

LEG. FINANCE - BILLS 1981 - 1982 1725

SB 830 - SB 830

1725

COMMITTEE REPORT
SENATE

2/4/82

FURTHER: None

Date: 3/12/82

Mr. President:

The Committee on FINANCE has had SB 830

extending the time during which assistance for municipalities and unincorporated communities is paid under ch. 60, SLA 1981

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
3/11/82 Ryals
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

John L. ...
...
...
...

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]
 CHAIRMAN

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 SENATE BILL NO. 830

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act extending the time during which assistance for
7 municipalities and unincorporated communities is paid
8 under ch. 60, SLA 1981; and providing for an effective
9 date."

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

11 * Section 1. Section 1(a), ch. 60, SLA 1981 is amended to read:

12 (a) By June 30, 1983 [DURING THE FISCAL YEAR ENDING JUNE 30,
13 1982], the Department of Administration shall compute and pay an entitle-
14 ment to each qualified municipality. An entitlement to a municipality
15 with a population of at least 1,000 shall be used for social services
16 and capital projects at the discretion of the municipality. An entitle-
17 ment to a municipality with a population of less than 1,000 shall be
18 used for social services, capital projects, or operating expenses of
19 capital projects at the discretion of the municipality. The entitlement
20 for each municipality shall be computed in accordance with (b) of this
21 section, and is payable by the Department of Administration in accor-
22 dance with AS 37.05.315 - 37.05.319 [AS 37.05.315] to the extent that
23 the provisions of AS 37.05.315 - 37.05.319 [AS 37.05.315] are consistent
24 with (c), (d), and (e) of this section.

25 * Sec. 2. Section 2(a), ch. 60, SLA 1981 is amended to read:

26 (a) By June 30, 1983 [DURING THE FISCAL YEAR ENDING JUNE 30,
27 1982], the Department of Community and Regional Affairs shall compute
28 and pay an entitlement to each unincorporated community in the unorga-
29 nized borough. The entitlement for each community shall be computed in

1 accordance with (b) of this section, and is payable by the Department of
2 Community and Regional Affairs in accordance with (c) of this section.

3 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
4 070(c).

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THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. SB830
 Title An Act Extending the time frame for municipal aid monies
 Requested by Senator Dankworth Date March 9, 1982

II. FISCAL DETAIL
 Agency Affected Department of Administration
 Program Category Affected General Government
 BRU, Program, Or Subprogram(s) Affected Municipal Grants
 (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 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | 0 | 0 | 0 | 0 | 0 | 0 |

FUNDING (Thousands of Dollars)


| | | | | | | |
|------------------------|--|--|--|--|--|--|
| GENERAL FUND | | | | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Source) | | | | | | |
| | | | | | | |

POSITIONS

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL TIME | | | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

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

The Department of Administration endorses SB830 as written. This housekeeping measure removes any question concerning this Department's ability to administer otherwise lapsing funds intended for municipalities who have not yet applied for them.

IV. DATE March 11, 1982 PREPARED BY Kenneth R. Ryals 
 AGENCY Department of Administration
 Original: Legislative Finance PHONE 465-2277
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

STATE OF ALASKA

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, Governor

POUCH B
JUNEAU, ALASKA 99811
PHONE: (907) 465-4700

March 8, 1982

The Honorable Ed Dankworth
Senate Finance Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

MAR - 9 1982

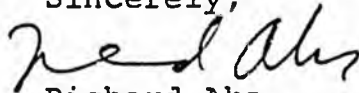
Attention David Rogers

Dear Senator Dankworth:

Enclosed, as you requested, are the position paper and fiscal note on the companion bills S.B. 830 and S.B. 836 relating to Chapter 60, SLA 1981.

If I can be of further assistance please call me at 465-4705.

Sincerely,



Richard Aks
Deputy Commissioner

cc: Senator Sackett
Senator Ferguson
Senator Gilman
Representative Adams
Commissioner Hudson

DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS
Position Paper On S.B.830 and S.B.836

S.B. 830 and S.B. 836 would extend the time during which the Departments of Administration and Community and Regional Affairs make payments to municipalities and unincorporated communities under Chapter 60, SLA 1981 and would extend the lapse date on related appropriations.

The Department strongly supports this legislation. To date the Department has received applications from 22 of the 94 unincorporated communities eligible for funding and disbursed or committed \$3,541,000 of a total appropriation of \$19,377,800 for unincorporated communities.

There are some significant reasons why many unincorporated communities have not applied for this funding. A major one is fear of government. Many residents moved to these rural communities to get away from governmental or organizational restrictions. As a result, many of the communities of 25 people or more that are eligible for the program have not, as yet, formed any type of non-profit community organization that can receive and expend State funds.

Another more prevalent problem relates to organization that may already exist in many communities. Chapter 60 currently requires that the Department deal with a legally constituted organization that does not possess sovereign immunity. Many unincorporated communities have IRA or traditional councils that may be capable of receiving and expending State funds, but because they possess sovereign immunity are legally barred from doing so. Eligibility for funding in those instances would require additional action by the existing councils to incorporate as non-profit corporations under State law. Although this incorporation is a fairly simple process, it is foreign to most rural communities.

These problems along with lack of expertise and experience in dealing with State Government are the biggest roadblocks to successful implementation of the program.

The Department strongly supports enactment of these bills and the addition of language to allow the award of grant funds to IRA or traditional councils that waive sovereign immunity for the purpose of receiving the grant. The Department feels that these steps, combined with an expanded outreach and technical assistance program planned for this spring, will increase the number of successful applicants and assure appropriate expenditure of State funds.

Prepared by the
 Department of Community & Regional Affairs
 Local Government Assistance Division

March 5, 1982

Unincorporated Community Aid Applicants

| <u>Community</u> | <u>Status</u> | <u>Organization Type</u> | <u>Amount</u> | <u>Projects</u> |
|------------------|---------------|---------------------------------|---------------|---|
| Arctic Village | Pending | IRA (16 & 17) | \$ 111,000 | Fuel for Generator |
| Birch Creek | Approved | Non-profit (formed for SB 168)* | \$ 32,000 | Purchasing generator, operating electric company |
| Cantwell | Pending | Non-profit (formed for SB 168)* | \$ 89,000 | Building community hall, improve solid waste system, fire hall improvement |
| Cold Bay | Approved | Non-profit (existing) | \$ 228,000 | Operating an emergency medical care clinic |
| Elfin Cove | Approved | Non-profit (formed for SB 168) | \$ 28,000 | Maintaining community equipment & buildings, developing an alternate energy source |
| Gustavus | Pending | Non-profit (existing) | \$ 98,000 | Building a community center |
| Healy Lake | Approved | IRA (16 & 17) | \$ 33,000 | Completing community hall and community freezer |
| Igiugig | Pending | Non-profit (formed for SB 168)* | \$ 33,000 | Salary for recreation supervisor, purchasing a truck, salary for community building maintenance person |
| Klukwan | Pending | IRA (16 & 17) | \$ 135,000 | Rewiring in community, buy fire equipment, repairing community hall, buy pump truck, Adult basic ed., emergency medical service, purchase a village |
| Kongiganak | Pending | Non-profit (formed for SB 168)* | \$ 239,000 | Building: Multi-purpose, VFD, and equipment trash collection |
| Kwigillingok | Pending | IRA (16 & 17) | \$ 354,000 | Renovate community building, install fence, purchase truck |
| Levelock | Approved | Non-profit (formed for SB 168)* | \$ 79,000 | Salary for building maintenance person, buy satellite transmitter, community hall renovation, complete bulk fuel storage and dock |
| Metlakatla | Pending | IRA (16 & 17) | \$1,195,000 | Build recreation building, Port improvements |
| McKinley Park | Pending | Non-profit (existing) | \$ 32,000 | Operating community center |
| Minto | Approved | IRA (16 & 17) | \$ 153,000 | Utility improvements, operating lodge |
| Nikolski | Approved | IRA (16 & 17) | \$ 50,000 | Windmills |
| Noatak | Pending | IRA (16 & 17) | \$ 273,000 | Building a Post Office, buying various pieces of equipment, operating water sewer and community buildings, medical and old age care |
| Pedro Bay | Approved | Non-profit (formed for SB 168)* | \$ 33,000 | Constructing a dock and trails and bridges |
| Rampart | Pending | Non-profit (formed for SB 168)* | \$ 50,000 | Build generator building, operating expenses, custodian salary, buy recreational equipment |
| Stevens Village | Pending | IRA (16 & 17) | \$ 96,000 | Salary for water treatment plant operator, buy truck, buy washers and dryer recreation director salary |
| Tatitlek | Approved | IRA (16 & 17) | \$ 68,000 | Renovate community building and school, buy generator, install fuel lines |
| Venetie | Pending | IRA (16 & 17) | \$ 132,000 | Buy generator, fuel for generator |

*Has existing traditional Native government or IRA Council.

SB168 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|--|---|
| Arctic Village | Donald R. Wright, Grant Administrator Native Village of Venetie General Delivery Arctic Village, Alaska 99722 | Application rec'd 2/3/82 587-8001 |
| Atka | Gregory Golodoff, President Atka IRA Council Atka Rural Branch Atka, Alaska 99513 | 767-8001 George Kudrin, Vice President |
| Beaver | Douglas Pitka, Chief Beaver Village Council General Delivery Beaver, Alaska 99724 | 628-8001 |
| Big Delta | POSTMASTER - PLEASE POST Village of Big Delta General Delivery Big Delta, Alaska | |
| Birch Creek | Ernest James, President Birch Creek Village Council General Delivery Birch Creek VIA Fort Yukon, Alaska 99740 | Application rec'd 9/3/81 662-2430 |
| Cantwell | Eleanor Dementi, President Cantwell Village Council P.O. Box 14 Cantwell, Alaska 99729 | 1) |
| | Gerald R. Moberg, Chairman Community of Cantwell, Inc. P.O. Box 135 Cantwell, Alaska 99729 | 2) Application rec'd 12/3/81 |

SB168 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|--|---|
| Cape Pole | POSTMASTER - PLEASE POST Village of Cape Pole General Delivery Cape Pole, Alaska | 879-8001 |
| Central | John J. Hand Jr. Village of Central General Delivery Central, Alaska 99730 | 520-8001 |
| Chalkyitsik | William B. Salmon Jr., Chief Chalkyitsik Village Council General Delivery Chalkyitsik, Alaska 99788 | 848-8001 |
| Chicken | POSTMASTER - PLEASE POST Village of Chicken General Delivery Chicken, Alaska | |
| Chignik | Arlene Kopun, President Chignik Village Council General Delivery Chignik, Alaska 99564 | George Tinker, Vice President 749-8001 Jan Van Dort, Boat Owners Assoc. 586-2359 |
| Chignik Lagoon | Rodney Anderson, President Native Village of Chignik lagoon P.O. Box 810 Chignik Lagoon, Alaska 99565 | 947-8001 |
| Chignik Lake | William Lind, President Chignik Lake Village Council P.O. Box 24 Chignik Lake, Alaska 99613 | 566-8001 Elia Lind, Administrator |

