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MISCELLANEOUS

CORRESPONDENCE

404

STATE OF ALASKA

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

DIVISION OF LOCAL GOVERNMENT ASSISTANCE

March 27, 1975

JAY S. HAMMOND, Governor

POUCH B - JUNEAU 99811

Mr. Leonard Kato, President
Klawock-Heenya Corporation
P.O. Box 74
Klawock, Alaska 99925

Dear Mr. Kato:

I will respond to your questions as put forth in your letter of March 21.

(1) Under Alaska law, proper notice of public hearing includes the forwarding of legal notices to municipal corporations affected by the proposed boundary adjustment. On November 6, 1972 public notice of hearing for purposes of receiving public testimony on the Craig Annexation was sent to the City of Klawock and the City of Craig. While the Department respects your observation that "fair" representation was minimal under the circumstances, it is the clear responsibility of the City of Klawock to note legal notices, regardless of its action or inaction at the time. Further, since the record leading to the hearing and to the Local Boundary Commission's decisional meeting did not reflect correspondence from any Klawock residents in protest of the annexation, the majority of the Commission accepted the petition and submitted its recommendation for the Craig annexation to the Alaska Legislature.

(2) The Sealaska Corporation publication to which you refer did not reflect the 2,670 acre area annexed by Craig because extension of municipal jurisdiction does not enter the concern of the BLM in its consideration of withdrawal lands; patented lands; and land encumbrances. Again, BLM is the only agency which can answer your question regarding the timing of patents. We have no information at this office that could satisfy this question. As I am sure you are aware, the BLM is burdened with informational requests of this nature. I would suggest that you pursue this matter further through the BLM office in Anchorage phone 277-1561.

(3) The City of Craig currently is receiving state shared revenue for providing the following municipal services:

March 27, 1975

Police and Fire protection
Parks and Recreation
Transportation
Road Maintenance
Pollution control (water/sewer)

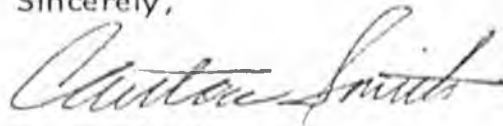
As a general rule, a municipality is obligated to make services available to residents where the service can be implemented without undue burden on the municipality and on the individual parties served. In any event, determinations on the extension of services are a clear consideration of the local municipality and of those who reside within the municipal boundaries.

The Alaska Public Utilities Commission (APUC) has the authority to review services of municipal utilities. This agency reports that services may be extended to an area not previously served by the municipal utility if (1) the utility has the resources with which to expand its services to a reasonable number of users within reasonable proximity to existing service lines and (2) the extension of service would not enter an area where a competing utility might operate.

If and when residents of Craig petition to receive municipal services and are refused, the legal recourse is again through the APUC. When a complaint is received, the Commission will proceed with an investigation to determine the "reasonableness" or "unreasonableness" of the request/denial for services. For further information, please write the Alaska Public Utilities Commission, McKay Building Anchorage, Alaska 99501.

The Klawock-Heenya Corporation could initiate a formal detachment procedure of the lands annexed by the City of Craig if your board can agree on this arrangement. Procedurally, this would involve a letter or request from the Heenya Corporation (with lands to be detached from the City of Craig described) to the City Council of Craig. If the idea is approved by the City Council, a petition would be then forwarded by the City to the Local Boundary Commission for review. As this procedure would take place under the local option provision dealing with boundary adjustments, a minimal amount of processing would be necessary. If you have any specific questions concerning this procedure, please contact this office directly.

Sincerely,



Carlton Smith
Local Government Specialist

STATE OF ALASKA

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

DIVISION OF LOCAL GOVERNMENT ASSISTANCE
April 2, 1975

IAY S. HAMMOND, Governor

POUCH B - JUNEAU 99811

Mr. Leonard Kato, President
Klawock/Heenya Corporation
Post Office Box 74
Klawock, Alaska 99925

Dear Mr. Kato:

Enclosed please find a copy of the Local Boundary Commission recommendation for changing the corporate boundaries of the City of Craig. This recommendation includes a legal description of the annexed area which may help you to more clearly define the area in question.

