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STATE  
of ALASKA

# MEMORANDUM

TO:  Recipients of Fiscal Note for  
SB 220/HB 342

DATE : April 11, 1977

FROM: Murray R. Walsh  
Deputy Coordinator  
Alaska Coastal Management Program  
Office of the Governor

SUBJECT: Additions to Fiscal Note

We were asked to define some of the budgetary terms used in the Fiscal Note for SB 220/HB 342, and I have added pages 5 and 6 to do that. Attached is a complete copy of the expanded note.

There may yet be other questions or uncertainties about this note and we will be happy to answer any inquiries or supplement the note even further.



THE LEGISLATURE OF THE STATE OF ALASKA  
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 220 / HB 342

Title "An Act relating to the management of coastal resources of the state"

Requested by The Senate Rules Committee by request Date 3/7/77

of the joint Administration-Legislative  
Committee on coastal management

II. FISCAL DETAIL

Agency Affected Office of the Governor (DPDP) and Dept. of Comm. & Reg. Affa

Program Category Affected Coastal Zone Management

Budget Request Unit(s) Affected 01-47-6-02-00-00

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
200 TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
300 CONTRACTUAL	-0-	-0-	1,000.0	1,000.0	1,000.0	1,000.0
400 COMMODITIES	-0-	-0-	-0-	-0-	-0-	-0-
500 EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC.	-0-	-0-	-0-	-0-	-0-	-0-

TOTAL

FUNDING (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	1,000.0	1,000.0	1,000.0	1,000.0
OTHER (Specify)						

POSITIONS

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
FULL TIME	4	4	4	4	4	4
PART TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY						

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

A. Assumptions.

1. Passage of the bill will make federal approval under section 306 of the Coastal Zone Management Act of 1972, and award of additional funding under that section, possible; and this should occur in June of 1978.
2. No increase in state cash appropriations will be needed to match the incoming federal grants. The larger federal grants can be matched with local participation and state agency in-kind services.
3. Only four new positions in state government (3 in CRA, 1 in DPDP) should be needed to implement the bill. Almost all of the bill's provisions can be met with the existing personnel now in place in various state agencies as a result of the existing Alaska Coastal Management Program (ACMP). The new positions will be needed because of the substantial new role of local governments and the needs of the new council.

IV. DATE 3/23/77

PREPARED BY Murray R. Walsh

AGENCY DPDP, Governor's Office

Original: Legislative Finance

PHONE 465-4973

cc: Budget and Management

Prime Sponsor (First Legislator Named)

### III. Analysis, Continued

#### B. Program Summary.

The purpose of a fiscal note is usually to show what increases in state staff or expenditures can be expected as a result of legislation. In this case, SB 220/HB 342 would become the centerpiece of an existing program which began in the summer of 1974. The program, which is called the Alaska Coastal Management Program (ACMP) just as in the bill, has changed in many respects since it began, but the overall goal of wise use and protection of the coastal resources has never changed nor has the programmatic goal of federal approval under section 306 of the Coastal Zone Management Act of 1972 changed.

Analysis by the ACMP staff in the Office of the Governor, the Dept. of Law, and the federal Office of Coastal Zone Management shows that the proposed bill should make it possible for ACMP to be federally approved with little difficulty if the bill is enthusiastically administered. This approval would permit larger federal CZM grants to be made to the state. So, while the face sheet of this note is filled out according to the instructions for fiscal notes, we provide a more thorough look at the ACMP budget on the following charts. Grant application and BRU data, as well as ACMP staff experience and expectation have been melded to form general budget charts for fiscal years 1977, 78, and 79. The figures are reliable insofar as general allocations and magnitude; but they are not exact since there are many unknowns. The figures for FY 77 are also rough since they are drawn from two separate grant applications and a possible supplemental application.

The first chart might be thought of as the "pre-bill situation." Since FY 77 will end just after passage of the bill, there will be little of the bill reflected in the FY 77 chart. This is not awkward, since many of the bill's provisions were anticipated. The major difference from FY 77 to FY 78 and beyond will be the amount of local government involvement, which was only voluntary, and rather novel at the start of FY 77.

The second chart, for FY 78, is a projection of program development expenditures as the implementation of the bill begins. There is much to do: Local governments must be provided with enough funds to get their programs underway, and the Council will have quite a job in getting organized and establishing its guidelines and procedures. Additionally, the ACMP office will be pursuing approval of the program by the end of the fiscal year, and this will involve substantial time and money.

The third chart can be thought of as the first year of "regular" program administration. By this time the larger Sec. 306 grants will be available and local programs should be well underway. Also, some local governments may be done with developing their programs, and thus be eligible for administration grants with which to maintain their programs. This last topic

is not addressed in the proposed legislation, but making grants of CZM 306 funds for regular municipal and borough administration of local coastal programs is certainly permitted and encouraged in the national CZM program.

The first and second charts will be largely unchanged whether or not SB 220/HB 342 passes or not, except that the funds for local grants in the second (FY 78) chart might be less because the local demand would probably not be as high without the existence of a bill like SB 220/HB 342.

The third chart (FY 79) may not be valid at all if the bill does not pass because there is considerable uncertainty over whether ACMP could be federally approved without the help of SB 220/HB 342, or something similar.

Chart One-Fiscal Year 77.

Approximate ACMP Receipts:\*

Federal:	\$1,200,000
State Cash Appropriation:	250,000
TOTAL	<u>\$1,450,000</u>

Approximate ACMP Expenditures:

ACMP Office Use...	
Public Participation	\$ 200,000
Program Elements	100,000
Grant and Contract Adm.	50,000
Grants to Local Gov'ts	350,000
Assistance to Local Gov't	225,000
State Agency Projects	525,000
TOTAL	<u>\$1,450,000</u>

Chart Two-Fiscal Year 78

Approximate ACMP Receipts:\*

Federal:	\$1,200,000
State Appropriation:	250,000
TOTAL	<u>\$1,450,000</u>

Approximate ACMP Expenditures:

ACMP Office Use...	
Public Participation	\$ 225,000
Program Elements	75,000
Grant and Contract Adm.	50,000
Grants to Local Gov'ts	625,000
Assistance to Local Gov't	75,000
State Agency Projects	400,000
TOTAL	<u>\$1,450,000</u>

Chart Three-Fiscal Year 79 (If approval under Sec. 306 of the Coastal Zone Management Act has been achieved, and the federal funding is thereby available.)

Approximate ACMP Receipts:\*

Federal:	\$2,000,000
State Appropriation:	250,000
TOTAL	<u>\$2,250,000</u>

Approximate ACMP Expenditures:

ACMP Office Use:	
Public Participation:	\$200,000
Program Elements:	75,000
Grant and Contract Adm:	75,000
Program Development Grants	
to local government:	700,000
Program Administration	
Grants to local gov't:	600,000
Assistance to Local gov't:	100,000
State Agency Projects:	500,000
TOTAL	<u>\$2,250,000</u>

\* The receipts shown here are those monies under ACMP Office control only. The federal grants do require state matching shares, of which the annual ACMP appropriation is a part. The rest of the match is made up from local and state agency in-kind contributions to the program. Grants to local governments usually require that the local government contribute some value to its own program in cash or in kind, and this contribution is used as part of the overall match for the federal funds. The match ratio now is 4 federal dollars for every 1 state dollar. The state ususally has no trouble finding enough matching share, and this is why we do not expect to ask for any larger annual appropriation than \$250,000 per year.

C. Personnel.

SB 220/HB 342 will cause a dramatic increase in local involvement in ACMP. Thus, we see the need of at least three mid-range planners in addition to the existing CRA staff to handle the increased demand for grants and services. All other aspects of SB 220/HB 342 have been forseen except the Alaska Coastal Policy Council, and the ACMP office will need a para-professional administrator to attend to the needs of the Council. All these people can easily be paid from the present program revenue.

D. Budgetary Terms Defined

The terms used in the three budget charts for the Program Summary in (B) above may not be familiar to everyone, so descriptions are provided below for better understanding of the Alaska Coastal Management Program activities and expenditures.

"ACMP Office Use" means the funds expended directly from the Alaska Coastal Management Program Office within the Division of Policy Development and Planning in the Office of the Governor. The other funds are spent by other state agencies or passed through to local governments. The ACMP Office applies for the entire amount and arranges contracts with the other state agencies. The next three terms are more specific activities undertaken by the ACMP staff.

"Public Participation" There are basically two objectives of public participation: The first and current effort is to learn as much as possible from the public about Alaskan coastal affairs, and in return to acquaint the public as much as possible with the nature of ACMP. The second objective, which will begin soon, is to enable thorough public review, understanding, and comment on the policies and other more specific details about the program, which have only now begun to solidify. Both objectives are pursued with a community workshop series, a monthly newsletter, a group of special interest representatives, an array of slide programs, brochures, films, etc, and by staff visits to communities and group meetings. There are presently two staff people working on public participation, with help from others. Much of the work is done by contractors. People from other state agencies assist as well.

"Program Elements" This refers to a series of tasks whose purpose is to lead to approval of ACMP under Section 306 of the federal Coastal Zone Management Act. Many of the duties that the Council would perform with passage of SB 220/HB 342 are complemented by ongoing program elements, which include assembling a unified policy base, defining land and water uses of state concern, listing and defining special areas in the coast which need extra attention in management, coordinating the array of state authorities, organizing the array of state procedures for better management, coordinating and consulting with federal agencies, and eventually producing a program document which unifies and describes all these elements. This work is done by two and a half staff people with some contracted assistance.

"Grant and Contract Administration" This is the task of applying for and managing the large sums of money that flow into the program. Grant applications require forecasting the often uncertain program needs over a year or more in the future, and balancing the many demands for the use of the funds. Then, a number of contracts with agencies and consultants must be consummated, coordinated, kept track of, reported on, and eventually audited. One and one-half staff people do this work. The grants are audited every year.

"Grants to Local Governments" The ACMP Office contracts with the Dept. of Community and Regional Affairs to provide funds for local planning efforts. Some of this activity is specifically related to planning for OCS development impacts on the communities, and the rest is for general coastal management planning. If the bill passes, this same mechanism would be used to support the local planning effort called for in the bill. A matching share is usually required of the local governments in return for grants, but this is only 20% of the value of the project and can be in-kind services as well as cash. When the ACMP is approved under section 306, we will be able to provide funds for administration of local programs as well as for the planning.

"Assistance to Local Governments" In addition to the direct grants, CRA assists local governments by providing individual and general staff and consultant assistance. Often, a local government will need help for a project, but the size of the project does not warrant hiring a local planner. The job may only take three months. In cases like this, CRA will provide professional staff assistance to the local government. In other cases, several local governments may be faced with the same kind of problem, and help can be provided to all with a CRA staff project or a consultant project. The product or report is then given to the local governments which need it. Whatever the situation, this form of assistance is basically just support to local planning by means other than direct grants. A final example is a project by two or local governments want to work together on a project, and CRA can relieve both of paperwork difficulties if a contractor is to be used.

"State Agency Projects" These are tasks undertaken by state agencies at the request of ACMP or at the agency's own initiative. In the former case, ACMP needed information on the biophysical relationship of the marine waters to the specific uplands of Alaska. The Dept. of Fish and Game was contracted for this work. The result will assure adequate program coverage of the important processes of nature. In other cases, an agency may look ahead to its duties related to ACMP and ask for funds to conduct a study or inventory. In all cases, the ACMP Office assures that the project will be of value to ACMP and in most cases, also of value to local governments.

"Program Development Grants to Local Government" and "Program Administration Grants to local government" are both terms that are subsumed under "Grants to Local Government."

# Coastal Management in Alaska: Reality or Rhetoric

Glenn Akins

There is a line from an old country song that goes, "If you can't hunt, don't howl; if you can't bite, don't growl." The same thought is expressed, perhaps better, on a hand-lettered sign in a Western Montana saloon. It reads, "Talk's cheap, but it takes a dollar to buy whiskey."

In the past two years, there has been a great deal of talk about coastal management here in Alaska. In some other states the discussions have extended over several years. The question before us all now is, "What has happened as a result of all the hearings, planning, and legislative battles?" In Alaska, or elsewhere, is coastal management for real, does it mean something? Is it all talk, or does it have "bite"?

This question was uppermost in the minds of representatives of the western states' coastal management programs who met in Juneau in August to ask each other, nervously, "Is coastal management taken seriously in your state?"

The consensus was that coastal management is working. Basically the intent of the original legislation is to reduce overlaps and conflict between the numerous state, local, and federal agencies responsible for coastal resources. The Coastal Zone Management Act assigned the role of developing an overall plan to the states, but provided for delegation of planning and enforcement to local governments, if the state so wished. Although the Act emphasizes striking a balance between conservation and development, its real purpose is to recognize that the coast is a "special place." Where land and water meet, there are special opportunities for economic development and special needs for environmental protection.

Using the federal program as a tool, some states have made remarkable progress in preserving and developing, in a more orderly fashion, their coastal areas. In Washington State the coastal program is being applied to tanker movement in Puget Sound, control of the entry of ocean vessels into residential Lake Washington, and consolidation of refinery development on the Olympic Peninsula. The Washington program resulted from state legislation. It has been actively supported by Governor Evans, and in June, 1976, became the first program to be approved by the U.S. Secretary of Commerce.

In Oregon, the state's plan is complete and is being reviewed by coastal citizens. Federal approval is expected soon. The program includes a detailed system for developing and preserving the state's 16 coastal estuaries. The South Slough of Coos Bay has been designated an Estuarine Sanctuary at the urging of many who live in the vicinity. State and federal funds have been used to buy the area's watershed.

In California over a million people voted to establish the state's coastal program in 1972. In August of 1976, the Legislature (with Governor Brown's support) voted to retain and implement the program. The California Coastal Plan will be carried out primarily by local governments.

California, Washington and Oregon have demonstrated "bite" in their coastal programs. And that has resulted most directly from cooperation between state and local governments. Hawaii and Alaska are still attempting to come up with a process acceptable to the wide variety of economic, cultural, and political groups which dominate the states' political lives. One thing is certain. The programs developed in Alaska and Hawaii will have to be broad in the issues addressed, and specific regarding the controls to be applied. Only then can the threat be removed from the promise.

## The Alaskan Proposal

Alaskans are debating issues of major national and international significance. Offshore oil development, the national interest (d) (2) lands, surface mining, extended fisheries

jurisdiction, Native land selections, coastal easements, and tanker traffic are just a few of the concerns before Alaska's citizens, the Governor, the Legislature, and Congress.

Is there an approach, a method, by which we could use the tool of coastal management to help resolve these issues without creating a host of new problems?

