

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILES 86/2

325 SCOM110: LOCAL GOVERNMENT STUDY 1979

1 because

2 (A) the program concerns the conservation or development
3 of a natural resource; and

4 (B) the application of AS 44.17.110 - 44.17.120 would
5 cause a substantial impediment to the performance of duties by the
6 department, board, or commission.

7 Sec. 44.17.140. DEFINITION. In AS 44.17.100 - 44.17.140, "un-
8 organized borough" means a subdivision of the part of the state not
9 within an organized borough as determined by the commissioner of com-
10 munity and regional affairs under AS 29.03.011 - 29.03.021.

11 * Sec. 5. RESPONSIBILITIES OF THE DIVISION OF POLICY DEVELOPMENT AND
12 PLANNING. The division of policy development and planning in the Office of
13 the Governor shall

14 (1) by December 31, 1980, evaluate the cost and suitability of
15 data and information reference systems and recommend the use of a system by
16 the principal departments of the executive branch of the state government,
17 including boards and commissions assigned to those departments for adminis-
18 trative purposes; the data and information system recommended by the division
19 shall

20 (A) permit cross-referencing of data and information by the
21 executive departments, boards and commissions; and

22 (B) classify data and information on the basis of the geo-
23 graphic units used by a department, board or commission for program
24 management and cost reporting under AS 44.17.110 - 44.17.120.

25 (2) report to the legislature by July 1, 1983, alternatives and
26 recommendations for improving coordination of programs which provide direct
27 services to people, which are not exempt under AS 44.17.130.

28 * Sec. 6. Sections 3 and 4 of this Act take effect and secs. 1 and 2 of
29 this Act are repealed only if a version of an Act entitled "An Act relating

1 to unorganized boroughs, establishing unorganized boroughs, establishing a
2 program of financial assistance for the preparation of regional plans by
3 unorganized boroughs, permitting adoption of home rule charters by un-
4 organized boroughs, and directing submission of recommendations concerning
5 adjustment of the boundaries of service areas of the unorganized borough; and
6 providing for an effective date", becomes law.

7 * Sec. 7. Sections 1 and 3 of this Act take effect July 1, 1981.

8 * Sec. 8. Sections 2 and 4 of this Act take effect July 1, 1982.

9 * Sec. 9. Sections 5 and 6 of this Act take effect immediately in accor-
10 dance with AS 01.10.070(c).

Introduced: 1/21/80
Referred: Community & Regional
Affairs and Finance

BY THE RULES COMMITTEE BY REQUEST
OF THE LEGISLATIVE COUNCIL (for
the Community and Regional Affairs
Committee Interim Joint Local
Government Study)

1 IN THE HOUSE

2 HOUSE BILL NO. 582

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing a program of planning assistance
7 for unorganized boroughs; and providing for an effec-
8 tive date."

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

10 * Section 1. AS 44.47 is amended by adding a new section to read:

11 Sec. 44.47.085. ASSISTANCE FOR DEVELOPMENT OF REGIONAL MANAGEMENT
12 PROGRAMS IN THE UNORGANIZED BOROUGH. (a) For the purpose of preparing
13 a management program for an unorganized borough, the commissioner may
14 contract as provided by this section with

15 (1) a municipality or group of municipalities; or

16 (2) a nonprofit corporation organized under the laws of the
17 state.

18 (b) The commissioner may contract for the preparation of only one
19 management program for each unorganized borough. The commissioner may
20 contract only if he is satisfied that the municipality, group of muni-
21 cipalities, or corporation with which he contracts is capable of pre-
22 paring a management program that considers the entire population of the
23 unorganized borough.

24 (c) A municipality, group of municipalities, or corporation in-
25 terested in preparing a management program for an unorganized borough
26 may ask the commissioner to request a proposal or the commissioner may
27 request a proposal on his own initiative. A request for proposal shall
28 be advertised. The advertisement of a request for a proposal for the
29 preparation of a management program for the unorganized borough shall

1 outline the work to be completed, and contain other information which
2 the commissioner believes necessary and which he requires to advise the
3 public of the work to be completed under the contract, and which will
4 assist him in evaluating proposals received. The commissioner shall
5 advertise for a period of not less than 45 days by any means which he
6 believes will provide adequate notice to interested parties and resi-
7 dents of the unorganized borough.

8 (d) After receiving the proposals the commissioner shall evaluate
9 them. The commissioner may refuse all proposals and readvertise, or may
10 accept a proposal and contract in accordance with (e) of this section.

11 (e) A contract entered into under this section shall

12 (1) require that the report to be completed under the con-
13 tract include an analysis and recommendations concerning incorporation
14 of a borough government for all or a portion of the unorganized borough;
15 and

16 (2) provide that

17 (A) the work to be performed shall be completed not
18 later than the June 30 following the third anniversary of the date
19 of the contract;

20 (B) payment for work performed under the contract is
21 subject to legislative appropriation to the account established in
22 (g) of this section; and

23 (C) payment for work performed under the contract during
24 each fiscal year in which the contract is in effect may not exceed
25 the limit established in (h) of this section.

26 (f) A contract entered into under this section may require the
27 contractor to consider additional topics, including but not limited to,

28 (1) evaluation of the economic development potential of the
29 unorganized borough;

- 1 (2) determination of housing and capital facility needs;
2 (3) examination of demographic, social and environmental
3 factors; and
4 (4) presentation of a process for developing the report and
5 implementing its recommendations.

6 (g) There is established in the Department of Community and Re-
7 gional Affairs the unorganized borough planning account. The account
8 shall be administered by the commissioner and shall be used to pay for
9 contracts entered into under this section.

10 (h) During each fiscal year, the commissioner may not pay to a
11 contractor under a contract authorized by this section more than \$25,000
12 plus \$25 per capita for each person residing within the unorganized
13 borough, as determined by the commissioner.

14 (i) In this section, "unorganized borough" means a subdivision
15 established under AS 29.03.011 - 29.03.021.

16 * Sec. 2. This Act takes effect on the effective date of a version of an
17 Act entitled, "An Act establishing unorganized boroughs, amending the respon-
18 sibilities of state agencies for state programs and services that benefit
19 residents of organized and unorganized boroughs, and authorizing adoption of
20 home rule charters by unorganized boroughs; and providing for an effective
21 date."

Original sponsor: Rules/Legislative Council

Offered: 2/22/80
Referred: Finance

1 IN THE HOUSE

BY THE COMMUNITY AND
REGIONAL AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 583

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state aid to local governments; and
7 providing for an effective date."

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

9 * Section 1. AS 43.18.010 is amended by adding a new subsection to read:

10 (m) A city or organized borough which is entitled to state aid
11 under this section shall receive each fiscal year a minimum amount under
12 this section of \$25,000 adjusted to include an area cost-of-living
13 differential determined in accordance with AS 43.18.012.

14 * Sec. 2. This Act takes effect July 1, 1980.
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Introduced: 1/21/80
Referred: Community & Regional
Affairs and Judiciary

BY THE RULES COMMITTEE BY REQUEST
OF THE LEGISLATIVE COUNCIL (for the
Community and Regional Affairs
Committee Interim Joint Local
Government Study)

1 IN THE HOUSE

2 HOUSE BILL NO. 584

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act eliminating third class boroughs."

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

8 * Section 1. AS 29.08.030 is amended to read:

9 Sec. 29.08.030. CLASSES OF GENERAL LAW. General law municipali-
10 ties are of four [FIVE] classes:

- 11 (1) first class boroughs;
- 12 (2) second class boroughs;
- 13 (3) [THIRD CLASS BOROUGHs;]
- 14 (4) first class cities;
- 15 (5) second class cities.

16 * Sec. 2. AS 29.08.040(g) is amended to read:

17 (g) A second class borough may reclassify as a first class [OR
18 THIRD CLASS] borough [, AND A THIRD CLASS BOROUGH MAY RECLASSIFY AS A
19 FIRST CLASS OR SECOND CLASS BOROUGH.] in the manner provided by AS 29.-
20 33.270 - 29.33.290 for the addition of powers by boroughs, except the
21 petition or proposal requests reclassification instead of requesting
22 addition of powers.

23 * Sec. 3. AS 29.78.010(1) is amended to read:

24 (1) "borough" means a general law first or [,] second [OR
25 THIRD] class organized borough;

26 * Sec. 4. AS 02.15.260(10) is amended to read:

27 (10) "municipality" means a home rule or general law municipal
28 corporation and political subdivision, which is a first or second class
29 borough or city [, OR A THIRD CLASS BOROUGH,] incorporated under the

1 laws of the state;

2 * Sec. 5. AS 14.12.110 is amended to read:

3 Sec. 14.12.110. SINGLE BODY AS ASSEMBLY AND SCHOOL BOARD. Not-
4 withstanding the provisions of this chapter or other law, a single body
5 may serve as both the borough assembly and borough school board in the
6 manner provided for in this section [THIRD CLASS BOROUGHs UNDER AS 07.-
7 17.030], if a borough ordinance for that purpose is approved by the
8 assembly and ratified by a referendum of a majority of the qualified
9 borough voters voting on the question at a regular or special election,
10 and if the public school population within the borough is 500 pupils or
11 less. If a single body serves as both the borough assembly and school
12 board, the borough executive is the presiding officer of the borough
13 assembly and president of the school board and the borough executive
14 has all powers of a borough executive under AS 29.23 except for the
15 veto power.

16 * Sec. 6. AS 38.05.037(a) is amended to read:

17 (a) In areas of the state outside first and [,] second [OR THIRD]
18 class boroughs where there is no municipality with a zoning power, the
19 division of lands shall exercise the zoning power by adopting zoning
20 regulations.

21 * Sec. 7. AS 40.15.070 is amended to read:

22 Sec. 40.15.070. PLATTING AUTHORITY. If land proposed to be sub-
23 divided or dedicated is situated within a first or second class borough,
24 the proposed subdivision or dedication shall be submitted to the borough
25 planning commission for approval. If the land is situated within a city
26 in the unorganized borough, [OR THE THIRD CLASS BOROUGH] the proposed
27 subdivision or dedication shall be submitted to the city planning com-
28 mission for approval. The borough planning commission is the platting
29 authority for the first or second class borough, the city planning

1 commission is the platting authority for the city, and the division of
2 lands is the platting authority in the remaining areas of the state [AND
3 THIRD CLASS BOROUGH] for the change or vacation of existing plats or a
4 portion of such plats, as provided in AS 40.15.075. If the borough or
5 the city does not have a planning commission, the borough assembly or
6 the city governing body, respectively, is the platting authority and the
7 proposed subdivision or dedication shall be submitted to it. No sub-
8 division may be filed for record until it is approved by the platting
9 authority.

10 * Sec. 8. AS 40.15.075 is amended to read:

11 Sec. 40.15.075. AUTHORITY IN THE UNORGANIZED BOROUGH [AND THIRD
12 CLASS BOROUGH]. The division of lands is the platting authority in the
13 area outside organized boroughs and outside cities in the unorganized
14 borough [AND IN THE THIRD CLASS BOROUGH] for only the purposes of
15 hearing and acting on petitions for the change or vacation of plats and
16 shall execute this function substantially in conformity with the provi-
17 sions of AS 29.33.210 - 29.33.240. Costs of publication and mailing as
18 well as other costs authorized in AS 29.33.210 shall be paid to the
19 division by the petitioner. The Department of Natural Resources shall
20 adopt reasonable regulations governing the exercise of the authority
21 conferred by this section upon the division of lands.

22 * Sec. 9. AS 43.35.130 is amended to read:

23 Sec. 43.35.130. REFUND TO LOCAL GOVERNMENTS. The department shall
24 refund 75 percent of the tax collected from sales of punchboards in an
25 organized borough or city of the first or [,] second [, OR THIRD] class
26 to the local government. The balance shall be deposited in the general
27 fund.

28 * Sec. 10. A municipality which is incorporated as a third class borough
29 on the effective date of this Act may continue to operate as such until

1 December 31, 1984 and shall retain all the rights, powers and privileges
2 which it possessed on the effective date of this Act. A third class borough
3 which has not reclassified itself in the manner provided by AS 29.33.270 -
4 29.33.290 before December 31, 1984, is reclassified as a second class borough
5 on that date.

6 * Sec. 11. The following laws are repealed: AS 29.08.040(h), (i), and
7 (j); AS 29.41; AS 29.43.040(b); and AS 38.05.037(b)(2).
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Original sponsor: Rules/Legislative Council

Offered: 6/5/80

1 IN THE HOUSE

BY THE FREE CONFERENCE COMMITTEE

2 FREE CONFERENCE CS FOR HOUSE BILL NO. 585

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to municipalities: amending AS 29 to
7 provide for the incorporation of home rule boroughs;
8 increasing the limit on the rate of sales tax which may
9 be levied by municipalities, and amending requirements
10 relating to adjustments of the rate of sales tax."

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

12 * Section 1. AS 29.08.010 is amended to read:

13 Sec. 29.08.010. HOME RULE. A home rule municipality is a municipal
14 corporation and political subdivision and is a [BOROUGH OF THE FIRST
15 CLASS OR] city of the first class or an organized borough which has
16 adopted a home rule charter. It has all legislative powers not prohib-
17 ited by law or charter.

