recipient is responsible for obtaining the addi-
28 tional money. The additional money may be obtained from other entitle-
29 ments made from the capital projects foundation fund to the recipient.

1 If a project costs less to complete than estimated, the recipient may
2 use this money on other projects as determined by its capital improvement
3 plan.

4 (d) In the unorganized boroughs or regional educational attendance
5 areas each regional council shall determine annually which projects
6 identified in its capital improvement plan to finance. The department
7 is responsible for the design and construction of the projects selected
8 and shall carry out the projects in accordance with AS 36.

9 (e) An entitlement from the capital projects foundation fund may
10 be used to match other state or federal grants.

11 Sec. 44.42.160. DEFINITIONS. In AS 44.42.100 - 44.42.160

12 (1) "adjusted area" means the area in square miles of a
13 unified home rule municipality, organized first or second class borough,
14 or unorganized borough or regional educational attendance area which has
15 a capital improvement plan, multiplied by the construction cost differen-
16 tial;

17 (2) "adjusted population" means the population, as determined
18 by the Department of Labor using the latest figures of the United States
19 Bureau of the Census, of a unified home rule municipality, organized
20 first or second class borough, or unorganized borough or regional educa-
21 tional attendance area which has a capital improvement plan multiplied
22 by the construction cost differential;

23 (3) "construction cost differential" means one plus the
24 percentage by which average construction costs in a region are greater
25 than or less than the average construction costs in Anchorage as deter-
26 mined by the department using the latest available figures;

27 (4) "improvement" means renovations and additions to an
28 existing facility which allow for better service than the facility
29 provided in its original condition;

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(5) "improvement, maintenance or new construction costs" includes, in addition to costs directly related to the project, the total of all costs of financing and carrying out the project; these include, but are not limited to, the costs of surveys, plans and specifications, architectural, engineering or other special services, acquisition of real property, site preparation and development, purchase, construction, reconstruction and improvement of real property;

(6) "maintenance" means restoration and repair needed to keep a facility as close as possible to its original condition.

- * Sec. 5. Sections 1, 2, 4 and 5 of this Act take effect July 1, 1980.
- * Sec. 6. Sections 3 and 6 of this Act take effect July 1, 1981.

Submitted by: Chairman of the Assembly
Prepared by: Municipal Clerk
Meeting: April 15, 1980

B

ANCHORAGE, ALASKA
RESOLUTION AR NO. 80-65

APPROVED
Date: 4-15-80

A RESOLUTION IN SUPPORT OF PUBLIC HEARINGS ON SENATE BILL SB 546 IN VARIOUS COMMUNITIES

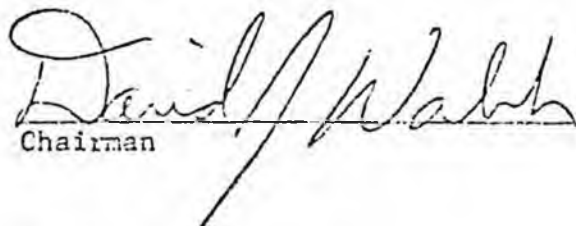
WHEREAS, SB 546 has major impact on the Municipality of Anchorage; and

WHEREAS, citizens who are affected in a major way by governmental action have the right to review and comment on such action; and

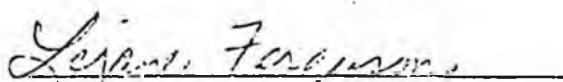
WHEREAS no public hearings have been held in Anchorage which would provide adequate opportunity for community input.

NOW THEREFORE, BE IT RESOLVED that the Municipality of Anchorage hereby requests the Legislature and the Department of Community and Regional Affairs delay action on SB 546 and schedule public hearings in Anchorage and Fairbanks and other affected communities as soon as practically possible.

Passed and approved by the Anchorage Assembly this 15th day of April, 1980.


