

SCOMM

# 10:22

MINUTES 8/4/79

chief/council rule--traditional justice more effective than others. Legislature should make tribal justice legal. Recognize it. (Solomon)

Oil and gas key to local government formation. (Lang)

1280 acres for villages can only be passed through a city, not a borough. (Solomon)

Area you are dealing with is not virgin area. You must recognize that there are different systems in place. How do you deal with what is there now? Borough Act not the only approach. (Thompson)

What do you need service areas for? Which services? Specific service needs should be looked at. (Selkragg)

Title 29 evolved to solve urban problems. Doesn't work well. Should state define regional boundaries is the question. (Nordale)

Take village perspective. Uniqueness of each region. Lack of organization is not a problem. Array of programs which are uncoordinated. Disjointed service programs. What empowerment can be provided which will make sense out of what's coming from Feds. and State. What instrument do we need to make sense out of all this? (Smith)

Tribal organizations should be recognized. Constitution doesn't recognize this. (Solomon)

Need for boundaries clear. Flexibility in power exercised by unit. (Home Rule concept helpful here. More limited unit can be provided as well as more powerful under Home Rule.) '72 legislative proposal mentioned "unorganized boroughs" (Garrett)

Physical existence is of concern. Water needs critical. Public Health Service builds a water treatment facility but it costs too much to maintain. No electricity, unemployment, Instrument so that they can provide for themselves. (Darbyshire)

Comprehensive planning needed. (See letter from State re TCC request)  
Innovative ways of dealing with local government. Should be able to join state system. Recognizing existing units would help. (Kent)

Examine decentralization of state government and services. REAA example of this. Get away from borough label for awhile. Functional decentralization possible. Justice bureaucracy means that it can't really reach the villages. There must be public services coordination. Local government could scoop up state powers re service delivery. (Havelock)

No adequate articulation in relationship of cities and boroughs. (Havelock)

Equity is major question. There is no consensus on "equity" question.

Legislature needs a process for evaluating/developing proposals for establishing local government. Need: 1. Local self control 2. Regional coordination 3. Statewide comprehensive Planning (Kent)

Perhaps there should be an advisory committee to CRA Committees. Need to know what decentralization means to those suggesting it. (Solomon)

Limited time and money. Put project in proper time sequence. It will take a long time. (Lang)

A Resolution should be passed which makes it public policy that it is in the the interest of the State of Alaska that villages exist.

Individual survival is a problem. Equity must be considered in relation to the energy situation. (Smith)

Planning could be single service entity like education. Service areas for planning services. Coordinate the agencies which exist. (Kent)

Lack of coordination will result from (above). Concept for unification of service delivery necessary. (Fischer)

Planning includes everything. Planning is priority...total planning process. Social, economic, etc. included in planning. Definition of planning necessary. (Selkragg)

Planning is the process of identifying problems and arriving at solutions. Separate government entity only for planning not good. (Fischer)

If state can't perform services, or receive money, IRA councils should be able to do so. Development plan for every village necessary. Monitoring function of IRA Councils not recognized by the state. (Iya)

Southeastern Alaska has to be dealt with differently. Multitudinous government units. "turf problem" Areas can't afford electrical facilities. (Johnson)

Regional Corp. not recognized by State. State and Natives need to get together. (Lang)

How do you pay for self government? Economic development is going to happen and control will pass to whomever is there. (Rudd)

Economic development doesn't always bring benefits to people who live there. People not aware of potential. (Lang)

3rd Class borough bill allows for evolutionary self government. Service areas for planning in 3rd Class boroughs. Secret is look at what's evolved and "direct it". (Rudd)

No vehicle for communicating. (Kent)

State hasn't provided avenues for solution. 3rd Class borough amendments didn't do it. Service area basis for delivery of services creates fragmentation. (Nordale)

Alaska needs educational program. Everyone has bits and piece. Need coordination. Separate efforts. Villages can't digest. (Selkragg)

Now that Coastal Resource Service Areas are being formed, there is no local match money. Need money to provide for meetings for CZM and there is none. (Knoll)

CZM office is working on local match problem. (Erickson)

Notion of local revenues not necessary. Local match, even in kind, is not necessary-- or need not be necessary. (Fischer)

Avenue of communication don't exist. Don't know who to go to. No place in Kotzebue. (Simon)  
Train local people. Send people who know how to write ordinances, etc. Have them stay for a time to train local people. Workshops are necessary.