SB168 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|--|-----------------------------|
| Chistochina | Ernest Sanford, President Chistochina Village Council P.O. Box 171 Gakona, Alaska 99586 | |
| Chitina | Frank Billum Chitina Village Council P.O. Box 3 Chitina, Alaska 99566 | 1)496-8001 |
| | Tom Brannen, Fire Chief General Delivery Chitina, Alaska 99566 | 2)496-8001 |
| Circle | Theresa McCall, President Circle Village Council General Delivery Circle, Alaska 99733 | 1) |
| | Earla Hutchinson, President Circle Civic Community Assoc., Inc. General Delivery Circle, Alaska 99733 | 2) Application rec'd 2/9/82 |
| Coffman Cove | POSTMASTER - PLEASE POST City of Coffman Cove General Delivery Coffman Cove, Alaska | |
| Cold Bay | Marsha Brown, President Cold Bay EMS Council P.O. Box 33 Cold Bay, Alaska 99571 | Application rec'd 9/24/81 |

SBI68 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|--|--|
| Copper Center | Basille Jackson, President Copper Center Village Council General Delivery Copper Center, Alaska 99573 | |
| Crooked Creek | Mishka Andreanoff, President Village of Crooked Creek General Delivery Crooked Creek, Alaska 99575 | 432-8001 |
| Dot Lake | William J. Miller, President Dot Lake Village Council P.O. Box 272 Dot Lake, Alaska 99737 | |
| Dunbar | POSTMASTER - PLEASE POST Village of Dunbar General Delivery Dunbar, Alaska | |
| Eagle Village | Fred Stevens, Chief Eagle Village Council P.O. Box 29 Eagle, Alaska 99738 | 729-8001 |
| Egegik | Lucy Abalama, President Egegik Village Council P.O. Box 29 Egegik, Alaska 99579 | 246-3430 |
| Elfin Cove | James M. Wild Community of Elfin Cove, Inc. General Delivery Elfin Cove, Alaska 99825 | 697-3131 Application rec'd 11/12/81 |

SB168 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|---|-------------------------|
| Evansville | Frank Tobuk, Chief Evansville Village Council General Delivery Evansville, Alaska 99726 | |
| Eyak | Agnes Nichols, President Native Village of Eyak P.O. Box 878 Cordova, Alaska 99574 | |
| False Pass | Robert Shellikoff, President False Pass Village Council General Delivery False Pass, Alaska 99583 | Ruth Hobler 548-8001 |
| Gakona | David Gene, President Native Village of Gakona P.O. Box 174 Gakona, Alaska 99586 | |
| Glennallen | POSTMASTER - PLEASE POST General Delivery Glennallen, Alaska 99588 | 1) |
| | Sheldon Sprecker, Fire Chief Glennallen Volunteer Fire Dept. General Delivery Glennallen, Alaska 99588 | 2) |
| Gulkana | Luke Maxim, President Gulkana Village Council P.O. Box 107 Gakona, Alaska 99586 | |

SB168 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|--|-----------------------------|
| Gustavus | William M. Tipton Village of Gustavus P.O. Box 95 Gustavus, Alaska 99826 | 1) |
| | David F. Koschmann, President Gustavus Community Association, Inc. P.O. Box 62 Gustavus, Alaska 99826 | 2) Application rec'd 2/8/82 |
| Healy | William Nordmark, Fire Chief Tri-Valley V.F.D. P.O. Box 20 Healy, Alaska 99743 | 1) |
| | Dona Helmer, President Tri-Valley Community Library P.O. Box 60 Healy, Alaska 99743 | 2) |
| Healy Lake | Fred Kirsteatter, Chief Healy Lake Village Council P.O. Box 667 Delta Junction, Alaska 99737 | Application rec'd 9/1/81 |
| Hyder | John Chatham, Chairman Hyder Community Association, Inc. General Delivery Hyder, Alaska 99923 | |
| Iditarod | POSTMASTER - PLEASE POST Village of Iditarod General Delivery Iditarod, Alaska | |

SB168 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|--|----------------------------|
| Igiugig | George Woods, President The Kvichak Foundation General Delivery Levelock, Alaska 99625 | Application rec'd 11/10/81 |
| Iliamna | Ethel Adcox, President Village of Iliamna General Delivery Iliamna, Alaska 99606 | |
| Ivanoff Bay | Joseph Kalmakoff, President Ivanoff Bay Village Council General Delivery Ivanoff Bay, Alaska 99502 | 669-8001 Alex Calutan |
| Kenny Lake | Marge Brittain Kenny Lake Community League Star Route, Box 231 Kenny Lake VIA Copper Center, Alaska 99573 | 822-3531 |
| Kipnuk | Paul Dock, President Kipnuk Village Council General Delivery Kipnuk, Alaska 99614 | 598-8001 |
| Klukwan | James H. Stevens Sr., President Chilkat Indian Village P.O. Box 220 Haines, Alaska 99827 | Application rec'd 1/15/82 |
| Kokhanok | Steve Nowatak, President Kokhanok Village Council General Delivery Kokhanok, Alaska 99476 | 571-1260 |

SB168 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|--------------------|--|--|
| Koliganek | Anton Johnson, President Koliganek Village Council General Delivery Koliganek, Alaska 99576 | 596-8001 |
| Kongiganak | Evon Azean Sr., President Kongiganak Traditional Council General Delivery Kongiganak, Alaska 99559 | Application rec'd 1/11/82 696-8001 |
| Kwigillingok | James Atti, President Kwigillingok IRA Council General Delivery Kwigillingok, Alaska 99622-9999 | Application rec'd 11/9/81 769-8001 |
| Levelock | George Woods, President The Kvichak Foundation General Delivery Levelock, Alaska 99625 | Application rec'd 11/10/81 246-3420 |
| Lime Village | Wassillie C. Macar, President Lime Village Council General Delivery Lime Village, Alaska 99695 | 648-8001 |
| Lower Tonsina | POSTMASTER - PLEASE POST Village of Lower Tonsina General Delivery Lower Tonsina, Alaska 99573 | |
| Manley Hot Springs | Janis M. Carney, President Manley Hot Springs Village Council General Delivery Manley Hot Springs, Alaska 99756 | |

SBI68 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|---------------------|--|--|
| McKinley Park | Craig Stowers McKinley Park Community Club Inc. General Delivery McKinley Park, Alaska 99755 | Application rec'd 10/81 |
| Mentasta Lake | President Mentasta Lake Traditional Village Council Mentasta Lake VIA Tok, Alaska 99780 | 883-4401 |
| Metlakatla | Stanley R. Patterson, Mayor Metlakatla Indian Community P.O. Box 8 Metlakatla, Alaska 99926 | Application rec'd 11/5/81 |
| Meyers Chuck | POSTMASTER - PLEASE POST Village of Meyers Chuck General Delivery Meyers Chuck, Alaska 99903 | |
| Minto | Carlos Frank, Chief Native Village of Minto General Delivery Minto, Alaska 99758 | Application rec'd 9/22/81 |
| Nabesna-White River | POSTMASTER - PLEASE POST General Delivery Nabesna-White River VIA Glennallen, Alaska 99588 | |
| Nelson Lagoon | Paul M. Gunderson, President Native Village of Nelson Lagoon General Delivery Nelson Lagoon, Alaska 99695 | Harold Johnson 989-8001 989-2205 |

SB168 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|---|----------------------------|
| Nikolski | Dorofey Chercasen, President Nikolski IRA Council General Delivery Nikolski, Alaska 99638 | Application rec'd 10/15/81 |
| Noatak | Bill C. Bailey, President Noatak IRA Council General Delivery Noatak, Alaska 99762 | Application rec'd 11/25/81 |
| Northway | Lorraine Felix, President Northway Village Council General Delivery Northway, Alaska 99764 | |
| Northway Village | POSTMASTER - PLEASE POST Village of Northway Village General Delivery Northway Village, Alaska 99764 | |
| Oscarville | Ignati Jacob, President Oscarville Traditional Village Council General Delivery Oscarville, Alaska 99559 | 543-2066 |
| Paxson | Michael McLean, President Paxson Community Affairs Pouch 7 Paxson, Alaska 99737 | |
| Pedro Bay | Donald Knighton, President Pedro Bay Improvement Corp. General Delivery Pedro Bay, Alaska 99647 | Application rec'd 9/14/81 |

SB168 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|--|--|
| Perkinsville | POSTMASTER - PLEASE POST Village of Perkinsville General Delivery Perkinsville, Alaska | |
| Perryville | Boris Kosbruk, President Perryville IRA Council P.O. Box 101 Perryville, Alaska 99648 | Marvin Yagie 877-8001 |
| Pilot Point | Janice Ball, President Pilot Point Village Council P.O. Box 449 Pilot Point, Alaska 99649 | 797-8001 |
| Pitkas Point | John Tinker Sr., President Pitkas Point Village Council P.O. Box 184 Saint Mary's, Alaska 99658 | 398-8001 |
| Point Baker | Robert Larson, President Point Baker Community Council P.O. Box 464 Point Baker, Alaska 99927 | 559-8001 |
| Port Clarence | POSTMASTER - PLEASE POST Village of Port Clarence General Delivery Port Clarence, Alaska | |
| Rampart | Elizabeth Newman, Chief Rampart Village Council General Delivery Rampart, Alaska 99767 | Application rec'd 10/30/81 358-8001 |

SBI68 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|---|---------------------------------------|
| Red Devil | Janice Bass, President Red Devil Village Council General Delivery Red Devil, Alaska 99656 | 447-8001 |
| Saint George | Maxim Malavansky, President Saint George Community Council General Delivery St. George, Alaska 99660 | 1) 859-8001 |
| | Tanaq Corporation Ed Philemonof 1307 W. 38th #6 Anchorage, Alaska 99503 | 2) |
| Slana | President Slana Traditional Village Council Slana VIA Glennallen Alaska 99588 | |
| Sleetmute | Pete Mellick, President Sleetmute Village Council General Delivery Sleetmute, Alaska 99668-9999 | 449-8001 |
| Sparrevohn | POSTMASTER - PLEASE POST Village of Sparrevohn General Delivery Sparrevohn, Alaska | |
| Stevens Village | Horace S. Smoke Sr. President Stevens Village IRA Council General Delivery Stevens Village, Alaska 99774 | Application rec'd 2/16/82 478-8001 |

SB168 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|---|---------------------------|
| Telida | Steven Eluska, First Chief Telida Village Council General Delivery Telida, Alaska 99627 | 843-8001 |
| Tetlin | Fred Demit, President Tetlin IRA Council General Delivery Tetlin, Alaska 99779 | 883-2791 |
| Thorne Bay | John H. Fichtner Thorne Bay Community Club P.O. Box 421 Thorne Bay, Alaska 99950 | Application rec'd 2/24/82 |
| Tok | Donald Joe, President Village of Tok P.O. Box 372 Tok, Alaska 99780 | 1) |
| | Ralph Rudzik, Chairman Tok Community Clinic Box 33 Tok, Alaska 99780 | 2) |
| Tonsina | POSTMASTER - PLEASE POST Village of Tonsina General Delivery Tonsina, Alaska 99573 | |
| Tuntutuliak | Peter Pavila, President Tuntutuliak Village Council General Delivery Tuntutuliak, Alaska 99680 | 543-2101 |

