

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILES 86 / 2

348 SCOMM10: LOCAL GOVERNMENT STUDY 1979

Owners of personal property are personally liable for the amount of taxes levied against such property. Thus, unpaid personal property taxes, together with any penalty and interest charges, are collected by action brought by the borough against the owner.

Boroughs may also levy and collect up to a 3% sales tax on sales, rents and services, provided borough residents approve these taxes by referendum vote. Exemptions to this tax are permitted by ordinance. Boroughs levying a sales tax may also levy a use tax on the storage, use, or consumption of personal property within the borough. This tax must equal the sales tax rate and is to be levied only upon buyers.

Education: Each organized borough constitutes a school district and must establish, maintain, and operate a system of public schools on an areawide basis. This responsibility is supervised by an elected school board except that the assembly is the school board for 3rd class boroughs. A borough district with an average daily pupil membership of less than 5,000--as is the study area--is permitted a school board of five members.

The assembly, with the concurrence of the school board, may increase the school board to seven. The assembly, with the concurrence of the school board and electorate, could also pass an ordinance combining the school board and assembly into one body.

Each school board must organize and elect a president, clerk, and if necessary, a treasurer. The president presides at all meetings and has authority to vote on all matters before the board.

Among its many duties, the school board has the responsibility to:

- o provide an educational program for each school age child who is a resident of the district;
- o submit a proposed school budget to the borough assembly by April of each year;
- o establish design criteria for school buildings;
- o provide custodial services and routine maintenance for school buildings;
- o obtain a professional staff and negotiate conditions of employment.

It should be noted that when the assembly "approves" the school board's budget, it determines only the total amount of money to be made available for school purposes. By law, the assembly may not veto or challenge specific items in the school budget.

In practice, most school boards hire a school administrator or superintendent to manage the day-to-day activities of the district. As such, the administrator and his staff draft the district budget, process necessary paperwork, take

care of hiring, develop the school calendar, etc. In the end, however, each one of these duties is subject to the review and approval of the school board.

Planning, Platting, and Zoning: 1st and 2nd class boroughs only also have the additional responsibility to "provide for planning, platting, and zoning on an areawide basis." This authority, mandating the management of regional and community growth and development is to be accomplished by the assembly through the use of a borough planning commission. A planning commission for the study area would consist of five members. Each member of the commission would be appointed by the mayor and be subject to confirmation by the assembly. As a body, the planning commission would be responsible for preparing and recommending:

- o a comprehensive development plan for the systematic development of the borough. This plan is to be a compilation of policy statements, goals, standards and maps for guiding the physical, social and economic development--both private and public--of the borough. Generally, it would consist of--but is not limited to--a land use plan, a community facilities plan, a transportation plan and recommendations on how to make the plans a reality;
- o review the comprehensive development plan at least once every two years;

- o a zoning ordinance that will implement the land use element of the plan;
- o a subdivision ordinance which controls the division of property, property dedications (e.g., street right-of-ways) and vacations of land, and;
- o An official map of the borough.

The assembly is responsible for adopting the recommendations of the planning commission and has the authority to modify the plans and ordinances as they see fit. The planning commission, however, has the authority to:

- o Act as the platting board in the review and approval of all subdivisions, vacations and dedication of lands in the borough;
- o Act upon requests for variances to the borough's zoning ordinance;
- o Act upon requests for conditional uses as permitted in the borough's zoning ordinance.

It should be noted that the last session of the legislature amended AS 29.30.07(b)(2) so that the law now provides that if a city within a borough is located more than 25 miles from a boundary of the borough seat, the assembly may, by ordinance, "delegate other planning and zoning powers conferred by this chapter to a (the) city within the borough".

The intent of this specific law appears to be quite clear-- to allow certain cities the opportunity to exercise the planning and zoning power in lieu of the borough. When reviewed with the provisions of AS 29.33.010(b), however, the situation seems less than clear. AS 29.33.010(b) provides that: "No city, whether home rule or not, may exercise an areawide power conferred in, or assumed by, means of paragraphs 250-290 of this chapter once that power is being exercised by a borough". On the one hand, it would appear that the law explicitly prohibits the delegation of the mandatory planning and zoning authority. On the other, it seems to permit it.

Regardless of the outcome of this conflict, the practical affects on the study area would be limited. First, there is currently only one city--Ft. Yukon--that would be affected. Second, even if all communities in the area were incorporated and could legally be delegated the planning and zoning authority, none of them, including Ft. Yukon, have the tax base necessary to adequately support the exercise of the power.

It is not the purpose of this study to examine the reasoning that went into the legislature's decision to exempt 3rd class boroughs from the mandatory planning, platting, and zoning power. Rather, we are to point out the advantages and disadvantages of alternative borough government forms as

they might apply to the Yukon Flats study area. Under these circumstances, it must be noted that our examination of the mandatory powers of 1st, 2nd, and 3rd class boroughs shows significant shortcomings with respect to the applicability of a 3rd class borough to the study area.

An examination of the mandatory powers shows the biggest shortcoming of a 3rd class borough to be the lack of the mandatory planning and platting power. Every community in the study area is badly in need of several community facilities and services. The orderly and economic provision of such facilities and services is dependent upon sound advanced planning. Lacking the mandatory planning power a 3rd class borough would not be able to respond to this need.

The study area has and will continue to have several significant land use/development activities (haul road, oil pipeline, gas pipeline, etc.) occur within it. These activities have thus far proceeded with little, if any, local input or control. With the planning and, especially, zoning authority, the area would have a much stronger voice and/or control over such activities. Again, a 3rd class borough could not exercise such control.

When examining a host of other problems that characterize the area (e.g., subsistence, economic development, and land tenure, etc.) it becomes even more apparent that sound

planning and the authority to regulate land use will be required if a borough is to respond to the real needs of the study area. Thus, a 3rd class borough's lack of this authority weighs heavily against its consideration as a viable governmental form for the study area.

Remember too, without the planning, zoning, and platting authority, a 3rd class borough is, for all practical purposes, nothing more than a local school district. It has an elected assembly that serves as school board. It levies local property taxes to support its education program; and it is responsible for scheduling and constructing of its own school facilities.

The study area, of course, is already a school district--REAA 13--and so 3rd class borough status would change little in this regard. It likewise already has a locally elected school board governing its operations, so 3rd class status would not effectively change this circumstance. The REAA does not, however, levy any property taxes in support of its school program--all funds are obtained entirely from the state and federal governments. Nor is it totally responsible for its facilities construction program. It identifies school needs but the state has the responsibility to build new school facilities.

The advantages of incorporating as a 3rd class borough for educational purposes alone, then, would seem to be few.

Local control of the school program is already a fact. Increased funding could be obtained for school operations, but state and federal financial support of the school district appears to be more than adequate at this time (additional information on this subject will be presented in the "Local Revenue Sources" and "Borough Service Cost Estimates" reports to be released later in this study program).

Third class borough status would, of course, relieve the study area's dependency on the state for funding its educational program. This would require a local property tax be levied, however. New school construction could likewise be programmed as local residents desire rather than as state funding permits. Again, this would probably require a local property tax be levied to support such construction.

In sum, then, an evaluation of the mandatory powers of 1st, 2nd, and 3rd class boroughs shows the 3rd class borough to be far less desirable than 1st or 2nd class boroughs. It lacks the planning, zoning, and platting authority that is needed to give the area a handle on a host of problems that beset its residents. Further, the advantages a 3rd class borough might provide in the delivery of educational services are few and would also be gained if the area incorporated as a 1st or 2nd class borough.

ADDITIONAL AREAWIDE POWERS AND DUTIES

General law 1st and 2nd class boroughs also differ from 3rd class boroughs in the assumption of additional areawide powers. First and 2nd class boroughs have the authority to take on additional areawide powers beyond the three mandatory powers. Third class boroughs are prohibited from exercising any areawide powers beyond education.

The public facilities and services needs and desires of the study area go far beyond those of education (see Technical Report No. 2--"Data Reconnaissance"). If the area expects to provide these facilities and services, it will have to have the authority to provide such service. Since only 1st and 2nd class boroughs can do this, another significant shortcoming exists in the application of a 3rd class borough to the study area.

The assumption of additional areawide powers by 1st and 2nd class boroughs is accomplished in a few ways. First, an areawide election can be held on the question. If more than one power is proposed, each is to appear separately on the ballot. The vote on the question is tabulated in two separate classifications--votes cast in the home rule and 1st class cities of the borough, and votes cast in the remaining borough area. A majority of votes cast in each classification must be favorable for the power(s) to be assumed. In

the study area, there are presently no home rule or 1st class cities. Therefore, if Ft. Yukon were to transfer a power or powers to a borough, only a majority of the total vote cast would have to approve the assumption of additional powers.

Cities located within the borough can also transfer powers-- provided that all cities in the borough must transfer the power(s) to the borough. In the case of a 1st class borough, the assembly must pass an ordinance accepting the power before it can be assumed. Thus, if the study area were to become a 1st class borough, Ft. Yukon would transfer a power to the borough, the power would become an areawide power, if and when the assembly passed an ordinance accepting the power.

In 2nd class boroughs, the assembly must obtain the approval of voters residing in the area outside the cities as well as pass an ordinance accepting the power before the power can be assumed. If the study area were to become a 2nd class borough and Ft. Yukon transferred a power to the borough, the borough assembly would have to receive majority approval of all voters residing outside the city limits of Ft. Yukon and pass an ordinance accepting the power from Ft. Yukon before it would become an areawide power.

Carrying this to the extreme, if the City of Ft. Yukon would successfully transfer all of its powers to a new 1st or 2nd class borough, the city would no longer exist (AS 29.68.500(b)) and the borough would have the responsibility for meeting all community facilities and services.

BOROUGH POWERS AND DUTIES IN THE AREA OUTSIDE CITIES

(NONAREAWIDE POWERS)

First and 2nd class boroughs are also given the authority to exercise powers in the area of the borough outside cities (referred to as nonareawide powers). The residents of this area alone pay for the exercise of such powers. Third class boroughs are not given the authority to exercise nonareawide powers.

First class boroughs have legislative authority to exercise any general law power on a nonareawide basis. That means that by just passing an ordinance (law), the assembly (legislative body) can assume the responsibility for exercising a nonareawide power.

Second class boroughs, however, can only exercise the following nonareawide regulatory powers by legislative action:

- o the regulation of the sale, use or explosion of fireworks;

- o the licensing, impounding, and disposition of animals;
- o the licensing and operation of motor vehicles and operators;
- o the regulation of snow vehicles;
- o garbage and solid waste collection and disposal;
- o water pollution control.

All other nonareawide powers to be exercised by 2nd class boroughs must be approved at incorporation or added by holding an election on the question among voters who reside outside cities. In either case, 1st and 2nd class boroughs must first seek to have nonareawide powers transferred from any cities or propose joint borough/city exercise of the power before they can proceed to assume them.

It is this difference in the way existing 1st and 2nd class boroughs go about taking on areawide and nonareawide powers that differentiates the two types of boroughs. Generally, it is the purpose of this differentiation to give local residents an opportunity to decide how much direct voice they want in the operation of their borough government. If residents choose 1st class status, they have the opportunity to vote on the assumption of additional areawide responsibilities and leave the decision on the assumption of nonareawide responsibilities to their legislators. If they choose 2nd class status, they have the opportunity to vote on both the assumption of areawide and nonareawide powers.

In measuring the advantages/disadvantages of this difference, it appears small and depends greatly on one's perspective. If one has confidence in his local government and elected officials, a 1st class borough assembly's authority to independently respond to nonareawide needs can be most speedy and useful. If, on the other hand, one has a problem with such independent exercise of authority by his elected officials, then 2nd class status would be more acceptable.

