

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILES 86/2

409 SCOMM10: LOCAL GOVERNMENT STUDY 1979 409

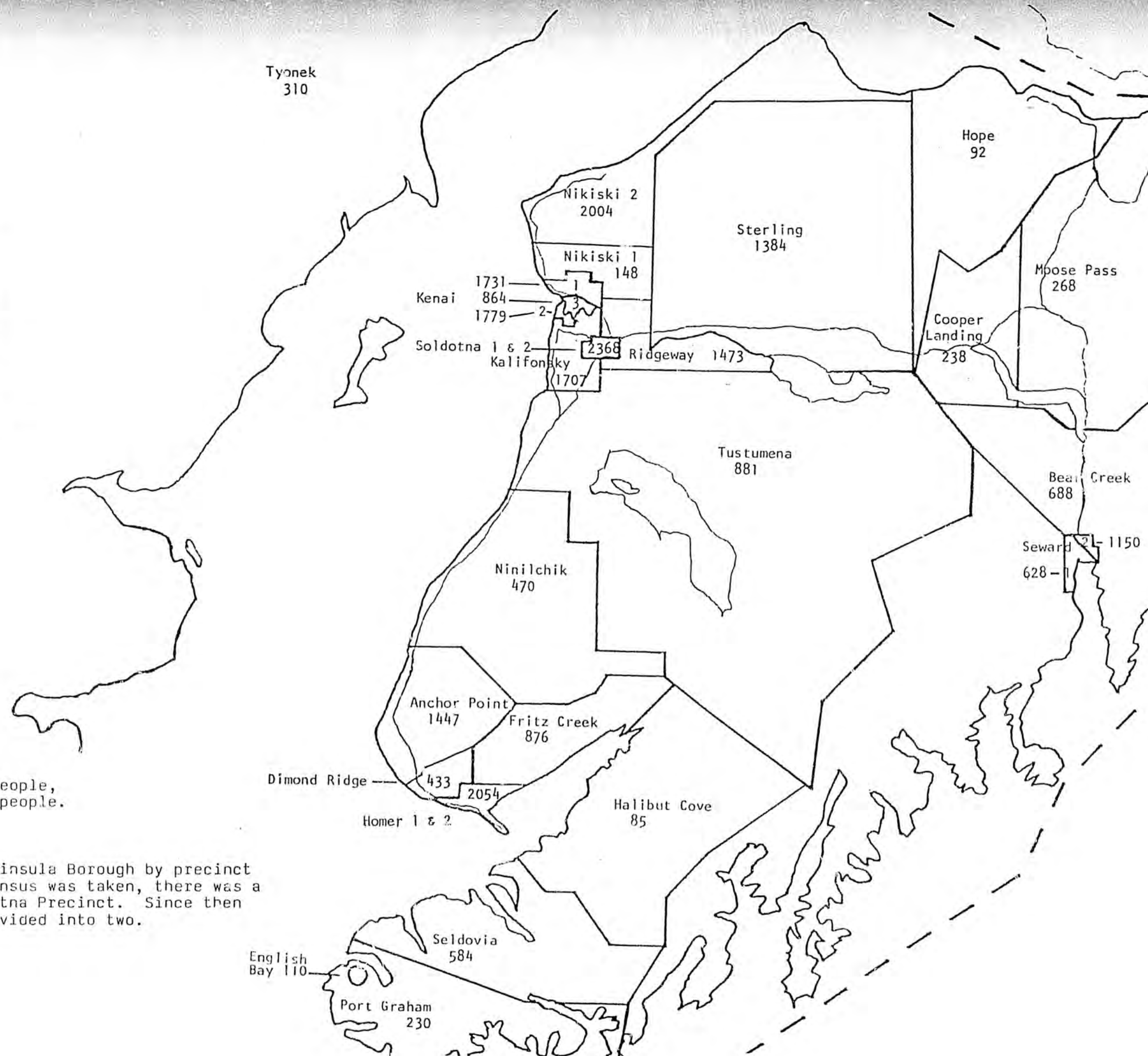
AT-LARGE PLAN

Population by precinct:*

Anchor Point	1447
Bear Creek	688
Cooper Landing	238
Dimond Ridge	433
English Bay	110
Fritz Creek	876
Halibut Cove	85
Homer 1 & 2	2054
Hope	92
Kalifonsky	1707
Kenai 1	1731
Kenai 2	1779
Kenai 3	864
Moose Pass	268
Nikiski 1	1481
Nikiski 2	2004
Ninilchik	470
Port Graham	230
Ridgeway	1473
Seldovia	584
Seward 1	628
Seward 2	1150
Soldotna 1 & 2	2368
Sterling	1384
Tustumena	881
Tyonek	310
<u>TOTAL (28)</u>	<u>25,335</u>

16 Assemblymembers representing 25,335 people,
or one Assemblymember for every 1583.43 people.

* Special Census Population of Kenai Peninsula Borough by precinct
as of July 13, 1978. At the time the Census was taken, there was a
single Homer Precinct and a single Soldotna Precinct. Since then
these single precincts have each been divided into two.



THREE-DISTRICT PLAN

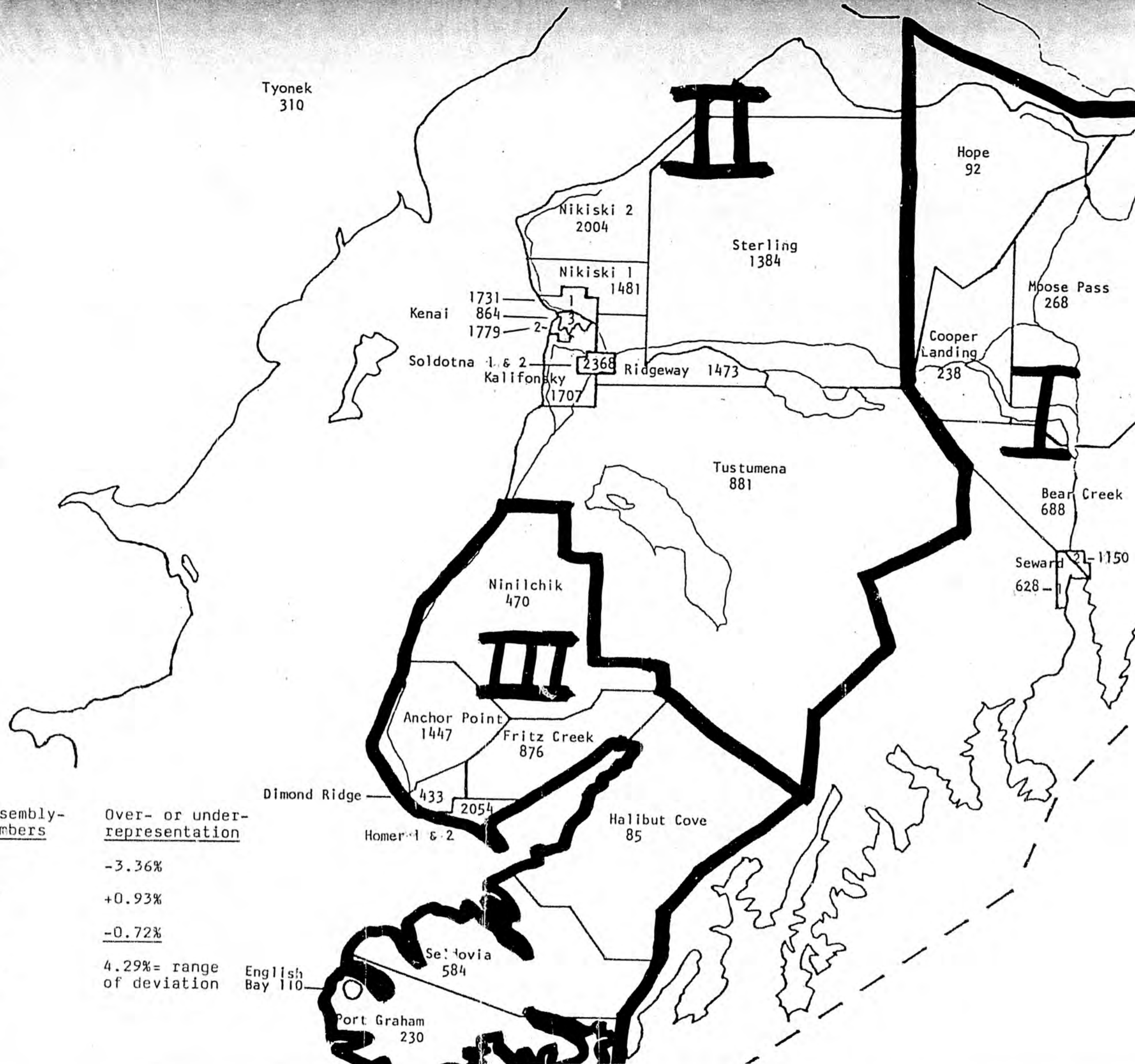
I. EASTERN	Bear Creek	688
	Cooper Landing	238
	Hope	92
	Moose Pass	268
	Seward 1	628
	Seward 2	1150
	<u>TOTAL (6)</u>	<u>3064</u>

II. CENTRAL- NORTHERN	Kalifonsky	1707
	Kenai 1	1731
	Kenai 2	1779
	Kenai 3	864
	Nikiski 1	1481
	Nikiski 2	2004
	Ridgeway	1473
	Soldotna 1 & 2	2368
	Sterling	1384
	Tustumena	881
	Tyonek	310
	<u>TOTAL (12)</u>	<u>15,982</u>

III. SOUTHERN	Anchor Point	1447
	Dimond Ridge	433
	English Bay	110
	Fritz Creek	876
	Homer 1 & 2	2054
	Halibut Cove	85
	Ninilchik	470
	Port Graham	230
	Seldovia	584
	<u>TOTAL (10)</u>	<u>6289</u>

DISTRICT SUMMARY

	<u>Actual Population</u>	<u>Ideal Population</u>	<u>Assembly- members</u>	<u>Over- or under- representation</u>
I.	3064	3167	2	-3.36%
II.	15,982	15,834	10	+0.93%
III.	<u>6289</u>	<u>6334</u>	<u>4</u>	<u>-0.72%</u>
TOTAL	25,335	25,335	16	4.29% = range of deviation



FOUR-DISTRICT PLAN

I. EASTERN	Bear Creek	688
	Cooper Landing	238
	Hope	92
	Moose Pass	268
	Seward 1	628
	Seward 2	1150
	TOTAL (6)	3064

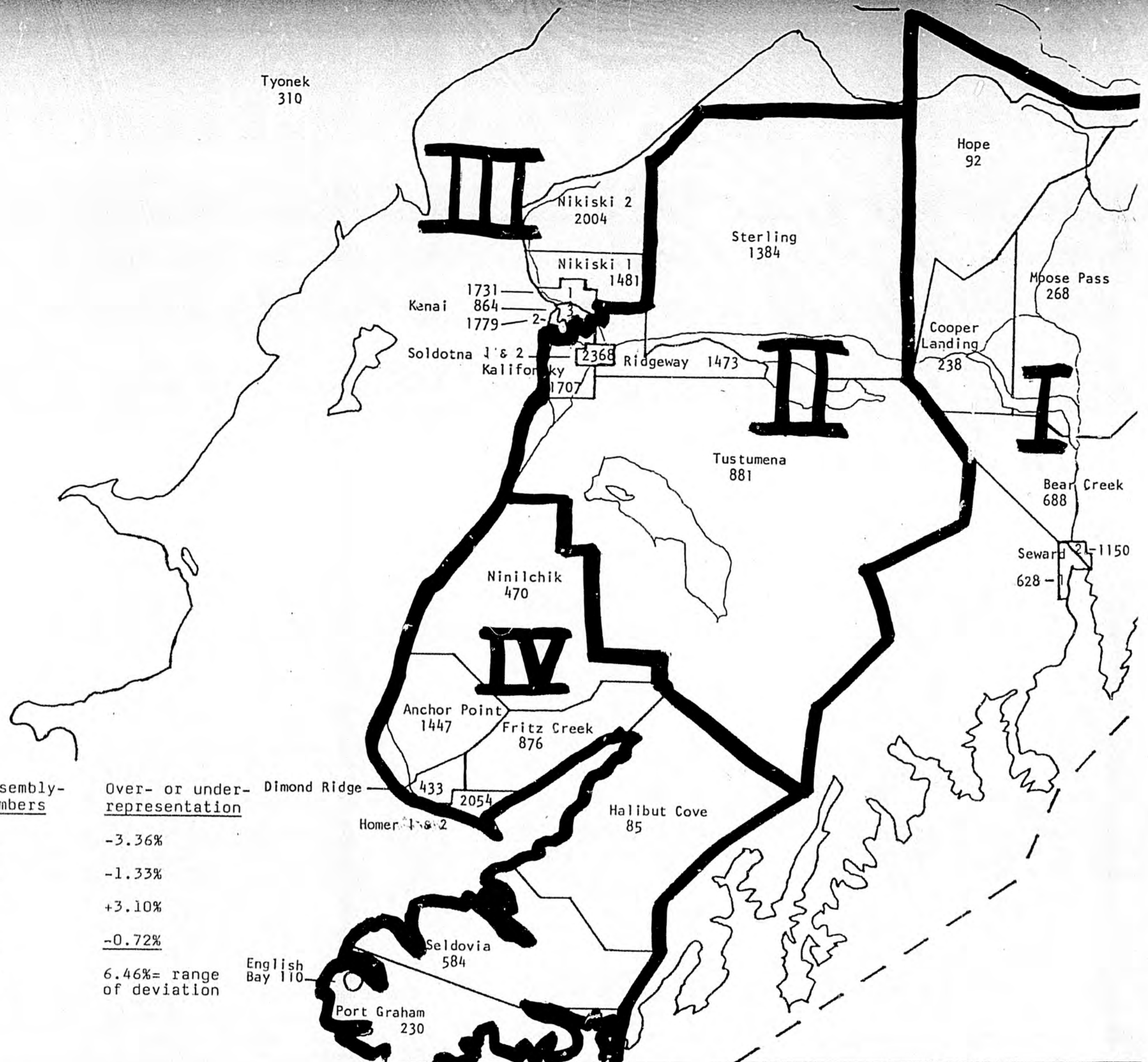
II. CENTRAL	Kalifornsky	1707
	Ridgeway	1473
	Soldotna 1 & 2	2368
	Sterling	1384
	Tustumena	881
	TOTAL (6)	7813

III. NORTHERN	Kenai 1	1731
	Kenai 2	1779
	Kenai 3	864
	Nikiski 1	1481
	Nikiski 2	2004
	Tyonek	310
	TOTAL (6)	8169

IV. SOUTHERN	Anchor Point	1447
	Dimond Ridge	433
	English Bay	110
	Fritz Creek	876
	Homer 1 & 2	2054
	Halibut Cove	85
	Ninilchik	470
	Port Graham	230
	Seldovia	584
	TOTAL (10)	6289

DISTRICT SUMMARY

	Actual Population	Ideal Population	Assembly- members	Over- or under- representation
I.	3064	3167	2	-3.36%
II.	7813	7917	5	-1.33%
III.	8169	7917	5	+3.10%
IV.	6289	6334	4	-0.72%
TOTAL	25,335	25,335	16	6.46% = range of deviation



APPENDIX

Contents:

Alaska Statutes 29.23.020 (composition, apportionment, and reapportionment);

Alaska Statutes 29.23.021 [Eff. January 1, 1981]
(Assembly composition and apportionment);

Alaska Statutes 29.23.023 [Eff. January 1, 1981]
(Composition and representation requirements for general law boroughs);

Alaska Statutes 29.23.025 [Eff. January 1, 1981]
(Assembly recomposition and reapportionment);

Sections 4, 26, 27 ch 83, SLA 1979.

