

67

HLG:

HB

290

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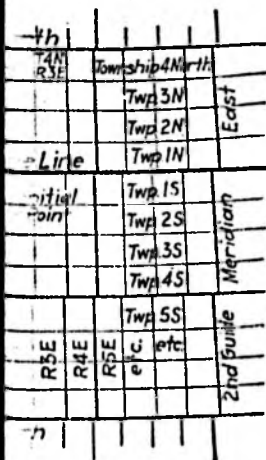
HB

335

0

... south, range seven west) designates a ...
... and the seventh range west of the

The subdivision of sections is described in Arts. 23-17 to 23-19.



... range lines.

... into sections is performed ...
... additional lines parallel to the east ...
... section corners established at ...
... lines. (Strictly speaking, these ...
... parallel to the east boundary of the ...
... lines, called *section lines*, divide ...
... in Fig. 23-3. The sections are ...
... and from west to east, beginning ...
... township and ending with No. 36 in ...
... section whose center is $3\frac{1}{2}$ miles ...
... corner of a township.

... its number, the tier and range of ...
... parallel meridian; for example, Sec- ...
... Meridian.

... ge lines (true meridians) forming ...
... s, the latitudinal lines forming ...
... s are less than 6 miles in length, ...
... that lie just north of a standard ...
... re run parallel to the *east* bound- ...
... ions except those adjacent to the ...
... that those adjacent to the west ...
... less than 1 mile by an amount ...
... es within the distance from the ...
... ne south.

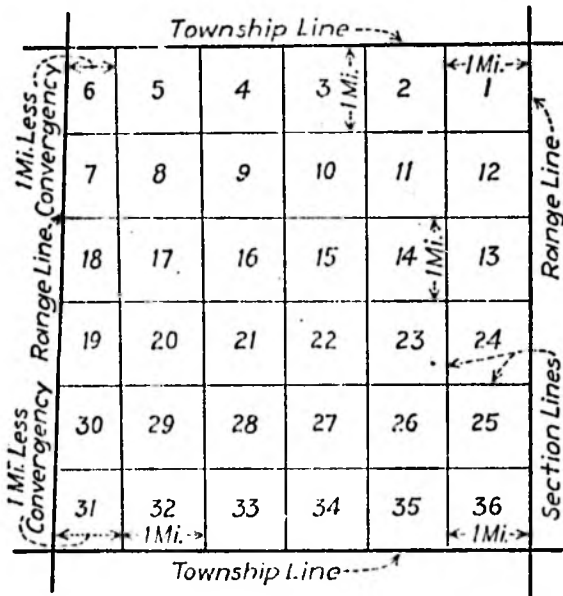


FIG. 23-3. Numbering of sections.

23-8. Standard Corners. Corners called *standard corners* are established on the base line and standard parallels at intervals of 40 chains; these standard corners govern the meridional subdivision of the land lying between each standard parallel and the next standard parallel to the north. Other corners called *correction corners* or *closing corners* are later established on the base line and standard parallels during the process of subdivision; these corners fall at the intersection of the base line or standard parallel either with the meridional lines projected from the standard township corners of the next standard parallel to the south (see Fig. 23-2) or with the intermediate section and quarter-section lines. Standard parallels are also called *correction lines*.

23-9. Irregularities in Subdivision. It should be understood that the plan of subdivision just described is the one which is carried out when conditions allow. There are, of course, always present the errors of measurement, so that the actual lengths and directions established in the field do not entirely agree with the theoretical values. But in addition, conditions met in the field often make it inexpedient or impossible to establish the lines of the survey in exact accordance with the specified plan. Thus there are numerous instances of standard parallels and guide meridians having been originally established at intervals of 30 and 36 miles, under old regulations; and of regions having been only partly surveyed. Later, under present

THE FOLLOWING DOCUMENT(S) MAY NOT FILM
LEGIBLY BECAUSE OF POOR QUALITY OF THE
ORIGINAL.

030-371-05

BOOK 431 PAGE 585
Anchorage Recording District

WARRANTY DEED

ANCHORAGE, A.C.

The Grantee
Shirley Ann J. Kelly, nee Lipka, 2144, Anchorage, Alaska
For and to have of the sum of Ten Dollars
in legal, common and untaxed to
J. P. and J. M. KELLY, husband and wife
(joint and several)

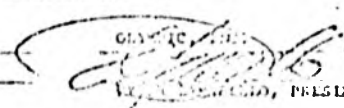
the following described real estate:
E 1/4, SW 1/4, NW 1/4, SE 1/4, Sec. 9, T11N, R2W - Mt. Olympus Sub

71-018499

RECORDED FILED
ANCHORAGE REC.
DISTRICT

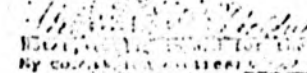
Jun 6 12 47 PM '71
REQUESTED BY
ADDRESS To: J. P. O.

Witnessed by the Clerk of Alaska
DATED this 3rd day of June 1971

Signed, sealed and filed in the presence of
 (SEAL)
V. J. KELLY, PRESIDENT

This is to certify that on this 3rd day of June, 1971, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn as such, personally appeared SHIRLEY ANN J. KELLY, known to me to be the identical person whose name is subscribed to the foregoing instrument and known to me to be the President of the said corporation, and he acknowledged to me that he executed the said instrument for the purposes and consideration therein expressed and as the act of the said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above in this certificate written.


Notary Public for the State of Alaska
By Commission Expires 12/31/71

(Affidavit)

BOOK 433, PAGE 66
Anchorage Recording District

15-142-19

WARRANTY DEED

The Grantors, CARROLL A. WILLEY and IORA H. WILLEY, for and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, in hand paid the receipt of which is hereby acknowledged, convey and warrant to the Grantees, H. CHESTER DICKINSON and EUGENE L. DICKINSON, husband and wife, as tenants by the entirety, with the right of survivorship, that certain tract of real property, which tract of real property is located in the Anchorage Recording District, State of Alaska, and more particularly described as follows, to wit:

The SOUTH ONE-HALF (S 1/2), except the WEST THIRTY (30) (S 30) thereof, of 1st Township SEVEN (7), Section 1, T. 21N-10E (27), Township TWELVE NORTH (12 N), Range 1, E. 10W (31), Second Meridian, Anchorage Recording District, State of Alaska,

together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in any way appertaining, and the rents, issues, and profits thereof.

Conveyed at Anchorage, Alaska, this 2nd day of August, 1971.

Carroll A. Willey
Carroll A. Willey, Grantor

Iora H. Willey
Iora H. Willey, Grantor

STATE OF ALASKA }
THIRD JUDICIAL DISTRICT } ss:

Before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned, qualified, and sworn as such Notary Public, did on my personally appeared CARROLL A. WILLEY and IORA H. WILLEY, to whom to be the persons mentioned in

0310

WARRANTY DEED CREATING TENANCY BY THE ENTIRETY

THIS DEED, executed this 24th day of June, 1966, by DAVID D. WALKER, of Anchorage, Alaska, as Grantor,

WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten Dollars and other good and valuable considerations to him in hand paid by the Grantees, does by these presents grant, bargain, sell, convey and confirm unto HARRY W. BROWN and MARTHA S. BROWN, husband and wife, of Anchorage, Alaska, Grantees, as TENANTS BY THE ENTIRETY with the right of survivorship, and to the heirs and assigns of the survivor forever, the following real property situated in the Anchorage Recording District, State of Alaska, and more particularly described as follows:

The South one-half (S 1/2) of the West one-half (W 1/2) of the Northeast one-quarter (NE 1/4) of the Southeast one-quarter (SW 1/4) of the Southwest one-quarter (SW 1/4) of Section Twenty-Four (24), Township Twelve North (T 12 N), Range Three West (R 3 W), Seward Meridian, consisting of two and one-half (2 1/2) acres, less easements of record.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining, subject to easements, restrictions and reservations of record.

The property hereby conveyed is unimproved property and has never been used as a family home or homestead.

TO HAVE AND TO HOLD the said premises unto the Grantees, their heirs and assigns forever. And the Grantor, for himself, his heirs and assigns, does covenant and agree with the Grantees that said Grantor

ARTHUR D. TAYLOR
PUBLIC NOTARY
ANCHORAGE, ALASKA

REAL PROPERTY ACCT. NO.

GREATER ANCHORAGE AREA BOROUGH
NOTICE OF CHANGE OF OWNERSHIP OR ADDRESS

OWNER TO
054-51105

THIS SPACE FOR CUSTOMER USE

LEGAL DESCRIPTION CHANGE

PROPERTY LEGAL DESCRIPTION
S 1/2 of S 1/2 of N 1/2 of NW 1/4 of SW 1/4

CHANGE OF OWNER

of NW 1/4 & N 1/2 of N 1/2 of S 1/2
of NW 1/4 of SW 1/4 of NW 1/4 of Sec. 10,
T13N, R1E, S4

CHANGE OF ADDRESS

RECORDED BOOK NO. 435 PAGE NO. 142
OWNERSHIP CHANGE

VARIATION CHANGE

NAME OF NEW OWNER **NOWLAN: GINE R.**

NEW OWNER'S MAILING ADDRESS: **1146 Kayluk Street, Apt. #11**
ADDRESS CHANGE

CITY Anchorage STATE Alaska ZIP CODE 99501

NAME OF PREVIOUS OWNER **BARCLAY: JOHN B. & FREIDA**

I CERTIFY THAT THE INFORMATION SHOWN IS TRUE AND CORRECT.