The practical application of this difference in the study area shows even less significance. With Ft. Yukon as the only incorporated city, any nonareawide powers would apply to the entire borough but Ft. Yukon. Since Ft. Yukon contains nearly one-half the population of the proposed borough and requires most if not all of the service improvements the other communities require, it seems highly unlikely that any nonareawide powers would be exercised by a new borough.

MUNICIPAL FACILITIES, SERVICES, AND REGULATION

Remember, general law boroughs are restricted to the exercise of only those powers specifically permitted by law. Accordingly, the law allows 1st and 2nd class boroughs to exercise the powers necessary to provide the following public facilities and services on an areawide or nonareawide basis:

- o Streets and sidewalks
- o Sewers and sewage treatment facilities
- o Harbors, wharves, and other marine facilities
- o Watercourse and flood control facilities
- o Health services and hospital facilities
- o Cemeteries
- o Police protection and jail facilities
- o Cold storage plants
- o Telephone systems
- o Light, power, and heat
- o Water
- o Transportation systems
- o Community centers
- o Libraries
- o Recreation facilities
- o Airport and aviation facilities
- o Fire protection services and facilities
- o Parking and parking facilities
- o Housing and urban renewal, rehabilitation, and development
- o Preservation, maintenance, and protection of historic sites, buildings, and monuments
- o Consumer protection

First and 2nd class boroughs may also provide for the establishment, maintenance, and operation of a system of garbage and solid waste collection and disposal on an areawide

basis, or for districts or portions of it (AS 29.48.033).

They may also regulate the following on an areawide or

• nonareawide basis:

- o Licensing and operation of motor vehicles, including snow vehicles, and operators
- o Licensing of drivers of taxicabs, for-hire automobiles, motor buses, or other vehicles for the transportation of passengers or baggage
- o Vehicle parking and traffic
- o Transportation fares
- o Selling of goods
- o Abandoned property
- o Dangerous and disorderly conduct
- o Alcoholic beverages as provided by AS 04.15.070
- o Recreational devices as provided by AS 05.20.100
- o Control of insects and rodents
- o Offering for sale, exposure for sale, use or explosion of fireworks
- o Building, housing, and related codes
- o Condemnation and abatement of public nuisances and hazards
- o Garbage and solid waste collection and disposal
- o Other powers and functions affecting the general health, safety, well-being, and welfare of its inhabitants.

First and 2nd class boroughs, however, may exercise these powers only after they have been assumed in the manner provided by law. This means that the areawide exercise of these powers requires the affirmative vote of a majority of the residents located both inside home rule and 1st class cities and the remaining borough area, or the city(ies) would have to transfer the power to the borough.

The exercise of these powers on a nonareawide basis would be accomplished differently by 1st and 2nd class boroughs. A 1st class borough could take on the nonareawide exercise of any of these powers by the passage of an ordinance (law). A 2nd class borough could only take on such nonareawide powers (excepting those described earlier that could be taken on legislatively) by the affirmative vote of the people who reside outside of city(ies) limits.

Three other regulatory powers are treated differently under the law. These are:

- o licensing, impounding, and disposition of animals;
- o water pollution control;
- o air pollution control.

According to AS 29.48.035, the areawide exercise of these powers is an option of the borough and does not require the question be put to a vote as the acquisition of additional

powers normally requires. The same holds true of the animal/water pollution controls with respect to their exercise on a nonareawide basis.

GENERAL POWERS

Pursuant to the "General Powers" section of Alaska law (AS 29.48) all three types of general law boroughs have the authority to:

- o Establish and prescribe functions of municipal departments, offices or agencies;
- o Establish and prescribe salaries for elected and appointed municipal officers and employees;
- o Make investigations of the affairs of the borough and make inquiries into the conduct of a borough department;
- o Enter into agreements, including those for cooperative or joint administration of any functions or powers with a local government, with the State, or with the United States;
- o Require periodic and special reports from a borough department to be submitted through the municipal executive;
- o Sue and be sued;
- o Levy taxes and special assessments;
- o Enforce ordinances and prescribe penalties for violations;

- o Acquire, manage, control, use, and dispose of real and personal property for a purpose authorized under Title 29, Federal law, or other law, or in accordance with such law, and irrespective of whether or not the property is situated within or outside the municipal boundaries;
- o Acquire membership in organizations which promote legislation for the good of the borough;
- o Expend funds for community purposes for the good of the borough; and
- o Borrow money and issue evidences of indebtedness.

SERVICE AREAS

Realizing that it might be desirable for a borough to provide services (e.g., road maintenance, recreational facilities, etc.) on less than an areawide or nonareawide basis, the law provides for the creation of "service areas." According to the law (AS 29.63.090), "Service areas are to provide special services within a borough and may be established, operated, altered or abolished by the assembly." Residents of the service area alone pay for the provision of services in the area. This provision of law applies to all three general law boroughs--1st, 2nd, and 3rd class.

The exercise of powers within a service area is accomplished much the same as the exercise of nonareawide powers. In a 1st class borough, the assembly can legislatively exercise

any general law power within the service area. Within a 2nd and 3rd class borough, however, the exercise of power within a service area must be approved by a majority of qualified voters residing within the service area. The major difference to note is that while 3rd class boroughs are restricted from the exercise of nonareawide powers, they have the authority to provide for service areas.

There has been some suggestion that the applicability of the service area provisions of law to 3rd class boroughs may provide some way around prohibitions against the exercise of additional areawide powers by 3rd class boroughs. When reviewed against other provisions of law, this would not seem to be the case. AS 29.41.010(a) states clearly that: "Areawide exercise of powers other than education and tax assessment and collection is not authorized" 3rd class boroughs! This would seem to make it clear that any service area organized for the purpose of providing an areawide service beyond education and tax assessment would provide for the areawide exercise of power and, therefore, be in violation of the law.

Service areas do, however, appear to be a vehicle for the provision of nonareawide services in a 3rd class borough as neither constitutional nor other legal prohibitions seem to bar such. The practical application of this circumstance to the study area shows little significance. As was earlier

explained in the discussion on nonareawide powers, Ft. Yukon is the only incorporated city in the study area. Therefore, any nonareawide service area provision of services would apply to the entire borough but Ft. Yukon. Ft. Yukon contains nearly one-half the population of the proposed borough and requires most if not all of the same service improvements the other communities require. It seems highly unlikely, then, that such service areas would prove useful to a new borough.

A further evaluation of any advantages or disadvantages relating to service area provisions as they apply to the three different types of boroughs also reveals findings similar to those relating to differences in the assumption of nonareawide powers. That is, if one has confidence in his local government and elected officials, a 1st class borough assembly's authority to independently respond to the needs of a service area can be speedy and useful. If, on the other hand, one has a problem with such independent exercise of authority, then 2nd and 3rd class status might be more acceptable.

BOROUGH LEGISLATIVE AND EXECUTIVE ORGANIZATION

Borough Assembly: In addition to its responsibilities as the legislative power of the borough, the assembly is responsible for: its own apportionment within six months of every

federal decennial census, filling vacancies which occur on the assembly, serving as the board of adjustment on zoning matters for areas outside cities, serving as board of equalization for the purpose of hearing any appeal from determinations of the borough assessor, approving the school board's annual budget with no line item control and providing the local financial effort for the educational program.

Current statutes controlling the composition and apportionment of a borough assembly are reasonably flexible. AS 29.23.020 provides that: "The assembly shall be composed of the number of members and be apportioned in a manner set out in the incorporation petition approved by the voters or, if a borough is already incorporated, the assembly shall be composed and apportioned in a manner prescribed by charter or ordinance. Assembly composition and apportionment, including voting procedures based on the apportionment, may be prescribed in any manner consistent with the equal representation standards of the Constitution of the United States."

In meeting with the borough steering committee last January, we were advised that each community would like to have a resident sit on the assembly. Recognizing the U.S. Supreme Court's one man-one vote requirement would apply to the area, it seemed like the weighted vote system might be used to satisfy this local desire. Unfortunately, the recent

session of the legislature amended the assembly composition and apportionment provisions of state law (AS 29.13, 18, and 23) as follows:

- o The assembly of a newly incorporated borough is, after incorporation and until the adoption of an ordinance providing for a change in composition or apportionment, composed of the number of members and apportioned as set out in the incorporation petition approved by the voters. If a borough is already incorporated, the assembly shall be composed and apportioned in a manner that is consistent with AS 29.23.023 and prescribed by charter or ordinance;
- o An assembly may not provide for weighted voting;
- o The borough assembly shall provide for its composition and for the form of its representation. Not later than July 31, 1981, and thereafter within four months after the report of a federal decennial census, the assembly shall propose and submit to the voters at a regular election or special election called for the purpose, alternative forms of representation by which members are
 - elected at large by all qualified voters of the borough;
 - elected at large by all qualified voters of the borough, but required to live within an

- election district or zone established by the borough for election of assembly members with each district or zone being of substantially equal population; or
- elected by and from election districts or zones established by the borough for the election of borough assembly members.
- o A member of the assembly of a general law borough may not be elected or appointed by and from the council of a city in the borough;
- o The number of members of a borough assembly may not exceed 11;
- o The effective date of this new law is January 1, 1981.

As these provisions do not become law until January 1, 1981 it would be possible to pursue the weighted vote concept on a short- term basis. This seems rather shortsighted if the new borough is not expected to be incorporated until mid-1980. Accordingly, it is not suggested that course be pursued at this time.

Within the framework of the new body of law, it will not be possible to provide for assembly representation from each separate community. Further, the "at large" alternatives would certainly result in a concentration of power in Ft. Yukon which is not desired.

The best bet, then, would seem to appear to be the provision that permits assemblymen to be "elected by and from election districts or zones established by the borough for the election of borough assembly members".

Using estimated 1978 population figures provided in our "Data Reconnaissance" report, we have developed the following suggested alternative:

- o With a total borough population of 1,441 and a maximum 11 man assembly, each seat would represent approximately 131 people if the one man-one vote concept were strictly adhered to;
- o Use seven different zones of representation as follows:
 - An Arctic Village zone with one assemblyman representing the 111 residents of the community;
 - A Venetie zone with one assemblyman representing the 148 residents;
 - A Rampart/Stevens Village zone with one assemblyman representing the 136 residents of those communities;
 - A Beaver/Birch Creek zone with one assemblyman representing the 112 residents of those communities;

- A Ft. Yukon zone with five assemblymen representing the 700 residents of that community;
- A Chalkytsik zone with one assemblyman representing the 99 people residing in the community;
and
- A Circle/Central/Livengood zone with one assemblyman representing the 135 people living in that region.

For all practical purposes, no registered voters live outside of these immediate communities. Therefore, we have not suggested precise boundaries for each district but suggested general areas of people coverage. A map of our suggestion is shown on the following page. If or when an incorporation petition is drafted, final boundaries for these or other districts should be determined.

With an extreme variation of one representative for 99 people (Chalkytsik) to one representative for 148 people (Venetie), this districting plan does not meet the one man-one vote standard perfectly. Given the population distribution characteristics, this would be impossible to accomplish. Nevertheless, when considering other factors, we believe the plan will prove acceptable, provide for the widest geographic representative scheme possible under the law, and avoid the concentration of power in one community. Our reasoning in this matter is:

- o We have generally combined areas of common community interest;
- o The two villages which have a different language dialect (Rampart and Stevens Village) are within the same district;
- o The two former reservation communities (Arctic Village and Venetie) stand by themselves;
- o The three-road Fairbanks-connected communities are all within one district;
- o Excepting for the one significant statistical aberration in the one man-one vote concept (Chalkytsik), the remaining districts are reasonably comparable.

