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29.23.150 Executive absence
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29.23.255(80)	24 350		Removal from office
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29.23.270	24 370		Veto
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29.23.290	24 390		Powers and duties of city manager
	6	Article 5.	School Boards
29.23.310	24 420		Election
	7	Article 6.	Utility Boards
29.23.340	24 450		Utility boards
	8	Article 7.	Other Officers and Employees
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29.23.370	24 490		Municipal attorney
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29.23.390	24 510		Municipal treasurer
29.23.401	24 520		Appointment to municipal boards and commissions
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29.23.410	24 550		Application
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30 060	29.28.050(80)	Election contest and appeal
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30 090	29.28.060	Reservation of powers
30 100	29.28.062	Petition
30 110	29.28.065	Contents of petition
30 120	29.28.070	Required signatures
30 130	29.28.073	Sufficiency of petition
30 140	29.28.075	Protest
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30 160	29.28.080	Presentation of initiative
30 170	29.28.090	Presentation of referendum
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30 220	29.28.140	Grounds
30 230	29.28.150	Petition
30 240	29.28.160	Examination for sufficiency
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29.48.010(S)	General powers	29.48.037(S)	Extraterritorial jurisdiction
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29.48.250 Centralized purchasing

^{33.200}
29.48.260(S) Municipal properties

^{33.210}
29.48.190 Budget and capital program

^{33.220}
29.48.210 Expenditure of borough revenues

^{33.230}
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^{33.270}
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29.33.250 Additional areawide powers

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29.33.260 Transfer by city

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29.33.270 Petition for power

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29.33.280 Investigation

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Planning and Zoning

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- [Chapter 38] Borough Powers and Duties in the Area Outside Cities
- ^{36 160} 29.38.010 First class borough
- ^{36 170} 29.38.020(S) Second class borough
- ^{36 180} 29.48.020(80) Second class borough powers outside cities
- ^{36 190} 29.38.030 Additional powers
- ^{36 190} 29.38.040 Investigation
- ^{36 200} 29.38.050 Election

Combine into one section

~~Article New~~ Article 5.

- [Chapter 41] Powers of Third Class Boroughs
- ^{36 230} 29.41.010(S) Powers of third class boroughs
- ^{36 240} 29.41.020(80) Assembly to serve as school board

Article 6. Service Areas

29.63.020(S) Service Areas.

~~CHAPTER NEW ST.~~

- [Chapter 43] 39. Powers of Cities Outside Boroughs
- ³⁷ 29.43.010 Additional powers
- ³⁷ 29.43.020 Assessment and tax collection
- ^{37 040} 29.43.030 Education
- ^{37 050} 29.43.040(S) Planning and zoning
- ^{37 160} 29.43.100(S) Extension of curfews outside cities
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- Article 4. Planning, Platting and Zoning
- ^{02 010} 29.33.070(S) Planning, platting and zoning
- ^{02 020} 29.33.080(80) Planning commission
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- ^{02 010} 29.33.090(80S) Zoning

- 42 050
29.33.110(S) Board of adjustment
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29.33.120 Adjustment procedure
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- 42 070
29.33.160(S) Procedure
- 42 100
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- 42 110
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29.33.190(S) Penalties
- 42 150
29.33.200 Alteration of replat petition
- 42 140
29.33.210 Notice of hearing
- 42 150
29.33.220 Hearing and determination
- 42 160
29.33.230 Recording
- 42 170
29.33.240 Title to vacated area
- 42 170
29.33.245 Delegations

Article 2. Service Areas

- 29.63.090(S) Service areas

Chapter 53. ⁴⁵ Municipal Assessment and Taxation

Article 1. Municipal Property Tax

- 45 010
29.53.010 General property tax
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- 29.53.045(S) ^{45 090} Tax on oil and gas production and pipeline property
- 29.53.050(S) ¹⁰⁰ Tax limitation
- 29.53.055(S) ¹¹⁰ No limitation on taxes to pay bonds
- 29.53.060(S) ¹²⁰ Full and true value
- 29.53.070 ¹³⁰ Returns
- 29.53.080 ¹⁴⁰ Independent investigation
- 29.53.090 ¹⁵⁰ Statement
- 29.53.095 ¹⁶⁰ Reevaluation
- 29.53.100(S) ¹⁷⁰ Assessment roll
- 29.53.110 ¹⁸⁰ Assessment notice
- 29.53.120 ¹⁹⁰ Corrections
- 29.53.130 ²⁰⁰ Appeal
- 29.53.135 ^{45 210} Board of equalization