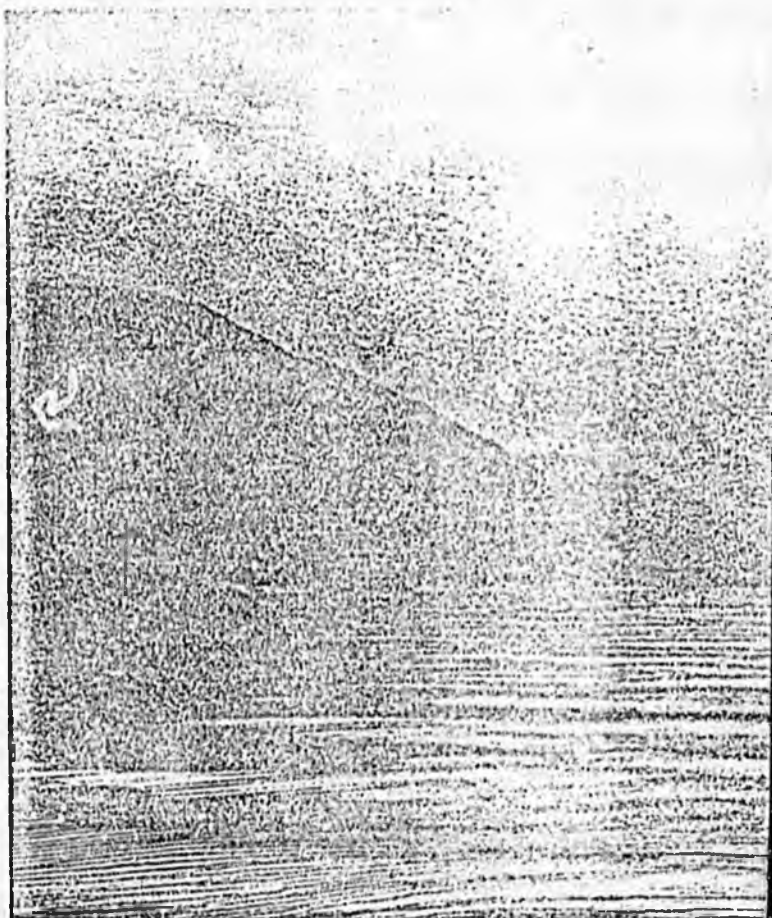
The answer is, clearly, yes. The period of preparation has been difficult. Misunderstandings have been created and not yet resolved. But those potentially affected by the federal offshore lease schedule, those requiring some predictability for making investments in coastal resource development are demanding action.

Action has not been forthcoming over the past two years. Three major coastal management bills have died in Committee. However, last session some progress was made. House Concurrent Resolution 123 passed, establishing a committee of four legislators and four representatives of the Administration. The Resolution came from the House Resources Committee and staff, and recommendations from ACS lobbyist Sharron Lobaugh. Final language was set in the Senate Resources Committee by Senator Katherine Poland and Commissioner Guy Martin.

The Administration looks to this joint committee to help frame new coastal legislation. Under the approach formulated by the cabinet-level Coastal Management Policy Committee the State hopes for a legislative proposal which would explain the following:

### 1) The Role of the State

The proposal would define those instances (such as the siting of a port or LNG plant) which would require some



direct action by the State, or response by a State agency. Attached would be a list of existing state laws and regulations which make up "coastal management". It would be possible to determine then that the siting of energy facilities was "in" the coastal program, and that limited entry, for example, was "out".

## 2) The Role of Local Governments

The shoreline is a "special place" in a political sense as well as an environmental one. While coastal and offshore waters fall under state and federal jurisdiction, the shoreline and uplands are primarily the concern of local governments and private landowners.

In recent years much has been made of the growing role of the State in land and water use management. But it is clear that most impacts of OCS development, forest practices, or similar decisions affect people in their immediate environment, their villages, cities, and boroughs. It is these localities which must be the focal point of management.

If a decision is truly "statewide" such as seeking alteration of the federal OCS lease schedule, then it is properly a State matter. If a decision affects several communities, it is "regional" and therefore a State or perhaps better a borough matter. If it affects only a village, then it is a concern only of that village, unless outside help is requested.

## 3) The Role of the Public

A legislative proposal should make clear that public participation is a requirement, not an option, for all decisions which involve impacts on local communities and use of public resources. Local governments conducting planning or coastal management efforts should be required to provide opportunities for public recommendations early in the program, not just in hearings at its end.

Environmental organizations and interest groups concerned with jobs and economic development have a special role. These groups should demand an accounting or estimate

of environmental and economic consequences of policies, decisions, and proposals being set out at the State or local level. These groups should take the lead in examining how State programs are allocating funding and demand that a certain amount be provided for public review and input.

## 4) Procedures

At present, there is no complete or approved coastal plan, or program in Alaska. The State is currently attempting to develop one. Most of the detailed coastal planning is being prepared by state agencies such as the Department of Community and Regional Affairs and the Department of Fish and Game. Coordination of these efforts is the responsibility of the Coastal Management Policy Committee, chaired by Dr. Robert LeResche, Director of the Governor's Division of Policy Development and Planning (DPDP) and served by a small staff in DPDP.

Any legislative proposal for Alaska should provide for designation of a permanent lead agency and spell out how that agency will deal with local governments, federal agencies, and the resolution of disputes and appeals.

Alaska will submit a coastal management program for federal approval sometime in late 1977 or early 1978. The option for introducing legislation this upcoming legislative session or the next still remains open.

## Where Do We Go From Here?

In the other Pacific Coast States, coastal management programs owe their existence to public support. In the end the programs serve those who captured them and made sure their interests were provided for. It surely will be no different in Alaska. A management program can serve equally well the public, the bureaucracy, special interests, or no one. Demanding a role, formal or otherwise, is the right, even the responsibility of any public or private group interested in coastal management.

The environmental impetus behind coastal management is not quite what it once was. The original federal legislation was triggered by the deterioration of the nation's estuarine waters. But the bill was modified before passage to a broader application, anticipating federal land use legislation. The 1976 Amendments further broaden the Act and introduce the administration of the \$1.2 billion Coastal Energy Impact Fund. The old image of a state zoning plan of the coast, with precise and definite restrictions on wetlands and estuarine waters, with new controls for shorelines, has grown somewhat obsolete.

At the state level, the environmentalist perspective will be necessary to assure that management policies are developed which provide full consideration of public costs and benefits in major siting and development decisions.

But it is at the community and borough levels that major coastwide contributions can be made. Alaska is at a critical point in the formation of local management programs. An open-minded understanding and purposeful involvement of the environmental community in establishing local plans and ordinances is perhaps one of the most encouraging possibilities for sound management of Alaska's coastal resources in the future.

Providing accountability for management decisions is surely the principal benefit of a State coastal management program. In the coming months all Alaskans concerned about coastal resources should take a moment to assess the costs and benefits of supporting the State's coastal management effort. Much is available from the program, but the benefits will not be realized unless citizens and influential interest groups demand an accounting of those opportunities that are being seized and those that are being lost.

Glenn Akins, a member of ACS, is the Coordinator of the Alaska Coastal Management Program.

NEIL JOHANNSEN

*from "Alaska Currently"  
publication of the Coastal  
Management Program*

RECENT PROGRESS IN THE COASTAL PROGRAM

*March 1977*

Since the last issue of the Alaska Currently, the Alaska Coastal Management Program has secured a third program development grant, and is now well underway with the tasks set out in the third year grant application. Some of these are:

- 1) Policy Development. This task is an effort to unite and aggregate the existing State policies on a variety of coastal issues, and, if necessary, to come up with new policy on issues where it is needed. The first step of aggregating State policy has been taken by Alaska Coastal Management Program staff and the result of the effort is now being examined and expanded by several State agencies. A draft set of policies will be available for public inspection at the end of April. After April, the results of public review and the public participation project will be added to the draft policies and a new draft will be circulated.
- 2) Public Participation. Aside from starting up publication of this newsletter, the public participation effort is undertaking two other projects. These are reviewed in the article in this issue entitled "Public Participation in Coastal Management."
- 3) Other Program Projects. Other program projects such as coastal zone boundary determination, wildlife inventory, land management system development, and identification of authorities are all proceeding on schedule. By the end of April, we expect to have a rough draft document that summarizes all of the current and past work projects and which unites them into a program framework.
- 4) Local Government. On the local government side, about a dozen local governments are close to completing grant arrangements and will be starting various coastal projects of their own in the near future. For fiscal 1977, grants will be awarded to the Municipality of Anchorage, City and Borough of Juneau, Kenai Peninsula Borough, Ketchikan Gateway Borough, North Slope Borough and the City of Unalaska. These grants will probably be extended into fiscal 1978. Others that have expressed interest in possibly undertaking a program are the City and Borough of Sitka, and the Cities of Dillingham, Kotzebue, Nome, Skagway and Wrangell. For more information on this, contact Mark Stephens or Paul Carr, Department of Community and Regional Affairs, Juneau.

Please contact Glenn Akins or Murray Walsh of the Alaska Coastal Management Program if you are curious about the details of any of these projects.

\* \* \*



COASTAL MANAGEMENT LEGISLATION

It seems likely at publication time that a coastal management bill will be introduced in the legislature this year. The bill is the result of the work of a committee established by House Concurrent Resolution 123 during the last session.

The "123" Committee was chaired by Senator Kay Poland and DNR Commissioner Guy Martin. Other committee members included Senator Clem Tillion, and Representatives Sam Cotten and Nels Andersen, Commissioners Don Harris and Lee McAnerney, and Dr. Robert LeResche of the Governor's Office.

The Committee met during the fall and developed a draft coastal zone management (CZM) bill which was mailed to coastal communities and Native groups in late November, 1976. After review by state agencies, coastal communities, federal agencies and the Legislative Council, the Committee discussed final revisions to the bill before a possible introduction by the Senate Resources Committee.

The bill has three main parts. First, boroughs and organized communities (and service areas in the unorganized borough) are required to develop local coastal management plans for review and approval by the Alaska Coastal Management Council. The Council is composed of local and state government officials appointed by the Governor. Second, state agencies must issue permits and conduct regulatory activities consistent with approved local programs. Finally, the State will use coastal management guidelines and approved local plans to assure that federal agencies respect state and local views regarding protection and development of coastal resources.

At stake is the receipt of millions of dollars in federal funds for coastal planning and management for local governments and state agencies, and eligibility for local communities to receive grants and loans to offset impacts from offshore oil development. More importantly, the coastal management bill will establish a better means for coordinating the actions of the state and federal agencies and local governments in dealing with offshore and coastal resource development.

For further information, contact Glenn Akins, ACMP, 465-3574.

\* \* \*

PUBLIC PARTICIPATION IN COASTAL MANAGEMENT

In order for coastal management to be effective, the public must be informed about resource decision-making to the maximum possible extent. As well, the public must be given every opportunity to comment on, criticize and be vocal in the decision-making process as it relates to uses of coastal resources. The rules and regulations published by the Department of Commerce pursuant to Section 305 of the Coastal Zone Management Act state that

public participation is an essential element of development and administration of a coastal zone management program. Through citizen involvement in the development program, public needs and aspirations can be reflected in use decisions for the coastal zone, and public support for the management program can be generated.

SIX

How does this involve you? Currently, the Alaska Coastal Management Program staff is working on methods to solicit public input and encourage public participation in the development of a coastal management program for the State. We have settled for the time being on three ways to interact with the public.

First of all, workshops will be held around the State between now and the early part of summer. One is scheduled for Sitka on Saturday, March 12. We would like to hold as many as five or six other regional workshops, plus other evening sessions for persons that cannot attend the regional sessions.

The workshops will allow local citizen participation, giving them an opportunity to voice concerns about local issues that state and federal agencies are involved in. Letters have been sent to 35 coastal communities, asking if they would be interested in having a workshop in their area. Representatives of the Coastal Management Program and other state agencies would be present at these meetings.

As another means of informing the public, a "contact committee" is being organized. Members of this committee will be representatives of various major Alaskan interest groups. Letters of invitation to be a part of the contact committee have been sent to the Alaska Chamber of Commerce, the Alaska Municipal League, the Alaska Federation of Natives, the Alaska Center for the Environment, the Alaska Visitor's Association, the United Fishermen of Alaska, the Alaska Oil and Gas Association, the Alaska Miner's Association, the Alaska Logger's Association and the Alaska Rural Development Council. The contact committee won't function as a formal advisory body, but will be kept informed by mailings and personal contact with ACMP staff members as to state coastal management developments, so that committee members can keep their groups informed. We are open to suggestions for additional representation on the committee.

Our third public participation method will be the revamping of the Alaska Currently, a monthly newsletter that has been put out by ACMP staff in the past. It will serve as a medium not only for us to get information on current events to you, but for getting articles, editorials, information and viewpoints to as many other persons, groups, legislators and government agencies as possible. We invite interested persons to write to

Alaska Currently  
Alaska Coastal Management Program  
Pouch AD  
Juneau, AK 99801

with comments about coastal management, so that others may share your concerns.

We here at ACMP are taking our responsibility for public participation very seriously. We hope you will help insure that our efforts are successful by attending workshops and by voicing your concerns to us, so that coastal management in Alaska will reflect your way of life.

\* \* \*

ALASKA COASTAL INFORMATION CENTER

The Alaska Coastal Management Program is trying to establish an office that would provide information on request concerning management of coastal resources.

Only a well-informed public can cope adequately with the high-pressure tactics of large oil companies, rapid community growth, and other problems brought by coastal resource developments. The ACMP has recognized the need and demand for an information services center to facilitate decision-making on coastal zone issues and conflicts. Because of its recent commitment to active public participation, the ACMP staff also wants feedback from the public in coastal communities - an educated commentary usually has more impact than uneducated rhetoric or even impassioned pleas. Presently, the Alaska Environmental Information and Data Center (AEIDC) handles public and agency inquiries for information about the State of Alaska. But AEIDC is not funded to seek out public information requests.

The Office of Coastal Zone Management (OCZM) in Washington, D.C. is currently funding the development of eight Regional Coastal Information Centers (RCIC's) for use by coastal states down south. However, no RCIC is planned for Alaska despite the fact that Alaska has over one-third of the total U.S. tidal shoreline.

Recently, however, the AEIDC has submitted a proposal for the development of an Alaska Coastal Information Center (ACIC). The ACIC would be part of the AEIDC in Anchorage, but would be primarily responsible to the Alaska Coastal Management Program staff in Juneau.

The ACMP staff feel this would be the most ideal situation possible. The ACIC would utilize the information retrieval equipment and expertise of the AEIDC, including their interdisciplinary scientific staff. Funds spent in setting up the ACIC would not be wasted, but rather would be used to supplement the job initiated by the AEIDC.

The ACIC would follow the lead of the AEIDC in publishing a comprehensive bibliography, but would concentrate on Alaska coastal zone information. It would also use the AEIDC referral file to redirect questions to experts (including "old-timers") who carry a wealth of current and historic knowledge about Alaska's coast in their heads. Bibliographies would be sent to communities for public distribution, and a monthly article in the Alaska Currently would keep users informed on new contacts, publications and other information sources available.

\* \* \*



STATE OF ALASKA  
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
☎07-465-3800

MEMORANDUM

April 11, 1977

SUBJECT: Coastal Management Bill - HB 342

TO : The Honorable Lisa Rudd  
Alaska State Representative

FROM : Elke Kallab *Ek*  
Research Analyst

You will recall that you and your Committee withheld approval last Thursday of one of the technical changes suggested by the staff (both Administrative and legislative) which occurs on page 10, line 7 of HB 342.