SBI68 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|--|----------------------------|
| Stony River | Iyana Gusty, President Stony River Traditional Council General Delivery Stony River, Alaska 99673 | 439-8001 |
| Suntrana | POSTMASTER - PLEASE POST Village of Suntrana General Delivery Suntrana, Alaska | |
| Takotna | David Miller, Chief Takotna Village Council General Delivery Takotna, Alaska 99675 | 524-3731 |
| Tanacross | Jerry Isaac, President Tanacross Village Council General Delivery Tanacross, Alaska 99776 | |
| Tatalina | POSTMASTER - PLEASE POST Village of Tatalina General Delivery Tatalina, Alaska | |
| Tatitlek | Norman Vlasoff, President Tatitlek IRA Council General Delivery Tatitlek, Alaska 99677 | Application rec'd 12/28/81 |
| Tazlina | Robert Marshall, President Tazlina Village Council P.O. Box 188 Glennallen, Alaska 99588 | |

SB168 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|---|--------------------------------------|
| Twin Hills | Arthur Sharp, President Twin Hills Village Council General Delivery Twin Hills, Alaska 99576 | 972-8001 |
| Usibelli | POSTMASTER - PLEASE POST Village of Usibelli General Delivery Usibelli, Alaska | |
| Venetie | Donald R. Wright, Grant Administrator Native Village of Venetie General Delivery Venetie, Alaska 99781 | Application rec'd 2/3/82 849-8001 |
| Whale Pass | John Gildersleeve Pouch B Ketchikan, Alaska 99901 | |
| Info Only | Glen Marurdey Mukluk News Box 192 Tok, Alaska 99780 | |

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB830/SB836
Title An Act extending the time during which assistance for municipalities & *
Requested by Senate Finance Date 3/5/82

II. FISCAL DETAIL

Agency Affected Department of Community and Regional Affairs
Program Category Affected Development
BRU, Program, or Subprogram(s) Affected Training, Development & RDA
(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 81 | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | -0- | -0- | -0- | -0- | -0- | |

FUNDING (Thousands of Dollars)

| | | | | | | |
|-----------------------------|-----|-----|-----|-----|-----|--|
| GENERAL FUND | -0- | -0- | -0- | -0- | -0- | |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Fund Source) | | | | | | |
| | | | | | | |

POSITIONS

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

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

No additional program costs are expected over and above the original legislative appropriation for this program.

IV. DATE 3/7/82

PREPARED BY
AGENCY DCRA
PHONE 465-4700

Richard Aks
Richard Aks

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/80)

*Unincorporated communities is paid under ch. 60, SLA 1981;
An act extending appropriations made for entitlements to
municipalities & unincorporated communities...

DAVID ROGERS

LA-L 20

WORK DRAFT COPY

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*Not discussed or acted
upon in Committee*

1 IN THE SENATE:

BY THE COMMUNITY AND
REGIONAL AFFAIRS COMMITTEE

2 COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 627

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state assistance for municipali-
7 ties; and providing for an effective date."

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

9 * Section 1. Section 1, ch. 60, SLA 1981 is amended as follows:

10 Page 1, lines 10 and 11, delete "fiscal year ending June 30, 1982"
11 and substitute "period ending June 30, 1983."

12 Page 2, after line 24, by adding a new subsection which reads:

13 (f) Municipalities that do not have the power under AS 29 to use
14 money received under this section in accordance with (c)(1) and (3) of
15 this section are granted that power.

16 * Section 2. Section 2, ch. 60, SLA 1981 is amended as follows:

17 Page 2, lines 25 and 26, delete "fiscal year ending June 30, 1982"
18 and substitute "period ending June 30, 1983."

19 Page 3, lines 9 and 10, after "or" delete "a federally chartered
20 entity that does not possess sovereign immunity and" and substitute "an
21 Alaska Native Village Council that"

22 Page 3, line 12, delete "incorporated or federally chartered"

23 Page 3, lines 15, 16, 17 and 18, starting with "In" on line 15,
24 delete the last sentence of section 2(c) and substitute:

25 (b) The department may not pay any entitlement money to an Alaska
26 Native village council unless the council waives any immunity from suit
27 which it might have, for all contract claims arising out of activities
28 of the council related to the entitlement money. The waiver must be on a
29

MEMORANDUM
COMMITTEE

TO: Keith Specking
Office of the Governor

FROM: Richard Ake
Deputy Commissioner
Department of Community
And Regional Affairs

The Department of
your assistance
Chapter 60/SLAB
recently established
Villages that p

As you know, to
to improve the
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LA-L

1 standard form provided by the Department of Law. The Department may
2 require liability insurance as a condition of the grant. Neither this
3 sub-section nor any action taken under it enlarges or diminishes such
4 governmental authority or jurisdiction as the various Alaska Native
5 village councils might have.

6 Page 4, line 15, delete "incorporated entity or federally chartered"

7 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.
8 070(c).

29

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

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1 standard form provided by the Department of Law. The Department may
 2 require liability insurance as a condition of the grant. Neither this
 3 sub-section nor any action taken under it enlarges or diminishes such
 4 governmental authority or jurisdiction as the various Alaska Native
 5 village councils might have.

6 Page 4, line 15, delete "incorporated entity or federally chartered"

7 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.

8 070(c).

MEMORANDUM

State of Alaska

COMMUNITY AND REGIONAL AFFAIRS

TO: Keith Specking
Office of the Governor

DATE: January 29, 1982

FILE NO:

TELEPHONE NO:

FROM: Richard Aks *RA*
Deputy Commissioner
Department of Community
And Regional Affairs

SUBJECT: Proposed Amendment
To Chapter 60/SLA81

The Department of Community and Regional Affairs requests your assistance in preparation of legislation to amend Chapter 60/SLA81 to bring that statute in conformance with recently established policy for dealing with Alaska Native Villages that possess sovereign immunity.

As you know, the Department of Law is drafting legislation to improve the procedures for State grants to municipalities and unincorporated communities. After several discussions, DCRA, the Department of Law and the Governor's Office agreed to include language that allows the Department to provide funding to Alaska Native Villages that waive sovereign immunity from suit. This language is also to be included in legislation that would amend and reform the State Revenue Sharing program.

The Department strongly feels that this language should also be proposed as an amendment to Chapter 60/SLA81 in order to apply a consistent policy to all Alaska Native Villages. Chapter 60 currently prohibits DCRA from providing funding under the Unincorporated Community Aid Program to federally chartered entities that possess sovereign immunity. That prohibition requires the creation of non-profit corporations in every community where an IRA council may be the logical grant recipient.

To date, DCRA has delayed major efforts to distribute funding under this statute because of other priorities. There are currently 169 unincorporated communities eligible to apply for over \$13 million under Chapter 60. As of January 29, 1982, the Department has received 20 applications, approved 9 of them and disbursed \$580,000.

If this statute can be amended to conform to the other legislation, the majority of the program could be implemented in a manner that is consistent with current state policy and comprehensible to local residents.

The Department suggests the following amendments to Chapter 60:

Page 3, line 9, after word "or" delete "a federally chartered entity does not possess sovereign immunity" and add "an Alaska Native Village Council that waives any immunity from suit which it might otherwise have, for obligations arising out of its activities with grant funds on a form drafted by the Department of Law."

Page 3, line 12, after the word "one" delete "qualified incorporated or federally chartered entity" and add "entity seeking funding,".

Page 3, line 15-18, delete "In selecting the recipient entity.....for receipt of the entitlement."

The Department also suggests that the lapse date for these funds be extended to allow sufficient time for enactment of this amendment prior to implementation.

Thank you for your consideration of this request.

cc: Wil Condon, Attorney General
Susan Greene, Office of the Governor

bcc: Palmer McCarter
Jim Baldwin

Cook .

A M E N D M E N T

3 TO: SB 830

By Sackett

5 Page 1, line 6:

6 Delete "extending the time during which" and insert "relating to"

8 Page 1, line 7:

9 Delete "is paid"

11 Page 2, after line 2 insert:

12 * Sec. 3. Section 2(c), ch. 60, SLA 1981, is amended to read:

13 (c) After notifying an [BY AUGUST 15, 1981, THE DEPARTMENT OF
14 COMMUNITY AND REGIONAL AFFAIRS SHALL NOTIFY EACH] unincorporated
15 community that its entitlement is available, the [. THE] Department of
16 Community and Regional Affairs [WITH ADVICE FROM THE DEPARTMENT OF LAW]
17 shall determine whether there is [,] in the unincorporated community [,]
18 an incorporated entity or a Native village council that [FEDERALLY
19 CHARTERED ENTITY THAT DOES NOT POSSESS SOVEREIGN IMMUNITY AND] will
20 agree to receive and spend the entitlement money [RECEIVED UNDER THE
21 ENTITLEMENT]. If there is in the unincorporated community more than one
22 qualified [INCORPORATED OR FEDERALLY CHARTERED] entity seeking the
23 entitlement money, the department [DEPARTMENT OF COMMUNITY AND REGIONAL
24 AFFAIRS] shall pay the entitlement money [UNDER THE ENTITLEMENT] to the
25 entity that the department finds most qualified to receive and spend the
26 money consistent with (d) and (e) of this section. The department may
27 not pay entitlement money to a Native village council unless the council
28 waives immunity from suit initiated by the state concerning the entitle-
29 ment. A waiver must be on a form provided by the Department of Law.

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Neither this subsection or any action taken under it enlarges or diminishes the governmental authority or jurisdiction of a Native village council. [IN SELECTING THE RECIPIENT ENTITY, THE DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS SHALL GIVE PREFERENCE TO A NONPROFIT CORPORATION ORGANIZED BY AN UNINCORPORATED COMMUNITY FOR RECEIPT OF THE ENTITLEMENT.]

* Sec. 4. Section 2(f), ch. 60, SLA 1981, is amended to read:

(f) If there is no qualified [INCORPORATED ENTITY OR FEDERALLY CHARTERED] entity willing to receive the money in an unincorporated community, the entitlement for that unincorporated community may not be paid.

Renumber following section accordingly.

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 SENATE BILL NO. 830

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act extending the time during which assistance for
7 municipalities and unincorporated communities is paid
8 under ch. 60, SLA 1981; and providing for an effective
9 date."

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

11 * Section 1. Section 1(a), ch. 60, SLA 1981 is amended to read:

12 (a) By June 30, 1983 [DURING THE FISCAL YEAR ENDING JUNE 30,
13 1982], the Department of Administration shall compute and pay an entitle-
14 ment to each qualified municipality. An entitlement to a municipality
15 with a population of at least 1,000 shall be used for social services
16 and capital projects at the discretion of the municipality. An entitle-
17 ment to a municipality with a population of less than 1,000 shall be
18 used for social services, capital projects, or operating expenses of
19 capital projects at the discretion of the municipality. The entitlement
20 for each municipality shall be computed in accordance with (b) of this
21 section, and is payable by the Department of Administration in accor-
22 dance with AS 37.05.315 - 37.05.319 [AS 37.05.315] to the extent that
23 the provisions of AS 37.05.315 - 37.05.319 [AS 37.05.315] are consistent
24 with (c), (d), and (e) of this section.