LANDS

DATE **10/7/71**

BUILDING 1

Patricia Wood

OTHER 5

NAME OF FIRM **AGRIC Security Title & Trust Co. of A.**

TOTAL 1

PREPARED BY

DELETE FROM ALL CARDS FROM FILE

DATE

SOURCE

RECORDED FOR TAX YEAR 19

RECORDED BOOK PAGE

March 13, 1972

Mr. Ralph R. Darbyshire
Planning Director
Kenai Peninsula Borough
Box 850
Soldotna, Alaska 99669

Dear Darby:

Thanks much for your letter of March 7 and thanks too for your appearance before the committee on March 3. We sincerely appreciate your taking the time to present your thoughts on this very important issue. I think we will be discussing this bill within the next week to ten days and I will certainly give full consideration to your suggested committee substitute.

Best personal regards.

Sincerely,

Mike Miller, Chairman
House Local Government Committee

KENAI PENINSULA BOROUGH

Box 850

Phone 262-4441

SOLDOTNA, ALASKA 99669

March 7, 1972

GEORGE A. NAVARRE
CHAIRMAN

Representative Mike Miller
Chairman, House Local Government
Committee
Alaska State Legislature
Juneau, Alaska 99801

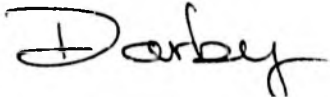
Dear Mike:

Enclosed is the proposed bill I promised as a proposed committee substitute for HB290 if the situation requires such. I would note that after the hearing this past Friday Mr. Katrell mentioned he found this proposal quite acceptable. I hope he hasn't changed his mind.

I'm not sure of any strategy one might follow in this matter but it seems that it might be best to offer the substitute proposal if and when the matter reaches the Senate.

I'd like to thank you for the courtesies extended to our delegation this past week and offer any assistance I can in your deliberations of any bills affecting the platting, planning and zoning functions of the borough.

Sincerely yours,



Ralph R. Darbyshire
Planning Director

RRD:lrh
Enclosure

HOUSE BILL NO. 290

A BILL

For an Act entitled: "An Act relating to land subdivision."

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

* Section 1. AS 40.15.190(2) is repealed and re-enacted to read:

(2) "subdivision" means the division of land into two or more parcels, tracts, lots or other divisions, and includes resubdivisions; however, land that is divided into aliquot parts of forty acres is not considered a subdivision and land that is divided into aliquot parts of ten acres or more shall not require a survey.

(3) "aliquot part" means a $1/2$, $1/4$, $1/8$, $1/16$, $1/32$, or $1/64$ rectangular portion of a regular government section or regular part of a government section, excluding fractional lots.

March 13, 1972

Ms. Barbara H. Erickson
City Clerk
City of Soldotna
Box 409
Soldotna, Alaska 99669

Dear Ms. Erickson:

Thank you for your letter of March 8 relative to HB 290,
and I will see that the House Local Government Committee
has the opportunity to review your recommended amendments
when this matter comes before us -- probably within the
next week to ten days.

Sincerely,

Mike Miller, Chairman
House Local Government Committee

City of Soldotna

Box 409

Phone 262-4511

SOLDOTNA, ALASKA
99669

March 8, 1972

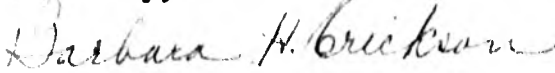
Honorable Mike Miller
House of Representatives
Alaska State Legislature
Juneau, Alaska 99801

Dear Representative Miller:

For your information I am enclosing an excerpt from the minutes of the meeting of the Soldotna City Council of March 2, 1972.

It was moved by Westphal, seconded by Maile, and passed unanimously, that the Soldotna City Council recommend passage of HB 290 with the recommended amendment. HB 290 RECOMMENDED AMENDMENT is attached and made a part of these minutes.

Sincerely,



Barbara H. Erickson
City Clerk

BHE/bh

HB 290 RECOMMENDED AMENDMENT

"Subdivision means the division of land into two or more parcels, tracts, lots, or other divisions and includes resubdivision; however, land that is divided into four or fewer parcels, tracts, or lots, or other divisions which have access to a public highway or street, provides street and utility easements to all contiguous parcels and can be described by aliquot parts description, With Each Parcel Containing At least Five Acres, is not a subdivision."

ALASKA STATE LEGISLATURE

PUBLIC HEARING

DOCUMENT TO BE CONSIDERED: HB 290

SPONSOR OF DOCUMENT: Commerce Committee

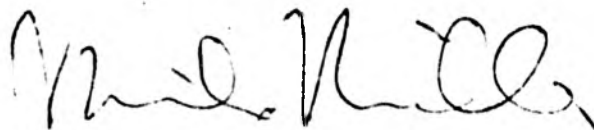
SPONSOR OF HEARING: House Local Government Committee

TIME: 7:30 P.M.

DATE: March 3, 1972

PLACE: State Capitol Building, House Conference Room

SUBJECT MATTER OF DOCUMENT: Land subdivision



Chairman

Press room copy delivered by _____ Date _____

January 17, 1972

MEMORANDUM

TO: Bob Pavitt, Director
Planning & Research

FROM: Mike Miller, Chairman
Local Government Committee

RE: House Bill 290

Bob -

Just a short note to advise you that the date for the hearing on House Bill 290 has been changed to Thursday, February 16. The meeting will probably be scheduled at 10:30. If the quantity of testimony dictates it, we will meet in the afternoon as well.

copy in
HB 290

January 17, 1972

Mr. James Cottrell, Jr.
Area Realty Company
Palmer, Alaska 99645

Dear Jim:

Just a short note to advise you that the date for the hearing on House Bill 290 has been changed to Thursday, February 10. The meeting will probably be scheduled at 10:30. If the quantity of testimony dictates it, we will meet in the afternoon as well.

Best personal regards.

Sincerely,

Mike Miller, Representative
District Four (Juneau)

*Copies in
HB 290*

January 17, 1972

Mr. Thomas Graham
Planning Director
Matanuska-Susitna Borough, Inc.
Box B
Palmer, Alaska 99645

Dear Tom:

Thank you so very much for your letter of January 12 relative to House Bill 290. Your letter, of course, will be read into the record when the bill is considered at a public hearing next month. The date of the hearing, incidentally, has been changed from February 3 to February 10.

Again, many thanks for your letter. This input will be valuable indeed.

Sincerely,

Mike Miller, Chairman
House Local Government Committee



Matanuska-Susitna Borough, Inc.

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

PLANNING-ZONING COMMISSION

January 12, 1972

The Honorable Mike Miller
Chairman
Local Government Committee
House of Representatives
Box 1494
Juneau, Alaska 99801

Re: House Bill No. 290

Dear Mr. Miller:

The proposed House Bill 290, which would waive review of small subdivisions, is in direct conflict with the trend toward more efficient development of the Matanuska-Susitna Borough. The bill was initiated in this borough specifically to accommodate one individual in attempts to circumvent subdivision regulations and platting procedures. There seems to be little support for the concept of this bill locally.

The Borough presently finds itself in the midst of a speculative boom in paper plats. Spotty settlement is taking place, creating demands for far-flung services and utilities which will be nearly impossible to provide. No reasonable collector road system emerges from a composite of the plats being recorded. A large volume of trade in unbuildable lots is resulting in an increasingly unstable tax base.

Developers are providing almost no public improvements, leaving such things as road construction and drainage to unsuspecting purchasers. The responsibility for these improvements will eventually fall upon the local government. Meanwhile, many properties are being foreclosed and permanently removed from the tax rolls.

The Borough, in an attempt to reverse this trend of unwieldy development, has established a planning department, charged with the duty of implementing the comprehensive development plan. The priority item of the implementation phase is the drafting of detailed subdivision regulations. The provisions of Bill 290 would negate much of the planning effort and subject the Borough to the problems faced by other communities fifty years ago.

The Matanuska-Susitna Borough presently has the most liberal policy of granting platting waivers, causing problems in both long-range planning and administrative procedures. Bill 290 comes at a time when it is necessary to review all land severances, rather than exempting a large portion of land divisions from public knowledge.

January 12, 1972

Waiver was originally granted in special cases for single transactions because the market price for parcels severed from homesteads did not warrant costly surveys.

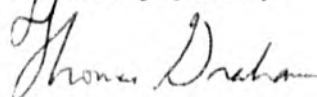
This situation has now changed. Land values are enormously higher and the need for, and usefulness of waiver has been outlived. It is generally accepted that purchasers should be afforded the protection of having their properties relate to a known point.

It is the position of the Planning Director that owners wishing to sever any property should not be required to go through waiver procedure, but should adequately describe the property and should submit a sketch of the ultimate development of the entire tract.

When subdivision is desired, the plat should adhere generally to the original sketch. This, among other benefits, will allow the Borough to plan for a collector road system. It should be recognized that an aliquot part description is of little use if the original survey was inaccurate or if no reference point can be found in the field.

Revision of the waiver provisions will be likely, as a part of the new subdivision regulations being drafted. The Borough Administration and Planning Commission feel that the passage of House Bill 290 would be extremely detrimental to this Borough and all developing regions of the State. In behalf of the Borough, I urge you to oppose its passage.

Sincerely yours,



Thomas Graham
Planning Director
Matanuska-Susitna Borough

TG:vs

C.C. Bob Pavitt, Director, Planning and Research
Honorable John Rader, Senate
Honorable Jan Koslosky, Senate
Mike Gallagher, Tryck, Nymen and Hayes
Don Berry, Executive Director, Alaska Municipal League
Ralph Darbyshire, Planning Director, Kenai Pen. Borough

THE FOLLOWING PAGES WERE TREATED AS
A UNIT IN THE ORIGINAL FILE.