18 * Sec. 2. AS 29.13.010 is amended to read:

19 Sec. 29.13.010. MUNICIPAL CHARTER ADOPTION. A first class muni-
20 cipality or second class borough may adopt a charter for its own govern-
21 ment. A home rule municipality may amend its charter or adopt a new
22 one. A charter is framed by a charter commission of seven members
23 chosen by the municipal voters at a regular or special election. A
24 candidate for the commission shall [MUST] be a qualified voter of the
25 municipality and a resident of the municipality for three years immedi-
26 ately preceding the election. A charter commission election is called
27 by filing a petition with the borough assembly or the city council, or
28 by resolution of the borough assembly or city council. The petition
29 shall [MUST] be signed by a number of municipal voters equal to 15 [10]

1 percent of the votes cast in the last regular election of the municipi-
2 pality.

3 * Sec. 3. AS 29.53.415(a) is amended to read:

4 (a) A borough may levy and collect a sales tax not exceeding six
5 [THREE] percent on sales or rents, and on services made within the
6 borough. The sales tax may apply to any or all of these sources.
7 Exemptions may be granted by ordinance.

8 * Sec. 4. AS 29.53.420 is amended to read:

9 Sec. 29.53.420. REFERENDUM, ADOPTION AND MODIFICATION. (a) The
10 assembly shall hold a referendum vote on the question of enacting a
11 sales tax or increasing the rate of levy of sales taxes. Borough sales
12 tax propositions may be presented only once in any 12-month period.
13 A sales tax proposition may be submitted to the voters at a regular
14 or special election or at a general election of the state.

15 (b) If the proposition receives a majority of the votes cast, the
16 assembly may enact the sales tax or increase the rate of the sales tax
17 as a levy upon buyers, sellers, or both. The sales tax is collected at
18 the time of sale or at the time of payment in credit transactions and
19 transmitted to the borough.
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Original sponsor: Rules/Legislative Council

Offered: 3/13/80
Referred: Rules

1 IN THE HOUSE

BY THE COMMUNITY AND
REGIONAL AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 586

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act requiring fiscal notes for bills affecting a
7 municipality."

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

9 * Section 1. AS 24.30.035 is amended to read:

10 Sec. 24.30.035. FISCAL NOTES ON BILLS. Before a bill is reported
11 from the committee of first referral, there shall be attached to the
12 bill a fiscal note containing an estimate of the amount of the appropri-
13 ation increase or decrease which would result from enactment of the bill
14 for the ensuing fiscal year and at least two succeeding fiscal years.
15 If enactment of the bill would require a significant expenditure or ap-
16 propriation by a municipality, a fiscal note shall be attached to the
17 bill containing an estimate of the amount of the total expenditure or
18 appropriation which would be required during each of the first three
19 fiscal years by all affected municipalities. If [OR, IF] the bill has
20 no fiscal impact, a statement to that effect shall be attached. The
21 fiscal note or statement relating to a state program shall be prepared
22 by the department or departments affected. The fiscal note or statement
23 relating to municipalities shall be prepared by the Department of Commun-
24 ity and Regional Affairs, but that department may obtain the assistance
25 of any other state agency in the preparation of the note or statement.
26 If the bill is presented by the governor for introduction in accordance
27 with AS 24.30.060(b) and the uniform rules of the legislature, the
28 fiscal note or statement shall be attached to the bill before the bill
29 is introduced. An amendment or a substitute bill proposed by a commit-

tee of referral that changes the fiscal impact of a bill shall be explained in a revised fiscal note or statement attached to the bill.

Original sponsor: Rules/Legislative Council

Offered: 3/26/80
Referred: Finance

1 IN THE SENATE

BY THE COMMUNITY AND
REGIONAL AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 348

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to unorganized boroughs, establishing
7 unorganized boroughs, establishing a program of finan-
8 cial assistance for the preparation of regional plans
9 by unorganized boroughs, permitting adoption of home
10 rule charters by unorganized boroughs, and directing
11 submission of recommendations concerning adjustment of
12 the boundaries of service areas of the unorganized
13 borough; and providing for an effective date."

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

15 * Section 1. PURPOSE. The legislature finds that the single unorganized
16 borough of the state has proven unworkable in accommodating demands from its
17 residents for change and recognizes that a more systematic approach to the
18 planning and delivery of services for residents of this area is necessary.
19 In providing, in this Act, for identifying a common set of boundaries by
20 which to subdivide the state's single unorganized borough into multiple
21 unorganized boroughs, it is the purpose of the legislature to extend the
22 opportunity to residents of unorganized boroughs to assist in planning and
23 program development by

24 (1) preparing regional plans; and

25 (2) broadening the range of methods by which residents may in-
26 corporate a regional government.

27 * Sec. 2. INTENT. In providing for the division of the state's unorga-
28 nized borough into unorganized boroughs, it is the intent of the legislature
29 that all future transfers of functions or services from state agencies to

1 regions within unincorporated areas be made only within the boundaries for
2 unorganized boroughs established under AS 29.03.011 - 29.03.021, added by
3 sec. 3 of this Act.

4 * Sec. 3. AS 29.03 is amended by adding new sections to read:

5 Sec. 29.03.011. ESTABLISHMENT OF UNORGANIZED BOROUGHES. Except as
6 the boundaries are adjusted as provided in AS 29.03.021, the geographic
7 area within each regional educational attendance area established under
8 AS 14.08.031 is, effective 180 days after the effective date of this
9 Act, established as an unorganized borough.

10 Sec. 29.03.021. ADJUSTMENT OF BOUNDARIES BY COMMISSIONER. (a)
11 The commissioner of community and regional affairs may establish boun-
12 daries other than the boundaries of a regional educational attendance
13 area for an unorganized borough under AS 29.03.011. Before establishing
14 boundaries for unorganized boroughs under this section, the commissioner
15 shall hold at least one public hearing within each regional educational
16 attendance area. In establishing boundaries under this section, the
17 commissioner shall consider

18 (1) the standards applicable to the incorporation of boroughs
19 under AS 29.18.030;

20 (2) the regional boundaries adopted by the Native regional
21 corporations established under the Alaska Native Claims Settlement Act;
22 and

23 (3) census divisions of the state used for the 1980 census.

24 (b) The commissioner of community and regional affairs may not
25 establish boundaries so that an unorganized borough includes territory
26 within more than one Native regional corporation established under the
27 Alaska Native Claims Settlement Act.

28 * Sec. 4. AS 44.47 is amended by adding a new section to read:

29 Sec. 44.47.085. ASSISTANCE FOR REGIONAL PLANS IN THE UNORGANIZED

1 BOROUGH. (a) The commissioner may contract with a municipality, a
2 group of municipalities, or one or more regional Native corporations
3 organized as nonprofit corporations under the laws of the state to
4 prepare a regional plan for an unorganized borough.

5 (b) The commissioner may contract for the preparation of only one
6 regional plan for each unorganized borough. The commissioner may con-
7 tract only if he is satisfied that the party with whom he contracts is
8 capable of preparing a regional plan that considers the entire popu-
9 lation of the unorganized borough.

10 (c) When a municipality, group of municipalities, or one or more
11 regional Native nonprofit corporations proposes to prepare a regional
12 plan for an unorganized borough, the commissioner shall request pro-
13 posals for preparation of a regional plan. The residents of an un-
14 organized borough may petition the commissioner to request proposals for
15 preparation of a regional plan, and the commissioner shall request
16 proposals if the petition is signed by a number of qualified voters
17 equal to not less than 15 percent of the number of votes cast in the
18 unorganized borough at the last state general election.

19 (d) A request for proposal for preparation of a regional plan for
20 an unorganized borough made under (c) of this section shall be adver-
21 tised. The commissioner shall advertise for a period of not less than
22 45 days by public notice announcements provided to newspapers and radio
23 and television stations. The advertisement of a request for a proposal
24 for the preparation of a regional plan shall

25 (1) invite a municipality, group of municipalities or re-
26 gional Native nonprofit corporation to submit a proposal for the
27 preparation of a regional plan;

28 (2) outline the work to be completed; and

29 (3) contain other information which the commissioner believes

1 will inform the public of the work to be completed under the contract,
2 and which will assist him in evaluating proposals received.

3 (e) After receiving the proposals for preparation of a regional
4 plan, the commissioner shall evaluate them. In evaluating the pro-
5 posals, the commissioner may request advice from residents of an un-
6 organized borough for which the regional plan is proposed. The commis-
7 sioner may refuse all proposals and readvertise, or may accept a pro-
8 posal and enter into a contract as provided in (f) of this section.

9 (f) A contract entered into under this section

10 (1) shall require that the regional plan include

11 (A) an analysis and recommendations concerning incor-
12 poration of a borough government for all or a portion of the un-
13 organized borough;

14 (B) an evaluation of the economic development potential
15 of the unorganized borough;

16 (C) a recommendation concerning capital facility needs
17 of the unorganized borough;

18 (D) an examination of demographic, social and environ-
19 mental factors affecting the unorganized borough;

20 (E) an examination of

21 (i) interrelationships among the regional educa-
22 tional attendance area, the coastal resource service area, and
23 any other regional entity responsible for services in the
24 unorganized borough; and

25 (ii) the interrelationships between the governments
26 of cities within the unorganized borough and regional entities
27 listed in (i) of this subparagraph; and

28 (F) a process for implementing the recommendations made
29 as part of the regional plan;

1 (2) shall provide

2 (A) a mechanism for securing public participation in the
3 preparation of the regional plan;

4 (B) that the regional plan be completed not later than
5 the June 30 following the third anniversary of the date of the
6 contract; and

7 (C) that payment for work performed under the contract
8 is subject to legislative appropriation to the account established
9 in (g) of this section;

10 (3) may permit the contractor to subcontract parts of the
11 work to be performed to one or more subcontractors.

12 (g) There is established in the Department of Community and Re-
13 gional Affairs the unorganized borough regional planning account. The
14 account shall be administered by the commissioner and shall be used to
15 pay for contracts entered into under this section.

16 (h) During each fiscal year, the commissioner may not pay to a
17 contractor under a contract authorized by this section more than \$25,000
18 plus \$25 per capita for each person residing within the unorganized
19 borough for which the regional plan is to be prepared, as determined by
20 the commissioner.

21 (i) In this section, "unorganized borough" means a subdivision
22 established under AS 29.03.011 - 29.03.021.

23 * Sec. 5. AS 29 is amended by adding a new chapter to read:

24 CHAPTER 19. DIRECT INCORPORATION OF A HOME RULE BOROUGH.

25 Sec. 29.19.010. INCORPORATION. (a) The residents of an unorgan-
26 ized borough established in accordance with AS 29.03.011 - 29.03.021 may
27 apply for the incorporation of a home rule borough. The petition for
28 borough incorporation shall be filed with the Department of Community
29 and Regional Affairs and shall include the information and signatures

1 required by AS 29.18.050. Petitions for incorporation filed under this
2 section shall be processed, reviewed and determined in accordance with
3 AS 29.18.060 - 29.18.090.

4 (b) A petition submitted under (a) of this section shall

5 (1) specify the number of members of the charter commission,
6 but the number of members may not exceed 15; and

7 (2) describe the manner of election of members of the charter
8 commission; if election is to be by district, a description of the
9 boundaries of each district shall be included in or attached to the
10 petition.

11 (c) If the petition submitted under (a) of this section requests
12 election of charter commission members on a basis other than at large
13 within the unorganized borough, the manner of election of the members of
14 the commission shall conform to standards applicable to the composition
15 and apportionment of legislative bodies which are imposed by art. I,
16 sec. 1 of the state constitution.

17 (d) The standards applicable to the incorporation of an organized
18 borough under art. X, sec. 3 of the state constitution and AS 29.18.030
19 apply to the incorporation of an unorganized borough under this section.

20 Sec. 29.19.020. CHARTER ELECTION. (a) If the Local Boundary
21 Commission accepts the petition filed under AS 29.19.010, it shall
22 immediately notify the lieutenant governor. Within 30 days after noti-
23 fication, the lieutenant governor shall order an election within the
24 proposed home rule borough to determine whether the voters will elect a
25 charter commission, and to determine the persons elected to serve on the
26 charter commission.

27 (b) Charter commission candidates are nominated by petition signed
28 by at least 50 registered voters residing within the unorganized
29 borough. The lieutenant governor shall allow not less than 20 or more

1 than 30 days during which candidates for the charter commission may
2 present nominating petitions.

3 (c) The election on the question of election of a charter com-
4 mission and the determination of persons elected to serve on the charter
5 commission shall be held not less than 60 or more than 75 days after the
6 date of the election order.

7 Sec. 29.19.030. PREPARATION OF CHARTER. (a) If, at the election
8 called by the lieutenant governor under AS 29.19.020, a majority of the
9 voters favors election of a charter commission, the persons receiving
10 the highest number of votes cast at that election constitute the charter
11 commission. The charter commission shall prepare a proposed charter and
12 submit it to the Department of Community and Regional Affairs within one
13 year of the first meeting of the charter commission. The commissioner
14 of community and regional affairs shall review the proposed charter for
15 compliance with laws applicable to home rule municipalities and, if it
16 complies, request the lieutenant governor to submit the proposed borough
17 incorporation petition and proposed home rule charter to residents of
18 the proposed home rule borough. If the proposed charter does not comply
19 with law, the commissioner of community and regional affairs shall
20 return the proposed charter to the charter commission with a statement
21 of the legal deficiencies.