25 * Sec. 2. Section 2(a), ch. 60, SLA 1981 is amended to read:

26 (a) By June 30, 1983 [DURING THE FISCAL YEAR ENDING JUNE 30,
27 1982], the Department of Community and Regional Affairs shall compute
28 and pay an entitlement to each unincorporated community in the unorga-
29 nized borough. The entitlement for each community shall be computed in

STATE OF ALASKA

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

FINANCE DIVISION
POUCH WF-STATE CAPITOL
JUNEAU, ALASKA 99811
PHONE: (907) 465-3795

M E M O R A N D U M

TO: Senator Ed Dankworth, Co-chairman
Senate Finance Committee

FROM: Elmer Lindstrom, Fiscal Analyst
Legislative Finance Division

DATE: March 11, 1982

SUBJECT: SB 830, SB 836

Ch. 60, SLA 81 (SB 168) authorizes a one time payment to incorporated and unincorporated communities in the amount of \$1000 per person to be paid during the fiscal year ending June 30, 1982. Ch. 61, SLA 81 (HB 1) appropriated \$380,000,000 GF to the Department of Administration and \$24,987,000 GF to the Department of Community and Regional Affairs for payment of the entitlements authorized in SB 168. These appropriations carried a lapse date of June 30, 1982.

Subsequent to the passage of SB 168 and HB 1 it became necessary due to budgetary constraints to split the payment of the \$1000 per person entitlement into two year appropriations, i.e., a portion of the funds were made available for expenditure during FY 82 with the balance available during FY 83. This was accomplished in Sections 63-64, Ch. 92, SLA 81 (HB 297).

The purpose of SB 830 is to amend Ch. 60, SLA 81 (SB 168) to allow for payment of the \$1000 per person entitlement over a two year period rather than one year as originally envisioned. This was clearly the intent of the legislature when they split the entitlement into two year appropriations in HB 297. Similarly the purpose of SB 836 is to amend the appropriations made in HB 297 to allow those appropriations available for expenditure during FY 82 to be carried forward into FY 83. All unexpended and unobligated funds will lapse into the General Fund on June 30, 1983.

EL:dh

CORRECTION

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HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 SENATE BILL NO. 830

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

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7 municipalities and unincorporated communities is paid
8 under ch. 60, SLA 1981; and providing for an effective
9 date."

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

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13 1982], the Department of Administration shall compute and pay an entitle-
14 ment to each qualified municipality. An entitlement to a municipality
15 with a population of at least 1,000 shall be used for social services
16 and capital projects at the discretion of the municipality. An entitle-
17 ment to a municipality with a population of less than 1,000 shall be
18 used for social services, capital projects, or operating expenses of
19 capital projects at the discretion of the municipality. The entitlement
20 for each municipality shall be computed in accordance with (b) of this
21 section, and is payable by the Department of Administration in accor-
22 dance with AS 37.05.315 - 37.05.319 [AS 37.05.315] to the extent that
23 the provisions of AS 37.05.315 - 37.05.319 [AS 37.05.315] are consistent
24 with (c), (d), and (e) of this section.

25 * Sec. 2. Section 2(a), ch. 60, SLA 1981 is amended to read:

26 (a) By June 30, 1983 [DURING THE FISCAL YEAR ENDING JUNE 30,
27 1982], the Department of Community and Regional Affairs shall compute
28 and pay an entitlement to each unincorporated community in the unorga-
29 nized borough. The entitlement for each community shall be computed in

1 accordance with (b) of this section, and is payable by the Department of
2 Community and Regional Affairs in accordance with (c) of this section.

3 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
4 070(c).

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STATE OF ALASKA

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

FINANCE DIVISION
POUCH WF-STATE CAPITOL
JUNEAU, ALASKA 99811
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M E M O R A N D U M

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EL:dh

COMMITTEE REPORT

HOUSE

(11)

FURTHER:

3/29/82

Date: 5/6/82

Mr. Speaker:

The Committee on FINANCE has had SB 830

"An Act extending the time during which assistance for municipalities and unincorporated communities is paid under ch. 60, SLA 1981; 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 ^HCS for SB 830 (Fin) same title new title
- and recommends do pass
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Albert B. Adams
James Fuller
V. Hanner
John W. ...
...
...
...
...

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Albert B. Adams
CHAIRMAN

Original sponsor: Finance Committee

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 830 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to assistance for municipalities and
7 unincorporated communities; and providing for an effec-
8 tive date."

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

10 * Section 1. Section 1(a), ch. 60, SLA 1981 is amended to read:

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13 ment to each qualified municipality. An entitlement to a municipality
14 with a population of at least 1,000 shall be used for social services
15 and capital projects at the discretion of the municipality. An entitle-
16 ment to a municipality with a population of less than 1,000 shall be
17 used for social services, capital projects, or operating expenses of
18 capital projects at the discretion of the municipality. The entitlement
19 for each municipality shall be computed in accordance with (b) of this
20 section, and is payable by the Department of Administration in accor-
21 dance with AS 37.05.315 - 37.05.319 [AS 37.05.315] to the extent that
22 the provisions of AS 37.05.315 - 37.05.319 [AS 37.05.315] are consistent
23 with (c), (d), and (e) of this section.

24 * Sec. 2. Section 2(a), ch. 60, SLA 1981 is amended to read:

25 (a) By June 30, 1983 [DURING THE FISCAL YEAR ENDING JUNE 30,
26 1982], the Department of Community and Regional Affairs shall compute
27 and pay an entitlement to each unincorporated community in the unorga-
28 nized borough. The entitlement for each community shall be computed in
29 accordance with (b) of this section, and is payable by the Department of

1 Community and Regional Affairs in accordance with (c) of this section.

2 * Sec. 3. Section 2(c), ch. 60, SLA 1981 is amended to read:

3 (c) By August 15, 1981, the Department of Community and Regional
4 Affairs shall notify each unincorporated community that its entitlement
5 is available. The Department of Community and Regional Affairs with
6 advice from the Department of Law shall determine whether there is [,]
7 in the unincorporated community [,] an incorporated entity or a Native
8 village council that [FEDERALLY CHARTERED ENTITY THAT DOES NOT POSSESS
9 SOVEREIGN IMMUNITY AND] will agree to receive and spend the entitlement
10 money [RECEIVED UNDER THE ENTITLEMENT]. If there is in the unincorpor-
11 ated community more than one qualified [INCORPORATED OR FEDERALLY
12 CHARTERED] entity, the Department of Community and Regional Affairs
13 shall pay the money under the entitlement to the entity that the depart-
14 ment finds most qualified to receive and spend the money consistent with
15 (d) and (e) of this section. The Department of Community and Regional
16 Affairs may not pay entitlement money to a Native village council unless
17 the council waives immunity from suit for contract claims arising out of
18 activities of the council related to the entitlement. A waiver of
19 immunity from suit must be on a form provided by the Department of Law.
20 Neither this subsection nor any action taken under it enlarges or dimin-
21 ishes the governmental authority or jurisdiction of a Native village
22 council. [IN SELECTING THE RECIPIENT ENTITY, THE DEPARTMENT OF COMMUNITY
23 AND REGIONAL AFFAIRS SHALL GIVE PREFERENCE TO A NONPROFIT CORPORATION
24 ORGANIZED BY AN UNINCORPORATED COMMUNITY FOR RECEIPT OF THE ENTITLEMENT.]

25 * Sec. 4. Section 2(f), ch. 60, SLA 1981 is amended to read:

26 (f) If there is no qualified [INCORPORATED ENTITY OR FEDERALLY
27 CHARTERED] entity willing to receive the money in an unincorporated
28 community, the entitlement for that unincorporated community may not be
29 paid.

1 * Sec. 5. AS 29.89.010(2) is amended to read:

2 (2) to an unincorporated community [A NATIVE VILLAGE GOVERN-
3 MENT] under AS 29.89.050.

4 * Sec. 6. AS 29.89.050 is repealed and reenacted to read:

5 Sec. 29.89.050. STATE AID TO UNINCORPORATED COMMUNITIES. (a) The
6 Department of Community and Regional Affairs shall pay an entitlement of
7 \$25,000 each fiscal year to each unincorporated community. The Depart-
8 ment of Community and Regional Affairs with advice from the Department
9 of Law shall determine whether there is in each unincorporated community
10 an incorporated nonprofit entity or a Native village council that will
11 agree to receive and spend the entitlement. If there is more than one
12 qualified entity in an unincorporated community, the Department of Com-
13 munity and Regional Affairs shall pay the money under the entitlement to
14 the entity that the department finds most qualified to receive and spend
15 the money. The Department of Community and Regional Affairs may not pay
16 money under an entitlement to a Native village council unless the council
17 waives immunity from suit for contract claims arising out of activities
18 of the council related to the entitlement. A waiver of immunity from
19 suit under this subsection must be on a form provided by the Department
20 of Law. Neither this subsection nor any action taken under it enlarges
21 or diminishes the governmental authority or jurisdiction of a Native
22 village council. If there is no qualified incorporated nonprofit entity
23 or Native village council in an unincorporated community that is willing
24 to receive money under an entitlement, the entitlement for that unincor-
25 porated community may not be paid.

26 (b) In this section "unincorporated community" means a place in
27 the unorganized borough that is not incorporated as a city and in which
28 25 or more persons reside as a social unit.

29 * Sec. 7. AS 29 is amended by adding a new chapter to read:

1 tion in the borough. A city incorporated outside an organized borough
2 after June 30, 1977, shall receive as a base amount the amount received
3 by the city in the state most closely approximating it in population at
4 the time of its incorporation. A borough incorporated after June 30,
5 1977, shall receive as a base amount the amount received by the borough
6 in the state most closely approximating it in population at the time of
7 its incorporation.

8 (b) If the amount appropriated to the municipal assistance fund by
9 the legislature during a fiscal year is insufficient for distribution of
10 the full base amount to each borough and city, the Department of
11 Community and Regional Affairs shall prorate the amount available for
12 distribution on the basis of amounts received during the fiscal year
13 1978 under AS 43.70.080.

14 Sec. 29.87.030. INCREASED ASSISTANCE. (a) If the amount in the
15 municipal assistance fund at the time of distribution exceeds the base
16 amount to be distributed under AS 29.87.020, the excess amount shall be
17 distributed to each borough and city on the basis of population. Popula-
18 tion for the purpose of this section shall be as certified by the com-
19 missioner of community and regional affairs. In determining the popula-
20 tion of a borough, the population of all cities in the borough shall be
21 deducted from the total population of the borough.

22 (b) The intent of (a) of this section is that a municipality that
23 levies property taxes reduce those levies in reasonable proportion to
24 the amount of increased state aid received by the municipality. The
25 governing body of each municipality shall furnish a notice with each tax
26 statement describing its use of this increased state aid.

27 * Sec. 8. AS 29.60.100(2) is amended to read:

28 (2) to an unincorporated community [A NATIVE VILLAGE GOVERN-
29 MENT] under AS 29.60.140.