April 7, 1980 Attorney General Opinion (Kenai Peninsula Borough reapportionment);

March 21, 1980, Attorney General Opinion (Use of district-at-large representation);

March 20, 1980, Attorney General Opinion (Use of weighted or fractional voting for apportionment);

November 6, 1978, Attorney General Opinion
(Reapportionment of borough assembly);

September 18, 1975, Attorney General Opinion (Kodiak reapportionment of Borough Assembly).

Alaska Statutes

Title 29. Municipal Government.

Chapter 23. Municipal Officers and Employees.

Sec. 29.23.020. Composition, apportionment, and reapportionment.

Repealed by § 24 ch 83 SLA 1979, effective January 1, 1981.

Cross reference. — For present provisions covering the subject matter of the repealed section, see AS 29.23.021 and 29.23.025.

Editor's note. — The repealed section derived from § 2, ch. 118, SLA 1972; § 12, ch. 118, SLA 1972; § 9, ch. 200, SLA 1972.

reapportionment of the borough assembly is required or proposed under AS 29.23.020, repealed by sec. 21 [24] of ch. 83, SLA 1979,

Section 26, ch. 83, SLA 1979, effective June 2, 1979, provides: "Notwithstanding AS 29.23.040, amended by sec. 4 of ch. 83, SLA 1979, the terms of office of borough assemblymen elected or appointed to dual borough assembly city council seats are not affected by the amendment made to AS 29.23.040 in sec. 4 of ch. 83, SLA 1979 until

or is effected as required or proposed under AS 29.23.021 — 29.23.025, added by sec. 1 of ch. 83, SLA 1979."

Sec. 29.23.020. Composition, apportionment, and reapportionment. (a) 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.

(b) Within six months of October 14, 1972, and thereafter within six months of the official report of a federal decennial census and issuance of any supplementary data to the report necessary to establish population distribution within the borough, the assembly shall

(1) determine and declare by resolution whether the existing assembly apportionment meets the standards designated under (a) of this section;

(2) if the existing apportionment does not meet the designated standards, provide by ordinance for reapportionment and, if it chooses, changes in assembly composition, in accordance with the designated standards;

(3) submit the ordinance to borough voters for approval or rejection as provided in (c) of this section.

(c) The vote on an ordinance submitted under (b) (3) of this section shall be tabulated in two separate classifications. One classification shall consist of all votes cast in the first class and the home rule cities of the borough. The other classification shall consist of all votes cast in the remaining areas of the borough. In order for the ordinance to be approved it must receive majority approval in each classification. If, at the end of the time period prescribed in (b) of this section, no ordinance has been approved, the Department of Community and Regional Affairs shall provide for the reapportionment in accordance with the standards designated in (a) of this section.

(d) In addition to providing for apportionment at the times required under (b) of this section, the borough assembly shall provide for its reapportionment and, if it chooses, a change in assembly composition, whenever, on the basis of federal census reports or other reliable population data, it determines that the existing apportionment does not meet the standards for apportionment designated in (a) of this section. The assembly is required to determine whether the standards are being met upon petition of 50 borough voters. The petition must include reliable evidence that the existing apportionment of the assembly does not meet the designated standards. Reapportionment under this section shall be implemented by ordinance or by act of the Department of Community and Regional Affairs in the same manner as prescribed for reapportionment in (c) of this section.

(e) Members of the assembly are selected according to assembly composition and apportionment set out in the incorporation petition approved by the voters or subsequently provided in accordance with this section. A change in assembly composition or apportionment under this section shall be effective beginning with the next regular election to the assembly.

(f) Assembly or Department of Community and Regional Affairs determinations or reapportionments made under this section are subject to judicial review. The running of time periods specified in (b) of this section shall be tolled until a final judgment is rendered in an action brought under this subsection.

(g) This section applies to home rule and general law boroughs. (§ 2 ch 118 SLA 1972; am § 12 ch 118 SLA 1972; am § 9 ch 200 SLA 1972)

Cross reference.—See Editor's note to AS 29.18.120.

Effect of amendments. — The first 1972 amendment rewrote this section.

The second 1972 amendment, effective July 1, 1972, substituted "Department of Community and Regional Affairs" for "Local Affairs Agency" in the last sentence of subsections (c) and (d), and in the first sentence of subsection (f).

This section provides a convenient method for reapportioning whenever necessary. 1965 Op. Att'y Gen., No. 5.

Section supersedes home-rule enactments. — By AS 29.13.100 the legislature has specifically provided that this section supersedes existing and prohibits future home-rule enactments which provide otherwise. *Roderick v. Sullivan*, Sup. Ct. Op. No. 1099 (File No. 2243), 528 P.2d 450 (1974).

Section is ambiguous as to when voter ratification of subsequent apportionment plan required. — This section is ambiguous as to whether there must be voter ratification of an apportionment plan when the existing plan has not been determined to be unconstitutional. *Roderick v. Sullivan*, Sup. Ct. Op. No. 1099 (File No. 2243), 528 P.2d 450 (1974).

Such ratification is required when existing plan not found unconstitutional. — Voter ratification of a subsequent apportionment plan is required when the existing plan has not been determined to be unconstitutional. *Roderick v. Sullivan*, Sup. Ct. Op. No. 1099 (File No. 2243), 528 P.2d 450 (1974).

Authority to alter apportionment, etc., when apportionment is unconstitutional. — The assembly is required to take action when it determines that the apportionment of its assembly fails to meet the standards of the equal protection clause of the United States Constitution. Under those circumstances, authorization is granted to the assembly to make changes in its composition as well as to make the necessary reapportionment. *Roderick v. Sullivan*, Sup. Ct. Op. No. 1099 (File No. 2243), 528 P.2d 450 (1974).

But section is ambiguous as to authority when apportionment not found unconstitutional. — This section is

as to whether an election is required for reapportionment with its silence on the power of the assembly to reapportion in the absence of a determination of unconstitutionality, the supreme court found ambiguity exists as to whether an election is required. *Roderick v. Sullivan*, Sup. Ct. Op. No. 1099 (File No. 2243), 528 P.2d 450 (1974).

It does not indicate what population data may be used by the reapportioning agency. 1965 Op. Att'y Gen., No. 5.

However, the agency may use population data other than official census figures in reapportioning seats or votes. 1965 Op. Att'y Gen., No. 5.

The only limit imposed by this section is that a reapportionment plan may not take effect until the next assembly election. 1965 Op. Att'y Gen., No. 5.

ambiguous as to whether the assembly may alter either its apportionment or composition when the existing arrangement has not been found by the assembly to be unconstitutional. *Roderick v. Sullivan*, Sup. Ct. Op. No. 1099 (File No. 2243), 528 P.2d 450 (1974).

This section may have several referents: (a) that the make-up of the assembly may initially be composed and apportioned in a manner prescribed by the charter or ordinance, (b) that there may be changes made in the composition and apportionment by charter or ordinance at any time or (c) such changes may only be made in the manner spelled out in subsections (b) and (d) of this section which mandate such changes when the assembly apportionment fails to meet equal representation standards. *Roderick v. Sullivan*, Sup. Ct. Op. No. 1099 (File No. 2243), 528 P.2d 450 (1974).

The words in subsection (a), "... If a borough is already incorporated, the assembly shall be composed and apportioned in a manner prescribed by charter or ordinance," while not ambiguous in themselves, refer to several different possible applications. *Roderick v. Sullivan*, Sup. Ct. Op. No. 1099 (File No. 2243), 528 P.2d 450 (1974).

This particular ambiguity is best resolved in favor of the assembly having the power of reapportionment itself or alter its composition even when there has been no determination of unconstitutionality. *Roderick v. Sullivan*, Sup. Ct. Op. No. 1099 (File No. 2243), 528 P.2d 450 (1974).

Section is ambiguous as to when election required for reapportionment. — Taking in conjunction this section's silence

The legislature intended that all reapportionment ordinances be submitted to the electorate. *Roderick v. Sullivan*, Sup. Ct. Op. No. 1099 (File No. 2243), 528 P.2d 450 (1974).

Sec. 29.23.021. Assembly composition and apportionment [Effective January 1, 1981]. (a) Assembly composition and apportionment shall be consistent with the equal representation standards of the Constitution of the United States.

(b) 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 the 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.

(c) An assembly may not provide for weighted voting. (§ 1 ch 83 SLA 1979)

Effective date. — Section 27, ch. 83, SLA 1979, makes this section effective January 1, 1981.

Editor's note. — Section 26, ch. 83, SLA 1979, effective June 2, 1979, provides: "Notwithstanding AS 29.23.040, amended by sec. 4 of ch. 83, SLA 1979, the terms of office of borough assemblymen elected or appointed to dual borough assembly-city council seats are not affected by the amendment made to AS 29.23.040 in sec. 4 of ch. 83, SLA 1979 until reapportionment

of the borough assembly is required or proposed under AS 29.23.020, repealed by sec. 21 [24] of ch. 83, SLA 1979, or is effected as required or proposed under AS 29.23.021 — 29.23.025, added by sec. 1 of ch. 83, SLA 1979."

Statute superseded home-rule enactments. — See *Roderick v. Sullivan*, Sup. Ct. Op. No. 1099 (File No. 2243), 528 P.2d 450 (1974), decided under former AS 29.23.020.

Sec. 29.23.023. Composition and representation requirements for general law boroughs [Effective January 1, 1981]. (a) 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

(1) elected at large by all qualified voters of the borough;

(2) 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

(3) elected by and from election districts or zones established by the borough for the election of borough assembly members.

(b) The proposals set out in (a) of this section shall be submitted to the voters. The vote on the proposals submitted to the voters shall be tabulated in two separate classifications. One classification shall consist of all votes cast in the first class and home rule cities in the borough. The other classification shall consist of all votes cast in the remaining area of the borough. The borough assembly shall, within three months of the certification of the results of the election adopt an ordinance providing for its composition and the form of representation which conforms to the form of representation receiving a plurality of the votes in each classification at that election.

(c) 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. (§ 1 ch 83 SLA 1979)

Effective date. — Section 27, ch. 83, SLA 1979, makes this section effective January 1, 1981.

Editor's note. — Section 26, ch. 83, SLA 1979, effective June 2, 1979, provides: "Notwithstanding AS 29.23.040, amended by sec. 4 of ch. 83, SLA 1979, the terms of office of borough assemblymen elected or appointed to dual borough assembly-city

council seats are not affected by the amendment made to AS 29.23.040 in sec. 4 of ch. 83, SLA 1979 until reapportionment of the borough assembly is required or proposed under AS 29.23.020, repealed by sec. 21 [24] of ch. 83, SLA 1979, or is effected as required or proposed under AS 29.23.021 — 29.23.025, added by sec. 1 of ch. 83, SLA 1979."

Sec. 29.23.025. Assembly recomposition and reapportionment [Effective January 1, 1981]. (a) Not later than July 31, 1981, and thereafter within four months after the official report of a federal decennial census, the assembly shall determine and declare by resolution if the existing apportionment of the assembly meets the applicable standards of AS 29.23.021 — 29.23.023.

(b) If the existing apportionment of the assembly does not meet the applicable standards of AS 29.23.021 — 29.23.023, the assembly shall provide by ordinance for its reapportionment. At the same time, the assembly may change the composition of the assembly.

(c) In addition to providing for apportionment at the times required under (b) of this section, the borough assembly shall provide by ordinance for its reapportionment and may provide for a change in its composition whenever it determines, on the basis of federal census reports or other reliable population data, that the existing apportionment does not meet the standards for apportionment in AS 29.23.021. If a petition signed by not less than 50 borough voters requests the assembly to determine whether the existing apportionment meets the standards for apportionment in AS 29.23.021, and the petition contains evidence that the existing apportionment does not meet those standards, the assembly shall make the determination requested.

(d) An ordinance adopted by the assembly under (b) or (c) of this section shall be submitted to the voters for approval. In order for the ordinance to be approved it must receive the approval of a majority of the votes cast.

(e) Within four months of a determination by the assembly that the current apportionment does not meet the standards of AS 29.23.021 — 29.23.025, the assembly shall adopt an ordinance providing for reapportionment, and submit the ordinance to the voters. If, at the end of the four-month time period, an ordinance providing for reapportionment has not been approved, the Department of Community and Regional Affairs shall provide for the reapportionment in accordance with the standards of AS 29.23.021 — 29.23.023.

(f) A reapportionment ordinance, or a determination of the borough assembly that applicable standards do not require adoption of a change in apportionment, is subject to judicial review.