January 17, 1972

Mr. Ralph R. Darbyshire
Planning Director
Kenai Peninsula Borough
Box 850
Soldotna, Alaska 99669

Dear Ralph:

Thank you so very much for your letter of January 10 and PAA's position paper on House Bill 290. I will look this information over in the next day or two and advise you of any other data which would seem to be indicated.

At your request, we have postponed the hearing on this bill until Thursday, February 10. The time and place have not yet been announced but we will probably commence at 10:30. We can utilize the afternoon if need be. We hope you and a number of other planners can be present to give testimony on this measure.

Again, many thanks. I deeply appreciate your support.

Sincerely,

Mike Miller, Representative
District Four (Juneau)

KENAI PENINSULA BOROUGH

Box 850

Phone 262-4441

SOLDOTNA, ALASKA 99669

January 10, 1972

GEORGE A. NAVARRE
CHAIRMAN

Mr. Mike Miller
State Representative
P. O. Box 1494
Juneau, Alaska 99801

^{Mike}
Dear ~~Mr.~~ Miller:

Enclosed is a draft PAA position paper on HB 290. The inclusion of additional examples and some graphics could serve to further the clarification of certain points. On the other hand, such information might result in such a substantial document that no one would take the time to read it.

As an alternative to the addition of detailed data I am proposing each borough prepares examples of the following for submission at public hearing:

- Survey exemptions that have been made
- Dedicated right-of-way that would otherwise have had to be secured through condemnation proceedings
- Errors in property descriptions
- Unsuitable lands which have been restricted from subdivision or required special treatment

Please advise of any other information you might think necessary and it will be gladly included.

It appears the final paper will be ready for submission no later than January 21. I hope this proves satisfactory.

Respectfully submitted,



Ralph R. Darbyshire
Planning Director

RRD:lrh
Enclosure

P.S. I have just been advised that hearings on HB 290 are scheduled for February 4. As most Planning Directors in the State who wish to present testimony on the proposal have made a commitment to appear on a Alaska Surveying & Mapping Convention panel discussion is it possible to change the Feb. 4 date. If not, please advise so we will cancel with the surveyors.

HB 290

A POSITION PAPER

PREFACE

During the First Session of the Seventh Alaska Legislature, the House Commerce Committee introduced HB 290, An Act Redefining the Term "Subdivision" as follows:

"Subdivision means the division of land into two or more parcels, tracts, lots, or other divisions and includes resubdivision; however, land that is divided into four or fewer parcels, tracts, or lots or other divisions which have access to a public highway or street, provides street and utility easements to all contiguous parcels and can be described by aliquot parts description, is not a subdivision."

HB 290 was subsequently referred to the House Commerce & House Local Government Committees. The House Commerce Committee has reported a do-pass on the bill and the House Local Government Committee has held the bill over for public hearing during the Second Session of the Seventh Legislature.

In recognition of the pending hearings on this proposal and

the nearly unanimous opposition to this bill by local governmental officials, planning commissioners and professional planners, the PAA has prepared the following position paper in opposition to the passage of HB 290. It is PAA's hope that the detailed delineation of the ramification of HB 290 will provide the information necessary to convince the legislature to sustain our opposition to this bill.

PURPOSE OF SUBDIVISION REGULATION

As land is subdivided, provisions for streets, water, sewer, electric and other utilities must be made; space for schools, parks and other public facilities must be provided; and a host of existing and future service obligations such as police and fire protection and street maintenance are initiated. The permanence of these improvements and the financial liabilities assumed by cities and boroughs providing these improvements and services has a definite and lasting impact on a community.

The purpose of the platting authority and subdivision regulations are to allow local governments to review all proposed land divisions and assure that adequate street and utility right-of-ways are provided, lots are created which are suitable for the sanitary operation of sewage disposal facilities and generally accepted subdivision design standards are met. Furthermore, subdivision regulations provide the means to assure that accurate property descriptions are recorded and subsequent court disputes avoided. In other words the objective of subdivision regulation is to assure that subdivided land and the resultant improvements and service requirements constitute a permanent asset to a community and provide a maximum degree of health safety and convenience consistent with true economy.

HISTORY OF SUBDIVISION CONTROL

Any attempt to trace the impetus towards subdivision regulation leads back to the early 1920's when speculation in the development and sale of land reached its apex in California and Florida. Not only were land prices beyond reason during this period but the subdivisions were usually poorly designed and lots were being sold in unbuildable flood plains and steep slope areas. When the boom died, hundreds of subdivisions, some devoid of improvements, remained as evidence of poor subdivision practices. Assessment districts, which had been formed to pay for improvements, defaulted on their bonds creating tremendous financial burdens on municipalities responsible for such. Furthermore, in subsequently correcting mistakes, the public has spent millions of dollars to widen and straighten out street right-of-ways, provide water and sewer systems to undersized lots and otherwise overcome the handicaps of poor subdivision design practices.

A few states, through legislative authorization restricting the control of subdivision, continue to permit a great deal of subdivision activity beyond the purview of local governments. This is usually accomplished by defining a subdivision as the division of property into more than three or four parcels of land and continues to precipitate urbanization problems and expenses for existing and future generations. Fortunately, during recent years,

more and more of these states have moved to rectify the situation by redefining the term subdivision much as presently defined by Alaska law.

HB 290

The basic differences between the existing definition of subdivision and that provided in HB 290 is the exemption of the following types of land divisions from local governmental scrutiny:

"..., land that is divided into four or fewer parcels tracts, lots or other divisions which have access to a public highway or street, provides street and utility easements to all contiguous parcels and can be described by aliquot parts description, is not a subdivision."

If such proposal is adopted, the State of Alaska will find itself in the curious position of moving away from the level of subdivision control other states have and are moving toward. Furthermore, there can be no doubt that local governments in Alaska can expect to be forced into financing the solution to many urbanization problems which could otherwise have been prevented.

Specifically, some of the more obvious problems with the proposal are:

- The language "access to a public highway" is unclear. Does this mean fronting on or accessible by some other thoroughfare regardless of distance or type.
- The statement "provides street and utility easements to all contiguous parcels" doesn't delineate any minimum size or locational standards. This is precisely the situation that has required huge and unnecessary state and local governmental expenditures in condemnation proceedings to gain the required easements in the right location. In addition, this language makes it unclear that access to parcels cut off from the street will be insured access.
- The term "aliquot parts description" is not definitive enough and could result in the creation of lots that would not adequately provide for on-site sewage disposal system. As an example, the NW1/4 NW1/4 NW1/4 NW1/4 NW1/4 of a section comprises .15625 acres or 6,806 square feet. This size lot is hardly adequate for on-site water and sewer development.

- There is no limitation to preclude repeated subdivision of the same parcel of property. Under this circumstance it would be quite legal to divide one parcel of land not into just four lots but into 16, 64, etc.

- Land could and would, by nature of the aliquot parts provision, be subdivided without consideration of the physical or topographic characteristics of the property involved.

- By removing the approval authority from local governments, land could be subdivided and development initiated on known flood plains or geologically hazardous areas. Furthermore, the means to assure accurate property descriptions are recorded and subsequent court disputes avoided would be seriously impaired.

No doubt some of the problems cited above could be resolved by adjusting the language of the bill. To thoroughly resolve such problems however, would require the adoption of a law as detailed and restrictive as the subdivision ordinances adopted by local governments.

It is PAA's understanding that HB 290 has been generated by

the desire to provide relief from expensive survey requirements experienced in many parts of the State. There can be no doubt that this is a legitimate concern and adjustments should be made under such circumstances. It should be noted, however, that the means to remedy this situation presently exist in both State and local legislative enactments. Furthermore, most, if not all, local platting authorities in the State recognize the problem and act accordingly.

AS40.15.110 (Waiver in certain case) provides that:

"The platting authority may in individual cases waive the preparation, submission for approval and recording of a plat upon satisfactory evidence that a conveyance of part of a larger tract is not made for the purpose of, or in connection with, a present or projected subdivision development, and constitutes an isolated transaction which doesn't fall within the general intent of this chapter, and that no dedication of a street, alley, thoroughfare, park, or other public area is involved or required."

This provision is quite useful and has been used in many instances throughout the State.

Even more useful in assisting the public in subdividing property where unreasonable survey costs or special considerations exist are the exception provisions contained in most subdivision ordinances. Generally, these provisions provide that the platting authority (planning commission) may grant exceptions to any requirements set forth in a subdivision ordinance provided: special circumstances or conditions affect the property; the exception is necessary for the preservation and enjoyment of a substantial property right; and the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area.

SUMMARY

Land subdivision is the chief process through which the physical layout of communities and demand patterns for public services are established. The subdivision regulatory authority is based on the proposition that the community, through democratic institutions of government, has the responsibility to assure such subdivision and development is carried out in a manner that will not prove a health, safety or economic burden upon it.

Historically, the lack of control over the land subdivision process has resulted in unnecessary problems that have cost taxpayers millions of dollars to correct. This lack of control has

resulted from statutory definitions of subdivision which have exempted many land divisions from the scrutiny of platting authorities. To correct this situation, most states have or are moving to amend their definitions of subdivision and give platting authorities total control over the land subdivision process.

HB 290 proposes to remove certain land subdivisions from the scrutiny of platting authorities. If passed, this would place the State of Alaska in the unique position of moving away from the level of subdivision control other states are moving towards. While HB 290 has been introduced in response to the desire to provide relief in those situations where unusual problems exist or unreasonable survey costs would result, adequate state and local governmental legislative enactments exist to resolve such problems.