Residents of the borough are eligible to be assembly members if they are borough voters. Assemblymen are elected for three-year terms of office, however, a borough's initial assembly will determine its term of office so that a proportionate number of terms expire each year. This should result in a staggered term of office for members subsequently elected.

The assembly is initially required to meet at least once a month. After incorporation, it can provide for an alternative meeting schedule--by ordinance. A majority of the authorized membership constitutes a quorum.

Borough School Board: In 1st and 2nd class boroughs the responsibility for the borough educational program is vested in an elected five-man school board (for school districts with less than 5,000 students). The assembly sits as the school board in 3rd class boroughs. This responsibility includes the curricular program, custodial and minor maintenance of the school plants, administration of school personnel and the school budget, and the design of school plants.

In reviewing the body of law that controls the incorporation of new boroughs, we have noted there is a complete lack of reference to the election of school board members. Assembly members are voted on at the time people vote on the question of incorporation. No mention, however, is made of school board members.

The assembly is responsible for conducting borough elections. Accordingly, it would seem that one of the first duties of the assembly would be to schedule an election of school board officials. All board members are usually elected at large but school zones for the election of school boards may be established.

Borough Executive: In newly incorporated 1st, 2nd, and 3rd class boroughs the executive and administrative powers are vested in an elected (at large) borough mayor. The mayor's regular term of office is three years although a different

term not to exceed four years can later be provided by assembly ordinance. Borough manager forms of government are also provided for in law, but they, too, may only be enacted after the borough is in existence. Generally, the borough mayor is responsible for the proper administration of borough affairs and:

- o Appoints all borough employees and administrative officers except education function employees;
- o Suspends or removes by written order borough employees and administrative officers, except as provided above;
- o Supervises the enforcement of borough law;
- o Prepares the annual budget and capital improvements program for submission to the assembly;
- o Executes the budget and capital improvements program as adopted;
- o Makes monthly reports to the assembly on borough finances and operations;
- o Reports to the assembly at the end of each fiscal year on the finances and administrative activities of the borough;
- o Prepares and makes available for public distribution an annual report on borough affairs;
- o Serves as borough personnel officer unless the assembly authorizes him to appoint a personnel officer;

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- o Directs and supervises the administration of all borough officers and employees except as provided by law;
- o Directs the care and custody of all borough real and personal property; and
- o Directs the construction, maintenance, and operation of all borough roads, bridges, drains, and other public works.

In 1st and 2nd class boroughs, the mayor also has the veto authority over any ordinance, resolution, motion, or other action of the assembly and may also strike or reduce items in appropriations ordinances except for school budget items. Such veto may only be overridden by the vote of two-thirds of the authorized membership of the assembly. The mayor of a 3rd class borough does not have the veto authority.

SUMMARY COMPARISON

Table 1, on the following page, provides a tabular summary comparison of the three different classes of general law boroughs. In reviewing this information, it should be remembered that this table reflects differences at the time of incorporation. After a borough is incorporated, certain changes can be made by the assembly (e.g., assembly size, school board size, etc.). For a detailed explanation of these changes, it will be necessary to review in detail Title 29 of Alaska Statutes.

TABLE 1
SUMMARY
GENERAL LAW BOROUGH COMPARISON

Characteristic	TYPE OF BOROUGH		
	1st Class	2nd Class	3rd Class
Upgrade to Home Rule Status	Yes	No	No
Mandatory Areawide Powers (powers exercised throughout the borough including inside the areas of cities)	Tax assessment/collection education planning/platting/zoning	Tax assessment/collection education planning/platting/zoning	Tax assessment/collection education
To Assume Added Areawide Powers	by transfer of all cities; or by areawide referendum vote that must be approved by a majority of residents both inside and outside home rule and first-class city limits	by transfer of all cities and nonareawide referendum vote; or by areawide referendum vote that must be approved by a majority of residents both inside and outside home rule and first-class city limits	not permitted
Nonareawide Powers (powers exercised in that portion of the borough outside city limits)	none mandatory may be assumed by assembly ordinance	none mandatory may be assumed by referendum vote of residents outside city limits	not permitted
Service Areas (for provision of services on less than a non-areawide basis)	established, operated, altered, or abolished by assembly	established, operated, altered, or abolished by assembly	established, operated, altered, or abolished by assembly
	exercise of power by assembly ordinance	exercise of power requires referendum vote of service area residents	exercise of power requires referendum vote of service area residents
Borough Executive	Mayor (with veto power)	Mayor (with veto power)	Mayor (<u>without</u> veto power)
Legislative Body	Assembly	Assembly	Assembly
Educational Body	School board (5 members)	School board (5 members)	Assembly
Borough Seat	determined by assembly	determined by assembly	determined by assembly

TRANSITION

If the residents of the study area are successful in the incorporation of a borough, several powers and functions currently exercised in the area will likely be succeeded to by the new borough.

Provisions relating to the transition of these and other powers are provided for in AS 29.18.140. Basically, this section of law provides that the powers and functions exercised by "cities and service areas" which are to be succeeded to by a new borough must continue to be exercised by them until the new borough assumes the powers and functions. The borough is responsible for giving written notice before it assumes a power, and in no case may take more than two years to accomplish a required transfer.

REAA-Borough Transition: First, 2nd, and 3rd class boroughs must all assume the education authority. Therefore, any borough established in the study area would be responsible for taking over this power from the REAA. The "transition" provisions cited above make no mention of the transition of power from an REAA to a borough. Apparently, the circumstance stems from the fact that the REAA enabling legislation was passed three years after Title 29 was updated and not much attention was given to relating the two pieces of legislation at that time.

In the lack of any clear directive as to how this transfer is to take place, it would seem that the language of Section 15, Article X of Alaska's Constitution would prevail. This section of the Constitution states that: "special service districts existing at the time a borough is organized shall be integrated with the government of the borough as provided by law". These same provisions of law (AS 29.18.140) would seem to apply. Thus, a new borough in the study area would have to assume the responsibility for education within two years after the date of incorporation. Further, the new borough is required to give written notice of its intent to assume the power.

The practical aspects of the change from an REAA to borough school district would best be summarized as follows:

- o All of the rights, power, duties, assets, and liabilities of the REAA would be succeeded to by the borough.
- o The locally elected REAA school board would be replaced by a locally elected borough school board. One would presume, however, that most, if not all, of the same people would be reelected to the new board.
- o The existing REAA school administration would be replaced by a new one. Again, it is presumed that the old school administration should be reappointed to manage the borough school district.

- o Operations of the REAA are currently funded in total by the state with supplemental assistance from the federal government. Like school construction, however, it is the state that makes the final decision as to how much money is to be provided the REAA for education purposes. The Yukon Flats REAA must, therefore, again compete with the other 20 REAA's in the state for its education funds.

As a borough school district, some local taxes might be required to support school operations. State funding sources, however, are available for the operation of borough school districts; and it is our estimate that more operational funds would be available to a borough school district than are currently available to the REAA (see our other reports on "Potential Revenue Sources" and "Borough Service Cost Estimates").

- o The state currently pays for 100% of all new school facility construction in the REAA. Unfortunately, the state also decides what facilities need to be built in the area. In deciding what facilities are to be built the state must look at the facilities requirements of all 21 REAA's in the state and seek state funding for them. Needless to say, not all facilities desired or required would be built under these circumstances.

As a Borough School District, the local school board rather than the state decides what and when school facilities are required in support of the school's program. The state does not pay for all of new school construction on an organized borough. It will pay up to 80% of the costs of an approved school project if it meets certain other requirements.

- o Another consideration of the local control responsibility for funding the educational program has to do with basic circumstances surrounding Alaska's economy. With a healthy state economy, the REAA should have no great problems obtaining state funds for education. What would happen if the economy of Alaska suffers? One would expect that when the legislature tightens up the state budget, they will tighten up funding for the REAA's.

As a borough school district with its own healthy tax base, a state economic downturn needn't affect the borough's operation of the education program that much. The borough could just devote more of its local tax revenues in support of the school program.

- o The bottom line of many of the comparisons relating to the transition of the education power from REAA to borough is who one would rather depend on--the legislature and officials residing in Juneau and

elsewhere in the state or your own elected assembly and school board who all reside within the area.

One final point must be remembered when planning borough assumption of the education responsibility. AS 14.17.210 provides that

- o (a) A regional educational attendance area school which becomes a borough district school is considered a regional educational attendance area school for purposes of financial support until the expiration of a complete fiscal year after the date on which the school becomes a borough district school. This subsection does not prevent a local government from spending money to contribute to the financial support of a regional educational attendance area school which becomes a borough district school.
- o (b) For each subsequent fiscal year, the state shall disburse to the borough school district only the money to which the district is entitled under the public school foundation program.

Depending on the official date of incorporation, a new borough could receive full state funding for its school operation for no less than one year or as much as two years. Taking examples of borough incorporation falling on June 30

or July 2, respectively, of 1980, we would see the following:

- o The state would be responsible for paying for education for just fiscal 1981 (July 1, 1980 - June 30, 1981; or
- o The state would be responsible for paying for education for the remainder of fiscal 1981 plus fiscal 1982 (July 1, 1981 - June 30, 1982.

City-Borough Transitions: As noted, the transfer of power from cities to boroughs must be accomplished as required in AS 29.18.140. Ft. Yukon is, of course, the only legally incorporated city in the study area. The only community thus affected by these provisions is Ft. Yukon.

Without a decision on the type of borough which might be incorporated, it is only possible to speculate on the transfer of powers that might be required. Presuming a 1st or 2nd class borough were incorporated, the tax assessment/collection and planning, zoning, and platting powers would have to be transferred within the two-year period; and the new borough would be required to notify the city when it was going to assume the responsibility for these powers.

From a practical standpoint, Ft. Yukon does not levy a property tax and, therefore, nothing would be transferred with respect to the tax assessment and collection power.

Ft. Yukon does, however, levy a sales tax. If the new borough were to levy a sales tax, the borough would be responsible for collecting the city's sales taxes and distributing the appropriate revenues back to the city. If the new borough, however, did not levy a sales tax and the city continued to levy their sales tax, the city would be responsible for the collection of such taxes.

The transfer of the planning, zoning, and platting authority would mean the borough assembly would replace the city council as the responsible body for those functions described on page 22. A borough planning commission would replace the city planning commission in preparing the planning, zoning, and platting recommendations outlined on the same pages. The city planning commission, however, would continue to serve as an advisory planning commission to the borough.

Thus far, the city has done well in the exercise of its planning, zoning, and platting authority. It has established a planning commission, prepared a long-range community development plan, and tackled any number of other problems.

Unfortunately, the city has a very limited tax base and is, therefore, limited to the amount of planning it can do. If the planning, zoning, and platting authority were to be transferred to a new borough, this circumstance would change.

The borough would have a greater financial base on which to support this important work and should, therefore, be able to do much more for the city.

According to Ft. Yukon's fiscal 1979 budget, the city also exercises general police, fire, solid work, and recreation powers. Until borough incorporation becomes a reality, it is hard to tell which of these additional powers might have to be transferred. At this time, the important thing to remember is that any powers transfer would have to be completed in the same way -- by notice and within two years of incorporation.

SCOMM

10:29

GLENNALLEN

October 27, 1979
75 participants

CONCERNS RELATED TO PROPOSED LEGISLATION

There was strong feeling expressed in opposition to the formation of a borough in the area. The proposal was seen as the introduction of a "low grade" form of a borough. The unorganized assemblies should be given the power to provide for referendum to upgrade status of the unorganized borough. It was pointed out that the proposal does not deal with funding for education and the support given to education in rural Alaska is usually a sore point with the urban areas.