I have also enclosed a copy of a rough outline map of the annexed area. (The annexed lands of the City of Craig are outlined in blue)

You are correct in observing that a portion of the new city limits of Craig lie within the core township of the Klawock-Heenya village corporation. However, this area does not include the total of 2670 acres that were annexed by Craig. Rather, Craig's area of municipal jurisdiction appears to include approximately 4 square miles of village corporation land. A close examination of the annexed area will reveal that if Klawock-Heenya were to initiate detachment proceedings, the area to be detached would include simply the annexed lands within the core township of Klawock-Heenya Corporation.

However, since the Craig sanitary land fill lies within this area, and it appears that control of this site may have constituted the main thrust for annexing this area, a suggestion is in order.

The rightful owner of the annexed lands within the core township-- Klawock-Heenya Corporation, could resolve to detach Craig lands within its core township. Upon approval by the legislature, Klawock-Heenya could offer Craig use of these lands for disposal purposes through use of a long-term lease or mutual use agreement.

Mr. Leonard Kato, President

-2-

April 2, 1975

I trust that this information may be of use to you.

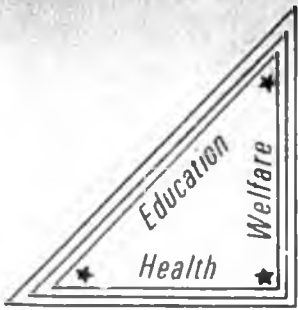
Sincerely,

A handwritten signature in cursive script, appearing to read 'Carlton Smith', written in dark ink.

Carlton Smith
Local Government Specialist

CS:dt

Enclosures



**COPPER
RIVER
NATIVE
ASSOCIATION, INC.**
(Ahtna Tanah Ninnah)

File

Adm. 822-3949-3521
Health
Alcoholism 822-3955
J.O.M. 822-3333
Manpower 822-3333
Housing 822-3333

Drawer H-Copper Center, Alaska 99573

May 3, 1977

Senator Joseph Orsini
Chairman Community & Regional Affairs
Assembly 100
Juneau, Alaska 99811

Dear Senator Orsini:

At the present time the community and regional affairs is administrating state RDA grants in the amount of \$20,000.00. Several of the villages in our region are currently receiving these grants. These have been greatly instrumental increasing the capacity of village councils of our area.

We would request your support with the increase in these grants from \$20,000.00 to \$40,000.00 as is contained Senate Bill 213. By increasing the amount of the grant from \$20,000.00 to \$40,000.00 it will greatly offset increased costs of construction due to inflation and other factors.

Your support is appreciated.

Sincerely,

Maxwell L. Fancher
Executive Director
Copper River Native
Association, Inc.

cc: Lisa Rudd, Chairman
Community & Regional Affairs
Court Building 620
Alaska House of Representative
Juneau, Alaska 99811

Senator Jalmar M. Kerttula
Court Building 624
Juneau, Alaska 99811

Your attention is requested.

**KODIAK AREA
COMMUNITY DEVELOPMENT
CORPORATION, INC.**



KODIAK AIRWAYS B DG
P.O. BOX 571
KODIAK, ALASKA 99615
PHONE 907 486-3296

5 May 1977

Senator Orsini, Chairman
Community & Regional Affairs Comm.
Pouch V
Juneau, Alaska 99811

Dear Senator Orsini:

Our Office wishes to express our strong support for CS House Bill 193am. We are heavily involved in the Day Care program as we act as coordinators and administrators for the program here in Kodiak and in the villages of Kodiak Island. And, as such, have a strong interest in the progress of this Bill.