(g) A change in assembly apportionment or composition under this section is effective beginning with the first regular election for members of the assembly which follows approval of a reapportionment ordinance. (§ 1 ch 83 SLA 1979)

Effective date. — Section 27, ch. 83, SLA 1979, makes this section effective January 1, 1981.

Editor's note. — Section 26, ch. 83, SLA 1979, effective June 2, 1979, provides: "Notwithstanding AS 29.23.040, amended by sec. 4 of ch. 83, SLA 1979, the terms of office of borough assemblymen elected or appointed to dual borough assembly-city council seats are not affected by the amendment made to AS 29.23.040 in sec. 4 of ch. 83, SLA 1979 until reapportionment of the borough assembly is required or proposed under AS 29.23.020, repealed by sec. 21 [24] of ch. 83, SLA 1979, or is

effected as required or proposed under AS 29.23.021 — 29.23.025, added by sec. 1 of ch. 83, SLA 1979."

Statute superseded home-rule enactments. — See *Roderick v. Sullivan*, Sup. Ct. Op. No. 1099 (File No. 2243), 528 P.2d 450 (1974), decided under former AS 29.23.020.

The legislature intended that all reapportionment ordinances be submitted to the electorate. *Roderick v. Sullivan*, Sup. Ct. Op. No. 1099 (File No. 2243), 528 P.2d 450 (1974), decided under former AS 29.23.020.

6 * Sec. 4. AS 29.23.040 is amended to read:
7 Sec. 29.23.040. REGULAR TERM OF OFFICE. Assemblymen are selected
8 for three-year terms and until their successors are selected and have
9 qualified, unless different terms not exceeding four years are pre-
10 scribed by borough charter or ordinance. The regular term of office
11 begins on the first Monday following certification of the election.
12 [HOWEVER, IF UNDER A BOROUGH APPORTIONMENT CITY COUNCILMEN ARE APPOINTED
13 AS ASSEMBLYMEN OR ELECTED TO DUAL ASSEMBLY-COUNCIL SEATS, THEY MAY NOT
14 BE REPLACED UNTIL THEIR ASSEMBLY TERM EXPIRES AS PROVIDED BY CITY CHAR-
15 TER OR ORDINANCE, OR THEY CEASE TO BE A MEMBER OF EITHER THE ASSEMBLY OR
16 COUNCIL.] The current term of incumbent assemblymen may not be altered
17 under this section. This section applies to home rule and general law
18 boroughs.

(Additions to law are
underlined; deletions
capitalized within brackets)

23 * Sec. 26. Notwithstanding AS 29.23.040, amended by sec. 4 of this Act,
24 the terms of office of borough assemblymen elected or appointed to dual
25 borough assembly-city council seats are not affected by the amendment made to
26 AS 29.23.040 in sec. 4 of this Act until reapportionment of the borough
27 assembly is required or proposed under AS 29.23.020, repealed by sec. 21 of
28 this Act, or is effected as required or proposed under AS 29.23.021 - 29.23.-
025, added by sec. 1 of this Act.

1 * Sec. 27. Sections 1 - 3 and 24 of this Act take effect January 1, 1981.
2 Sections 4 - 23, 25 and 26 of this Act take effect immediately in accordance
3 with AS 01.10.070(c).

RECEIVED
APR 08 1980
DEPT. OF COMMUNITY
AND REGIONAL AFFAIRS

TO: [Hon. Lee McAnerney, Commissioner
Department of Community & Regional
Affairs

DATE April 7, 1980

FILE NO.

J-66-594-80

TELEPHONE NO.

FROM: AVRUM M. GROSS
ATTORNEY GENERAL

SUBJECT: Kenai Peninsula
Borough reapportionment

By: Rodger W. Pegues
Assistant Attorney General

You have asked for our guidance in this matter of the reapportionment of the assembly of the Kenai Peninsula Borough.

With regard to deviations from absolute mathematical equality, 10 percent is the deviation allowed without explanation or rationalization. Groh v. Egan, 526 P.2d 863 (Alaska 1974). Any deviation of more than that amount must be justified. Whether it is justified depends upon the factually established basis for the justification. The following have sufficed at one place or another: preservation of existing subdivisions, adherence to boundaries of native groups, compactness of district, inclusion of only contiguous areas, observance of natural or historical boundaries, sparse population, history, economic and commercial factors, and community interests, socio-economic integration, and political considerations. However, none will suffice without supporting facts which justify the deviation. Accordingly, you will need to develop them for the record.

With regard to dual seats, i.e., designation of one or more city council seats to represent a city's population on the assembly, the law does not provide for them, and therefore, under article X, section 4, of the Alaska Constitution, the reapportionment cannot provide for them. Moreover, the language of the amending statute on assembly apportionment, § 26, ch. 83, SLA 1979, clearly implies that dual seats will cease to exist upon reapportionment. Accordingly, the law not only does not provide for dual seats but by implication appears to prohibit them.

It follows, of course, that the councils cannot select representatives to the borough assembly. The assemblymen must represent the people, not the city council -- or more precisely -- a majority of the city council. Arguably, even if the Municipal Code did not require this result, the equal protection clauses of the state and federal constitutions would.

Hon. Lee McAnerney
April 7, 1980
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Carry-over terms raise other problems. In both Groh v. Egan, 526 P.2d 863, 881 (Alaska 1974), and Egan v. Hammond, 502 P.2d 856, 873-874 (Alaska 1972), the court upheld the executive's terminating senatorial terms of office where the reapportionment resulted in district lines which excluded a substantial number of persons who voted on the incumbents' elections or included a substantial number who did not. Accordingly, you have the power to require new elections in these circumstances. Whether new elections would be required by the constitution has not, apparently, been decided by the courts. It seems likely that, if less than half of the electorate of a new district had a voice in the selection of an incumbent, a new election would be required unless the incumbent's term of office was to expire within, say, no more than two years at the outside.

Finally, where specific geographic residency is required, so long as the assemblymen run at large in the entire area which they represent, there is no constitutional requirement that the sub-areas in which they reside have equal populations. However, AS 29.23.023, which becomes effective next January, requires that the election districts or zones have substantially equal populations. To avoid future problems, you should follow that rule.

RWP/pjg

TO: [Hon. Lee McAnerney, Commissioner
Department of Community &
Regional Affairs

DATE: March 21, 1980

FILE NO: J-66-561-80

TELEPHONE NO:

FROM: AVRUM M. GROSS
ATTORNEY GENERAL

SUBJECT: Use of district-at-
large representation

By: Rodger W. Pappas
Assistant Attorney General

You have asked whether it is constitutional to use a reapportionment plan for borough assemblies to provide for some (or all) of the seats to be held by persons who run at large but reside in particular districts.

The answer is that, absent an attempt to underrepresent a racial or political minority, representation on a district-at-large basis is constitutional.

In Dusch v. Davis, 387 U.S. 112 (1967), the apportionment plan provided for an eleven-member governing body. Four members were elected at large, without regard to residence. Seven members were elected by the voters at large within the municipality, but one being required to reside in each of the municipality's seven divisions. The populations of the divisions were not approximately equal.

The court held that requiring each of the seven councilmen to reside within a particular area was not unconstitutional, finding that the residential requirements did not alter any councilmen's responsibility to represent all of the population.

However, the Dusch court made it clear that a district-at-large scheme would not pass constitutional muster were it used as an evasive scheme to avoid the consequences of reapportionment, to cause or perpetuate invidious discrimination, to perpetuate certain persons in office, or to serve as a front for effecting representation solely of an underpopulated area.

In Dallas County v. Reese, 421 U.S. 477 (1975), the county commissioners, four in number, were elected by the electorate at large but had to reside one in each of four districts. The City of Selma, with a population of 27,379 was the largest of the four districts. The remainder had populations of 14,203, 7,505, 6,209 or a total of 27,917.

Hon. Lee McAnerney
March 21, 1980
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While that breakdown insured that any three votes would always represent a majority of residents, the court stated that that was not determinative.

Restating its rule from Dusch and from Fortson v. Dorsey, 379 U.S. 433 (1965), the court held that, absent evidence of invidious discrimination or of a scheme designed to minimize or cancel out racial, economic, or political elements, a plan which provided for at large elections of persons residing in separate districts was satisfactory.

The conclusion is, therefore, inescapable that the district-at-large method meets federal equal protection standards and is permissible under AS 29.23.021.

RWP/pjg

10. [Hon. Lee McAnerney, Commissioner
Department of Community &
Regional Affairs

March 20, 1980

FILE NO. J-66-561-80

TELEPHONE NO.

FROM: AVRUM M. GROSS
ATTORNEY GENERAL

SUBJECT: Use of weighted or
fractional voting
for apportionment

By:

Rodger W. Pegues
Assistant Attorney General

You have asked whether, the statutory prohibition notwithstanding, it would be constitutional to use weighted or fractional voting to apportion borough assemblies.

The use of weighted or fractional voting for apportionment purposes has been almost universally condemned. Burns v. Gill, 316 F. Supp. 1285 (D. Ha. 1970); Bannister v. Davis, 263 F.Supp. 202 (D. La. 1966); Swann v. Adams 263 F. Supp. 225 (S.D. Fla. 1967); WMC, Inc. v. Lomenzo, 238 F. Supp. 916 (S.D.N.Y. 1965); CF, Jackman v. Bodine, 205 A.2d 735 (N.J. 1964). The only court to suggest that weighted or fractional voting might pass muster was the trial court in Town of Greenburg v. Bd. of Sup'rs. of Westchester County, 277 N.Y.S. 885 (1967). However, that court recognized that the highest court in the state had authorized such a plan only as a temporary expedient and not as a permanent reapportionment plan. Graham v. Bd. of Sup'rs. of Eire County, 219 N.E.2d 870 (N.Y. App. 1966). Also, Morris v. Bd. of Sup'rs. of Herkimer County, 273 N.Y.S.2d 453 (1966).

The courts are agreed that voting itself is but the tip of the iceberg. Real power lies in personal contacts and influence. Personalities count more than mere votes. To the extent that the legislative body functions through committees and personal contacts, a member's actual voting power is largely irrelevant. The evidence of this is too common to admit of dispute. Weighted or fractional voting is in a very real sense, therefore, the antithesis of the result sought by the rule of one man one vote. While the Alaska Supreme Court has never ruled on weighted or fractional voting, its application of the rule of one man one vote, as for example, in Groh v. Egan, 526 P.2d 863 (Alaska 1974), leads us to conclude that it would follow the course of logic where and hold against it.

RWP/pjg

RECEIVED
DEPT. OF COMM. & REG. AFFAIRS, LGAD
MAY 1 1980

RECEIVED
MAR 21 1980
DEPT. OF COMMUNITY
AFFAIRS

MEMORANDUM

TO: Hon. Lee McAnerney, Commissioner
Department of Community & Regional Affairs
ATTN: Palmer McCarter, Director,
Local Government Assistance

DATE: November 6, 1978

FILE NO: J-66-252-79

FROM: AVRUM M. GROSS
ATTORNEY GENERAL

SUBJECT: Reapportionment of
borough assembly

By: *[Signature]*
Rodger W. Peppers
Assistant Attorney General

This responds to your request for advice on the statutory requirements for reapportionment of borough assemblies under AS 29.23.020.

Upon a showing that its existing apportionment does not meet equal protection (one-man, one-vote) standards, a borough assembly must prepare a plan of reapportionment, i.e., a reallocation of assembly seats, to meet those standards and submit it to the voters for their approval. AS 29.23.020(d); 1972 House Journal 1321, 1325. The requirement is mandatory. If the assembly fails to act, then your department must do so.

We do not perceive a "redistribution of voting power among the existing membership" as constituting a reapportionment of the assembly. Presumably, voting power is redistributed by instituting fractional or weighted voting. That is the method previously used in Alaska prior to the 1972 amendments to the State Constitution and the Municipal Code. It certainly is not expressed as an option in AS 29.23.020. While that section provides expressly for changes in assembly composition (i.e., numbers of assemblymen) and assembly apportionment (i.e., their allocation among different constituencies), no mention whatever is made of weighting the votes of the assemblymen. The law directs that reapportionment occur when the existing apportionment does not meet constitutional standards. There is no option.

Given our answer to these questions, the remaining questions become moot, i.e., whether an ordinance establishing weighted voting need be submitted to the voters for approval and whether weighted voting is constitutional.

RWP/pjg

RECEIVED
DEPT. OF COMM. & REG. AFFAIRS, LGAD
DATE NOV 9 1978

MEMORANDUM

State of Alaska

TO: Peg Benkert
Local Government Specialist
Department of Community &
Regional Affairs
Anchorage

DATE: September 18, 1975

FILE NO:

TELEPHONE NO:

FROM: Richard A. Bradley *RAB*
Assistant Attorney General
Department of Law
Juneau

SUBJECT: Kodiak apportionment of
Borough Assembly into at
large candidacies

My initial review indicates that my judgment was correct that at large elections are not per se violative of constitutional rights generally but also that evidence can be accumulated to indicate difficulties which may slip over into constitutional problems.

The decision of the Supreme Court included, White v. Regester, 412 U.S. 755, appears to stand for the proposition that multi-seat districts can be created that are acceptable under equal population standards but become discriminatory ~~because~~ they minimize the voting strength of racial or political elements of the voting population. 412 U.S. at 765. *if*

The Court majority in this case appeared satisfied that the multi-seat districts employed in Dallas and Bexar County were designed to minimize black and Mexican American voting strengths. Accordingly, it agreed with the District Judge in the case who ordered single member districts.

I am also including a quote from Gaffney v. Cummings, 412 U.S. 735, 751, which contains citations to other cases on the same subject. Gaffney itself is not altogether useful since the state it was concerned with, Connecticut, uses only single member districts.

I assume this responds adequately to your concerns at this time.

RAB:md

Enc.

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

SCOMM

#10:77

Sociologist Says Villagers Apprehensive On Beaufort Sale

By SUSAN ANDREWS
Times Staff Writer

Richard Carroll, a government sociologist looking at the human effects of the proposed Beaufort Sea oil and gas lease sale, says he expects strong testimony from North Slope villagers at public hearings beginning May 15 in Kaktovik.