22 (b) Within 90 days of the receipt of the statement of the commis-
23 sioner of community and regional affairs indicating that the proposed
24 home rule charter does not comply with law, the charter commission may
25 prepare and submit to the commissioner an amended charter which meets
26 the objections to the original proposed charter.

27 Sec. 29.19.040. RATIFICATION OF CHARTER. The lieutenant governor
28 shall order an election on the question of whether the unorganized
29 borough shall be incorporated as a home rule borough in accordance with

1 the charter approved by the commissioner of community and regional
2 affairs. The proposed charter shall be posted throughout the proposed
3 borough by the lieutenant governor before the election is held. The
4 election shall be held not less than 60 or more than 90 days following
5 the election order.

6 Sec. 29.19.050. RESULTS OF RATIFICATION ELECTION. (a) The votes
7 cast at an election held under AS 29.19.040 shall be tabulated in two
8 classifications. One classification shall consist of all votes cast
9 within cities of the proposed home rule borough. The second classi-
10 fication shall consist of all votes cast in the remaining area of the
11 proposed borough. If a majority of the votes cast in each classifica-
12 tion by the qualified voters of the proposed borough favors incorporation
13 of the borough under the proposed home rule charter, the lieutenant
14 governor shall declare that the unorganized borough in which the
15 election was held is incorporated as an organized borough and a
16 municipal corporation in accordance with the provisions of the home rule
17 charter. The lieutenant governor shall provide for the election of the
18 officers provided for in the charter.

19 (b) The election and qualification of officers under (a) of this
20 section shall be completed by the lieutenant governor in accordance with
21 AS 29.18.120 and the provisions of the home rule charter of the borough.

22 Sec. 29.19.060. RESUBMISSION OF CHARTER. If a proposed charter is
23 rejected, the charter commission shall prepare, adopt and submit a
24 second proposed charter to the voters in accordance with AS 29.19.030 -
25 29.19.050. The second proposed charter shall be submitted to the voters
26 within one year of the date of the charter election held under AS 29.-
27 19.040. If the second proposed charter is rejected, the charter com-
28 mission is dissolved.

29 Sec. 29.19.070. VOTERS, ELECTIONS, COSTS, AND VACANCIES. (a) A

1 person is qualified to vote in an election authorized by AS 29.19.010 -
2 29.19.060 if he is qualified to vote in state elections and if he is a
3 resident of the unorganized borough proposed for incorporation as a home
4 rule borough.

5 (b) The lieutenant governor shall conduct elections authorized by
6 AS 29.19.010 - 29.19.060 substantially in the manner provided in the
7 Alaska Election Code (AS 15.05 - 15.60), and shall certify the results
8 of all elections under this chapter. Costs of elections under this
9 chapter shall be paid by the office of the lieutenant governor.

10 (c) Costs of charter preparation under this chapter shall be paid
11 by the Department of Community and Regional Affairs.

12 (d) The commissioner of community and regional affairs shall ap-
13 point a registered voter of the unorganized borough for which a charter
14 is being prepared to fill a vacancy occurring on the charter commission
15 established under this chapter.

16 Sec. 29.19.080. APPLICABILITY OF TRANSITIONAL PROVISIONS. The
17 provisions of AS 29.18.130 - 29.18.180 apply to home rule boroughs
18 incorporated under this chapter.

19 Sec. 29.19.090. STATUS OF HOME RULE BOROUGHES. (a) A home rule
20 borough incorporated under this chapter shall exercise all powers
21 required of a borough under AS 29.33.

22 (b) For purposes of acquisition of areawide powers, the provisions
23 of AS 29.38.010 apply to a home rule borough incorporated under this
24 chapter unless otherwise specifically provided in the charter of the
25 borough.

26 * Sec. 6. AS 29.03.010 and 29.03.020 are repealed.

27 * Sec. 7. UNORGANIZED BOROUGH SERVICE AREAS. (a) The commissioner of
28 education shall recommend to the legislature, not later than January 31,
29 1981, whether changes should be made in the boundaries of a regional

1 educational attendance area organized under AS 14.08 to conform the bound-
2 aries of the regional educational attendance area to an unorganized borough
3 of which it is a part.

4 (b) The Alaska Coastal Policy Council shall recommend to the legis-
5 lature, not later than January 31, 1981, whether changes should be made in
6 the boundaries of an existing coastal resource service area organized under
7 AS 46.40 to conform the boundaries of the coastal resource service area to an
8 unorganized borough of which it is a part.

9 * Sec. 8. This Act takes effect immediately in accordance with AS 01.10.-
10 070(c).

Introduced: 1/21/80
Referred: Community & Regional
Affairs and Finance

BY THE RULES COMMITTEE BY REQUEST
OF THE LEGISLATIVE COUNCIL (for the
Community and Regional Affairs
Committee Interim Joint Local
Government Study)

1 IN THE SENATE

2 SENATE BILL NO. 349

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing a program of planning assistance
7 for unorganized boroughs; and providing for an effective date."
8

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

10 * Section 1. AS 44.47 is amended by adding a new section to read:

11 Sec. 44.47.085. ASSISTANCE FOR DEVELOPMENT OF REGIONAL MANAGEMENT
12 PROGRAMS IN THE UNORGANIZED BOROUGH. (a) For the purpose of preparing
13 a management program for an unorganized borough, the commissioner may
14 contract as provided by this section with

15 (1) a municipality or group of municipalities; or

16 (2) a nonprofit corporation organized under the laws of the
17 state.

18 (b) The commissioner may contract for the preparation of only one
19 management program for each unorganized borough. The commissioner may
20 contract only if he is satisfied that the municipality, group of municipalities,
21 or corporation with which he contracts is capable of preparing a management
22 program that considers the entire population of the
23 unorganized borough.

24 (c) A municipality, group of municipalities, or corporation interested
25 in preparing a management program for an unorganized borough
26 may ask the commissioner to request a proposal or the commissioner may
27 request a proposal on his own initiative. A request for proposal shall
28 be advertised. The advertisement of a request for a proposal for the
29 preparation of a management program for the unorganized borough shall

1 outline the work to be completed, and contain other information which
2 the commissioner believes necessary and which he requires to advise the
3 public of the work to be completed under the contract, and which will
4 assist him in evaluating proposals received. The commissioner shall
5 advertise for a period of not less than 45 days by any means which he
6 believes will provide adequate notice to interested parties and resi-
7 dents of the unorganized borough.

8 (d) After receiving the proposals the commissioner shall evaluate
9 them. The commissioner may refuse all proposals and readvertise, or may
10 accept a proposal and contract in accordance with (e) of this section.

11 (e) A contract entered into under this section shall

12 (1) require that the report to be completed under the con-
13 tract include an analysis and recommendations concerning incorporation
14 of a borough government for all or a portion of the unorganized borough;
15 and

16 (2) provide that

17 (A) the work to be performed shall be completed not
18 later than the June 30 following the third anniversary of the date
19 of the contract;

20 (B) payment for work performed under the contract is
21 subject to legislative appropriation to the account established in
22 (g) of this section; and

23 (C) payment for work performed under the contract during
24 each fiscal year in which the contract is in effect may not exceed
25 the limit established in (h) of this section.

26 (f) A contract entered into under this section may require the
27 contractor to consider additional topics, including but not limited to,

28 (1) evaluation of the economic development potential of the
29 unorganized borough;

1 (2) determination of housing and capital facility needs;
2 (3) examination of demographic, social and environmental
3 factors; and

4 (4) presentation of a process for developing the report and
5 implementing its recommendations.

6 (g) There is established in the Department of Community and Re-
7 gional Affairs the unorganized borough planning account. The account
8 shall be administered by the commissioner and shall be used to pay for
9 contracts entered into under this section.

10 (h) During each fiscal year, the commissioner may not pay to a
11 contractor under a contract authorized by this section more than \$25,000
12 plus \$25 per capita for each person residing within the unorganized
13 borough, as determined by the commissioner.

14 (i) In this section, "unorganized borough" means a subdivision
15 established under AS 29.03.011 - 29.03.021.

16 * Sec. 2. This Act takes effect on the effective date of a version of an
17 Act entitled, "An Act establishing unorganized boroughs, amending the respon-
18 sibilities of state agencies for state programs and services that benefit
19 residents of organized and unorganized boroughs, and authorizing adoption of
20 home rule charters by unorganized boroughs; and providing for an effective
21 date."

Original sponsor: Rules/Legislative Council

Offered: 3/26/80
Referred: Finance

1 IN THE SENATE

BY THE COMMUNITY AND
REGIONAL AFFAIRS COMMITTEE

2

CS FOR SENATE BILL NO. 350

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the responsibilities of executive
7 departments of state government for certain state
8 programs; and providing for an effective date."

9

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

10

* Section 1. AS 44.17 is amended by adding new sections to read:

11

ARTICLE 2. PLANNING AND MANAGEMENT OF STATE SERVICES.

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Sec. 44.17.100. PROGRAM DATA AND INFORMATION. (a) A principal
department of the executive branch of state government, including a
board or commission assigned to a department for administrative pur-
poses, shall use the home rule and general law boroughs, unified muni-
cipalities, and regional educational attendance areas as the geographic
units by which to collect and report data and information and process
and analyze statistics about each of its programs.

19

20

(b) The information, data and statistics required to be collected
and reported by this section include but are not limited to

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(1) information which may be required by the division of
policy development and planning in the Office of the Governor to
describe the geographic distribution of the state's population, economic
activities, and public services; and

25

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28

29

and

(2) information about the program, including

(A) the estimated number of persons needing a service;

(B) the number of persons served by the program;

(C) the costs of the services provided by the program;

1 (D) the conditions addressed or corrected by a service
2 provided by the program.

3 (c) A department, board or commission may request an exemption
4 from this section. An exemption granted under this subsection expires
5 on June 30, 1982. The request for exemption shall be submitted to the
6 governor, who may grant the exemption if he finds that additional ex-
7 pense, increased workload, or decreased efficiency in the operation of a
8 program or development of a new program would be substantially greater
9 than the public interest in compliance with this section. A department,
10 board or commission requesting an exemption under this subsection shall
11 submit to the governor a written statement

12 (1) naming the program for which an exemption is requested;

13 (2) describing the problems which would be encountered if the
14 department, board or commission were required to conform to this sec-
15 tion; and

16 (3) evaluating the effect of an exemption granted under this
17 subsection on the collection and reporting requirements of (a) of this
18 section for other programs administered by the department, board or
19 commission.

20 * Sec. 2. AS 44.17 is amended by adding new sections to read:

21 Sec. 44.17.110. PROGRAM PLANNING AND MANAGEMENT. (a) A principal
22 department of the executive branch of state government, including a
23 board or commission assigned to a department for administrative pur-
24 poses, shall use the home rule and general law boroughs, unified muni-
25 cipalities, and regional educational attendance areas of the state as
26 the geographic units by which to develop and implement plans for provid-
27 ing services and to coordinate program planning and administration with
28 the plans and programs of other agencies, municipalities and the federal
29 government.

1 (b) A department, board or commission may combine one or more home
2 rule boroughs, general law boroughs, unified municipalities, and regional
3 educational attendance areas to define the geographical area within
4 which a program is provided.

5 Sec. 44.17.120. REPORTING OF SERVICE COSTS. (a) A principal
6 department of the executive branch of the government, including a board
7 or commission assigned to a department for administrative purposes,
8 shall provide information giving the direct cost of providing services
9 to each municipality and regional educational attendance area used by
10 the department under AS 44.17.110(a) for the management and administra-
11 tion of its programs. The information shall be available to

12 (1) the division of budget and management in the Office of
13 the Governor, for its use in making recommendations for the program
14 budget of a department, board or commission;

15 (2) the legislature, for its use in consideration of the
16 state budget and other legislation relating to state services; and

17 (3) the public, upon request to the department, board or
18 commission.

19 (b) In this section, "direct cost" means a cost which is related
20 to providing a service, exclusive of general administrative and support
21 costs.

22 Sec. 44.17.130. EXEMPTION. The provisions of AS 44.17.110 -
23 44.17.120 do not apply to

24 (1) a program of an executive department, board or commission
25 which provides only professional or technical support services for
26 another state department, board or commission, as determined by the
27 governor; and

28 (2) a program for which exemption is specifically requested
29 by the department, board or commission, and granted by the governor

1 because

2 (A) the program concerns the conservation or development
3 of a natural resource; and

4 (B) the application of AS 44.17.110 - 44.17.120 would
5 cause a substantial impediment to the performance of duties by the
6 department, board, or commission.

7 Sec. 44.17.140. DEFINITION. In AS 44.17.100 - 44.17.140, "regional
8 educational attendance area" means a subdivision of the part of the
9 state not within an organized borough as determined by the commissioner
10 of community and regional affairs under AS 14.08.031.

11 * Sec. 3. AS 44.17 is amended by adding new sections to read:

12 ARTICLE 2. PLANNING AND MANAGEMENT OF STATE SERVICES.

13 Sec. 44.17.100. PROGRAM DATA AND INFORMATION. (a) A principal
14 department of the executive branch of state government, including a
15 board or commission assigned to a department for administrative pur-
16 poses, shall use the home rule and general law boroughs, unified muni-
17 cipalities, and unorganized boroughs as the geographic units by which to
18 collect and report data and information and process and analyze statis-
19 tics about each of its programs.