Finally, the problems and concomitant taxpayer costs which would result from the passage of HB 290 far outweigh any benefits HB 290 might offer. As such, if the State of Alaska is to grow in a rational manner and avoid expenditures in the solution of unnecessary problems, HB 290 must be defeated.

January 14, 1972

Mr. James Cottrell, Jr.
Area Realty Company
Palmer, Alaska 99645

Dear Jim:

Jalmar asked that I advise you that House Local Government Committee will hold hearings on House Bill 290 on February 3. We will appreciate testimony from you - either in person or in writing at that time.

The exact time and place has not been determined, but this will probably be a morning hearing which could be extended into the afternoon if necessary.

Best personal regards.

Sincerely,

Mike Miller, Representative
District Four (Juneau)

cc: Representative Jalmar Kerttula

HB 290

Pouch
✓

DEPT. OF PUBLIC WORKS
1977 MAR 28 PM 1:51
DIV. OF COMMUNICATION

filed 3-28-72
1 52 pm

up pickup
filed @ 1:57 pm

~~CONFIDENTIAL~~
~~DLJ-R.O.D.K.~~
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DPW DIVCOM JNU

TRYKNYMNHA AHG
MARCH 28, 1972

MESSAGE FOR MIKE MILLER, CHAIRMAN, LOCAL GOVT COMMITTEE

PLEASE CALL 586-5386 T. DAVIS FOR PICK UP

MIKE-- SORRY TO HAVE NOT SENT THIS SOONER.

PAA IS STILL UNALTERABLY OPPOSED TO CHANGING THE DEFINITION OF SUB-DIVISION SO AS TO ALLOW PRE-EMPTION OF LOCAL GOVT RIGHT TO GOVERN THE SUBDIVISION OF ALL LAND WITHIN ITS BOUNDARIES. PAA WOULD NOT STRONGLY OPPOSE A BILL WHICH RETAINED THIS RIGHT BUT REDEFINED SURVEY REQUIREMENTS. COMPROMISE BILL SENT BY DARBY-SHIRE WOULD BE MORE ACCEPTABLE IF ADDITION WAS MADE TO EXCLUDE CORPORATE MUNICIPALITIES OR WORKING TO SAME EFFECT.

BILL BERRIER WILL REPRESENT THE PAA SHOULD YOU NEED LOCAL ASSISTANCE.
MESSAGE FROM MIKE GALLAGHER
PRESIDENT
PLANNING ASSOCIATION OF ALASKA

TRYKNYMNHA AHG
*
DPW DIVCOM JNU
0

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.

PHONE: 586-6440

JUNEAU, ALASKA 99801

V

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TLX ANCHORAGE ALASKA 13 427P AST

MIKE MILLER CHAIRMAN LOCAL GOVERNMENT COMMITTEE

789-7651 JUN *POUCH V*

WHAT IS PRESENT STATUS OF HB290. CAN ~~F~~AA BE OF FURTHER
ASSISTANCE SUCH AS WRITING AN ALTERNATIVE BILL

PLEASE ADVISE THANK YOU

MIKE GALLAGHER PRESIDENT PLANNING ASSOCIATION OF ALASKA

C/O TRYCK NYMAN & HAYES 740 I STREET

ANCHORAGE ALASKA PHONE 279-0543

HB290 740 I 279-0543

(53).

THE PRECEDING PAGES WERE TREATED AS
A UNIT IN THE ORIGINAL FILE.

290
March 28, 1972

Telex Message for Mike Miller, Chairman
Local Government Committee

Please call T. Davis for Pickup .586-5386

Mike:

Sorry to have not sent this sooner.

PAA is still unalterably opposed to changing the definition of subdivision so as to allow pre-emption of local government right to govern the subdivision of all land within its boundaries. PAA would not strongly oppose a bill which retained this right but redefined survey requirements. A compromise bill sent by Darbeyshire would be more acceptable if addition was made to exclude corporate municipalities or working to same effect. Bill Berrier will represent the PAA should you need local assistance.

Message from Mike Gallagher, President
Planning Association of Alaska
Anchorage

From Department of Commerce

Re: HB 290 opposition

FOR IMMEDIATE RELEASE

RECEIVED
FEB 10 1972

NEWS RELEASE

DIVISION OF
PLANNING & RESEARCH

Kenneth W. Kadow, Commissioner of Commerce for the State of Alaska, today issued a warning to Alaskans to be wary of out-of-State land offerings by mail-order promoters who fail to register under the Alaska statute regulating subdivided lands. The Uniform Land Sales Practices Act, which requires out-of-State land subdivisions to meet strict requirements before being registered for sale in Alaska, was adopted by the Legislature for the protection of Alaskan residents in 1968. Unscrupulous promoters may try to operate outside of the law to avoid disclosure of misrepresentations regarding the land they are attempting to sell to Alaskans.

The warning by the State's Commerce Department head coincided with entry of a cease and desist order against Select Western Lands, Inc., which the Department accused of illegally advertising New Mexico land in Alaska. The questioned development, known as Sunshine Valley Ranchettes, was recently the subject of large ads appearing in the Anchorage area. "While the Department cannot at this time state categorically that Sunshine Valley Ranchettes is a fraudulent operation, it is engaged in an unlawful activity by having failed to register with us as required by law," the Commissioner said.

Commissioner Kadow urged residents for their own protection to demand proof of proper Alaskan registration from anyone seeking to sell out-of-State land to the public. This can be done by writing to the Department. He noted that promoters of unregistered out-of-State land offerings in Alaska may be engaged in fraudulent promotions and for that reason seek to evade Alaska's registration law.

Commissioner Kadow stressed that the public should know who they are dealing with and that they are properly registered, both in the area of subdivided land and securities.

TELEGRAM

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DA 1145A YR

RCA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

CBA005 PDB

KETCHIKAN ALASKA 10 1037A PDT 1971 MAY 10 AM 11 23

DON M BERRY

0570

ALASKA MUNICIPAL LEAGUE 586 1325 JUN

KETCHIKAN GATEWAY BOROUGH STRONGLY OPPOSES PASSAGE
OF ANY PART, PORTION, OR SECTION, ENTIRELY OR
OTHERWISE, OF THE PROVISIONS IN HOUSE BILL NO. 290
AND SENATE BILL NO. 189

R. D. BOOMER, CAHIRMAN KETCHIKAN GATEWAY BOROUGH

290 189

(00).

TELEPHONE NO. 6-1325
TELEGRAM NO. DH
TIME 1220 P
BY JF TO BE Olin

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.

PHONE: 586-6440

JUNEAU, ALASKA 99801

1971 MAY 9 PM 12 0

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TDA PALMER 9 928A ADT

DON BERRY EXECUTIVE DIRECTOR ALASKA MUNICIPAL LEAGUE

JUN

0886

SENATE AMENDMENT OF HB290 INTO SB189 REGARDING

ALIQUOT PARTS THE MAT-SU BURROUGH IS OPPOSED

ROBERT VROMAN BURROUGH CHAIRMAN

HB290 SB189

(3).

TELEPHONE NO. _____

TELEPHONED TO DH

TIME 8:45A 6:1325

BY JP TO BE Delv-210 ad

TELEGRAM

ALASKA ALASKA COMMUNICATIONS, INC.

PHONE 588-7477

JUNEAU, ALASKA 99801

1971 MAR 26 PM 6 49

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ANCHORAGE ALAKA 26

MIKE MILLER CHAIRMAN HOUSE LOCAL GOVT COMMITTEE

HOUSE OF REPS

JUN

HB290 ALLOWING FOR SUB-DIVISION OF UP TO 4 PARCELS
BY ALIQUOT PARTS WITHOUT REQUIRING REVIEW AND
APPROVAL BY LOCAL PLANNING COMMISSIONS IS A GIANT
STEP BACKWARD IN ORDERLY LAND DEVELOPMENT. HB290
SHOULD BE KILLED IF IT REACHES YOUR COMMITTEE

PLANNING ASSOC OF ALASKA MARY M PUTMAN, SECTY

HB290 4 HB290.

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.

PHONE 586-7477

JUNEAU, ALASKA 99801

1971 APR 23 AM 7 39

#V

BKA041 NL PDF

ANCHORAGE ALASKA 22

REPRESENTATIVE MIKE MILLER

JUN

3379

THE ALASKA CHAPTER OF THE IZAAK WALTON LEAGUE OF
AMERICA REQUESTS YOUR SUPPORT AND ENDORSEMENT OF
SENATE BILL NO 149 IN ITS ENTIRETY AND HIGHLY
RECOMMEND THIS SENATE BILL BE PASSED DURING THIS
SESSION.

MORRIS B MILLER PRESIDENT IZAAK WALTON LEAGUE OF
AMERICA ALASKA CHAPTER PO BOX 8-9070

149 8-9070.

HB 290

*
DPW DIVCOM JNU

TRYKNYMNHA AHG

25 JAN 72

3440

✓ MSG FOR MIKE MILLER
CHAIRMAN LOCAL GOVT COMM

MSG FRM MIKE GALLAGHER
PRES PLANNING ASSOC ALASKA

PAA NEARLY FINISHED WITH POSITION PAPER ON HB 290
PLAN TO PRESENT PAPER AT PH ON FEB 10 BEFORE COMPLETING
PAPER WOULD LIKE INFO ON CURRENT STRENGTH OF BILL AND
MOST IMPORTANTLY KEY ARGUMENTS BEING PUT FORTH INFAVOR
OF BILL COULD YOU PROVIDE THIS INFO THANK YOU

SEND C/O TRYCK NYMAN HAYES 740 I ST ANCHORAGE 99501

END MSG
TRYKNYMNHA AHG

ioned 2:06

1-25

465 or 466
6.268

collet him
1-27-72

279-0543
Mike Gallagher

PT. OF PUBLIC WORKS

MAR 29 PM 11:47

*found 3-29-72
w/ pick up*

DPW DIVCOM JNU

TRYKNYMNHA AHG

. OF COMMUNICATION

3/29/72

9:45 A.M.