"The village elders remember when a ship went aground near Point Hope years ago and spilled many gallons of oil and affected sea life," Carroll said Monday, following his return from a week in the villages of Point Hope and Wainwright. That accident still is cited, he said, as an example of what might happen if there's an oil spill.

Younger Eskimos, whom he described as more vocal and militant, don't see that the villages have much to gain from lease sales.

The North Slope Borough will gain from strengthening the local tax base. But the young people, who are getting a taste of a cash economy and like some of the benefits it brings, complain that few jobs are available to them in the oil fields.

"The problem of a cash economy partially replacing a subsistence lifestyle is a process of social change that will continue whether the Beaufort Sea sale goes or not," Carroll said. "The only real difference is that it (the sale) will speed up the processes of change."

The hearings, which will give Alaskans an opportunity to comment on the sale's draft environmental impact statement, will continue May 16 in Nuiqsut, May 17 and 18 in Fairbanks and June 4 in Barrow.

Carroll was assistant coordinator for the environmen-

tal statement, working with coordinator Jim Seidl in Interior's Alaska Outer Continental Shelf Office. Comments from the sale will be incorporated in the final statement which will be issued early this fall.

Carroll said he feels it would be possible for a "reasonable" level of oil development activity to take place in the Beaufort Sea and still be compatible with the local subsistence lifestyle.

"It would certainly have to be controlled," he said, "and take into account the needs and wishes of the people who are impacted by the sale," locally, regionally and statewide.

"The bottom line is the whale," Carroll said. "The concerns I heard at Point Hope and Wainwright were almost exclusively with the migratory path of the Bowhead whale." At Kaktovik and Nuiqsut, there is also a concern that the need for water or gravel could harm wintering areas of fish and that noise from oil rigs could affect ringed seal pups.

The Eskimos look on the Beaufort sale — the first in the U.S. Arctic — as precedent-setting for future sales, he said, in the degree of involvement which is allowed the villages and the North Slope Borough.

They are concerned about responding to the environmental impact statement. The older people who are most knowledgeable in Eskimo lore and subsistence pursuits are not comfortable in English, he noted. The North Slope Borough has provided some assistance: Cynthia Wentworth is helping the village of Kaktovik to prepare its response, and Bob Worl is helping Nuiqsut. But Carroll said, "So far, neither Wainwright nor Point Hope has anyone to do this."

Apprehension about the oil sale "all comes down again to the whale," said Carroll. "The whale is important nutritionally, but even more important, it ties the whole socio-cultural system. They share the work — the total effort and expense — in hunting the whale, then they share in dividing it."

"The feasts and celebration are terribly important from a sharing standpoint. I compare it to the sundance celebrations of the Plains Indians, or the celebration of Easter for Christians. It binds the entire North Slope."

Success in hunting a whale is a means of achieving prestige and standing in the village, he pointed out. "The man who has been captain of a whaling boat which has gone out and gotten a whale has assured his reputation for life."

It may be possible nutritionally to substitute some other food for the whale, but that would be disregarding the whale's social significance, Carroll points out. "That's why it's so important. Those kind of things couldn't be replaced."

In many ways, Barrow is becoming urban, something the other villages don't want to happen to them, he has found. "I heard from a village elder that Point Hope has been inhabited for 2,000 years. They want to maintain that continuity — those ties and roots. That's something quite different from urban America, where people move every four or five years."

Carroll spent several years in graduate school, he said, "But I've learned more from my work on the Beaufort Sea sale than I ever learned in graduate school."



RICHARD CARROLL
'Bottom Line Is The Whale'

****PLEASE NOTE****

THE ORIGINAL FILE CONTAINS AN OVERSIZED DOCUMENT THAT IS UNSUITABLE FOR FILMING. PLEASE REFER TO THE ALASKA STATE ARCHIVES TO VIEW THE ORIGINAL.

DESCRIPTION: NEWSPAPER FEATURE

THE ANCHORAGE TIMES , MAY 6, 1978, SUNDAY

PAGES C-1 THRU C-8

"OLD MINGLES WITH THE NEW ON THE BANKS OF THE KUSKOKWIM"

CORRECTION

HCS CSSB 137 am H

Please discard all copies of the Bill and retain this corrected version.

Letter to Leg. Comm.
P. 216.
to Leg. Off.
(1) appointment
(2) planning -

Gene / Margie

I gave commitment
to Jessie Dodson that
we would take a look
at (1) appointment
(maj vote)

(2) delegate of Planning
Please add to Muni'
concern list a/

Original sponsor: Rules/Governor

Offered: 4/27/79
Referred: Rules

1 IN THE SENATE

BY THE COMMUNITY AND REGIONAL
AFFAIRS COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 137 am H

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the municipal code; and providing
7 for an effective date."

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

9 * Section 1. AS 29.23 is amended by adding new sections to read:

10 Sec. 29.23.021. ASSEMBLY COMPOSITION AND APPORTIONMENT. (a)

11 Assembly composition and apportionment shall be consistent with the
12 equal representation standards of the Constitution of the United States.

13 (b) The assembly of a newly incorporated borough is, after incor-
14 poration and until the adoption of an ordinance providing for a change
15 in composition or apportionment, composed of the number of members and
16 apportioned as set out in the incorporation petition approved by the
17 voters. If a borough is already incorporated, the assembly shall be
18 composed and apportioned in a manner that is consistent with AS 29.23.-
19 023 and prescribed by charter or ordinance.

20 (c) An assembly may not provide for weighted voting.

21 Sec. 29.23.023. COMPOSITION AND REPRESENTATION REQUIREMENTS FOR
22 GENERAL LAW BOROUGHES. (a) The borough assembly shall provide for its
23 composition and for the form of its representation. Not later than
24 July 31, 1981, and thereafter within four months after the report of
25 a federal decennial census, the assembly shall propose and submit to
26 the voters at a regular election or special election called for the
27 purpose alternative forms of representation by which members are

- 28 (1) elected at large by all qualified voters of the borough;
29 (2) elected at large by all qualified voters of the borough,

1 but required to live within an election district or zone established by
2 the borough for election of assembly members, with each district or zone
3 being of substantially equal population; or

4 (3) elected by and from election districts or zones estab-
5 lished by the borough for the election of borough assembly members.

6 (b) The proposals set out in (a) of this section shall be sub-
7 mitted to the voters. The vote on the proposals submitted to the
8 voters shall be tabulated in two separate classifications. One
9 classification shall consist of all votes cast in the first class and
10 home rule cities in the borough. The other classification shall
11 consist of all votes cast in the remaining area of the borough. The
12 borough assembly shall, within three months of the certification of the
13 results of the election, adopt an ordinance providing for its composi-
14 tion and the form or representation which conforms to the form of
15 representation receiving a plurality of the votes in each classification
16 at that election.

17 (c) A member of the assembly of a general law borough may not be
18 elected or appointed by and from the council of a city in the borough.

19 Sec. 29.23.025. ASSEMBLY RECOMPOSITION AND REAPPORTIONMENT. (a)
20 Not later than July 31, 1981, and, thereafter, within four months after
21 the official report of a federal decennial census, the assembly shall
22 determine and declare by resolution if the existing apportionment of the
23 assembly meets the applicable standards of AS 29.23.021 - 29.23.023.

24 (b) If the existing apportionment of the assembly does not meet
25 the applicable standards of AS 29.23.021 - 29.23.023, the assembly shall
26 provide by ordinance for its reapportionment. At the same time, the
27 assembly may change the composition of the assembly.

28 (c) In addition to providing for apportionment at the times re-
29 quired under (b) of this section, the borough assembly shall provide by

1 ordinance for its reapportionment and may provide for a change in its
2 composition whenever it determines, on the basis of federal census
3 reports or other reliable population data, that the existing apportion-
4 ment does not meet the standards for apportionment in AS 29.23.021. If
5 a petition signed by not less than 50 borough voters requests the
6 assembly to determine whether the existing apportionment meets the
7 standards for apportionment in AS 29.23.021, and the petition contains
8 evidence that the existing apportionment does not meet those standards,
9 the assembly shall make the determination requested.

10 (d) An ordinance adopted by the assembly under (b) or (c) of this
11 section shall be submitted to the voters for approval. In order for the
12 ordinance to be approved it must receive the approval of a majority of
13 the votes cast.

14 (e) Within four months of a determination by the assembly that the
15 current apportionment does not meet the standards of AS 29.23.021 -
16 29.23.025; the assembly shall adopt an ordinance providing for reappor-
17 tionment, and submit the ordinance to the voters. If, at the end of the
18 four month time period, an ordinance providing for reapportionment has
19 not been approved, the Department of Community and Regional Affairs
20 shall provide for the reapportionment in accordance with the standards
21 of AS 29.23.021 - 29.23.023.

22 (f) A reapportionment ordinance, or a determination of the borough
23 assembly that applicable standards do not require adoption of a change
24 in apportionment, is subject to judicial review.

25 (g) A change in assembly apportionment or composition under this
26 section is effective beginning with the first regular election for
27 members of the assembly which follows approval of a reapportionment
28 ordinance.

29 * Sec. 2. AS 29.13.100(3) is repealed and re-enacted to read:

1 (3) AS 29.23.021; 29.23.025 - 29.23.050 (composition and
2 apportionment of borough assembly; borough assembly recomposition and
3 reapportionment; assembly representation)

4 * Sec. 3. AS 29.18.050(4) is amended to read:

5 (4) composition and apportionment of the assembly or council,
6 but the number of members of a borough assembly may not exceed 11;

7 * Sec. 4. AS 29.23.040 is amended to read:

8 Sec. 29.23.040. REGULAR TERM OF OFFICE. Assemblymen are selected
9 for three-year terms and until their successors are selected and have
10 qualified, unless different terms not exceeding four years are pre-
11 scribed by borough charter or ordinance. The regular term of office
12 begins on the first Monday following certification of the election.

13 [HOWEVER, IF UNDER A BOROUGH APPORTIONMENT CITY COUNCILMEN ARE APPOINTED
14 AS ASSEMBLYMEN OR ELECTED TO DUAL ASSEMBLY-COUNCIL SEATS, THEY MAY NOT
15 BE REPLACED UNTIL THEIR ASSEMBLY TERM EXPIRES AS PROVIDED BY CITY CHAR-
16 TER OR ORDINANCE, OR THEY CEASE TO BE A MEMBER OF EITHER THE ASSEMBLY OR
17 COUNCIL.] The current term of incumbent assemblymen may not be altered
18 under this section. This section applies to home rule and general law
19 boroughs.

20 * Sec. 5. AS 29.23.130(c) is amended to read:

21 (c) The borough mayor's regular term of office is three years and
22 until a successor is elected and has qualified and begins on the first
23 Monday following certification of the mayor's [HIS] election [, WHICH IS
24 HELD THE FIRST TUESDAY OF OCTOBER, UNLESS A DIFFERENT DATE OF ELECTION
25 IS PROVIDED BY ORDINANCE]. The assembly may provide by ordinance for a
26 different term not to exceed four years, except that the current term of
27 an incumbent borough mayor may not be altered.

28 * Sec. 6. AS 29.23.130(d) is amended to read:

29 (d) A borough may adopt or abandon a manager plan at any time, as

1 provided in AS 29.23.410 - 29.23.480. The borough mayor may not veto an
2 ordinance or resolution calling for an election on this question. The
3 manager has all the powers and duties of the borough mayor as chief
4 administrative officer. [IF THE MANAGER PLAN IS ADOPTED, IT BECOMES
5 EFFECTIVE FOLLOWING CERTIFICATION OF THE RESULTS OF THE FIRST REGULAR
6 ELECTION OCCURRING AT LEAST SIX MONTHS AFTER ADOPTION OF THE PLAN.] The
7 borough mayor then serves as borough executive.

8 * Sec. 7. AS 29.23.200(c) is amended to read:

9 (c) Councilmen are selected [AN ELECTION IS HELD ANNUALLY ON THE
10 FIRST TUESDAY OF OCTOBER, UNLESS A DIFFERENT ELECTION DATE OR INTERVAL
11 OF YEARS IS PROVIDED BY ORDINANCE, TO CHOOSE COUNCILMEN] for three-year
12 terms and until their successors are elected and have qualified. The
13 regular term of office begins on the first Monday following certifica-
14 tion of the election. The council may provide by ordinance for differ-
15 ent terms not to exceed four years, except that the current term of
16 incumbent councilmen may not be altered.

17 * Sec. 8. AS 29.23.210(a) is amended to read:

18 (a) The council shall meet at least once every month, unless
19 otherwise provided by ordinance. Special meetings may be held on the
20 call of the mayor or two councilmen upon not less than 24 hours written
21 or oral notice communicated to each member. In an emergency, a special
22 meeting called on less than 24 hours notice is a legal meeting if all
23 members are present or there is a quorum and all absent members have
24 waived in writing the required notice. A waiver may be made either
25 before or after the time of the meeting. The waiver shall be attached
26 to and made a part of the journal for that meeting.

27 * Sec. 9. AS 29.23.250(c) is amended to read:

28 (c) The mayor of a second class city is elected by and from the
29 council for a term of one year and until a successor is elected and

Ketchikan
not su
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has qualified [EQUAL IN LENGTH TO A COUNCILMAN'S TERM].

* Sec. 10. AS 29.23.250(d) is amended to read:

(d) The mayor's regular term begins on the first Monday following certification of the mayor's [HIS] election [, WHICH IS HELD ON THE FIRST TUESDAY OF OCTOBER, UNLESS A DIFFERENT DATE OF ELECTION IS PROVIDED BY ORDINANCE] The council of a second class city shall meet on the first Monday after certification of the regular election [DATE] and elect a mayor who takes office immediately.

* Sec. 11. AS 29.23.440(a) is amended to read:

(a) If the manager plan is approved, the assembly or council shall, within 60 days, adopt the plan by ordinance or resolution.