1 * Sec. 9. AS 29.60.140 is repealed and reenacted to read:

2 Sec. 29.60.140. STATE AID TO UNINCORPORATED COMMUNITIES. (a) The
3 Department of Community and Regional Affairs shall pay an entitlement of
4 \$25,000 each fiscal year to each unincorporated community. The Depart-
5 ment of Community and Regional Affairs with advice from the Department
6 of Law shall determine whether there is in each unincorporated community
7 an incorporated nonprofit entity or a Native village council that will
8 agree to receive and spend the entitlement. If there is more than one
9 qualified entity in an unincorporated community, the Department of
10 Community and Regional Affairs shall pay the money under the entitlement
11 to the entity that the department finds most qualified to receive and
12 spend the money. The Department of Community and Regional Affairs may
13 not pay money under an entitlement to a Native village council unless
14 the council waives immunity from suit for contract claims arising out of
15 activities of the council related to the entitlement. A waiver of
16 immunity from suit under this subsection must be on a form provided by
17 the Department of Law. Neither this subsection nor any action taken
18 under it enlarges or diminishes the governmental authority or jurisdic-
19 tion of a Native village council. If there is no qualified incorporated
20 nonprofit entity or Native village council in an unincorporated community
21 that is willing to receive money under an entitlement, the entitlement
22 for that unincorporated community may not be paid.

23 (b) In this section "unincorporated community" means a place in
24 the unorganized borough that is not incorporated as a city and in which
25 25 or more persons reside as a social unit.

26 * Sec. 10. AS 29.50 is amended by adding new sections to read:

27 ARTICLE 05. MUNICIPAL ASSISTANCE.

28 Sec. 29.60.350. MUNICIPAL ASSISTANCE FUND. (a) There is estab-
29 lished in the department the municipal assistance fund. The legislature

1 may appropriate to the municipal assistance fund during each fiscal year
2 an amount equal to or greater than 10 percent of the income tax revenue
3 received by the state under AS 43.20.011(e) and AS 43.21 for the previous
4 fiscal year.

5 (b) The department shall distribute money from the municipal
6 assistance fund to each municipality on an annual basis as provided in
7 AS 29.60.360 and 29.60.370. A municipality may not receive payment
8 until it submits to the department a resolution approved by the govern-
9 ing body of the municipality that requests the money. Distribution of
10 money from the municipal assistance fund to a municipality with a fiscal
11 year beginning on January 1 shall be made on February 1 of the state
12 fiscal year for which the appropriation to the fund is made. Distribu-
13 tion of money from the municipal assistance fund to all other muni-
14 cipalities shall be made on June 1 of the state fiscal year for which
15 the appropriation to the fund is made. A municipality that incorporates
16 after December 31 of a state fiscal year is not eligible for a distribu-
17 tion under this section until the following state fiscal year.

18 Sec. 29.60.360. BASE AMOUNT OF ASSISTANCE. (a) The base amount
19 to be distributed from the municipal assistance fund to each munici-
20 pality for the fiscal year shall be the amount received by the munici-
21 pality during fiscal year 1978 under AS 43.70.080. A city incorporated
22 within a borough after June 30, 1977, shall receive as a base amount a
23 share of the amount distributed to the borough in which it is located
24 based on the ratio of population in the city to the total population in
25 the borough. A city incorporated outside a borough after June 30, 1977,
26 shall receive as a base amount the amount received by the city in the
27 state most closely approximating it in population at the time of its
28 incorporation. A borough incorporated after June 30, 1977, shall receive
29 as a base amount the amount received by the borough in the state most

1 closely approximating it in population at the time of its incorporation.

2 (b) If the amount appropriated to the municipal assistance fund by
3 the legislature during a fiscal year is insufficient for distribution of
4 the full base amount to each municipality, the department shall prorate
5 the amount available for distribution on the basis of amounts received
6 during the fiscal year 1978 under AS 43.70.080.

7 Sec. 29.60.370. INCREASED ASSISTANCE. (a) If the amount in the
8 municipal assistance fund at the time of distribution exceeds the base
9 amount to be distributed under AS 29.60.360, the excess amount shall be
10 distributed to each municipality on the basis of population. Population
11 for the purpose of this section shall be as certified by the commis-
12 sioner of community and regional affairs. In determining the population
13 of a borough, the population of all cities in the borough shall be
14 deducted from the total population of the borough.

15 (b) The intent of (a) of this section is that a municipality that
16 levies property taxes reduce those levies in reasonable proportion to
17 the amount of increased state aid received by the municipality. The
18 governing body of each municipality shall furnish a notice with each tax
19 statement describing its use of this increased state aid.

20 * Sec. 11. AS 43.20.016 is repealed.

21 * Sec. 12. Sections 5 - 7 of this Act are repealed.

22 * Sec. 13. Sections 8 - 10 and 12 of this Act take effect on the effec-
23 tive date of a version of House Bill No. 170 or Senate Bill No. 180 revising
24 AS 29.

25 * Sec. 14. Sections 1 - 7 and 11 of this Act take effect immediately in
26 accordance with AS 01.10.070(c).

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House CS for Senate Bill 830 (Finance)
 Title "An Act relating to assistance for municipalities and ... communities...
 Requested by House Finance Committee Date 5/6/82

II. FISCAL DETAIL

Agency Affected Department of Community and Regional Affairs
 Program Category Affected Development
 BRU, Program, Or Subprogram(s) Affected Local Government Assist./Rev. Sharing Adm.
 (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 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | | 27.5 | 29.4 | 31.5 | 33.7 | |
| 200 TRAVEL | | 5.2 | 5.7 | 6.2 | 6.7 | |
| 300 CONTRACTUAL | | 4.1 | 4.5 | 4.9 | 5.3 | |
| 400 COMMODITIES | | .7 | .1 | .1 | .1 | |
| 500 EQUIPMENT | | .6 | -0- | -0- | -0- | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | | 38.1 | 39.7 | 42.7 | 45.8 | |

FUNDING (Thousands of Dollars)

| | | | | | | |
|------------------------|--|------|------|------|------|--|
| GENERAL FUND | | 38.1 | 39.7 | 42.7 | 45.8 | |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Source) | | | | | | |
| | | | | | | |

POSITIONS

| | | | | | | |
|-----------|--|---|---|---|---|--|
| FULL TIME | | 1 | 1 | 1 | 1 | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

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

- Assumptions: 1) HCSSB 830 includes a provision transferring the Municipal Assistance Program from the Department of Revenue to the Department of Community and Regional Affairs.
- 2) No personal services transfers are made from the Department of Revenue to the Department of Community and Regional Affairs.
 - 3) The FY 83 Personal Services funding is based on the existing salary schedule.
 - 4) Succeeding years after FY 83 are adjusted for inflation at an annual rate of 7% for personal services and 9% for other categories, less one time items.

A detailed breakdown and justification are attached.

IV. DATE May 5, 1982

PREPARED BY Doug Griffin
 AGENCY C & RA/Local Gov't Assistance

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

PHONE 465-4736

Detailed Breakdown

100 Personal Services 27,475

Accounting Technician I (Range 12) Juneau

1,761 X 12 = 21,132
Benefits 6,343

200 Travel 5,200

8 Trips @ \$450 per trip 3,600
20 Days per diem @ \$80 per day 1,600

300 Contractual Services 4,100

Communications 1,100
Printing and Advertising 1,000
Space rent 2,000

400 Commodities 700

Office supplies 100
Office equipment 600
(one time item)

500 Equipment 600

Major Office Equipment (desk) 600
(one time item)

Justification

The addition of the Municipal Assistance program will create additional work for the staff assigned to administer the State Revenue Sharing Program. The administrative capabilities of present State Revenue Sharing staff in the Division of Local Government Assistance are already spread thin to properly implement what has become an increasingly complex and comprehensive program. It could be argued that the Department of Revenue, whose responsibilities will be reduced as a result of transferring the Municipal Assistance Program out of their agency, could look at a staff reduction or simply the transfer of Municipal Assistance staff to the Department of Community and Regional Affairs. This Department, however, has been advised by the Department of Revenue that this transfer is not possible due to the other related duties performed by Municipal Assistance staff. Therefore, one additional staff person is requested to assist in the administration of a jointly administered State Revenue Sharing/Municipal Assistance Program.

Analysis
page 2

Travel funding is requested to provide better outreach and communication so that the combined program funds can be made available to all eligible communities. Travel funding for State Revenue Sharing Program administration has historically been quite modest and therefore a slight increase is needed to provide adequate travel support.

Contractual funding is needed to provide additional funding for printing, advertising, postage, and telephone calls.

Commodities and equipment funding is needed to provide adequate support for the new position that is requested.

DG/lf/0885U

Cook
5/6/82
Version #3

Original sponsor: Finance Committee

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 830 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to assistance for municipalities and
7 unincorporated communities; and providing for an effec-
8 tive date."

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

10 * Section 1. Section 1(a), ch. 60, SLA 1981 is amended to read:

11 (a) By June 30, 1983 [DURING THE FISCAL YEAR ENDING JUNE 30,
12 1982], the Department of Administration shall compute and pay an entitle-
13 ment to each qualified municipality. An entitlement to a municipality
14 with a population of at least 1,000 shall be used for social services
15 and capital projects at the discretion of the municipality. An entitle-
16 ment to a municipality with a population of less than 1,000 shall be
17 used for social services, capital projects, or operating expenses of
18 capital projects at the discretion of the municipality. The entitlement
19 for each municipality shall be computed in accordance with (b) of this
20 section, and is payable by the Department of Administration in accor-
21 dance with AS 37.05.315 - 37.05.319 [AS 37.05.315] to the extent that
22 the provisions of AS 37.05.315 - 37.05.319 [AS 37.05.315] are consistent
23 with (c), (d), and (e) of this section.

24 * Sec. 2. Section 2(a), ch. 60, SLA 1981 is amended to read:

25 (a) By June 30, 1983 [DURING THE FISCAL YEAR ENDING JUNE 30,
26 1982], the Department of Community and Regional Affairs shall compute
27 and pay an entitlement to each unincorporated community in the unorga-
28 nized borough. The entitlement for each community shall be computed in
29 accordance with (b) of this section, and is payable by the Department of

1 Community and Regional Affairs in accordance with (c) of this section.

2 * Sec. 3. Section 2(c), ch. 60, SLA 1981 is amended to read:

3 (c) By August 15, 1981, the Department of Community and Regional
4 Affairs shall notify each unincorporated community that its entitlement
5 is available. The Department of Community and Regional Affairs with
6 advice from the Department of Law shall determine whether there is [,]
7 in the unincorporated community [,] an incorporated entity or a Native
8 village council that [FEDERALLY CHARTERED ENTITY THAT DOES NOT POSSESS
9 SOVEREIGN IMMUNITY AND] will agree to receive and spend the entitlement
10 money [RECEIVED UNDER THE ENTITLEMENT]. If there is in the unincorpo-
11 rated community more than one qualified [INCORPORATED OR FEDERALLY
12 CHARTERED] entity, the Department of Community and Regional Affairs
13 shall pay the money under the entitlement to the entity that the depart-
14 ment finds most qualified to receive and spend the money consistent with
15 (d) and (e) of this section. The Department of Community and Regional
16 Affairs may not pay entitlement money to a Native village council unless
17 the council waives immunity from suit for contract claims arising out of
18 activities of the council related to the entitlement. A waiver of
19 immunity from suit must be on a form provided by the Department of Law.
20 Neither this subsection nor any action taken under it enlarges or dimin-
21 ishes the governmental authority or jurisdiction of a Native village
22 council. [IN SELECTING THE RECIPIENT ENTITY, THE DEPARTMENT OF COMMUNITY
23 AND REGIONAL AFFAIRS SHALL GIVE PREFERENCE TO A NONPROFIT CORPORATION
24 ORGANIZED BY AN UNINCORPORATED COMMUNITY FOR RECEIPT OF THE ENTITLEMENT.