- 29.53.140 ²²⁰ Hearing
- 29.53.150 ²³⁰ Supplementary assessment rolls
- 29.53.160 ²⁴⁰ Tax adjustments on property affected by a natural disaster
- 29.53.170 ²⁵⁰ Tax levy and rate
- 29.53.180 ^{45 260} Rates of penalty and interest
- Article 2. Enforcement of Tax Liens
- 29.53.200 ^{45 290} Validity
- 29.53.210 ³⁰⁰ Tax liability
- 29.53.220 ³¹⁰ Enforcement of personal property tax liens by distraint and sale
- 29.53.230 ³²⁰ Real property tax collection

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- 45 500 490
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- 580 70
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570 80
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Article 5. ^{620 610} City Sales and Use Taxes

29.53.440 ^{630 620} Power of levy

29.53.450 ^{640 630} Power of levy and collection

29.53.460 ^{45 640 630} Combining sales tax with incorporation

Chapter 63. ⁴⁸ Special Assessments ~~and Service Areas~~

Article 1. Special Assessments

29.63.010 ⁴⁸ Assessment and proposal

29.63.015 ⁰²⁰ Procedure

29.63.020 ⁰³⁰ Decision and notice

29.63.025 ⁰⁴⁰ Record owner

29.63.030 ⁰⁵⁰ Objections and revision

29.63.040 ⁰⁶⁰ Assessment roll

29.63.050 ⁰⁷⁰ Hearing and settlement

29.63.060 ⁰⁸⁰ Payment

29.63.065(S) ⁰⁹⁰ Exemption

29.63.070 ¹⁰⁰ Reassessment

29.63.080 ¹¹⁰ Objection and appeal

29.63.085 ⁴⁷ Special assessment bonds

Chapter 58. ⁵¹ Municipal Debt

Article 1. Revenue Anticipation Notes

29.58.010(S) ⁵¹ Borrowing in anticipation of revenue

29.58.020(S) Issuance of notes

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29.58.050 Priority of repayment

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51 080	29.58.070	Bond anticipation borrowing
090	29.58.080	Issuance of notes
200	29.58.090	Issuance of new notes
210	29.58.100	Repayment of notes
220	29.58.110	Security
230	29.58.120	Limitation
240	29.58.130	Use of proceeds
250	29.58.140	Sale of notes
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51 100	29.58.150	General obligation bonds
51 190	29.58.160	Vote and notice of existing indebtedness required
51 200	29.58.170	Form and terms of sale
51 210	29.58.180(S)	Payment
Article 4.		Revenue Bonds
51 240	29.58.200(S)	Revenue bonds
51 250	29.58.205	No election required
51 260	29.58.210(S)	Forms and terms
51 270	29.58.220(S)	Payment
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51 300	29.58.240	Authorization
51 310	29.58.250	Effect of bonds
51 320	29.58.260	No election required
51 330	29.58.270	Payment of refunding bonds
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- 51 270
29.58.300 Public sale
- 51 280
29.58.310 Interest rate
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29.58.315 Bond attorneys, bond and financial consultants
- 51 300
29.58.320 Redemption before maturity
- 51 310
29.58.340(S) Borough indebtedness
- 51 320
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Chapter 88. (80) Municipal Tax Resource Equalization

- Article 1.
29.88.010(80) State equalization of tax resources for local government services
- 29.88.015(80) Determination of population
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- 29.88.025(80) Reports
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- 62 340
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- 29.89.010(80) Revenue sharing payable
- 29.89.020(80) State aid to municipalities for roads
- 3
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- 4
29.89.040(80) State aid to volunteer fire departments in the unorganized borough

- ¹⁵⁰ 29.89.050(80) State aid to certain native village governments
- ¹⁶⁰ 29.89.060(80) Population determination
- ¹⁷⁰ 29.89.070(80) Area cost-of-living differential
- ¹⁸⁰ 29.89.080(80) Miscellaneous services account
- ¹⁹⁰ 29.89.090(80) Regulations
- ²⁰⁰ 29.89.100(80) Definitions

Article 3

- Chapter 90. (80) State Aid for Hospital Construction
- ²³⁰ 29.90.010(80) State aid for hospital construction
- ²⁴⁰ 29.90.020(80) Hospital construction assistance account
- ^{62 250} 29.90.030(80) Definitions

Article 4.

