

156 HOKRA • HB 6005 - HB 883 1/3

Committee Minutes for
HOUSE COMMUNITY & REGIONAL AFFAIRS

January 27, 1976

The meeting was called to order by Chairman Cotten at 9:00 am to discuss HB 605. Present were:

Rep. Cotten	Rep. McKinnon
Rep. Rudd	Rep. Davis
Rep. Ose	Bill Berrier
Rep. Ostrosky	Gary Jenkins, Dept. of Revenue
Rep. Freeman	Barbara Englert Thomas, Staff
Rep. Hackney	Vicci Hansen, Staff

Rep. Joe McKinnon was asked to testify on HB 605. The bill was intended to deal with what he considers to be a loop hole in the Federal tax laws and certainly a loop hole in the state law which is based on the federal law. It deals with income earned from interests from municipal or state bonds. What the bill would do would continue exemption for bonds of the state or any of its political subdivisions but tax interests earned on bonds from municipalities outside or states outside. Twenty-eight states presently have this type of taxing procedure.

Next, Mr. Gary Jenkins from the Department of Revenue testified that they do not see any impact on state revenue.

Rep. Hackney moved to pass the bill.

Chairman Cotten stated that there would be a meeting this evening from 7:00 to 9:00 on HB 539.

Meeting adjourned at 10:00 am.

Noted
Attended

HB605

- X Don Berry, Ak. Munic League
- X Comm. Lee Mc Amerney, Dept. C & RA (Contact: Barbara Morse 4761)
- X R.D. Stevensen, Dept. of Rev.
- X Rep. Joe McKinnon

HB-656

HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

April 1, 1976

The meeting was called to order by Vice-Chairman Kathryn Ostrosky for discussion of HB's 656/657. Present were:

Rep. Davis	Rep. Cotten (late)
Rep. Hackney	Palmer McCarter, C&RA
Rep. Kelley	Jack Roderick, Deputy Commissioner of C&RA
Rep. Rudd	Barbara Englert Thomas, Staff
Rep. Freeman	Vicci Hansen, Staff

0007 Rep. Ostrosky asked Mr. Roderick to testify on HB 656.

He explained that right now the law provides in 38.05.030 subsection (c) that when any department acquires any real property, it is supposed to notify the division of Lands. That is not being done so the division of Lands doesn't know the ownership by department of the state land. The municipalities bill the agency and the agency then gets the bill and has to decide if it is their land that is being billed and then check with the division of Lands. They then put it in their CIP budget and eventually it gets to the appropriation state. This bill is designed to simply send a copy of that municipal bill to the Department of Administration who would package it up and go then to the legislature and get an appropriation and then pay the municipalities at one time. In researching this he came to the conclusion that if the division of lands had all the records of the various agencies and the bills were sent to the division of Lands the same thing would be accomplished but in fact the simplest way is to have the municipalities send the bills to the Department of Administration and the Department of Administration would have the responsibility of checking with each of the agencies to see if in fact the assessment is proper and then go into the legislature for the appropriation.

131 Rep. Kelley asked how come this particular portion of it is being subject to the appropriation of the legislature hasn't been added into the budget before. She asked if this way they would come out with a supplemental each time or if it could be worked into the budget itself.

142 Roderick stated that that was the other alternative to try to predict what the bills are going to be each time from the municipalities but this approach is also a way.

There was committee discussion and questions on this bill.

Rep. Kelley said that she would like to ask someone in Finance to see if they see this as a problem.

245 Rep. Hackney said that he felt that this would become a part of the budget for Community & Regional Affairs the same as Revenue Sharing and he felt that it should be handled the same as Revenue Sharing where if the Department didn't have enough money to fund for the entire amount that was needed then they would pay it. This way every community would get a portion up to the amount the Department had.

Rep. Kelley was against the language. She felt that it gave you the feeling that you have to appropriate the money.

395

Palmer McCarter gave his opinions on the bill. Without the language the state is obligated to pay and the borough could proceed to file delinquencies and file liens against the property. With the added language there is the escape.

580

Rep. Rudd said that it could be done by regulation. She asked Roderick if there were regulations now covering it. Roderick stated that he did know that the law requires that every state agency file with the Division of Lands their ownership and that has not been done. Division of Lands does not know what each department owns so when a bill comes in he's sure it finds its way to the Division of Lands and then they have to go back to the agencies and find out if it is a valid bill.

There was no further discussion on the bill and it was decided to hear from Mr. Tubbs from Division of Lands or other witnesses. It was decided to set this bill aside and move on to HB 657.

635

HB 657 has to do with the manner of subdividing areas that are in unorganized boroughs and third class boroughs. The new language is third class boroughs and may be more than one eventually.

Kevin Waring from the Department of Natural Resources was asked to testify on this bill. He felt it was primarily a planning bill. He said that the bill is primarily aimed at a gap in state law right now that does give the Division of Lands authority for review of proposed subdivision plats in unorganized areas outside the municipalities and boroughs. Under present law all subdivision plats in cities and in boroughs are mandatorily reviewed by the city planning commission or the borough planning commission to make sure that they conform with good engineering and planning practices. That is not the case outside municipal jurisdictions.

The committee discussed this bill and it was decided to carry on with discussion of this bill at a later date since the committee ran out of time.

Meeting was adjourned at 10:05 am.

HOUSE COMMUNITY & REGIONAL AFFAIRS

April 9, 1976

The meeting was called to order at 9:05 am by Chairman Cotten for discussion of SB 551, SB 529, HB's 656 and 657. Present were:

Rep. Cotten	Rep. Ostrosky
Rep. Ose	Don Berry, Alaska Municipal League
Rep. Freeman	Palmer Mc Carter, C&RA
Rep. Kelley	Barbara Englert Thomas, Staff
Rep. Hackney	Vicci Hansen, Staff
Rep. Davis	

- 0009 Chairman Cotten explained SB 551. Since Anchorage unified it didn't automatically come under the Social Security Act and apparently it appears that unless municipal employees are covered under Title II of the Social Security Act, they don't qualify for state PERS so the procedure is for them to have a vote on an individual basis to find out if they want to.
- 0058 Don Berry pointed out that on February 17th the House passed HB 569, 35-0 and this bill is identical to SB 551.
- 0079 Rep Freeman asked to vote the bill out.
- 0110 Palmer McCarter gave a run-down on SB 539. Sections 1 and 2 were in the Governors bill and basically they consider that part to be part of a clean up of existing language. There would be the possibility under Section 1 where a borough could apply under the state for monies that the state says could be exempted to certain individuals without actually having given the exemption to the person. That part is a clean-up. Also, Section 2 they consider a clean-up.
- 0145 Cotten asked McCarter if the problem was that they had a \$10,000.00 exemption and so the state was paying the borough for revenue that they really hadn't lost.
- McCarter said yes.
- Cotten said that confused him.
- McCarter explained this. There basically is really no objection to either Section 1 or 2. Those are amendments that were proposed by the state assessor. Section 3 additionally had some language in it that the state assessor felt should have been left in and McCarter suspects that the committee members do not have the original bill but he explained this part.
- 0368 McCarter discussed the bill with the committee and said that it would have helped to have Bob Dozier present.
- 0425 Rep. Ose stated that this exemption leaves it wide open for the food stampers and so forth and an honest farmer has a tough time. He stated examples of this in his area.

There was further discussion on the bill.

0540

Rep. Ose said that he would like to have some people come in and discuss the other end of this. Cotten said he have it Wednesday.

0544

Cotten then discussed HB 657, Planning, Platting and Zoning. Gene Hines testified on this. He said that there are some reservations about this bill. He listened to the people representing the Administration and he feels it has much more effect than what they testified to. This was first brought to their attention when they got a copy of unorganized borough zoning regulations put out by administration before the session started. He read portions of those regulations. The committee is to have copies of this letter and regulations. He felt that it should be stopped right now before a lot of money is spent if the committee doesn't approve of it.

Cotten said that it was a serious question.

He said that this should be resolved by the legislature and not by a single committee since it takes in quite a bit of scope. He will have a legal interpretation presented to the committee on this.

0857

Cotten asked the committee what they wanted to do with HB 656. He told the committee what the bill was briefly about.

There was discussion on the bill. He asked if someone would like to make a motion to pass the bill out.

0940

Ostrosky said that she moved to pass the bill out.

The meeting was adjourned at 10.00 am.

HB56

4/1/76 Hugh Malone can't come testify right now,
but his only concern is on line 18:
He agrees there should be no penalty
but wonders about disallowing interest
change.

X

HB-657

"An Act relating to the platting authority; and providing for an effective date."