* Sec. 12. AS 29.33.010(b) is amended to read:

(b) No city, whether home rule or not, may exercise an areawide power [CONFERRED IN, OR ASSUMED BY MEANS OF AS 29.33.250 - 29.33.290] once that power is being exercised by a borough.

* Sec. 13. AS 29.33.070(b)(2) and (3) are amended to read:

(2) delegate other planning and zoning powers conferred by this chapter [ADMINISTRATIVE AND ENFORCEMENT RESPONSIBILITIES] to a [THE] city within the borough [, PROVIDED THAT BOROUGH JURISDICTION IS NOT IMPAIRED];

(3) revoke or modify any part or all of the [WITHDRAW] powers delegated under this subsection.

* Sec. 14. AS 29.33.110(a) is repealed and re-enacted to read:

(a) The assembly is the board of adjustment but may delegate by resolution or ordinance part or all of its functions to a city within the borough for the area within city boundaries in accordance with AS 29.33.070(b)(1), in addition to making delegations as provided for an assembly under AS 29.33.245. Meetings of the borough board are held at the call of the presiding officer and of the city board by the mayor.

1 The presiding officer or mayor may administer oaths and compel atten-
2 dence of witnesses. Meetings and hearings of the board shall be open to
3 the public and the board shall keep minutes of its proceedings as a
4 public record.

5 * Sec. 15. AS 29.33.190(a) is amended to read:

6 (a) The owner or agent of the owner of land located within a
7 subdivision who transfers, sells, or enters into a contract to sell land
8 in a subdivision before a plat of the subdivision has been prepared,
9 approved, and recorded, is guilty of a misdemeanor and upon conviction
10 is punishable by a fine of not more than \$500 for each lot or parcel
11 transferred, sold, or included in a contract to be sold. The borough
12 [PLATTING BOARD] may enjoin a transfer, sale, or contract to sell, and
13 may recover the penalty by appropriate legal action.

14 * Sec. 16. AS 29.48.180(a) is amended to read:

15 (a) Each ordinance [AND RESOLUTION] after adoption shall be codi-
16 fied.

17 * Sec. 17. AS 29.48.180(c)(2) is amended to read:

18 (2) the ordinance is a provision which establishes a rule of
19 conduct or behavior and which is included, or to be included, in a code
20 of ordinances or other complete system of [POSITIVE] law enacted [PRO-
21 MULGATED BY THE COUNCIL] and kept current [BY THE CITY] at reasonable
22 intervals.

23 * Sec. 18. AS 29.48 is amended by adding a new section to read:

24 Sec. 29.48.185. RESOLUTIONS. The assembly or council shall pro-
25 vide for the maintenance of a permanent file of resolutions that have
26 been adopted.

27 * Sec. 19. AS 29.48.200 is amended to read:

28 Sec. 29.48.200. PENALTIES. For the violation of an ordinance, the
29 assembly or council may prescribe punishment not to exceed a fine of

1 \$500 or imprisonment for 30 days, or both. However, the punishment
2 authorized under this section may be imposed only if [AN ORDINANCE IS
3 CODIFIED AND] copies of the ordinance are made available for distri-
4 bution to the public at cost.

5 * Sec. 20. AS 29.58.200 is amended by adding new subsections to read:

6 (b) A municipality may issue its revenue bonds to finance the
7 purchase of residential mortgage loans. The revenue bonds issued under
8 this subsection are payable solely from the principal and interest of
9 the mortgage loans and from any other amounts pledged by the municipal-
10 ity, except the pledge of revenues derived from taxes. Revenue bonds
11 issued under this subsection do not constitute a general obligation of
12 the municipality.

13 (c) A municipality may also issue revenue bonds for any lawful
14 purpose. The bonds shall be payable from any amounts pledged by the
15 municipality except taxes and shall not constitute general obligations
16 of the municipality.

17 * Sec. 21. AS 29.58.210 is amended to read:

18 Sec. 29.58.210. FORMS AND TERMS. The assembly or council shall
19 fix the date of the bonds, denominations, maturities, rate or rates of
20 interest, place and manner of payment, redemption terms, registration
21 privileges, manner of execution, [AND] signatures required, and other
22 details of the bonds. If an officer whose signature appears on the
23 bonds or coupons ceases to be an officer before delivery of the bonds,
24 his signature is valid as if he had remained in office until delivery.

25 * Sec. 22. AS 29.58.220 is amended to read:

26 Sec. 29.58.220. PAYMENT. Bonds issued under AS 29.58.200 -
27 29.58.220 or the proceedings of the assembly or council authorizing
28 their issuance may contain the covenants which the assembly or council
29 considers advisable concerning

1 (1) the rates or fees to be charged for services rendered by
2 the public facilities, the revenue of which is pledged to the payment of
3 the bonds, or the terms and conditions of any other amounts collected
4 which are pledged to the payment of the bonds;

5 (2) the deposit and use of the revenue of the public facili-
6 ties or of other amounts collected which are pledged to the payment of
7 the bonds;

8 (3) the issuance of additional bonds payable from revenue of
9 the public facilities or of other amounts collected which are pledged
10 to the payment of the bonds;

11 (4) the rights of the bondholders in case of default in the
12 payment of the principal or interest on the bonds, including the appoint-
13 ment of a receiver to operate the public facilities;

14 (5) other covenants as the assembly or council determines."

15 * Sec. 23. AS 29.63.065(b)(2) is amended to read:

16 (2) a claimant receiving the exemption must file with the
17 department by March [JANUARY] 15 of each subsequent year a separate
18 application proving eligibility as of January 1 in order to retain the
19 exemption. Within the same year the department [THE ASSEMBLY OR COUNCIL]
20 for good cause shown may waive the claimant's failure to make timely
21 application and approve the application as if timely filed.

22 * Sec. 24. AS 29.23.020 is repealed.

23 * Sec. 25. AS 29.59 is repealed.

24 * Sec. 26. Notwithstanding AS 29.23.040, amended by sec. 4 of this Act,
25 the terms of office of borough assemblymen elected or appointed to dual
26 borough assembly - city council seats are not affected by the amendment made
27 to AS 29.25.040 in sec. 4 of this Act until reapportionment of the borough
28 assembly is required or proposed under AS 29.23.020, repealed by sec. 21 of
29 this Act, or is effected as required or proposed under AS 29.23.021 - 29.23.-

1 025, added by sec. 1 of this Act.

2 * Sec. 27. Sections 1 - 3 and 24 of this Act take effect January 1, 1981.

3 Sections 4 - 23, 25 and 26 of this Act take effect immediately in accordance
4 with AS 01.10.070(c).

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Article 4. Planning, Platting and Zoning.

Section

70. Planning, platting and zoning

90. Zoning

Sec. 29.33.070. Planning, platting and zoning. (a) First and second class boroughs shall provide for planning, platting and zoning on an areawide basis.

(b) The assembly by ordinance may

(1) designate the council of a city within the borough as a board of adjustment within the city;

(2) delegate other planning and zoning administrative and enforcement responsibilities to the city, provided that borough jurisdiction is not impaired;

(3) withdraw powers delegated under this subsection. (§ 2 ch 118 SLA 1972; am § 1 ch 17 SLA 1977; am § 7 ch 93 SLA 1977)

Effect of amendments. — The first 1977 amendment, in subsection (b) deleted "If a city within a borough is located more than 25 miles from a boundary of the borough seat" from the beginning of the introductory language and substituted "a city within the borough" for "the city" in paragraph (1).

The second 1977 amendment substituted "First and second class boroughs" for "Boroughs" at the beginning of subsection (a).

Cited in Moore v. State, Sup. Ct. Op. No. 1284 (File Nos. 2551, 2587), 553 P.2d 8 (1976).

Sec. 29.33.090. Zoning. (a) In accordance with the comprehensive plan, the assembly shall regulate and restrict the use of land and improvements by districts or contract zoning to permit specific uses provided for in the contract. Regulations shall be uniform for each class or kind of building, structure, land or water area within each district, but the regulations may differ among districts and exceptions may be made in order to provide for the preservation, maintenance and protection of historic sites, buildings and monuments. In this section, "contract zoning" means a zoning reclassification to a less restricted use when the owner of the rezoned property, either through an agreement with the assembly or a covenant in favor of the borough, places restrictions on the use of the land beyond the zoning requirements generally attaching to the new district in which the property has been placed. The assembly shall hold a public hearing on the proposed contract zoning.

(d) The assembly shall regulate and restrict the use of state land within the borough which is vacant, unappropriated and unreserved and which is found suitable for classification and disposal for homesite entry under AS 38.08.010. Compliance with the provisions of this subsection is a prerequisite to issuance of homesite entry permits for land within the borough.

(am § 1 ch 104 SLA 1974; am § 3 ch 142 SLA 1977)

Introduced: 2/13/79
Referred: Community & Regional
Affairs and Judiciary

1 IN THE HOUSE

BY MALONE

2 HOUSE BILL NO. 184

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the delegation of planning and
7 zoning authority by boroughs."

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

9 * Section 1. AS 29.33.070(b)(2) and (3) are amended to read:

10 (2) delegate other planning and zoning powers conferred by
11 this chapter [ADMINISTRATIVE AND ENFORCEMENT RESPONSIBILITIES] to a
12 [THE] city within the borough [, PROVIDED THAT BOROUGH JURISDICTION IS
13 NOT IMPAIRED];

14 (3) revoke or modify any part or all of the [WITHDRAW] powers
15 delegated under this subsection.

This publication of the Committee for Optimum Government (COG) follows up the February, 1979 publication regarding issues and concerns of our local government in Haines. It is the purpose of this publication to examine the alternative forms of municipal government available to Haines. The COG recognizes that less government or even no government is an alternative, however, the COG is presenting only those alternatives it ultimately considers are reasonable.

They Are:

CITY GOVERNMENT

First Class - General Law City. Currently, Haines is a First Class General Law City. It qualifies as First Class because its population exceeds 400 residents. As a General Law city, it is authorized or required by State Statutes to provide a specific range of typical community services. The limits of the City's authority is established by State Statute, and only those powers granted by law may be exercised by the City.

First Class - Home Rule City. A Home Rule City is a first class city which, through a municipal election, has adopted a Charter establishing specific powers and duties of the City. A Home Rule government has all legislative powers **not prohibited** by State Statute or local Charter. (Compare this with General Law, above, where the City has all legislative powers **granted** by State Statute.)

BOROUGH GOVERNMENT

Third Class Borough. The current form of government in the Haines Borough is a third class, general law borough. As a general law government, its powers are specified in State Statutes. As a Third Class Borough, the only areawide (meaning: all borough area including cities) powers it can exercise are those of Education and Tax Assessment/Collection. A Third Class Borough **may**, by a majority vote of the people affected, establish ser-

vice areas in which to provide additional services and facilities.

Second Class Borough. A Second Class Borough is also a general law government. In addition to the areawide duties of Education and Tax Assessment/Collection, a Second Class Borough **must** provide for areawide planning, platting and zoning. A second class borough may acquire additional areawide powers by a majority vote of all Borough residents. A second class borough may acquire additional non-areawide (meaning: all borough areas outside of city limits) powers by a majority vote of the residents outside of the city limits. A second class borough may establish service areas for specific purposes by a majority vote of the people residing in the proposed service area.

First Class Borough. A First Class Borough is also a general law government. It differs from a second class borough only in that the Assembly of a First Class Borough can establish **non-areawide** powers without a vote of the residents affected (the Borough outside of city limits). Acquiring additional **areawide** powers still requires a majority vote of all Borough residents.

Home Rule Borough. Like a Home Rule City, a Home Rule Borough adopts its own Charter which outlines the specific limitations and areas of government authority. Again, a Home Rule government is subject to some limitations set out in State Statutes.

As an area of population develops within any organized Borough described above (3rd Class, 2nd Class, 1st Class and Home Rule), the population body may elect to organize itself as a City. Except for those limitations imposed by State Statute on cities within organized Boroughs, the City would be autonomous. A population body may also elect to organize a service area within any organized Borough. In this case, the Borough Assembly would administer the Service Area.

UNIFIED HOME RULE MUNICIPALITY

This form of government would combine the separate City and Borough governments into a single unit of government. There are no separate cities within a Unified Home Rule Municipality, however, service areas can be established and administered by the Borough Assembly. There are three communities in Alaska which are presently organized in this form of government: Juneau, Sitka, and Anchorage.

Again, under a Home Rule government, a locally designed Charter would set out the powers, duties and limitations of the local government. State Statute 29.13.100 provides for specific authority in certain areas of Home Rule Government, and the Home Rule Charter cannot supercede those provisions. Some of the provisions of AS 29.13.100 relate to:

- a. Composition, apportionment and reapportionment of the Borough Assembly
- b. Property tax limitation, exemption and assessment procedures
- c. Charter Amendments
- d. Acquisition of additional areawide powers
- e. Authority to exceed bonded indebtedness limitation to provide for construction of school facilities.
- f. Zoning of land for homesite entry

Otherwise a Home Rule Charter is expressly tailored to the needs and desires of the local people. A majority of the voters both inside as well as outside the city would have to **indorse** and **approve** such a charter. This means there must be two ballots

cast - one for residents inside the city, and one for residents outside the city and in the borough - and a majority in both elections is necessary to establish the charter.

The Chart in this publication was developed to help clarify the limits and scope of authority held by each type of City and Borough government discussed in this publication. COG hopes that it proves useful to you.