- Chapter 95. (80) Administration of Municipal Financial Assistance Programs
- ²⁸⁰ 29.95.010(80) Allocation and distribution
- ²⁹⁰ 29.95.020(80) Qualification for minimum payment
- ^{62 300} 29.95.030(80) Proration of payments

Chapter 65.

- Article 3A.** (S) General Grant Land **CHAPTER - NEW**
- ^{65 010} 29.18.201(S) Determination of entitlement of boroughs and unified municipalities
- ³²⁰ 29.18.202(S) Determination of entitlement for cities
- ³³⁰ 29.18.203(S) Determination of entitlement for newly incorporated municipalities
- ⁰⁴⁰ 29.18.204(S) Status of entitlements
- ⁰⁵⁰ 29.18.205(S) Fulfillment of land entitlements
- ²⁶⁰ 29.18.206(S) School, university and mental health land
- ⁰⁷⁰ 29.18.207(S) Selection and conveyance procedure
- ⁰⁸⁰ 29.18.208(S) Payment for land deficiency
- ⁰⁹⁰ 29.18.209(S) Authorization for land exchanges

^{65 100} 29.18.210(S) Public purpose and expansion needs

¹¹⁰ 29.18.211(S) Election of benefits

¹²⁰ 29.18.212(S) Administration

¹³⁰ 29.18.213(S) Definitions

~~Chapter 68. Municipal Programs~~
~~CHAPTER NEW - MUNICIPAL PROGRAMS~~
Article New / Involvement of Young People in Local Government

^{68 010} 29.23.395 Intent of AS 23.397 - .401

⁰²⁰ 29.23.397 Commission

^{68 030} 29.23.399 Interns

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Article New Historical Districts

⁰⁶⁰ 29.48.108(S) Creation of historical district commissions

^{68 070} 29.48.110(S) Establishment of historical districts

~~Chapter New~~
~~MUNICIPAL PROGRAMS~~
⁷¹ ^{General}
Chapter 73. Miscellaneous Provisions

^{71 010} 29.73.030 Adverse possession

^{71 020} 29.73.040 Taxation of municipalities

~~Chapter 78. General Provisions~~

^{71 030} 29.78.010(S) Definitions

**TITLE 29 REVISION COMMISSION
Policy Advisory Group Meeting**

Minutes of November 10 & 11, 1980

The third meeting of the Policy Advisory Group - Title 29 Revision Commission was held November 10 and 11, 1980 in the East Gold Room of the Traveler's Inn, Fairbanks, Alaska. The meeting was called to order by Senator Arliss Sturgulewski, Chairman, at 10:45 a.m.

Present as members of the Policy Advisory Group were: Senator Arliss Sturgulewski, Senator Bob Mulcahy, Senator-elect Charles Parr, Representative Margaret Branson, Ted Berns, Terry Cook, Marilyn Dimmick, Ronald Larson, Gene Moore, Donna Sherby, and Russell Walker. Present as Ex-Officio Members were Palmer McCarter, and Bonnie Hedley from RuralCAP substituting for Phil Smith. The Technical Committee was represented by Ted Berns and Russell Walker as members of both groups, and by Allan Tesche. Present from the staff of Legal Services were Billy G. Berrier, Director and Tamara Brandt Cook, Legislative Counsel.

Guests and members of the public attending were: Stephanie Scott, Haines Borough; Cris Fowler, AOGA; Bob Walker, Exxon; Mike Walleri, Tanana Chiefs; John Arney, Haines Borough; Bob Juetner, City of McGrath; Michael Tavoliero, City of Saxman; Marie Matsuno, Department of Community and Regional Affairs; Ivan Widom, City of Nome; Lisa Buskirk, Tanana Chiefs; John Halliwill, City of Haines; Tommy Nebel, Ketchikan Borough; Kathy Carssow, Ketchikan Borough; Marvin Yoder, Ketchikan Borough; Tom Blanton, Haines Borough; Jerry Clifton, Haines Borough Assembly; Dan Ogt, Kodiak Island Borough; Shirley Collins, Haines; Jack Carpenter, Sitnasuak Native Corporation; Edward A. Stahla, City of Wrangell; Richard Careaga, City of Unalaska; Robert Flint, Wohlforth & Flint; Jack P. Van Leuven, RainierBank.