I am enclosing a memorandum by Jack Chenoweth to the HCR 123 Committee with attachments, dated October 6, 1976, which addresses itself to the very question of what should be the State's responsibilities in managing coastal areas and what should be left to local and/or regional governmental entities. I have marked the relevant section with red ink. I hope this material will be helpful to you in your upcoming deliberations regarding this particular change.

I would also like to mention that the earlier drafts of HB 342 did not include any reference to "regional and district" concerns. A copy of the work draft is enclosed for your information. The words were added at some later point without anyone knowing the reason for the addition.

EK:cm

Encl.

cc: Jack Chenoweth

STATE OF ALASKA  
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907 465-3800

MEMORANDUM

October 6, 1976

SUBJECT: Consideration of the Circumstances Under Which the State, Rather than a Community or Regional Government, Should Make Decisions Affecting Coastal Resources.

TO: Members of the Committee Established Under HCR 123 to Consider Coastal Zone Legislation

FROM: Jack Chenoweth, Legislative Counsel

At our September meeting, you asked that an effort be made to identify and discuss those elements of a coastal zone program which could be most beneficially handled at one or another of several levels of government. The attached is a first effort to respond to that request.

We would propose, at the outset, to differentiate between those matters wherein the state would have authority to "override" decisions taken by local government as to commitment of coastal zone resources and those which would be left in the first, if not exclusive, instance to a sub-state government unit (city, borough, or regional service area of the unorganized borough). Areas of state concern would be specifically identified in the statute; all other concerns and uses (i.e., those not identified) would be presumed to be left to the local entity.

A second enclosure examines one alternative structure for regional participation in the unorganized borough where no such structure now exists. We would not presume to determine that a particular concern would be better handled, say, at the level of a city government versus the regional (borough or regional service area) level, but suggest that these determinations could be taken care of in context between the city council or traditional council, on the one hand, and the regional entity on the other. The Kenai Peninsula Borough might defer a decision as to construction of a dock to the city or village affected; in another area, perhaps, the community might encourage recommendations or decisions concerning that same kind of facility from the regional service area board or borough planning commission.

The intent of this first working paper is to give recognition to, and describe generally, the responsibilities and roles of each level of government. One caveat should be offered: this first draft does not contemplate any dilution or diminution of the authority of the several state agencies having responsibility for the issuance of permits in favor of decisions or recommendations which may be forthcoming from any local governments concerned. In some instances, the commitment of resources by local government at the present time might warrant such substitution. But, for most of the state, local and regional governments cannot now find the resources to initiate and sustain over time substitution and enforcement of local authority over those uses, authority which is left to the several agencies. Examination and possible redirection of authority to identify and adopt standards and enforce them should be a consideration as you review this discussion.

JC:jm  
Attachments

DIVISION OF DUTIES AND FUNCTIONS:

Boroughs, first class cities of the unorganized borough, and [new] regional service areas having a land use planning and land use control function would be recognized as having principal responsibility for the initiation and administration of the elements of a planning and management program. As to the greater number of functional concerns, a municipal or regional primary interest would be recognized, with state involvement generally limited to the review of locally-adopted management plans, issuance of permits consistent with plans adopted, and the definition of guidelines or, perhaps, standards of performance. The definition of what would constitute permissible land and water uses within the coastal waters, the determination of priority of uses in particular areas, and the development and enforcement of controls on use would be, first, placed at a substate level.

The state, in recognition of certain requirements, would retain authority to override or supersede as to approval for particular use, generally identified by category in state statute. The specific delineation would preclude state override as to all other uses or functions not listed. Those functions or concerns, and the rationale for their inclusion in the category, would include:

- (1) Those uses tied to specific provisions of the state constitution, responsibility for which remains with the state:
  - the identification and preservation of critical habitat areas;
  - state-selected or state-owned lands;
  - protection or guarantee of access to navigable waters;
- (2) Those matters or uses which are of greater-than-regional impact, or which go to the development of a more viable or more balanced statewide economy:
  - provision for interregional and state transportation needs;
  - major economic development projects (industrial, petroleum, or mineral); supporting facilities and services, such as energy distribution systems;
- (3) Those matters and concerns in the state-owned three mile limit but outside the jurisdiction of a municipality or region;
- (4) Those matters and uses where federal constitutional or statutory concerns override:

Division of Duties and Functions  
(continued)

- maintenance of navigation aids;
- federally-owned lands;
- energy-facilities siting.

Except for these categories of uses or concerns, all other functions would recognize a regional or municipal primary interest. Chief among these, by way of example, would be:

- the general conservation of coastal and marine ecosystems;
- responsibility for waste disposal;
- maintenance of air and water quality;
- protection of environments in certain areas required for maintenance of traditional manners and lifestyles.

So, as to those "Uses of Direct and Significant Impact" identified by the Alaska Coastal Management Program on the attached pages, unless the particular activity contemplated could "fit" within one of the specific categories identified in statute as one of state concern, the determination of the local government (borough, first class city, or regional service area) as to whether to recognize or deny recognition of the use intended would follow from the local government's earlier determination of allowable uses, expressed in its land use plan and master program. As to those wherein a state override is recognized, no decision by the state to overturn a decision taken by a local government should be made in the absence of adherence to some review process, including provision for public hearing and judicial or legislative review.

USES OF DIRECT AND SIGNIFICANT IMPACT

Many uses and activities are conducted in Alaska's coastal area. Of these, the following are considered as having, or potentially having, a direct and significant impact on the coastal waters: (UDSI means a use or activity of direct and significant impact)

1. Any pier, dock, landfill, bulkhead, piling, jetty, groin, or other shoreline structure or defense work which serves more than two single-family houses.

*100% of the community*

*Local*

2. Any dredging, dumping, or fill activity taking place at, or below zero feet (sea level).

*100% of the state*

*Local*

3. Any commercial or industrial structure or any portion or appurtenance thereof which lies within 200 feet, (measured horizontally in all directions) of the Extreme High Tide line, or in, or over the marine waters themselves.

*Local*

*Local  
F+G  
DEC  
① - price  
② - size  
③ - community*

4. Any residential structure containing more than two dwelling units or any group of more than two single-family homes, or any plat or subdivision for more than five residential lots.

*Local*

*Local  
Marine*

5. Any plat, plan, subdivision, or program for an industrial or commercial park, complex, or other form of such development.

*Local*

*Local*

*Land is out  
for local is  
needs state*

6. Any water, sewer, gas, oil, electricity, or other type of utility or energy transport or transmission line or pipe which is in, on, or over the marine waters or part of which may fall within 200 feet of the Extreme High Tide line.

*State  
submits to  
local plan*

7. Any road, railroad, ferry dock, tramway, shipping lane or other transportation device or designation in the marine waters or within 200 feet of Extreme High Tide.

*Local  
regime  
state*

8. The leasing of land, or bedland, by any public or semi-public agency for the purpose of mining, drilling or any other form of mineral extraction whether exploratory or otherwise, is a UDSI, as is the actual conduct of any such mineral extraction activity.

9. The creation or expansion of any outfall into the marine waters, or into streams which feed marine waters where any detectable change in water quality could reasonably be predicted.

10. Forest and agricultural practices resulting in water quality problems or changes.

11. Any energy facility within one mile of Extreme High Tide.

"LOCAL GOVERNMENT" ORGANIZATION:

Provide for the [optional] [mandatory] establishment of regional service areas for coastal zone planning, preparation of a master plan, and use controls in coastal areas.

Provide for a representation mechanism: at the option of residents of the area involved, there could be a board for this purpose [if so, determine manner of selection, organization, etc.], or the elected educational service area board could perform in this capacity.

Allocation of authority in general:

- (1) Boroughs (including unified governments);
- (2) First class cities of the unorganized borough;
- (3) Regional service areas established;
- (4) The state, in conjunction with second class cities and traditional councils, where no regional service area served the unorganized borough.

Authority to devise and implement a master program, to prepare and maintain a comprehensive map and other elements of a general land use plan, to adopt and enforce use regulations, provide exceptions and to enforce (or secure state enforcement) of same; responsibility to serve as a clearinghouse for projects and permit applications in advance of approval by state agencies.

Reexamine powers presently granted to second class cities in this field, perhaps redefining or limiting these to provide for cooperative exercise with regional service area or borough assistance. Provide for regional service area delegation on a case- or village-basis of elements of responsibility to second class cities, following the provisions for same with respect to borough-city planning relationships as in AS 29.

Limitations on regional service area performance:

Regional service areas may not act in the area of planning or control without informing and securing the consent of

- the council of a second class city;
- the traditional governance structure of an unincorporated community, subject, perhaps, to the further requirement that there may be a village meeting or referendum in the community to resolve problems or conflicts;
- where necessary, the lands-in-trust (14(c)(3)) trustee of the Department of Community and Regional Affairs (AS 44.47.150(b)).

"Local Government" Organization  
(continued)

Initial reliance on interlocal cooperative agreements among communities and/or between regional service area boards and cities within or adjacent to them. Mandatory use of interlocal agreements as to the exercise of extraterritorial jurisdiction (AS 29.48.037). Provide for authority for the transfer or assumption of functions among or between substate levels of government.

1 and implementation of district coastal management programs;

2 (3) undertake review and approval of district coastal manage-  
3 ment programs in accordance with this chapter;

4 \* (4) initiate, as necessary, a process for identifying and  
5 managing uses of state concern within specific areas of the coast;

6 (5) develop procedures or guidelines for consultation and  
7 coordination with federal agencies managing land or conducting activi-  
8 ties potentially affecting the coastal area of the state.

9 Sec. 46.35.050. ACTION AND SUBMISSION BY COASTAL RESOURCE DIS-  
10 TRICTS. Each coastal resource district shall make substantial progress,  
11 in the opinion of the council, toward completion of an approvable dis-  
12 trict coastal management program and shall complete and submit to the  
13 council for approval its program within 30 months of the effective date  
14 of this Act, *or within 30 months of certification of the results  
of its organization election, whichever is later.*

15 Sec. 46.35.060. REVIEW AND APPROVAL BY COUNCIL. (a) If, upon  
16 submission of a district coastal management program for approval, the  
17 council finds that the program is substantially consistent with the  
18 provisions of this chapter and the guidelines and standards adopted by  
19 the council and does not arbitrarily or unreasonably restrict or exclude  
20 uses of state concern, the council may grant summary approval of the  
21 district coastal management program, or may approve portions of the  
22 district program which are consistent. An approved district coastal  
23 management program shall take effect upon adoption by the coastal re-  
24 source district and approval by the council, except that programs pre-  
25 pared by coastal resource service areas under sec. 110 of this chapter  
26 or by the Department of Community and Regional Affairs under sec. 160  
27 of this chapter shall be submitted for review by the legislature and  
28 shall take effect 45 days after the convening of a regular legislative  
29 session unless disapproved by a concurrent resolution adopted by a

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

Testimony on SB 220

Submitted to Senate Natural Resources Committee on March 29, 1977,  
at the request of Sen. Kay Poland, Chairwoman.

My name is Michael H. DeMan. I am the director of the Alaska Native Foundation's Village Management Assistance Program. I am by birth and choice a coastal Alaskan, and through my position at the Foundation, and previous work in state and local government, have traveled quite extensively in rural Alaska. The Foundation's involvement -- and mine -- with the coastal zone management, and its attendant OCS development issue, began last year. While ANF has limited resources to work with -- or perhaps because of that fact -- we try to stretch dollars as far as possible. And in dealing with coastal management and OCS -- we've seen our money go pretty far. We didn't look for the CZM/OCS issue -- rather it came to us, for two reasons:

1. As an organization working with villages, we received numerous questions about CZM and OCS from village leaders which we couldn't answer; so
2. ANF, together with the Alaska Native Human Resources project, set out to determine what CZM/OCS needs were not being met. Information and discussion seemed to be needed most strongly, so an OCS Awareness seminar was held in February. Funded in part by the State, the Kellogg Foundation and the BIA, more than 80 residents from coastal communities attended. As a result of that Seminar and other work with the villages, ANF has come to the realization that CZM/OCS is only a portion of a much larger need for all of rural Alaska. The following

Testimony on SB 220

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outline proposes a workable solution for government -- for all rural Alaskans.

1. There is a need for regional and sub-regional planning for rural Alaska (unorganized borough), which is not filled by an existing organizational structure.
  
2. This need could be met under the service area concept (Chapter 29-03-020) but it is unrealistic to expect existing small cities and villages to deal with major forces affecting their lives on an area wide basis. City annexation of lands in question is not the answer. The planning need is of a much broader nature.
  
3. The service area concept should be rewritten to allow cluster groups of communities to share planning and zoning administration and powers outside their respective cities. This would give service areas a structure to deal with such forces and concepts as: Coastal zone management, rural energy needs, economic development, large scale agriculture projects, inter-village transportation systems and communications, and other regional or sub-regional planning needs.
  
4. State and federal governments also need certain structures to interface with to make important decisions and determine policy directions. As the saying goes, what is everyone's responsibility, is no one's responsibility. So it is with the unorganized borough and planning.

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page 3

5. The first step for rural Alaska is important. Too many times, the structure of present local governments has been super-imposed over an already totally mixed bag of organizations which evolved haphazardly to meet special situations. Although everyone agrees planning should come first, no one provides for it in a comprehensive non-burdensome way. We have that opportunity now.
  
6. Instead of forming planning structures and areas in reaction to government or private industry's ventures into rural life, which may overlap -- or which are designed for one purpose but used for another -- let's design planning structures and applications based on what is there now, in terms of inter-village relationships. All new projects emanating from without or within, then, would be able to deal with a planning organization which has defined goals, objectives, and responsibilities.
  
7. This service area should not be super-imposed, though outside guidance may be needed -- and welcomed. Rather, after careful development and pre-planning by the local people concerned, it should be voted upon by those people within the designated service area.
  
8. These service areas should then be allocated planning funds to cope with their priorities.

In order to accomplish the goal of development of a planning

Testimony on SB 220

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structure for rural Alaska, the following must first take place:

1. Develop the boundaries of existing geographically-homogenous planning units, i.e., the cluster groups. An example would be the Nunivak-Nelson Island group of six villages.
2. Identify existing governmental, non-governmental, economic, and other applied boundaries presently in use in rural Alaska.
3. Define the rationale and purpose for each boundary.
4. Design a "Service Area Powers" concept, which allows a step-by-step approach to governmental responsibilities starting with overall planning. These service areas should not put additional strain on limited local expertise, which is already over-extended in many locations.
5. Re-examine the existing structure of the Department of community and Regional Affairs.
6. Identify money necessary to accomplish the above on a multi-year basis.

If these service areas are designed in a sound, effective way in close partnership with the people who will administer -- and in turn, be affected by such administration -- then sound decisions can be made in planning the physical, social and economic future of rural Alaskans.