Chairman

ATTEST:


Lejane Ferguson,
Deputy Clerk

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. SB 546
 Title Capital Projects Foundation Fund
 Requested by Parker Date 5-2-80

II. FISCAL DETAIL
 Agency Affected DOTPF
 Program Category Affected Transportation/Public Facilities
 BRU, Program, or Subprogram(s) Affected Planning and Programming
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES		2,950	3,250	3,575	3,950	4,350
200 TRAVEL		1,500	1,650	1,785	1,965	2,165
300 CONTRACTUAL		570	630	700	770	850
400 COMMODITIES		100	110	120	135	150
500 EQUIPMENT		100	10	10		
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		5,220	5,650	6,190	6,820	7,515

FUNDING (Thousands of Dollars)

GENERAL FUND		5,220	5,650	6,190	6,820	7,515
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		45	45	45	45	45
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. DATE 5-2-80 PREPARED BY Robinson
 AGENCY Southeast Planning and Programming
 PHONE 461-7475
 Original: Legislative Finance
 cc: Budget and Management
 Bill Sponsor (First Legislator Name)



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

3/23/90
Date

Funding Information
General Fund \$2,737,000
Other Funds - 0 -
\$2,737,000

Introduced: 4/10/80
Referred: Finance

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE
BY REQUEST

1 IN THE SENATE

2 SENATE BILL NO. 555

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation for a dental
7 program for low-income adults, and a special appropria-
8 tion for an evaluation of the dental program; and
9 providing for an effective date."

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

11 * Section 1. The sum of \$2,637,000 is appropriated from the general fund
12 to the Department of Health and Social Services for payment as a grant to
13 Delta Dental, Inc., for a statewide dental program for low-income adults.

14 * Sec. 2. The sum of \$100,000 is appropriated from the general fund to
15 the Legislative Budget and Audit Committee for an evaluation of the statewide
16 dental program financed with the appropriation made in sec. 1 of this Act.

17 * Sec. 3. The unexpended and unobligated portions of the appropriations
18 made in this Act lapse into the general fund on June 30, 1982.

19 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
20 070(c).

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COMMITTEE REPORT

(11)

5/17/80

HOUSE

FURTHER:

Date: _____

Mr. Speaker:

The Committee on FINANCE has had SB 555

"An Act making a special appropriation for a dental program for low-income adults, and a special appropriation for an evaluation of the dental program; and providing for an effective date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
- new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

SB 555

Funding Information	
General Fund	\$2,737,000
Other Funds	- 0 -
	<u>\$2,737,000</u>

Introduced: 4/10/80
Referred: Finance

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE
BY REQUEST

1 IN THE SENATE

2 SENATE BILL NO. 535

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation for a dental
7 program for low-income adults, and a special appropria-
8 tion for an evaluation of the dental program; and
9 providing for an effective date."

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

11 * Section 1. The sum of \$2,637,000 is appropriated from the general fund
12 to the Department of Health and Social Services for payment as a grant to
13 Delta Dental, Inc., for a statewide dental program for low-income adults.

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15 the Legislative Budget and Audit Committee for an evaluation of the statewide
16 dental program financed with the appropriation made in sec. 1 of this Act.

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18 made in this Act lapse into the general fund on June 30, 1982.

19 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
20 070(c).

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ALASKA STATE LEGISLATURE

ELEVENTH Legislature SECOND Session

SENATE BILL NO. 555

By THE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE BY REQUEST

"An Act making a special appropriation for a dental program for low-income adults, and a special appropriation for an evaluation of the dental program; and providing for an effective date."

Introduced in the Senate 4/10/80

HISTORY IN THE SENATE

19 80	Read first time and referred to Committee on Finance
4 10	
5 15	Reported back with <i>Finance</i> recommendation that <i>2 do pass, 4 no rec, to Rules</i>
5 16	<i>Rules - Calendar</i>
5 16	Read second time and <i>advanced</i>
5 16	Read third time and
5 16	PASS <i>21</i> Effective Date Yeas - 17 Yeas Nays - 3 Nays Absent Absent Excused Excused
	Reconsideration PASS Effective Date Yeas Yeas Nays Nays Absent Absent Excused Excused
5 16	Reported correctly engrossed Signed by President Sent to House
	<i>Daggy Mulligan</i> SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19 80	Read first time and referred to Committee on Finance
May 17	
	Reported back with recommendation that
	Read second time and
	Read third time and
	PASS Effective Date Yeas Yeas Nays Nays Absent Absent Excused Excused
	Reconsideration PASS Effective Date Yeas Yeas Nays Nays Absent Absent Excused Excused
	Reported correctly engrossed Signed by Speaker Returned to Senate
	CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19	Received from House
	To enrolling
	Reported correctly enrolled
	Sent to Governor
 by Governor
	Filed with Lt. Governor
	Chapter No.