MESSAGE FOR MIKE MILLER, CHAIRMAN, LOCAL GOVERNMENT COMMITTEE

PLEASE CALL 586-5386 T. DAVIS FOR PICKUP.

IN CASE YOU DID NOT RECEIVE IT, HERE IS COPY OF DARBYSHIRE PROPOSED COMPROMISE BILL REFERRED TO IN MY TELEX 28 MARCH

A BILL

FOR AN ACT ENTITLED: "AN ACT RELATING TO LAND SUBDIVISION."
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

SECTION 1. AS 40.15.190(2) IS REPEALED AND RE-ENACTED TO READ:

(2) "SUBDIVISION" MEANS THE DIVISION OF LAND INTO TWO OR MORE PARCELS, TRACTS, LOTS OR OTHER DIVISIONS, AND INCLUDES RESUBDIVISIONS; HOWEVER, LAND THAT IS DIVIDED INTO ALIQUOT PARTS OF FORTY ACRES IS NOT CONSIDERED A SUBDIVISION AND LAND THAT IS DIVIDED INTO ALIQUOT PARTS OF TEN ACRES OR MORE SHALL NOT REQUIRE A SURVEY.

(3) "ALIQUOT PART" MEANS A 1/2, 1/4, 1/8, 1/16, 1/32, OR 1/64 RECTANGULAR PORTION OF A REGULAR GOVERNMENT SECTION OR REGULAR PART OF A GOVERNMENT SECTION, EXCLUDING FRACTIONAL LOTS.

UNDERSTAND BARRIER SUPPORTS EXPANDED WAIVER PROVISION. BAA WOULD SUPPORT THIS ALSO, REASONS SAME AS GIVEN MY TELEX 28 MARCH.

MSG. FROM MIKE GALLAGHER, PRESIDENT, PAA.

TRYKNYMNHA AHG

DPW DIVCOM JNU

608 Home
Ed Barton

Ed. Barber
Rm 608

HB

296

A M E N D M E N T

Offered in the HOUSE

By _____

To: X HOUSE Bill No. 296

 SENATE Bill No.

AMENDMENT: Page 2 Line line 16

After (f) on line 16 add the following:

(g) The state shall reimburse the borough or city, as the case may be, for all the real property tax revenues lost to it by the operation of (e) of this section.

PROPOSED AMENDMENT

HB 296

On Page 2, Line 16 add the following:

(g) The state shall reimburse the borough or city, as the case may be, for all the real property tax revenues lost to it by the operation of (e) of this section.



Alaska State Legislature
Senate

JUNEAU ALASKA

February 11, 1972

Don M. Berry, Executive Director
Alaska Municipal League
210 Admiral Way
Juneau, Alaska 99801

Dear Mr. Berry:

Enclosed is a copy of HB 296, committee substitute for HB 296, as well as a copy of my analysis of both bills.

We intend to hold a hearing concerning these bills on March 8, at 1:30 P.M., Room 5, Capitol Building. We feel that the various municipal and borough governments of the state may be interested in the bills as they would appear to impact local governments in a financial manner, depending upon whether or not the state decides to reimburse the local governments.

Would you please ask your members to give us estimates of the impact and what the result would be should the impact be left to the local governments and the obligation not assumed by the state.

Yours very truly,

John L. Rader,
Senator

JLR:gw
Enclosures

cc: Rep. Helen Fischer
Lorena Showers
Hank Harmon
Rep. Mike Miller

PRELIMINARY ANALYSIS OF COMMITTEE SUBSTITUTE FOR HB 296 AND
SENATE LOCAL GOVERNMENT COMMITTEE PROPOSED COMMITTEE SUBSTITUTE

This bill gives a real property tax exemption on the residences of persons over 65 years of age who have less than \$10,000 gross income. The local taxing government (city or borough) grants the exemption and the State reimburses the local government for lost revenue.

A. ANALYSIS OF EXISTING BILL

1. Eligibility for tax relief depends upon the claimant having not more than \$10,000 gross annual income. It is quite possible that a person could have well in excess of \$10,000 gross annual income and less than \$100 net annual income. It would seem that the income considered should be net, as defined by state and federal income tax laws.

2. The bill is inequitable in that it does not provide tax relief for persons who would otherwise be eligible but who live in trailer houses. This is due to the fact that a customary house is considered to be real property while a trailer house is considered personal property.

3. The bill is inequitable in that it favors citizens who are able to afford their own homes and, in effect, penalizes those who are unable to own their own homes because of their financial condition or who must live in rented quarters because of physical disability or other reasons. There is no question but that a tenant pays real property taxes on the real property he is renting. Real estate taxes are included in the price of the rent. The landlord is merely the tax conduit between a tenant and the tax assessor. Therefore, it would seem that persons who are renting should equitably be given relief equivalent to those who are home owners.

4. The bill is inequitable in that it does not give relief to persons over 65 who qualify due to income, but who live outside organized first class cities, home rule cities and boroughs. Other states which give this type of tax relief generally have a statewide property tax. In these states there is no discrimination between urban and rural residents. In Alaska, however, there is no statewide property tax and, therefore, the bill as presently written, would provide a state subsidy for qualified citizens only if they live in an urban or borough area.

B. ANALYSIS OF PROPOSED SENATE LOCAL GOVERNMENT COMMITTEE
SUBSTITUTE

It is tentatively proposed that new sections be added to the bill, which would provide an alternative \$400 payment to every citizen who qualified for the property tax exemption. This payment would be annually in lieu of the property tax exemption. The apparent advantages of the Senate Local Government Committee substitute are as follows:

1. For eligibility purposes, one must receive not more than \$10,000 annual net income instead of gross annual income.

2. The bill would apply statewide and, therefore, prevent any discrimination between persons living in cities and boroughs and those not.

3. It would remove the discrimination between the owner of a home which is real property as contrasted with the owner of a trailer house.

4. It removes the discrimination between home owners and tenants. In effect, the home owner can get a tax exemption and a tenant a rent supplement.

The primary disadvantage of both bills is the fact that they operate so as to give those with the largest homes the greatest subsidy. The committee substitute allows a \$400 payment in lieu of the exemption. This was calculated as being the tax on an average \$20,000 house at an average mill rate of 20 mills. It is possible that after more discussion and consideration, a top limit may be placed on the value of any home exempted. Stating it differently, perhaps only the first \$20,000 would be tax exempt with the value amount in excess of \$20,000 being taxed at the normal rate.

Submitted May 6, 1971
by Sen. John Rader, Chairman
Senate Local Government Committee

Property Tax Exemption OK'd

JUNEAU (AP) — A bill exempting from taxation the real property of most elderly Alaskans was approved unanimously by the House Monday afternoon.

Under the proposal, real property owned by persons 65 and older would be exempted if their gross annual income totals less than \$10,000.

"This is a small piece of legislation compared to what we should be passing," said Rep. Helen Fischer, D-Anchorage, the bill's sponsor.

In other action, Rep. Dick Whittaker, D-Ketchikan, introduced a resolution "urging the immediate removal of all U.S. troops from Southeast Asia in a manner consistent with the safety and security of our armed services."

The resolution was to go directly to the Rules Committee for placement on the calendar.

A bill beefing up the standards for discharge of ballast water in Alaska also was passed by the House. Under the proposal, ships would be required to arrive in Alaska with their ballast intact. The master also would sign a statement that he has not dumped any ballast between his last port of call and Alaska.

The House also approved a bill that would increase the maximum weekly compensation for temporary disability or permanent partial disability to \$175 from \$127, and raise the minimum to \$65 weekly from \$25.

In the morning session, a resolution asking any native land claims bill to bar all but

natives from benefit "as a result of activities connected with the acquisition of the settlement" was rejected 22-16 by the House.

The resolution was introduced by Rep. Earl Hillstrand, D-Anchorage, who said it had "one purpose and one purpose only ... to establish a policy that only native Alaskans will be the recipients."

Rep. Mike Rose, D-Anchorage, termed the resolution "one of the worst pieces of legislation I've seen." He contended the natives should be able to spend their settlement as they wish, without influences of paternalism.

Passed 34-3 and sent to the Senate was a Commerce Committee bill to establish a mobile home standards code for Alaska.

The House also adopted and sent to the Senate five resolutions which:

—Ask the Division of Personnel to make a study of personnel rules and to give broader eligibility of applicants;

—Ask the Legislative Council for a study between sessions on proposals to increase the maximum weekly workman's compensation benefits to persons disabled from on-the-job injuries;

—Ask the Legislative Council to make an interim study of logging and commercial fishing policies in Southeast Alaska;

—Ask the federal government for improved mail service at Fort Yukon and Barrow; and

—Ask for construction of a U.S. Public Health Service

hospital at Mountain Village, near Bethel.

On Sunday, Senate members passed two bills, one of them calling for exploration of Alaska's geothermal resources.

The bill providing for exploration and development of Alaska's geothermal resources was sponsored by Sen. Ed Merdes, D-Fairbanks. It was approved 18-0.

Another bill approved 11-8 in the short Sunday session, prohibited members of borough and city school boards from being subject to personal liability resulting from the activities of the school board "while acting within the scope" of their authority.