20 (b) The information, data and statistics required to be collected
21 and reported by this section include but are not limited to

22 (1) information which may be required by the division of
23 policy development and planning in the Office of the Governor to describe
24 the geographic distribution of the state's population, economic activi-
25 ties, and public services; and

26 (2) information about the program, including

- 27 (A) the estimated number of persons needing a service;
28 (B) the number of persons served by the program;
29 (C) the costs of the services provided by the program;

1 and

2 (D) the conditions addressed or corrected by a service
3 provided by the program.

4 (c) A department, board or commission may request an exemption
5 from this section. An exemption granted under this subsection expires
6 on June 30, 1982. The request for exemption shall be submitted to the
7 governor, who may grant the exemption if he finds that additional ex-
8 pense, increased workload, or decreased efficiency in the operation of a
9 program or development of a new program would be substantially greater
10 than the public interest in compliance with this section. A department,
11 board or commission requesting an exemption under this subsection shall
12 submit to the governor a written statement

13 (1) naming the program for which an exemption is requested;

14 (2) describing the problems which would be encountered if the
15 department, board or commission were required to conform to this sec-
16 tion; and

17 (3) evaluating the effect of an exemption granted under this
18 subsection on the collection and reporting requirements of (a) of this
19 section for other programs administered by the department, board or
20 commission.

21 * Sec. 4. AS 44.17 is amended by adding new sections to read:

22 Sec. 44.17.110. PROGRAM PLANNING AND MANAGEMENT. (a) A principal
23 department of the executive branch of state government, including a
24 board or commission assigned to a department for administrative pur-
25 poses, shall use the home rule and general law boroughs, unified muni-
26 cipalities, and unorganized boroughs of the state as the geographic
27 units by which to develop and implement plans for providing services and
28 to coordinate program planning and administration with the plans and
29 programs of other agencies, municipalities and the federal government.

1 (b) A department, board or commission may combine one or more home
2 rule boroughs, general law boroughs, unified municipalities, and un-
3 organized boroughs to define the geographical area within which a pro-
4 gram is provided.

5 Sec. 44.17.120. REPORTING OF SERVICE COSTS. (a) A principal
6 department of the executive branch of the government, including a board
7 or commission assigned to a department for administrative purposes,
8 shall provide information giving the direct cost of providing services
9 to each municipality and unorganized borough used by the department
10 under AS 44.17.110(a) for the management and administration of its
11 programs. The information shall be available to

12 (1) the division of budget and management in the Office of
13 the Governor, for its use in making recommendations for the program
14 budget of a department, board or commission;

15 (2) the legislature, for its use in consideration of the
16 state budget and other legislation relating to state services; and

17 (3) the public, upon request to the department, board or
18 commission.

19 (b) In this section, "direct cost" means a cost which is related
20 to providing a service, exclusive of general administrative and support
21 costs.

22 Sec. 44.17.130. EXEMPTION. The provisions of AS 44.17.110 -
23 44.17.120 do not apply to

24 (1) a program of an executive department, board or commission
25 which provides only professional or technical support services for
26 another state department, board or commission, as determined by the
27 governor; and

28 (2) a program for which exemption is specifically requested
29 by the department, board or commission, and granted by the governor

1 because

2 (A) the program concerns the conservation or development
3 of a natural resource; and

4 (B) the application of AS 44.17.110 - 44.17.120 would
5 cause a substantial impediment to the performance of duties by the
6 department, board, or commission.

7 Sec. 44.17.140. DEFINITION. In AS 44.17.100 - 44.17.140, "un-
8 organized borough" means a subdivision of the part of the state not
9 within an organized borough as determined by the commissioner of com-
10 munity and regional affairs under AS 29.03.011 - 29.03.021.

11 * Sec. 5. RESPONSIBILITIES OF THE DIVISION OF POLICY DEVELOPMENT AND
12 PLANNING. The division of policy development and planning in the Office of
13 the Governor shall

14 (1) by December 31, 1980, evaluate the cost and suitability of
15 data and information reference systems and recommend the use of a system by
16 the principal departments of the executive branch of the state government,
17 including boards and commissions assigned to those departments for adminis-
18 trative purposes; the data and information system recommended by the division
19 shall

20 (A) permit cross-referencing of data and information by the
21 executive departments, boards and commissions; and

22 (B) classify data and information on the basis of the geo-
23 graphic units used by a department, board or commission for program
24 management and cost reporting under AS 44.17.110 - 44.17.120.

25 (2) report to the legislature by July 1, 1983, alternatives and
26 recommendations for improving coordination of programs which provide direct
27 services to people, which are not exempt under AS 44.17.130.

28 * Sec. 6. Sections 3 and 4 of this Act take effect and secs. 1 and 2 of
29 this Act are repealed only if a version of an Act entitled "An Act relating

1 to unorganized boroughs, establishing unorganized boroughs, establishing a
2 program of financial assistance for the preparation of regional plans by
3 unorganized boroughs, permitting adoption of home rule charters by un-
4 organized boroughs, and directing submission of recommendations concerning
5 adjustment of the boundaries of service areas of the unorganized borough; and
6 providing for an effective date", becomes law.

7 * Sec. 7. Sections 1 and 3 of this Act take effect July 1, 1981.

8 * Sec. 8. Sections 2 and 4 of this Act take effect July 1, 1982.

9 * Sec. 9. Sections 5 and 6 of this Act take effect immediately in accor-
10 dance with AS 01.10.070(c).

Original sponsor: Rules/Legislative Council

Offered: 4/10/80
Referred: Finance

1 IN THE SENATE

BY THE COMMUNITY AND
REGIONAL AFFAIRS COMMITTEE

2

CS FOR SENATE BILL NO. 351

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to state aid to local governments; and
7 providing for an effective date."

8

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

9

* Section 1. AS 43.18.010 is amended by adding a new subsection to read:

10

(m) A city or organized borough which is entitled to state aid

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under this section shall receive each fiscal year a minimum amount under

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this section of \$25,000 adjusted to include an area cost-of-living

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differential determined in accordance with AS 43.18.012.

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* Sec. 2. This Act takes effect July 1, 1980.

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Introduced: 1/21/80
Referred: Community & Regional
Affairs and Finance

BY THE RULES COMMITTEE BY REQUEST
OF THE LEGISLATIVE COUNCIL (for the
Community and Regional Affairs
Committee Interim Joint Local
Government Study)

1 IN THE SENATE

2 SENATE BILL NO. 352

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act requiring fiscal notes for bills affecting a
7 municipality."

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

9 * Section 1. AS 24.30.035 is amended to read:

10 Sec. 24.30.035. FISCAL NOTES ON BILLS. Before a bill is reported
11 from the committee of first referral, there shall be attached to the
12 bill a fiscal note containing an estimate of the amount of the appropria-
13 tion increase or decrease which would result from enactment of the bill
14 for the ensuing fiscal year and at least two succeeding fiscal years.
15 If enactment of the bill would require an expenditure or appropriation
16 by any municipality, a fiscal note shall be attached to the bill con-
17 taining an estimate of the amount of the total expenditure or appropria-
18 tion which would be required during each of the first three fiscal
19 years by all affected municipalities. If [OR, IF] the bill has no
20 fiscal impact, a statement to that effect shall be attached. The fiscal
21 note or statement relating to a state program shall be prepared by the
22 department or departments affected. The fiscal note or statement relat-
23 ing to municipalities shall be prepared by the Department of Community
24 and Regional Affairs, but that department may obtain the assistance of
25 any other state agency in the preparation of the note or statement. If
26 the bill is presented by the governor for introduction in accordance
27 with AS 24.30.060(b) and the uniform rules of the legislature, the
28 fiscal note or statement shall be attached to the bill before the bill
29 is introduced. An amendment or a substitute bill proposed by a commit-

tee of referral that changes the fiscal impact of a bill shall be
explained in a revised fiscal note or statement attached to the bill.

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Introduced: 1/21/80
Referred: Community & Regional
Affairs and Finance

BY THE RULES COMMITTEE BY REQUEST
OF THE LEGISLATIVE COUNCIL (for the
Community and Regional Affairs
Committee Interim Joint Local
Government Study)

1 IN THE SENATE

2 SENATE BILL NO. 353

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the incorporation of second class
7 boroughs as home rule boroughs."

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

9 * Section 1. AS 29.13.010 is amended to read:

10 Sec. 29.13.010. MUNICIPAL CHARTER ADOPTION. A first class muni-
11 cipality or second class borough may adopt a charter for its own govern-
12 ment. A home rule municipality may amend its charter or adopt a new
13 one. A charter is framed by a charter commission of seven members
14 chosen by the municipal voters at a regular or special election. A
15 candidate for the commission must be a qualified voter of the muni-
16 cipality and a resident of the municipality for three years immediately
17 preceding the election. A charter commission election is called by
18 filing a petition with the borough assembly or the city council, or by
19 resolution of the borough assembly or city council. The petition must
20 be signed by a number of municipal voters equal to 10 percent of the
21 votes cast in the last regular election of the municipality.

Introduced: 1/21/80
Referred: Community & Regional
Affairs and Finance

BY THE RULES COMMITTEE BY REQUEST
OF THE LEGISLATIVE COUNCIL (for the
Community and Regional Affairs
Committee Interim Joint Local
Government Study)

1 IN THE SENATE

2 SENATE BILL NO. 354

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act eliminating third class boroughs."

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

8 * Section 1. AS 29.08.030 is amended to read:

9 Sec. 29.08.030. CLASSES OF GENERAL LAW. General law municipali-
10 ties are of four [FIVE] classes:

- 11 (1) first class boroughs;
- 12 (2) second class boroughs;
- 13 (3) [THIRD CLASS BOROUGHs;]
- 14 (4) first class cities;
- 15 (5) second class cities.

16 * Sec. 2. AS 29.08.040(g) is amended to read:

17 (g) A second class borough may reclassify as a first class [OR
18 THIRD CLASS] borough [, AND A THIRD CLASS BOROUGH MAY RECLASSIFY AS A
19 FIRST CLASS OR SECOND CLASS BOROUGH,] in the manner provided by AS 29.-
20 33.270 - 29.33.290 for the addition of powers by boroughs, except the
21 petition or proposal requests reclassification instead of requesting
22 addition of powers.

23 * Sec. 3. AS 29.78.010(1) is amended to read:

24 (1) "borough" means a general law first or [,] second [OR
25 THIRD] class organized borough;

26 * Sec. 4. AS 02.15.260(10) is amended to read:

27 (10) "municipality" means a home rule or general law municipal
28 corporation and political subdivision, which is a first or second class
29 borough or city [, OR A THIRD CLASS BOROUGH,] incorporated under the

1 laws of the state;

2 * Sec. 5. AS 14.12.110 is amended to read:

3 Sec. 14.12.110. SINGLE BODY AS ASSEMBLY AND SCHOOL BOARD. Not-
4 withstanding the provisions of this chapter or other law, a single body
5 may serve as both the borough assembly and borough school board in the
6 manner provided for in this section [THIRD CLASS BOROUGH UNDER AS 07.-
7 17.030], if a borough ordinance for that purpose is approved by the
8 assembly and ratified by a referendum of a majority of the qualified
9 borough voters voting on the question at a regular or special election,
10 and if the public school population within the borough is 500 pupils or
11 less. If a single body serves as both the borough assembly and school
12 board, the borough executive is the presiding officer of the borough
13 assembly and president of the school board and the borough executive
14 has all powers of a borough executive under AS 29.23 except for the
15 veto power.

16 * Sec. 6. AS 38.05.037(a) is amended to read:

17 (a) In areas of the state outside first and [,] second [OR THIRD]
18 class boroughs where there is no municipality with a zoning power, the
19 division of lands shall exercise the zoning power by adopting zoning
20 regulations.

21 * Sec. 7. AS 40.15.070 is amended to read:

22 Sec. 40.15.070. PLATTING AUTHORITY. If land proposed to be sub-
23 divided or dedicated is situated within a first or second class borough,
24 the proposed subdivision or dedication shall be submitted to the borough
25 planning commission for approval. If the land is situated within a city
26 in the unorganized borough, [OR THE THIRD CLASS BOROUGH] the proposed
27 subdivision or dedication shall be submitted to the city planning com-
28 mission for approval. The borough planning commission is the platting
29 authority for the first or second class borough, the city planning

1 commission is the platting authority for the city, and the division of
2 lands is the platting authority in the remaining areas of the state [AND
3 THIRD CLASS BOROUGH] for the change or vacation of existing plats or a
4 portion of such plats, as provided in AS 40.15.075. If the borough or
5 the city does not have a planning commission, the borough assembly or
6 the city governing body, respectively, is the platting authority and the
7 proposed subdivision or dedication shall be submitted to it. No sub-
8 division may be filed for record until it is approved by the platting
9 authority.

10 * Sec. 8. AS 40.15.075 is amended to read:

11 Sec. 40.15.075. AUTHORITY IN THE UNORGANIZED BOROUGH [AND THIRD
12 CLASS BOROUGH]. The division of lands is the platting authority in the
13 area outside organized boroughs and outside cities in the unorganized
14 borough [AND IN THE THIRD CLASS BOROUGH] for only the purposes of
15 hearing and acting on petitions for the change or vacation of plats and
16 shall execute this function substantially in conformity with the provi-
17 sions of AS 29.33.210 - 29.33.240. Costs of publication and mailing as
18 well as other costs authorized in AS 29.33.210 shall be paid to the
19 division by the petitioner. The Department of Natural Resources shall
20 adopt reasonable regulations governing the exercise of the authority
21 conferred by this section upon the division of lands.