25 * Sec. 4. Section 2(f), ch. 60, SLA 1981 is amended to read:

26 (f) If there is no qualified [INCORPORATED ENTITY OR FEDERALLY
27 CHARTERED] entity willing to receive the money in an unincorporated
28 community, the entitlement for that unincorporated community may not be
29 paid.

1 * Sec. 5. AS 29.89.010(2) is amended to read:

2 (2) to an unincorporated community [A NATIVE VILLAGE GOVERN-
3 MENT] under AS 29.89.050.

4 * Sec. 6. AS 29.89.050 is repealed and reenacted to read:

5 Sec. 29.89.050. STATE AID TO UNINCORPORATED COMMUNITIES. (a) The
6 Department of Community and Regional Affairs shall pay an entitlement of
7 \$25,000 each fiscal year to each unincorporated community. The Depart-
8 ment of Community and Regional Affairs with advice from the Department
9 of Law shall determine whether there is in each unincorporated community
10 an incorporated nonprofit entity or a Native village council that will
11 agree to receive and spend the entitlement. If there is more than one
12 qualified entity in an unincorporated community, the Department of Com-
13 munity and Regional Affairs shall pay the money under the entitlement to
14 the entity that the department finds most qualified to receive and spend
15 the money. The Department of Community and Regional Affairs may not pay
16 money under an entitlement to a Native village council unless the council
17 waives immunity from suit for contract claims arising out of activities
18 of the council related to the entitlement. A waiver of immunity from
19 suit under this subsection must be on a form provided by the Department
20 of Law. Neither this subsection nor any action taken under it enlarges
21 or diminishes the governmental authority or jurisdiction of a Native
22 village council. If there is no qualified incorporated nonprofit entity
23 or Native village council in an unincorporated community that is willing
24 to receive money under an entitlement, the entitlement for that unincor-
25 porated community may not be paid.

26 (b) In this section "unincorporated community" means a place in
27 the unorganized borough that is not incorporated as a city and in which
28 25 or more persons reside as a social unit.

29 * Sec. 7. AS 29 is amended by adding a new chapter to read:

1 CHAPTER 87. MUNICIPAL ASSISTANCE.

2 Sec. 29.87.010. MUNICIPAL ASSISTANCE FUND. (a) There is estab-
3 lished in the Department of Community and Regional Affairs the municipal
4 assistance fund. The legislature may appropriate to the municipal
5 assistance fund during each fiscal year an amount equal to or greater
6 than 10 percent of the income tax revenue received by the state under
7 AS 43.20.011(e) and AS 43.21 for the previous fiscal year.

8 (b) The Department of Community and Regional Affairs shall distri-
9 bute money from the municipal assistance fund to each organized borough
10 and each city of any class on an annual basis as provided in AS 29.87.-
11 020 and 29.87.030. A borough or city may not receive payment until it
12 submits to the Department of Community and Regional Affairs a resolution
13 approved by the governing body of the municipality that requests the
14 money. Distribution of money from the municipal assistance fund to a
15 city or organized borough with a fiscal year beginning on January 1
16 shall be made on February 1 of the state fiscal year for which the
17 appropriation to the fund is made. Distribution of money from the
18 municipal assistance fund to all other cities and organized boroughs
19 shall be made on June 1 of the state fiscal year for which the appropri-
20 ation to the fund is made. A borough or city that incorporates after
21 December 31 of a state fiscal year is not eligible for a distribution
22 under this section until the following state fiscal year.

23 Sec. 29.87.020. BASE AMOUNT OF ASSISTANCE. (a) The base amount
24 to be distributed from the municipal assistance fund to each borough and
25 city for the fiscal year shall be the amount received by the borough or
26 city during fiscal year 1978 under AS 43.70.080. A city incorporated
27 within an organized borough after June 30, 1977, shall receive as a base
28 amount a share of the amount distributed to the borough in which it is
29 located based on the ratio of population in the city to the total popula-

1 tion in the borough. A city incorporated outside an organized borough
2 after June 30, 1977, shall receive as a base amount the amount received
3 by the city in the state most closely approximating it in population at
4 the time of its incorporation. A borough incorporated after June 30,
5 1977, shall receive as a base amount the amount received by the borough
6 in the state most closely approximating it in population at the time of
7 its incorporation.

8 (b) If the amount appropriated to the municipal assistance fund by
9 the legislature during a fiscal year is insufficient for distribution of
10 the full base amount to each borough and city, the Department of
11 Community and Regional Affairs shall prorate the amount available for
12 distribution on the basis of amounts received during the fiscal year
13 1978 under AS 43.70.080.

14 Sec. 29.87.030. INCREASED ASSISTANCE. (a) If the amount in the
15 municipal assistance fund at the time of distribution exceeds the base
16 amount to be distributed under AS 29.87.020, the excess amount shall be
17 distributed to each borough and city on the basis of population. Popula-
18 tion for the purpose of this section shall be as certified by the com-
19 missioner of community and regional affairs. In determining the popula-
20 tion of a borough, the population of all cities in the borough shall be
21 deducted from the total population of the borough.

22 (b) The intent of (a) of this section is that a municipality that
23 levies property taxes reduce those levies in reasonable proportion to
24 the amount of increased state aid received by the municipality. The
25 governing body of each municipality shall furnish a notice with each tax
26 statement describing its use of this increased state aid.

27 * Sec. 8. AS 29.60.100(2) is amended to read:

28 (2) to an unincorporated community [A NATIVE VILLAGE GOVERN-
29 MENT] under AS 29.60.140.

1 * Sec. 9. AS 29.60.140 is repealed and reenacted to read:

2 Sec. 29.60.140. STATE AID TO UNINCORPORATED COMMUNITIES. (a) The
3 Department of Community and Regional Affairs shall pay an entitlement of
4 \$25,000 each fiscal year to each unincorporated community. The Depart-
5 ment of Community and Regional Affairs with advice from the Department
6 of Law shall determine whether there is in each unincorporated community
7 an incorporated nonprofit entity or a Native village council that will
8 agree to receive and spend the entitlement. If there is more than one
9 qualified entity in an unincorporated community, the Department of
10 Community and Regional Affairs shall pay the money under the entitlement
11 to the entity that the department finds most qualified to receive and
12 spend the money. The Department of Community and Regional Affairs may
13 not pay money under an entitlement to a Native village council unless
14 the council waives immunity from suit for contract claims arising out of
15 activities of the council related to the entitlement. A waiver of
16 immunity from suit under this subsection must be on a form provided by
17 the Department of Law. Neither this subsection nor any action taken
18 under it enlarges or diminishes the governmental authority or jurisdic-
19 tion of a Native village council. If there is no qualified incorporated
20 nonprofit entity or Native village council in an unincorporated community
21 that is willing to receive money under an entitlement, the entitlement
22 for that unincorporated community may not be paid.

23 (b) In this section "unincorporated community" means a place in
24 the unorganized borough that is not incorporated as a city and in which
25 25 or more persons reside as a social unit.

26 * Sec. 10. AS 29.60 is amended by adding new sections to read:

27 ARTICLE 05. MUNICIPAL ASSISTANCE.

28 Sec. 29.60.350. MUNICIPAL ASSISTANCE FUND. (a) There is estab-
29 lished in the department the municipal assistance fund. The legislature

1 may appropriate to the municipal assistance fund during each fiscal year
2 an amount equal to or greater than 10 percent of the income tax revenue
3 received by the state under AS 43.20.011(e) and AS 43.21 for the previous
4 fiscal year.

5 (b) The department shall distribute money from the municipal
6 assistance fund to each municipality on an annual basis as provided in
7 AS 29.60.360 and 29.60.370. A municipality may not receive payment
8 until it submits to the department a resolution approved by the govern-
9 ing body of the municipality that requests the money. Distribution of
10 money from the municipal assistance fund to a municipality with a fiscal
11 year beginning on January 1 shall be made on February 1 of the state
12 fiscal year for which the appropriation to the fund is made. Distribu-
13 tion of money from the municipal assistance fund to all other muni-
14 cipalities shall be made on June 1 of the state fiscal year for which
15 the appropriation to the fund is made. A municipality that incorporates
16 after December 31 of a state fiscal year is not eligible for a distribu-
17 tion under this section until the following state fiscal year.

18 Sec. 29.60.360. BASE AMOUNT OF ASSISTANCE. (a) The base amount
19 to be distributed from the municipal assistance fund to each munici-
20 pality for the fiscal year shall be the amount received by the munici-
21 pality during fiscal year 1978 under AS 43.70.080. A city incorporated
22 within a borough after June 30, 1977, shall receive as a base amount a
23 share of the amount distributed to the borough in which it is located
24 based on the ratio of population in the city to the total population in
25 the borough. A city incorporated outside a borough after June 30, 1977,
26 shall receive as a base amount the amount received by the city in the
27 state most closely approximating it in population at the time of its
28 incorporation. A borough incorporated after June 30, 1977, shall receive
29 as a base amount the amount received by the borough in the state most

1 closely approximating it in population at the time of its incorporation.

2 (b) If the amount appropriated to the municipal assistance fund by
3 the legislature during a fiscal year is insufficient for distribution of
4 the full base amount to each municipality, the department shall prorate
5 the amount available for distribution on the basis of amounts received
6 during the fiscal year 1978 under AS 43.70.080.

7 Sec. 29.60.370. INCREASED ASSISTANCE. (a) If the amount in the
8 municipal assistance fund at the time of distribution exceeds the base
9 amount to be distributed under AS 29.60.360, the excess amount shall be
10 distributed to each municipality on the basis of population. Population
11 for the purpose of this section shall be as certified by the commis-
12 sioner of community and regional affairs. In determining the population
13 of a borough, the population of all cities in the borough shall be
14 deducted from the total population of the borough.

15 (b) The intent of (a) of this section is that a municipality that
16 levies property taxes reduce those levies in reasonable proportion to
17 the amount of increased state aid received by the municipality. The
18 governing body of each municipality shall furnish a notice with each tax
19 statement describing its use of this increased state aid.

20 * Sec. 11. AS 43.20.016 is repealed.

21 * Sec. 12. Sections 5 - 7 of this Act are repealed.

22 * Sec. 13. Sections 8 - 10 and 12 of this Act take effect on the effec-
23 tive date of a version of House Bill No. 170 or Senate Bill No. 180 revising
24 AS 29.