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I know this is a major proposal but coordination is vital for a rural people presently smothered by conflicting responsibilities, districts, jurisdictions, and general state overlap. Such coordination must come from you because you know the people best; you live there, and you make the laws.



# the alaska native management report

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## VILLAGERS VIEW PROBLEMS OF OCS

In meetings, over coffee and in group discussions, they said again and again how much it reminded them of "the old days during the land claims struggle." Then it was the land, and a land freeze kept the situation in abeyance until a final decision could be made. Now there is talk of a new freeze, a "sea freeze," to not allow any oil development until a final decision is made on who controls the subsistence resources of off-shore areas.

With powers provided through ANSCA, Alaska's coastal residents have a chance at succeeding with this new cause: Managing the changes inherent in the planned development of Alaska's extensive Outer Continental Shelf petroleum reserves.

Representatives from 61 village corporations, 120 people in all, gathered at Anchorage's Ramada Inn, February 4-6, for a conference on OCS, sponsored by the Alaska Native Foundation with assistance from the Kellogg Project of the University of Alaska, the Dept. of Community and Regional Affairs, the Governor's Coastal Zone Management Office and the Bureau of Indian Affairs.

The conference, entitled the "Management of Change," focused on three major topics.

1) What changes can villages expect with OCS development?

2) What are the legal rights with regard to development which affects a community or region?

3) How can villages best use all resources to plan for and manage the change to the benefit of local residents?

Questionnaires filled out by conference partici-

*OCS, Cont. on p. 2*

## EKLUTNA NOT CLASS REPRESENTATIVE

Eklutna, Inc. is definitely not to be considered the representative of the entire class of Alaska Native village corporations, says a U.S. District court judge.

In January, Eklutna had been served with a summons from the Alaska Public Easement Defense Fund naming their village corporation as representing the class in the easement lawsuit, although an earlier order had stipulated that they are not. In response to a letter asking for clarification, Judge James A. von der Heydt issued another order on January 31, 1977 affirming that: "...any reference to Eklutna's capacity as class representative is stricken...", and ordering that the plaintiffs mail a copy of the order to all village corporations served with the amended complaint. From this point on, each village, including Eklutna, will represent only itself in the increasingly complicated easement lawsuit.

## LMAs TALK TRESPASS, NAVIGABILITY

Dan Alex of Eklutna was reelected chairman of the Land Manager's Association at its regular monthly meeting on February 4. The LMA adopted several by-laws changes designed to bring more village land managers and others directly concerned with Native land matters into the organization.

Lloyd Sutton, Native Liaison officer with BLM, reported on trespass on Native lands, and on efforts of BLM to deal with While BLM is making some creditable efforts in the matter of occupancy trespass (squatters), they fall short because of limited resources in the area of recreational trespass. Both types of trespass have become matters of grave concern to Native corporations on their land.

The complex issue of navigability and its effect on land entitlements was

discussed in some depth. Phil Wallick, land manager for Calista, said that from 18% to 22% of Calista's land selections will be under water; it is easy to see the problem if they are forced to select very much of this underwater land. The village of At-mauthluak, he said, is the classic example, with 56% of the area under water.

There is need for a test case in Alaska to determine some ground rules for navigability.

The Land Managers looked at several bills on forest practices now in the state legislature and recommended that AFN support the concept of a Division of Forestry as proposed in HB 10.

Processing of Native groups should be done under the rules which applied at the time they made application for that status, and LMA recommended that AFN take some action in support of this policy.

The Association also asked that AFN vigorously campaign for a Native representative on the Easement Task Force.

♦ ♦ ♦

OCS, Continued from page 1

pants before the meetings began indicated that people in about half the coastal communities were talking about OCS, and while the other half felt a vague unease about the subject, they didn't know enough to discuss it. Several villagers had been to other meetings on OCS; few representatives of either state or federal governments, oil companies or other organizations had visited communities to talk about the subject.

Much of the conference looked specifically at how communities already impacted by OCS have dealt with it. Most affected so far is Yakutat, and many sessions were chaired by representatives from that area, namely Byron Mallott, Sam Demmert, Attorney Dave Wolf, and Vern Wiggins and Bob Sharp from Tryck, Nyman and Hayes, land planners for Yakutat. Also prominent were Kodiak and English Bay representatives, because these three communities together form specific role models for villages not yet hit by OCS: English Bay has chosen no development at all; Kodiak wants the economic benefits of development, and has formed a partnership with its villages and the borough, and like Yakutat, is trying for the two: To minimize the impact on its lifestyle and culture, and gaining financially.

Kay Poland, State Senator from Kodiak, outlined important legislation which would emphasize the importance of local and sub-regional control over OCS development.

Saturday featured representatives from the State, Federal government and oil industry. Ed

Hoffmann, head of BLM's OCS office in Anchorage, said that new procedures may be on the way with the Carter Administration, with greater emphasis on public hearings in the affected regions.

State speakers Commissioner Guy Martin, Sandy Sagalkin, Glenn Akins, Kevin Waring and Jim Wiedeman discussed various roles of their agencies, passing on a good deal of information. But the villagers, through their questions at the sessions and in their questionnaires after the conference, had a message for the State, too. Few thought available monies should go to the State for planning for OCS (it should go to the regions and villages, they thought) and by a 4 to one margin, villagers thought the State hasn't done enough to assist local areas with OCS information and planning.

Somewhat skeptical (a few downright unfriendly) participants kept oil industry representatives Jim Hart of ARCO, Joe Homer from Exxon and Waco Shelley of Mobil, busy answering questions on all facets of their companies' activities, from the technical end of OCS development to overall policy decisions and philosophy.

Speaking more directly to the questions of cultural impact and subsistence lifestyles were Anthony Vaska from KCC in Bethel, Linda Ellanna from Anchorage Community College and Pat Wennkens from the Arctic Environmental Information and Data Center.

Two view points on planning came during the banquet speeches: Eben Hopson, Sr., mayor of the North Slope Borough, urged closer

planning and international legislation for peoples along the Arctic coasts, so they can control what happens off their shorelines. John Hope from the Juneau BIA office outlined funding available through the Indian Self Determination Act to villages for OCS planning.

During the three days, special "closed" sessions allowed only those people from affected areas to sit down together and discuss in depth specific information and ask questions about planning for their individual villages or areas. Nearly all participants found this to be an extremely effective method of dealing with the complicated and often-emotional OCS issue.

The questionnaires at the meetings' end showed villagers felt their communities were not ready to make any decisions on OCS yet, needing more information before deciding on any course of action. And they want to know more about OCS: It was unanimous that follow-up activities are needed, such as meetings and workshops in the villages and/or regions; additional funding for local areas to plan together and then develop the resources to carry out those plans. The goal is to manage-successfully the changes that OCS development means for the lifestyles and futures of coastal village residents.

ANF plans follow-up information on the conference in the form of newsletters and a final report. If you are interested in receiving this material, let us know: Write ANF—OCS Information, 515 D Street, Anchorage, Alaska 99501

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*Richard Janson is president of the Alaska Native Foundation. Emil Notti is chairman of the board of directors. The executive board includes: Notti, Janson, Victor Fischer, Ralph Perdue, Vincent Schuerch, Roy Huhndorf, and Richard Still. Other members of the board are: Boris Kushuk, Byron Mallott and Larry Mereulieff.*

**Editor's Note:** The following tables show Village Corporations (including those under appeal and in litigation, and also those merged with their regions), their 14(a) entitlements, and figures for the regional allocations under 12(b) and 14(h)(8). These figures were published in the *Federal Register* on Feb. 2, 1977. They are subject to appeal to ANCAB for thirty days after that date.

## SECTION 14(a)

Under provisions of ANCSA, the surface estate of 22 million acres will go to the village corporations. The original selection by the villages will be on the basis of provisions of Section 14(a) of the Act, which gives them land in accordance with the village's enrollment as of December 18, 1970. It is therefore important to know the exact enrollment of each village as of that date. The Act gave BIA till December 18, 1973 to come up with the figures, which it did but the figures were conditional on the correction of errors, results of enrollment appeals, etc. In mid-January final figures were sent to the regions by the Acting Director, along with the resultant entitlement figures for Section 14(a).

## SECTION 12(b)

After selection of 14(a) entitlements by the villages, the balance of the 22 million acres is to be conveyed to eleven regions (excluding Sealaska and the 13th), on the basis of population, to be reconveyed to the villages on the basis of historic use, subsistence needs and population. The 12(a) acreage is also computed in the following tables.

## SECTION 14(h)(8)

2 million acres were set aside by Section 14(h) for such purposes as cemeteries, historic sites, group selections, etc. The balance of the 2 million acres is to go to the regions on the basis of population, and these figures are computed in the following tables.

Ahtna, Inc. Drawer G Copper Center, Ak. 99573	Section 12(h)		
	Pop.	Percentile	Acres
	1,090	1.811142682	33,325
Section 14(h)			
Initial Share-- Acres			
Percentile	43 CFR 2653.1	Sec. 14(h)(8)	
1.415418977	2,831	14,625	
Pop. Acres			
Cantwell Yedatene-Na Corp., Cantwell, Ak 99729	72	69,120	
Cheesh-Na Inc., Chistochina, Ak 99586	32	69,120	
Chitina Native Corp., P.O. Box 206, Glenallen, Ak 99588	237	115,200	
Kluti-Kaah Corp., Drawer G, Copper Center, Ak 99573	258	115,200	
Gakona Corp., Gakona, Ak 99586	35	69,120	
Sta-Ken Corp., Gakona, Ak 99586	106	92,160	
Mentasta Inc., Mentasta Lake, via Tok, Alaska 99780	97	69,120	
Tazlina Inc., Box 225, Glenallen, Ak 99588	121	91,160	

# Village Corporations

## Acreage Entitlements; Enrollments; Regional 12(b) and 14(h)(8)

Aleut Corporation 833 Gambell St. Anchorage, Ak. 99501	Section 12(b)		
	Pop.	Percentile	Acres
	3,361	5.584633534	102,757
Section 14(h)			
Initial Share-- Acres			
Percentile	43 CFR 2653.1	Sec. 14(h)(8)	
4.364424937	8,729	43,986	
Pop. Acres			
Akutan Corp., Akutan, Ak	106	92,160	
Atxam Corp., Atka, Ak	145	91,160	
Attu Corp., Attu, Ak	11	0 *	
Belkofski Corp., Belkofski, Ak	33	69,120	
False Pass Corp., False Pass, Ak	66	69,120	
King Cove Corp., King Cove, Ak	345	115,200	
Nelson Lagoon Corp., Nelson Lagoon, Ak	54	69,120	
Chaluka Corp., Nikolski, Ak	74	69,120	
Sanak Corp., Pauloff Harbor, Ak	26	69,120	
Tanag Corp., St. George, Ak	223	115,200	
Tanadgusix Corp., St. Paul, Ak	540	138,240	
Shumagin Corp., Sand Point, Ak	401	138,240	
Ounalashka Corp., Unalaska, Ak	269	115,200	
Unga Corp., Unga, Ak	54	69,120	

\* Found ineligible as a Village by Secretary Decision of December 17, 1974. Would not meet minimum population of 25 for minimum entitlement of 69,120 acres.

Arctic Slope Region Box 129 Barrow, Ak. 99723	Section 12(b)		
	Pop.	Percentile	Acres
	3,911	6.498512869	119,537
Section 14(h)			
Initial Share-- Acres			
Percentile	43 CFR 2653.1	Sec. 14(h)(8)	
5.078627173	10,157	51,184	
Pop. Acres			
Nunamiut Corp., Anaktuvuk Pass, Ak 99721	132	92,160	
Atkasook Corp., Atkasook/Mead River, Ak	71	69,120	
Ukpeagvik Inupiat Corp., P.O. Box 427 Barrow, Ak 99723	2,031	161,280	
Kaktovik Inupiat Corp., Kaktovik, Ak 99747	112	92,160	
Kuugvik Corp., Nooiksut, Ak	212	115,200	
Tigara Corp., Point Hope, Ak 99766	498	138,240	
Cully Corp., Point Lay, Ak	89	69,120	
Olgoonik Corp., Wainwright, Ak 99782	369	115,200	

<b>Bristol Bay Native Corp.</b>	<b>Section 12(b)</b>		
<b>P.O. Box 198</b>	<b>Pop.</b>	<b>Percentile</b>	<b>Acres</b>
<b>Dillingham, Ak. 99576</b>	5,525	9.180333317	168,918

<b>Section 14(h)</b>		
<b>Initial Share-- Acres</b>		
<b>Percentile</b>	<b>43 CFR 2653.1</b>	<b>Sec. 14(h)(8)</b>
7.174486099	14,349	72,307

	Pop.	Acres
Aleknagik Natives, Ltd., Aleknagik, Ak 99555	231	115,200
Far West, Inc., Chignik, Ak 99564	286	115,200
Chignik Lagoon Native Corp., Chignik Lagoon, Ak 99565	102	92,160
Chignik River, Ltd., Chignik Lake, Ak 99564	104	92,160
Saguyak Inc., Clark's Point, Ak 99569	111	92,160
Chogging Ltd., Dillingham, Ak 99576	931	161,280
Becharof Corp., Egegik, Ak 99579	170	92,160
Ekuk Natives Ltd., Ekuk, Ak 99576	39	69,120
Ekwok Natives Ltd., Ekwok, Ak 99850	112	92,160
Igiugig Native Corp., Igiugig, Ak 99613	37	69,120
Iliamna Natives Ltd., Iliamna, Ak 99606	75	69,120
Bay View, Inc., Ivanof Bay Ak 99502	47	69,120
Kokhanok Native Corp., Kokhanok, Ak 99606	105	92,160
Koliganek Natives Ltd., Koliganek, Ak 99576	131	92,160
Levelock Natives Ltd., Levelock, Ak 99625	100	92,160
Manokotak Natives Ltd., Manokotak, Ak 99628	226	115,200
Paug-Vik Inc., Ltd., Naknek, Ak 99633	293	115,200
Newhalen Native Corp., Newhalen, Ak 99633	74	69,120
Stuyahok Ltd., New Stuyahok, Ak 99636	229	115,200
Nondalton Native Corp., Nondalton, Ak 99640	257	115,200
Pedro Bay Corp., Pedro Bay, Ak 99647	105	92,160
Oceanside Corp., Perryville, Ak 99648	130	92,160
Pilot Point Native Corp., Pilot Point, Ak 99649	147	92,160
Ohsenakale Corp., Portage Creek, Ak 99576	77	69,120
Meshik Corp., Port Heiden, Ak 99648	70	69,120
Qinuyang Ltd., South Naknek, Ak 99607	180	92,160
Togiak Natives Ltd., Togiak, Ak 99678	399	115,200
Twin Hills Native Corp., Twm Hills, Ak 99678	61	69,120
Ugashik Native Corp., Ugashik, Ak 99683	31	69,120

<b>Bering Straits Native Corp.</b>	<b>Section 12(b)</b>		
<b>P.O. Box 1008</b>	<b>Pop.</b>	<b>Percentile</b>	<b>Acres</b>
<b>Nome, Ak. 99762</b>	6,919	11.496602030	211,537

<b>Section 14(h)</b>		
<b>Initial Share-- Acres</b>		
<b>Percentile</b>	<b>43 CFR 2653.1</b>	<b>Sec. 14(h)(8)</b>
8.984664130	17,969	90,550

	Pop.	Acres
Brevig Mission Native Corp., Brevig Mission, Alaska 99785	135	92,160
Council Native Corp., Council, Ak 99762	66	69,120
Elim Native Corp., Elim, Ak 99762	234	0 *
Golovin Native Corp., Golovin, Ak 99762	171	92,160
Inalik Native Corp., Diomedes, Ak 99762	104	92,160
King Island Native Corp., Box 188, Nome, Ak 99762	205	115,200

Koyuk Native Corp., Koyuk, Ak 99753	184	92,160
Mary's Igloo Native Corp., Teller Ak 99778	109	92,160
Sitnasuak Native Corp., Box 905, Nome Ak 99762	2,054	161,280
Savoonga & Gambell Native Corps. Box 142, Savoonga, Ak 99769	842	0 *
Shaktoolik Native Corp., Shaktoolik, Ak 99771	207	115,200
Shishmaref Native Corp., Shishmaref, Ak 99772	310	115,200
Solomon Native Corp., Solomon, Ak 99762	38	69,120+
St. Michael Native Corp., St. Michael, Ak 99659	255	115,200
Stebbins Native Corp., Stebbins, Ak 99671	273	115,200
Teller Native Corp., Teller, Ak 99778	274	115,200
Unalakleet Native Corp., Box 100, Unalakleet Ak 99684	840	161,280
Wales Native Corp., Wales, Ak 99684	168	92,160
White Mountain Native Corp., White Mountain Ak 99784	202	115,200

\* These village corporations elected the option provided by section 19 of the ANCSA, thus they are ineligible to receive lands or other interests under sections 12 and 14 (a) of the ANCSA.