COG Members:

MARVIN HARTSHORN, City Councilmember
DEBRA SCHNABEL, City Councilmember
RAY ROSE, Borough Assembly member
RAY MENAKER, Borough Assembly member

POWERS/DUTIES	CITY GOVERNMENTS		BOROUGH GOVERNMENTS				UNIFIED MUNICIPALITY
	1 st Class	Home Rule	3 rd Class	2 nd Class	1 st Class	Home Rule	
Education	No	No	Area-wide (all Borough area including cities)	Area-wide	Area-wide	Area-wide	Area-wide
Tax Assessment & Collection	No	No	Area-wide	Area-wide	Area-wide	Area-wide	Area-wide
Planning, Platting & Zoning	within city limits if not done by borough	within city limits if not done by borough	By Service Area Only approved by S.A. residents	Area-wide	Area-wide	Area-wide	Area-wide
Public Works: streets & sidewalks, water & sewer, marine facilities, flood control, electricity, etc.	Yes may also provide some extra-territory 29.48.037	Yes limits authorized by Charter; may provide some extra-territory	Service Area must be approved by residents of service area	Yes Area-wide, by vote of City & Borough residents Non-area wide, by vote of Borough outside City Service Area, vote of S.A.	Yes Area-wide, by vote of City & Borough residents Non-area wide, by Ordinance Service Area, by vote of S.A.	Yes Limits & area authorized by Charter Charter amendments made by vote of people affected.	Area-wide Limits & area authorized by Charter
Municipal Services: health & medical, refuse collection, police & fire, cemeteries, etc.	Yes to the limits authorized by State Law	Yes to the limits authorized by Charter	By Service Area must be approved by residents of service area only	Yes Area-wide, by vote of City & Borough residents Non-area wide, by vote of Borough outside City Service Area, vote of S.A.	Yes Area-wide, by vote of City & Borough residents Non-area wide, by Ordinance Service Area, by vote of S.A.	Yes Limits & area authorized by Charter	Yes Limits & area authorized by Charter
Arts, Culture & Recreation: Parks, Libraries, Museums, Historic Preservation, Communications, Community Center	Yes to the limits authorized by State Law	Yes to the limits authorized by Charter	Service Area If deemed an Educational Function, can be administered area-wide by School Board	Yes Area-wide, by vote of City & Borough residents Non-area wide, by vote of Borough outside City Service Area, by vote of S.A.	Yes Area-wide, by vote of City & Borough residents Non-area wide, by Ordinance Service Area, by vote of S.A.	Yes Limits & area authorized by Charter	Yes Limits & area authorized by Charter
Regulatory: Pollution Control, Building Codes, Vehicles, Animals, Alcohol-Beverage, Consumer Protection	Yes to the limits authorized by State Law	Yes to the limits authorized by Charter	Service Area must be approved by residents of service area only.	Yes Area-wide, by vote of City & Borough residents Non-area wide, by vote of Borough outside City Service Area, by vote of S.A.	Yes Area-wide, by vote of City & Borough residents Non-area wide, by Ordinance Service Area, by vote of S.A.	Yes Limits & area authorized by Charter	Yes Limits & area authorized by Charter
Limits on Property Tax	may not exceed 30 mils when combined with Borough	may not exceed 30 mils when combined with Borough	may not exceed 30 mils when combined with City	may not exceed 30 mils when combined with City	may not exceed 30 mils when combined with City	may not exceed 30 mils when combined with City	may not exceed 30 mils Charter defines maximum
Limits on Sales Tax	3%	established by Charter	3%	3%	3%	established by Charter	established by Charter
Authoritative Bodies	City Council	City Council	Borough Assembly/ School Board (one or two functions)	Borough Assembly School Board, if 500+ students; if not Assembly is school board Planning Commission	Borough Assembly School Board Planning Commission	Borough Assembly School Board Planning Commission	Municipal Assembly School Board Planning Commission

✓ File of local government
study. A number of these
names will eventually
end up in our directory
for mailing

9/

BOTH
SIDES

Lunch - \$8.25

Name

Mailing Address

1. ✓ Don Gilman Box 850, SOLDOTNA
2. Lee McAnerney Pouch B Juneau
3. EDWARD AMBARIAN Route 3, KENAI
4. Bill OVERSTREET 318 Highland, JUNEAU
5. HARRY AASE Box 2895, JUNEAU 99803
6. Jeff Morrison Box 1696, Juneau 99802
7. Esther Wunniche 1406 Sumner Dr. Anch 99504
8. Sterling G. Giffen 127 N Franklin St Juneau 99801
9. Bryan MacLean Box 290 Barrow
10. Lee Sharp 155 So Seward St, Juneau 99801
11. S. H. Boudoin Box 189, NAKAGAK, AK. 99633
12. N. ERICKSON Box 189, NAKAGAK, AK. 99633
13. Ron B. Whitcraft Pouch V, JUNEAU, AK 99811
14. ART HARTENBERGER RR6 Box 4082 JUNEAU 99803
15. Tim Doty Box 294, Kake, AK. 99850
16. John E. Wise Box 380 KENAI
17. VICTOR NICHOLAS NULATO, AK 99765
18. Maurice McElroy " " "
19. Eugene Joseph Hooper, Bar. Ak. 99604
20. Jean Marie Naposki " 99559
21. * John J. Thorne " 99621
22. Allen R. Cook Fbx " 99701
23. X Joseph R. Brown Jahnok Bg. " 99637
24. Philip Brown Fbx (FHSB) 99707
25. Dorothy H. Thompson 4420 Airport Way 99701
Fairbanks, AK
26. RODNEY SCHUMME BOX 13 FAIRBANKS 99645
27. Ginny Chiswood 204 N. Franklin St. Juneau 99801
28. Martin A. Long Box 148 Haines 99827
29. MARK STEPHENS 225 Cordova, Apt. B" ANC 99501
30. Kenneth Beiler Kasilof AK 99609
31. Moses Parker St. Marys Ak 99658
32. George Cannolos 225 Cordova Bldg B Anchorage 99501
33. Bob Jenkins (DCRA) " " " " " " " " " " " "
34. Brad Johnson Div. of Lands, SCDD, Marie Selby.

OVER

Lunch

8.25

Name

Address

35. Deane H. Hester Box 4-40 Anch. Ak. 99509
36. Kathy Carsschick ^{HS. Sch.} ^{transcript} 344 Front St., Ketchikan 99901 (KGB)
37. Jim Rapp Box 5995 Ketchikan 99901
38. Nat Goodha Ak. Div. of Parks 619 Warehouse Ave 99501
39. Pete Martin " "
40. FRANK J. PIATKOWSKI K.C. M. INC. 124 W. Fifth St. JUNEAU 99801
41. James E. Fisher U.S.D.A. Rep-2221 E No Lighter Blvd, Anch
42. Lois Knapp SR & Box 2727 (City Hall), ^{Hopetown} Macilla, 99687
43. V. Wentzbaugher Pouch 6-6 50 Anch.
44. David S. Carter Pilot Station, Ak.
45. Bart L. Hechman Pilot Station, Ak. 99650
46. Kate Troll 3018 Ador Circle 99504





Federal-State
Land Use Planning Commission
For Alaska

May 15, 1979

Senator Arliss Sturgulewski
2957 Sheldon Jackson
Anchorage, Alaska 99504

Dear Mrs. Sturgulewski:

We are enclosing an agenda for the municipal land policy workshop, which will be conducted on Friday, May 18, in the Captain Cook Hotel in Anchorage.

A buffet lunch will be served in our meeting room at a cost of \$8.75. Please contact us if you have any further questions. We are pleased that you will be joining us.

Sincerely,

Judy Shuler

Enclosure (1)

1. Agenda

Federal-State
Land Use Planning Commission
For Alaska
MUNICIPAL LAND POLICY WORKSHOP

Captain Cook Hotel
Anchorage, Alaska
May 18, 1979

AGENDA

- 9:00 a.m. - Opening Remarks Esther C. Wunnicke, Federal Co-Chairman
Walter B. Parker, State Co-Chairman
Federal-State Land Use Planning Commission
- 9:15 a.m. - Slide Presentation Paul Steucke, Public Information Officer
Federal-State Land Use Planning Commission
- 9:45 a.m. - Demands for Public Lands Janet McCabe, Area Director
- Optional Policy Items for Heritage Conservation & Recreation Service
Municipal Land Ordinance Tom Hawkins, Land Management Planner
- Section 14(c), Alaska Federal-State Land Use Planning Commission
Native Claims Settlement Act
- 10:30 a.m. - Coffee Break
- 10:45 a.m. - Status of Municipal Land Bill Beaty, Planning Supervisor
Selections and Conveyance Department of Natural Resources
- Update on Recent State Lands Legislation
- 12:00 noon - Lunch & Address Lee McAnerney, Commissioner
Department of Community & Regional Affairs
- 1:30 p.m. - Alaska Municipal League Ginny Chitwood, Executive Director
- 2:00 p.m. - Panel Discussion
Pressures and Guidelines for Municipal Lands
✓ Donald E. Gilman, Mayor, Kenai Peninsula Borough
✓ Tony Knowles, Assembly Member, Municipality of Anchorage
4 Philip Berrian, Planning Director, Fairbanks North Star Borough
✓ *Arne Campbell* ~~Laura Schroeder~~, City Manager, Dillingham
Bristol Bay Bob Worl, Planning Coordinator, North Slope Borough
✓ Martin Tengs, Mayor, Haines Borough
- 4:00 p.m. - Adjournment

Co-Sponsors: Alaska Municipal League
Department of Community & Regional Affairs

****PLEASE NOTE****

THE ORIGINAL FILE CONTAINS AN OVERSIZED DOCUMENT THAT IS UNSUITABLE FOR FILMING. PLEASE REFER TO THE ALASKA STATE ARCHIVES TO VIEW THE ORIGINAL.

DESCRIPTION: NEWSPAPER TABLOID

A SPECIAL SECTION OF THE TUNDRA TIMES OCTOBER 1979

"CRISIS IN THE VILLAGES: ENERGY IN RURAL ALASKA"

LEGISLATIVE COUNCIL, STATE OF ALASKA

Conference on Alaska's Future Frontiers

December 6, 7, 8, 1979

Sheraton Anchorage Hotel

Anchorage, Alaska

*Local Government
implications*

*1-1-80
1-2-80
1-3-80*

Arliss,

I'm not impressed. The same source (similarity in wording) appears to have been ~~made~~ used for many of the recommendations. Also, clearly, there were experts in on these groups whose words and detailed level of knowledge dominated what others might have said (some are even footnoted to specific editions of publications).

Regarding Local Government implications, on the cover, I have listed those pages which have anything to say they relate to local govt. Most of the stuff is what the state should or should not do, however. Themes seem to be

1. increase revenue sharing
2. the state should consult with the local folks (in general and in particular re health facilities and services.
3. Local government structures should be flexible.

There is one other point that is made (I'm not sure what it means): "The State govt must provide formula grant funding for planning a five-year program in the unorganized boro." (p.49).

That's about it.

Margo

RECOMMENDATIONS OF THE FIVE GROUPS

Recommendations of five participating groups, in the Future Frontiers Conference, December 5 through 8, 1979, Anchorage, Alaska

ALPHA GROUP

The Alpha Group of the 1979 Future Frontiers Conference, after discussion of the issues and deliberation, makes the following recommendations to the people of Alaska.

Resolutions were passed of the following topics:

Direct Services

Future Frontiers Conference
Education
Child Care
Transportation
Communications
Law and Justice

Finance

Policy
Mutual goals

Resources

Oil and gas
Fisheries
Timber
Alternative energy

In addition, the group recommends that staff and the general public make reference to the dialogue contained in the transcripts of the conference.

ALPHA GROUP'S EDUCATION RESOLUTION:

Alpha Group resolves that the legislature

1 consider the following recommendations in the area of
2 education:

3 1. That the State of Alaska provide scholarship
4 loan funds to any Alaskan student for post-secondary
5 education with special attention paid to

6 a. Preservation of a student's freedom of
7 choice of colleges or universities;

8 b. Recognition that private higher education
9 makes a significant and important contribution to the State,
10 and that the legislature not adopt policies that place
11 private higher education at a competitive disadvantage;

12 c. Providing new and expanding opportunities
13 for vocational and technical education and training; and

14 d. Loan forgiveness based on years of
15 service in Alaska in the public or private sector;

16 2. That the State of Alaska allocate funds for
17 local school districts, for teleconferencing and vocational
18 education, according to a policy other than Average Daily
19 Membership in order that all elementary and secondary
20 students in Alaska might be provided the option of a
21 technical trade appropriate for the 1980's, soliciting
22 counseling from industry.

23

24 ALPHA GROUP'S CHILD CARE RESOLUTION:

25 Alpha Group resolves that the legislature

1 consider the following recommendations in the area of child
2 care:

3 1. That the State continue to use the resources
4 of private child-caring institutions to deliver services to
5 children entrusted to the State's care; and

6 2. That the State place children with child-care
7 institutions as a good parent would, providing for prompt
8 payment of full cost of care which includes a portion of
9 those costs required to keep the institution ready to
10 receive the State's children.

11 The policy of the State should be that of a good
12 parent that cares well for children for whom it has
13 responsibility and pays its bills quickly.

14

15 ALPHA GROUP TRANSPORTATION RESOLUTION:

16 Alpha Group resolves that the legislature
17 considering these recommendations for transportation needs:

18 1. Expand and upgrade the marine highway system
19 throughout the entire state, including but not necessarily
20 limited to the Alaska Peninsula-Aleutian communities,
21 Yukon-Kuskokwim and tributary system and other areas as
22 later selected;

23 2. Preparation and implementation of a state-wide
24 plan for air and surface transportation;

25 3. Construction of a complete system for rural

1 air transportation, navigation aids and facilities,
2 relatively equivalent to present regional airport
3 facilities;

4 4. Develop a complete inventory of the entire
5 State's transportation facilities;

6 5. Upgrade and expand inter-community road
7 systems, including but not limited to extension of the road
8 to Tanana and a connecting link between the Yukon and
9 Kuskokwim Rivers;

10 6. Avoid imposing transportation intrusions on
11 communities or regions whose residents do not want them,
12 i e, unwanted highways;

13 7. Improve and expand river-loading facilities.

14

15 ALPHA GROUP FUTURE FRONTIERS COMMUNICATIONS RESOLUTION:

16 Expand and upgrade communications services and
17 facilities in every Alaskan community with special
18 consideration to:

19 1. Television conferencing for legislative and
20 educational purposes;

21 2. Efficient telephone systems with a single
22 toll area spreading the costs throughout the State;

23 3. Other appropriate technology.