COMMITTEE REPORT

1/27/76

HOUSE

Mr. Speaker:

Date 4-20-76

The Committee on COMMUNITY AND REGIONAL AFFAIRS has had HB 657

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS

"and" recommends it BE REFERRED TO THE _____
COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

<u>[Signature]</u>	<u>[Signature]</u>	<u> </u>
<u>[Signature]</u>	<u>[Signature]</u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

Members NOT concurring in the Majority report:

<u>[Signature]</u>	recommends: <u> </u>
<u> </u>	recommends: <u> </u>
<u>[Signature]</u>	recommends: <u> </u>
<u> </u>	recommends: <u> </u>

[Signature] Chairman

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Barbara Englert Thomas, Staff
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Sam Coker -

Re: AG's opinion on state's authority to zone land in the
"unorganized borough"

Red Regues called about their opinion & he said
the Dept. of Law has always interpreted that the zoning
power was granted broadly. The original
bill ~~granted~~ authorized zoning of Federal lands
in the unorganized borough. The Judiciary
committee at the time changed the wording
of sec a of AS 38.05037 and there is
~~the power of the~~ now no reference
in that section to facilitating the sale of
Federal lands. It merely states that where a political
subdivision has zoning power the Div. of Land shall have it.

He reiterated the Administration's concern for
this bill is that proper platting will prevent
many legal problems from coming up in
the future. Now they ^{already} have limited platting
authority - they can ^{change or} vacate the plats - but
they ~~can't~~ don't yet have to let platting
authority

Legal this is okay! 25

HD HOUSE BILL NO. 792 was referred to the Rules Committee
792 for placement on the calendar.

HS The Commerce Committee has had HOUSE BILL NO. 826 (dis-
826 counts in retail sales) under consideration and a majority
of the members of the Committee reports it back with
individual recommendations. The report was signed by
Mr. Bradley, Chairman. Bradley and McKinnon recommend
do pass; Kelley, Freeman and Union recommend do not pass;
Fischer recommends "do not pass, it's ridiculous" and
Rudd has no recommendation.

HOUSE BILL NO. 826 was referred to the Rules Committee for
placement on the calendar.

INTRODUCTION, FIRST READING AND REFERENCE
OF HOUSE RESOLUTIONS

HCR HOUSE CONCURRENT RESOLUTION NO. 133 by the Rules Committee
133 by request of the Administrative Regulation Review Committee:

Annuling regulations of the Department of
Health and Social Services pertaining to
plumbing facilities for restaurants and
 taverns.

was introduced, read the first time and referred to the
(Health), Education and Social Services Committee.

CONSIDERATION OF THE DAILY CALENDAR

SECOND READING OF HOUSE BILLS

HB HOUSE BILL NO. 646 (selection of architects, engineers
646 and surveyors for state projects; effective date) was read
the second time with the State Affairs Committee report
(page 530 of the Journal), the Finance Committee report
(page 558 of the Journal) and the second Finance Committee
report (page 662 of the Journal).

Mr. Miller moved and asked unanimous consent that COMMITTEE
SUBSTITUTE FOR HOUSE BILL NO. 646 (Finance) (same title)
be adopted in lieu of HOUSE BILL NO. 646.

Mr. Speeking objected and withdrew his objection.

Mr. Gardiner objected and withdrew his objection.

CSIB There being no further objection, it was so ordered.

646
(Fin)

STATE OF ALASKA **SEND**^{copy}
Inter-Department Route Slip **To Senate**
committee -

TO:
MAIL STATION NUMBER 3100
DEPARTMENT Legislature
ATTENTION Same Section Rep

- | | |
|--|--|
| <input type="checkbox"/> Approval | <input type="checkbox"/> Note & Return |
| <input type="checkbox"/> Signature | <input type="checkbox"/> Initial & Return |
| <input type="checkbox"/> Comment | <input type="checkbox"/> Return As Requested |
| <input type="checkbox"/> Contact Me | <input type="checkbox"/> Return For Approval |
| <input type="checkbox"/> Prepare Reply | <input type="checkbox"/> Necessary Action |
| <input type="checkbox"/> For Your File | <input type="checkbox"/> Your Information |

Remarks:
Sen **STAR** you've looked at **YES**
Sen **no** you **want**
it **filed** in **HB 6577**
CS

FROM:
MAIL STATION NUMBER 0300
DEPARTMENT Law
BY Red Regan DATE 4/28/76

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF LAW

Pouch K
State Capitol Building
Juneau, Alaska 99811

April 28, 1976

The Honorable Sam R. Cotten
Representative
Alaska State Legislature
P. O. Box 296
Eagle River, Alaska 9^577

Re: Zoning authority in the
unorganized borough

Dear Chairman Cotten:

You have asked whether AS 38.05.037 authorizes the Alaska Division of Lands to zone all lands in the unorganized borough.

Subsection (a) of AS 38.05.037 provides:

In areas of the unorganized borough where there is no political subdivision of the state with a zoning power, the division of lands shall exercise the zoning power by adopting zoning regulations.

As originally introduced by request of the Governor, the legislation provided that:

The Division of Lands . . . shall exercise its zoning power . . . only at such times and in such areas as it is requested to do so by the Secretary of the Interior to facilitate sales of lands within the unorganized borough pursuant to Public Law 88-608, 78 Stat. 988. (emphasis added).

The legislature altered this limitation so that it applied solely to a limitation on zoning federal lands. AS 38.05.037(b). It then added an additional limitation:

Any zoning done by the division of lands under (b) of this section is final unless disapproved by concurrent resolution at the next regular session of the legislature. 1/

The result is that the Alaska Division of Lands is authorized to zone private lands in the unorganized borough generally. It may zone federal lands only by request of the Secretary of the Interior. The latter may be disapproved by concurrent resolution by the legislature.

There can be no question that both the Governor, who requested the legislation, and the legislature contemplated that the power would be exercised solely to facilitate the sale of federal lands, which -- under the applicable federal law -- could be accomplished only where zoning regulations had been adopted. See 43 U.S.C.A. §1421; 1966 H. Jour. 659. And see, the title of ch. 47, SLA 1966 (" . . . to facilitate federal land sales.") The power granted, however, was -- except as to federal lands -- general. Of course, under AS 44.62.320, the legislature retains the power to annul any regulation by a concurrent resolution. 2/

While the legislature could have limited its grant of authority, as indeed, the Governor's request did, its

1/ AS 38.05.037(c). The codification erroneously shows the source as §6, ch. 118, SLA 1972. The true source is §1, ch. 47, SLA 1966.

2/ Because of AS 44.62.320, the addition of subsection (c) to AS 38.05.037 was a redundancy.

The Honorable Sam R. Cotten
Representative

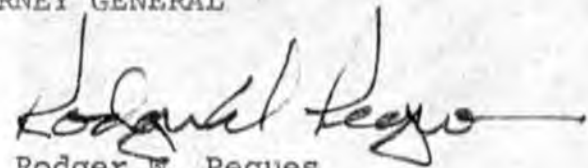
Page Three
April 28, 1976

decision to make a broader grant is understandable. It would serve little purpose to zone federal lands if no authority existed to zone adjacent private lands.

Sincerely yours,

AVRUM M. GROSS
ATTORNEY GENERAL

By:



Rodger W. Pegues
Assistant Attorney General

RWP:db

HB - 688

48688

Federal-State
Land Use Planning Commission
For Alaska

733 W. FOURTH AVENUE, SUITE 400
ANCHORAGE, ALASKA 99501

February 11, 1976

Honorable Sam R. Cotten
Chairman
Community and Regional
Affairs Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

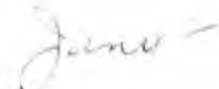
Dear Sam:

Thanks for your rapid response to our request for the Community and Regional Affairs Committee's minutes and agenda.

Please do put us on your regular mailing list. We'll use the Legislative Information Office here in Anchorage to keep track of the schedule of hearings.

I am drafting a summary of alternative approaches to the Municipal Land Conveyance question and will send you a copy when it is complete.

Sincerely,



Janet McCabe
Land Management Planner

JM/gh

Federal-State
Land Use Planning Commission
For Alaska

733 W. FOURTH AVENUE, SUITE 400
ANCHORAGE, ALASKA 99501

February 19, 1976

HB 688

Honorable Sam R. Cotten
Chairman
Community and Regional
Affairs Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Sam:

As you requested when I saw you last Friday at the Juneau airport, I am enclosing our brief summary outlining alternative methods of granting municipalities rights to acquire State lands. This week, I discussed the draft with Dale Tubbs, Deputy Director of the Division of Lands. In his experience, this summary accurately reflects the main alternative approaches.