There were no presentations by guests or members of the public.

Under Old Business, Palmer McCarter reported on ways of getting materials and information to the public. He said the Department of Community and Regional Affairs was planning news-letter inserts and coordinating with the University of Alaska for a special issue of their newsletter to include an insert concerning the revision of Title 29. Chairman Sturgulewski directed Bonnie Hedley to coordinate information activities with Mr. McCarter and Tamara Cook.

Bonnie Hedley gave a report from RuralCAP on special problems of rural communities. She stated that rural communities have little "hook-up" with state agencies and therefore have little access to programs and money. The legislature never meets as the assembly for the Unorganized Borough. It is felt that there are not enough people in small communities to perform all

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the required municipal functions as well as the functions of existing forms of government, such as IRA councils. RuralCAP recommends the recognition of IRA councils. Chairman Sturgulewski directed staff to prepare a memo on these issues.

Mike Walleri presented a new draft of his report entitled "Tribal-State Relations, A New Paradigm for Local Government in Alaska". The chair directed staff to review it.

Chairman Sturgulewski reported attending a meeting of the AVCP in Bethel, and said they were getting funds to do a regional government study. She also reported on attending the AFN convention in Anchorage. The people she talked to questioned parallel governments and duplication of functions in the communities where there were municipal governments as well as traditional governments.

Ginny Chitwood of the Municipal League was stranded in Juneau due to weather and her report was postponed.

Billy Berrier reported what the Commission had done to date. Ted Berns said the Technical Committee planned to present final recommendations to the Policy Group by the 15th of December, 1980.

The Technical Committee presented their proposed drafts for consideration to the Policy Group. Representative Branson moved that the Policy Group accept all recommended changes except those requiring more discussion. The motion was seconded and carried. The following sections were accepted. (Note: There were wording changes in some in the following) Sec. 29.06.010, Sec. 29.06.050, Sec. 29.12.260, 29.15.020, 29.15.050, 29.15.110, 29.65.050, 29.30.010, 29.30.020, 29.30.030, 29.30.050, 29.30.095, 29.30.110, 29.30.120, 29.30.130, 29.30.140, 29.30.150, 29.30.160, 29.30.170, 29.30.180. Sections 29.09.180 and 29.30.040 were sent to subcommittees for study.

The meeting was recessed until 9:00 a.m. 11 November 1980.

At 9:00 a.m. 11 November 1980 the meeting was again called to order in the East Gold Room of the Traveler's Inn, Fairbanks, Alaska. All members of the Policy Advisory Group were in attendance. Members of the public and guests who attended the day before were present and the following people attended as well: Ginny Chitwood, Ex-Officio Member; Gerald Lee Sharp, Title 29 Technical Committee; Richard Garnett, III, Title 29 Technical Committee, David Dye, Department of Community and Regional Affairs; Leo Rasmussen, City of Nome; L.C. Farnen, City of Homer; Kathy Herold, City of Homer; Carol Maser, Anchorage Assembly; Jenny Files, Fort Yukon; and former Mayor Bill Wood, Fairbanks.

Mayor Wood gave the first presentation. He spoke on the need for municipalities to have developmental authority in order

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to encourage investments within the cities and boroughs. He submitted a letter from the City of Fairbanks regarding tax incentive programs and referred to Fairbanks ordinance 3906. The Technical Committee was directed to review AS 29.53.025.

John Halliwill, Mayor of Haines spoke in favor of the elimination of Third Class Boroughs.

Bob Juettenner, City Manager of McGrath spoke on the problems of communities with small populations supporting the large number of organizations making up municipal government. He recommended an evaluation of second class cities and abolishing those that are not functioning. He suggests that the group providing the best service delivery be chosen as the governing body of a community. He feels the different classifications of cities should be abolished and provisions made for local options concerning the assumption of powers and form of government. He sees a need in the bush for a means of dealing with the executive branch of government, perhaps a regional or sub-regional elected body in the Unorganized Borough.

Ivan Widom, City Manager of Nome said there was a need to regionalize concepts in order to see what is happening in specific areas. He recommends giving communities mechanisms for reaching the state in order to benefit from services offered. Mr. Widom also recommended giving communities the option of choosing their own form of government, such as home rule.