Adopted 18-0 was a resolution by the Senate Health, Welfare and Education Committee seeking additional funds from Congress for the Arctic Health Research Center near Fairbanks.

The House Resources Committee reversed an earlier action Saturday afternoon by recommending passage of a strong environmental department bill in place of a proposal by the governor.

In other weekend actions, the Senate passed a House resolution relating to Alaskan

colleges and universities. It asks the Legislative Council to contract with a nationally recognized education consulting firm to study laws, policies, programs and facilities. It requests recommendations on how to get best quality education for dollars spent.

The House worked its way through four bills and two resolutions before adjourning for the weekend.

A liquor bill passed which would allow a town of fewer than 3,500 persons to establish a municipal liquor store.

A measure to increase to seven from five the number of members of the State Human Rights Commission was passed and sent to the Senate.

Another bill sent to the Senate would allow persons to train as lawyers by clerking in the office of a practicing attorney in lieu of attending law school.

A bill spelling out criteria to be used in state salary surveys was passed 35-0 and sent to the governor.

The environmental bill favored by the House Resources Committee still must go to the House Finance Committee before reaching the floor.

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.

PHONE 586-7477

JUNEAU, ALASKA 99801 APR 6 AM 7 12

BJA001 NLPDF

CORDOVA ALASKA 5 410P AST

DON BERRY, ALASKA MUNICIPAL LEAGUE

213 ADMIRAL WAY, JUNEAU ALASKA

CORDOVA WOULD LOOSE BETWEEN TWO AND THREE THOUSAND

ANNUALLY ON SENIOR CITIZEN EXEMPTION HE296.

PALMER MCCARTER, CITY MANAGER

HE296

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.
PHONE 586-7477
JUNEAU, ALASKA 99801

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EKA213 PDF

TLAM PALMER ALASKA 5 330P 1971 APR 5 PM 5 57

DON M BERRY EXECUTIVE DIRECTOR ALASKAN MUNICIPAL LEAGUE

JUN 0600

REVENUE LOSS SENIOR CITIZEN EXEMPTION HB296 ESTIMATED
AT \$152,222 AT PRESENT MILL LEVY OF 14 OUR BOROUGH
IS STATISTICALLY ONE OF OLDEST POPULATION IN STATE
MOST OWNED PROPERTY

R H VROMAN BOROUGH CHAIRMAN NATCH BOROUGH

TELEPHONE NO.

6-1325

SEND TO

G.H.

\$152,222 HB296 14

8400

(48).

TO BE

JP

delv

410

4641 Grumman St.
Anchorage, Alaska
March 16, 1971

Helen Fischer: State Affairs Committee
Juneau, Alaska - 99801

Dear Mrs. Fischer;

The news of your bill to relieve older Alaskans of property tax wins my approval. But, why not go a step further? Instead of just those 65 and under being the beneficiaries, why not add widows and the disability-retired?

My husband and I have lived in Alaska 25 years, raised a family of five and own a small, hard-earned home. I work as Clerk II - Step F ("frozen pay and position") for the State Dept. of Health & Welfare. My husband is disability-retired. It was a struggle to raise a family and pay off the \$10,000 purchase price on blue collar wages (I never worked at that time). Now that we own the place, we would like to make much desired improvements, but everytime you make improvements they raise the taxes. The Borough has more than doubled the assessments - over \$5000 on the land alone in the past year - with almost no improvements. What will they do, if and when we get a sewer or can ever afford to clear and landscape our 1 1/2 acres.

Since my husband is only 57 it will be almost 10 years before your bill would benefit us. By that time the Borough could tax us out of the State.

Very sincerely yours,

Betty A. Smith
Betty A. Smith (Mrs Geo D.)

Anchorage, Alaska
March 21, 1971

Rep. Helen Fischer
Alaska House of Rep.
Juneau, Ak. 99801

Dear Mrs. Fischer:

Your bill to give relief on taxes to those
home owners 65 years and older was
most realistic and commendable. We
are in the 65 age group now and must
plan on leaving Alaska and our home
because of the high cost of staying here.
Tax relief would help a great deal. Wishing
you luck in the passage of your bill.

Very truly yours,
Anton and Eva Shostin

March 12, 1971

The Honorable Helen Fischer
House of Representatives
Pouch Y
Juneau, Alaska 99801

Re: Your bill concerning
Alaska Oldtimers Tax
Exemptions

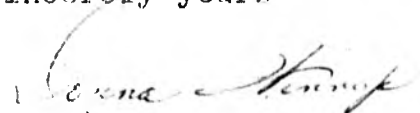
My Dear Mrs. Fischer:

I read with great interest last night an article in our local paper (Daily Sitka Sentinel) regarding your introduction of a bill which would exempt from taxation the real property of a resident 65 or older whose gross annual income is less than \$10,000.00.

Although retirement age is a long way off for my husband and myself, we have often wondered how we would be able to pay taxes and insurance etc. when we will be of retirement age. It seems so unfair to work for many, many years to pay for a nice home to retire in and then not being able to enjoy it or keep it mostly due to the high rate of taxation.

Please keep up the good work, we really do appreciate it.

Sincerely yours


(Mrs.) Donna Winnop
Post Office Box 294
Sitka, Alaska 99835

dw
cc: The Honorable Pete Meland

Mike

April 6, 1971

Revenue loss due to exemptions in HB 296:

Palmer	\$150,000
Wrangell	\$ 15,000 - 25,000
Kenai Peninsula	Very Little
Sitka Borough	\$ 5,411.57

MB 296

FAIRBANKS NORTH STAR BOROUGH

Box 1267, Fairbanks, Alaska 99701

March 22, 1971

Mr. Dan Casey
c/o The Honorable Richard L. McVeigh
Chairman
House State Affairs Committee
Pouch V
Juneau, Alaska 99801

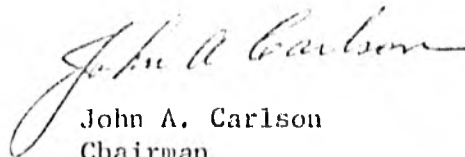
Dear Mr. Casey:

Reference your telephone conversation this morning with Mr. Dinkins.

During tax and calendar year 1970 our records show that our Senior Citizens Tax Exemption Program cost the borough \$29,421, the City of North Pole \$133, and the City of Fairbanks \$16,719 in sacrificed real property taxes. Total real property tax billings prior to the exemptions for the same period for all three local governments were \$3,568,067.

As you can see, the revenues sacrificed under this program were negligible in comparison with total real property tax revenues. The borough is enthusiastic about continuing the program and we hope that it may contribute to the ability of those senior citizens who wish to do so to remain in Alaska during the years when their incomes are normally reduced.

Sincerely,



John A. Carlson
Chairman

JAC/tj

penalty,
review
income

the FBI
for Hoo-
as wire-
essmen.
fact that

NOTICE TO SENIOR CITIZENS

Senior Citizens must apply annually on or before May 31 of each tax year for exemption from real property taxes per Fairbanks North Star Borough Code of Ordinances, Title 69, Chapter 5. Forms are available at the Fairbanks North Star Borough Offices, room 108, Lathrop Office Building, 614 Second Avenue.

Section 69.05.020 (j). One parcel of real property shall be exempt from real property taxes up to and including the amount of Two Hundred Fifty (\$250.00) Dollars, provided the property is owned by a resident of the Fairbanks North Star Borough who satisfies all the following requirements: (1) Is sixty-five (65) years of age or attains age sixty-five (65) on or before the last calendar day of the year in which the tax is levied. (2) Has occupied the property in which the exemption is sought for not less than eight (8) consecutive months immediately prior to filing for the exemption. (3) Is the head of the household. (4) Has been a resident of Alaska for not less than ten (10) consecutive years immediately prior to filing for the exemption. (5) Files an application for exemption with the Fairbanks North Star Borough on or before May 31 of the year in which the tax is levied.

S

Start Paper next week

MEMORANDUM

State of Alaska

OFFICE OF THE GOVERNOR

To: The Honorable Mike Miller
Chairman, Local Government Committee
Alaska State House of Representatives

Thru: Mr. Byron I. Hallott
Director, Local Affairs Agency

DATE: March 25, 1971

FROM: Sigvald J. Strandberg
Local Government Specialist

SUBJECT: House Bill 135 and House Bill 296

The agency has reviewed House Bills 135 and 296 both of which relate to partial or complete exemption from city and borough taxation of the homesteads of senior citizens of limited incomes. It is our conclusion, after careful and thorough consideration that both bills, while addressing themselves to the growing problems of our senior citizens, do not represent measures which would be in the best interests of the state or local governments.

We fully recognize that the sponsors of the bills are seeking to remedy the situation that a growing number of state citizens at age 65 and over are facing, i.e., increasing property taxes due to appreciating values on real property coupled with the effects of the inflationary spiral of living costs in the face of rather static personal incomes. But to compel our municipalities to shoulder the additional revenue needs which would result from exemption of senior citizens from property taxation will only act to further erode the financial base of local governments.

While senior citizen tax exemptions are not presently mandatory, a number of Alaska cities and boroughs are providing for such exemptions at their own option.

It has been suggested that both House Bills 135 and 296 might be amended to provide for the State to reimburse local governments to the extent that senior citizen property tax exemptions are granted. Prior to enactment of such a bill, it will be necessary to determine the cost to the State. A study of this nature for all municipal property taxing jurisdictions could not be immediately done because neither the local governments nor the office of the State Assessor have available facilities to go along with property tax assessment rolls. As a consequence, the actual costs on either H. B. 135 or H. B. 296 would be quite difficult to prepare.