22 * Sec. 9. AS 43.35.130 is amended to read:

23 Sec. 43.35.130. REFUND TO LOCAL GOVERNMENTS. The department shall
24 refund 75 percent of the tax collected from sales of punchboards in an
25 organized borough or city of the first or [,] second [, OR THIRD] class
26 to the local government. The balance shall be deposited in the general
27 fund.

28 * Sec. 10. A municipality which is incorporated as a third class borough
29 on the effective date of this Act may continue to operate as such until

1 December 31, 1984 and shall retain all the rights, powers and privileges
2 which it possessed on the effective date of this Act. A third class borough
3 which has not reclassified itself in the manner provided by AS 29.33.270 -
4 29.33.290 before December 31, 1984, is reclassified as a second class borough
5 on that date.

6 * Sec. 11. The following laws are repealed: AS 29.08.040(h), (i), and
7 (j); AS 29.41; AS 29.43.040(b); and AS 38.05.037(b)(2).
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SCOMM

#10:11

PLEASE NOTE: THE FOLLOWING PAGES WERE TREATED
AS A UNIT IN THE ORIGINAL DOCUMENT.

MEMORANDUM

State of Alaska

DEPARTMENT OF COMMUNITY & REGIONAL AFFAIRS

TO:

Palmer McCarter, Director
LGAD Staff

DATE:

June 15, 1976

FILE NO:

TELEPHONE NO:

FROM:

Patrick Poland
Local Government Specialist

SUBJECT:

Third Class City - "Food for Thought"

So that we might all have something to talk about when I mention the term "third class city," I would offer the following as a point of departure for purposes of discussing an alternative to second class city status.

Essentially, I envision the third class city as a basic municipality with only minimal services and functions. The primary purpose would be to grant a community legal, recognizable status so that it might participate in certain State, federal and private programs requiring the participation of a legal entity.

The procedures for incorporation of such a municipality would be essentially the same as those for a second class city. Standards would not, however, be as strict as those currently applicable to proposed second class cities. More specifically, I would suggest that any community with a population of more than 25, but less than 400, and displaying an interest in obtaining municipal status be allowed to incorporate as a third class city (actually, this is the situation we had with second class cities until a few days ago). No "heavy" standards would be placed upon the community desiring this status, although they would be required to demonstrate that their boundaries were logical, and assuming that they might some day reclassify upward, conducive to the provision of efficient municipal services.

As an afterthought, I think too, that we would require some basic showing of capability to operate a municipality.

The governing body of my hypothetical third class city would be composed of a city council of five members. One of the members would be selected from amongst the council to be the mayor who would have both executive and administrative responsibilities although, as with current law, he would have the option of employing a professional administrator. The option of adopting the manager form of government seems an unnecessary provision to me. Other officers would be limited to a city clerk and treasurer whose office would be combined unless the council provided otherwise by ordinance - the reverse of what we have today. Of course council terms would be staggered and the relationship between the city clerk/treasurer and council would be as it is for second class cities.

The election of initial council members would be by secret ballot and would be conducted by the State. However, the manner in which subsequent elections were conducted would be specified by the city council by ordinance. It would be their option to determine whether or not they wish to conduct elections through the "town meeting" method or by written ballot. I would anticipate that we would have to have detailed ordinances on hand that would be made available immediately to the council after the incorporation election at which time they would determine which method they choose. There would be no majority election or run-off requirement.

Council meetings would have to be held at least once each quarter and the council would specify the manner in which their meetings were conducted. Again, they could be in the traditional form that we know or they could be in a much more loosely defined form set forth by the council. Additionally, the council would be required to conduct a "town meeting" at least once a year at which time all local residents would have an opportunity to state their views with regard to the manner in which city affairs have been run during the preceding year in order to be run in the following year.

Powers of the city would be severely limited. They would have most of the general powers that we know including the power to contract. However, with respect to specific powers it would be much more limited. I envision only the following:

- fire protection
- health
- cemetaries
- community centers
- libraries.

A community would be authorized upon popular referendum to levy a sales tax of up to three percent. No property tax would be permitted. In concert with the theme of no property tax would be the provision that the municipality would not be permitted to enter into debt beyond the first fiscal year subsequent to the current fiscal year. Too, because of the limited taxing and bonding capability, I would think that special assessments in service areas as well as differential zones of taxation would not be applicable to this form of government.

Some general comments: I would imagine a section of the piece of legislation providing for third class cities would contain language effectively stating that cities presently with a population of 25 people or more but less than 400, and engaged in providing only those municipal services set forth at whatever section it is that sets forth the powers of third class cities, would be automatically reclassified as a third class city. The task of determining the population of those cities would, I imagine, be placed upon the Department. Additionally, I would envision language

effectively stating that the Boundary Commission investigate all second class cities with a population less than 400 and determine whether they should be reclassified as a third class city. Of course, provisions of law permitting reclassification to third class status from second class status would be established. I would suggest too that we amend the incorporation standards for a second class city to a minimum population of 250 people. Financial reporting requirements would not change from the present.

At any rate, I think the above will probably give us all something to discuss (yell about) at our next staff meeting.

PKP:ljf

MEMORANDUM

State of Alaska

DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS

TO: Palmer McCarter
LGAD Staff

DATE: June 25, 1976

FILE NO:

FROM: Pat Poland
Local Government Specialist

TELEPHONE NO:

SUBJECT: Third Class Cities

The following is a first draft of a proposed bill to establish third class cities.

Section 1. Title 29 is amended by adding the following chapter.

Chapter 20. Village Incorporation Act.

Article

1. Incorporation (§29.20.010 - 29.20.120)
2. Transitional assistance (§29.20.130 - 29.20.140)
3. Council (§29.20.150 - 29.20.180)
4. Chief executive and administrator (§29.20.190 - 29.20.220)
5. Other officers and employees (§29.20.230 - 29.20.250)
6. Elections (§29.20.260 - 29.20.270)
7. Initiative and referendum (§29.20.280 - 29.20.290)
8. Recall (§29.20.300)
9. Powers (§29.20.310 - 29.20.350)
10. Taxes (§29.20.360 - 29.20.380)
11. General provisions (§29.20.390)

Article 1. Incorporation.

Section

10. Purpose of chapter
20. "Incorporated village" defined
30. Villages authorized to incorporate
40. Petition
50. Contents of petition
60. Review
70. Time and place of hearing
80. Hearing and decision
90. Nominations for office of city councilman
100. Election
110. Limitation in holding incorporation election
120. Challenge of legality

Sec. 29.20.010. Purpose of chapter. It is the purpose of this chapter to provide for limited self-government through the establishment of incorporated villages in rural areas where the local residents are unable to bear the financial burden of supporting a more comprehensive form of government. It is the purpose,

June 25, 1976

too, to recognize the social and cultural difference between rural and urban areas and to provide a vehicle of government which meets the social and cultural needs of rural Alaska.

Sec. 29.20.020. "Incorporated Village" defined. "Incorporated village" means and is synonymous with the term "city of the third class."

Sec. 29.20.030. Villages authorized to incorporate. A village that has 25 or more permanent inhabitants residing within it may incorporate if:

1) ^{could} the services proposed to be provided by the incorporated village ~~may~~ not be provided by annexation to an existing city; and

2) ~~if located within an organized borough~~, the services proposed to be provided by the incorporated village, ^{in which it is located} can not be provided by the borough on an areawide or nonareawide basis.

Sec. 29.20.040. Petition. (a) Incorporation of a village is proposed by filing a petition with the Department of Community and Regional Affairs.

(b) The petition shall contain the signature and resident address of at least 10 permanent resident voters of the village.

(c) Notwithstanding the provisions of (b) of this section, if there are less than 20 registered voters in the village, only 50% of the registered voters need sign the petition.

Sec. 29.20.050. Contents of Petition. In addition to the signatures required by AS 29.20.040 a petition for incorporation of a village shall include :

(1) class;

(2) name;

(3) boundaries;

(4) composition and apportionment of the council if other than at an at large basis;

(5) maps, documents, and other information required by the Department of Community and Regional Affairs.

Sec. 29.20.060. Review. The Department of Community and Regional Affairs shall review petitions for content and signatures and shall return deficient petitions for correction or completion.

Sec. 29.20.070. Time and place of hearings. (a) Within 30 days of the date a petition is determined sufficient the commissioner of the department, in consultation with the Chairman of the Local Boundary Commission, ~~shall issue~~ *shall be issued* an order scheduling a public hearing on the petition. The public hearing shall be held in the village proposed for incorporation not less than 20 nor more than 60 days after the date of the order.

(b) Copies of the order shall be posted in at least three public and prominent locations in the village.

Sec. 29.20.080. Hearing and decision. (a) The Local Boundary Commission shall conduct the public hearing and shall hear all interested persons. If the commission is satisfied that it is in the best interests and welfare of the village to incorporate, it shall, by order, so declare.

(b) If the commission determines that it is in the best interests of the community to amend the boundaries of the area proposed for incorporation it may do so.

(c) For purposes of this section, two or more commission members may conduct the hearing and enter a decision.

Sec. 29.20.090. Nominations for office of city councilman. (a) If the Local Boundary Commission accepts the petition for incorporation it shall adjourn the hearing and convene a village meeting. The chairman of the commission shall act as chairman of the meeting and shall receive nominations for the council from the floor. The meeting shall be conducted, substantially, in compliance with Robert's Rules of Order.

(b) The lieutenant governor shall furnish the commission with a current list of registered voters prior to the hearing.

Sec. 29.20.100. Election. (a) The Local Boundary Commission shall immediately notify the lieutenant governor of its acceptance of a petition and the names of those individuals nominated to serve on the city council. Within 30 days after notification the lieutenant governor shall order an election on the question of incorporation and council membership.

(b) The election shall be conducted in accordance with AS 29.18.110 - 120.

Sec. 29.20.110. Limitation on holding incorporation election. No election on the question of incorporation shall be presented to the voters of a village more than once in any six month period.

Sec. 29.20.120. Challenge of legality. No person may challenge the incorporation of a village except within six months of the date of its incorporation.

Article 2. Transitional Assistance

Section

- 130. Organization grants
- 140. State land

Section 29.20.130. Organization grant. Incorporated villages are entitled to an organization grant equal to the amount which would have been provided by AS 29.18.180 if the village had incorporated as a second class city.

Section 29.20.140. State land. Incorporated villages are eligible to select state lands on the same basis as if they had incorporated as a city of the second class.

Article 3. Council.

Section

- 150. Composition, eligibility, election and term
- 160. Procedure
- 170. Filling a vacancy
- 180. Increase in council

Sec. 29.20.150. Composition, eligibility, election and term. The provisions of AS 29.23.200 apply to incorporated villages except that the council is composed of five members.

Sec. 29.20.160. Procedure. The council shall adopt rules governing its body.

Sec. 29.20.170. Filling a vacancy. If a vacancy occurs in the council, the council by vote of a majority of its remaining members shall designate a person to fill the vacancy until the next regular election, and until a successor is elected and has qualified.

Sec. 29.20.180. Increase in council. The council may by ordinance increase the number of councilmen from five to seven.

Article 4. Village Executive and Administrator.

Section

- 190. Mayor
- 200. Election and term of mayor
- 210. Mayor's vote
- 220. Filling a vacancy

Sec. 29.20.190. Mayor. The chief executive and administrator of an incorporated village is the mayor who shall preside at council meetings, act as ceremonial head of the city and sign documents on the city's behalf upon council authorization.

Sec. 29.20.200. Election and term of mayor. The provisions of AS 29.23.200 as they apply to second class cities apply to incorporated villages.

Sec. 29.20.210. Mayor's vote. (a) The mayor of an incorporated village is a council member and may vote on all matters.

(b) The mayor of an incorporated village has no veto power.

Sec. 29.20.220. Filling a vacancy. A vacancy in the office of the mayor is filled by and from the council.

Article 5. Officers and Employees.

Section

- 230. Appointment of officers
- 240. Village attorney
- 250. Village clerk-treasurer

Sec. 29.20.230. Appointment of officers. The village clerk-treasurer and attorney are appointed by the council and serve at ~~their~~ ^{its} pleasure.

Sec. 29.20.240. Village attorney. The provisions of AS 29.23.370 apply.

Sec. 29.20.250. Village clerk-treasurer. The duties of a village clerk-treasurer are the same as those set forth at AS 29.23.380 and AS 29.32.390 except that the office of the clerk and the office of the treasurer are combined unless the council provides otherwise by ordinance.

Article 6. Elections.

Section

- 260. Rules governing elections
- 270. Voter qualification

Sec. 29.20.260. Rules governing elections. (a) Within 120 days of the date the initial council members of an incorporated village are sworn in, the council shall adopt a comprehensive elections ordinance governing regular and special elections.

(b) The election^s ordinance shall specifically address the issues of election administration, nominations for council, election dates, majority elections and contest and appeal of elections. The elections ordinance may contain provision for elections to be held by other than secret ballot.

Sec. 29.20.270. Voter qualification. The provisions of AS 29.28.030 apply.

Article 7. Initiative and Referendum.