People don't know what is available. (Iya)

Not enough people to staff. Budgetary restrictions. CRA people come in on request. (McAnerney)

Legislature sits as Assembly and hasn't acted. Identify what they can do. (Lang)

SATURDAY (P.M.)

1. What are logical regions?
2. Is there a chance for equitable government and equitable financial system?
3. What is Home Rule and what is local government representation?
4. Function and services of state as it affects local and regional government?  
(Lang)

There should be a distinction between delivery and financing of services. Is new unit just a funnel? REAAs are deliverers which don't "provide". Make this distinction.  
Are you talking about control by the citizens of the area? Are you focusing on full gamit of local government function?  
(Sharp)

Contracting is an approach the state should take. Much cheaper. (Solomon)

IRA Councils can delivery services at a lower rate. (Iya)

Regional IRAs exist in SouthEast and North Slope.

Revenue Sharing should redistribute the profits of locally raised revenues. (Smith)

Poor areas will resist sharing. (Havelock)

Existing law contemplates sharing money. Earmarking is the problem. Everyone doesn't participate in revenue sharing. (Nordale)

State could allocate money by regions if they were established. (Fischer)

Need and income formula could be worked out. (Garnett)

Molly Hootch could be related to "whole state" responsibilities;  
Fiscal Equite;

1. What are essential state services?
2. Should any local effort be required?
3. What standards of democratic access to policy control will there be?  
(Havelock)

Fish and Game decentralization attempt unsuccessful . (Smith)

Boundary agreement must be reached. (Solomon)

Organized borughs will have to change some boundaries. (Fischer)

If you were talking about particular categories for taxation purposes (ex. business tax,) then assessemnt might be reasonable.

Don't start out with assessing on your mind. Politically unworkable. (Havelock)

Data base necessary if you wnat to organize areas. (Sharp)

Economic infrastructure of villages need to be looked at. Money is not all that is included in this. Assessment and collection of data must be carefully done'. (Smith)

Identification of vital state services by group:

\*Education

Roads/Highways/Transportaiton

\*Public Safety (fire, police, justice system)

\*Health/Sanitation

Communications

\*Public Assistance

Foundation approach in all of four basic areas would be workable. (Havelock)

Public assistance should be based on level of need.

Needs assessment rather than per capita basis should be considered.(Havelock)

Constitutional Convention for each Region  
Develop a home rule charter keyed to the needs of each area (Fischer)

Traditional councils have representation method which taken into account each village. Weighted vote eliminated with Branson's amendment ('79 Session). Village recognition should be given in voting method. (Solomon)

Legislature could require CRA to call an election to allow people to select a charter commission.. Boundaries could be worked out by Local Boundary Commission.

Establish unorganized boroughs. Mandate a division. The relationship between cities and boroughs is a problem re creation of subdistricts. New definition needed for "class of city"--this could be a subregional district. (Havelock)

Cites advisory committee role of unorganized boroughs ala '72 legislation (Chitwood)

Take a look at what exists already. Boundaries do exist. Can the state respond when people indicate what they want?? State hasn't recognized villages. (Smith)

SB 35 as example of boundary selection. Office of Civil Rights contested REAA boundary lines selection. Use REAA boundaries for discussion and then remove, rather than add to these lines. (Smith)

Consider subdistricts for planning. Suggests use of boundaries to be used by Tanana Chiefs Conference for planning purposes. (KEnt)

Don't use units which are too small. Regional Corporation Boundaries are better. (Havelock)

Don't look at boundaries independent of existing boroughs. (ex. Bristol Bay). It is a problem using existing boundaries which have been drawn around existing boroughs. (McCarter)

Don't take on existing boroughs. Use existing borough lines as it would be impossible politically to proceed if you touch them. (Havelock)

Villages should be recognized as units (for planning, in particular --not zoning, however) Is there legal problem with the recognition of villages? (Lang)

Tanana Chiefs Conference memo pinpoints four areas of the law related to recognition.  
(Kent)

Format for proceeding:

1. Petition fro self-government form designated area
2. CRA would provide technical assistance during second phase (identify resources, develop data base, etc.)
3. Maximization of self-government statement
4. Socio-economic impart statement (would take into consideration existing units, people, respond to impact)
5. Proposal for self government  
(Havelock)

What is the state's definition of self determination? (Iya)

Resurgence of IRAs noted. (Smith)

Cost of the testimony on the Indian self-determination Act would be helpful along these lines. (Land-- get from ANF /Gordon Jackson)

Develop the concept of an Alaska Community and Regional Self Determination Act  
(Morehouse)

State could officially recognize villages. Review the concept of Indian self determination to see if it is applicable. (Fischer)

Implementation is the question. How will it be carried out.? Racial backlash as a problem. (Lang)

Look at IRAs for positive and negative impacts. (Iya)

There must be a search for the best vehicle. The general public must be included, not must Natives. There should be consideration of cost effectiveness. (Chenoweth)

Contracting is important so that local level control exists. Contracting back to the State is another approach. There must be recognition of the sociological problems which would result from the situation of having differencnt levels of service provision.