As a further note, it is the agency's judgment that legislative approval to broaden tax exemptions to property taxation will likely encourage further exemptions in subsequent legislative sessions.

In conclusion, it is the feeling of the agency that House Bills 135 and 296 should not be acted upon until such time that the actual costs of these measures, both to the local governments and to the State, can be ascertained.

MEMORANDUM

State of Alaska
OFFICE OF THE GOVERNOR

W. I. Hallott
Director
Local Affairs Agency

DATE March 31, 1971

SUBJECT House Bills 135 and 296

Robert Dozier
State Assessor

I concur with the comments of Sigvald Strandberg as stated in his memorandum through you to Representative Mike Miller dated March 25, 1971.

In prior years, numerous bills have been introduced concerning assistance to senior citizens. Enactment has failed due to the cumbersome and costly formulae.

There is little justification for saddling the various sophisticated levels of Alaska Local Government with the administration of any formulae which requires access to state income tax records. This is not a compatible arrangement under the borough form of government.

Consider for a moment that it is difficult for senior citizens with limited means to retire in Alaska. Not only those who own property but those who do not a place to live as well.

Formulae based on residency, age, and income could be administered properly and economically on the state level. Payments thus received by qualifying senior citizens could be used as desired.

RD:FW

H B

3 1 2



DATE: February, 1972
TO: Members of the Alaska State Legislature
FROM: F. A. Seymour, Executive Director
Alaska Visitors Association
RE: Information Related to H.B. 312

This information is presented at the request of the House Finance Committee, to assist them in evaluating H.B. 312, Tourism Revolving Loan Fund.

The list below was compiled and discussed by members of the Alaska Visitors Association's Board of Directors. It is a projection of the hotel-motel needs during the next five years, if long-term funds were available. The new units could be expansion of existing facilities, or a totally new business or businesses. Varying quality of hotel-motel rooms would indicate that an average unit cost today in Alaska would be \$30,000, including land cost. The new unit projections took into consideration only normal visitor industry growth. Pipeline construction, etc. could change the picture drastically in several communities. This list is not necessarily complete.

<u>CITY</u>	<u>ESTIMATED NEW UNIT NEEDS BY 1977</u> (not in order of importance)
*Sitka	100
Ketchikan	150
Juneau	150
Skagway	100
Petersburg	50
Kotzebue	50
*Barrow	50
Kodiak	100
*Tok	100
*Valdez	125
*Cordova	50
Wrangell	25
Fairbanks	150
Anchorage	200
*Lodges, Resorts, & Outlying Areas	400

* Indicates need for immediate expansion of available units.

These figures will vary according to the aggressiveness of the individual community in the promotion of tourism, as well as carrier promotion. Also, the growth of visitor traffic other than tourist will affect unit demand.

ADDITIONAL CONSIDERATIONS IN EVALUATING H.B. 312

TOURISM REVOLVING LOAN FUND

The following should be either included in the legislation or drafted by the committees and passed along to the supervisors of this loan program to convey legislative intent.

1. Principal goal of this program is to provide long-term (15-25 years) capital investment in basic visitor facilities and attractions. Such as: hotels, motels, river boat cruises, gold mine tours, ski lodges, private camper parks, etc.
2. This program should not be used to pick up existing mortgages, or for purposes of refinancing, except as may be necessary to maintain the stability of a loan originally granted under this program. The purpose of this loan program is to provide long-term funds for new facilities or the expansion of existing facilities.

In conclusion, the AVA recommends that the maximum amount be increased from two million to two and one-half million.





DATE: February 9, 1972
TO: Alaska State Legislature
FROM: F.A. Seymour, Executive Director
Alaska Visitors Association
SUBJECT: WHAT DOES THE TOURIST CONTRIBUTE
TO THE STATE IN THE FORM OF TAX
REVENUES?

The following statements and figures presented will give a partial answer to the question - What does the State derive in tax revenues from visitors? In particular, what do they receive from tourist visitors?

The source of figures quoted are taken from the publication "State of Alaska Revenue Sources 1971-1977". Using the 1971 figures in this publication we applied known ratios or percentage figures to arrive at the quoted amounts. In several circumstances where known formulas do not exist we indicate the percentage we used to arrive at our figure.

The amounts reported here do not include: expenditures by conventioners, commercial traffic, transportation to and from Alaska, or miscellaneous non-resident traffic. If all of these additional factors were considered the final amounts would be two to three times the amounts indicated.

Based upon reasonable estimates arrived at jointly by the Alaska Visitors Association and the Alaska State Travel Division we know that in 1971 the State received 130,000 tourist visitors, spending in the state 45 million dollars. As a result of this volume of people and dollars the State is receiving Tax Revenue in the following manner.

" A PARTIAL LIST "

18 million dollars payroll generated	\$900,000.00	State Income Tax
20 thousand vehicles entry at Tok generated	320,000.00	gas- oline tax
(averaged 10 miles to the gallon at 2,000 miles)		
100 Tour & Highway Motor Coaches (liscense & gas tax)..	32,500.00	
Liquor Tax (5 percent of total State receipts)	250,000.00	
Cigarette Tax (5 percent of total State receipts).....	145,000.00	
Business Liscense Tax (1/4 of 1 percent of 45 million...)	112,500.00	
Corporate Income Tax (5 percent of total State receipts)	366,065.00	
Visitor Sport Fishing & Hunting Liscenses	223,000.00	
(1/2 of non-resident total State receipts)		
Rental Auto Fees & Gas Tax	<u>37,500.00</u>	
(1/2 of total State receipts)		
TOTAL	\$2,386,565.00	

Almost all of the above mentioned income to the State was acquired without significant cost to the state, in such major expenditure areas as education, law enforcement, or social services. In addition to those indicated above there are a number of direct revenues that the State or State Agencies receive as a result of the tourist visitor traffic. These receipts provided for payment for services and facilities utilized by tourists.

Alaska State Ferry Visitor Revenue \$4.41 million
(approximately 45 percent of total ferry revenue)

Page 2 (Continued)

Jet Fuel Tax (20 percent of total)	\$ 43,940.00
Landing Fees (20 percent of Total)	31,400.00

Air Fuel Tax, Boat Fuel Tax, Consession Fees, Land Rentals, ---- And numerous other forms of state taxes or fees are paid in part by tourist or tourist supported businesses and professions.

We believe that the initial dollar expenditure of the tourists in local communities with sales tax, such as Fairbanks, Ketchikan, and Juneau, generate at a minimum one-half million dollars income to those communities.

IN CONCLUSION, I would remind the reader that in this brief outline we have principally been concerned with the impact of 130,000 tourists on the state government's revenues. However, we must, when speaking of tourism, never overlook the fact that these are totally new dollars added to our state's economy. Most of these dollars turn over a minimum of four times before departing our state, and on each turn over it generates additional tax revenues.

In order to maintain brevity, the additional and more obvious contributions of the visitor industry to the state's economy are not listed in this memo.



Pouch V,
State Capitol Bldg.
Juneau, Alaska 99801
March 29, 1971

Mr. Frederick J. Bailey
President,
Bailey's Rent'All, Inc.
101 E. Northern Lights Blvd.
Anchorage, Alaska 99503

Dear Mr. Bailey"

Thanks so much for your letter of March 17th and for your support of the legislation which would establish a revolving loan fund for the tourist industry.

I appreciate this support very much and I hope you are conveying your thoughts on the matter to the Anchorage legislative delegation.

Sincerely,

Mike Miller, Representative
District Four, (Juneau)



Rent-All, Inc.

101 EAST NORTHERN LIGHTS BOULEVARD
ANCHORAGE, ALASKA 99503
PHONE (907) 279-4541

March 17, 1971

Representative Mike Miller
Alaska State House
Juneau, Alaska 99801

Dear Representative Miller:

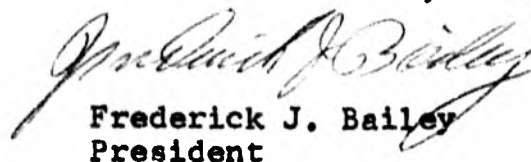
We would like to comment on your proposed legislation to establish a revolving loan fund for the benefit of the tourist industry.

For the past few years we have desired to develop a division of our business that would cater to tourists. This division would rent out self-contained recreational motor homes. We have not yet been able to obtain the necessary financing on terms that would be necessary for this type of business to be profitable. We feel that a state loan fund would help develop our tourist industry.

We hope this letter may encourage you to pursue the necessary legislation that will bring this type of financial support to the Alaska tourist industry.

Very sincerely,

BAILEY'S RENT-ALL, INC.


Frederick J. Bailey
President

FJB;cj

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**CITY OF
ANCHORAGE**



ALASKA

POST OFFICE BOX 400
ANCHORAGE, ALASKA
99501

April 14, 1971

The Honorable Mike Miller, Chairman
Local Government Committee
House of Representatives
Pouch V
Juneau, Alaska 99801

Dear Mike:

RE: House Bill No. 335 - Mass Transportation
Facilities and Services.

The City Attorney has brought to my attention what appears to be deficiencies in the subject bill.

There are no guidelines to define when a borough is exercising the mass transportation power. There is no provision governing the disposition of city-owned mass transportation assets or debt in cases where the borough decides to go in the business when a city has been exercising this power.

There is no provision governing private franchised mass transit companies operating in the city or between the city and points outside the city. In some case, mass transit permits rather than franchises may be in force.

Elimination of the requirement for assuming areawide powers specified in section 350 of this chapter is a departure from past policy for second class boroughs.

These matters should be clarified in this bill before it is considered for final passage.