Your Committee would also be interested in the discussion of the subject on pages 48 through 50 and in the table on page 76 in the Commission's recent report, Agenda for State Lands.

Let us know if we can be of any further help.

Sincerely,

Janet

Janet McCabe
Land Management Planner

JM/gh

Enclosures (2)

1. Outline of Alternative Approaches
2. Agenda for State Lands

cc: Senator John Rader
Mike Smith, Director, Division of Lands
Kevin Waring, Director, Division of Community Planning

HB- 725

"An Act relating to exemptions from municipal property tax; and providing for an effective date."

COMMITTEE REPORT

2/11/76

HOUSE

Mr. Speaker:

Date X 3-29-76

The Committee on COMMUNITY AND REGIONAL AFFAIRS has had HB 725

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR HB 725 AND THAT

CS FOR _____ DO PASS

"and" recommends it BE REFERRED TO THE _____

COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

<u>[Signature]</u>	_____	_____
<u>[Signature]</u>	_____	_____
<u>[Signature]</u>	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

[Signature] Chairman

HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

March 29, 1976

The meeting was called to order at 9:10 am by Chairman Cotten for discussion of HB's 797, 798, 725 and 816. Present were:

Rep. Cotten
Rep. Freeman
Rep. Rudd
Rep. Ostrosky
Rep. Hackney
Rep. Davis

Rep. Urion
Alan Latham, Legislative Affairs
Jerry Sargeant
Jerry Rhinel, Dept. of C & R A
Barbara Englert Thomas, Staff
Vicci Hansen, Staff

0014 Rep. Cotten said that last weekend he and Rep. Rudd had gone to Anchorage and he had a talk with a man named David Hickock from the Alaska Environmental Information and Data Center. Mr. Hickock suggested that he could use the contract and could put to use \$75,000.00. He suggested \$50,000.00 for people to gather the research and the remaining \$25,000.00 to be used for publication and for holding a conference in Anchorage. He suggested that the benefits of having people coming in from different countries would be probably pretty slight. He also suggested that there probably wasn't a lot of new information that would be found through a study like this or as the result of any conference.

00 Cotten asked the Department if they would care to comment on this.

The Department, Jerry Rhinel, said that they really haven't had a chance to discuss this but his reaction was that they would pretty much have to concur with Mr. Hickock's comments. He wonders what they could get for \$75,000.00. He was skeptical about what they get for \$75,000.00.

0111 Cotten said that the point was made that "what do you have right now" -- what if they came to the Dept. and said that they would like to see what their options are for putting in a sewer disposal system up in a certain place, is the Department able to provide a work book of different plans that they might want to use or what their alternatives might be. Is the Department able to provide them with some hard data like that right now.

0127 Sargeant said that they have all kinds of data and you can't put everything into a little pamphlet. There was discussion on this.

The committee discussed the cost of hiring an engineer, the interest of people in having a conference.

It was discussed that on HB 797 the CS should be amended to switch 1 and 2, to amend lines 17 and 21 to delete arctic and sub arctic and insert "Alaskan" on line 21 to delete arctic and insert "Alaskan".

CSHB 797 and 798 were passed out.

0921 Cotten brought up HB 816 which was sponsored by Rep. Urion for changing the home rule power to not allow them to charge over 25%.

Rep. Freeman commented on this. He said that he checked any definition of the home rule authority and come to find out that when you get right down to it the community in question, Homer, is not a home rule city and they are violating the law. Mr. Freeman objected to the bill and said that it wouldn't do anything to accomplish. The committee concurred with Mr. Freeman and the bill was dead.

1009

HB 725 was briefly discussed and was passed out.

The meeting was adjourned at 9:55 am.

AS 29.53.020(a) is amended by adding a new paragraph to read:

(7)land of a nonprofit organization committed exclusively to agricultural purposes. In this section agricultural means the use of the land for raising vegetable and fruit crops and does not include the raising and harvesting of grains and forest products. Land zoned for industrial or commercial purposes by the appropriate local municipal or borough zoning authorities shall not be exempted under this paragraph. The purpose of this paragraph is to shelter small nonprofit organizations committing land for agricultural subsistence use and nothing in this paragraph prohibits a local zoning authority from denying the exemption should ~~there~~ there be a written finding that this exemption is being used for land speculation. Local municipal or borough authorities may establish the following zones of restriction on this exemption:

(a)municipal zone-this zone shall reasonably circumscribe the urban area of any first or second class city or village or unified municipality. Within this zone the local zoning authority may establish reasonable limits to the size of any one parcel of land exempted. Should the use of the land exempted within this zone be committed to a different use the owner is liable for the years exempted.

(b)intermediary zone this zone shall reasonably circumscribe that area between urban and rural land and in no event shall it exceed 15 miles distance from the post office closest to the center of any first or second class city or unified municipality, nor exceed five miles distance from the post office or recognized urban center of a village. Should land exempted within this

zone be committed to another use the owner is liable for the years exempted, not to exceed 10 years.

(c)rural zone-this zone may circumscribe the entire jurisdiction of the local zoning authority, excluding the municipal and intermediary zones. Should land exempted within this zone be committed to another use the owner is liable for the years exempted, not to exceed 5 years.

Notified

Att.

48725

✓ Rep. Parker

✓ At Municipal League (Palmer, McCarter & Doster) X

✓ Dept. C & RA X

✓ Lee Sharp, C & B Tuncan X

HRB-797

"An Act directing the Department of Environmental Conservation to conduct a study of the advisability of requiring low water sanitary waste disposal systems in all new construction in the state; and providing for an effective date."

COMMITTEE REPORT

HOUSE

2/17/76

FINANCE

Mr. Speaker:

Date 3-24-76

The Committee on COMMUNITY AND REGIONAL AFFAIRS has had HB 797

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR HB 797 AND THAT

CS FOR HB 797 DO PASS

"and" recommends it BE REFERRED TO THE _____ COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

Members NOT concurring in the Majority report:

_____ recommends:
_____ recommends: no
_____ recommends: no
_____ recommends:
_____ recommends:

_____ Chairman

AMENDMENT

OFFERED IN THE HOUSE:

By: House Community and
Regional Affairs Comm. H-11

To: S HOUSE BILL No. 797

SENATE BILL No.

PAGE: 1

LINE:

Lines 17, 18: ~~DELETE~~ "arctic and subarctic"
INSERT "Alaskan"

Line 21: DELETE "arctic and subarctic"
INSERT "Alaska"

Line 22: DELETE "arctic and subarctic"
INSERT "Alaska"

Lines 16 and 20: ~~Change~~ change section from "(1)" to "(2)"
change subsection "(2)" to "(1)"

[The rest of the amendment is to amend the
order of new objectives (1) and (2).]

HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

March 29, 1976

The meeting was called to order at 9:10 am by Chairman Cotten for discussion of HB's 797, 798, 725 and 816. Present were:

Rep. Cotten
Rep. Freeman
Rep. Rudd
Rep. Ostrosky
Rep. Hackney
Rep. Davis

Rep. Urion
Alan Latham, Legislative Affairs
Jerry Sargeant, Dept. Environ. Conserv.
Jerry ~~Rudd~~, Dept. of ~~C & R A~~ *Environ. Conservation*
Barbara Englert Thomas, Staff
Vicci Hansen, Staff

0014 Rep. Cotten said that last weekend he and Rep. Rudd had gone to Anchorage and he had a talk with a man named David Hickock from the Alaska Environmental Information and Data Center. Mr. Hickock suggested that he could use the contract and could put to use \$75,000.00. He suggested \$50,000.00 for people to gather the research and the remaining \$25,000.00 to be used for publication and for holding a conference in Anchorage. He suggested that the benefits of having people coming in from different countries would be probably pretty slight. He also suggested that there probably wasn't a lot of new information that would be found through a study like this or as the result of any conference.

00 Cotten asked the Department, *of Environmental Conservation* if they would care to comment on this.

The Department, Jerry ~~Rudd~~ *Reinold*, said that they really haven't had a chance to discuss this but his reaction was that they would pretty much have to concur with Mr. Hickock's comments. He wonders what they could get for \$75,000.00. He was skeptical about what they get for \$75,000.00.

0111 Cotten said that the point was made that "what do you have right now" - what if they came to the Dept. and said that they would like to see what their options are for putting in a sewer disposal system up in a certain place, is the Department able to provide a work book of different plans that they might want to use or what their alternatives might be. Is the Department able to provide them with some hard data like that right now.

0127 Sargeant said that they have all kinds of data and you can't put everything into a little pamphlet. There was discussion on this.

The committee discussed the cost of hiring an engineer, the interest of people in having a conference.