There should be racially neutral delivery of services. (ex. RuralCap). There is currently a lack of standards and procedures for contracting. The level of service delivery should be mandated statewide.

(Havelock)

*Sunday*  
*(2)*

Organized boroughs are often resistant to the idea of program delivery. (Argetsinger)

Contracting is often a political problem. The Legislature wants to bring home the bacon. There is also resistance from many areas within the bureaucracy. (Dodson)

What are the issues related to "recognition"? It would mean different things in different regions. One of the main points is the 14 C (3) land entitlement of 1280 acres.

Recognize the ability of the villages to deal with the State in

1. Communication
  2. Planning
- (Kent)

Really no difficulty with technical recognition of "villages" You could call third class cities "villages"--rather "villages", third class cities. Use this as a mechanism to convey land. (McCarter)

4th class city--AVEC power was the original reason for 4th class incorporation. (Smith)

"Zoning and platting" should be eliminated from the definition of planning. (Kent)

"Planning" should be reserved to the legislature functioning as the Assembly. Planning should be for unorganized boroughs. (Lang)

Incentive Planning Grant Program  
SB 303 extension of benefits to contractors  
(Smith)

Develop a Statement of Purpose re Home Rule Concept. Include basic principals. State acceptance of villages. Revenue Sharing Program (perhaps like School Foundation formula) Formula of funding to local governments. Give them the means to do something. (Fischer)

Consider the impact of CETA which functions like local government as an employer. Federal government is cutting back on CETA funding.

Energy must be considered in relation to "equity". Distribution of energy is a main concern. (Smith)

Avenues other than property tax should be explored to support local government. (Chitwood)

Integrate Kent plan in ongoing effort. Planning for "rural" Alaska is necessary. Urban solutions don't always work. The solution processes (urban/rural) are different. Long term planning rather than confrontation basis. (Lang)

(3) Sunday

Could non-profit corporations act as trustee for the land entitlement? (1280 acres?)  
(Anderson)

Recognize the power of the IRA Councils to deal with their own problems. (Solomon)

Must consider the functions and funding for new creature. There should be provision for the ongoing consideration of local government problems. (Sharp)

Look to reallocation of old money. Take on the bureaucracy. There have been dollars appropriated for service functions. Unification and decentralization of existing funds is the key. Get the Judiciary (Public Safety aspects) and HESS Committees involved in the effort. Provide for the utilization of these dollars in the local rather than state delivery system.

(4) Sunday

1. Hi

PROBLEM IDENTIFICATION

- OIL AND GAS WILL COMPLICATE FORMATION (ROGER)
- 1280 ACRES OF VILLAGE CANNOT BE PASSED THROUGH A BOROUGH, ONLY CITIES (SOLOMON)
- SEVERAL DIFFERENT ORGANIZED SYSTEMS IN PLACE IN VILLAGES. NOW. IRA COUNCILS, TRADITIONAL COUNCILS, ETC. HOW TO BUILD ON THEM? (THOMPSON)
- SHOULD STATE SET REGIONAL BOUNDARIES? YES TO MAKE ALL PARTS OF THE STATE PARTICIPATE IN THEIR OWN SELF- DETERMINATION
- LOOK FROM VILLAGE PERSPECTIVE. STATE AND FEDERAL GOVERNMENT COMES IN AN UNORGANIZED MANNER. WHAT KIND OF TOOL TO HELP THEM COPE WITH THE ARRAY OF PROGRAMS(SMITY)
- + build in flexibility in government. structure  
home rule = develop your own thing.
- + recognize existing village structures(ray kent)
- + develop guidelines for urban/rural equity (havelock)
- + new units ought to on equal footing with urbanized areas.(Thompson)
- EQUITY - HOW TO DISTRIBUTE RESOURCES(\$- CAPITAL PROJECTS- REVENUE SHARING) WITH UNEQUAL POPULATION DISTRIBUTION?(THOMPSON)
- LEGAL TIME LIMITATION IN BECOMING HOME RULE. HAVE TO BE 1ST CLASS BOROUGH FIRST (SOLOMON)
- PLANNING DOES NOT MEAN ZONING. PLANNING MEANS THIS IS WHO WE ARE AND WHERE WE WANT TO GO.(KENT)
- + limited service area concept (lidia)
- VILLAGE PERSPECTIVE NEW SERVICES VERY EXPENSIVE IE. H2O / ELECTRICITY (DARBY)
- + local areas should be able and encouraged by state to plan for themselves (kent)