There is opposition to the formation of borough because of the concerns related to taxes and government control. They resent any form of control. Leary of planning as they have seen unsatisfactory results of such planning.

How would villages benefit from the formation of a borough? How would services be delivered when you are spread out along a highway, such as in the Glennallen area? What would happen if Glennallen was incorporated as a second class city?

People choose to live in this area to get away from government. The problems people are talking about are manufactured. Maybe a citizens fund should be established for bringing people to Juneau. The voice of the people in the bush who are opposed to borough government is not being heard.

They have repeatedly been asked what they think in regard to a borough. They want less organization which spends money. The existing tax structures won't work in the area. Why not grant money to the opponents of borough government to do some lobbying?

Boundaries should be drawn around the whole state. Assemblies if established, should be done so voluntarily. Remove all mandatory aspects of legislation. The home rule concept is workable. There should be provision for the community to vote to change boundaries. The REAA boundaries used in the area might need to be modified somewhat.

Sovereignty is the question. Initiation should come from within an area rather than outside of the area. Don't really know long-term economic base potential as perhaps the pipeline can't be depended upon.

It they do not organize, could the area be absorbed by existing boroughs? Concern that "piece meal" annexation might take place by the surrounding areas.

GENERAL CONCERNS

Land

Identify who owns land. Can't get easements for utilities as they don't have land ownership identified. The non-resolution of DD2 is a problem. There is no point in studying until you can step on the land.

Fire Protection

Providing adequate fire protection is a problem.

Feasibility Study

An inventory of resources in the area is necessary. Legislature should help inventory to check feasibility of borough formation. It would be premature to develop an unorganized borough assembly without this information. Gathering information is the key. A fact sheet related to the pros and cons of borough formation would be needed.

H B 9
brought up.

10/27/79 - Glen Allen.

Joe Roach - very outspoken. Thinks "unorganized borough assemblies" dishonest.

Sam Lightwood - Concern over taxation (control) unplanned growth. see problems. -- heavy planning. Have pipeline revenue. Beginning to get businessmen who can survive. If tax caused create problems. -- says taxes have created problem in mt. See Borough. Problem who owns land. no systematic recording slow development

* * *

Bob Loh - wants voluntary boundaries[?] wanted like for whole state. Does not want mandated services -- rural borough has merit -- allows for taking less growth.

* * *

Concern over LEAA being half-way between Valdez / Glen Allen.

Andy Zagark - Copper Center.

Bill Ellis - Nabeleum

Dick Ford - Copper Center.

Jack Gradant

Herb Smelicer - Abilene

want to know about region - Denali.

Parkway study - evaluation - need
land data -

Overall tour - some parameters



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

Mr. Sheldon Sprecker
Magistrate/District Court
Box 86
Glennallen, Alaska 99588

Dear Mr. Sprecker,

Many thanks for all of your help in planning for the Glennallen public hearing. I have confirmed the use of the high school gym with Mr. Bill Oudal; contacted KCAM; and will send invitations to the list of individuals you mentioned.

We look forward to a well-attended public hearing and hope that you will be able to make good use of the Local Government Reports enclosed.

Again, our thanks and we look forward to meeting you on October 27.

Yours truly,

A handwritten signature in cursive script, reading "Marjorie Gorsuch".

Marjorie Gorsuch
Administrative Assistant

PUBLIC HEARING PARTICIPANTS

LOCATION

Glennallen

DATE

10/27/79

NAME

MAILING ADDRESS

GROUP NAME OR ORGANIZATION
IF REPRESENTING SUCH

Bill Ellis	Mile 42 Medena	
Bob Swander	P.O. BOX 8 E Copper Center.	
Bill McFarland	PO Box 71 Copper Center.	
Staldon S. Spricker	Box 283 Glennallen	
J. A. Fillingame	Box 103 Glennallen	
Simon J. Nims	Mile 62 Rich. Hwy. - Copper Center	
Walter S. Nims	Mile 62 Rich Hwy. Copper Center	
Joanne S. Yuelke	Box 64 Glennallen	
Andy Zajar	Box 208 Copper Center, AK 99573	
Earl Visking	Drawer 7 Copper Center AK 99573	
ANDREA MOORE	Box 215 Glennallen AK 99588	
Wesley John	Box 339 Copper Center AK 99573	
Cherrie Gallatin	Mi 7.5 Edgerton Kenny Lake	
Sam Lightfoot	Kenny Lake Copper Center AK 99573	
Rich Gerbasi	Box 371 Glennallen	
Shene Tanay	Box 231 Copper Center	
X Rupert Koeninger	Box 39 Chitina 99566	
Herbert Smelcer	Drawer 6 Copper Center DHTNA	
Frances Kibele	Mi 12 Edgerton, Copper Center AK 99573	
	Representing Kenny Lake Community Library	

PUBLIC HEARING PARTICIPANTS

LOCATION

Glennallen

DATE

10/27/79

NAME

MAILING ADDRESS

GROUP NAME OR ORGANIZATION
IF REPRESENTING SUCH

Goni K. Pelotka	Box 121 Glennallen ⁹⁹⁵⁸⁸	NA
Paul White	Box 209 Glennallen ⁹⁹⁵⁸⁸	NA
Doug Walber	Box 369 Glennallen	KCAM
Thomas Melitzer	Box 127 Glennallen	
Lottie Sparks	P.O. Box 235 GLENNALLEN	
Evadne Seaford	Box 201, Glennallen	~~Center~~ Center Service
Vera Kofman	Box 375, Glennallen	—
Don Robb	Box 375 Glennallen	—
Joan Rye	Mile 104 Tok Hwy	—
Lena Conkle	58 mi. Tok Hwy	—
Alfred Kinka	Box 545 Glennallen	—
Annelle Thomas	Box 118 ^{Copper} Center	Ahtna
James A. Vinner	Box 14 GLENNALLEN	
Robert Marshall	Box 188 Glennallen	
Paul J. Blair	Box 168 Glennallen	
Joseph A. Ryhe	Copper Center 99573	
J. K. Taylor	Box 49 Glennallen	
Ruth B. Taylor	Subsistence Specialist C.R.N.A. Drawer H	C.R.N.A. Copper Center
Barbara Sanders	Box 104, Glennallen	—
Thelma Schrank	Mile 4/10 Nahasna Rd	

PUBLIC HEARING PARTICIPANTS

LOCATION

Glennallen

DATE

10/27/79

NAME

MAILING ADDRESS

GROUP NAME OR ORGANIZATION
IF REPRESENTING SUCH

Ray Brittain	mile 10 1/2 Edgerton Hwy	BRASS Monkey Ranch
Margaret Brittain	mile 11 Edgerton Hwy	Kenny Lake "Vin" Copper Center
Emily Justin	Nabesna via Yakona Ak 99586	
Jack Justin	Nabesna via Yakona ak 99586	
Bill Baylin	Drawer C	Copper Center, Alaska
Glenn Marunde	Box 192 Tok	Mukluk News
Dorothy Marunde	" " "	" " "
James Bridger	Drawer B	Copper Center
John Miller		
Karen Funderburk	mile 28 1/2 Nabesna Rd Gakona - Alaska 99582	Nabesna
Graham Ward	Box 23 Glennallen	
Mary White	SRC 8886 via Palau	
Jim Papin	P.O. Box 52, Glennallen	
Jack H. H. H.	Drawer I Copper Center	
Paul D. Piper	SNA 11157B - 12502 Anchorage	AK. Native Health Board
Reg. Brubaker	Box 252 Glennallen	
R.D. RICH CREEK	Box 252 GLENNALLEN	
DICK FORD	Box 158 COPPER CENTER	
Bill Oudal	Box 459, Glennallen	
Bob Lohr	Box 3-3908 Anch.	Rural CAP

Arlene Sturgulowski
 Bill Parker
 Fred Zharoff
 Tim Kelly
 Parry Moss
 Margaret Branson
 Bobi Mulesky

Marjorie Horvath
 Gene Stalck
 Sue Perry-Paper

(13 including press people who didn't sign in)



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

TO: Committee Members
FROM: Marjorie Gorsuch *MD*
Gene Walsh
DATE: 10/16/79
RE: Public Hearing

GLENNALLEN ITINERARY

Saturday, October 27

11:00 A.M. Group will charter from Merrill Field
on Polar Airlines.
12:00 Noon Arrive at Gulkana Airport
Lunch in Glennallen
2:00 P.M. Public Hearing in Glennallen H.S.
Gym
6:00 P.M. Charter back to Anchorage via
Polar Air

Background Information

The Ahtna Region--Background for Regional and Community Planning,
Prepared by the Ahtna, Inc.



Official Business

Alaska State Legislature

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COMMUNITY AND REGIONAL AFFAIRS COMMITTEE
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Co-Chairmen
Senator Arliss Sturgulewski
Representative Bill Parker

Address all
correspondence to:

LOCAL GOVERNMENT STUDY

Pouch V
State Capitol
Juneau, Alaska 99811

TO: Charity Kadow, Judy Hopkins
FROM: Marjorie Gorsuch
DATE: 10/23/79
RE: Message to Rep. Pappy Moss

Rep. Moss is supposed to be in Anchorage today and I was told he might be checking in with your office. Could you please pass along the following information to him and have him contact us at 465-3712 if he is interested in attending the hearing. He is welcome to charter with the group if he happens to be in Anchorage.

GLENNALLEN ITINERARY PUBLIC HEARING

Saturday, October 27

11:00 A.M. Group will charter from
Merrill Field, Anchorage on Polar Airlines

12:00 Noon Arrive at Gulkana Airport
Lunch in Glennallen

2:00 P.M. Public HEaring in Glennallen
High School Gym

6:00 P.M. Charter back to Anchorage via
Polar Air

FEATURING:



COPPER VALLEY VIEWS

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CHISTOGIC BOROUGH
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SADNA BOROUGH
BOSQUANA BOROUGH
EATSON BOROUGH
CLAY LAKE BOROUGH

and only 25¢

VOLUME III NUMBER 17-A

Copper Center HSPS 400-810 Alaska 99573

OCTOBER 25, 1979

LOCAL GOVERNMENT STUDY COMMITTEE VISITS GLENNALLEN

PROPOSED LEGISLATION FOR OCT. 27 HEARING

The Local Government Study Committee which will be holding a public hearing in Glennallen, Saturday, October 27, will be discussing the following proposed legislation.

The legislation 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 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.

The committee hopes every one will be able to attend the public hearing.

The hearing will be held at 2:00 p.m. at the Glennallen High School Gym.



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

The Local Government Study Committee, co-chaired by Senator Arliss Sturgulewski and Representative Bill Parker, will hold a PUBLIC HEARING on the subject of creation of regional governmental units in the unorganized borough in

GLENNALLEN
SATURDAY, OCTOBER 27, 1979
GLENNALLEN HIGH SCHOOL GYM - 2:00 P.M.

This ad will be printed in a 2 x 2 1/2 Column inch size in the October 24, 1979 edition of the Valdez Vanguard.

Please bill:

Local Government Study Committee
Legislative Affairs Agency
Pouch Y
Juneau, Ak. 99811

Approved 11.00



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

TO: Committee Members
FROM: Marjorie Gorsuch *MD*
Gene Walsh
DATE: 10/16/79
RE: Public Hearing

GLENNALLEN ITINERARY

Saturday, October 27

11:00 A.M. Group will charter from Merrill Field
on Polar Airlines.
12:00 Noon Arrive at Gulkana Airport
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Background Information

The Ahtna Region--Background for Regional and Community Planning,
Prepared by the Ahtna, Inc.