It was discussed that on HB 797 the CS should be amended to switch 1 and 2, to amend lines 17 and 21 to delete arctic and sub arctic and insert "Alaskan" on line 21 to delete arctic and insert "Alaskan".

CSHB 797 and 798 were passed out.

0921 Cotten brought up HB 816 which was sponsored by Rep. Urion for changing the home rule power to not allow them to charge over 25%.

Rep. Freeman commented on this. He said that he checked any diminution of the home rule authority and come to find out that when you get right down to it the community in question, Homer, is not a home rule city and they are violating the law. Mr. Freeman objected to the bill and said that it wouldn't do anything to accomplish. The committee concurred with Mr. Freeman and the bill was dead.

1009

HB 725 was briefly discussed and was passed out.

The meeting was adjourned at 9:55 am.



UNIVERSITY OF ALASKA

March 22, 1976

Representative Sam Cotten
House of Representatives
Pouch V
Juneau, AK 99811

Dear Sam:

Following up on our conversation at the Westward Hotel and the interests of Lisa Rudd, Kathryn Ostrosky and your other colleagues in House Bills 797 and 798, the following are my thoughts on how your collective objectives might be met.

First, however, may I summarize a few of the observations we discussed.

1. The science and technology for Arctic and sub-Arctic water and sewer systems exists and is known;
2. Many problems of waste disposal are directly associated with problems of water supply and may be better addressed together rather than separately;
3. The basic problem is one of transferring known knowledge to those communities or individuals who wish to use it;
4. The choice of a variety of suitable waste and related water supply and transport system technologies is essentially a problem of cost-benefit (or economic) analysis; and
5. Therefore, the economic and political issue becomes one of who will pay, how much, for what.

In order for the legislature to assist in meeting a very real need in this state on this subject the following approach is suggested:

Representative Sam Cotten

Page 2

March 22, 1976

- a. Synthesize existing knowledge in a handbook type report which simplistically illustrates the kinds of waste and water related technologies, their specific environmental applications, their attributes and weaknesses and costs under alternative situations;
- b. Prepare such a handbook as a background of information for a symposium or conference on Alaska sewage and waste treatment situations and problems;
- c. Use the conference approach to achieve public awareness and to define gaps in knowledge or causes of non-application, as they may exist in:
 - 1) science and technology
 - 2) economics, and
 - 3) legislation*
- d. Cause the conference to report to the legislature its observations on gaps in knowledge and causes of non-application and its specific recommendations for legislative action.

If, as proposed, the Department of Environmental Conservation and the legislature wish to use the services of AEIDC for these purposes I would note that:

1. AEIDC would coordinate its activity with the Institute of Water Resources. The synthesis of knowledge on waste and water related systems would be accomplished by the professional staff of both AEIDC and IWR. AEIDC expertise in communicating knowledge by graphics and mode of presentation would be put together with IWR and AEIDC engineering and environmental science capabilities.

*Note: One prerequisite to legislative recommendations is the availability of a summary of existing laws, regulations and codes. Perhaps this should be furnished by either the Department of Environmental Conservation or the Department of Law.

UNIVERSITY OF ALASKA

Representative Sam Cotten

Page 3

March 22, 1976

The staff and publication costs of a loose leaf handbook of current knowledge in this field for use at the proposed conference is estimated at \$50,000.

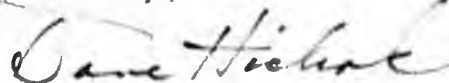
2. If the legislature was to direct the cooperation of State agencies with AEIDC in the planning and organizing of the proposed conference, with such costs borne by the agencies, then the overhead costs of putting on the proposed conference would be about \$15,000. I must note, however, that if the legislature wished attendance of community representatives or individuals at conference expense the amount of dollars for such purpose would have to be in addition to the \$15,000 noted above.
3. Finally, a report to the legislature on conference results and recommendations could be compiled for about \$10,000 using the assumptions of limited copies for legislative and executive branch use only, black and white format and simple binding.
4. In summary, costs for this approach would be:

---preparation of handbook	\$50,000
---holding of conference	15,000
---report to legislature	<u>10,000</u>
TOTAL	\$75,000

Amendatory legislative language to House Bills 797 and 798 for the accomplishment of these approaches is suggested and attached.

Finally, may I just add the thought that regardless of the outcome of this legislation, the staff of AEIDC and IWR and a great many other Alaskans view this subject raised by the proponents of HB 797 and 798 very seriously. The staff of AEIDC is, in any event, at your service in every way possible.

Sincerely,



David M. Hickok
Director

DMH:ec

Enclosure

HB - 298

"An Act making a special appropriation to the Department of Environmental Conservation to conduct a study on low water sanitary waste disposal systems; and providing for an effective date."

COMMITTEE REPORT

2/17/76

HOUSE

FINANCE

Mr. Speaker:

Date 3-29-76

The Committee on COMMUNITY AND REGIONAL AFFAIRS has had HB 798

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR HB 798 AND THAT

CS FOR HB 798 DO PASS NO RECOMMENDATION

"and" recommends it BE REFERRED TO THE COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

[Signature] _____
[Signature] _____

Members NOT concurring in the Majority report:

_____ recommends:
[Signature] recommends: NO RECOMMENDATION
[Signature] recommends: NO RECOMMENDATION
_____ recommends:
_____ recommends:

[Signature] Chairman

HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

March 29, 1976

The meeting was called to order at 9:10 am by Chairman Cotten for discussion of HB's 797, 798, 725 and 816. Present were:

Rep. Cotten	Rep. Urion
Rep. Freeman	Alan Latham, Legislative Affairs
Rep. Rudd	Jerry Sargeant
Rep. Ostrosky	Jerry Rhinel, Dept. of C & R A
Rep. Hackney	Barbara Englert Thomas, Staff
Rep. Davis	Vicci Hansen, Staff

0014 Rep. Cotten said that last weekend he and Rep. Rudd had gone to Anchorage and he had a talk with a man named David Hickock from the Alaska Environmental Information and Data Center. Mr. Hickock suggested that he could use the contract and could put to use \$75,000.00. He suggested \$50,000.00 for people to gather the research and the remaining \$25,000.00 to be used for publication and for holding a conference in Anchorage. He suggested that the benefits of having people coming in from different countries would be probably pretty slight. He also suggested that there probably wasn't a lot of new information that would be found through a study like this or as the result of any conference.

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The Department, Jerry Rhinel, said that they really haven't had a chance to discuss this but his reaction was that they would pretty much have to concur with Mr. Hickock's comments. He wonders what they could get for \$75,000.00. He was skeptical about what they get for \$75,000.00.

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The committee discussed the cost of hiring an engineer, the interest of people in having a conference.

It was discussed that on HB 797 the CS should be amended to switch 1 and 2, to amend lines 17 and 21 to delete arctic and sub arctic and insert "Alaskan" on line 21 to delete arctic and insert "Alaskan".

CSHB 797 and 798 were passed out.

0921 Cotten brought up HB 816 which was sponsored by Rep. Urion for changing the home rule power to not allow them to charge over 25%.

Rep. Freeman commented on this. He said that he checked any diminution of the home rule authority and come to find out that when you get right down to it the community in question, Homer, is not a home rule city and they are violating the law. Mr. Freeman objected to the bill and said that it wouldn't do anything to accomplish. . The committee concurred with Mr. Freeman and the bill was dead.

1009

HB 725 was briefly discussed and was passed out.

The meeting was adjourned at 9:55 am.

HB-805

COMMITTEE REPORT

2/17/76

FINANCE

HOUSE

Mr. Speaker:

Date 2-17-76

The Committee on COMMUNITY AND REGIONAL AFFAIRS has had HB 805

under consideration A Majority of the members of the Committee

() recommends it DO PASS

() recommends it DO NOT PASS

() recommends it DO PASS WITH ATTACHED AMENDMENT(S)

() recommends it BE REPLACED WITH CS FOR 23 AND THAT

CS FOR 105 DO PASS

() "and" recommends it BE REFERRED TO THE _____

COMMITTEE

() reports it back WITHOUT RECOMMENDATION

() "other"

Members signing the Majority report:

<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>

Members not concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

[Signature] Chairman

A M E N D M E N T

OFFERED IN THE HOUSE:

BY: House C&RA

To: _____ HOUSE BILL No. 805

SENATE BILL No. _____

PAGE: One

LINE: _____

Line 7 delete "grants"

Line 12 delete "grant"

Line 14 add "or loans" between "grants" and "to municipalities"

Line 17 add "or loan" between "grant" and "under (a)"

Line 20 after "plan" insert "which shall demonstrate the ability of the eligible recipient to sustain the proposed project."