Section

- 280. Reservation of power
- 290. Exercise of power

Sec. 29.20.280. Reservation of power. The powers of initiative and referendum are reserved to the residents of incorporated villages except the powers do not extend to matters restricted by § 7, art. XI, of the state constitution.

Sec. 29.20.290. Exercise of power. Exercise of the initiative or referendum power shall be in the manner specified at AS 29.28.052 - 110.

Article 8. Recall.

Section

- 300. Recall

Sec. 29.20.300. Recall. An elected official of an incorporated village may be recalled by the voters in accordance with the provisions of AS 29.28.130 -250.

Article 9. Powers.

Section

- 310. General powers
- 320. Facilities and services
- 330. Regulatory powers
- 340. Extraterritorial jurisdiction
- 350. Construction of powers

Sec. 29.20.310. General Powers. The provisions of AS 29.48.010 apply to incorporated villages.

Sec. 29.20.320. Facilities and Services. An incorporated village may exercise

the powers necessary to provide the following public facilities and services:

- (1) cemeteries;
- (2) community centers;
- (3) libraries;
- (4) recreation facilities;
- (5) garbage and solid waste disposal service and facilities subject to AS 29.48.033;
- (6) fire protection service and facilities;
- (7) preservation, maintenance and protection of historic sites, buildings and monuments;
- (8) trails.

Sec. 29.20.330. Regulatory powers. The provisions of AS 29.48.035 apply to incorporated villages.

Sec. 29.20.340. Extraterritorial jurisdiction. To the extent that they are consistent with this title the provisions of AS 29.48.310-330 apply to the construction and interpretation of powers conferred upon incorporated villages.

Article 10. Taxes.

Section

360. Sales and Use Tax

370. Property Tax

380. Combining sales tax with incorporation

Sec. 29.20.360. Sales and use tax. Incorporated villages may levy and collect a sales or use tax in the manner provided for boroughs subject to the restriction of AS 29.53.415 -420.

Sec. 29.20.370. Property tax. Incorporated villages may not levy ad valorem taxes.

Sec. 29.20.380. Combining sales tax with incorporation. The provisions of AS 29.53.460 apply to a petition proposing incorporation of a village.

Article 11.

Section

390. Extension of other provisions of law

Sec. 29.20.390. Extension of other provisions of law. To the extent that they are consistent with the purpose of this chapter, other provisions of law applicable to second class cities apply to incorporated villages.

Section 2. AS 29.08.030 is amended to read:

Sec. 29.08.030. Classes of general law. General law municipalities are of [five]six classes:

- (1) first class boroughs;
- (2) second class boroughs;
- (3) third class boroughs;
- (4) first class cities;
- (5) second class cities [];
- (6) third class cities.

Section 3. AS 29.08.040 is amended to read:

(g) A third class city may reclassify as a first or second class city, in the manner provided for incorporation by Chapter 18 of this Title except that the petition need not address the issue of boundaries.

Section 4. AS 29.78.010. is amended to read:

Sec. 29.78.010. In this title, unless otherwise provided, or the context otherwise requires.

- (1) "borough" means a general law first or second class organized borough;
- (2) "city" means a general law first, [or] second or third class city;
- (3) ...
- (8) "municipality" means a general law municipal corporation and

political subdivision, which is a first or second class borough or city, or a third class borough or city, incorporated under the laws of the state;

(9) ...

Section 5. AS 29.08.050 is amended by adding a new section to read:

AS 29.08.050(d) on July 1, 1977, the current classification of existing home rule cities, first class cities and second class cities having 250 or more permanent residents is not affected by this act. Second class cities having less than 250 permanent residents are subject to reclassification under the provisions of (e) of this section. The city council shall certify by resolution the number of permanent residents within the city. Upon failure to certify, or if the certification reports a permanent resident population less than 250, the Local Boundary Commission shall hold a public hearing and make a determination as to classification as provided in (e) of this section.

(e) The Local Boundary Commisison shall, within two years of July 1, 1977, hold a public hearing in each city which was second class before that date and whose population is under 250 permanent residents. The commission shall determine in each case whether the city should be classified as second or third class under the new classification. The commission's decision must be published at least once. Unless objections are filed with the Local Boundary Commission by at least five percent of the permanent residents of the city within 60 days, the classification recommended by the commission becomes effective on the 61st day. If objections are filed by at least five per cent of the permanent residents of the city, the commission shall submit its recommendation to the legislature in the manner provided for submission of boundary changes in § 12, art. X of the state constitution.

PLEASE NOTE: THE PRECEDING PAGES WERE TREATED
AS A UNIT IN THE ORIGINAL DOCUMENT.

April 12, 1980

TO: Members of Alaska Local Boundary Commission
with copies to Members of Alaska State Legislature, Governor, Lt. Governor, and
Commissioner of Local and Regional Affairs
FROM: Miss Patricia Oakes, resident, Central, Alaska 99730

File local Gov. Study

I am writing to bring to your attention some of the methodology of the Yukon Flats borough study and the treatment of the residents of the Central/Circle Springs area by the study teams. Other residents of the Yukon Flats may also have received the same sort of treatment.

Since the Darbyshire and Associates study began, this area has not had one scheduled meeting with the Darbyshire team. The researchers have sent word twice during the winter (1979) that they would arrive on certain dates and then have either proposed coming ahead of schedule, providing no advance notice of the change to the people of the area, or have cancelled out "until later" and then again come ahead of their re-scheduled dates. Since these were times when planes were flying and others were well able to get in and out of the community, it appears to be a deliberate attempt to avoid the full community participation which occurred when Pat Poland held a scheduled meeting on schedule here, at our request for general borough information, in January, 1979.

We are vitally interested in the facts of borough government, and, as Americans and Alaskans, it is our right to have these meetings held with reasonable notice and at a reasonable hour at which residents can attend.

To illustrate how this lack of consideration has affected the Central area, as well as the Livengood area, Mr. Darbyshire and a member of the Community and Regional Affairs staff were here in August, 1979. A casual message was sent to Central from Circle City on August 4 that the team would be in Central the evening of August 6, no time nor place designated. Mr. Darbyshire and a never-introduced member of the Community and Regional Affairs staff did not turn up then nor send word to cancel the meeting, but did arrive the morning of Tuesday, August 7, wanting to hold a noontime meeting. Mr. Darbyshire admitted he had sent the message through Circle City about the meeting Monday night and then told us he was due in Livengood at the same time and had to cancel out because the plane couldn't get through. How he planned to hold meetings in both places at the same time, he didn't explain. Nor did he explain why he was flying around when rental cars are available and Livengood is just over an hour's drive from Fairbanks and Central is a mere three hours' drive.

To expect the people of this area to meet at midday and without notice is unreasonable and inexcusable. Permanent residents are busy earning a living at that time of year. Some are scattered out in the hills mining 30 or more miles away. Others are engaged in business activities which simply cannot be dropped due to the whim, lack of courtesy, and capricious attitude of these researchers. Yet without having actually held a single scheduled meeting here at which residents had a chance to attend, express their feelings, and correct factual errors in the draft reports, I have no doubt Darbyshire and Associates have collected State monies for their travels in this area and have turned in reports on their "meetings" with the citizens.

I feel you should be aware that at least this community, and perhaps others, has not only been deprived of its opportunity to gain information from the study team, but also has been deprived of their rights to express their views on borough government due to the lack of consideration of the study team in giving adequate notice of meetings and in holding meetings when scheduled. As tax-payers whose taxes fund such studies, we are being short-changed.

One of the reasons local residents were particularly anxious to have a scheduled meeting with Darbyshire and Associates was that in studying the limited number of draft copies of the three preliminary reports available to us, we found factual errors concerning

this area, partly because the research team used the US Forest Service study and the Fairbanks Town and Village study, neither of which included Central by more than hearsay, and because they failed to seek accurate primary information themselves. Mr. Darbyshire was not willing to stay for or return for a scheduled meeting, publicized in the area, in which these matters would be corrected. He stated that he had an August 15 deadline on the publication of the study and intended to meet it, as his reputation was at stake. Needless to say, to those who were able to get together to protest the unannounced and unpublicized meeting August 7, his reputation for accuracy is now very much at stake.

When I was in Juneau in December, 1978, I talked by phone to Community and Regional Affairs concerning a long-standing request of people in this area that a CRA representative come to the area to discuss borough government with us. At that time, I was told about the forthcoming study team and was told quite clearly that there would be 30 days written notice for all community meetings. This has certainly not been true. In fact, quite the opposite. Such unscheduled and unpublicized meetings seem a deliberate effort to keep the people from making their views known.

The first word we had on the Yukon Flats study's meeting with people from this area at Fort Yukon in January, 1979, was when Mr. Pat Poland came here at our request. Because we had received no word of the study-committee meeting, Mr. Poland offered to take our representative over on his charter. We quickly elected a representative for that particular meeting, a willing, but temporary resident who could attend. Others could not attend at such short notice because temperatures were cold--and housesitters are not to be found on 12-hours notice. We understand that the Livengood residents were not even informed of that meeting, so had no opportunity for representation.

Having traveled in the bush in State service, I know it is possible to meet a schedule and to show respect for the interested citizens in the bush. As a longtime bush resident, I know also how discouraging it is for bush residents to have government people coming in, holding unpublicized and unscheduled meetings at which it is often impossible to get the involved people notified and gathered to express their opinions--and then have these "traveling experts" report that they have met with the people. The number of agencies who manage these unscheduled or short-notice meetings is frightening, for it represents use of a technique which comes mighty close to government ~~by~~ secret sessions!

That the people of the Circle Mining District may feel themselves a separate unit from the proposed Yukon Flats borough, that they may have different cultural, social and economic needs, that they may have different feelings about the layers of local government services they wish are issues that have been ignored and overlooked by the Yukon Flats Regional Government study. The success of organizing the "unorganized borough" into organized units cannot be predicted by someone looking at a map in the state capital nor by legislative mandating of borough government; it depends upon the expressed needs and wishes of the people in the area involved. Many people would not live in the bush or remain there if they wanted the complexities of lifestyle and urban organization. This feeling and lifestyle deserves as much respect as does the lifestyle of the larger majority of population in urban areas.

Thank you for taking the time to consider these points of view.

Patricia Carter

Samuel J. George
City Administrator
City of Akiachak
Akiachak, Alaska
99551

Governor Jay Hammond
Pouch A
Juneau, Alaska 99811

May 6, 1980

Dear Governor Jay Hammond;

On behalf of the Municipality of Akiachak, and our constituents residing in the Akiachak Native Community, I would like to ask for your support on the appropriation through House Bill 60 the 140,000.00 dollars for Community Improvement Project; the 200,000.00 dollars for the Electrification Innovation Project; and, the 1.4 million dollars for the Bethel Based Kuskokwim Dredging Project.

The 140,000.00 community improvement project will enable the City of Akiachak to take drastic measures of up grading the living conditions of the community. The community improvement monies will be used to install watering points, and establishing sewage disposal areas to up grade the health standards. Another use for the monies will be to hook up the Lower Kuskokwim School District(LKSD) High School to our village safe water facility which will have positive impact on the State's economy. The municipality with this project will develop an economic base to be more self sufficient. The primary purpose of this project will be to eliminate the unsafe sanitary conditions caused by enadequate sewage disposal areas and water quality. This project will involve Land Use and Economic Development Planning within the community to establish an economic base before oil development takes place. Our project will not create any financial burden to the State of Alaska due to the intend use of the mony in the future. The State revenues from this appropriation will aide the Municipality of Akiachak to better serve the public by providing a safer enviroment to live in. The result of this project will be important to conserve energy within the community. The BIA School and the High School will save more fossil fuel from this project. Our effort on this project will be for the good of the public in Alaska who need cleaner and healthier enviroment. This project of providing safe sewer and water service will be in operation as soon as the Appropriation Bill passes. The completion of this project will not be effected by the length of the project to be completed. Another project deals with innovation of the Electrical System.

The intend use of the 200,000.00 dollars will be to innovate the electrical system of the community. This project will have a positive impact on the State's economy. More tax revenues would be created by this project. The local economy will be developed by the increase sale of electricity. Only the State Revenues will be used in this project establishing job opportunities during the construction phase. The purpose of this project is to help conserve consumption of energy by the BIA School and the High School. Our intend will be to help decrease the operating cost of the public schools by eliminating the wasteful use of energy to operate their

own electrical generators. This project will cut energy consumption of the community to a degree to save more revenues. The result of this project will not create any expense for the operation of the State Government. The out come of this project will be a establishment of the economic base for the community. Once the project have been executed, the electrical system will be self sufficient. The most important aspect of this project will be to help conserve energy. The innovation of the electrical system will help cut the use of fossil fuel by the BIA School and the LKSD High School. The decrease of energy consumption by the public schools will be the most positive impact of this project. Another positive impact of this project will be the involvement of the Akiachak Native Community on the national Energy Conservation effort. This project will be executed soon as the monies have been received early this summer. No negative impact will be create , If the project takes more than one year to complete. Another concern of the constituents was the preservation of the main Kuskokwim Channel.

The 1.4 million dollar appropriation for the Bethel Kuskokwim Deedging Project will be the solution to the preservation of the main Kuskokwim Channel. The economy of the Southwestern Native Villages depend on the Kuskokwim River Fisheries. The fisherman of the Kuskokwim will lose their only economic base once the main Kuskokwim Channel dries up within the Akiachak Native Community.