Valdez Vanguard, Valdez, Alaska, Wednesday, October 24, 1979--3

The Local Government Study Committee, co-chaired by Senator Arliss Sturgulewski and Representative Bill Parker, will hold a PUBLIC HEARING on the subject of creation of regional governmental units in the unorganized borough in

**GLENNALLEN
SATURDAY, OCTOBER 27, 1979
GLENNALLEN HIGH SCHOOL
2 P.M.**



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

GLENNALLEN

CONTACTS

Norman John, Aetna Inc. Providing transportation to Lodge and Hearing
Herb ~~Smelter~~ *Smelter* from Aetna may also be meeting with us.

Magistrate Sheldon Sprecker

Bill Oudal, Glennallen School



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

Nov. 8, 1979

Mr. Bill Oudal
Box 457
Glennallen, Ak.

Dear Bill,

We appreciated meeting with you and residents of Glennallen on October 27, 1979. The public hearing gave members of the Local Government Committee an opportunity to see your community, many of them for the first time; to learn of some of the problems you are experiencing; and to receive valuable comment on the ideas being considered for legislative action by the Committee.

If you have any additional thoughts on the concept of the "unorganized boroughs", please do not hesitate to send them to us.

Thank you for your help in preparing the gym for the hearing and for allowing the weekend use of the facility. It was very adequate as a facility for the hearing.

Yours truly,

Arliss
Senator Arliss Sturgulewski

Bill
Representative Bill Parker



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
Nov. 8, 1979

Address all
correspondence to:
LOCAL GOVERNMENT STUDY

Pouch V
State Capitol
Juneau, Alaska 99811

Roy and Irene Tansy
Box 231
Copper Center, Ak.

Dear Irene and Roy,

We appreciated meeting with you and residents of Glennallen on October 27, 1979. The public hearing gave members of the Local Government Committee an opportunity to see your community, many of them for the first time; to learn of some of the problems you are experiencing; and to receive valuable comment on the ideas being considered for legislative action by the Committee.

We want to thank you for the transportation to and from Gulkana. The lunch at the Aetna Lodge was a pleasant way to begin our visit to Glennallen and we enjoyed talking with you both.

If you have any additional thoughts on the concept of the "unorganized boroughs", please do not hesitate to send them to us. We will continue to advise you of any action the Committee will proposing for the upcoming session of the legislature.

Yours truly,

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

Senator Arliss Sturgulewski

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

Representative Bill Parker



Official Business

Alaska State Legislature

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

Address all
correspondence to:

LOCAL GOVERNMENT STUDY

Co-Chairmen
Senator Arliss Sturgulewski
Representative Bill Parker

Pouch V
State Capitol
Juneau, Alaska 99811

Oct. 12, 1979

September 18, 1979

Inside address →

*This letter
sent to
attached
list*

Dear —

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.*

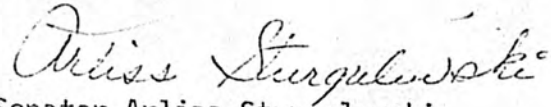
The Committee will be discussing proposed legislation which would:

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 acts;
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.

October 8, 1979

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

Sincerely,



Senator Arliss Sturgulewski
Co-Chairman

Enclosure

Representative Bill Parker
Co-Chairman

CORDOVA

P.O. Box 1210
Cordova, Alaska 99574

Home Rule City

Phone: (907) 424-3237, 3238, 3239

INCORPORATION DATE: July 8, 1909
POPULATION: 2,780
REGULAR ELECTION: First Tuesday of October
SALES TAX: 4%
CITY COUNCIL MEETS: First and third Mondays each month

MAYOR: ~~X~~ James A. Poor 1979

CITY COUNCIL MEMBERS

~~X~~ Glenn Mast	1979
~~X~~ Malcolm "Pete" Isleib	1979
~~X~~ Bill Hall	1980
~~X~~ Connie Taylor	1980
~~X~~ Hollis Henrichs	1981
~~X~~ Kenneth Van Brocklin	1981

PLANNING AND ZONING COMMISSION

~~X~~ Gilbert Olsen	1979
~~X~~ John Grantier	1979
~~X~~ Robert Turner	1980
~~X~~ Len Pingatore, Chrm.	1980
~~X~~ Judy Arvidson	1979
~~X~~ John Wilson	1981
~~X~~ Harold Nordmann	1981

MUNICIPALLY OWNED UTILITIES

Water, Dock, Landfill, Sewer,
Harbor Facilities.

SCHOOL BOARD

~~X~~ Jack Lamb, Pres.	1979
~~X~~ Judy Reynolds	1979
~~X~~ Ruth Isleib	1980
~~X~~ Patience Faulkner	1981
~~X~~ Garry Purvis	1981

CLERK/TREASURER.....	Donna Sherby
CITY MANAGER.....	Perry Lovett
ADMINISTRATIVE ASSISTANT.....	Malcolm MacMaster
ATTORNEY.....	Jensen, Harris & Roth
CHIEF OF POLICE.....	William Bagron
FIRE CHIEF.....	Dewey Whetsell
EMERGENCY PREPAREDNESS DIRECTOR.....	Dewey Whetsell
HEALTH OFFICER.....	A.D. Tilgner, M.D.
PUBLIC WORKS DIRECTOR.....	Harold Brown
HARBORMASTER.....	Joseph Gunderson
PUBLIC UTILITY MANAGER.....	William Bechtol
WATER & SEWER SUPERINTENDENT.....	Jay Reese
SUPERINTENDENT OF SCHOOLS.....	William Fairall

DEERING

Deering, Alaska 99736

Second Class City

Phone: (907) 443-2927

INCORPORATION DATE: 1970
POPULATION: 117
REGULAR ELECTION: First Tuesday of November
SALES TAX: 3%
CITY COUNCIL MEETS: First Monday of each month

(no other information reported)

DELTA JUNCTION

P.O. Box 229

Delta Junction, Alaska 99737

Second Class City

Phone: (907) 895-4656

INCORPORATION DATE: December 1960
POPULATION: 892
REGULAR ELECTION: First Tuesday in October
SALES TAX: None
CITY COUNCIL MEETS: First and Third Tuesdays of each month

MAYOR: Elizabeth Leng 1980

CITY COUNCIL MEMBERS

Fran Colombo 1980
Leonard Lemon 1981
Doug Parsons 1979
Ken Ryther 1980
Marvin Hinsley 1979

ADVISORY SCHOOL BOARD

Richard Anderson
Hoyt Moss
Doris Zales
Bill Haslem
Marion Zagolsonf
Jack Adams
Cleta Barger

CITY PLANNING COMMISSION

Bob Carpenter, Chrm.
Sig Bergstad
Hilda Smith
Henry Brewis
Richard Faircloth
Don Kobierowski
Chaddie Kelly

CLERK/TREASURER.....Estelle Schrupf
ATTORNEY.....Joseph Sheehan
FIRE CHIEF.....Steve Dewar
HEALTH AIDE DIRECTOR.....Ken Ryther
PARKS & RECREATION CHAIRMAN.....Fran Colombo
MAGISTRATE.....Ed Crutchfield
SUPERINTENDENT OF SCHOOLS.....Glen Chowning

VALDEZ

→ P.O. Box 307
Valdez, Alaska 99686

Home Rule City

Phone: (907) 835-4313

INCORPORATION DATE: June 11, 1901
POPULATION: 7,483
REGULAR ELECTION: First Tuesday in October
SALES TAX: None
CITY COUNCIL MEETS: First and third Mondays

→ MAYOR: X L.F. "Mac" MacDonald 1979

CITY COUNCIL MEMBERS

X Ken Peavyhouse	1979
X Bill Walker	1979
X Art Vergere	1979
X Lynn Chrystal	1980
X Charles LaPage	1980
X Bob Kellar	1980

SCHOOL BOARD

X Pat Shely	1979
X Mary Zarembo	1981
X Jean Phillips	1980
X Jim Lindsey	1980
X Tim Hovdahl	1979

PLANNING AND ZONING COMMISSION

X Ricardo Quiroz	1980
X Mary Jo Evans	1980
X Denise Holt	1980
Joe Beaudion	1981
Earl Bushey	1982
Joseph Arnold	1982
Marcia Mason	1981

MUNICIPALLY OWNED UTILITIES

Water - Dock - Campgrounds
Refuse Collection - Small
Boat Harbor

CLERK/TREASURER.....Mark Lewis
MANAGER.....Mark Lewis
CHIEF OF POLICE....David Oehler
FIRE CHIEF.....Tom McAlister
EMERGENCY PREPAREDNESS DIRECTOR.....David Oehler
PUBLIC WORKS DIRECTOR.....Lee Schlitz
ENGINEER.....Homer Alexander
PROJECT ENGINEER.....John Cerutti
HARBORMASTER.....Al Cummings
PUBLIC UTILITY MANAGER.....Lee Schlitz
WATER & SEWER SUPERINTENDENT.....Lee Schlitz
TREATMENT PLANT OPERATOR.....David Hunt
SUPERINTENDENT OF SCHOOLS.....Larry LaBolle
PARKS & RECREATION DIRECTOR.....Martha Rutherford
PURCHASING AGENT.....Mark Lewis
PLANNING DIRECTOR.....Michael Schmidt
ASSESSOR.....Simmons and Associates
ATTORNEY.....Hughes, Thorsness, Gantz,
Powell and Brundin

Mr. LINCOLN B. SMITH
School BOARD MEMBER
X P.O. BOX 155
COPPER CENTER, AK 99573

Mr. MARK TROUTMAN
School BOARD
MEMBER
SR 2, BOX 248
PALMER, AK. 99645

Mr. PAT HUNT
X School BOARD MEMBER
KENNY LAKE VIA
COPPER CENTER, AK. 99573

DR. ALFRED KRINKE
SUPERINTENDENT
COPPER RIVER
REGIONAL ATTENDANCE
AREA
BOX 108
GLENNALLEN, AK
99588

Mr. JOSEPH ROCHE
X SCHOOL BOARD MEMBER.
TONSINA LODGE
COPPER CENTER, AK. 99573

Mr. ALTHEA R. HUGHES
X SCHOOL BOARD MEMBER.
GAKONA, AK. 99586

KLUTI KAAH Community
Village Council
X COPPER CENTER
AK. 99573 SIS

~~CLARA PETER~~

Mrs. CLARA PETERS
X ~~MISS~~ SCHOOL BOARD MEMBER
MI 37 TOK CUTOFF
GAKONA, AK. 99586

Mrs. CAROL R. NEELEY
X School BOARD MEMBER
BOX 165
GLENNALLEN, AK. 99588

Dave

~~ROBERT MARSHALL~~

~~MI. 88.5 RICHARDSON HWY~~

~~GLENNALLEN, AK.~~

~~X~~ ROBERT MARSHALL

~~ST~~

TAZLINA, AK. 99513

~~X~~ TOM CRAIG

EXECUTIVE DIRECTOR

COPPER RIVER NATIVE ASSOCIATION
DRAWER H.

COPPER CENTER, AK. 99513

~~X~~ SITIELA LOGSDON

VILLAGE TRAINING COORDINATOR

~~X~~ RUTH D. TAYLOR

SUBSISTENCE SPECIALIST

~~X~~ PAUL LOUIS

GLENNALLEN, AK.

99588

~~X~~ CHRISTINE YAZZI

AKINA, INCORPORATED

DRAWER G

COPPER CENTER

ALASKA 99513

~~#~~ Mr. Sheldon Sprucker

Magistrate

Box 86

Glennallen, Ak.