HOUSE COMMUNITY & REGIONAL AFFAIRS COMMITTEE

February 26, 1976

The meeting was called to order by Chairman Cotten at 9:20 am for discussion of HB's 805/806. Present were:

Rep. Cotten
Rep. Kelley
Rep. Hackney
Rep. Ose
Rep. Ostrosky
Rep. Rudd
Rep. Freeman
Palmer McCarter, C&RA

David Freer, ^{Dept H&SS}
Dan Plotnick " ^{Office of Aging}
Barbara Englert Thomas, Staff
Vicci Hansen, Staff

- 0011 Rep Kelley testified on the bill. She stated that she felt that everyone knew of the need for senior citizen housing in the State of Alaska and it was her attempt to get some money into this. She explained how the bill would work as far as need and funding. She told the committee that it was a problem in the bush as well as the larger communities in getting the senior citizens into a senior citizen home. The figure of 6 million was one which was just picked. There could be direct appropriations or bond issues.
- 0126 Rep. Ose asked what would be priority -- grants or loans on line
14 of HB 805.
- Kelley stated that she felt that the regulations should take care of that. She felt that there should be a letter of intent put with it. There was discussion on regulations between Rep. Kelley and Rep. Ose.
- 0201 Rep. Kelley told the committee about a complex in Fairbanks in comparison to what Ose and Kelley were discussing.
- 0240 Dan Plotnick was asked to testify, however he asked the Department to testify instead. Palmer McCarter stated that the Department agrees with the principle of the program in promulgating regulations and administering funding would be with the Department of H&SS.
- 0274 Dan Plotnick pointed out that Section 50 of the Statutes, Revolving Loan Fund is the proper vehicle to administer this act. He stated that from the Office of Aging's point of view, they wholeheartedly support the concept of the bill. Housing is the number 1 need all over Alaska.

There was further discussion on different states and how they handle this type of program.

Meeting adjourned at 10:00 am

The bill at line 19 requires the granting agency to review an application for "...the feasibility of the proposed project and an adequate management plan for the proposed project."

Perhaps Community and Regional Affairs can explain to the committee its in-house capability of analyzing applications for housing funds. It is my understanding that these grants are for actual housing, not to "study" the matter. Mr. Miles can tell you of the "new" ASHA capability presently analyzing 400 units as to feasibility in addition to a continual on-going management of some 1,800 units. How does this stack up with Community and Regional Affairs capability?

The principles of good public administration require that one not duplicate existing services and structures. The Legislature saw fit to grant ASHA in 1945 the overall authority for State planned and funded housing. Since that time ASHA has been over some rocky roads, through both Democratic and Republican Administrations. I can understand the reluctance - based on past history - of placing a project in ASHA. I submit to you that the track record of the "new" ASHA merits the Legislature's confidence. There have been several firsts in the last 12 months; first set of regulations, first voluntary involvement of communities in planning, and most importantly first elderly housing planned, funded and now under construction. I refer to the Golden Towers 96-unit project in Fairbanks. Presently, ASHA is "mother-hening" a 240-unit project for Anchorage through its tortuous path of urban development, Municipality of Anchorage Assembly, HUD and other entities. And that brings me to my final point. The inception, planning, financing construction and input of subsidized housing, especially elderly housing with its particular design requirements demands integrated full-time attention by professionals in the housing business.

The granting of State Bond funds without attempting to tailgate or "leverage" it with Federal funds is a misuse of public money. The proper procedure involves melding State funds with Federal funding in this case, specifically, HUD Section 8 and Section 202 monies. Both Bill Miles and I are intensively familiar with this - among other things we went to Washington last November to lock-in the Section 8 funds for the Fairbanks project and get in the front of the line for Section 202 funds for the Anchorage project. Perhaps, Community and Regional Affairs would like to explain to the committee what Section 8 and Section 202 funds are, who is eligible, how does it work, and more importantly who in Washington disburses these funds.

In summary, you have an existing agency, ASHA who is in this business full-time, and can provide the services this bill requires - which goes beyond just writing a check. ASHA may have been a dirty word in the past but I think its track record in the last 12 months shows it capable of ingenuity and good work in providing the most housing with limited funds and merits your confidence. I suggest you change line 11 of this bill to so reflect this confidence.

STATE OF ALASKA

JAY S. HAMMOND
GOVERNOR

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

OFFICE OF THE COMMISSIONER

POUCH D — JUNEAU 99811

March 3, 1976

The Honorable Samuel R. Cotton
Chairman, House Community & Regional Affairs
Pouch V
Juneau, Alaska 99811

Dear Mr. Chairman:

At the outset, let me apologize for not being able to deliver this letter personally. There is a small matter called malpractice being heard in Senate Commerce that requires my attention. As you many know, the Administration does not have a firm position on this bill at this time. I believe it fair to state that all agree that the intent and methodology of the bill is good, the only issue, as I see it, is which State entity is best equipped to implement it.

It would appear that the basic questions to be answered are two-fold:

- a. What needs to be done if the bill becomes law?
- b. Who can do it best?

Let's look at the first criteria, what needs to be done? At a quick glance one could assume that dispensing grants is the objective of the bill. However, the end product, housing for elderly, appears to be the prime concern. In order to do so the "granting" agency will disburse and possibly raise funds through at line 13, I quote "...proceeds from a Bond fund...".

It may interest you to know that there are only three State entities that issue bonds: the State Bond Committee of which I am the Chairman, Alaska Housing Finance Corporation, and Alaska State Housing Authority. To ask yet another agency to gear up with appropriate bond counsel, financial advisor, etc., will have a definite fiscal impact. Perhaps Community and Regional Affairs would like to explain to the Committee how they will go through the mechanics of a Bond issue? Can they handle it in-house without additional full-time or contractual help?

Housing is historically funded through Bond issues - and that is something that ASHA is addressing every day.


The Honorable
Samuel R. Cotton

-3-

March 3, 1976

That's one mans' opinion, but its based upon a lot of sweat and tears - mainly on the part of others - to turn that agency around. If you don't show that confidence at this stage, then I'd suggest to you that you introduce a one line bill repealing ASHA. Because in the final analysis, why have two agencies at the State level doing the same thing?

Sincerely,


Langhorne A. Motley
Commissioner

cc: Sponsors
House Finance Committee

Communities with 100 or more persons over the age of 60 in 1970
(U.S. Census)

<u>*Community</u>	<u>Age 60+</u>	<u>Age 60+ Populations as Per Cent of the Community's Population</u>
1. Anchorage	1,895	4%
2. Fairbanks	706	5%
3. Juneau	621	10%
4. Ketchikan	598	9%
5. Sitka	395	12%
6. Petersburg	194	10%
7. Kodiak	190	5%
8. Seward	166	10%
9. Nome	161	6%
10. Wrangell	158	8%
11. Bethel	106	4%
12. Palmer	99	9%
13. Cordova	99	9%

In 1970 the elderly population (60+) represented 4% of the State's total population. All of the above-cited communities exceed this percentage (4%) except Anchorage and Bethel.

*Represents the "center city" and does not include suburbs.

Ask about course Rude
DAILY

1111

- get reqs.
- set up markets
- on site resident mgrs.

150

503 @ 7 1/2% 10 yrs

" last time tapping

→ see 8 * 570,000 monthly

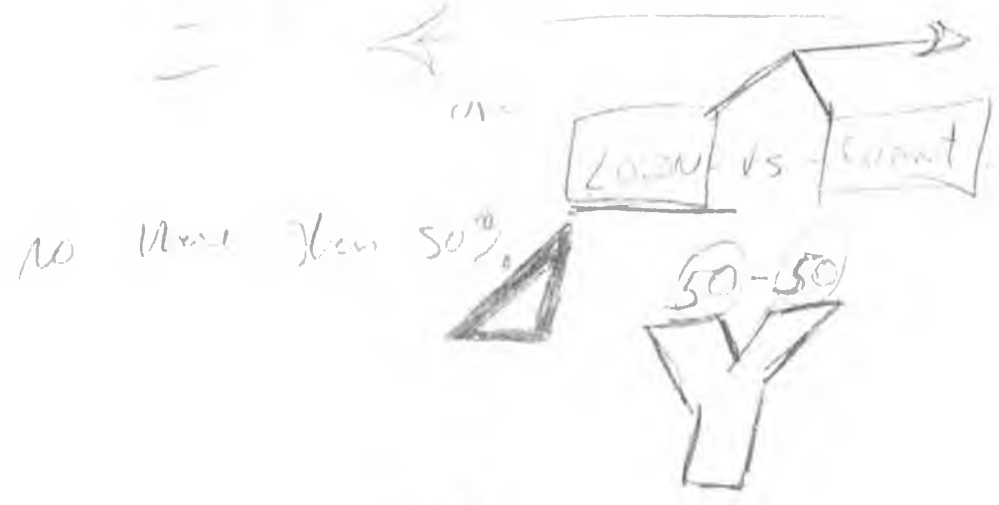
no more than 200,000



would the acct work you're here

1. supported by
agent active

2.