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-DECENTRALIZATION OF STATE GOVERNMENT IE. REAA'S = DE FACTO BOROUGHS(HAVELOCK)

FUNCTIONAL DIFFERENCES IE. CRIMINAL JUSTICE

-TITLE 29 PROBLEM IS NO DEFINITION BETWEEN CITY AND BOUOUGH. ALWAYS IN CONFLICT. (HAVELOCK)

+local government can scoop up state programs and receive the \$'s to do so.

+ira councils are currently administering and developing bia services

-LEGISLATURE NEEDS A PROCESS FOR EVALUATION/ DEVELOPING

-PROPOSALS FOR ESTABLISHING LOCAL GOVERNMENT + coordinate "readi education" progra afn/rural cap/anf

- NEED: 1. LOCAL SELF CONTROL
- 2. REGIONAL COORDINATION
- 3. STATE-WIDE COMPREHENSIVE PLANNING

+short range problems/ long-range

+local village planning ala lidia

+regional coordination of governmental agencies/programs

+ira legislative committee should have advisory committee composed of rural locals.

+strengthen lines of communications between village and state. technical assistance

+education on administration of local government

-DIFFERENCES THAT SHOULD BE ADDRESSED?

\* Southeast heavily organized

+need to establish a realistic time frame to create something about local government in rural alaska

+legislative resolution: it is in the interist of the state of alaska that villages exist.

-\$'s FOR LOCAL MATCH FOR COASTAL ZONE MANGAEMENT

+rural economic development policy ie.energy  
 +single function to expand, like education  
 -AVOID PROLIFERATION OF SERVICE COORDIN-  
 ATORS, IE.PLANNING/HEALTH SERVICE/EDUCATION  
 +do it in comprehensive manner  
 \*Do not set up a seperate governmental  
 entity to do planning  
 +state should contract with ira's to provide  
 services to Native and non-Native alike  
 +need overall development plan for each region and each village  
 -TURF PROBLEMS AMONG THE MULTIPLE ROGANIZATIONS IN A VILLAGE/  
 REGION/IRA/CITY COUNCIL/H.S.A./REGIONAL NON-PROFIT.  
 -NO OFFICIAL TIES BETWEEN REGIONAL CORPORATION AND VILLAGE CORP.  
 AND THE STATE OF ALASKA  
 +time to get Native community and the state to gether. land  
 plarning resource management  
 -HOW DO YOU PAY FOR LOCAL GOVERNMENT? ECONOMIC FEASIBILITY  
 +not necessary to require local support  
 -ECONOMIC DEVELOPMENT IS LOCATED IN RURAL ALASKA-OCS/200MILE LIMIT/  
 TIMBER

"AMORPHOUS MASS"

+change powers of 3rd class boroughs  
 -UNPLANNED CONSEQUENCES OF COMMUNITY DEVELOPMENT H2O/ SEWER/ETC  
 -STATE DOES NOT HAVE A FRAMEWORK FOR SOLVING LOCAL GOVERNMENT.  
 PROBLEM. SO SOLUTIONS ARE FRAGMENTED AND NOT RELATED TO OTHER  
 ROBLEMS.

CONSTITUTIONAL MANDATE

LEGISLATURE    BOROUGHS

Degree of local direction    law, review, dollars, information

Provide/deliver services

pass through

Regulator    controlling functions

1. What are essential state services

2. Should there be a requirement for local participation

3. Democratic participation in who provides services?  
standards for

PR

1. What are the Regions?

Boundaries - Yes, Regional concept

- + Economies of scale (Region, Statewide, Local)
- + Land and Natural Resource Management?