Your effort as the Governor of Alaska will help obtain these monies appropriated in House Bill 60. I hope your support will enable our dreams come true. Your support for our request will greatly be appreciated for many years to come.

Best Regards,

Samuel J. George
Samuel J. George
City Administrator

cc/Senator John Sackett
Clem Tillion
George Hohman
Arliss Sturgulewski ✓

Representative Rush Meacons
Phillip Guy
Vernon Hurlbert
Bill Parker

January 4, 1980

Mr. Thomas F. Klinkner
Law Offices of Richard W.
Garnett III
900 West 5th Avenue, Suite 540
Anchorage, Alaska 99501

Dear Tom:

Thank you very much for your comments regarding the Local Government Study. Our final report is due out very soon and I will see that you are added to this mailing list. Overall, I am pleased with the results of this study. Although the proposals may seem modest, they seem to follow well the constitutional directions set for local governments and certainly can bring some cohesiveness and coordination to the delivery of services to rural Alaska. Your indepth comments and support can certainly help in seeing that this needed legislation is adopted by this session of the Legislature.

Your voice adds to a growing chorus speaking to the need for thorough technical revision of Title 29 of the Alaskan Statutes. When a certain number of amendments have been made to the Statutes, a recommendation is made for a revision of the Title. This is the case, as I understand it, with Title 29 and the recommendation is being made that Title 29 be the next title to be revised. I have had preliminary discussions with Representative Bill Parker regarding this and with several other interested parties, such as the Alaska Municipal League. One possible approach might be the establishment of a short-term committee composed of chairs of the Senate and House Community and Regional Affairs, Mr. Jack Chenoweth, from the Legislative Legal Department, other attorneys who are familiar with working on the Statutes, and other interested persons. I would see this as a working group that would produce revisions to Title 29 for introduction to the next Legislature. It seems to me there needs to be a careful delineation of the so-called house-keeping aspects and other issues that may be of major policy impact. For example, issues dealing with service areas, annexation procedures, etc., may take some special review and consideration.

Mr. Thomas F. Klinkner

-2-

January 4, 1980

I will discuss this matter further with Mrs. Ginny Chitwood, Alaska Municipal League, and with Representative Bill Parker as to possible ~~methods~~ for best proceeding with the revision of Title 29. I am sending copies of this letter to a number of people in hopes that both you, Tom, and the ones receiving copies will send me their thoughts and comments as to how best to proceed. It would be very helpful to have some input as to the number of policy issues, in addition to overall revisions that may well need to be addressed. Again, thank you for your interest and I will look forward to hearing from you further on this.

Sincerely,

Artiss Sturgulewski
Senator, District 10-h

cc: Mr. Lee Sharp
Juneau City Attorney
Mr. Bruce Aronson
Petersburg City Manager
Mrs. Ginny Chitwood, Ex. Dir.
Alaska Municipal League
Mr. Alan Tesche
Mat-Su Borough Attorney
Mr. Jim Nordale
North Star Borough
The Honorable Bill Parker
House of Representatives
Mr. Jim Nordale
North Star Borough



Official Business

Alaska State Legislature

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

Co-Chairmen
Senator Arliss Sturgulewski
Representative Bill Parker

Subj
Address all
correspondence to:

LOCAL GOVERNMENT STUDY

Pouch V
State Capitol
Juneau, Alaska 99811

November 29, 1979

Mr. Bruce Aronson
City Manager
City of Petersburg
P.O. Box 329
Petersburg, Alaska 99833

Dear Bruce:

I have not forgotten your interest in the Local Government Study. It was the wish of the Co-Chairman of the Committee, Representative Bill Parker, that we go through the process of the public hearings before making firm decisions of what the legislative approach would be. Now that the public hearings are completed, with one exception - that being Delta Junction, who has asked us to come to their area for a public hearing - we have in fact determined the legislative approach which we will consider.

As soon as we have the concept prepared, we will see that you and others are copied with information. Once the Session is under way, public hearings will be set so that there will be opportunities for comment.

As I indicated at the Sitka meeting, it is no longer my intention, and I believe that of Representative Parker, to pursue the idea of "un-organized boroughs within the larger organized borough assemblies" approach. It seems to me that the testimony we received, including letters such as yours, plus further reflection and study, indicate that we would be institutionalizing a costly intermediate area of government that would truly be a half approach.

I have every intention of working closely with the Alaska Municipal League to address legislative concerns of the Municipal League, as well as responding to specific concerns brought to the attention of the Committee. I know that you have felt more attention should have been paid this Session to the organized governments, and yet the survey done by the Municipal League at the end of the last Session, did not indicate major areas of concern being evident by organized governments. The great bulk of legislative proposals received last Session had been in the area of rural and "unorganized" areas of the State. Therefore, it seems to me logical that our major thrust was in that area. I really do

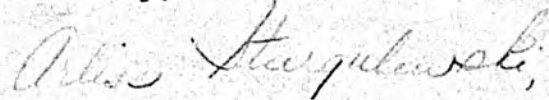
Mr. Bruce Aronson

-2-

November 29, 1979

appreciate your interest and offer of assistance and I look forward to hearing from you as we consider items affecting local government during this next session.

Sincerely,



Senator Arliss Sturgulewski 14
Co-Chairman

AS:th



Official Business

Alaska State Legislature

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

Co-Chairmen
Senator Arliss Sturgulewski
Representative Bill Parker

Subj.
Address all
correspondence to:

LOCAL GOVERNMENT STUDY

Pouch V
State Capitol
Juneau, Alaska 99811

November 29, 1979

Ms. Irene M. Adams
Office Manager
The Northern Institute
650 West International Airport
Road
Anchorage, Alaska 99502

Dear Irene:

As I promised you, I am sending a complete copy of the material received from Mr. Milt Barker, Fiscal Analyst for the Legislative Finance Division, relating to financial disincentive to borough formation.

As you know from my presentation, I am intensely interested in the outcome of the discussion on a revised foundation program for school support. The "in-lieu" funds presently included create a major disincentive to formation of regional governments and although it presents a difficult equity, I am very pleased that the Committee working on the revised foundation plan, seems willing to address the issue.

I will look forward to further communication with the Committee.

Sincerely,

Arliss Sturgulewski
Senator

Enclosure

November 29, 1979

Mr. James Edwards
McCarthy
Via Glenallen, Alaska 99588

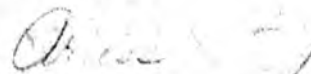
Dear Mr. Edwards:

I understand that you called the Legislative Information Office requesting information about the unorganized boroughs and that the Anchorage Office mailed you certain information from the Constitution and Statutes pertaining to the subject. It seems to me that you will find of interest the study being conducted by the Joint Senate and House Community and Regional Affairs Committee of the Legislature.

Enclosed please find the first report submitted by the Joint Committee. This material was prepared prior to the Committee's traveling to the various parts of the State, conducting public hearings on a number of the concepts that are set forth in the report. As a result of the public hearings and the development of further information, we will be recommending specific legislation to the upcoming session of the Legislature.

If you have further specific questions regarding the progress of this study, I would be very happy to hear further from you.

Sincerely,



Arliss Sturgulewski
Co-Chairman

Enclosure

ALASKA STATE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

Pouch Y - State Capitol
Juneau, Alaska 99811

REGIONAL INFORMATION OFFICE

1024 West 6th Avenue
Anchorage, Alaska
99501
(907) 278-3668

November 2, 1979

Dear Arliss:

James Edwards of McCarthy called wanting information about the unorganized boroughs, and I have mailed him those portions of the Constitution and the statutes pertaining to the subject. He was under the impression that all boroughs were mandated to become first class boroughs and was inquiring about the time frame.

He was going to call you but you were out of town on a hearing.

He has no phone. Mail can be sent to him at McCarthy via Glenallen, 99588. Perhaps if you have any extra copies of your Local Government study, you might send him one.

Carol

↑ send

LAA 11
(1-26-79 M)

November 15, 1979

Mr. Sidney Martin, Chairman
Committee on Community Affairs
Florida House of Representatives
316 House Office Building
Tallahassee, Florida 32304

Dear Mr. Martin:

I have been asked to respond to your inquiry regarding approaches used in Alaska in establishing salaries for county officials.

There are no counties in Alaska. The regional form of local government in this state is the borough. The state has no jurisdiction in setting salaries or even establishing guidelines for salaries of borough officials. The great differences in living cost throughout the state would make any standardized salary structure inequitable.

I contacted the Alaska Municipal League to find out what information it may have on this subject. An AML staff member said that the latest salary study they had was out-of-date and that they may conduct an update in the near future.

I hope this response has been of some assistance to you. If you have any further questions please do not hesitate to contact me.

Sincerely,

Doug Griffin
Local Government Specialist

DG:jh

✓cc: Marge Gorsuch, Local Government Study Committee



FLORIDA HOUSE OF REPRESENTATIVES

Tallahassee

J. HYATT BROWN, Speaker / RICHARD S. HODES, Speaker Pro Tempore

COMMITTEE ON COMMUNITY AFFAIRS

Sidney Martin
Chairman

November 5, 1979

Harold J. Dyer
Vice Chairman

Honorable Terry Gardiner
Speaker, House of Representatives
State Capitol
Juneau, AK 99811

Dear Speaker Gardiner:

Early last month I wrote one of the committees regarding a project we have undertaken which we believe to be the first of its kind. We are compiling information nationwide on the various approaches used by the states in establishing salaries for county officials, i.e., sheriff, property appraiser, tax collector, clerk of the circuit court, and supervisor of elections.

Every contribution to this study is important. The final report, which will be finished by late November or early December, will be incomplete without information from Alaska. Data on each state will be shown and identified with the state of its origin.

Yours is one of only six states from which we have not received a response. If there is someone in particular to whom this request should be addressed, would you please pass along this letter to that individual?

If our letters cross in the mail, let me thank your Legislature for its part in making possible the successful completion of this project.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sid", is written above the printed name.

Sidney Martin
Chairman

SM/Aju

William R. Kynoch, Staff Director

316 House Office Building, Tallahassee, Florida 32304 (904) 488-1791

Gene

Rural Alaska Community Action Program, Inc.

October 26, 1979

Senator Arlis Sturgulewski
2957 Sheldon Jackson Street
Anchorage, Alaska 99504

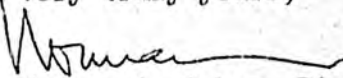
Dear Senator Sturgulewski:

This letter is to confirm our conversation of October 24, 1979, regarding your acceptance to participate as a speaker at the AFN, ANF, ALSC and RurAL CAP sponsored meeting entitled: Who Controls the Coast: Outer Continental Shelf, Coastal Zone Management and the Unorganized Borough. The meeting will be held in the Alaska Room of the Anchorage Westward Hilton on November 19th and 20th, at 9:00 AM.

You and Bill Parker will be addressing the topic of the "Local Government Committee". This is to take place on the 19th at 4:00 P.M. Under this topic we would like for you and Bill to discuss the activities of your committee and how they may effect the coastal resource service areas. Specifically, whether some provision could be made for coastal planning power short of the creation of a borough. We would expect that this session would generate many questions about the committee's work.

I have enclosed a tentative agenda along with a copy of the general invitation. If you have any questions or concerns, please contact me at RurAL CAP at 279-2511. I will be in touch with more information as it becomes available.

Very truly yours,


Norman A. Cohen, Director
Subsistence and Natural Resources Program

NC:lw
Att.

Rural Alaska Community Action Program, Inc.

October 26, 1979

TO:

The Alaska Federation of Natives, Alaska Native Foundation, Alaska Legal Services Corporation and the Rural Alaska Community Action Program, Inc. are sponsoring a two-day meeting entitled: "Who Controls the Coast: Outer Continental Shelf, Coastal Zone Management and the Unorganized Borough". This meeting is to be held in the Alaska Room of the Anchorage Westward Hilton from 9:00 AM until 5:00 PM both days. John Schaeffer will chair the sessions.

In 1977, the Alaska Native Foundation sponsored a conference, "The Management for Change", in which all of the issues concerning developing of the Outer Continental Shelf were discussed. Since that time, the Beaufort Sea lease sale is nearing a reality, the North Slope Borough has formulated its coastal management ordinances and nine other lease sales are being scheduled along our coast through 1985. In only two areas, the NANA and Calista Regions, have coastal resource areas been formed. No regions other than the North Slope have developed a strategy to deal with this impending development. However, the time has come for action to be taken. Participation by all the regions affected by OCS and State of Alaska oil and gas leasing is important if there is going to be any local control over these activities.

Attached is a tentative agenda for the meeting. Final arrangements will be made at the AFN Convention. We hope that your organization will be able to attend. Contact Norman Cohen at Rural CAP, 279-2511, if you are interested or if you have any questions.