HB--816

HOUSE COMMUNITY & REGIONAL AFFAIRS COMMITTEE

March 15, 1976

The meeting was called to order by Chairman Cotten at 9:10 am for discussion of HB's 816 and 261. Present were:

Chairman Cotten
Rep. Kelley
Rep. Hershberger
Rep. Hackney
Rep. Rudd
Rep. Freeman
Rep. Ostrosky

Rep. Rick Urion
Rep. Hugh Malone
Don Berry, Municipal League
Barbara Englert Thomas, Staff
Vicci Hansen, Staff

0012 First to testify was Rep. Rick Urion on 816.

Chairman Cotten pointed out that he couldn't find Section 29.63.100 in the statutes. Urion concurred with Cotten on that.

Urion explained that this particular bill is intended to change the way that local communities can handle cash assessments. Urion pointed out that cash assessments are not illegal but he feels that they are immoral. Most improvements are done through the bonding provisions and are assessed and paid over a period of 10 years and he feels that local government should be encouraged through that bonding provision, not cash. As it is under existing law they get 51% of the property owners can approve a cash assessment and then when the improvement is made, the people have 90 days from the time the local government wants them to to come up with cash. So, 51% of the people could force the other 49% people who may be opposed to this. This could force them into a distress sale of their property and Urion feels this is wrong. He feels that a cash assessment should be handled in a different way than the bonded assessment.

0098 Cotten stated that the only limitation that he notes is that they can't charge you at any one time over 25% of the value of their property.

Urion told a personal story which refuted the statement.

0130 Don Berry stated that the 25% limitation does not apply to home rule city.

0150 Urion stated that possibly another bill might be in order.

The committee discussed the bill. Possible changes in the bill were discussed and Chairman Cotten stated that he would like to talk to Bill Barrier on this before any major changes. He stated that at best the committee would have to draw a committee substitute on this.

0617 Next Rep. Hugh Malone was asked to testify on HB 261. He said that this basically expands the options that local government have to set up a taxing program that meets the needs of the municipality. The limit was reduced on the amount of exemption that was authorized in 1973

He felt that we have to leave as much latitude as possible with the local governments in developing their tax structure to meet their needs if they are going to carry out their responsibilities. One of the other things was when it was reduced in 1973 it was done so in a somewhat punitive manner. The Kenai and Northslope Borough quite possibly had in mind of preventing those areas from completely exempting residential property from taxation and thereby running up the taxes on the oil and gas pipeline. He doesn't feel that that was a realistic fear then and he doesn't feel it is a realistic fear now. There is still other industrial property, particularly commercial property.

0712

There was discussion on the bill and the meeting was adjourned at 10:00 am.

HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

March 29, 1976

The meeting was called to order at 9:10 am by Chairman Cotten for discussion of HB's 797, 798, 725 and 816. Present were:

Rep. Cotten
Rep. Freeman
Rep. Rudd
Rep. Ostrosky
Rep. Hackney
Rep. Davis

Rep. Urion
Alan Latham, Legislative Affairs
Jerry Sargeant
Jerry Rhinel, Dept. of C & R A
Barbara Englert Thomas, Staff
Vicci Hansen, Staff

0014 Rep. Cotten said that last weekend he and Rep. Rudd had gone to Anchorage and he had a talk with a man named David Hickock from the Alaska Environmental Information and Data Center. Mr. Hickock suggested that he could use the contract and could put to use \$75,000.00. He suggested \$50,000.00 for people to gather the research and the remaining \$25,000.00 to be used for publication and for holding a conference in Anchorage. He suggested that the benefits of having people coming in from different countries would be probably pretty slight. He also suggested that there probably wasn't a lot of new information that would be found through a study like this or as the result of any conference.

00 Cotten asked the Department if they would care to comment on this.

The Department, Jerry Rhinel, said that they really haven't had a chance to discuss this but his reaction was that they would pretty much have to concur with Mr. Hickock's comments. He wonders what they could get for \$75,000.00. He was skeptical about what they get for \$75,000.00.

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It was discussed that on HB 797 the CS should be amended to switch 1 and 2, to amend lines 17 and 21 to delete arctic and sub arctic and insert "Alaskan" on line 21 to delete arctic and insert "Alaskan".

CSHB 797 and 798 were passed out.

0921 Cotten brought up HB 816 which was sponsored by Rep. Urion for changing the home rule power to not allow them to charge over 25%.

Rep. Freeman commented on this. He said that he checked any diminution of the home rule authority and come to find out that when you get right down to it the community in question, Homer, is not a home rule city and they are violating the law. Mr. Freeman objected to the bill and said that it wouldn't do anything to accomplish. . The committee concurred with Mr. Freeman and the bill was dead.

1009

HB 725 was briefly discussed and was passed out.

The meeting was adjourned at 9:55 am.

HB--860

"An Act relating to the Village Safe Water Act; and providing for an effective date."

COMMITTEE REPORT

3/9/76

HOUSE

FINANCE

Mr. Speaker:

Date 3 10 76

The Committee on COMMUNITY AND REGIONAL AFFAIRS has had HR 860

under consideration. A Majority of the members of the Committee

() recommends it DO PASS

() recommends it DO NOT PASS

() recommends it DO PASS WITH ATTACHED AMENDMENT(S)

() recommends it BE REPLACED WITH CS FOR _____ AND THAT

CS FOR _____ DO PASS

() "and" recommends it BE REFERRED TO THE _____

COMMITTEE

() reports it back WITHOUT RECOMMENDATION

() "other"

Members signing the Majority report:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

AMENDMENT

OFFERED IN THE HOUSE:

By: Community & Regional Affairs
Alfred...

To: _____ HOUSE BILL No. 860

SENATE BILL No. _____

PAGE: 1

LINE: 21

DELETE "31" correlate?

IT EKT "1" - aha"

HOUSE COMMUNITY & REGIONAL AFFAIRS COMMITTEE

March 16, 1976

The meeting was called to order at 9:15 am by Chairman Cotten for discussion of HB's 860,796,797,798,799 and 800. Also HCR 110 and HJR 55. Present were:

Rep. Cotten
Rep. Ostrosky
Rep. Hackney
Rep. Use
Rep. Davis

Rep. Freeman
Rep. Helen Beirne
Alan Latham, Legislative Affairs
John Scribner, Environmental Conservation
Barbara Englert Thomas, Staff
Vicci Hansen, Staff

Chairman Cotten first moved to pass out HJR 55. The Committee passed this Joint Resolution out.

Rep. Ostrosky said that the committee should start with 796. She felt that it should be revised and that there should be some amendments made. She felt that Section 2 should be deleted because it was unnecessary.

Alan Latham agreed that Section 2 should be struck from the bill.

Rep. Hackney asked if this would mean eliminating local contribution.

Latham stated that this section was repealed with new language and the new language had this in it.

Latham also stated that on line 4 the 10 year restriction was too severe yet there should be a potential for sites to become self sufficient. He suggested a change for line 4 in that it would read something that would make the facilities able to become financial self sufficient.

Rep. Hackney said that he would like to see this with an escape clause in it. He felt that the emphasis should be on fiscal management.

Rep. Cotten asked if on line 12 the language was lifted directly from the statutes and Latham agreed.

John Scribner from the Department of Environmental Conservation pointed out that the primary concern of the Department is the fact to stipulate this at 10 years. He wasn't too concerned as to how this would be done.

Cotten said that when bills go to Finance, the Committee wants a fiscal note attached and this one did not have a fiscal note.

Scribner said that there was no fiscal note attached to this because a fiscal note really wouldn't effect the program. However, he did say that he would check into it and see if one is needed.

Rep. Ostrosky said that there was a subcommittee which had come up with a representation from rural areas and they agreed that there should be the formation of an advisory counsel on needs in the rural areas.

Latham said that some input groups felt that the input wasn't being adequately addressed.

There was discussion on the formation of such a group.

Scribner said that basically there was no problem. One area with the most problem is in the advisory committee. A question at large is What role is the committee to have? If the role is for more than an advisory or policy making capacity, then there would be a potential for a conflict. He felt that the policy makers should be specified as to who they are.

It was pointed out that this committee would be one such as the Telecommunications committee.

Rep. Ostrosky made a motion to delete all of Section 2.

Rep. Davis moved to pass the bill out.