24 The goal is to integrate Alaskan society while
25 preserving the contributions made by diverse cultures.

1
2 ALPHA GROUP'S RESOLUTION ON LAW AND JUSTICE:

3 Alpha Group resolves:

4 1. That the Alaska court system be expanded as
5 follows:

6 a. increase the number of judges in order to
7 expedite the civil and criminal calendar;

8 b. maximize the use of existing facilities
9 beyond the normal working day to improve the convenience to
10 juries and civil litigants; and

11 c. improve the magistrate system in villages
12 through better communication, using appropriate technology
13 with the presiding judge.

14 2. Provide increased funds to villages for
15 police training and support, considering State
16 participation in the management in support of the CETA
17 program.

18
19 ALPHA GROUP'S FINANCING RESOLUTION:

20 Alpha Group resolves that the legislature adopt a
21 policy of a financial partnership between the State and
22 private enterprise, in cooperation with local financial
23 institutions with a view toward:

24 1. Supporting private enterprise through the
25 provision or facilitation of venture capital in Alaska;

2. Capital or operational support for projects and equipment, including leases or lease purchases with the lease rate based on actual revenues received from use of the product; and

3. Approval of borrowers, based on relevant factors beyond those presently considered by banks.

The State economic policy should be to develop with goals of desirable social and economic development toward the improvement and strengthening of the private sector.

RESOLUTION:

Alpha Group resolves that the legislature recognize the existence and opportunities provided by the existence of the native land claims corporations, and the unique opportunities provided by those rural-based private corporations for developing mutual economic and socially desirable goals in rural and urban areas of the State.

Alpha Group further encourages the legislature to develop structures that can provide creative mutual interaction between the State, native corporations and other entities concerned with the healthy and desirable Alaska urban and rural society.

ALPHA GROUP OIL AND GAS RESOLUTION:

1 Alpha Group recommends that the State investigate
2 a gas-stripping plant for the liquids at Prudhoe Bay and
3 the State transportation system to bring the gas liquids
4 and royalty share to tidewater for maximum State benefit.

5 Further, Alpha Group recommends that every effort
6 be made to use Alaska petroleum to lower the cost of fuel
7 throughout the state.

8
9 ALPHA GROUP RECOMMENDATION ON FISHERIES:

10 Alpha Group recommends that the Alaskan fisheries
11 program do the following:

12 1. Encourage and support the best possible
13 harvest, transportation and care technique for all its
14 multiple fisheries;

15 2. Readiness for complete harvest and best
16 utilization of all State fisheries products;

17 3. Initiation of the most advanced systems of
18 quality production, control, transportation and storage of
19 fisheries products;

20 4. Make every effort to train persons in the
21 technical skills necessary to operate in a modern fishery.

22
23 ALPHA GROUP'S TIMBER RECOMMENDATION:

24 Alpha Group resolves that the State should
25 facilitate in every way possible development of Alaska's

1 vast timber resources in an expeditious, economically
2 feasible and ecologically responsible manner.

3
4 ALPHA GROUP'S ALTERNATIVE ENERGY RESOLUTION:

5 Alpha Group resolves that the State develop
6 alternative energy sources from every community in the
7 State of Alaska, not limited to hydro power, tide, wind,
8 solar power, geothermal or hydrogen cells and sites after
9 an inventory is made.

10

11 ALPHA GROUP'S RECOMMENDATION ON ANOTHER FUTURE FRONTIERS
12 CONFERENCE:

13 Alpha Group recommends that another Future
14 Frontiers Conference be held in five years, and that it be
15 preceded by regional conferences to select delegates for
16 the state-wide conference.

17

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BETA GROUP

The Beta Group appreciates the commitment that the Alaska legislature has made to involve Alaskans in the formulation of public policy through the Future Frontiers Conference.

Additional time during this conference would have permitted more refined policy recommendations.

Nevertheless, the concepts recommended are believed to be a valid statement of current and future needs and methods of resolution.

We propose a reconvening of the Future Frontiers Conference within one year to review legislative and administrative reaction to our recommendations and to propose more detailed policy development.

GOVERNMENT SERVICES POLICY STATEMENT

For every request for government financing, programs, participation and/or regulation before acting the government should ask the requester:

1. Is there truly a need?
2. Have you exhausted all other means of resolution of this need?
3. What is the least government can do in conjunction with other resources to meet the need?
4. What is the most creative role government can

1 play in resolving the need that maximizes private
2 participation?

3 Then government's role should be limited to the
4 lowest level of participation necessary to adequately
5 resolve the need consistent with incentives for maximum
6 participation by the individual and the private sector in
7 general.

8 2. Revenue-sharing funds to local governments
9 shall be increased and the State shall share revenue with "No
10 strings attached" disposition to be in sole discretion of
11 local governments.

12 3. If the unorganized areas of the State are
13 compelled to organize into boroughs, they should be limited
14 to small contiguous areas with common needs.

15 4. State activities affecting a local area shall
16 not be undertaken without local consultation. Various
17 levels of government participating in the same program
18 shall develop effective means of coordination.

19 5. Means should be found to constitutionally
20 administer at least some of the State benefits on a
21 longevity of residence basis.

22 6. Legislative reapportionment shall be
23 implemented so as not to effectively eliminate rural
24 representation.

25 7. The adventure education program is extremely

1 valuable to Alaskan youth in helping to achieve self-confidence
2 and a sense of purpose, and shall be made available to all
3 Alaskan youth as an adjunct to regular school curriculum.

4 COMMUNICATIONS SECTION

5 1. Broadcasting of State government activities
6 shall be under the control of an independent public board
7 with regional representation.

8 2. Any expansion or improvement of public
9 communication must be preceded by a careful evaluation of
10 the ongoing as well as start-up costs and of who is going
11 to "Pick up the tab."

12 3. Government shall not interfere in program
13 content or availability.

14 4. Development of communication systems shall be
15 sensitive to the resulting social and political effects.

16 5. Highest priority shall be given to upgrading
17 communications between rural communities and the rest of
18 the world.

19 6. Career education shall be provided in the
20 field of communications.

21 7. The University of Alaska shall be provided
22 the means and directive to provide education throughout the
23 State via telecommunications.

24 8. VHF and microwave systems shall be developed
25 as a supplement to satellite communications.

JUSTICE

1. The State shall assure adequate basic law enforcement facilities in rural areas through local government.

2. Effective means shall be provided whereby judges who are not performing properly shall be removed from office.

3. Publicly supported legal services shall be expanded to meet the growing needs of Alaskans lacking the financial means to hire an attorney.

4. Research shall be undertaken to evaluate sentencing of offenders who commit crimes of violence against females in comparison with sentencing of offenders who commit similar crimes against males.

5. Criminal sentencing shall not reflect minority bias.

6. Criminal justice to be effective must be swift and sure in application.

7. The legislature, judiciary, executive and private sector shall actively pursue programs, incentives and public education to discourage the people of Alaska from their increasing propensity to litigate and shall encourage social amenity.

FINANCE POLICY

The State shall invest its surplus income in the

1 permanent fund inside the State, to the extent the
2 opportunity for prudent investment exists in Alaska.
3 Monies shall be loaned at low interest rates to anyone who
4 has a financially sound investment opportunity, subject to
5 the availability of adequate security and the borrower's
6 demonstrable ability to repay the loan, provided the
7 project enhances one or more goals of Alaska.

8 EDUCATION

9 Policy:

10 1. Provide residents of Alaska with financial
11 access to post-secondary education.

12 2. To best serve the interests of the State,
13 autonomy should be granted to the community college system.

14 3. Explore methods of encouraging competition in
15 educational systems, including alternatives to the
16 University of Alaska system.

17 Program:

18 1. Give special consideration to minority
19 students through program development and teacher
20 preparation to enable them to achieve at grade level.

21 2. Establish a nontraditional state-wide
22 educational program to enable rural students to obtain a
23 Bachelor's Degree, i.e. open-learning, school-without-walls
24 concept.

25 3. Develop bilingual and cross-cultural programs

1 and teacher training to better serve minority students.

2 Funding:

3 1. State formula funding to provide smaller
4 classes and needed services for children in grades K
5 through six to ensure their success at the secondary and
6 post-secondary levels.

7 2. Explore alternative forms of endowing Alaskan
8 universities to enable them to achieve excellence.

9 3. Increase the level of funding for special
10 education programs, including those for gifted students.

11 4. Provide funding for innovative programs, such
12 as student exchange programs, wilderness experience and
13 special cultural programs.

14 Amendments:

15 1. Establish an education fund similar to the
16 renewable resources fund which dedicates a portion of the
17 permanent fund for long-term educational needs.

18 2. The State of Alaska should improve the status
19 of vocational-technical education state-wide. Such efforts
20 should be geared not only toward program development and
21 maintenance, but improved employment prediction needs and
22 improved job development and placement.

23 3. Increase the loan funding monies, and, if
24 possible, the individual applicant ceiling amount of the
25 scholarship loan program.

1 4. Where the Board of Regents of the University
2 of Alaska establishes a state-wide program at a community
3 college, it shall assure the availability of adequate
4 housing for out-of-town students participating.

5 HEALTH

6 Health services which include:

- 7 1. Family planning counseling; and
8 2, Mental/Alcoholism/Drug Abuse Health need to be
9 made available to all areas of the State from the
10 paramedical/nurse practitioner level in the rural areas to
11 the fully sophisticated facilities in central urban areas.
12 An adequate means of transportation and communication is
13 necessary.

14 Expansion of the professional role of paramedics
15 and nurses shall be encouraged at all levels of health-care
16 delivery.

17 An adequate curricula be added to the school
18 system, stressing early detection and providing training
19 opportunities to help school children become aware of
20 health-care needs.

21 Alternative methods need to be considered for
22 future water/sewer systems to ensure the practicality of
23 the operation from a maintenance and cost standpoint.

24 Catastrophic health care should be available to
25 all Alaskans with a mandatory deductible requirement

1 sufficient to prevent abuse.

2 A need state-wide is for health education in the
3 media. Our TV, radio and newspaper should have more
4 specific information about preventive health measures.
5 Only when our whole community is more concerned about
6 health will we improve our children's health and,
7 consequently, the welfare of future generations.

8 ENERGY STATEMENT, BETA GROUP

9 The energy goal of the State should be:

10 Existing energy systems which depend on
11 nonrenewable resources should be converted to systems which
12 are based on renewable resources in an orderly, effective
13 and efficient transition.

14 A means to accomplish this would be for the State
15 government to encourage the private sector, i e, business
16 and individual, through tax incentives, tax penalties and
17 low-interest loans, to convert existing energy systems to
18 be as efficient as possible, and to replace existing energy
19 systems and develop new energy systems that rely on
20 renewable resources.

21 Among the suggestions of the Beta Group were:

22 1. Energy-efficient improvements for both
23 residences and businesses should not increase the value of
24 the property for taxation purposes, but should reduce the
25 property tax.

1 2. The State should encourage the creation of
2 regional energy councils to respond to grass roots concerns
3 and ideas to develop alternative energy sources.

4 3. An Alaskan energy plan should be developed by
5 1982 which includes a realistic timetable to accomplish the
6 long-term energy goal.

7 Nonrenewable resources used for energy
8 systems are in a state of transition which requires new
9 problem-solving techniques.

10 Human energy potential should not be diluted by
11 polarization and provincialism, but must acknowledge the
12 immediate challenge that today's energy crisis brings. The
13 cost of diesel fuel in rural Alaska is a crisis, both in
14 financial and emotional terms. Survival and economic
15 development at present in rural Alaska is dependent on the
16 availability and the price of diesel fuel. Until the
17 primary goal of energy-system dependency on renewable
18 resources is accomplished - and a specific time limit
19 should be established - the State should be prepared to
20 assist the people in rural Alaska to acquire and pay a
21 reasonable price for diesel fuel. Any State program should
22 promote the stated energy goal. In no way should a
23 government program foster business as usual, which provides
24 no incentive to convert to other alternative energy sources.

25 It appears logical and appropriate that monies

1 received by the State from the increased revenues from its
2 petroleum resources should be used to accomplish the long-term
3 energy goals and to solve the short-term immediate energy
4 crisis.

5 All State agencies should coordinate their
6 efforts to achieve the long-term energy goal.

7 BETA GROUP TRANSPORTATION

8 It shall be the policy of the State that a
9 transportation system be developed in a manner that serves
10 the economic and social needs of all Alaskans and the areas
11 in which they reside. An integrated system of
12 transportation shall include facilities necessary to
13 accommodate the mode of transportation which best fits the
14 particular needs of the area to be served. Regional
15 representatives will participate in all stages of planning
16 and implementation. And to help facilitate their
17 involvement, there will be established regional advisory
18 committees which shall have representation on a state-wide
19 advisory board that guides state-wide transportation policy.

20 Priorities of an integrated transportation system
21 shall include the following:

22 1. Transportation systems to be developed shall
23 minimize adverse social, cultural and environmental impact.

24 2. All existing transportation facilities shall
25 be upgraded to standards which assure traveler safety,

1 optimal freight rates and minimal maintenance costs.

2 3. Airport and port facilities in rural Alaska
3 will be improved to assure the safety of users and provide
4 adequate medical public safety and service support.
5 Particular attention should be paid to improving and
6 developing airport and port facilities and alternative
7 transportation modes to accommodate critical economic needs,
8 such as the transportation of fishery products.

9 4. When new transportation projects are proposed,
10 full operation and maintenance costs shall be considered in
11 the decision to implement the project.

12 5. Appropriate incentives should be given to
13 private enterprise to develop transportation facilities in
14 the private sector.

15 6. The State of Alaska shall assist in the
16 immediate improvement and development of mass transit
17 systems in urban Alaska.

18 7. As part of a regional resource planning
19 process, the Department of Natural Resources shall
20 undertake a thorough assessment of transportation needs in
21 relation to development of Alaska's renewable and nonrenewable
22 resources.

23 8. The Department of Transportation shall
24 explore innovative and alternative transportation modes
25 that may result in lower freight and fair costs and avoid

adverse social, cultural and environmental impact

A criterion for evaluating new transportation systems in both rural and urban Alaska shall be energy efficiency.

9. The Department of Transportation shall give immediate attention to the development of intraregional transportation systems that do not necessarily link.

1 FINAL REPORT, GAMMA GROUP

2
3 Gamma Group spent the first day setting goals for
4 the future of Alaska. We worked as a committee of the
5 whole. We separated our goals into nine areas.