Under Section 1 b., we feel it is extremely important to create the 90 day limit. This will insure timely establishment of day care centers within the villages.

Section 2 also will have an extremely beneficial effect on our Day Care programs. By increasing the age limit of those who may be eligible for assistance, it will allow much needed day care for children during after school hours. It also can allow for assistance for children 7 to 11 years of age during the summer when school is not in session.

And finally an increased age limit can eliminate many of the inequities of the system. As it is now AFDC recipients are eligible to receive day care assistance for children through age 11 and non AFDC recipients are cut off at age 7. By equalizing or standardizing the age limit we can begin to reduce the partiality of the program to Welfare recipients.

We have discussed these proposed changes with the Day Care Center people here in Kodiak and at the Coast Guard Base. They are in strong support of these measures.

We hope that you will expediate the speedy passage of CS for House Bill 193am. through your committee.

Sincerely,

Wayne E. Marshall
Regional Director

cc: Kay Poland

WEM/drm

*draft a bill
see [unclear] [unclear]
& [unclear] [unclear]*

ASSOCIATION OF VILLAGE COUNCIL PRESEIDENTS

P.O. BOX 219

BETHEL, ALASKA 99559

Dear Mr. Orsini:

The Association of Village Council Presidents will be holding thier Convention at Bethel, Alaska on the 26th, 27th and 28th of January, 1977.

As you are well briefed on the Subject Matter to be discussed, I, as President of the Association of Village Council Presidents, am formally inviting you to be one of the Moderators and/or to be on the panel.

If you plan to participate in this very important Convention, please fill in the enclosed form and return to this office as soon as possible so we could make appropriate arrangements for you.

Sincerely,

Eddie Hoffman Sr
Eddie Hoffman, President
Association of Village Council
Presidents

cc; Carl Jack, Executive Director
Association of Village Council Presidents

*Frank indicates to
sorry was to add to attend
As chair of CRA should be interested
in particular in your insights on
local regional forms of Govt.
etc.*

ASSOCIATION

OF

VILLAGE COUNCIL PRESIDENTS

C O N V E N T I O N

BETHEL, ALASKA 99559

WIEN TERMINAL

January 26, 27, 28, 1977

Tentative Agenda

Wednesday - January 26, 1977

8:30 - 10:00 a.m.	Registration	
9:30 - 9:35 a.m.	Call to Order	Eddie Hoffman, President
9:35 - 9:45 a.m.	Invocation	
9:45 - 9:50 a.m.	Opening Remarks	Eddie Hoffman, President
9:50 - 10:05 a.m.	Welcome Address	Gene Peltola, Mayor, City of Bethel
10:05- 10:20 a.m.	Coffee Break	
10:20- 10:35	Credentials Report	John Hope, Parliamentarian
10:35- 11:05 a.m.	President's Report	Eddie Hoffman, President
11:05- 11:15 a.m.	Welcome Address	Raymond Petersen, President, Wien Consolidated
11:15- 12:00 p.m.	Executive Director's Report AVCP/Yupiktak Bista, Inc.	Carl Jack
12:00 - 1:30 p.m.	Lunch	
1:30 - 4:30 p.m.	WORKSHOPS	MODERATORS
	Housing	Bob Loescher, Mark Roy, Paul Phillip
	Health & Social Services	Robert Clark, Bob Hurwitz, Paul Gregory
	Manpower	Mark Mickelson, Jonny Hawk, Joe Angiak
	Education	John Schuler, Peter Galila
	Subsistence	Harold Sparck, Harold Napoleon
4:30 - 5:00 p.m.	General Session for briefing of next days events	
5:00	Recess	