WHO CONTROLS THE COAST:
OUTER CONTINENTAL SHELF
COASTAL ZONE MANAGEMENT & THE UNORGANIZED BOROUGH

November 19-20, 1979
Anchorage Westward Hilton--Alaska Room

TENTATIVE AGENDA

Monday, November 19, 1979

9:00 AM	Introduction
9:15 AM	The Yakutat Experience
9:45 AM	The Shetland Island Experience
10:00 AM	Break
10:15 AM	The North Slope Experience The North Slope Borough's Coastal Management Program
11:15 AM	The Coastal Zone Management Acts--State and Federal
12:00 N	Lunch
1:00 PM	How to Form a Coastal Resource District in the Unorganized Borough
1:45 PM	Writing a Coastal Resource Plan
3:00 PM	Break
3:15 PM	Oil and Gas Transportation Systems: Marine and Land Corridors
4:00 PM	Local Government Committee
5:00 PM	Adjournment

Tuesday, November 20, 1979

9:00 AM	Outer Continental Shelf Leasing Act
9:30 AM	State of Alaska Leasing Law
10:00 AM	The Leasing Schedule Chronology
10:30 AM	Break
10:45 AM	How to Review an Environmental Impact Statement
12:00 N	Lunch
1:00 PM	Available Resources for Reviewing Environmental Impact Statement
1:30 PM	How to Deal With the Oil Companies
2:00 PM	Strategies for Action on the State Level
3:00 PM	Break
3:15 PM	Strategies for Action on the Federal Level
4:00 PM	Regional Caucuses
5:00 PM	Adjournment

AVCP

Association of Village Council Presidents
P.O. Box 219 • Bethel, Alaska 99559 • Phone 543-3521

Local Gov. Study

*copy - Bill
Margie
Gene*

September 20, 1979

Senator Arliss Sturgulewski
2957 Sheldon Jackson St.
Anchorage, Alaska 99504

Dear Senator Sturgulewski:

This letter is to reconfirm our telephone conversation of September 14, 1979 concerning your presence at the AVCP Convention October 29, 30 & 31, 1979. The primary topics we would like for you to address are; the study you have done on the Unorganized Borough, and our (AVCP) desire to see the formation of a Sub-State Planning District.

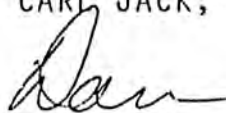
As you can see from the enclosed agenda, we're allotted approximately one hour's time to the above subject. Since we try to get through a lot of separate topics in three days, we are asking all the guests that will address the convention keep to the key topics.

For your information the theme of this year's convention is "The Past, Our Heritage; The Future, Our Children."

Thanks again.

Sincerely,

CARL JACK, PRESIDENT



Dan Boyette
Planner

Enclosure

DB:rs

cc: Carl Jack, President

Association of Village Council Presidents
P.O. Box 219 • Bethel, Alaska 99559 • Phone 543-3521

AVCP CONVENTION AGENDA

October 29, 1979

- 9:00 a.m. Registration
- 10:00 Call to Order - Edward Hoffman, Sr., Chairman
- 10:05 Invocation
- 10:15 Opening Remarks - Edward Hoffman, Sr.
- 10:30 Welcome Address - Mayor Don Elliott
- 10:45 Convention Committee Appointments:
Credentials/Resolutions/Nominations/Other
Committees
- 11:00 President's Report - Carl Jack
- 11:30 First Reading - By-Law Changes
- 12:00 NOON-LUNCH
- 1:15 p.m. Reconvene
- 1:30 Keynote Speaker - Mr. Willie Hensley
- 2:00 Agency Reports Introductions
- 2:05 AVCP Program Report - Dan Laughlin, Vice President
- 3:05 Yupiktak Bista Manpower - John Angaiak, Director
- 4:00 Film of Maggie Lind
- 4:15 AVCP Housing Authority - Marlin Knight, Director
- 5:00 - DINNER
- 7:00 Reconvene at the KVNA Building
- 7:05 Yukon Kuskokwim Health Corporation - Mary Pavil, Director
- 8:05 Nunam Kitlutsisti - Harold Sparck, Director
- 9:00 RECESS

PAGE 2

AVCP CONVENTION AGENDA

October 30, 1979

9:00 a.m. Call to Order - Chairman

9:05 Credentials Committee Report

Nominations Committee Report

9:30 D-2 Update - Panel

Don Mitchell - John Katz - Morris Thompson - John Shively

10:30 Kuskokwim Community College - George Irvin, President

11:00 Calista Panel - Oscar Kawagley, President

12:00 NOON-LUNCH

1:15 p.m. Reconvene

1:30 Energy Panel - Tunis Wentink, U. OF A.; Dee Lane, Rural CAP;
Clarissa Quinlan, State of Alaska, Division
of Energy & Power Develop.

2:30 Sub-State Planning Districts - Senator Arliss Sturgulewski,
(Un-organized Borough Study) Representative Bill Parker

3:30 Eskimo Dancers

4:00 Fish & Wildlife Report - Chuck Hunt, Charles Strickland

5:00 DINNER

7:00 Reconvene if Necessary

9:00 RECESS

PAGE 3

AVCP CONVENTION AGENDA

October 31, 1979

- 9:00 a.m. Call to Order - Chairman
- 9:05 Credentials Committee Report
- 9:30 Nominations Committee Report
- 10:00 Appointments:
 - A) AVCP Housing Authority Board
 - B) Nunam Kitlutsisti Board
- 10:30 Awards:
 - A) Employee of the Year
 - B) Health Aide of the Year
- 11:00 Resolutions
- 1:00 p.m. Action of By-Law Changes
- 1:30 Closing Remarks
- 2:00 ADJOURNMENT

Copper River School District



Superintendent's Office
Box 108
Glennallen, Alaska 99588
(907) 822-3234

November 21, 1979

Local Government Study Committee
Pouch V
Juneau, Alaska 99811

Dear Sir:

It would be appreciated if you would forward this office copies of any brochures, pamphlets, etc. pertaining to the local government study.

We would also like to be provided with the results of this study when it is published.

Thank you for this service.

Sincerely,

P. A. McIlroy
P.A. McIlroy
Secretary



Matanuska-Susitna Borough

BOX B, PALMER, ALASKA 99645 • PHONE 745-3246

DEPARTMENT OF ADMINISTRATION

November 1, 1979

Local Government Study
Committee
Pouch V
Juneau, Alaska 99811

Gentlemen:

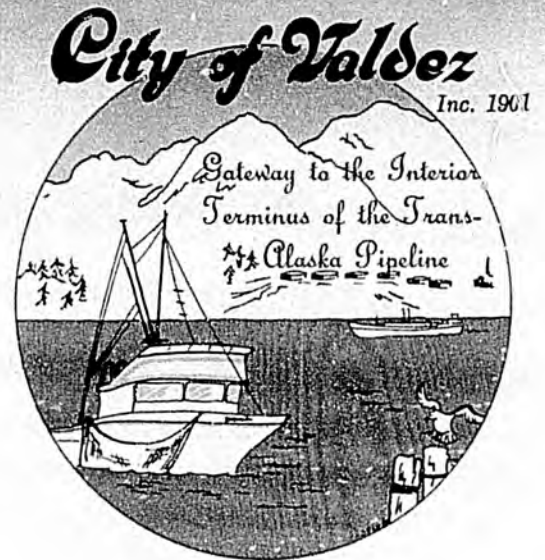
Please forward to the attention of the undersigned six copies of
Local Government Study--1979. Thank you.

Sincerely,

Norman J. Levesque
Norman J. Levesque
Borough Manager

er

*Sent 6 copies
11/5/79*



OFFICE OF ADMINISTRATION
October 29, 1979

Alaska State Legislative
Community & Regional Committee
Local Government Study
Pouch V
State Capitol
Juneau, AK 99811

Gentlemen:

On October 19, 1979 our mayor received a letter from the Community and Regional Affairs Committee on the subject of creation of regional governmental units in unorganized boroughs.

This letter advised us of a meeting which was to take place in Glennallen to discuss proposed legislation concerning the creation of these government units.

We would appreciate being kept advised by sending us copies of all proposed legislation and pertinent information on this subject.

Thanks for your cooperation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mark Lewis".

Mark Lewis
City Manager

TG/js



Official Business

Alaska State Legislature

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

Co-Chairmen
Senator Arliss Sturgulewski
Representative Bill Parker

Address all
correspondence to:

LOCAL GOVERNMENT STUDY

Pouch V
State Capitol
Juneau, Alaska 99811

October 12, 1979

RECEIVED

OCT 19 1979

City of Anchorage, Alaska

L.F. "Mac" MacDonald, Mayor
P.O. Box 307
Valdez, Alaska 99686

Dear Mac:

The Local Government Study Committee will be holding a public hearing in Glennallen, Saturday, October 27, 1979 on the subject of creation of regional governmental units in the unorganized borough. The hearing will be held at 2:00 p.m. in the Glennallen High School Gymnasium.

The Committee will be discussing proposed legislation which would:

1. Divide the single unorganized borough into unorganized boroughs generally following Regional Educational Attendance Area boundaries, or combinations of two or more REAAs, but not extending beyond the boundaries of more than one Native regional corporation established under the Alaska Native Claims Settlement Act;
2. Authorize the election of not more than eleven (11) member unorganized borough assemblies, defining the powers and duties of these assemblies; review, comment and recommendations in a clearinghouse approach to proposed State projects and services under the State's fiscal procedures and facilities procurement act;
3. Authorize assemblies of unorganized boroughs to initiate a process by which a charter for a home rule borough may be prepared;
4. Name the Department of Community and Regional Affairs as the State agency responsible for lending assistance to unorganized borough assemblies;
5. Retain intact the powers and responsibilities of existing REAA school boards for management of school functions, of coastal service area boards in the preparation of plans for the resources of the State's coastal zone, and of existing cities of the unorganized borough.

We are eager to receive your comments on this proposal and hope that you will be able to attend the public hearing.

Sincerely,

Arliss Sturgulewski

Senator Arliss Sturgulewski
Co-Chairman

Bill Parker

Representative Bill Parker
Co-Chairman

5-
came into -
please get copy
of proposal
legislation
m

August 13, 1979

Mr. John E. Havelock
Director
Criminal Justice Center
University of Alaska
3211 Providence Avenue
Anchorage, Alaska 99504

Dear John:

Thank you very much for your comments regarding the Local Government Symposium. Both Representative Bill Parker and I were pleased over the strong consensus points that seem to emerge from this meeting. As soon as we complete a report on the Symposium, we will certainly see that you are copied.

Your point is very well taken regarding the depth of analytical work needed to carry out some of the general consensus areas. It is hoped that we can develop a broad plan of where we must go and then begin to take those steps that will lend to specific solutions. I can certainly see in the area of foundation approach, whether for criminal justice in its broadest aspects or in the area of health, that we are going to need some very specific task force approaches developed.

Please be assured that the capabilities of your organization will be kept in mind as we move forward with this study. Your participation was one of the highlights in the weekend program, and we are really happy that you were on hand to share with us the wealth of background information which you possess.

Sincerely,

Arliss Sturgulewski
Senator, District 10-H



UNIVERSITY OF ALASKA
CRIMINAL JUSTICE CENTER
3211 PROVIDENCE AVENUE
ANCHORAGE, ALASKA 99504

August 6, 1979

Honorable Arliss Sturgulewski
State Capitol
Pouch V
Juneau, Alaska 99811

Re: Local Self-Government Seminar

Dear Arliss:

Thank you for the invitation to the seminar. Though I did more than my share of complaining about the imposition on private time, I will have to admit that I was a net winner from the occasion in the extent to which my knowledge of some of these issues was improved upon.

I was particularly intrigued by the way a "foundation program" for public safety emerged without a whole lot of special interest prodding on my part.

You might keep in mind the rather extensive work and current involvement which we are in professionally at the Center on this and related topics.

I believe you have a copy of John Angell's comprehensive germinal study of Alaska bush justice. Roger Endell has been working with Russ Meekins' special committee and with the administration on their bush justice corrections facilities planning committees. Steve Conn has been directing a project in which we are all involved on control of alcohol distribution. A report on this topic which will feature local control issues will be out in the fall. Steve has been involved from the beginning in the study of adaptations of traditional problem and dispute resolution techniques. We have also been involved in field para-legal and governmental education projects in Barrow under the auspices of the Alaska Federation of Natives. These are only some of our more prominent activities in the delivery of justice services.

The variety serves, in part, as a reminder that the definition of public safety services is considerably broader than law enforcement, fire fighting and search and rescue. There is a penumbra of essential service activities, of which alcohol control and treatment management is but one cluster, which make up a fully stated public safety function.

Honorable Arliss Sturgulewski
August 6, 1979
Page 2

Dr. Angell has been working with Commissioner Nix and University of Michigan on a federal grant project on social justice training or retraining for police officers which also underlines this aspect of public safety services.

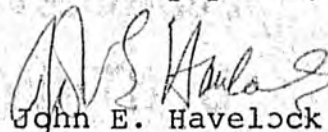
As you know from your experience with the City of Anchorage, there has never been any comprehensive rationale for the division of responsibility between municipal and state governmental entities for public safety functions. If a public safety foundation program is to be developed, that question, too, must receive careful study, and possible solution options formulated.

I realize that the interim committee has little or no money at the time being for the kind of analytical work and studies which the breadth of the topic suggests. However, it may be that some of these matters may emerge as major state issues because of the groundwork done by the committee. If that is the case, I hope that you will keep the Justice Center in mind as a resource cutting across institutional boundaries.

We all share your belief that issues of local control and governmental administration have a very high priority and have strong linkages with those topics, such as the source of funding for state services, which are usually identified as the top state priorities.

I hope these observations are of some use to you and encourage your continuing aggressive pursuit of local control over essential state services.

Sincerely yours,



John E. Havelock
Director
Criminal Justice Center

JEH:pb
cc: Representative Bill Parker