Michael Tavoleiro, City Manager of Saxman spoke next, saying there was no definition of local government, i.e., no expressed definition of eligibility characteristics. He feels that second class cities within an organized borough are disenfranchised from planning powers. He stated also that second class cities should have direct access to federal and state programs instead of being required to go through the borough. Mr. Tavoliero cited the Historical Districts program as an example. He feels that local communities should be allowed more self-sufficiency.

Larry Farnen, City Manager of Homer spoke in reference to 29.48.260. He recommended raising the dollar amount in that section from \$25,000 to \$250,000. He wants cities to have the authority to lease land to beneficial new industry. In reference to planning and zoning powers, Mr. Farnen recommended the statutory language be changed to allow boroughs to assume planning and zoning powers if the cities are not willing to exercise them.

Dan Ogt, Mayor of the Kodiak Island Borough cited AS 29.30.160 saying there was no provision for special elections, and recommended special elections be mandated in the statutes.

Richard Careaga, Planning Director for the City of Unalaska wants more definition/clarification of mandatory powers and duties.

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Leo Rasmussen, Mayor of Nome said small government feels that it has lost control of its own destiny. Planning is being taken over by REAAs and SRAAs. He said Nome feels threatened by the possible organization of the Unorganized Borough and he asked for more local autonomy.

Returning to Old Business, the Policy Group continued its review of the recommended drafting changes submitted by the Technical Committee. Sec. 29.30.210 was reviewed. James Kohler moved to not accept the drafted change but to retain the current language. Charles Parr amended the motion, and it carried. The chair directed staff to clarify the wording of the current statute and resubmit it at the next meeting of the Policy Group. Secs. 29.30.220, 29.30.225, 29.30.230, 29.30.240, 29.30.250, 29.30.260, 29.30.270, 29.30.280, 29.30.290, 29.30.300, 29.30.310, 29.30.320, were accepted with no changes or some wording changes. 29.30.330 was sent back to the Technical Committee for redrafting.

Two subcommittees were formed and are to give reports at the next meeting on AS 29.09.180 Organization Grants (Chair-McCarter) and AS 29.30.040 Voter Qualifications (Chair-Dimmick).

Two sections of Title 29 considered obsolete were discussed. The Policy Group will recommend the repeal of the sections on Involvement of Young People in Local Government and the repeal of the sections on Development Cities.

The dates of the next meeting of the Policy Advisory Group were set for 15, 16, and 17 December, 1980 in Anchorage.

Staff is to review the definition of "petitioner".

The meeting was adjourned at 4:30 p.m.

Respectfully submitted,



Melissa Aber Fouse
Secretary, Title 29 Commission

TITLE 29 REVISION COMMISSION
Policy Advisory Group Meeting

Minutes of September 29 & 30, 1980

The second meeting of the Policy Advisory Group of the Title 29 Revision Commission was held September 29, 1980 in Courtroom K of the Alaska Court System Building, 303 K Street, Anchorage, Alaska. The meeting was called to order by Senator Arliss Sturgulewski, Chairman, at 9:00 a.m.

Present as members of the Policy Group were: Senator Arliss Sturgulewski, Representative Charles H. Parr, Ronald Larson, Russell W. Walker, Marilyn Dimmick, Donna Sherby, Jonathan Solomon, James Kohler, Ted Berns, and Dennis Sheldon representing Terry Cook. Ex-Officio members present were Ginny Chitwood and Phil Smith. Richard Garnett, III was there as a member of the Technical Committee. Ted Berns and Russell Walker are members of both the Policy Group and the Technical Group. Present from the staff of Legal Services were Jack Chenowith and Tamara Cook.

There to make presentations to the Policy Group were C. Demming Cowles, Deputy Commissioner of the Department of Environmental Conservation; David Dye, Planner for the Department of Community and Regional Affairs; Dr. Fred McGinnis, Deputy Commissioner of the Department of Health and Social Services; Stephanie Scott, representing the Haines Borough Assembly; and Mike Walleri representing Tanana Chiefs, Inc.