Thursday - January 27, 1977

9:00 - 9:05 a.m.	Announcements	
9:05 - 9:30 a.m.	AVCP Housing Report	Mike Jones
9:30 - 10:00 a.m.	YKHC Report	Alvin Ivanoff
10:00 - 10:15 a.m.	Coffee Break	
10:15 - 10:45 a.m.	Nunam Kitlutsisti Report	Harold Sparck
10:45 - 11:15 a.m.	YB Manpower Report	James Sanders
11:15 - 12:00 p.m.	Question & Answer Period	
12:00 - 1:30 p.m.	Lunch	
1:30 - 3:00 p.m.	WORKSHOPS	MODERATORS
	Legislation	G. Hohman, P. Guy, N. Andersen, J. Sackett
	Regional Governments	Mike Harper, Pat Poland, H. Napoloen, I. Hawk, W.B. Evan
	P.L. 93-638	B. Hirsch, Gordon Jackson
	OCS/CZM	K. Poland, J. Orsini, H. Sparck, P. Guy
3:00 - 4:00 p.m.	Regional Government Panel	M. Harper, H. Napoleon, I. Hawk, M. Jones
4:00 - 5:00 p.m.	Legislative Panel	G. Hohman, J. Sackett, Phillip Guy, Bill Akers, N. Anderson
5:00	Recess	
7:00	REAA Report	Marshall Lind, J. Hout, G. Erickson L. Etter

Friday - January 28, 1977

9:00 - 9:05 a.m.	Announcements	
9:05 - 9:35 a.m.	Indian Health Service Program	Gerald Ivey, Area Director IHS
9:35 - 10:00 a.m.	Bureau of Indian Affairs	Clay Antioquia, Area Director BIA
10:00 - 11:30 a.m.	Calista Corporation Panel	Martin Moore, Ray Christiansen
11:30 - 12:15 p.m.	KEYNOTE ADDRESS	Byron Mallott, President, AFN, Inc.
12:15 - 1:30 p.m.	Lunch	
1:30 - 2:00 p.m.	Incorporation, AVCP, Inc.	
2:00 - 5:00 p.m.	Resolutions	
5:00 - 5:10 p.m.	Closing Remarks	President
5:10	Adjourn	

ASSOCIATION OF VILLAGE COUNCIL PRESIDENTS

P.O. BOX 219

BETHEL, ALASKA 99559

TO: Eddie Hoffman, President

AVCP

FROM:

SUBJECT: AVCP Convention

Yes, I will be able to participate during the convention. I will be arriving _____, January, 1977 on (morning/evening) flight. Please make arrangements for room and board.

No, I won't be able to make it to the convention.

As our financial resources are somewhat limited, we will not be able to pay for your transportation or per diem. However, if you intend to participate in the Convention, we could arrange room and board for you.

Alaska State Legislature

SENATOR
JOE ORSINI
2912 ALDER DRIVE
ANCHORAGE, ALASKA 99504

WHILE IN BUREAU
POUCH V
JUNEAU, ALASKA
99811



File copy

COMMITTEES
—
RESOURCES
COMMERCE
COMMUNITY & REGIONAL AFFAIRS

Senate

February 25, 1977

Mr. David Curtis
2913 Wentworth
Anchorage, Alaska 99504

Dear Mr. Curtis:

Thank you for your letter of February 22, 1977. Your points regarding Richard Nygaard's report were very well taken. In my opinion, others would benefit greatly from your comments, and I would recommend your writing a "Letter to the Editor" to both the Anchorage Daily News and the Anchorage Times, so as to share your observations with the general public. Your article could generate a good deal of interesting information regarding state oil and gas leasing policies, particularly with respect to Prudhoe Bay.

If you have any more comments or suggestions, I would be very interested in hearing them.

Very truly yours,

Senator Joe Orsini

JO/js

February 22, 1977

2913 Wentworth
Anchorage, Alaska 99504

Senator Joseph Orsini
Pouch V
Juneau, Alaska 99811

Dear Mr. Orsini:

I am very concerned with the account of Norgaard and Gaffney's report on state oil and gas leasing policy which appeared in the Anchorage Daily News last week. I definitely do not agree with a number of their quoted opinions. I think it is extremely unfortunate that my tax dollars went to pay for such an unrealistic analysis. In addition, I hope that the legislature in the future will hire consultants who live in the real world and not in dream-land.