99588

~~COPPER RIVER~~

~~X~~ COPPER CENTER VILLAGE
Council

COPPER CENTER, AK.

99513

~~X~~ Mr. Bill Oudal, Principal.

Glennallen School

Box 66

Glennallen, Ak 99588

X JIM PALIN
GLENNALLEN, AK 99588

X MR. LEANDER KEMPEL
GLENNALLEN, AK. 99588

X DR. ALFRED KRINKE
GLENNALLEN, AK. 99588

X GRAHAM WARD
MI. 173 GLENN HWY
GLENNALLEN AK. 99588

X MR. & MRS. ROY BRITAIN
KENNY LAKE, AK. 99573

X LOTTIE SPARKS
GLENNALLEN, AK 99588

X SAM LIGHTWOOD
MI. B EDGERTON
KENNY LAKE, AK 99573

X MARTINE CLAYTON
GLENNALLEN, AK. 99588

X MR. TERRY GILMORE
KENNY LAKE, AK. 99573

X PEG RICH CREEK
GLENNALLEN, AK. 99588

X MR. AL ROIG
KENNY LAKE, AK. 99573

MR & MRS
X JACK GODDARD
SILVER SPRINGS ESTATES
GLENNALLEN, AK.
COPPER CENTER 99573

X MR. DOUGLAS NEALS
COPPER VALLEY CONSTRUCTION
COMPANY INC.
GLENNALLEN, AK. 99588

X JOHN SUNDER
COPPER CENTER, AK.
99573

X RAYMOND RICH CREEK
GLENNALLEN, AK. 99588

MR & MRS
X GEORGE BUDKA
MI 7B 1/2 RICHARDSON HWY
GLENNALLEN, AK. 99588

X MRS. MELLIE TERWILLIGER
BOX 206
TOK, AK. 99780

X MR. & MRS. GEORGE ASHBY
COPPER CENTER, AK.
99573

X MR. MIKE HOOK
WIDGEON WAY ASPEN VALLEY
GLENNALLEN, AK. 99588

X DR. JAMES PINNES
GLENNALLEN, AK. 99588

~~ROBERT MARSHALL~~

~~MT. 88.5 RICHARDSON HWY~~

~~GLENNALLEN, AK.~~

ROBERT MARSHALL

~~MT~~

TAZLINA, AK. 99513

TOM CRAIG

EXECUTIVE DIRECTOR

COPPER RIVER NATIVE ASSOCIATION
DRAWER H.

COPPER CENTER, AK. 99513

Parsons Lodge

Richardson Hwy Mile 185

Copper Center 99513

822-3330

Copper Center Lodge

Copper Center, AK.

SHIELA LOGSDON

VILLAGE TRAINING COORDINATOR

RUTH D. TAYLOR

SUBSISTENCE SPECIALIST

PAUL LOUIS

GLENNALLEN, AK.

Valdez Vanguard

Box 157

Valdez, AK 99686

CHRISTINE YAZZI

ATHINA, INCORPORATED

DRAWER G

COPPER CENTER

ALASKA 99513

~~COPPER RIVER~~

Anta Bob + Margaret Fraser
Tonaw Lodge

Mi. 79 Richardson Hwy

Copper Center 99513

822-3206

COPPER CENTER VILLAGE
Council

COPPER CENTER, AK.

99513

LINCOLN B. SMITH
SCHOOL BOARD MEMBER
P.O. BOX 155
COPPER CENTER, AK 99573

MARK TROUTMAN
SCHOOL BOARD
MEMBER
SR 2, BOX 243
PALMER, AK. 99645

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COPPER CENTER
AK. 99573

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GLENNALLEN, AK. 99588

PEG RICHCREEK
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COPPER CENTER 99513

John Sunder
COPPER CENTER, AK.
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COPPER CENTER, AK.
99513

Tanana Chiefs
Dottie Spalock

Mr. & Mrs. Roy BRITAIN
KENNY LAKE, AK. 99573

SAM LIGHTWOOD
MI B EDGERTON
KENNY LAKE, AK 99573

TERRY GILMORE
KENNY LAKE, AK. 99573

AL ROIG
KENNY LAKE, AK. 99573

DOUGLAS NEALS
COPPER VALLEY CONSTRUCTION
COMPANY INC.
GLENNALLEN, AK. 99588

RAYMOND RICHCREEK
GLENNALLEN, AK. 99588

MELIE TERWILLIGER
BOX 206 - Fred 883-2341
- John 883-2340
TOK, AK. 99780

MIKE HOOK
WIDGEON WAY ASPEN VALLEY
GLENNALLEN, AK. 99588

DR. JAMES PINNES
GLENNALLEN, AK. 99588

COPPER RIVER REGIONAL ATTENDANCE REA #17

Box 108

Glennallen, Alaska 99588

Phone: 822-3234

*Dr. Alfred K. K. Superintendent*Superintendent: ~~R. L. Woodward, Acting-Superintendent~~

End of Term	Seat	School Board Member	Date Elected	No. of Votes	Term
1978	A	<i>Clara "Billie" Peters</i> ~~Manuel F. Aguiar~~ P. O. Box 153 Gakona, AK 99586	<i>6/13/78</i> ~~2/24/76~~	<i>mi 37 Tok Cutoff 213</i> <i>Gakona, AK</i> <i>99586</i>	2 years
1979	B	Althea R. Hughes Gakona, AK 99586	2/24/76	225	3 years
1979	C	~~Paul Weir~~ <i>Carol R. Nagley</i> P. O. Box 275 Glennallen, AK 99588	<i>6/13/78</i> ~~2/24/76~~	254 <i>Box 165</i> <i>Glennallen AK</i> <i>99588</i>	3 years
1980	D	A. Marie Barber - <i>Resigned - 10/4/77</i> P. O. Box 134 Glennallen, AK 99588	10/4/77	201	3 years
1979	E	Joseph Roche % Tonsina Lodge via Copper Center, AK	10/4/77	188	2 years
1978	F	Pat Hunt Kenny Lake via Copper Center, AK 99573	10/4/77	290	1 year
1980	G	Lincoln B. Smith P. O. Box 155 Copper Center, AK 99573	10/4/77	245	3 years



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

TO: Committee Members
FROM: Marjorie Gorsuch *MD*
Gene Walsh
DATE: 10/16/79
RE: Public Hearing

GLENNALLEN ITINERARY

Saturday, October 27

11:00 A.M. Group will charter from Merrill Field
on Polar Airlines.
12:00 Noon Arrive at Gulkana Airport
Lunch in Glennallen
2:00 P.M. Public Hearing in Glennallen H.S.
Gym
6:00 P.M. Charter back to Anchorage via
Polar Air

Background Information

The Ahtna Region--Background for Regional and Community Planning,
Prepared by the Ahtna, Inc.

P.O. Box 624
Delta Junction, Alaska 99737
October 25, 1979

Local Government Study Committee
Pouch V
State Capitol
Juneau, Alaska 99811

Dear Senator Sturgulewski and Representative Parker:

Thank you for the invitation to Glennallen for the public hearing concerning creation of regional governmental units in the unorganized borough. Unfortunately, I will be unable to attend, but I do want to provide my views on the subject.

I fully support the broad concept proposed in your letter. I think this is long overdue. But from past experience, I doubt that it will be well received from most of the public because of the general hostility to government spending and taxation. As I understand the concept proposed, the unorganized borough assembly would largely determine the extent of government and taxation. I fully support this concept, but I think it is vital that the revenues for a local government be furnished, at least in part, from local sources. Otherwise, local governing units tend to think of outside revenues (e.g. state or federal) as "someone else's money" and there is less care in its expenditure than if it is locally generated money. Yes, surprising as it may sound, I'm advocating local taxation, but only that which is absolutely necessary as determined by a local assembly.

In Delta Junction we have had to revert to a volunteer fire department because of the inability to tax ourselves. This is absurd and only transfers our fire protection money from a local unit to outside insurance companies. No one in the local community gains from such "independence." Thus, if we don't have the self-discipline to organize ourselves, I think stronger action in this direction by the state is fully warranted.

I believe your proposal to create the unorganized boroughs to correspond to the REAA boundaries is very sensible. Certainly the people in a REAA have common interests and it makes a very logical boundary.

Thank you for writing and for taking the time to read my comments. I am very interested in this subject and wish you well in your efforts.

Sincerely,


WILLIAM J. HASLEM

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



Copper River Native Association

ATNA' TAENE NENE'

Drawer H • Copper Center, Alaska 99573 • Phone (907) 822-3949

October 26, 1979

Senator Arless Sturgulewski, Co-Chairman
Representative Bill Parker, Co-Chairman
Local Government Study Committee
Pouch II
State Capitol
Juneau, Alaska 99811

Dear Senator Sturgulewski and Representative Parker:

The Alaska State Legislature, in enacting S.L. 151 (The "Subsistence Act") in October, 1978, determined "... that it is in the public interest to clearly establish subsistence use as a priority use of Alaska's fish and game resources and to recognize the needs, customs, and traditions of Alaskan residents." It called for the regulation of these resources "... with as much input as possible from the affected users..."

Establishment of the principle that local subsistence users take part in shaping regulations concerning local resources is a necessary preliminary step for its achievement. No matter what form of local government (or lack of government) the residents of the Copper River Basin decide will best fit their needs, the interests of the subsistence fish and game users (a sizeable proportion of our population) must be protected.

The local Copper Basin subsistence users must be brought into the decision making process in de-

termining how its fish and wild life resources will be used. Methods of implementing this needs to be considered by the Local Government, Study Committee and other concerned groups and individuals.

In my capacity as Subsistence Specialist, directing the Copper Basin Subsistence Advocacy Program I have three recommendations at this time:

1. The Local Fish and Game Board Advisory Committees should be one of the agencies to help formulate regulations and their responsibilities should be expanded.
2. First priority should be given to our elderly. Their needs should be met before those of other subsistence users, when limitations are necessary.
3. Funds should be made available to hold a conference on subsistence use in the Copper River Basin area. This would enable our subsistence users to meet with representatives of local, state and federal agencies in exchanging information and opinions. This is essential in formulating regulations that we can all live with.

Sincerely yours,
Ruth B. Taylor.
Subsistence Specialist

B/12 11 1971

In recent years, compassion and legislative action by both the State of Alaska and the Federal ^{legislative} bodies have keyed on supporting the rural Alaskan lifestyle. Through specific State legislation, and in pending federal d-2 legislation, rural people who support their families through harvest of the local natural resources will be given both a priority in wildlife allocation, and a say in the mechanism of determining how the allocation will be managed. Both legislative policies answer a blatant oversight rural Alaskans have labored under past State management of wildlife, where mainly urban, recreational and commercial interest dominated wildlife allocation of the distribution system.

Now while basic subsistence rights through priority allocation have been identified, a second, and more difficult issue should surface. This innocuous and complex issue is the relationship between the subsistence lifestyle and rural energy consumption.

Fueled by large scaled capital growth, and inflationary increases in heating oil, electricity and gasoline, the villages are facing a newer, and more difficult problem, one not easily solved by legislative findings and policies geared to non-cash subsistence items. The village family, faced with both ^a subsistence harvest to feed the family, and paying for the exorbitant rises in both home heating, electricity, and gasoline for their outboard motor and ^{boat} snowmachine must make a choice during the peak summer subsis ^a harvest period. The family must choose whether to work seasonally and obtain cash when it is available and delay their summer harvest of wildlife, or harvest the wildlife when it is normally plentiful, forgo seasonal employment, and make out the best they can during the winter through trapping and/or welfare to pay for their energy and needs. Current policies

of the State and Federal government do not make this decision easier for the village family, but pressure this decision by both direct and indirect influences on the village's economy.