Guests and members of the public attending were: Stuart Bowdoin, Bristol Bay Borough; Gary Bradford, Bristol Bay Borough, Glen Svendsen, Administrative Assistant, Senate Community and Regional Affairs Committee; Cris Fowler, AOGA Regulatory Reform Committee; Ray Menninger from Haines; Jim Bennett, researcher for AVCP (Calista Corporation); Ellen Greenburg, and Emily Larson.

After the meeting was called to order and guests introduced themselves, Commissioner Cowles began the presentations. He spoke regarding the functions of the Department of Environmental Conservation which could be locally done and raised policy questions about whether state or local government should be in charge of the following functions:

1. Water system and sewage disposal inspections.
2. Subdivision review of on-site sanitation capabilities.
3. Basic sanitation inspections of restaurants, hotels, etc.

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4. Clean up of small oil spills.
5. The issuing of oily waste burn permits and surface oiling permits.
6. Litter control.
7. Vehicular emissions control.

Changes to Title 29 would have to be made to allow for delegation of these powers. Commissioner Cowles suggested that the statutes could make it optional for small communities to assume these powers and provide for state reimbursement, because money for communities to perform these services is a problem.

Stephanie Scott representing the Haines Borough Assembly spoke next. The borough of Haines would like a clarification of the powers of third class boroughs. She reported that the Borough Chairman had the following recommendations to make:

1. Rewrite 29.48.260(e) to relieve procedural requirements under Libby vs. Dillingham.
2. Include inventories as optional exemptions from personal property taxation.

Ms. Scott stated there would be teleconference facilities available in Haines December 1, and there was a great deal of local interest in participating in a teleconference with the Policy Group.

David Dye, Planner III for the Department of Community and Regional Affairs made these recommendations from his division:

1. The law should be amended to allow municipal land exchanges with individuals. Municipal expansion land in some cases is located too far from the community to be used for municipal expansion. The definition of "municipal purpose" should be clarified.
2. Subsection (c) of 29.48.260 sets out two procedural requirements for land disposal. Mr. Dye recommends that lottery be added as an equitable way of disposing of land which is not based on wealth.
3. The provision for voter ratification of disposal of land valued at more than \$25,000.00 should be changed to reflect current land values. A more realistic figure would be 50,000.00 to 100,000.00 dollars.

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4. Subsection (d) of 29.48.260 exempts lands derived from the state from procedural requirements. C&RA suggests that exemption turn on the purpose of disposal, not the source of the land.

5. Under ANCSA, people who have occupied land after December 18, 1971 do not receive title to that land. C&RA would like a preference right for occupiers of land after that date to allow them to purchase land without having to bid.

6. Mr. Dye would like a definition of "official map".

7. The wording of AS 29.23.090 should be changed to substitute "land use regulation" for "zoning".

8. C&RA suggests that rather than a platting waiver provision, the section include a "short plat" provision to allow for additional platting requirements if the land were subsequently re-subdivided.

9. AS 29.33.070(b)(2) allows boroughs to delegate planning and zoning to cities. The Department of Community and Regional Affairs believes in consistent area-wide planning and wants only the delegation of enforcement and administration of planning.

10. The sections regarding Development Cities should be deleted.

Mike Walleri of Tanana Chiefs, Inc. spoke regarding municipal lands disposal and the need for preference to occupiers of land regarding purchasing rights. This should, however, be subject to the municipality's sanction of the use of the land. Mr. Walleri recommends a waiver of the requirements for land payments to the municipality, or that the state assist buyers in paying for the land. Tanana Chiefs would support a lottery system if the preference rights and waiver of payments to municipalities were included. Mr. Walleri spoke in favor of integrating traditional native governments into the municipal system, possibly through recognition by the state of the status of native governments as local state governments.

Dr. Fred McGinnis of the Department of Health and Social services told us that his department recommends the delegation of health powers to municipalities. If municipalities were to take over the providing of services, the DHSS would still receive federal funding, would disburse the funds, would audit programs, supervise, and be responsible to the federal government for the administration of the programs. He emphasized that these powers should be optional rather than mandatory, and that in the absence of local government being able to take over the function of health services, a local contractor could provide them.

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After the presentations, the committee considered Old Business. Phil Smith gave a report on the conclusions of the Information Dissemination Committee. Their recommendations are: take advantage of scheduled meetings and conventions being held by interested groups; put inserts in newsletters; buy space in newspapers; and use the teleconference network. Mr. Smith reported that the Alaska Federation of Natives Convention will be making a room available for us at the Sheraton. Chairman Sturgulewski said a member of each group should be available to attend the AFN Convention. She also directed the Department of Community and Regional Affairs to prepare an article on the Title 29 revision project for newsletters.