† Found ineligible as a Village by Secretary decision of Oct. 3 1974; case is in litigation. If finally determined eligible, entitlement would be 69,120 acres; no entitlement if finally found ineligible.

<b>Calista Corporation</b>	<b>Section 12(b)</b>		
<b>516 Denali St.</b>	<b>Pop.</b>	<b>Percentile</b>	<b>Acres</b>
<b>Anchorage, Ak. 99501</b>	13,444	22.338534138	411,029

<b>Section 14(h)</b>		
<b>Initial Share-- Acres</b>		
<b>Percentile</b>	<b>43 CFR 2653.1</b>	<b>Sec. 14(h)(8)</b>
17.457699749	34,915	175,945

	Pop.	Acres
Akiachuk, Ltd., Akiachuk, Ak 99551	332	115,200
Kokarmuit Corp., Akiak, Ak 99552	211	115,200
Alakanuk Native Corp., Alakanuk, Ak 99554	467	138,240
Nerklimute Native Corp., Andreafski, Ak 99658	84	69,120
Aniak Ltd., Aniak, Ak 99557	249	115,200
Atmautluak Ltd., Atmautluak, Ak 99559	119	92,160
Bethel Native Corp., Bethel, Ak 99559	1,726	161,280
Kongnikilnomuit Yuita Corp., Bill Moore's Slough via Kotlik, Ak 99620	46	69,120
Chefarmmute Inc., Chefarmak, Ak 99561	162	92,160
Chevak Corp., Chevak, Ak 99563	422	138,240
Chuloonawiek Corp., Chuloonawiek via Emmonak, Alaska 99581	27	69,120
Kipehaugbuk Ltd., Crooked Creek, Ak 99575	128	92,160
Igijouag Corp., Eek, Ak 99578	200	115,200
Emmonak Corp., Emmonak, Ak 99581	477	138,240
Georgetown Corp., Georgetown via Red Devil, Ak 99656	45	69,120
Knitsarak, Inc. Goodnews Bay, Ak 99589	224	115,200

## CALISTA, Continued....

Nunapigllurag Corp., Hamilton via Kotlik, Ak 99620	35	69,120
Sea Lion Corp., Hooper Bay, Ak 99604	623	161,280
Kasigluk Inc., Kasiglik, Ak 99609	309	115,200
Kugkaktlik Ltd., Kipnuk, Ak 99614	360	115,200
Qemirtalek Coast Corp., Kongiganak, Ak 99695	248	115,200
Kotlik Yupik Corp., Kotlik, Ak 99620	220	115,200
Kwethluk Inc., Kwethluk, Ak 99621	450	138,240
Kwik Inc., Kwigillingok, Ak 99622	229	115,200
Lime Village Corp., Lime Village via Sleetmute, Ak 99668	26	69,120
Lower Kalskag, Inc., Lower Kalskag, Ak 99626	170	92,160
Masereulik, Inc., Lower Kalskag, Ak 99626	215	115,200
Nima Corp., Mekoryuk, Ak 99630	306	115,200
Azachorok Inc., Mountain Village, Ak 99632	488	138,240
Napaimute Ltd., Napaimute via Aniak, Ak 99557	47	69,120
Napakiak Corp., Napakiak, Ak 99559	260	115,200
Napaskiak Inc., Napaskiak via Bethel, Ak 99559	220	115,200
Newtok Corp., Inc., Newtok, Ak 99559	126	92,160
NGTA, Inc., Nightmute, Ak 99690	99	69,120
Nunapitchuk Ltd., Nunapitchuk, Ak 99641	325	115,200
Ohog, Inc., Ohogamiut via Russian Mission, Alaska 99567	22	0 *
Oscarville Native Corp., Oscarville, Ak 99559	53	69,120
Paimiut Corp., Paimiut via Hooper Bay, Alaska 99690	22	0 *
Pilot Station, Inc., Pilot Station, Ak 99650	321	115,200
Pitka's Point Native Corp., Pitka's Point, Ak 99658	89	69,120
Arvig, Inc., Platinum, Ak 99651	68	69,120
Quanirtuug, Inc., Quinagak, Ak 99655	346	115,200
Red Devil, Inc., Red Devil, Ak 99656	35	69,120
Chauthbaluk Corp., Chauthbaluk via Aniak, Ak 99557	115	92,160
Russian Mission Native Corp., Russian Mission, Ak 99657	128	92,160
St. Mary's Native Corporation, St. Mary's, Ak 99658	297	115,200
Askimut Corp., Scammon Bay, Ak 9962	192	92,160
Swan Lake Corp., Sheldon's Point, Ak 99666	131	92,160
Sleetmute Ltd., Sleetmute, Ak 99668	163	92,160
Stony River Ltd., Stony River, Ak 99673	81	69,120
Nunakaniak Yupik Corp., Toksook Bay, Ak 99637	281	115,200
Tulkisarmute Inc., Tuluksak, Ak 99679	183	92,160
Tuntutuliak Inc., Tuntutuliak, Ak 99680	211	115,200
Tununmiut Rinit Corp., Tununak, Ak 99681	295	115,200
Umkumiute Ltd., Umkumiute via Nightmute, Ak 99581	27	69,120
Upper Kalskag Inc., Upper Kalskag, Ak 99607	159	92,160

\* These villages have insufficient population to be entitled to patent to any acreage under section 14 (a). Upon request, village eligibility status would be reconsidered and opportunity provided for the place to be considered as a group under section 14 (b) (2) of the ANCSA.

<i>Doyon, Ltd.</i>		Section 12(b)	
<i>Doyon Bldg., 1st &amp; Halt Fairbanks, Ak. 99701</i>	Pop.	Percentile	Acres
Section 14(h)			
Initial Share-- Acres			
Percentile	43 CFR 2653.1	Sec. 14(h)(8)	
12.003791765	24.008	120,978	
		Pop.	Acres
Alatna Endeavors, Inc., Alatna, Ak 99720		30	69,120
Aala Kaa Ka' Inc., Allakaket, Ak 99720		147	92,160
Central Native Corp., Anvik, Ak 99558		129	92,160
Beaver Kwitchin Corp., Beaver, Ak 99724		190	92,160
Tihteet 'Aii Inc., Birch Creek, Ak 99790		52	69,120
Chalkyitsik Native Corporation, Chalkyitsik, Alaska 99788		90	69,120
Danzhit Hanlani Corp., Circle, Ak 99733		101	92,160
Dot Lake Native Corp., Dot Lake, Ak 99737		45	69,120
Hungwitchin Corp., Eagle, Ak 99738		100	92,160
Evansville, Inc., Evansville, Ak 99726		82	69,120
Gwitchyaazhee Corp., Fort Yukon, Ak 99740		737	161,280
Notaagheedid Ltd., Galena, Ak 99741		344	115,200
Hee Ya Lindge Corp., Grayling, Ak 99590		178	92,160
Mendas Cha-Ag Native Corporation, Box 667, Delta Junction, Ak 99737		27	69,120
Deloycheet Inc., Holy Cross, Ak 99602		429	138,240
Hadohdlee Koga Inc., Hughes, Ak 99745		88	69,120
Bin Googa Inc., Huslia, Ak 99746		225	115,200
Takathlee-tondie Inc., Attag, Ak 99748		251	115,200
Mineelghaadza Ltd., Tyukuk, Ak 99754		163	92,160
Chamai, Inc., McGrath, Ak 99627		176	92,160
Bean Ridge Corp., Manley Hot Springs, Ak 99756		12	69,120
Seth-De-Ya-Ah Corp., Minto, Ak 99758		286	115,200
Toghotthele Corp., Nenana, Ak 99760		452	138,240
Donkee Corp., Nikolai, Ak 99691		93	69,120
Northway Natives Inc., Northway, Ak 99764		207	115,200
Nik'agham Ltd., Nulato, Ak 99765		392	115,200
Baan o yeel kuo Corp., Rampart, Ak 99767		173	92,160
Dineega Corp., Ruby, Ak 99768		289	115,200
Zho-Tse Corp., Shageluk, Ak 99665		186	92,160
Dinyea Corp., 150 A St., No. 1, Fairbanks Alaska 99701		166	92,160
Gold Creek Ltd., Takotna, Ak 99675		38	69,120
Tanacross Inc., Tanacross, Ak 99776		167	92,160
Tozima, Ltd., Tanana, Ak 99777		590	138,240
Sesent, Inc., Tetida, Ak 99627		25	69,120
Tetlin Native Corp., Tetlin, Ak 99779		125	0 *
Venetie Indian and Neets'ai Corp., Venetie, Ak 99781		303	0 *

\* These villages elected the option provided by section 19 of the ANCSA, thus they are ineligible to receive lands or other interests under section 12 and 14 (a).

<i>Koniag, Inc.</i> <i>P.O. Box 746</i> <i>Kodiak, Ak 99615</i>	Section 12(b)		
	Pop.	Percentile	Acres
	3,394	5.639466294	103,756

Percentile	Section 14(h)	
	Initial Share-- Acres	Sec. 14(h)(8)
4.407277072	43 CFR 2653.1 8,815	44,418

Natives of Afognak, Inc., Box 14, Kodiak, Ak 99615	402	138,240	
Aiakialik Inc., Box 1423, Kodiak, Ak 99615	28	0	(1)
Natives of Akhiok, Inc., Akhiok Rural Station, Akhiok, Ak 99615	93	69,120	
Anton Larsen, Inc., Box 134, Kodiak, Alaska 99615	(2) 32	69,120	
Ayakulik Inc., Box 746, Kodiak, Ak 99615	(3) 27	69,120	
Bells Flats Natives Inc., Box 794, Kodiak, Alaska 99615	(4) 27	69,120	
Kaguyak, Inc., Box 2694, Kodiak, Ak 99615	54	69,120	
Karluk Native Corp., Box 746, Kodiak, Ak 99615	187	92,160	
Nu-Nacht-Pit, Inc., Larsen Bay, Ak 99624	203	115,200	
Litnik Inc., Box 86, Kodiak, Ak 99615	(5) 37	69,120	
Kitoi Inc., Box 1423, Kodiak, Ak 99615	(6) 0	0	
Old Harbor Native Corp., Old Harbor,	334	115,200	
Ouzinkie Native Corp., Ouzinkie, Ak 99644	334	115,200	
Port Lions Native Corp., Box 266, Port Lions, Ak 99550	115	92,160	
Shuyak Inc., Box 733, Kodiak, Ak 99615	(7) 44	69,120	
Uganik Natives Inc., Box 2521, Kodiak Ak	(8) 31	69,120	
Uyak Natives Inc., Box 1321, Kodiak Ak	(9) 34	69,120	
Leisnoi Inc., Box 641, Kodiak, Ak 99615	309	115,200	

(1) Found ineligible as a Village by Secretary decision of Sept. 9, 1974. If, through litigation, were to be found eligible, entitlement would be 69,120 acres.

(2) Found ineligible as a Village by Secretary decision of Oct 23, 1974, case now in litigation. If finally determined eligible, entitlement would be 69,120 acres; no entitlement if ineligible.

(3) Found ineligible as a Village by Secretary decision of Oct. 3, 1974, case now in litigation. If finally determined eligible, entitlement would be 69,120 acres; no entitlement if ineligible.

(4) Found ineligible as a Village by Secretary decision of Sept. 20, 1974, case now in litigation. If finally determined eligible, entitlement would be 69,120 acres; no entitlement if ineligible.

(5) Found ineligible as a village by Secretary decision of Oct 3, 1974, case now in litigation. If finally determined eligible, entitlement would be 69,120 acres; no entitlement if ineligible.

(6) Found ineligible as a Village by Secretary decision of Aug. 29, 1974. Withdrew 12(a) application in June, 1975.

(7) Found ineligible as a Village by Secretary decision of Nov. 1, 1974, case now in litigation. If finally determined eligible, entitlement would be 69,120 acres; no entitlement if ineligible.

(8) Found ineligible as a Village by Secretary decision of Nov. 1, 1974, case now in litigation. If finally determined eligible, entitlement would be 69,120 acres; no entitlement if ineligible.

(9) Found ineligible as a Village by Secretary decision of June 18, 1974, case now in litigation. If finally determined eligible, entitlement would be 69,120 acres; no entitlement if ineligible.

<i>Cook Inlet Region, Inc.</i> <i>1211 W. 27th Ave.</i> <i>Anchorage, Ak. 99503</i>	Section 12(b)		
	Pop.	Percentile	Acres
	6,275	10.426532*99	191,848

Percentile	Section 14(h)	
	Initial Share-- Acres	Sec. 14(h)(8)
8.148398239	43 CFR 2653.1 16,297	82,122

	Pop.	Acres
Chick Moon Moose Creek Native Assoc., Inc., 155 Primrose Street, Anchorage, Ak 99504	42	69,120
Eklutna Inc., Chugiak, Ak 99567	126	92,160
Knikatu Inc., Box 1011, Eagle River, Ak 99577	28	69,120
Ninilechik Native Assoc., Inc., Box 173, Ninilechik, Ak 99639	207	115,200
Point Possession Inc., 1420 I Street, Anchorage	36	0 †
Salamatoff Native Assoc., Inc., Box 2582, Kenai, Ak 99611	129	92,160**
Seldovia Native Assoc., Inc., Box 185, Seldovia Ak 99663	255	115,200
Tyonek Native Corp., Tyonek, Ak 99682	303	115,200

\* Found ineligible as a village by Secretary decision of Nov. 1, 1974, case now in litigation. If finally determined eligible, entitlement would be 69,120 acres; no entitlement if ineligible.