After a discussion regarding substance areas, the bill was passed out.

Meeting adjourned at 10:00 am

HOUSE COMMUNITY & REGIONAL AFFAIRS COMMITTEE

March 17, 1976

The meeting was called to order at 9:10 am by Chairman Cotten for discussion of HB 860 and 261. Present were:

Rep. Cotten	Rep. Kelley
Rep. Ose	Don Berry, AK. Municipal League
Rep. Davis	Bob Dozier
Rep. Ostrosky	Alan Latham, Legislative Affairs
Rep. Rudd	Barbara Englert Thomas, Staff
Rep. Hackney	Vicci Hansen, Staff
Rep. Freeman	

Rep. Davis explained the problem of getting safe water in the villages.

Rep. Ostrosky stated that on line 21 of HB 860 the word "bathing" should be included instead of "shower/bath".

Alan Latham testified that basically this is a clean up on the inconsistency on the testimony on the Village Safe Water Act. There was a question if it was a central facility or if it could be dispersed; if it should provide a one time service, individually or serially. There was also a question as to how much input the villages had in introducing the services. What this bill did was to take the concerns of the users and the concerns of the Department and tried to come up with an agreeable bill.

There was some changes in the language of the bill.

Ostrosky made a motion to amend the wording on Line 21.

Ose made a motion to move the bill out.

Next there was discussion on HB 261.

Bob Dozier explained that HB 261 is an attempt to put the exemption of residential property as an option back into the statutes. Each individual municipality should have the option to exempt residential property if they so desire. He briefly explained HB 261. He also explained that this bill would give 3 municipalities located near the pipeline an additional grant of state money in addition to the normal revenue sharing grant.

The committee discussed this.

Cotten stated that the committee couldn't act on this bill until they had information as to the effects on Valdez. He said that he felt that

the committee needed stronger information to work with.

The meeting was adjourned at 10:00 am

HB-883

COMMITTEE REPORT

HOUSE

3/29/76

FINANCE

Mr. Speaker:

Date 4-13-76

The Committee on COMMUNITY AND REGIONAL AFFAIRS has had RB 883

under consideration. A Majority of the members of the Committee

() recommends it DO PASS

() recommends it DO NOT PASS

() recommends it DO PASS WITH ATTACHED AMENDMENT(S)

() recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS

() "and" recommends it BE REFERRED TO THE _____
COMMITTEE

() reports it back WITHOUT RECOMMENDATION

() "other"

Members signing the Majority report:

Members NOT concurring in the Majority report:

_____ recommends:
_____ recommends:
_____ recommends:
_____ recommends:
_____ recommends:

Chairman

AMENDMENT

OFFERED IN THE HOUSE:

BY: House Committee & Raymond Allen Smith

TO: CS HOUSE BILL No. 853

SENATE BILL No. _____

PAGE: 2

LINE: 24

DELETE: "another"

INSERT: add "with reference" ; "and"

Between "with reference" and "and" ; "and"

THIS BILL [] RESOLUTION

has been prepared by the staff of the Legislative Affairs Agency in response to the request and at the direction of the sponsoring member or committee. The staff has attempted to place the document in proper legal and clerical form, subject to any special limitations or instructions of the requestor.

Any staff questions or comments as to legality, constitutionality, and form have been included in the memorandum addressed to the requestor and kept in the work file. If we may be of further assistance in this matter, please contact the Director of Legal Services or the Director of Research Services, as appropriate.

Delivered to requestor

4/13/76

Amenel

p 1 - line 15 - DEBETE [5-10; 1-5; 0-1]

ADD 2500 - 5000; 500 - 2500; 0 - 500.

April 7, 1976

Honorable Terry Gardiner, Chairman
House Judiciary Committee
Pouch V
Juneau, Alaska 99811

Dear Mr. Chairman:

I received, at 5:00 p.m. today, the most recent copy of CSSSBB 823 (Judiciary). I appreciate you making the effort in getting a copy of this to me as soon as it was put together. My review of the bill has shown that you have incorporated many of the amendments that were discussed with members of your committee, the sponsor, Mr. Ken Humphries, members of the credit union industry, members of my department and myself. It might interest you to note that in the case of the latter, that is, members of my department and myself, we have, to date, expended 147 hours of time to this bill. I do note that some of the suggestions that we had were not incorporated in this version, however, in the aggregate I would say that your efforts and those of the Commerce Committee before you have resulted in a very viable State Credit Union bill, with one serious exception.

This exception, of course, is the root question of the involvement of credit unions in real estate mortgages in excess of 10 years. I will not belabor the point; I think my position has been clear from the beginning in both the Commerce Committee and in your committee. Let me just summarize my feelings on the matter:

- A. It is, I understand, the intent of the sponsors to provide another vehicle for home mortgage monies in the State. I think that nowhere in all the testimony that has been given on this bill has anybody shown that there is a lack of mortgage money available to the people of this State. Therefore, I submit to you that, if this is the basic intent, it is a solution for a non-problem.
- B. The structure of the financial institutions of this State, indeed nationwide, provides for different types of institutions to engage in different types of financial services required by the public. These different types of institutions are, by necessity, structured differently. Their patterns of

April 7, 1976

deposits and loans follow these guidelines. Credit unions have historically been entities in which a few people can ban together, deposit their money, receive a relatively high rate of interest on their savings, and borrow for personal and "consumer" types of items. By necessity, they have borrowed "short" and lent "short." Real estate mortgages are long-term mortgages. The pattern of investments and deposits of credit unions does not lend itself to covering these long-term debts through short-term deposits.

- C. As administrator of the State banking system, it is my feeling that having a non-problem, and attempting to project a new untried dimension that appears to go against the basic principles of the relationship between deposits and loans, is unhealthy and could be dangerous.

With that one serious exception, I think you have created a financial entity that would afford better services to the public throughout the State of Alaska, and if such powers to make real estate mortgages in excess of 10 years were removed from the bill, I could support it wholeheartedly. Without the removal of that portion, I feel compelled to advise the Governor that such a provision, addressing a problem that has neither been proven nor quantified, and potentially could be dangerous to the depositors of the financial institutions of the State, should merit his serious consideration for veto. I am truly hopeful that you will be able to amend the bill accordingly and allow this vital structure to perform the services for which it was intended.

Sincerely yours,

Langhorne A. Motley
Commissioner

cc: Governor Hammond
Judiciary Committee

HOUSE COMMUNITY & REGIONAL AFFAIRS

April 8, 1976

The meeting was called to order at 9:25 am by Chairman Cotten for discussion of HB 883. Present were:

Rep. Cotten	Don Berry, Alaska Municipal League
Rep. Davis	Pat Denney, Catholic Community Services
Rep. Ose	Cordon Landes, H&SS
Rep. Hershberger	Erik Lee, C&RA
Rep. Ostrosky	Joe Guthrie, Legislative Affairs
Rep. Kelley	Norm Ostling, Social Security Admin.
	Vern Perry, Planners Benefits Division
	Barbara Englert Thomas, Staff
	Vicci Hansen, Staff

0002 Rep. Cotten brought attention to the 4th CS for HB 883. Erik Lee was the first to testify. He stated that they went back after the earlier discussions and met with Rep. Davis, H&SS people, Legislative Affairs - to try to get what they have a pretty good idea of what the concept of the bill was and come up with a little better method of administering it to eliminate some of the problems of what might have been potential anyway with the original language in regards to some of the other payments which he feels some of the people from H&SS would like to testify on later. The other thing was to try to narrow down the fiscal note which they did to get a little bit more accurate. They feel more comfortable with these figures. He explained the program.

0358 There were questions from the committee and discussion.

0401 Pat Denney from the Catholic Community services testified on the bill and said that she felt that Juneau should be involved in the residential care of the seniors.

0538 Rep Ose said that he is afraid of everyone wanting to get on this and he feels that the quickest way to kill the bill is to get a bunch of cities tacked onto this. He wants the bill to ride through like it is now and get this started.

It was decided that there would have to be a separate bill for appropriation and they would both have to go to Finance. The committee had further discussion on this.

0756 Meeting adjourned.

HOUSE COMMUNITY & REGIONAL AFFAIRS COMMITTEE

April 12, 1976

Chairman Cotten called the meeting to order at 9:00 am for discussion of CSHB 883 and HB 906. Present were:

Rep. Cotten	Harvey Pitts, DC&RA
Rep. Davis	Erik Lee, DC&RA
Rep. Freeman	Joe Guthrie, Legislative Affairs
Rep. Hackney	Barbara Englert Thomas, Staff
Rep. Ostrosky	Vicci Hansen, Staff
Rep. Ose	

Eric Lee discussed the provision in the bill for a caretaker in the cottage for every five persons in residence. Most villages have only one health aide therefore the language in the bill should be changed: Page 2 Line 12 which reads "shall" be changed to "may", this would allow flexibility where needed. Ose moved for an amendment as such.