Ted Berns gave a report from the Technical Committee. He explained the draft index of Title 29, saying the reorganization had been done by subject matter. Mr. Berns told the Policy Group that the Technical Group was now ready to start drafting and the group had broken up into smaller groups to work on specific changes.

Chairman Sturgulewski said the Policy Group would like justification of all drafted changes in the form of memos pointing out the pluses and minuses of each change.

Ted Berns suggested that the Policy Group go through the index section by section and determine policy questions.

The Policy Group reviewed the index until recessing at 4:30.

The meeting was called to order 30 September 1980 at 9:00 a.m. by Chairman Sturgulewski. With the exception of Bob Lohr sitting in for Phil Smith, the same members were present. Guests were: Bob Walker of Exxon; Cris Fowler of the AOGA Regulatory Reform Committee; David Dye from the Department of Community and Regional Affairs; Stephanie Scott, Ray Menninger, and Vivian Menninger from the Haines Borough; Glen Svendsen, Administrative Assistant to the Senate Community and Regional Affairs Committee; and Mike Walleri, Tanana Chiefs, Inc.

The Policy Group continued their review of the Title 29 index and the Technical Group was directed to make recommendations regarding the following:

1. AS 29.13.100. Review and make recommendations as to the limitations of home rule powers.
2. Edit the whole of Title 29 so that definitions are consistent.
3. List those procedures which can be handled by ordinances.

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4. Prepare drafts to change prohibitions on powers.
5. Draft changes to the statute regarding initiative and referendum.
6. Draft provisions for emergency situations arising from the lack of a quorum.
7. Redraft statute enabling budget actions to take place other than by ordinance. Enable an individual municipality to set it's own limits.
8. Make recommendations regarding whether first class boroughs should be eliminated and consider the impact of this step.
9. Find out whether second class boroughs would still be able to implement a similar program if the statute about the Involvement of Young People in Local Government were to be deleted.

Chairman Sturgulewski directed that the Local Boundary Commission and Alan Tesche be invited to make a presentation in defense of retaining the statutes regarding Development Cities.

Ron Larson moved the Policy Group retain the 3-year residency requirement for candidates for municipal office. The motion was seconded, Jim Kohler raised a point of order. The motion carried.

Marilyn Dimmick moved that the wording of the grounds for recall be deleted. The motion was seconded. Ron Larson moved to table the motion. Larson's motion failed. Ted Berns moved to postpone the motion until the next meeting. The motion for postponement passed.

Bob Lohr of RuralCAP was directed to come back with specific recommendations for the Technical Group regarding small communities and their problems.

The meeting was adjourned at 4:00 p.m.

Respectfully submitted,


Melissa Aber Fouse
Secretary

TITLE 29 REVISION COMMITTEE
Policy Advisory Group Meeting

Minutes of August 27 & 28 1980

The first meeting of the Policy Advisory Group of the Title 29 Revision Committee was held August 27, 1980 in the Conference Room of the Legislative Information Office, 1024 6th Avenue, Anchorage, Alaska. The meeting was called to order by Billy G. Berrier, Director of the Division of Legal Services at 9:00 am.

Present were: Ted Berns, Terry Cook, Marilyn Dimmick, James Kohler, Gene Moore, Donna Sherby, Jonathan Solomon, Russell W. Walker, Ronald Larson, Senator Arliss Sturgulewski, Senator Bob Mulcahy, Representative Margaret Branson, Representative Charles H. Parr as members of the Policy Group. Also present were Phil Smith and Mr. Palmer McCarter, Ex Officio Members of the Policy Advisory Group. Allan E. Tesche attended representing the Technical Committee. Ted Berns and Russell Walker are also members of the Technical Committee. Mike Walleri of the Tanana Chiefs Conference, Inc., and Glen Svendsen, Administrative Assistant to the Senate Community and Regional Affairs Committee were present. Billy Berrier and Tamara Cook were present representing the Division of Legal Services, Legislative Affairs. Tam Cook explained that Ginny Chitwood from the Alaska Municipal League could not be present but would attend future meetings as an Ex Officio member.