† Found ineligible as a village by Secretary decision of Nov. 1, 1974. If, through litigation, were to be found eligible, entitlement would be 69,120 acres.

\*\* Found ineligible as a village by Secretary decision of June 18, 1974, case now in litigation. If finally found eligible, entitlement would be 92,160 acres; no entitlement if ineligible.

<i>Chugach Natives, Inc.</i> <i>912 E. 15th Ave.</i> <i>Anchorage, Ak. 99501</i>	Section 12(b)		
	Pop	Percentile	Acres
	2,106	3.499327053	64,388

Percentile	Section 14(h)	
	Initial Share-- Acres	Sec. 14(h)(8)
2.734745290	43 CFR 2653.1 5,470	27,569

Chenega Corp., Box 340, Cordova, Ak 99574	68	69,120
English Bay Corp., English Bay via Homer, Ak 99603	71	69,120
Eyak Corp., Box 111, Cordova, Ak 99574	327	115,200
Port Graham Corp., Port Graham via Homer, Ak 99603	190	92,160
Tatitlek Corp., Box 758, Cordova, Ak 99574	215	115,200

<i>NANA Regional Corp.</i>		Section 12(b)	
<i>P.O. Box 49</i>	Pop.	Percentile	Acres
<i>Kotzebue, Ak. 99752</i>	4,914	8.165096456	150,238

Section 14(h)		
Percentile	Initial Share-- Acres	Sec. 14(h)(8)
6.381072342	43 CFR 2653.1 12,762	64,310

Ivisaapaagmitt Corp. *, c/o NANA Regional Corporation, Inc.	166	92,160
Buckland Nunachiak Corp. *, do	159	92,160
Derring Ipnatchiak Corp. * do	162	92,160
Kaiyaak Corp. * do	341	115,200
Kivalina Sinuckmeut Corp. * do	191	92,160
Koovukmeut Corp. * do	63	69,120
Kikiktagruk Inupiat, Box 33, Kotzebue,	1,986	161,280
Noatak Napaaktukmeut Corp. * c/o NANA Regional Corp., Inc.	288	115,200
Putoo Corp. * do	486	138,240
Akuliak Inc. * do	478	138,240
Ininmaqmeut Inc. * do	163	92,160

\* Pursuant to section 6 of the Act of Jan. 2, 1976 (89 Stat. 1148) these village corporations have merged with the NANA Regional Corp., Inc. For purposes of entitlements they are shown individually.

<i>Sealaska Corporation</i>		Section 12(b)	
<i>811 W. 12th St.</i>	Pop.	Percentile	Acres
<i>Juneau, Ak. 99801</i>	16,826	D/E	0/A

Section 14(h)		
Percentile	Initial Share-- Acres	Sec. 14(h)(8)
21.849394227	43,688	220,206

Cape Fox Corporation, Saxman, Ak	620
Haida Corporation, Hydaburg, Ak	570
Huna Totem, Hoonah, Ak	868
Kake Tribal Corporation, Kake, Ak	552
Kavilko, Inc., Kasam, Ak	121
Klawock Heenya, Klawock, Ak	597
Klukwan Corporation, Klukwan, Ak	251
Kootznoowoo, Inc., Angoon, Ak	620
Shaan-Seel, Inc., Craig, Ak	317
Yak-Tat-Kwaan, Inc., Yakutat, Ak	334

Under section 16 of the ANCSA, village corporations in the Sealaska Region receive an entitlement of 23,040 acres each. For the ten villages, this amounts to a total of 230,400 acres which will be applied in the entitlement formula under section 12(c) of the ANCSA.



**BANKER'S COMMENTS**

*Editor's Note: Written by Arnold Gietz, President and Chief Executive Officer of United Bank Alaska, this series tries to address not only the needs of companies and corporations, but of individuals also.*

*Management of a Business Enterprise*

A prerequisite to success of a business enterprise is that it be growing, profitable, and well managed. This is valid whether the enterprise is a proprietorship, partnership, or corporation. This article will address only the area of management and further limit its scope to financial management.

Many new as well as established enterprises encounter serious difficulties through lack of adequate financial management. Probably the greatest single factor causing failure in new enterprises is the underestimating of the cost to be incurred prior to the business becoming profitable. When a business commences it has only an investment, expenses, and no income. It takes time to have income exceed expenses and this should be planned prior to opening a business. If this is not done, the business will falter and fail unless investors are willing to put up more money before any profits are realized.

United Bank Alaska lost over \$300,000 during its first six months of operations and this was planned prior to opening the bank. In the second six months it recouped the loss and ended the year with a profit. This is cited only as a typical example of a new business. Had not the loss for the first six months been anticipated, the investors would have been

requested to add additional capital to cover the loss. Generally an awkward situation, to say the least.

After a business has passed the break-even point and is profitable it will probably continue to grow. With growth comes a need for a larger investment in inventory, receivables, and possibly fixed assets. If retained earnings are inadequate to meet these needs, the business must look to borrowing and/or additional investment to finance the growth. Another alternative is leasing where capital is conserved and use of the equipment is possible without cost of ownership. Not all companies are eligible for leasing, but where eligible, it may be used on a sale-lease back basis which makes funds available for inventory and receivables or for acquiring new equipment.

Discuss your plans and forecasts with your banker and/or financial advisor before a problem exists and thereby avoid crisis and embarrassment.

## ALASKA NATIVE MANAGEMENT REPORT

515 D Street  
Anchorage, Alaska 99501

### ADDRESS CORRECTION REQUESTED

#### DEC. 18, 1976 TO BE EASEMENT DATE

December 18, 1976 will be the cutoff date for the consideration of public easements across Native lands, according to a press release from the Bureau of Land Management. A directive from Ronald G. Coleman, Assistant Secretary of Interior, says that the reservation of streamside and periodic lakeside easements for recreational access to these waters will be based on use prior to that date, rather than the December 18, 1971 date desired by most Natives.

Most Natives believe that easements should be based on use at the time of the passage of the Alaska Native Claims Settlement Act, inasmuch as the Secretary of Interior was directed by that Act to "immediately" convey Native-selected lands.

Exceptions to Coleman's directive are: the 25-foot coastal easement,

"present and future access to all public lands and resources", and in areas where Native land selections have not yet been made.

BLM is still actively seeking public information on access needs over Native-selected lands, according to the release.

Commented Byron Mallott, president of Alaska Federation of Natives, "It is just another erosion of our rights under the Act and points up the need to complete the interim conveyances as soon as possible."

#### IN BRIEF...

\* *Correction:* Last issue we reported on the merger of four village corporations in the Doyon region, and mistakenly gave the name of the new corporation as MPNT, United. Its correct title is MTNT, Limited.

\* Burton W. Silcock, co-chairman of the Joint Federal-State Land Use Planning Commission, will be leaving his post on the commission within a few weeks, due to his upcoming retirement from federal service.

\* North Pacific Rim, the non-profit arm of Chugach Natives, Inc., has moved to a new location at 433 W. 9th Ave., Suite 200. This is at 9th and E streets. The phone number remains the same: 276-2121.

\* On the subject of non-profits, Aleut League now goes by a new name: Aleutian/Pribilof Islands Association, Inc. Its office is located at 430 C Street, Suite 303, and the phone number is 278-3567.

#### PAYROLL TAX WORKSHOP

The Internal Revenue Service and the Small Business Administration will co-sponsor an Employer's Payroll Tax Workshop on Wednesday, March 2nd, from 9 a.m. to 1 p.m. in the former City Council Chambers located in the basement of the Loussac Library at 427 'F' Street in Anchorage.

The purpose of this workshop is to help employers understand payroll withholding record keeping. Detailed instructions and explanations will be given on how to prepare the various employer's tax forms and comply with depository requirements. Payroll recordkeeping systems will also be demonstrated.

Employers, bookkeepers and the general public are urged to attend. To register call IRS at 277-8741.

#### SOME DATES TO REMEMBER

- February 23 Lower Cook Inlet Oil Lease Sale cancelled.
- March 1 Cook Inlet Native Assn. (CINA) General Membership Meeting, election of five board members, CINA Bldg., 670 W Fireweed, Anchorage
- March 2. Payroll Tax Workshop. 9 a.m. to 1 p.m. Former City Council Chambers, basement of Loussac Library, 4th and F, Anchorage.
- March 4: Toghaththele Corp. (Nenana) Annual Shareholders Meeting.
- March 12. Sitanasuk Native Corporation (Nome) Annual Shareholders Meeting. Nome Public School Multi-purpose room, 2 p.m.
- March 19: Doyon, Ltd. Annual Shareholders Meeting, Traveler's Inn, Fairbanks.
- March 25: Alaska Board of Fisheries meet begins. Juneau.
- March 29: Alaska Board of Game meet begins. Juneau.
- April 2. Nome. Bering Straits Native Corporation Annual Meeting.

HB

376

# STATE OF ALASKA

## DEPARTMENT OF REVENUE

JAY S. HAMMOND, GOVERNOR

STATE OFFICE BUILDING

POUCH SA - JUNEAU 99811

April 7, 1977

The Honorable Lisa Rudd  
Chairman  
House Community & Regional  
Affairs Committee  
Alaska State Legislature  
Room 620 - Court Building  
Juneau, Alaska

Re: House Bill No. 376

Dear Representative Rudd:

House Bill No. 376, an Act providing for property tax relief to homeowners and renters, was introduced in the House on March 21, 1977 and was referred to the House Community & Regional Affairs and Finance Committees.

For the consideration of the House Community & Regional Affairs committee, I am enclosing a Fiscal Note prepared by Mr. Gary L. Jenkins, Director, Audit Division, Department of Revenue, Juneau concerning the proposed legislation.

Very truly yours,



R. D. Stevenson  
Special Assistant

cc: The Honorable Steve Cowper  
Chairman  
House Finance Committee  
Alaska State Legislature  
State Capitol Building  
Juneau, Alaska

Gary L. Jenkins, Director  
Audit Division  
Department of Revenue  
Juneau, Alaska

THE LEGISLATURE OF THE STATE OF ALASKA  
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No. 376  
Title An Act providing for property tax relief to homeowners and renters  
Requested by House Community & Regional Affairs Committee Date 4/6/77

II. FISCAL DETAIL

Agency Affected \_\_\_\_\_ Revenue \_\_\_\_\_  
Program Category Affected Fiscal Services  
Budget Request Unit(s) Affected Audit and Administrative Services

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES		114.0	114.0	114.0	114.0	114.0
200 TRAVEL		10.0	10.0	10.0	10.0	10.0
300 CONTRACTUAL		14.3	14.3	14.3	14.3	14.3
400 COMMODITIES		2.2	2.2	2.2	2.2	2.2
500 EQUIPMENT		2.8	2.8	2.8	2.8	2.8
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>		<b>143.3</b>	<b>143.3</b>	<b>143.3</b>	<b>143.3</b>	<b>143.3</b>

FUNDING (Thousands of Dollars)

GENERAL FUND		143.3	143.3	143.3	143.3	143.3
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME		3	3	3	3	3
PART TIME		10	10	10	10	10
TEMPORARY						

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

Based on the experience of the State of Oregon which has implemented identical legislation, the above staffing would be required to handle the additional taxpayer assistance and return processing and audit. Currently, approximately 12% of their returns are claims for property tax refund with no Oregon tax due. In our case, this would mean that we would receive approximately 24,000 additional returns over what we would normally receive.

This bill would result in a substantial loss of revenue to the State. Based on the 1975 individual income tax returns filed there would be a loss of revenue of \$37,600,000.

IV. DATE 4-6-77 PREPARED BY *Gary Benke*  
AGENCY Department of Revenue, Audit Division  
PHONE 465-2320  
Original: Legislative Finance  
cc: Budget and Management  
Prime Sponsor (First Legislator Named)

**Municipality  
of  
Anchorage**



POUCH 6-650  
ANCHORAGE, ALASKA 99502  
(907) 274-2525

GEORGE M. SULLIVAN,  
MAYOR

OFFICE OF HUMAN DEVELOPMENT  
Senior Citizens Programs

April 20, 1977

The Honorable Lisa Rudd, Chairperson  
Alaska State House of Representatives  
Community and Regional Affairs Committee  
Pouch V  
Juneau, AK 99811

Dear Representative Rudd:

The Anchorage Municipal Senior Citizens Advisory Commission met today and voiced strong opposition to the fact that House Bill 376 would provide tax relief based on income limitations.

Sincerely,

*Rose Palmquist/lb*

Rose Palmquist, Chairperson

LB:RP:kc

HB

377

100% of true value -

Does present law provide for penalties?

Introduced: 3/21/77  
Referred: Community & Regional Affairs

If so, is there any limitation?

*(I am member of the opinion state shd. not set or limit or mandate penalties)*  
BY McKINNON

IN THE HOUSE

HOUSE BILL NO. 377

IN THE LEGISLATURE OF THE STATE OF ALASKA

TENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to penalties for delinquent property taxes."

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

\* Section 1. AS 29.53.180(a) and (b) are amended to read:

(a) If the taxpayer is required to pay the entire tax on the due date set by the assembly, a penalty not to exceed 10 per cent may be added to all delinquent taxes, except as provided in (d) of this section, and interest at the rate of eight per cent a year shall accrue upon all unpaid taxes, not including penalty, from the due date until paid in full. If the taxpayer is given the right to pay the tax in two installments and the first half is not paid when due, the entire tax becomes delinquent and penalty and interest accrue as follows:

(1) if the first half is paid when due, the second half is payable on the due date fixed by the assembly for the second half and if not paid is delinquent after that date;

(2) a penalty not to exceed eight per cent shall be added to all taxes delinquent until the due date fixed for payment of the second half, and interest at the rate of eight per cent a year shall be charged on the whole of the unpaid taxes, not including penalty, from due date until paid in full;

(3) after the due date for the payment of the second half, a total penalty of not more than 10 per cent may be added to all delinquent taxes, and interest at the rate of eight per cent a year shall accrue upon all unpaid taxes, not including penalties, from due date until date

1 paid in full.

2 (b) If the assembly imposes a penalty for the nonpayment of pro-  
3 perty taxes when due, or the late return of [<sup>real</sup>personal] property assess-  
4 ment forms, the rate of penalty or combined rates of penalty may not  
5 exceed 10 per cent of the tax due on the property concerned. The pro-  
6 visions of (d) of this section apply to limit the imposition of penal-  
7 ties for the nonpayment of [<sup>real</sup>personal] property taxes when due.