25 * Sec. 14. Sections 1 - 7 and 11 of this Act take effect immediately in
26 accordance with AS 01.10.070(c).

STATE OF ALASKA

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

FINANCE DIVISION
FOUCH WF-STATE CAPITOL
JUNEAU, ALASKA 99811
PHONE: (907) 465-3795

M E M O R A N D U M

TO: Senator Ed Dankworth, Co-chairman
Senate Finance Committee

FROM: Elmer Lindstrom, Fiscal Analyst
Legislative Finance Division

DATE: March 11, 1982

SUBJECT: SB 830, SB 836

Ch. 60, SLA 81 (SB 168) authorizes a one time payment to incorporated and unincorporated communities in the amount of \$1000 per person to be paid during the fiscal year ending June 30, 1982. Ch. 61, SLA 81 (HB 1) appropriated \$380,000,000 GF to the Department of Administration and \$24,987,000 GF to the Department of Community and Regional Affairs for payment of the entitlements authorized in SB 168. These appropriations carried a lapse date of June 30, 1982.

Subsequent to the passage of SB 168 and HB 1 it became necessary due to budgetary constraints to split the payment of the \$1000 per person entitlement into two year appropriations, i.e., a portion of the funds were made available for expenditure during FY 82 with the balance available during FY 83. This was accomplished in Sections 63-64, Ch. 92, SLA 81 (HB 297).

The purpose of SB 830 is to amend Ch. 60, SLA 81 (SB 168) to allow for payment of the \$1000 per person entitlement over a two year period rather than one year as originally envisioned. This was clearly the intent of the legislature when they split the entitlement into two year appropriations in HB 297. Similarly the purpose of SB 836 is to amend the appropriations made in HB 297 to allow those appropriations available for expenditure during FY 82 to be carried forward into FY 83. All unexpended and unobligated funds will lapse into the General Fund on June 30, 1983.

EL:dh

STATE OF ALASKA

JAY S. HAMMOND, Governor

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

OFFICE OF THE COMMISSIONER

POUCH B
JUNEAU, ALASKA 99811
PHONE: (907) 465-4700

March 8, 1982

The Honorable Ed Dankworth
Senate Finance Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

MAR - 9 1982

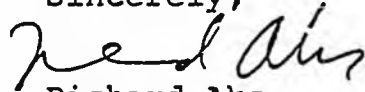
Attention David Rogers

Dear Senator Dankworth:

Enclosed, as you requested, are the position paper and fiscal note on the companion bills S.B. 830 and S.B. 836 relating to Chapter 60, SLA 1981.

If I can be of further assistance please call me at 465-4705.

Sincerely,



Richard Aks
Deputy Commissioner

cc: Senator Sackett
Senator Ferguson
Senator Gilman
Representative Adams
Commissioner Hudson

DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS
Position Paper On S.B.830 and S.B.836

S.B. 830 and S.B. 836 would extend the time during which the Departments of Administration and Community and Regional Affairs make payments to municipalities and unincorporated communities under Chapter 60, SLA 1981 and would extend the lapse date on related appropriations.

The Department strongly supports this legislation. To date the Department has received applications from 22 of the 94 unincorporated communities eligible for funding and disbursed or committed \$3,541,000 of a total appropriation of \$19,377,800 for unincorporated communities.

There are some significant reasons why many unincorporated communities have not applied for this funding. A major one is fear of government. Many residents moved to these rural communities to get away from governmental or organizational restrictions. As a result, many of the communities of 25 people or more that are eligible for the program have not, as yet, formed any type of non-profit community organization that can receive and expend State funds.

Another more prevalent problem relates to organization that may already exist in many communities. Chapter 60 currently requires that the Department deal with a legally constituted organization that does not possess sovereign immunity. Many unincorporated communities have IRA or traditional councils that may be capable of receiving and expending State funds, but because they possess sovereign immunity are legally barred from doing so. Eligibility for funding in those instances would require additional action by the existing councils to incorporate as non-profit corporations under State law. Although this incorporation is a fairly simple process, it is foreign to most rural communities.

These problems along with lack of expertise and experience in dealing with State Government are the biggest roadblocks to successful implementation of the program.

The Department strongly supports enactment of these bills and the addition of language to allow the award of grant funds to IRA or traditional councils that waive sovereign immunity for the purpose of receiving the grant. The Department feels that these steps, combined with an expanded outreach and technical assistance program planned for this spring, will increase the number of successful applicants and assure appropriate expenditure of State funds.

Prepared by the
 Department of Community & Regional Affairs
 Local Government Assistance Division

March 5, 1982

Unincorporated Community Aid Applicants

| <u>Community</u> | <u>Status</u> | <u>Organization Type</u> | <u>Amount</u> | <u>Projects</u> |
|------------------|---------------|---------------------------------|---------------|---|
| Arctic Village | Pending | IRA (16 & 17) | \$ 111,000 | Fuel for Generator |
| Birch Creek | Approved | Non-profit (formed for SB 168)* | \$ 32,000 | Purchasing generator, operating electric company |
| Cantwell | Pending | Non-profit (formed for SB 168)* | \$ 89,000 | Building community hall, improve solid waste system, fire hall improvement |
| Cold Bay | Approved | Non-profit (existing) | \$ 228,000 | Operating an emergency medical care clinic |
| Elfin Cove | Approved | Non-profit (formed for SB 168) | \$ 28,000 | Maintaining community equipment & buildings, developing an alternate energy source |
| Gustavus | Pending | Non-profit (existing) | \$ 98,000 | Building a community center |
| Healy Lake | Approved | IRA (16 & 17) | \$ 33,000 | Completing community hall and community freezer |
| Igiugig | Pending | Non-profit (formed for SB 168)* | \$ 33,000 | Salary for recreation supervisor, purchasing a truck, salary for community building maintenance person |
| Klukwan | Pending | IRA (16 & 17) | \$ 135,000 | Rewiring in community, buy fire equipment, repairing community hall, buy pump truck, Adult basic ed., emergency medical service, purchase a village |
| Kongiganak | Pending | Non-profit (formed for SB 168)* | \$ 239,000 | Building: Multi-purpose, VFD, and equipment trash collection |
| Kwigillingok | Pending | IRA (16 & 17) | \$ 354,000 | Renovate community building, install fence, purchase truck |
| Levelock | Approved | Non-profit (formed for SB 168)* | \$ 79,000 | Salary for building maintenance person, buy satellite transmitter, community hall renovation, complete bulk fuel storage and dock |
| Metlakatla | Pending | IRA (16 & 17) | \$1,195,000 | Build recreation building, Port improvements |
| McKinley Park | Pending | Non-profit (existing) | \$ 32,000 | Operating community center |
| Minto | Approved | IRA (16 & 17) | \$ 153,000 | Utility improvements, operating lodge |
| Nikolski | Approved | IRA (16 & 17) | \$ 50,000 | Windmills |
| Noatak | Pending | IRA (16 & 17) | \$ 273,000 | Building a Post Office, buying various pieces of equipment, operating water sewer and community buildings, medical and old age care |
| Pedro Bay | Approved | Non-profit (formed for SB 168)* | \$ 33,000 | Constructing a dock and trails and bridges |
| Rampart | Pending | Non-profit (formed for SB 168)* | \$ 50,000 | Build generator building, operating expenses, custodian salary, buy recreational equipment |
| Stevens Village | Pending | IRA (16 & 17) | \$ 96,000 | Salary for water treatment plant operator, buy truck, buy washers and dry recreation director salary |
| Tatitlek | Approved | IRA (16 & 17) | \$ 58,000 | Renovate community building and school, buy generator, install fuel lines |
| Venetie | Pending | IRA (16 & 17) | \$ 132,000 | Buy generator, fuel for generator |

*Has existing traditional Native government or IRA Council.

SBI68 MAILING LIST

Community

Contact Person

Comments

Arctic Village

Donald R. Wright, Grant Administrator
Native Village of Venetie
General Delivery
Arctic Village, Alaska 99722

Application rec'd 2/3/82
587-8001

Atka

Gregory Golodoff, President
Atka IRA Council
Atka Rural Branch
Atka, Alaska 99513

767-8001
George Kudrin, Vice President

Beaver

Douglas Pitka, Chief
Beaver Village Council
General Delivery
Beaver, Alaska 99724

628-8001

Big Delta

POSTMASTER - PLEASE POST
Village of Big Delta
General Delivery
Big Delta, Alaska

Birch Creek

Ernest James, President
Birch Creek Village Council
General Delivery
Birch Creek VIA Fort Yukon, Alaska 99740

Application rec'd 9/3/81
662-2430

Cantwell

Eleanor Dementi, President
Cantwell Village Council
P.O. Box 14
Cantwell, Alaska 99729

1)

Gerald R. Moberg, Chairman
Community of Cantwell, Inc.
P.O. Box 135
Cantwell, Alaska 99729

2) Application rec'd 12/3/81

SB168 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|--|---|
| Cape Pole | POSTMASTER - PLEASE POST Village of Cape Pole General Delivery Cape Pole, Alaska | 879-8001 |
| Central | John J. Hand Jr. Village of Central General Delivery Central, Alaska 99730 | 520-8001 |
| Chalkyitsik | William B. Salmon Jr., Chief Chalkyitsik Village Council General Delivery Chalkyitsik, Alaska 99788 | 848-8001 |
| Chicken | POSTMASTER - PLEASE POST Village of Chicken General Delivery Chicken, Alaska | |
| Chignik | Arlene Kopun, President Chignik Village Council General Delivery Chignik, Alaska 99564 | George Tinker, Vice President 749-8001 Jan Van Dort, Boat Owners Assoc. 586-2359 |
| Chignik Lagoon | Rodney Anderson, President Native Village of Chignik lagoon P.O. Box 810 Chignik Lagoon, Alaska 99565 | 947-8001 |
| Chignik Lake | William Lind, President Chignik Lake Village Council P.O. Box 24 Chignik Lake, Alaska 99613 | 566-8001 Elia Lind, Administrator |

SB168 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|--|-----------------------------|
| Chistochina | Ernest Sanford, President Chistochina Village Council P.O. Box 171 Gakona, Alaska 99586 | |
| Chitina | Frank Billum Chitina Village Council P.O. Box 3 Chitina, Alaska 99566 | 1)496-8001 |
| | Tom Brannen, Fire Chief General Delivery Chitina, Alaska 99566 | 2)496-8001 |
| Circle | Theresa McCall, President Circle Village Council General Delivery Circle, Alaska 99733 | 1) |
| | Earla Hutchinson, President Circle Civic Community Assoc., Inc. General Delivery Circle, Alaska 99733 | 2) Application rec'd 2/9/82 |
| Coffman Cove | POSTMASTER - PLEASE POST City of Coffman Cove General Delivery Coffman Cove, Alaska | |
| Cold Bay | Marsha Brown, President Cold Bay EMS Council P.O. Box 33 Cold Bay, Alaska 99571 | Application rec'd 9/24/81 |