The first order of business was the selection of a chairman for the committee. Nominations were opened and Senator Sturgulewski was nominated by Representative Parr. The nomination was seconded and Senator Sturgulewski was elected Chairman by acclamation.

Mr. Berrier spoke on the role of the Technical Revision Committee and asked for an appointment of a group. A motion to set up a Technical Revision Group was made by Representative Branson. The motion was seconded and carried. The Technical Revision Committee members will be Ted Berns, Richard Garnett, III; John Messenger, Jim Nordale, JoAnne Shanley, Gerald Lee Sharp, Allan Tesche, and Russell Walker.

The Ex Officio members were introduced and there was discussion as to their role. It was agreed that they should sit at the table and take part in the discussion. Palmer McCarter spoke about the role of Community and Regional Affairs. He said that there would be a representative of C&RA at every meeting, either he or Patrick Poland would attend. Mr. McCarter also presented a letter from the Local Boundary Commission requesting the statutes regarding Development cities be left in Title 29 but improved. Phil Smith spoke on the concerns of RuralCAP regarding the impact of government on villages and rural areas.

Representative Parr suggested directions for the Policy Committee: 1). greater self determination and latitude for local governments; and 2.) that elected officials should be able to understand Title 29 without the help of attorneys. Senator Sturgulewski agreed that Title 29 needed clarification.

The members present of the Technical Committee met briefly and Ted Berns, as spokesman, gave a report regarding the ideas they discussed. The group recommended that Title 29 be broken down into three sections.

1. The first section to be general provisions applying to all local government.
2. The second section to be delineation of procedures and additional limits on specific forms of government.
3. The third section to be directory provisions to be used unless the local government adopts ordinances of their own.

It was decided that the Technical Committee should attempt to reorganize Title 29 along these lines and present a draft at the next meeting.

Mike Walleri, Village Government Specialist, Tanana Chiefs Conference, Inc., spoke, saying he would like a simplification of government.

A list of items pertaining to Title 29 included in the preliminary draft of the Alaska Municipal League 1981 policy statement was handed out.

Future meeting dates and places were discussed. None were decided upon.

The kinds of things applicable to all municipalities were discussed, such as incorporation, dissolution, boundary changes, classification of government, extraterritorial powers, merger/consolidation, revenue, taxation, bonding, and intergovernmental relations.

Protection of people in service areas who are not represented by local government, such as persons living outside city limits, was discussed.

The meeting recessed at 4:00 pm.

The meeting was called to order the second day at 9:00 am., Chairman Sturgulewski presiding. In addition to the persons present at the first day's meeting, Chris Johnson of House Research and Nels Franklin from near Dillingham were present, and introduced by Chairman Sturgulewski.

Ted Berns gave a recap of the first days meeting.

Terry Cook was appointed repository of ridiculous laws.

Senator Mulcahy spoke on the problem of getting information, drafts, and policy issues to all municipalities within the time constraints. Phil Smith suggested a teleconference and said that he would be presenting material at the Alaska Federation of Natives Convention (23-25 October 1980, in Anchorage). It was decided that the problem of getting materials and information to the public would be an agenda item at the next meeting. Palmer McCarter, Phil Smith, and Ginny Chitwood of the Alaska Municipal League were appointed to a committee to research this problem and make recommendations.

Melissa Fouse was introduced as the new secretary to the Title 29 Revision Committee.

As part of the reorganization of Title 29, there was discussion as to which statutes belonged in which category.

Representative Parr wants a uniform provision on executive session. There was discussion on executive sessions.

The question of retaining present categories of government was raised and discussed. Ted Berns suggested only two classes of boroughs and home rule, pointing out that there are no first class boroughs.

The question of development cities was raised and discussed. Should we retain, restructure, or eliminate development cities?

There was discussion on the third category. If a municipality chooses to follow procedures, should they be required to follow all of them?

Senator Mulcahy's legislation regarding the recognition of village governments was discussed. Copies of HB 192 are to be mailed to committee members.

There was discussion of persons representing committee members being allowed to vote. Mr. Berrier had reservations based on the appointment of the members of the commission according to resolution. It was decided that persons filling in for committee members be allowed to take part in the discussion, but would not be allowed to vote.

The meeting was adjourned at 12:00 pm.

Respectfully submitted,

Melissa Aber Fouse
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