2. Fiscal - Equity

- + State contracts to provide services
- + Property tax on Resource Development ie. pipelines
- + 7; on property taxes - Redistribution/ Sharing establishment of boroughs would establish a mechanism for revenue sharing
- + FORMULA?  
100% Funded State Services\*?
- + Need data base- economic/social structure (soft contribution)
- + Standards of State Services- measure of rural/urban
- + Develop a foundation financing approach to the four essential services listed
- + Require needs assessment/ not population

3. "Home Rule" - Local Representation  
Equitable Government/  
flexability

Distribution of powers - ie.) regulatory of Fish and Game  
Mandatory vs. Optional

State Services

- \*- EDUCATION
- ROADS/HIGHWAYS - TRANSPORTATION
- \*- POLICE PROTECTION/ FIRE= PUBLIC PROTECTION
- CRIMINAL JUSTICE
- \*- HEALTH / SANITATION
- COMMUNICATIONS
- \*- PUBLIC ASSISTANCE(Food stamps/ elderly/ AFDC/AB

WHAT LEVEL OF SERVICE?

4. REGIONAL FUNCTIONS AND SERVICES  
CONTRACTS

- Local Control in context of Statewide plans
- Regional Coordination

HOME RULE

+Information needs resources  
planning  
strategies

+Title 29 etc.

+One man/ one vote

+Home Rule Charter

+Boundaries

- Legislature
- Local Boundary Commission
- Public Process
- Standards

Subdistricting - Cities  
Service Areas

Constitutional Mandate

Existing original/boundaries  
Traditional villages

PROCESS

-SB-35 REAA'S

-Regional Corporations

INDIAN SELF-DETERMINATION ACT

ALASKA COMMUNITY AND REGIONAL  
SELF DETERMINATION ACT

- +Recognition/Rights of villages
- +3rd class cities
- +Contracting State --- Local
- +Native/Non-Native representation
- +Roles, limits of existing organizations
- +Planning
- +A-95

IRA 34/36

Local "const'l" process

Contracting

- State-Local-Inter local
- Organized and Unorganized Boroughs

Financing

- + Principles
- + Revenue Sharing
- + CETA prospects
- + Other Federal Programs

Problems identified at meeting held to identify direction for the Local Government Study....List of those in attendance attached.

PROBLEMS

1. CZM + IMPLEMENTATION (ORGANIZED & UNORGANIZED)
  - (a) FUNDING FOR ORGANIZED UNORGANIZED COMMUNITIES
2. DNR STATE RESOURCES PLANNING
  - (a) INVOLVEMENT OF PUBLICS?
3. EVALUATION OF ROLE OF LOCAL BOUNDARY COMMISSION
4. DEVELOPMENT CITIES ACT(APPLICABILITY)
5. LOCAL INPUT INTO NEEDS ASSESSMENT
6. FUNDING FOR BOROUGH (PLANNING) STUDY
7. VIABILITY OF THIRD CLASS BOROUGH
8. INTERIM GOVERNMENTAL FORMS (NEED FOR - ?)
9. MULTIPLICITY OF JURISDICTIONAL BOUNDARIES
10. INADEQUACY OF FUNDING FOR SECOND CLASS CITIES
11. INADEQUATE DELIVERY OF SERVICES (DEVELOPMENT OF PLANNING SYSTEM)
12. DUPLICATION OF PLANNING EFFORTS
  - (a) STATATORY/PROGRAMS
13. LACK OF LOCAL-LEVEL UNDERSTANDING OF LOCAL GOVERNMENT STRUCTURES
14. EXISTENCE OF RURAL POLICY

RESOURCES

1. VILLAGE ASSISTANCE FUNDING?

1st MEETING  
3/30/79

2433

Frank Rue	A.N.R. Planning & Classif. Sector	
Jingy Whitwood	Municipal League	6-1325
- John Halteman	ODDP	3577
Ron Tarson	A.M.L. And Mat-Sun Borough	
Frank Ulmer	DTDP	3577
Therina Clark	OCRA	4750
Don Argetsinger	- DCRA	4700
Jolly Rue	ODDP	
Kabun McCarter	- C&RA	4707
Lee McAnaney	- C/RA	4700
Margorie Gorsuch	Rep. Parker Staff	3870

2nd MEETING  
4/6/79

Frank Rue	Dept. of Nat. Rec (P&C)	
Jessie Dolson	Office of Gov.	3500
Palmer McCarter	D C & RA	2100
Sally Rue	DPOF - Off. of Gov.	3573
Ray Kent	T.C.C. Fairbanks	
Ned A. Anderson	State House	
Chris Anderson	TCC - FAI	
Bill Ponker	House	3870
John Halterman	DPOF	3577
Ginny Chittwood	AML	6-1325
Dorl Anstinsen	C/RA	4700
Lee McCannery	C/RA	4700
Arlin Stenger	State	
Veronica Clark	BCRA	4750
Magorie Hancock	Rep. Parker Staff	