8 \* Sec. 2. AS 29.53.180 is amended by adding a new subsection to read:

9 (d) No penalty may be added to a delinquent real [or personal]  
10 property tax if the assessed value of the real [or personal] property of  
11 the taxpayer reported in the annual assessment roll, exclusive of pro-  
12 perty or improvements to the property of the taxpayer first included in  
13 the annual assessment roll, exceeds by 30 per cent or more the assessed  
14 value of the property reported in the annual assessment roll of supple-  
15 mental assessment roll for the previous assessment year.

exclude or  
value of  
improvements  
last assessment  
value

not enacted

McK. suggests higher % age

{McCartor suggests use tax bill increase, rather than assessed value -

{Suggests 30% annual tax increase.

{Limit to residential property -

*Cost to munis. -*

Introduced: 3/21/77  
Referred: Community & Regional  
Affairs

1 IN THE HOUSE

BY MCKINNON

2 HOUSE BILL NO. 377

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to penalties for delinquent property  
7 taxes."

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

9 \* Section 1. AS 29.53.180(a) and (b) are amended to read:

10 (a) If the taxpayer is required to pay the entire tax on the due  
11 date set by the assembly, a penalty not to exceed 10 per cent may be  
12 added to all delinquent taxes, except as provided in (d) of this sec-  
13 tion, and interest at the rate of eight per cent a year shall accrue  
14 upon all unpaid taxes, not including penalty, from the due date until  
15 paid in full. If the taxpayer is given the right to pay the tax in two  
16 installments and the first half is not paid when due, the entire tax  
17 becomes delinquent and penalty and interest accrue as follows:

18 (1) if the first half is paid when due, the second half is  
19 payable on the due date fixed by the assembly for the second half and if  
20 not paid is delinquent after that date;

21 (2) a penalty not to exceed eight per cent shall be added to  
22 all taxes delinquent until the due date fixed for payment of the second  
23 half, and interest at the rate of eight per cent a year shall be charged  
24 on the whole of the unpaid taxes, not including penalty, from due date  
25 until paid in full;

26 (3) after the due date for the payment of the second half, a  
27 total penalty of not more than 10 per cent may be added to all delinquent  
28 taxes, and interest at the rate of eight per cent a year shall accrue  
29 upon all unpaid taxes, not including penalties, from due date until date

Makes lack of penalty apply only to physical improvements, not to natural increase in value.

1 paid in full.

2 (b) If the assembly imposes a penalty for the nonpayment of pro-  
3 perty taxes when due, or the late return of personal property assess-  
4 ment forms, the rate of penalty or combined rates of penalty may not  
5 exceed 10 per cent of the tax due on the property concerned. The pro-  
6 visions of (d) of this section apply to limit the imposition of penal-  
7 ties for the nonpayment of personal property taxes when due.

8 \* Sec. 2. AS 29.53.180 is amended by adding a new subsection to read:

9 (d) No penalty may be added to a delinquent real or personal  
10 property tax if the assessed value of the real or personal property of  
11 the taxpayer reported in the annual assessment roll, exclusive of pro-  
12 perty or improvements to the property of the taxpayer first included in  
13 the annual assessment roll, exceeds by 30 per cent or more the assessed  
14 value of the property reported in the annual assessment roll or supple-  
15 mental assessment roll for the previous assessment year.

This excludes  
inflationary  
increases.

16  
17 Fby - reassesses every 2 yrs.

18 some every 3 yrs.

19  
20 Will force ~~assess~~ yearly assessment  
21 assessments ~~will~~ have to be on "fair market  
22 value"  
23  
24  
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28  
29

HB

451

Fish & Game  
H&SS -

Introduced: 4/7/77  
Referred: Community &  
Regional Affairs and Finance

1 IN THE HOUSE

BY ANDERSON

2 HOUSE BILL NO. 451

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the regionalization of the Depart-  
7 ment of Community and Regional Affairs; and providing  
8 for an effective date."

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

10 \* Section 1. AS 44.39 is amended by adding a new section to read:

11 Sec. 44.39.015. DEPARTMENTAL ORGANIZATION. (a) The commissioner  
12 shall establish administrative regions in the state as described in (b)  
13 of this section. The functions of the department within each adminis-  
14 trative region shall be performed, to the maximum extent feasible,  
15 through a regional office located in the following cities: (1) Barrow;  
16 (2) Kotzebue; (3) Nome; (4) Fairbanks; (5) Bethel; (6) Naknek; (7) Sand  
17 Point; (8) Kodiak; (9) Anchorage; (10) Juneau and (11) Ketchikan. Each  
18 regional office shall be directed by a regional community and regional  
19 affairs director appointed by the commissioner.

20 (b) The administrative regions of the department shall be estab-  
21 lished in the following election districts:

22 (1) Arctic Slope Region -- that part of election districts  
23 16 and 17 that are within the boundaries of the North Slope Borough;

24 (2) Kotzebue Region -- that part of election district 17  
25 that is outside the boundaries of the North Slope Borough;

26 (3) Bering Straits Region -- election district 18;

27 (4) Bethel Region -- election districts 14 and 19, and that  
28 part of election district 15 south of 62° north latitude;

29 (5) Bristol Bay Region -- election district 13;

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(6) Aleutians Region -- election district 12;

(7) Kodiak Region -- election district ~~11~~; 11

(8) Fairbanks Region -- that part of election district 15 north of 62° north latitude and that part of election district 16 that is outside the boundaries of the North Slope Borough;

(9) Southcentral Region -- election districts 6 - 10;

(10) Northern Panhandle Region -- election districts 3 - 5;

(11) Southern Panhandle Region -- election districts 1 and 2.

(c) The election districts used in (b) of this section are those designated by the Proclamation of Reapportionment and Redistricting of December 7, 1961, and retained for the house of representatives by proclamation of the governor, September 3, 1965.

\* Sec. 2. This Act takes effect July 1, 1978.

*Dept. basically supports bill -  
100 employees*

*prob. w/  
changing  
boundaries  
?*

THE LEGISLATURE OF THE STATE OF ALASKA  
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. HB 451  
 Title ... regionalization of the Dept. of Community & Regional Affairs"  
 Requested by C&RA - House Nels Anderson Date \_\_\_\_\_

II. FISCAL DETAIL  
 Agency Affected Department of Community & Regional Affairs  
 Program Category Affected Development  
 Budget Request Unit(s) Affected Local Government Assist, Community & Rural Develop,  
Community Planning and Manpower

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES			164.9			
200 TRAVEL			-0-			
300 CONTRACTUAL			49.9			
400 COMMODITIES			3.0			
500 EQUIPMENT			9.6			
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>			<b>227.4</b>			

FUNDING (Thousands of Dollars)

GENERAL FUND			227.4			
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME			6.0			
PART TIME						
TEMPORARY						

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

ASSUMPTIONS:

1. Transfer existing professional staff from Anchorage & Juneau.
2. Add new clerical staff for new field offices.
3. Costs for existing field offices in Bethel, Nome, Fairbanks, Juneau & Anchorage will be included in the appropriate budget request units and are not included in the Analysis.
4. Costs in this analysis reflect establishing Departmental field offices in Barrow, Kotzebue, Naknek, Sand Point, Kodiak and Ketchikan (see attached).

IV. DATE April 18, 1977 PREPARED BY Daniel G. Kanouse  
 AGENCY Dept. of Community & Regional Affairs  
 Original: Legislative Finance PHONE 465-4723  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

FISCAL NOTE - HB 451

"... regionalization of the Department of Community & Regional Affairs"

	<u>BARROW</u>	<u>KOTZEBUE</u>	<u>NAKNEK</u>	<u>SAND POINT</u>	<u>KODIAK</u>	<u>KETCHIKAN</u>	<u>TOTAL</u>
Professional salaries (incremental)	12,300	12,300	8,900	8,900	1,400	-0-	43,800
Clerk Typist salaries	22,300	22,300	20,900	20,900	17,900	16,800	121,100
Total salaries	34,600	34,600	29,800	29,800	19,300	16,800	164,900
Contractual Serv.	2,200	3,300	1,200	1,500	1,800	2,400	12,400
Basic phone	350	350	350	350	350	350	2,100
Long distance	800	800	800	800	800	800	4,800
Transportation of things	3,600	3,600	3,600	3,600	3,600	3,600	21,600
Postage	500	500	500	500	500	500	3,000
Copier	1,000	1,000	1,000	1,000	1,000	1,000	6,000
Total Contractual Serv.	8,450	9,550	7,450	7,750	8,050	8,650	49,900
Commodities	500	500	500	500	500	500	3,000
Equipment	1,600	1,600	1,600	1,600	1,600	1,600	9,600
GRAND TOTAL	45,150	45,250	39,350	39,650	29,450	27,550	227,400

*Copies for members files*



STUART H. BOWDOIN  
BOROUGH MANAGER

TELEPHONE  
(907) 268-4224

# *Bristol Bay Borough*

Box 189 • NAKNEK, ALASKA 99633

April 22, 1977

Representative Lisa Rudd  
Pouch V  
Juneau, Alaska 99811

Dear Representative Rudd;

The Bristol Bay Borough strongly supports the following House Bills.

a. H.B. 450 establishing administrative regional offices for the Department of Health and Social Services.

b. H.B. 451 establishing administrative regional offices for the Department of Community, and Regional Affairs.

c. H. B. 452 establishing administrative regional offices for the Department of Fish & Game.

Locating regional offices in Naknek will provide a central location for these state activities and result in faster and more adequate services to residents of Bristol Bay, Alaska Peninsula and the Iliamna Lake Clark Areas.

Your support of these three Bills will be greatly appreciated.

Sincerely,

A handwritten signature in dark ink, appearing to read "Stuart H. Bowdoin".

Stuart H. Bowdoin  
Borough Manager

SHB:smc

HB

483

4-19-77

# COMMITTEE REPORT

## HOUSE

2/27

Date

Mr. Speaker:

The Committee on C&EA has had HB 483

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 483 and that CS for HB 483 do pass

(and) recommends it be referred to the \_\_\_\_\_ committee

reports it back without recommendation

AND attaches a report of its intent

(other) \_\_\_\_\_

### MEMBERS SIGNING THE MAJORITY REPORT:

Budd - do pass ADD 2 ON NO DIS

John [unclear] \_\_\_\_\_

[unclear] D.P. \_\_\_\_\_

Mike B. [unclear] D.P. \_\_\_\_\_

### MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

Tim Kelly recommends: Mr. [unclear]

[unclear] recommends: " "

\_\_\_\_\_ recommends: \_\_\_\_\_

[Signature]  
Chairman

HB 483  
Revisions to Title 29

February 17, 1977

The Honorable Hugh Malors, Speaker  
House of Representatives  
Pouch V  
Juneau, Alaska 99811

Dear Hugh:

Attached to this letter is a proposed sponsor or committee substitute to HB 110 of draft legislation which would correct or otherwise clarify certain portions of Title 29 from a basically technical viewpoint. In preparing this draft legislation it was our intent not to, in any way, deal with issues involving policy or subjects that might be controversial in nature. I believe that as you read the draft legislation, most proposed changes will be self-explanatory; therefore, I will not attempt to go into detailed explanation as to the background for each of the changes.

By way of general background, Commissioner McAnerney had earlier requested that the Division assume responsibility for reviewing all of Title 29 and to make an attempt to correct those obvious errors or omissions which were apparent in the 1972 legislation or which have been caused by subsequent amendments to the original 1972 version of Title 29. In July, the Department sent a letter to all municipalities requesting their input or suggested amendments to Title 29. Additionally, four attorneys were invited to a meeting which included Billy Barrier and Greg Machyowski (of Legislative Affairs Agency), Jim Nordale (attorney for the Fairbanks North Star Borough), and Karl Walter (formerly city attorney for the City of Anchorage and now a private practitioner). The language of the attached draft legislation (with the exception of sections 1, 7, & 15) is the result of that all-day meeting between the Division of Local Government Assistance and the four attorneys who primarily drafted the 1972 version of Title 29.

Section 1 of the proposed draft may not be technically considered "clean-up" legislation but provides what we in this Division feel would permit a "streamlined" mechanism to allow earlier home-rule charter adoption of a municipality upon incorporation.

On November 15, 1976, the Division received a letter from Wes Howe, borough manager of the Matanuska-Susitna Borough, calling to our attention some technical

The Honorable Hugh Malone, Speaker  
House of Representatives  
Pouch V  
Juneau, Alaska 99811.

-2-

February 17, 1977

deficiencies in AS 29.23.310. Therefore, section 7 of the attached draft is the language proposed by the borough attorney from the Matanuska-Susitna Borough to correct that one problem area. Section 9 of the proposed draft achieves the same purpose as your HB 110.

Section 15 of the proposed draft re-enacts identical language passed by the legislature last year. However, the AG's office has ruled that this enactment would be held invalid since it was contained in a bill which amended Title 43 (thus violating the two subject rule). Ketchikan Gateway Borough administration reminded us of the need to have this provision re-enacted into Title 29. The AG's office has advised that re-enactment of the language is appropriate.

Representative Lisa Rudd has indicated a willingness to consider our proposal as a sponsor or committee substitute but requested that I meet with you for your concurrence.

I hope that you will be able to propose this additional language as a sponsor substitute or that, in the alternative, you will have no objection to allowing this proposal to be considered as a committee substitute for HB 110.

I look forward to discussing this with you at 3:30 tomorrow afternoon.

Sincerely,

Lee McAnerney  
Commissioner

By: Palmer McCarter  
Director

LMcA:PMcC:sg



# ALASKA HOUSE OF REPRESENTATIVES

Community and Regional Affairs Committee

LISA RUDD, Chair

Pouch V, State Capitol  
Juneau, Alaska 99811  
(907) 465-3870

17 February 1978

Ms. Judith A. Slajer, Manager  
Ketchikan Gateway Borough  
344 Front St.  
Ketchikan , Alaska 99901

Dear Judy,

Thank you for your telegram concerning the municipal clerks' proposed amendments to HB 483. I do appreciate the input from the clerks' association.

I have enclosed a copy of the proposed committee substitute for HB 483 which incorporates some of the amendments proposed by the clerks. A committee review of this substitute has not yet been scheduled but it will probably be heard again in two weeks.

Thank you again for your telegram and please let me know if I can be of help to you.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Lisa".

Lisa Rudd, Chair

LR/vb  
Enc: HB 483

# TELEGRAM

NSA ALASKA COMMUNICATIONS, INC.