SB168 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|--|--|
| Copper Center | Basille Jackson, President Copper Center Village Council General Delivery Copper Center, Alaska 99573 | |
| Crooked Creek | Mishka Andreanoff, President Village of Crooked Creek General Delivery Crooked Creek, Alaska 99575 | 432-8001 |
| Dot Lake | William J. Miller, President Dot Lake Village Council P.O. Box 272 Dot Lake, Alaska 99737 | |
| Dunbar | POSTMASTER - PLEASE POST Village of Dunbar General Delivery Dunbar, Alaska | |
| Eagle Village | Fred Stevens, Chief Eagle Village Council P.O. Box 29 Eagle, Alaska 99738 | 729-8001 |
| Egegik | Lucy Abalama, President Egegik Village Council P.O. Box 29 Egegik, Alaska 99579 | 246-3430 |
| Elfin Cove | James M. Wild Community of Elfin Cove, Inc. General Delivery Elfin Cove, Alaska 99825 | 697-3131 Application rec'd 11/12/81 |

SB168 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|---|-------------------------|
| Evansville | Frank Tobuk, Chief Evansville Village Council General Delivery Evansville, Alaska 99726 | |
| Eyak | Agnes Nichols, President Native Village of Eyak P.O. Box 878 Cordova, Alaska 99574 | |
| False Pass | Robert Shellikoff, President False Pass Village Council General Delivery False Pass, Alaska 99583 | Ruth Hobler 548-8001 |
| Gakona | David Gene, President Native Village of Gakona P.O. Box 174 Gakona, Alaska 99586 | |
| Glennallen | POSTMASTER - PLEASE POST General Delivery Glennallen, Alaska 99588 | 1) |
| | Sheldon Sprecker, Fire Chief Glennallen Volunteer Fire Dept. General Delivery Glennallen, Alaska 99588 | 2) |
| Gulkana | Luke Maxim, President Gulkana Village Council P.O. Box 107 Gakona, Alaska 99586 | |

SB168 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|--|-----------------------------|
| Gustavus | William M. Tipton Village of Gustavus P.O. Box 95 Gustavus, Alaska 99826 | 1) |
| | David F. Koschmann, President Gustavus Community Association, Inc. P.O. Box 62 Gustavus, Alaska 99826 | 2) Application rec'd 2/8/82 |
| Healy | William Nordmark, Fire Chief Tri-Valley V.F.D. P.O. Box 20 Healy, Alaska 99743 | 1) |
| | Dona Helmer, President Tri-Valley Community Library P.O. Box 60 Healy, Alaska 99743 | 2) |
| Healy Lake | Fred Kirsteatter, Chief Healy Lake Village Council P.O. Box 667 Delta Junction, Alaska 99737 | Application rec'd 9/1/81 |
| Hyder | John Chatham, Chairman Hyder Community Association, Inc. General Delivery Hyder, Alaska 99923 | |
| Iditarod | POSTMASTER - PLEASE POST Village of Iditarod General Delivery Iditarod, Alaska | |

SBI68 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|--|----------------------------|
| Igiugig | George Woods, President The Kvichak Foundation General Delivery Levelock, Alaska 99625 | Application rec'd 11/10/81 |
| Iliamna | Ethel Adcox, President Village of Iliamna General Delivery Iliamna, Alaska 99606 | |
| Ivanoff Bay | Joseph Kalmakoff, President Ivanoff Bay Village Council General Delivery Ivanoff Bay, Alaska 99502 | 669-8001 Alex Calutan |
| Kenny Lake | Marge Brittain Kenny Lake Community League Star Route, Box 231 Kenny Lake VIA Copper Center, Alaska 99573 | 822-3531 |
| Kipnuk | Paul Dock, President Kipnuk Village Council General Delivery Kipnuk, Alaska 99614 | 598-8001 |
| Klukwan | James H. Stevens Sr., President Chilkat Indian Village P.O. Box 220 Haines, Alaska 99827 | Application rec'd 1/15/82 |
| Kokhanok | Steve Nowatak, President Kokhanok Village Council General Delivery Kokhanok, Alaska 99476 | 571-1260 |

SB168 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|--------------------|--|--|
| Koliganek | Anton Johnson, President Koliganek Village Council General Delivery Koliganek, Alaska 99576 | 596-8001 |
| Kongiganak | Evon Azean Sr., President Kongiganak Traditional Council General Delivery Kongiganak, Alaska 99559 | Application rec'd 1/11/82 696-8001 |
| Kwigillingok | James Atti, President Kwigillingok IRA Council General Delivery Kwigillingok, Alaska 99622-9999 | Application rec'd 11/9/81 769-8001 |
| Levelock | George Woods, President The Kvichak Foundation General Delivery Levelock, Alaska 99625 | Application rec'd 11/10/81 246-3420 |
| Lime Village | Wassillie C. Macar, President Lime Village Council General Delivery Lime Village, Alaska 99695 | 648-8001 |
| Lower Tonsina | POSTMASTER - PLEASE POST Village of Lower Tonsina General Delivery Lower Tonsina, Alaska 99573 | |
| Manley Hot Springs | Janis M. Carney, President Manley Hot Springs Village Council General Delivery Manley Hot Springs, Alaska 99756 | |

SB168 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|---------------------|--|--|
| McKinley Park | Craig Stowers McKinley Park Community Club Inc. General Delivery McKinley Park, Alaska 99755 | Application rec'd 10/81 |
| Mentasta Lake | President Mentasta Lake Traditional Village Council Mentasta Lake VIA Tok, Alaska 99780 | 883-4401 |
| Metlakatla | Stanley R. Patterson, Mayor Metlakatla Indian Community P.O. Box 8 Metlakatla, Alaska 99926 | Application rec'd 11/5/81 |
| Meyers Chuck | POSTMASTER - PLEASE POST Village of Meyers Chuck General Delivery Meyers Chuck, Alaska 99903 | |
| Minto | Carlos Frank, Chief Native Village of Minto General Delivery Minto, Alaska 99758 | Application rec'd 9/22/81 |
| Nabesna-White River | POSTMASTER - PLEASE POST General Delivery Nabesna-White River VIA Glennallen, Alaska 99588 | |
| Nelson Lagoon | Paul M. Gunderson, President Native Village of Nelson Lagoon General Delivery Nelson Lagoon, Alaska 99695 | Harold Johnsor 989-8001 989-2205 |

SB168 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|---|----------------------------|
| Nikolski | Dorofey Chercasen, President Nikolski IRA Council General Delivery Nikolski, Alaska 99638 | Application rec'd 10/15/81 |
| Noatak | Bill C. Bailey, President Noatak IRA Council General Delivery Noatak, Alaska 99762 | Application rec'd 11/25/81 |
| Northway | Lorraine Felix, President Northway Village Council General Delivery Northway, Alaska 99764 | |
| Northway Village | POSTMASTER - PLEASE POST Village of Northway Village General Delivery Northway Village, Alaska 99764 | |
| Oscarville | Ignati Jacob, President Oscarville Traditional Village Council General Delivery Oscarville, Alaska 99559 | 543-2066 |
| Paxson | Michael McLean, President Paxson Community Affairs Pouch 7 Paxson, Alaska 99737 | |
| Pedro Bay | Donald Knighton, President Pedro Bay Improvement Corp. General Delivery Pedro Bay, Alaska 99647 | Application rec'd 9/14/81 |

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| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|--|--|
| Perkinsville | POSTMASTER - PLEASE POST Village of Perkinsville General Delivery Perkinsville, Alaska | |
| Perryville | Boris Kosbruk, President Perryville IRA Council P.O. Box 101 Perryville, Alaska 99648 | Marvin Yagie 877-8001 |
| Pilot Point | Janice Ball, President Pilot Point Village Council P.O. Box 449 Pilot Point, Alaska 99649 | 797-8001 |
| Pitkas Point | John Tinker Sr., President Pitkas Point Village Council P.O. Box 184 Saint Mary's, Alaska 99658 | 398-8001 |
| Point Baker | Robert Larson, President Point Baker Community Council P.O. Box 464 Point Baker, Alaska 99927 | 559-8001 |
| Port Clarence | POSTMASTER - PLEASE POST Village of Port Clarence General Delivery Port Clarence, Alaska | |
| Rampart | Elizabeth Newman, Chief Rampart Village Council General Delivery Rampart, Alaska 99767 | Application rec'd 10/30/81 358-8001 |

SB168 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|--|---------------------------------------|
| Red Devil | Janice Bass, President Red Devil Village Council General Delivery Red Devil, Alaska 99656 | 447-8001 |
| Saint George | Maxim Malavansky, President Saint George Community Council General Delivery St. George, Alaska 99660 | 1) 859-8001 |
| | Tanaq Corporation Ed Philemonof 1307 W. 38th #6 Anchorage, Alaska 99503 | 2) |
| Slana | President Slana Traditional Village Council Slana VIA Glennallen Alaska 99588 | |
| Sleetmute | Pete Mellick, President Sleetmute Village Council General Delivery Sleetmute, Alaska 99668-9999 | 449-8001 |
| Sparrevohn | POSTMASTER - PLEASE POST Village of Sparrevohn General Delivery Sparrevohn, Alaska | |
| Stevens Village | Horace S. Smoke Sr., President Stevens Village IRA Council General Delivery Stevens Village, Alaska 99774 | Application rec'd 2/16/82 478-8001 |

Sb168 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|---|---------------------------|
| Telida | Steven Eluska, First Chief Telida Village Council General Delivery Telida, Alaska 99627 | 843-8001 |
| Tetlin | Fred Demit, President Tetlin IRA Council General Delivery Tetlin, Alaska 99779 | 883-2791 |
| Thorne Bay | John H. Fichtner Thorne Bay Community Club P.O. Box 421 Thorne Bay, Alaska 99950 | Application rec'd 2/24/82 |
| Tok | Donald Joe, President Village of Tok P.O. Box 372 Tok, Alaska 99780 | 1) |
| | Ralph Rudzik, Chairman Tok Community Clinic Box 33 Tok, Alaska 99780 | 2) |
| Tonsina | POSTMASTER - PLEASE POST Village of Tonsina General Delivery Tonsina, Alaska 99573 | |
| Tuntutuliak | Peter Pavila, President Tuntutuliak Village Council General Delivery Tuntutuliak, Alaska 99680 | 543-2101 |

SBI68 MAILING LIST

| <u>Community</u> | <u>Contact Person</u> | <u>Comments</u> |
|------------------|--|----------------------------|
| Stony River | Iyana Gusty, President Stony River Traditional Council General Delivery Stony River, Alaska 99673 | 439-8001 |
| Suntrana | POSTMASTER - PLEASE POST Village of Suntrana General Delivery Suntrana, Alaska | |
| Takotna | David Miller, Chief Takotna Village Council General Delivery Takotna, Alaska 99675 | 524-3731 |
| Tanacross | Jerry Isaac, President Tanacross Village Council General Delivery Tanacross, Alaska 99776 | |
| Tatalina | POSTMASTER - PLEASE POST Village of Tatalina General Delivery Tatalina, Alaska | |
| Tatitlek | Norman Vlasoff, President Tatitlek IRA Council General Delivery Tatitlek, Alaska 99677 | Application rec'd 12/28/81 |
| Tazlina | Robert Marshall, President Tazlina Village Council P.O. Box 188 Glennallen, Alaska 99588 | |