Eric Lee suggested another language change on Page 2 Line 17: add "that houses persons" between "home" and "receiving" since the state is paying a subsidy to people rather than a facility.

Chairman Cotten asked if the subsidy would be paid by HESS. Mr. Lee stated the subsidy would be paid by C & R A. If it is a cottage home that is housing people that are eligible under this chapter then it defines preference will be given to people receiving assistance under those other programs in HESS. Chairman Cotten asked about the non-contiguous to another institution language. Mr. Lee stated if it is part and parcel of a hospital or a nursing home there may be a question: is it institutionalized care? If it is institutionalized care it would create a problem with the federal government and their assistance payments. Chairman Cotten asked how the subsidy payments are made. Mr. Lee explained the appropriation would be the limiting factor.

Rep. Hackney asked how they came up with the figure \$212,500 for the cost of building such a cottage. Mr. Lee explained they used current building costs in the Bering Straits Region they arrived at a figure based upon a 4 - 5 bedroom unit in Nome, 2 units in a community the size of Unalakleet and one in a smaller village. They then broke down what the cost would be to advertize the building costs and fixed the rent and then a subsidy based upon an 80% figure as the state portion. Rent figure was figured by taking the building, maintenance, administration costs total for an annual cost per unit, then divided it into a monthly rental per unit. Chairman Cotten stated a pilot project will let us see how the whole thing works and at a later point it could be expanded to include other areas of the state. Total bill for the whole state would be \$50 million. Harvey Pitts explained this was the figure for nine communities throughout the state. \$50 million would be amortized over a 20 year period. Mr Lee stated the people receiving the subsidy would be eligible to receive up to 100% of their rent. The money would be from the General Fund. Bering Straits Regional Corp. would construct the facility and this bill would subsidize the rent with no guarentee that this program would continue for more than one year. No profit margin allowed, just recovery cost.

April 12, 1976

Cotten stated anyone with a building meeting the regulations would be set up for this program. Ose mentioned the facility in Palmer where the state is paying to house old folks in an 18 bed facility, run by the Salvation Army. Hackney expressed concern that no limit is put on the amount spent on the facility in the first place. The department will pick up the tab that is over and above what that person can pay. No upper limit on the construction cost is set. Rep. Davis stated that can be taken care of by the rules and regulations of the department.

Palmer Subsidy Program

Old age assistance used to be under the State, now Federal SSI has taken over most of the function, though their maximum payment is \$177.70/mo.

The State now has a supplemental assistance program that will bring the assistance payment up to \$235 or \$300, depending on such things as if the recipient lives alone & pays rent.

Although the payments are based on the recipient's need in certain areas (food, shelter, etc.) the use of the payments is non restricted, i.e. the State cannot dictate that the person will spend 1/4 check on food, 1/3 on rent, etc.

Apparently, what was happening in the Palmer situation was that the State was taking a certain amount out of the assistance checks and sending it directly to the home, not to the person, which was illegal.

Nobody now claims any knowledge of how that happened, or even what happened, of course.



P. 2 - line 24

delete [another]

add an

after inst add "and"

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. HB 883
 Title: Group "Cottage" Homes
 Requested by: House CRA Date: 4/1/76
 Return Date Requested: 4/8/76
 Agency: Comm. & Regional Affairs Program: Community Services

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Community Services 21-22-3-09-00-00

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES		43.4	47.7	UNK	UNK	UNK
200 TRAVEL		20.0	10.0	UNK	UNK	UNK
300 CONTRACTUAL		11.9	13.1	UNK	UNK	UNK
400 COMMODITIES		0.4	0.5	UNK	UNK	UNK
500 EQUIPMENT		2.4	0.5	UNK	UNK	UNK
600 LAND & STRUCTURES		-0-	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC.		134.4	141.4	UNK	UNK	UNK
TOTAL		212.5	213.2	UNK	UNK	UNK

B. FUNDING: (Thousands of dollars)

GENERAL FUND	212.5	213.2	UNK	UNK	UNK
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-
OTHER	-0-	-0-	-0-	-0-	-0-

C. POSITIONS:

PERMANENT/TEMPORARY	/	2 /	2 /	UNK	UNK	UNK
MAN MONTHS (P./T.)	/	24 /	24 /	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

A. Assumptions:

1. This will be a pilot program for two years to study feasibility of providing service on a state-wide basis.
2. During the pilot program facilities will be provided in three locations: 1) Nome - 4 units; 2) Unalakleet - 2 units; 3) Shishmaref 1 unit.
3. Each unit will be designed to accomodate 5 single persons or couples.
4. Each unit will consist of 5 individual bedrooms and other areas as follows: two bathrooms, central kitchen, central dining area, central living-recreation area, utility & storage room. Total area per unit to be approximately 1300 sq. ft.

(continued)

IV. ATTACHMENTS

V. DATE: 4/7/76 PREPARED BY: Eric Lee

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

A. (continued)

5. Construction cost is computed at \$76.00 per sq. ft. based on data from: a) HUD costs for similar project in the Northwest. b) ASHA c) Division of Buildings d) costs for a similar current project in Barrow e) cost estimates by Regional Housing Authority
6. Administration and maintenance costs by building lessor are estimated at 10% of construction cost
7. Interest is computed at 8% compounded over 20 years
8. Utilities are estimated at \$100 per month per person.
9. State share of rent will average 80% of total costs to be recovered.

B. Program Summary

The pilot program will be operated in three locations to study feasibility of an ongoing statewide program to subsidize housing for qualified participants. Funding will consist of general funds only. Program administration costs are detailed as follows:

1. Positions:		
a) Program Coordinator @ range 19		\$24,408
b) Clerk Typist III @ range 8		11,484
		<u>\$35,892</u>
	benefits @ 21%	7,538
		<u>\$43,430</u>
2. Travel:		
a) Hearings on regulations		\$10,000
b) Site planning, preparation, coordination & monitoring		10,000
		<u>\$20,000</u>
3. Contractual:		
a) Telephone		\$ 4,000
b) postage		300
c) printing of regulations		1,000
d) advertising		500
e) office space 350 sq. ft. @ .85		3,570
f) duplication services		500
g) transportation of new employee		2,000
		<u>\$11,890</u>
4. Commodities:		
a) office supplies and reference materials		\$ 400
5. Equipment:		
a) two desks		\$ 635
b) two chairs		245
c) file cabinet		205
d) bookcase		75
e) calculator		440
f) typewriter		800
		<u>\$ 2,400</u>
6. Grants, Claims, etc. for subsidy payments to recipients		<u>\$134,400</u>
	Total	<u>\$212,500</u>

Note: Second year funding is based on a 10% inflation cost.

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTL
 Second Session - Ninth Legislature

I. REQUEST

Bill No. HB 883
 Title: Group "Cottage" Homes
 Requested by: House CRA Date: 4/1/76
 Return Date Requested: 4/8/76
 Agency: Comm. & Regional Affairs Program: Community Services

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Community Services 21-22-3-09-00-00

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES		43.4	47.7	UNK	UNK	UNK
200 TRAVEL		20.0	10.0	UNK	UNK	UNK
300 CONTRACTUAL		11.9	13.1	UNK	UNK	UNK
400 COMMODITIES		0.4	0.5	UNK	UNK	UNK
500 EQUIPMENT		2.4	0.5	UNK	UNK	UNK
600 LAND & STRUCTURES		-0-	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC.		134.4	141.4	UNK	UNK	UNK
TOTAL		212.5	213.2	UNK	UNK	UNK

B. FUNDING: (Thousands of dollars)

GENERAL FUND		212.5	213.2	UNK	UNK	UNK
FEDERAL FUNDS		-0-	-0-	-0-	-0-	-0-
OTHER		-0-	-0-	-0-	-0-	-0-

C. POSITIONS:

PERMANENT/TEMPORARY	/	2/	2/	UNK	UNK	UNK
MAN MONTHS (P./T.)	/	24/	24/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

A. Assumptions:

1. This will be a pilot program for two years to study feasibility of providing service on a state-wide basis.
2. During the pilot program facilities will be provided in three locations: 1) Nome - 4 units; 2) Unalakleet - 2 units; 3) Shishmaref 1 unit.
3. Each unit will be designed to accomodate 5 single persons or couples.
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(continued)

IV. ATTACHMENTS

V. DATE: 4/7/76 PREPARED BY: Eric Lee *EL*

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