Sincerely,


Robert E. Sharp
City Manager

RES:f

cc: Members, Local Government Committee
Representative Willard Bowman



AIRMAIL IS FASTER



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**CITY OF
ANCHORAGE**



ALASKA

POST OFFICE BOX 400
ANCHORAGE, ALASKA
99501

February 9, 1972

Honorable John Rader, Chairman
Local Government Committee
Alaska State Senate
Juneau, Alaska 99801

Dear John:

Last night the City Council instructed me to advise you that they are opposed to passage of House Bill 335. This bill would empower a second class borough to provide for areawide mass transportation without first having obtained, by referendum, approval of the voters of the borough. This is contrary to the concept of the second class borough organization.

I am enclosing a copy of Assembly Memorandum 71-544 in which the Borough administration has likewise stated that it is opposed to the legislation, more specifically, Sec. 07.15.370 of HB 335, and the provision I have just cited which would obviate the normal referendum requirement for a second class borough in the assumption of mass transportation powers. It is my understanding that the Borough Assembly for Greater Anchorage Area Borough has taken the same position.

Accordingly, we urge that this bill be defeated. It would also appear that this bill is unnecessary in view of the authority and procedure for second class boroughs established in the Municipal Code bill which we hope will be enacted into law in the near future.

Sincerely yours,


Robert E. Sharp
City Manager

RES:AFR

Enclosure

cc: Hon. Mike Miller
Anchorage Area Senators
Mr. Don Berry, AML



AIRMAIL IS FASTER

GREATER ANCHORAGE AREA BOROUGH

Assembly Memorandum No. 71-544

December 13, 1971

To: Borough Assembly
From: Borough Chairman
Subject: Clarification of Borough Proposed Legislation Packet
Relative to Public Transportation Authority
(December 13, 1971, Assembly Agenda Item 7-F)

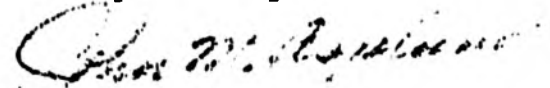
In further reviewing the legislation packet submitted earlier, the Administration has become aware of one area which, through ambiguity, may lead one to conclude that the Administration supports the acquisition of an additional areawide power without the affirmative vote of the electorate. Such is not the case.

Section 1 of the packet contains proposed House Bill 335. The proposed Sec. 07.15.370, in the third sentence implies that the authority to provide public transportation to the community should come about by act of the legislature as an additional grant of mandatory power to the Borough. Additionally Borough Planning Commission Resolution No. 11-71 also implies the same (in the first "resolve"). We are not sure that the Commission intended support of such a provision as implied by House Bill 335.

In reviewing the various items of legislation relative to public transportation, i.e. Senate Bill 82, House Bill 334, House Bill 335, House Bill 247, the Administration finds no points of disagreement with the various bills or their content, except that portion of House Bill 335 noted above. It has consistently been the position of this Administration that the required vote of the people prior to obtaining added powers was a desirable feature of the second class borough form of government. We hereby restate that position and, on that basis, do not support that portion of House Bill 335 which implies the granting of public transit authority without an affirmative vote of the electorate.

THE ADMINISTRATION THEREFORE RECOMMENDS THAT THE ASSEMBLY SPECIFICALLY POINT OUT THIS AREA OF DIFFERENCE WITH THE LEGISLATION NOW PROPOSED AND BE AUTHORIZED TO APPEND THIS MEMORANDUM TO RESOLUTION R89-710 WHEN FORWARDED TO THE MEMBERS OF THE LEGISLATURE FOR CONSIDERATION.

Respectfully Submitted,



John M. Asplund

JMA:vp

February 28, 1972

Mr. Paul A. Carr, Secretary
Public Transportation Committee
Greater Anchorage Area Borough
Pouch 6-650
Anchorage, Alaska 99502

Dear Mr. Carr:

I appreciate very much your letter of February 24 relative to the Greater Anchorage Borough Planning and Zoning Commission's statement of position on public transportation. As you may be aware, the Judiciary Committee is presently considering HB 335 relative to mass transit. I am, therefore, sending a copy of your letter and position paper to the Chairman of this committee, Mr. William Moran.

Again, thank you for writing.

Sincerely,

Mike Miller, Chairman
House Local Government Committee

P.S. After dictation of this letter, HB 335 was passed out Judiciary Committee and is now in Rules awaiting placement on the House calendar.



G R E A T E R A N C H O R A G E A R E A B O R O U G H

**3500 TUDOR ROAD
POUCH 6-650
ANCHORAGE, ALASKA 99502**

February 24, 1972

PLANNING DEPARTMENT

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Local Affairs Committee
Alaska State House of Representatives
Pouch "V" State Capitol Building
Juneau, Alaska 99801

Gentlemen:

The enclosed "Statement of Position" paper was printed at the Transportation Hearing held in Anchorage February 5th.

This paper presents the position of the Greater Anchorage Area Borough Planning and Zoning Commission's citizen subcommittee on Public Transportation.

They hope this will assist you in understanding some of their thinking on public transportation in Anchorage. Should you need additional information or have any questions, please do not hesitate to let me know.

Sincerely,

Paul A. Carr, Secretary
Public Transportation Committee

PAC:rvd

Enc.

GREATER ANCHORAGE AREA BOROUGH
PLANNING AND ZONING COMMISSION

SUBCOMMITTEE ON PUBLIC TRANSPORTATION

STATEMENT OF POSITION

INTRODUCTION

As you are all aware, mass public transportation in the Anchorage area does not now exist. I will not go into the details of Anchorage's past transit systems or their failures. However, I feel it is significant that there are several buses now operating for the exclusive use of Federal - State programs; while we do not detract from this use we feel it further strengthens the need for a public transportation system that will utilize efficiently all those resources now available and being used for semi-public transportation in Anchorage. The simple fact is that the Anchorage area has no - or at best a limited public transportation choice.

Many groups have recognized the existence of the need for public transportation. At the urging of these various groups and individuals, the Greater Anchorage Area Borough created a subcommittee of the Planning and Zoning Commission to study public transportation. The Borough Planning Department then obtained a planning grant for \$20,000 from the Urban Mass Transportation Administration. This planning grant funded a feasibility study for public transportation in the Anchorage area.

This study by John Bivens and Associates is now nearing completion. The Greater Anchorage Area Borough Public Transportation Subcommittee, which I am representing today, is making plans for a public meeting, at which we will solicit public reaction to that feasibility study as well as input on what the citizens of Anchorage feel they need and will use in the way of public transportation.

POSITION

The subcommittee's position on public transportation, which we feel is related to the purpose of this meeting, consists of several basic points. These are:

1. THAT ANCHORAGE URGENTLY NEEDS A PUBLIC TRANSPORTATION SYSTEM.

As the population increases and more motor vehicles are used, vehicle congestion and parking space will become an increasingly prominent problem unless the planning of existing street, highways, and rights-of-way extensions keeps pace. But increasing rights-of-way, extending highways, widening streets, and constructing freeways removes more and more areas from the useable tax base of the community and thereby places a greater tax burden on the areas remaining. In addition, by coordinating and developing an area to please the private automobile operator, many enjoyable features of urban living are sacrificed.

Only the creation of a public transit system complementary to the use of the private automobile will prevent the continuation of the course upon which Anchorage appears headed. As we believe private capital cannot provide public transportation and make a profit, it is, we feel, a public responsibility which all residents share.

2. THAT A PUBLIC TRANSIT SYSTEM THROUGH THE USE OF VARIOUS SIZE VEHICLES OR MODES BE ESTABLISHED TO SERVE THE ENTIRE AREA WITH RELIABLE, CLEAN, COMFORTABLE, TRANSPORTATION; AT A REASONABLE FARE THAT A TRANSIT SYSTEM BEGIN OPERATION IN A COMPLETE FORM RATHER THAN AS A PIECEMEAL EFFORT.

The initial area wide transit system should be a bus system using the best available air and noise pollution controls. However, this must be considered a phase I transit system and phase II public transit for Anchorage be planned and designed to incorporate such features as rail, guideways, moving sidewalks and personal transit vehicles where practical.

SPEED AND SAFETY

In order for a public transportation system to attract riders, it must have speeds that are comparable to those of other modes.

One of the difficulties which is recognized with bus transit systems is that the buses get snarled in the same traffic congestion as the private automobile.

Safe walkways must be provided to permit public access to bus stops and transfer stations.

COMFORT

Passenger comfort must receive attention in the selection of the vehicles as well as during their operations. It is impossible to attract riders to a system if the buses or other vehicles are cold in the winter and hot in the summer.

A transit system, to attract and hold a maximum amount of riders, must provide service that is:

1. Convenient and dependable;
2. Fast and safe;
3. Frequent in service;
4. Reasonable in cost;
5. Pleasing in appearance;
6. Flexible in that it can change with the needs of the community.

3. THAT A PUBLIC TRANSPORTATION SYSTEM BE ESTABLISHED AS A PUBLIC UTILITY OF THE GREATER ANCHORAGE AREA BOROUGH AND THAT IT RECEIVE SUBSIDIZATION THROUGH TAXES, SHARED REVENUES, GRANTS AND OTHER MEANS.

A transit system for Anchorage must be a public system subsidized directly or indirectly by the public. Public transportation in Anchorage is feasible only if the public accepts this responsibility. A transit system must encourage, not discourage, people to ride. In Anchorage the only way this can be accomplished is by the system being subsidized to a degree where the fare, if any, is kept at a minimum. A transit system must not only serve the entire Borough; financial support must come from the entire Borough.