Construction of publicly funded capital projects helter-skelter in the villages, inadequate planning for fuel purchase, transportation, and storage, increase kilowatt demand, and a failure to address substantial price and cost differences between rural and urban energy costs, has already severely disrupted the rural village economy.

Sympathetic legislators and administrators to the plight of rural Alaskans on the subsistence issue have failed to address the energy crisis. Unlike subsistence, the rural energy crisis will demand substantial involvement in both manpower and finances from Federal and State government. Energy self-sufficiency, the keynote to the rural village at the turn of the century, should be the goal of all public policies and planning for the rural villages.

In the village of Chevak, 1974's fishing year was very late. High winds and a late Ninglikfak river break-up prevented the village from first leaving its own river, and then crossing Hooper Bay to catch migrating salmon in the western mud flats of that bay. When the men finally got across the bay, there was twenty eight of them. Their small boats, and old torn nets, were merely extra appendages to their nimble fingers and minds, for the gear was by commercial standards, both inadequate and obsolete. But the men worked hard, with efficiency, and harvested enough salmon during a two week period to see their families through that winter. Salmon, seals, and birds made

up their diet during that time. Work for cash was extremely scarce, and consisted that year of longshoring, cannery, fire-fighting, and some construction. Oil was \$38/drum and gasoline \$45/drum (and electricity 14¢/KWH from AVCC that winter) at the village's only private store. ↓ The men faced the winter at least with food, and trapped heavily for oil money that winter. Some families figured out the mail and printed form mess and obtained both BIA and State general assistance. Once again, the village got through the winter.

By 1978 only three men fished with any success. Fishing was just as difficult, a poor chum salmon run and high winds, but in many cases, both gear and boats had improved. It is often amazing when the village gets through the "modern" winter. New 100-300 foot nets as of 1974 were available: metal and plastic boats had replaced the narrow wooden boats. Speed, aided by larger motors, now dominated the subsistence harvest. A hunter's time, where once governed by tides and the plentifulness of available resources, was now governed by the workweek and the cost of gasoline. The facile minds of the rural families, not mechanized by formal education, had adopted to the white man's world, and had cashed in. Work was more plentiful from a new variety of sources. Village corporation construction, Economic Development Administration make-work construction, BIA construction, CETA financed village construction, and numerous other projects dotted Chevak's summer worklife. And there was a reason. Oil was \$78/drum, and gasoline \$85. A kilowatt hour of electricity was \$.34 KWH. Freezers now existed, and some refrigerators also. Winter weatherization programs helped

and v. 1974

solve some problems with shoddy state and federal private housing projects. But yet with all this outside financial help, this new capital wealth, this cash economy, the villagers were still treading water. They just managed to pay for their oil, their gas, and their electricity and there was normally nothing left. Cash has replaced harvest as the important summer adventure, but the hand-to-mouth subsistence existence that marked their grandfathers time, now marked their cash existence. Government did not help. Government, in its haste to solve short term problems, was creating newer, long range problems. ^{Replacement for} The food that was passed up in the field in June for a hammer and nail cost three times as much ^{the following} in March from a can, and far exceeded the ^{food} subsistence in cash replacement value and was mediocre nutritionally. People have unwillingly traded one lifestyle for another because of energy pressures, for the majority of villagers abhor welfare, but fuels and energy must be purchased. Held within an endless spiral of escalating costs, and with no alternate resources to select their energy from, the villages are locked into an endless battle that will continue to devalue their life and culture.

Families that lived out of store in 1978 were paying from \$450 to \$800/month to buy carbohydrate substitutes ^{or} missing protein rich dried salmon ^{now} and herring. Dental caries chronic ear drainage, and respiratory infections, illnesses linked by medical researchers to recent changes in the rural diet, and social ills brought on by sucking at pilot bread crackers in February instead of gnawing dried seal meat, are now normal winter conditions of the rural village.

The houses are sometimes warm, the snowmachines often have gas, the light bulbs and radios normally work, but life has changed in a way without internal village control. Life has changed from the outside in, and the immensity of trying to turn about economic conditions brought on by higher energy costs is currently beyond the ability of the rural village to manage.

Examples

1. Village public construction.
2. Village fuel systems: ordering, transportation, storage, distribution.
3. Village alternate energy systems: electricity, space heat, housing.
4. Village economics.
5. Subsistence harvest/energy examples.
6. Social problems/nutritional problems.
7. Alternative plans summary
 - a. sub-state planning districts-long term, short term.
 - b. fuel/electricity subsidy
bulk storage capacity
state chartered barges
demonstration projects: wind, hydro, conversion, waste heat
comprehensive village energy planning.

VILLAGE PUBLIC CONSTRUCTION

The villages of the region are depending more on imported oils. It is also costing them more. In 1974, a survey of ²⁴ families in Chevak revealed that between ~~26-53%~~ ^{63%} of their cash income went for energy. Incomes have increased since that time. But so have energy costs. Whereas home heating fuel cost \$48/drum in 1975, oil is now \$82. Gasoline, then \$56/drum is now \$90, and a kilowatt/hour of electricity has risen from 14¢ to 34¢. A similar survey was made in 1979 among the same ^{same villages} 24 families. Energy is still taking the same measure of their cash, and in most cases, even more is being spent, *from 32% to 58%* a figure disproportionate to the national average of ____% of median income. *See enclosed chart*

The reasons are many. Fuel is delivered by either barge or airplane from lower 48 refineries. Energy to power the ~~plants~~ ^{transportation system} has increased, and freight rates have skyrocketed. Competition amongst rural villages for available barges has also ^{grown} ~~grown~~. *(See enclosed chart)* In the Yukon-Kuskokwim Delta alone, there have been over 30 new high schools being developed since ^{settlement} ~~settlement~~ of the landmark Hootch Case, ^{settlement} ~~since~~ 1977. Unfortunately, not one school district has worked through the Department of Transportation ^{and village council} ~~and~~ to coordinate ^{future} ~~growth~~ in the public sector with village ^{the existing} fuel capacity, planned ^{growth} ~~growth~~, or consumption to seek community-wide efficient combustion ^{energy grids} ~~systems~~. With even greater demand for bulk supplies to fill school oil tanks, the villages must fight first to obtain its required fuel, and has little room to seek economies other than involuntary cut-off of consumption by its own residents when the oil is either too expensive or not available. Economic Development Administration construction during the summer of 1978, a make-work program to ease villages through summer unemployment, constructed 30 buildings. The EDA ^{funds} ~~could~~ not be used by villages to retrofit existing structures, or for ^{the} ~~for~~ purchase of energy efficient equipment to conserve energy. ^{village} ~~This~~ request ^{being} ~~was~~ denied by EDA. Each of these ~~new~~ buildings, employing conventional space heating and electrical system, further adds to the village's energy burden. Both the ^{new} ~~schools~~ and the EDA ^{could} ~~require~~ more bulk storage plants, more demands on the barge companies, larger electrical

generating capacity, and more use of village manpower and management to support ^{these} its new energy demands, which in turn lessens the village's ability to take care of its own needs, and increases the village's costs of ^{supplying} ~~doing~~ its own energy needs. Growth in the public sector is forcing energy demands on the villages that encumber the village with inefficient systems and higher costs in face of a dwindling cash base for the village family.

VILLAGE FUEL SYSTEMS

Chevak has two major fuel storage problems. The first is that the tanks farms of both the village, the B.I.A. school, and AVEC sit within 100 yards of each other and each major public ^{and private} building in the village. ^{The grounds of the village/AVEC tanks are} If a fire ^{saturates} began, the business and public sector of the village could be eliminated. Funds to relocate and dike these tanks to reduce the significant of fire in any one tank farm has been repeatedly requested, but not ~~be~~ made available. When pushed, BIA merely relocated its tanks, an additional 75 feet away from the AVEC site, ^{and but} ^{to a remote site.} not out of town. The second major problem is that ^{rather} than sharing their ^{and costs} supplies, coordinating the mechanics ^{of supply} fuel oil to their respective charges, and establishing with village consultation a distant tank farm, each ^{bulk tank} ^{owner} proceeds on its own to ^{secure} ^{supply and} deliver its own services. The manager of the village corporation's fuel supply states that he has approached both AVEC and BIA to pursue this issue, but without success, or even recognition of how by combining programs, ^{operational and maintenance} costs could be reduced, ^{thereby reducing cost/gallon within the village}

ENERGY EFFICIENCY

^{five} For ~~seven~~ years, Chevak has attempted to purchase or lease waste heat from the AVEC ^{these} generators. These generators, operating at ¹²⁰ ~~120~~ KW/H prime in the summer, and 280 KW/H peak in the winter waste nearly 2,000,000 BTU per hour ^{in the} ^{summer} which could be applied to heating community buildings. Even though the Board of Directors of AVEC has ordered its administration to enter into negotiations in a positive note with villages on waste-heat recovery, the AVEC administration continues to discourage village interest. The latest offer by management was for Chevak not only to purchase the waste heat recovery equipment, but to then lease the waste heat ^{at a high} ^{premium} ^{no discount was offered} rate. The village could not justify the expense under these conditions. ^{Administration} AVEC's hot air and its Board are still blowing in the wind

The village corporation had wished to purchase the waste heat to reduce the fire danger within its store and combination recreational hall/office building, thereby reducing the village need to purchase and fill one 10,000^{gals} bulk storage tank.

While waiting for AVEC to commit itself, the village has purchased a bladder tank and filled it. The area surrounding the bladder tank is saturated with oil, and poses a significant fire danger to the store, only 25 feet away. The closest pressure water system is $\frac{1}{4}$ mile away at the village well, and no fire hose system exists in the village.

The new EDA building, constructed by the Chevak Traditional Council, sits only 120 feet from the Corporation's Rec building, and within line of waste heat loop. This building with its 3600 square feet of floor space competes with the village's community hall for events, and is normally unused, save for important town meetings.

The traditional Council plans to spend \$4,000 in energy cost for 1978-79 to maintain heating and lights in the building for its small staff. No EDA funds were allowed for O&M, or purchase and a guarantee of barge re-supply on heating oil. That is not part of EDA's mandate.

The school, constructed by the Bureau to replace another new structure that burnt down after two years in 1975, uses 120,000 gallons of diesel, and has back-up electrical capacity. Although the site for the school is only 50 feet from the AVEC generator, government architects decided against waste heat use; the school continues to be the largest consumer of diesel in the village, rather than the pioneer in waste heat recovery and energy efficiency.

The Department of Environmental Conservation assisted the village in finishing off its much used shower/washeteria, but energy costs skyrocketed to \$21,000, far beyond user fee support, and a drain on the village's only other source of revenue, revenue sharing funds, so DEC purchased a 8,000 bulk tank, assists the village in filling it yearly and paying for the oil, but is inclined to shift to wind if other demonstration project prove the feasibility of aerogenerators in terrain where icing of superstructure would occur continuously.

Of all the consumers of bulk quantities of fuel, only DEC, the poorest of the public agencies has expressed interest in limiting consumption, and seeking alternate means of providing required energy.