- 6
7 I. Political/Justice
8 II. Lifestyle
9 III. Transportation and Communication
10 IV. Development
11 V. Human Resources
12 VI. Education
13 VII. Governmental Structure
14 VIII. Economy
15 IX. Community Development

16 It was our plan to come up with means for
17 achieving the goals, but time ran out. Except for the
18 goals under Political/Justice, the means submitted herein
19 were not acted on by the group, but were ideas which had
20 been submitted by individuals in the group.

21 One policy statement which was adopted by the
22 group was that, "Responsible fiscal actions be applied to
23 all goals suggested herein."

24 Gamma Group recommends that a follow-up
25 conference be held. There was objection to the way the
26 conference was planned, namely, that the time frame was too
27 short to do an adequate job.

28 We were just beginning to communicate well with
29 each other when we had to push to produce some kind of

1 report.

2 Gamma Group voted down a motion to call a
3 Constitutional Convention.

4

5 I. POLITICAL/JUSTICE

6 Gamma Group envisions a future for Alaska as one
7 in which:

8 1. Political representation reflects both
9 population and geographic diversity.

10 Recommendations:

11 a. The Alaska State Legislature should be
12 apportioned in accordance with Alaska's constitution which
13 calls for the election of the House of Representatives on a
14 one man one vote basis, and a Senate on a geographical
15 distribution.

16 2. Justice and enforcement of the law is applied
17 equally without regard to race, ethnic group, geographic
18 location, sex or social status.

19 Recommendations:

20 a. Professional and adequate permanent law
21 enforcement service in rural and urban areas.

22 b. Increase the number of magistrates and
23 judges and provide for circuit riding magistrates.

24 c. Legal aid available in rural and urban
25 areas.

- d. Minority hire in law enforcement positions which reflect ethnic populations.
- e. Improved recruitment and training in all aspects of law enforcement personnel.
- f. Courts which are closer to home.
- g. End to racial biases in sentencing.
- h. State enforcement of local liquor laws.

II. LIFESTYLE

Gamma Group envisions a future for Alaska as one in which:

1. Diverse lifestyles desired by its people are protected and respected.
2. The arts and cultural pursuits are seen as integral to such lifestyles and essential to and enhancing the quality of life.
3. A harmony is maintained between man and his natural environment.

III. TRANSPORTATION AND COMMUNICATION

Gamma Group envisions a future for Alaska as one in which:

1. Aesthetic qualities are incorporated in all transportation and public facilities planning.

Recommendations:

a. The State DOT-PF should avoid a standardization in highway design through incorporation of aesthetics, through a more holistic approach to planning, through employing people of various disciplines. In order to accomplish this, the State should at times seek waivers of federal standards and/or build the projects with State monies.

2. Any anticipated transportation development would only be implemented based on the expressed preference of the local areas to be affected.

3. There are improved rural air transport systems.

Recommendations:

a. Safety should have major emphasis in development of air transport systems.

4. There is improved and expanded marine transportation, including support facilities, throughout Alaska.

5. There are improved rural communications.

Recommendations:

- a. Improved UHF/VHF/microwave systems.
- b. Improved telephone communications.
- c. Improved uplink systems from regional centers on satellite systems.

- 1 1. Provide radio stations in regions where
- 2 they are needed.

3

4 IV. DEVELOPMENT

5 Gamma Group envisions a future for Alaska as one
6 in which:

- 7 1. The stewardship role of the State for present
8 and future generations of Alaskans in protecting the
9 natural environment, including wildlife habitat and wild
10 and scenic areas, and in preserving air, land and water
11 quality, is recognized.

- 12 2. Protection of the environment and maintenance
13 of viable ecological systems shall be a major factor in
14 reaching decisions on both public and private development
15 projects.

- 16 3. The energy needs for a future Alaska shall be
17 based on renewable resources to the greatest extent
18 possible and on localized economical units allowing for
19 maximum self-sufficiency.

- 20 4. National energy independence is not reached
21 to the detriment of Alaskan citizens and the environment.

- 22 5. Oil and gas leases should occur only where
23 justifiable and only after the Coastal Resource Service
24 Area plans have been completed and approved by the
25 appropriate agencies.

1
2 V. HUMAN RESOURCES

3 Gamma Group envisions a future for Alaska as one
4 in which:

5 1. The dignity and well-being of Alaskans of all
6 ages, race, sex and economic status are guaranteed.

7 Recommendations:

8 a. Adequate housing, preventive and crisis
9 medical treatment, day care and aid for the elderly are
10 essential.

11 2. The causes of alcohol abuse
12 as an impediment to the full utilization of Alaska's
13 human resource have been recognized and effectively dealt
14 with.

15 3. Private industry is encouraged to assume the
16 responsibility to offset adverse developmental impact in
17 the areas affected.

18 Recommendations:

19 a. Socio-economic studies should be done
20 before the fact, not after the problems occur.

21 4. Good health is a right of the people.

22 Recommendations:

23 a. people should be educated about
24 nutrition.

25 b. funds should be made available for

1 building suitable medical facilities in rural areas.

2

3 VI. EDUCATION

4 Gamma Group envisions a future for Alaska as one
5 in which:

6 1. High expectations for all students are shared
7 by their teachers and school administrators, and where the
8 opportunity for a enriched education is available to all
9 Alaskans without discrimination.

10 Recommendations:

11 a. A commitment to bilingual education.

12 b. Better standards for village high
13 schools.

14 c. Student exchange programs between all
15 high schools.

16 d. Special programs for gifted and
17 handicapped students.

18 2. The opportunity is provided for Alaskans of
19 all ages to acquire basic academic and life-coping
20 competencies.

21 a. Two-step certification for Alaskan
22 teachers which would include teaching skills and cultural
23 knowledge.

24 b. Stress good health and nutrition as a
25 responsible part of the program.

1 3. Apply to the fullest extent possible and at
2 all educational levels principles and practices of
3 self-directed life-long learning.

4 4. The State assume its constitutional
5 responsibility for educating all public school
6 children.

7 5. Continuing education is provided.

8 6. Compulsory education in all public school
9 systems be 100 percent funded.

10 Recommendations:

11 a. Funds be made available for suitable
12 buildings.

13
14 VII. GOVERNMENTAL STRUCTURE

15 Gamma Group envisions a future for Alaska in
16 which:

17 1. Flexibility in the types of government
18 available at the local level and experimentation in the
19 means by which we govern ourselves is encouraged.

20 Recommendations:

21 a. Legislation preventing experimentation of
22 local government structures must be repealed.

23 2. State decision-making is decentralized by
24 means of maximum local public involvement and control.
25

1 VIII. ECONOMY

2 Gamma Group envisions a future for Alaska in
3 which:

4 1. Maximum self-sufficiency is provided by and
5 for the people, through the encouragement of small-scale
6 self-sustaining business, agriculture, manufacturing,
7 resource and energy utilization.

8

9 IX. COMMUNITY DEVELOPMENT

10 Gamma Group envisions a future for Alaska in
11 which:

12 1. Land disposals are adequately planned by the
13 state and existing land-use patterns, and the desires of
14 the people in the local area are taken into account in
15 order to maintain quality of life.

16 2. Urban areas are assisted by the State to
17 achieve quality urbanization.

18 Recommendations:

19 a. When feasible the State should shift
20 transportation funding from projects which promote
21 automobile dependence to mass transportation.

22 3. Rural housing, water and assuming disposal
23 facilities are designed for suitability to local needs.
24 (Criteria should include energy conservation, affordability,
25 utilization of local resources and know-how, and strong

1 local input in planning and implementation).

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DELTA GROUP GENERAL RECOMMENDATIONS
OF THE
FUTURE FRONTIERS CONFERENCE

1. Make money available to local banks for investment in small Alaskan businesses, with specific requirements from the State.

2. Make State housing loans available where other housing funds are not.

3. Fully reinstate and fund the Veterans Loan Program and include surviving spouses.

4. Liquidate by lump-sum the Alaska Native Fund paid for by the State (400 million dollars).

5. Do not repeal State income tax.

6. Continue an aggressive national advertising campaign to promote tourism.

7. Expand and upgrade the Alaska Marine Highway system.

8. Reactivate the Capital Site Planning Commission and direct the legislature to proceed without delay for moving the capital according to law.

9. Regionalize the telecommunications system, so that regional centers can broadcast via an uplink system regional news, entertainment, public affairs and

1 educational television.

2 10. Legislature should mandate that the top
3 priority of the telecommunications system be the
4 installation of emergency and medical telephone in every
5 village in Alaska.

6 11. Create a single toll area for the entire
7 state for telephone communications.

8 12. Upgrade rural airports to make them more
9 fully operational and safe.

10 13. Expand key rural commercial center airports
11 to provide more economical transportation systems.

12 14. Delay any attempt to organize the unorganized
13 borough until studies made of economical and geographical
14 feasibility of that organization.

15 15. Expand and improve the magistrate system in
16 rural Alaska.

17 16. Improve maintenance and upgrade present
18 State highway system.

19

20 AGRICULTURE

21 17. Continue to vigorously promote the
22 development of our agricultural potential so that the State
23 becomes as self-sufficient as possible.

24 18. Establish a Department of Agriculture.

25 19. Encourage in-state production of all mineral

1 and organic elements for use as fertilizer within the state.

2 20. Increase Agriculture Revolving Loan Fund.

3 21. Provide State tax incentives for agricultural
4 production.

5
6 FISHERIES

7 22. Stimulate the rapid development of on-shore
8 processing facilities and Alaska-based vessels with
9 development of the bottom fish industry utilizing all of
10 the State's investment and regulatory tools, including but
11 not limited to:

12 A. Loans for Alaskan fishermen and processors,

13 B. State bonds for the construction of ports and
14 harbors,

15 C. Promoting a marketing association to develop world
16 markets for Alaska seafood products.

17 23. Establish strict quality control for all
18 Alaska seafood products.

19 24. Encourage the legislature to investigate the
20 possibility of establishing a policy that would restrict
21 foreign ownership and control of the Alaskan seafood
22 processing industry.

23 25. Support a substantial federal exploitation
24 tax to be levied on foreign vessels fishing and processing
25 in the American 200-mile zone.

1
2 EDUCATION3 Opening Remarks
4

5 In the spirit of Buckminster Fuller's thesis that
6 the healthy growth of the human mind is vital for the
7 survival of mankind, and recognizing that the preservation
8 of Alaska's unique life-style in the face of enormous
9 pressure for resource development is dependent upon
10 intelligent and creative leadership, the State shall make a
11 total commitment to and establish as one of its highest
12 priorities excellence in the University of Alaska system,
13 including emphasis on social, cultural and physical studies
14 related to the arctic and subarctic and adjacent seas.

15 In the implementation of this program, and
16 providing an incentive to Alaskan families to encourage
17 their children to attend the university system, the
18 legislature shall consider adopting policies of free
19 tuition and other incentives that would encourage all
20 Alaskans who want to further their education to attend the
21 university system.

22 26. Consider adding the Naval Arctic Research
23 Laboratory as a facility for the University if federal
24 funds are withdrawn.

25 27. Develop excellence in vocational and

1 technical education as a basic function of the community
2 college system.

3 28. Provide funding to expand pre-school
4 educational programs as an educational priority.

5 29. Provide an exchange program between urban
6 and rural students in Alaska.

7 30. Continue support for and expansion of
8 community school program.

9 31. Pursue methods to fully utilize
10 telecommunications in all phases of education, especially
11 to support rural schools with regionalized programming.

12 32. Provide adequate funds to support basic
13 literacy projects in Alaska.

14 33. Support expansion of programs for the
15 exceptionally gifted students in Alaska.

16

17 HEALTH AND SOCIAL SERVICES

18

19 Opening remarks

20

21 That in the spirit underlying each of the
22 following policy recommendations, the broad cross-section
23 of Alaskans from every part of the state strongly urge the
24 legislative and executive branches to encourage, whenever
25 feasible, the adoption and implementation of health and

1 social programs which encourage local input, provide
2 incentives for self-help and adopt creative policies that
3 tend to encourage human dignity.

4 34. Public policy as developed by the
5 legislative and executive branches of government should
6 shift priority as far as possible from the curative and
7 treatment approach to health promotion, health education
8 and disease prevention and social service programs and
9 similar approaches recommended for problems.

10 35. Since disease prevention is cheaper than
11 cure and treatment, Alaska should single out diseases which
12 contribute unduly to the pain and suffering of citizens and
13 lay heavy claims on public funds. Earliest attention
14 should be given to tuberculosis, otitis media, alcoholism
15 and drug abuse, accident prevention, and venereal disease.

16 36. Cost containment for all health care
17 purchased by government should be undertaken with a minimum
18 goal that payment and fees for services should not be
19 allowable beyond the increases in the Consumer Price Index
20 for the region concerned.

21 37. That to the extent allowable by present law
22 and reasonable amendments thereto, health and social
23 services delivery programs should be vested in local
24 government and in private nonprofit corporations with
25 mutually agreeable funding provided by federal and state

1 governments.

2 38. Revenue-sharing funds made available by the
3 State government for health services and health facilities
4 should be made available to local governments, with the
5 local governments determining the priorities for usage of
6 the funds, whether for services, institutions or facilities.

7 39. That public policy in Alaska include studies
8 leading toward the possible revision of all direct service
9 health expenditures with the emerging possibility of opting
10 out the Medicaid program, the development of an unique and
11 comprehensive Alaska health insurance program, or other
12 innovative improved methods for assisting Alaskans in
13 meeting medical costs.

14 40. Immediate attention should be given to an
15 improved catastrophic illness program to bring relieve to
16 low- and middle-income wage earners, otherwise ineligible
17 for federal and state assistance.

18 41. The State should consider a revised plan of
19 reimbursement for physician services and hospitals,
20 including strong emphasis on the free enterprise,
21 competitive system and that as a quid pro quo the free
22 market forces be rigidly enforced as demanded in other
23 fields of endeavor.

24 42. Alternatives to expensive institutional
25 health care (hospitals, nursing homes, residential centers)