PHONE: 586-6440

JUNEAU, ALASKA 99801

JUN 15 11 0 13

13002 KETCHIKAN ALASKA 37 02-15 955A PST

PMS LISA RUDD CHAIRMAN HOUSE COMMUNITY REGIONAL AFFAIRS COMMITTEE

JUN 1957

RE HB483

NOTE REVISIONS PROPOSED BY JOYCE RASLER WRANGELL CITY CLERK  
AMENDMENTS PROPOSED WOULD CLARIFY EXISTING CONFLICTS IN TITLE  
29 AND BETWEEN 29 AND OTHER TITLES AND INCREASE THE UNIFORM  
APPLICABILITY AND WORKABILITY OF TITLE 29

JUDITH A SLAJER BOROUGH MGR KETCHIKAN GATEWAY BOROUGH

# TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.

PHONE: 586-6440

JUNEAU, ALASKA 99801

1970 FEB 15 AM 10 13

13002 KETCHIKAN ALASKA 37 02-15 955A PST

PMS LISA RUDD CHAIRMAN HOUSE COMMUNITY REGIONAL AFFAIRS COMMITTEE

JUN 587

RE HB483

NOTE REVISIONS PROPOSED BY JOYCE RASLER WRANGELL CITY CLERK  
AMENDMENTS PROPOSED WOULD CLARIFY EXISTING CONFLICTS IN TITLE  
29 AND BETWEEN 29 AND OTHER TITLES AND INCREASE THE UNIFORM  
APPLICABILITY AND WORKABILITY OF TITLE 29

JUDITH A SLAJER BOROUGH MGR KETCHIKAN GATEWAY BOROUGH

HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

*LISA RUDD*

*ALASKA HOUSE OF REPRESENTATIVES, POUCH V, JUNEAU 99811*

February 14, 1978

Dear Ms. Rasler,

Thank you very much for your letter on behalf of the Alaska Association of Municipal Clerks regarding HB 483.

I will see that each member of our committee receives a copy of your letter. Thank you again for the information you have provided us with.

Yours sincerely,

Lisa Rudd

*REPRESENTATIVE - DISTRICT 11 - ANCHORAGE*

IR/vb



ADOPTED AUGUST 1972

# CITY of WRANGELL, ALASKA

INCORPORATED JUNE 15, 1903

BOX 531, 99929 (907) 874-2381

February 7, 1978

Lisa Rudd, Chairperson  
House Community and Regional  
Affairs Committee  
Pouch V, State Capitol  
Juneau, Alaska 99811

Re: HB 483, Revision to the Municipal Code

Dear Ms. Rudd:

On behalf of the Alaska Association of Municipal Clerks, I wish to submit the following comments regarding HB 483:

AS 29.13.100 (34) references those sections of Title 29 and Title 14 which apply to home rule municipalities. In reading 14.12.100, we find that 14.12.10 through 14.12.100 applies to home rule. We are unable to find this application within Title 29. We would request that HB 483 include an amendment to 29.13.100 for reference of home rule application of 14.12.10 through 14.12.100.

AS 29.28.030 provides for voter qualifications. We request that this section be amended to provide for a voter being registered within the municipality in which they wish to vote. This would alleviate problems currently encountered.

AS 29.48.150 (a) provides that each ordinance and resolution shall be codified. 29.48.180 (c) defines codified and does not refer to resolutions. We do not feel a resolution holds the same status as an ordinance and therefore should not be included in the codified laws of a municipality.

AS 29.48.220 provides that audits will be made available to the public on request. Although we do not feel the intent of the section is to provide copies of the audit at no cost, we would request that the section be amended to provide copies of the audit to the public at cost. In support of this request, a copy of a letter received from the Alaska Court System is enclosed.

CITY OF WRANGELL, ALASKA

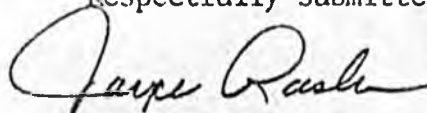
Lisa Rudd, Chairperson  
February 7, 1978  
Page two

AS 29.53.230 (a) provides for annual foreclosure unless otherwise provided by ordinance. 29.53.240 (a) (1) provides that (city) shall annually present a petition for judgement and a certified copy of the foreclosure list for the previous year delinquency. We feel the separate sections conflict as they do not each state unless otherwise provided by ordinance.

HB 483 would amend AS 29.48.180 (a) to include "any punishment authorized for violation of an ordinance may be imposed only if the ordinance is codified and copies of the ordinance are made available for distribution to the public". We would request that the proposed amendment designate "distribution to the public at cost". In support of this request, a copy of a letter received from the Alaska Court System is enclosed.

This information was reviewed at the annual meeting of the Alaska Association of Municipal Clerks and referred to the Department of Community and Regional Affairs in response to their request for comments.

Respectfully submitted,



Joyce Rasier, CMC  
Wrangell City Clerk  
AAMC Legislative Committee

cc: Jim Rolle, Executive Director  
Alaska Municipal League

E. J. Haugen, Representative



Alaska Court System  
State of Alaska

MARY A. GRAY  
STATE RECORDER

STATE DISTRICT RECORDER

944 W. FIFTH AVE.  
ANCHORAGE, ALASKA  
99501

October 3, 1972

Mr. Kester L. Dotts  
Manager, City of Wrangell  
P.O. Box 531  
Wrangell, Alaska 99029

Re: House Bill 208

Dear Mr. Dotts:

This letter is in regard to the revision of Chapter 118, SLA 1972.  
Actual effective date: September 10, 1972.

I make reference to Sec. 29.53.100.ASSESSMENT ROLL.(b) Real property is assessed to the owner of record as shown in the records of the district recorder, who shall at least monthly provide the assessor a copy of each recorded change of ownership and the address of the party recording the change of ownership.

What the bill failed to mention is the fee to be charged for this service.

It is by the decision of the Administrative Director of Courts, that a fee of 25 cents per page will be charged. This fee is necessary to cover the cost for service and copies.

If you desire this service be provided your assessment office, please respond promptly by written request to Mrs. Mary A. Gray, State Recording Supervisor, 944 W 5th. Ave., Anchorage, Alaska 99501.

On receipt of your request we will establish a billing system on a once monthly basis.

It will be necessary for the Assessors Office to supply the recording office with a map showing the area that is incorporated with in their city or borough boundaries. This map is essential if the District Recorder is to provide you with this service.

Yours truly,

Mrs. Mary A Gray  
State Recording Supervisor

# STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

## DEPT. OF COMMUNITY & REGIONAL AFFAIRS

DIVISION OF LOCAL GOVERNMENT ASSISTANCE

POUCH B - JUNEAU 99811

January 23, 1978

The Honorable Representative Lisa Rudd, Chairman  
House Community and Regional Affairs Committee  
Pouch "V"  
Juneau, Alaska 99811

RE: Proposed Amendments to House Bill No. 483

Dear Representative Rudd:

Attached is a copy of suggested amendments to House Bill No. 483 submitted by the Alaska Municipal Clerks Association. We heartily concur with the third proposed amendment, requiring registration within a municipality to be a qualified voter in a municipal election.

Existing statutory language is vague. Currently some municipalities demand registration within the municipality prior to voting in the municipal election and other municipalities do not require such registration. Confusion surrounds this issue, and legislative action would seem desirable. A draft of a proposed amendment is attached should the Committee wish to entertain this specific amendment. As to the other amendments, we hold no strong opinion, but offer them for your Committee review.

Sincerely,

Lee McAnerney, Commissioner

  
By: Palmer McCarter  
Director

Attachment

cc: Billy G. Berrier  
Legislative Affairs Agency

AS 29.28.030 is amended to read:

Sec. 29.28.030. Voter qualification. A person may vote in a municipal election only if he is a United States citizen who is qualified to vote in state elections and has been a resident and registered voter of the municipality for 30 days immediately preceding the election and who is registered to vote in state elections and is not disqualified under art. V of the state constitution. Voter registration by the municipality may not be required. This section applies to home rule and general law municipalities.

CITY OF WRANGELL, ALASKA

September 21, 1977

29.53.050 references education in Title 29 under the 1976 supplement. (prior to this, the reference to home rule was the provision that 29.53.050 applied to home rule if located outside an organized borough, through 29.43.030) - 29.53.050 specifically refers to 14.14.060 and 14.14.110 and the supplement includes reference to 14.12.020 (a). 14.12.100 states: Sec. 10-100 of this chapter (12) applies to home rule and general law. This should be included in Title 29.

29.23.250 provides that a mayor of a home rule city need be but 18 years of age. Home rule should be allowed to set additional age requirements by charter.

29.28.050 provides for voter qualifications. As discussed at the AML last year, the section should be amended to provide for registered within the municipality in which they wish to vote.

29.48.180 (a) provides that each ordinance and resolution shall be codified. (c) defines codified and does not refer to resolutions. Resolutions are not generally of a general and permanent nature and should not be included in the codified laws of a municipality.

14.12.080 provides to be eligible to be a member of a school board, a person must have the same qualifications as are necessary to be a municipal voter in the school district. This section was adopted during the time a voter must be 21 years of age and reside within the State for one year (1966). In 1972 voter qualifications were amended to 18 years of age and residency of 30 days, thus allowing a member of a school board to be 18 years of age and reside within the school district only 30 days. Municipalities should be allowed to set age and residency requirements on elected officials with voter approval. This was discussed at the last AML conference.

29.48.220 provides that audits will be made available to the public on request. Does this mean available to the public without cost or just for review.

29.53.250 (a) provides for annual foreclosure unless otherwise provided by ordinance. 29.53.240 (a) (1) provides that (city) shall annually present a petition for judgement and a certified copy of the foreclosure list for the previous year delinquency and does not contain unless otherwise provided by ordinance. The two separate sections conflict.

HB No. 485 would amend AS 29.48.180 (a) to include "any punishment authorized for violation of an ordinance may be imposed only if the ordinance is codified and copies of the ordinance are made available for distribution to the public". This proposed amendment should designate "distribution to the public at cost". (an example of possible problems is 29.53.100 (b) that provides that the State District Recorder shall at least monthly provide the assessor a copy of each recorded change of ownership...The Court System in Anchorage advised they had neglected to provide for a fee and asked that an agreeable fee be established.)

Submitted by: Joyce Pasler, CMC (Wrangell)  
Donna Sherby, CMC (Cordova)  
Home Rule Municipalities

# STATE OF ALASKA

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Submitted by: Joyce Rastler, CMC (Wrangell)  
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Home Rule Municipalities



# Matanuska-Susitna Borough

P. O. BOX B

PALMER, ALASKA 99645

PHONE  
745-3246

## DEPARTMENT

To: Honorable Liza Rudd

At: Re: HB 483

From: Evelyn Thompson, Borough Clerk

Date 2-23-78

### MESSAGE

The Municipal Clerks have always objected to codification of resolutions. Normally resolutions are not permanent and we see no need for codification. In our office, we keep an index of resolutions so that they can be found when needed. I would appreciate it if you could have the word "resolution" deleted from Sec. 29.48.180(a).

The Clerks normally have not had resolutions codified and feel that the word was inadvertently included in the Statute when it was originally written.

Thank you for considering the above.

PLEASE REPLY IN AREA BELOW. *Thank You!*

Signed:

*Evelyn Thompson*

REPLY

Reply Date:

Signed:

## Explanation of House Bill No. 483

Section 1

Provides impetus to a new first class borough to develop into a home rule borough as swiftly as possible. If voters approve the question of incorporation and election of a charter commission, the charter commission members would be elected at a special election.

Section 2

Currently, city council members, mayors of cities, and mayors of boroughs begin their office on the first Monday following the election. No such date exists for assembly members; therefore this language clarifies the date assembly members assume office.

Section 3

Eliminates repetitive language contained under AS 29.28.020(a).

Section 4

See commentary under Section 3.

Section 5

Permits cities to call emergency meetings, as boroughs are permitted under AS 29.23.060.

Section 6

See commentary under Section 3.

Section 7

AS 29.23.310 currently permits the creation of zones for the election of borough school board members; however, Section 310 refers to AS 29.23.100 as the means to implement the creation of these zones. AS 29.23.100 was repealed by ch 118 SLA 1972, a law combining the old Title 7 with Title 29. The new language would describe the method for creating these zones.

Section 8

Simplifies language describing the relationship between boroughs and cities when boroughs have and exercise areawide powers.

Section 9

Permits cities to transfer the board of adjustment responsibility to the borough without borough assembly approval.

Section 10

Transfers certain powers from the platting board to the borough.

Section 11

Clarifies the need to codify ordinances prior to imposition of any punishment.

Section 12

Extends coverage of need for codification of ordinances to boroughs.

Section 13

Ch 56 SLA 1976 allows municipalities to create public corporations capable of issuing bonds to provide municipal services. However, the Attorney General feels that ch 56 SLA 1976 violates Article II Section 13 of the State's Constitution regarding the prohibition against more than one subject in a bill. Therefore, Section 13 of this bill would properly enact the provisions contained in the prior bill.

SCS CSHB 674 am S  
1976

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January 23, 1978

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House Community and Regional Affairs Committee  
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RE: Proposed Amendments to House Bill No. 483

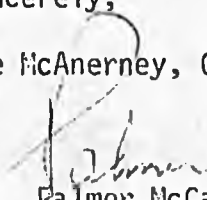
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Director

Attachment

cc: Billy G. Berrier  
Legislative Affairs Agency

HB

509

Introduced: 4/27/77  
Referred: Community &  
Regional Affairs

1 IN THE HOUSE

BY MEEKINS

2 HOUSE BILL NO. 509

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act exempting certain items from sales tax."

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

8 \* Section 1. AS 29.53.415(a) is amended to read:

9 (a) A borough may levy and collect a sales tax not exceeding three  
10 per cent on sales [OR RENTS,] and on services made within the borough.  
11 The sales tax may apply to either or both [ANY OR ALL] of these sources  
12 but may not apply to rent, prescription drugs or food products for human  
13 consumption, nor may it apply to the sales of any energy source such as  
14 electricity, fuel oil, coal, or natural or manufactured gas when the  
15 energy source is sold for use in a residence by an occupant. Addi-  
16 tional exemptions [EXEMPTIONS] may be granted by ordinance.

17 \* Sec. 2. AS 29.53.415 is amended by adding a new subsection to read:

18 (e) For the purpose of this section "food products" includes,  
19 except as otherwise provided in this section, but is not limited to,  
20 cereals and cereal products; milk and milk products, including ice  
21 cream; oleomargarine; meat and meat products; poultry and poultry  
22 products; fish and fish products; eggs and egg products; vegetables and  
23 vegetable products; fruit and fruit products; spices, condiments and  
24 salt; sugar and sugar products; coffee and coffee substitutes; tea,  
25 cocoa products; or any combination of these. "Food products" does not  
26 include

27 (1) medicines, tonics, vitamins and medicinal preparations in  
28 any form;

29 (2) carbonated and noncarbonated packaged soft drinks and

*where did he  
get definition?*

1 diluted juices where sold in liquid or frozen form; and ice and candy;

2 (3) foods and drinks (which include meals, milk and milk  
3 products, fruit and fruit products, sandwiches, salads, processed meats  
4 and seafoods, vegetable juices, ice cream in cones or small cups)  
5 served, prepared or sold ready for immediate consumption in or by  
6 restaurants, drug stores, lunch counters, cafeterias, hotels or like  
7 places of business or sold ready for immediate consumption from push  
8 carts, motor vehicles, or any other form of vehicle; however, food and  
9 drinks purchased by a common carrier for the purpose of serving passen-  
10 gers traveling en route aboard the carrier are exempt.

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*Ken Bond \$393,000 loss*

Carlson - make local option  
but ~~Alaska~~ law an definition of food -  
Washington

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