For the villager, there is little hope. Winter weatherization funds were restricted to purchase of new materials for insulating, but could not be used to retrofit or replace damaged, in-place insulation. The majority of the framed houses in Chevak were designed in the temperate zones of the United States; their plans were imported to the sub-arctic, and constructed. The plans just don't make any sense to the villager, who wonders why the wind is given such a clear channel into his living room. The villager has certain ways to fix and repair things. With no technical assistance, he will stick to what he knows. The house's plan for energy conservation is definitely something he does not know, so when cracks appear

the villager is not prone to doing something about them. Even when those cracks allow wind-blown snow to infiltrate wall and roof panels, matting the insulation when warm periods melt the accumulated snow, reducing the insulating qualities to zero. The water streaming down the interior paneling is just something that goes with the house, and in bad times, the B.I.A. will bale out the village with emergency support for more oil purchases, even to the point of freighting the much-needed oils in the spring when village supplies have evaporated along with the insulation and ~~the~~ interest in common sense. Multiple the number of framed houses built by outside architects by a factor of two additional drums of oil each winter the house stands for the loss of insulating due to the failure to properly maintain a foreign house, and the figure begins to overcome the village's desperate efforts to keep ahead of oil demand. This is a major reason for the growing demand for oil in the face of austerity in supplies and rising costs that disrupts rural villages each spring.

VILLAGE ECONOMIES

Looking at a rural village, a casual observer would wonder where the funds to pay for energy come from. Visible signs of economy do not exist in the native portion of the village; only a speckle of natives are involved in the public portion of the village. Studies to develop knowledge on the affect of energy in the native village family do not exist. In order to fill this gap, a survey was taken in 1975 and again in 1979 among 24 low-income families in Chevak. These families do not have year-round workers. All of the selected families have members who work seasonally for labor-type wages, and depend in some part on public assistance. Effort was not made to develop percapita figures, but ~~AXXXXXXX~~ rather to concentrate on the household, a more familiar and fluid determination of the village family. In comparison to 19745 income had increased, per family, up from \$3217 to \$5568. Both fuel and gasoline consumption per barrel were also up, and the percentage of income spent on these two energy types was also up, arriving at 37% of each dollar. This figure does not include the cost of electricity, whose use judged by prime power rates in both summer and winter is up 35%, and costs up 300%. If an average household has an \$80/month billing from AVEC, and pays it, the total cost for three basic forms of energy imported, expended, and non-recurring in the village family is 54.7%. The national average is _____. Although the families that have higher incomes were excluded from the survey, their houses and energy needs are uniform with the other people, and the surplus funds are spent on snowmachines and boats with motors. Protein is still collected from the land in the most part, with the families having better equipment collecting as much in volume, having a greater selection in types, as those cash poorer members of the community who spend more time with limited equipment to feed their families.

A comprehensive evaluation of the cash distribution and expenditures within the modern village has not been undertaken at this time, and is essential to assist public planners to develop a new set of values in determining projected growth in the modern village. No longer can any project be expected to "add" to the village, just as any new "gift" of funds can be expected to be shared equally for the benefit of all community members.

When funds do appear in the village, an internal selection process occurs in determining who shall get the jobs. The high paying, short term jobs are normally directed to the older men who support large families, while the young men are forced to scramble around either within the village or outside to find entrance level positions at minimum wages. Women normally collect office school, and health related employment in the villages. But in the villages, an income is essential, from some source, but is never enough to bring people above the constant search to feed themselves daily. Long term planning, for a year, is an unusual ^{year-round} event in village economics, for sustained resources other than limited agency/positions and Alaska Native Claims Act funds which benefit a distinct minority of villagers, do not exist.

In regard to subsistence, the lack of continuous flow of income affects primary harvest by restricting purchase and maintenance of gear and machinery, like snowmachines and outboards, and fuels to run them. Repair parts are best cannibalized from someone else's misfortune, and small engine repair knowledge is limited to very few people who have spent the time to read manuals printed in English. Getting the funds to originally purchase the gear is a hard task, but with credit available internally within the village, purchases can be made, with payment to drag out over many years due to interrupted cash flow. The village corporation understands the need of a village family for proper gear, and often lowers effective credit barriers practiced in urban communities, to supply gear. Rather than forcing an individual to learn repair skills to fix and maintain his old skill, cash in the form of new equipment is loaned out, further incurring the village family in a serious test of its financial support, and damaging the cash flow of the corporation established by Congress to make rural villages "work" like white economies. While the machinery continues to break down, harvest of protein is interrupted. Purchase, repair, harvest, a serious cycle for the village family to get through its subsistence year, is now in serious jeopardy. Declines in pursuit, a victim of modern capitalism, has altered significantly the village economy. Wasteful practices in gear alone, considered a sin of laziness, and one leading to deprivation to one's family, in the old days, is now commonplace in the modern village. Values have begun to change in response to a new economic order. ~~Maxxingxxexxxdifferenxxdruunxxxxenxxxxese~~ Floating in a different kayak,

responding to time constraints, job availability, fuel demands, stepping over the latent interest of "neqplaq" or real food, arduous, time consuming pursuit of wildlife, being weeks in the field to obtain what you need when it is available, is now a more dominate way of life. Energy, once a function of human muscles, fueled by seal and fish oil, is now imported great distances in finished form, after being taken from another person's ground even further away, in its raw form. The ^{subsistence} village that was is no more. The modern village and its economy depends on foreign resources, an uneven cash flow, and growing debt structure which will spell economic doom. More money is not the answer, for money given without intelligence will merely accelerate the difficulties. Technical resources, explaining trade-offs and efficiencies, so that the village can make judgements based on facts, and supported by past experiences from their own history and from other villages in the state that have witnessed similar events, are essential to smoothing out the transition into the cash system. Thaxsimexxxxfxa

SUBSISTENCE HARVEST/ENERGY EXAMPLES harvest

When ~~time~~ was govern by tides and snow conditions, time was of little consideration to the subsistence village family. Seasonally, small hunting parties would ^{and wood} traverse the tundra, seeking their flesh and skins/for food and clothing, and fuel. Their abodes, subterranean abodes, dug into the infrequent hillsides that exist on the tundra, and lined with drift wood, were energy efficient. A small seal oil lamp made the room comfortable even in the worst weather of -40° and 50 mph north winds. Water did not freeze, even without a seal oil lamp. Yet in today's world, with framed houses, outboard engines, metal boats, snowmachines, the new order of inefficient gear and less time is in control.

Recent ^{social} studies have concentrated on how subsistence harvest has changed. In many cases, migration has not govern harvest. With better gear, people are able to venture further in shorter periods of time, seeking alternate food sources, a greater variety, for their local diet. In the old days, the richer variety of food was a result of the entire family moving seasonally. When food was not available, and starvation threatened, the family would move. Now, the village family is tied to the modern village. The children attend school, and in general only the men travel for harvest, the same men who must also earn the money to purchase the life necessities of the modern village. The man must concern himself not only with seal, but with oil, not only herring, but gasoline. He must be a master of all trades and new knowledge, yet is formally taught little. He does his best, in the end, with very little to make it through the winter, for his family. The past two summer fishing seasons in Chevak, the winds have been predominately from the south. Both the village of Hooper Bay and Chevak predominately fish in the mud flats in the western portion of the bay, adjacent to Hooper Bay.

but with a predominate south wind, the fish are not driven into the bay. The village suffers. The majority of men neither have the money or time to hunt for the salmon offshore. Their boats are simply dangerous in ocean waters. Subsistence fishing for salmon, by both gasoline costs and limits on gear, is to seek the largest number of fish in the shortest amount of time, using the least amount of gas, and requiring no special gear. If the fishing is completed by late- June, this will allow the men of the family the remainder of the summer for seasonal employment to raise money for oil and gas purchases. But with south winds, the scenario falls apart.

With no fish in the expected time, serious problems resulted in the village. First, the supply barge for oil and gasoline came early. Those people who wished to purchase bulk supplies had to seek work early to hoard money to pay for gas. This limited their time for fishing.

When the weather is bad, the men attempt to catch fish in the eastern portion of the Bay, called the Keoklevik River. In 1978, by June 26, only nine families had caught over 20 salmon because of the inclement weather. Each daily trip to the mouth of the Keoklevik took 1 tank of gas, an \$8.50 venture. In that the fish were being caught only the incoming high tide, given the south winds, one trip a day was made, and people returned home after the crest of high tide. They were not available in the village for work. After June 26, the winds died down, and eight boats went across the bay. By this time, Hooper Bay had already caught its fish, but the weather was so inclement, that a majority of the put-up air dried salmon had soured. The south wind was so fierce that the south side of each salmon's flanks was raw and sour, and the split fillet facing the north was hard as a rock, and difficult to smoke. But by this time, the annual visit by the re-supply ship of the B.I.A., the "North Star" had begun, and the men had to longshore at high tide when they would normally check their nets. For Chevak, once their nets were set, the winds began again. Already divorced from the CEFA sponsored daily work in the village, the men attempting to fish used up a great deal of gasoline. It takes approximately \$17.00 and a long time to go and return from Hooper Bay. The fishing stretched into the middle of July, but only one family caught its required 450 chums, food for 28 people for that family's winter. The next highest total was approximately 180 fish, but the continuing south wind harassed smoking efforts, and many of these fish were lost. On average, the people of Chevak caught 15% of what they normally took at best. By not getting the salmon, people opted for looking for work, or going after other fish and seals. Because harvest is more difficult, and catch per unit effort drops when seeking small white fish rather than salmon, gasoline and time spent increased greatly. What dollars and time available to the village family

was fast disappearing. During the year of 1978, many people just gave up seeking native food, sought work or public assistance, to pay for their oil and gasoline, and to purchase substitute food from the store, or from people in other villages who were successfully in catching native foods. This is the barter system as modified in the cash economies in the village. When underharvest takes place, relatives or neighbors are contacted to obtain surplus foods, and often cash is exchanged for "nuqpiag." State law now recognizes this exchange in limited quantities, and the financial assistance for the transfer of surplus foods is helpful in defraying the costs the successful hunter has incurred. In light of environmental conditions that exist, and the limited equipment, a properly equipped and fortunate harvester is a rarity, and except in specialized circumstances when local stocks are in population sensitive conditions, can the surplus harvest become damaging.

In 1979, the situation in Chevak did not change for the better. The village ran out of fuel in early spring, drums being imported at over \$100/drum secured. Seal hunting was poor, for ice and wind conditions kept the ice offshore for most of the spring, and an extremely warm winter limited snow travel to normal seal harvest areas. Walrus were abundant in an area far south of the village, but ^{poor snow} travel to that area, and inexperience in harvesting walrus limited success. Herring and salmon were essential to face the 1980 winter. Gasoline by this time was up to \$12.00 for a six gallon tank, and herring nets were not plentiful. When the herring came, both Hooper Bay and Chevak were ice bound in their rivers that lead into Hooper Bay. The first, major run of herring, capable of being caught in existing white nets, passed through, and by the time villagers got into the Bay, smaller fish were present, that passed right through the larger mesh. Looking forward to salmon, people began to prepare, mending nets, setting stakes to anchor the ends. But the south winds came again. First, no kings, and then no chums. Even Hooper Bay, whose close location and access to the salmon channel make their harvest efficient and low-cost, were desperate for salmon. Chevak, restricted to the other side of bay again by the winds, caught fewer fish than in 1978. People opted for jobs early, and gave up fishing. Men and their older sons sought work out of the village when it was available, thereby reducing their ability to fish off-hours for subsistence. For the first time, the village store began to import beef. Both cash jobs and public assistance were paying for the change over in diet. Men with cash in Chevak began to advertise cash for fish, but there were no takers. Fishing remained lousy through July, and people began to prepare ^{six} for whitefish, which are smaller, and not as numerous. Fuel costs were normally six times as great for an equivalent weight of white fish, and the supply limited, forcing longer and longer trips to harvest the resource. The longer the time away, the more funds expended for transportation energy, and