The following items indicate to me that Norgaard isn't being realistic in his analysis.

1. "Clearly if the state had known about the Prudhoe Bay field in advance, between \$5 billion and \$10 billion more would have been collected in bonus bids."

I don't deny that statement, but absolutely NO ONE knew the Prudhoe Bay field was there before the discovery well was drilled. In addition, by analogy with Norgaard's analysis, I would be a millionaire today if I had purchased 2000 shares of IBM stock thirty years ago when it was selling at a few dollars a share. So what. I, like most people, did not recognize the potential of IBM at that time. Likewise, the true potential of the North Slope wasn't recognized prior to 1968 either.

2. Even if the bonus bid system were continued, state revenues would increase if there were exploratory drilling before lease sales, and the information from the exploration was publicly disseminated.

What foolishness. What oil company is going to pay \$2 million to \$12 million to drill a well and then give the information free to the state and the public before leasing occurs? No company that I know of. Also, suppose such a well were drilled and it found the prospect to be unproductive. How much bonus money do you think would be bid for that area? I suspect 2¢ would be a generous offer.

3. The state should seriously consider...establishment of a system to reject bids that are too low for a particular tract.

In order to do this, the state would need to have extensive geologic and geophysical data to analyze all the tracts in a sale. Does Norgaard realize the cost involved? I think not. In the Cook Inlet basin, onshore seismic data costs a minimum of \$10,000/mile and there are thousands of square miles to cover. The cost becomes astronomical when the rest of Alaska is also included for evaluation.

Sincerely,

Dave Curtis

Dave Curtis

DC:ch

Report calls Prudhoe 'tough luck' story

Billions lost on oil, gas?

By ROSEMARY SHINOHARA
Daily News Staff Writer

The State of Alaska lost out on at least \$5 billion to \$10 billion, and possibly an additional \$15 billion to \$30 billion, on its Prudhoe Bay oil and gas leases because of an ineffective leasing policy, a state consultant said in a report obtained by The Daily News Wednesday.

"Prudhoe Bay is clearly a 'tough luck' story for the state," said Richard B. Norgaard, a member of the Energy and Resources Group at the University of California, Berkeley.

THE NORGAARD paper is an appendix to a report on alternatives to improve state oil and gas leasing policy done for the state administration and the legislature by Mason Gaffney, professor of economics at the University of California, Riverside, and former executive director of the British Columbia Institute of Analysis of Economic Policy.

Both consultants say the bonus bid system that earned Alaska \$900 million for Prudhoe Bay leases in 1969 should be tossed out in favor of one or a combination of

several different systems.

A report prepared independently within the Department of Natural Resources reached much the same conclusions. The Daily News learned, but that report has not yet been made public.

THE CONCLUSIONS of all three studies are to be presented to legislative committees in Juneau Thursday and Friday.

Norgaard said in his paper that even if the bonus bid system were continued, state revenues would increase if there were exploratory drilling before lease sales, and the information from the exploration was publicly disseminated.

On the North Slope, 90 per cent of the Prudhoe Bay field was acquired in the mid-60s by Atlantic - Richfield Co. and British Petroleum when \$10.5 million in bonus bids were received from leased acreage.

AFTER OIL was discovered, the famous 1969 North Slope lease sale brought in \$900 million in bonus bids for the remaining acreage.

"Clearly, had the state known about the Prudhoe Bay

field in advance, between \$5 billion and \$10 billion more would have been collected in bonus bids," Norgaard said.

Petroleum prices increased three-fold several years after the sale. "Presuming that industry had not predicted this increase at the time of the sale, then the state probably 'lost out' on perhaps an additional \$15 billion to \$30 billion."

IN THE CASE of offshore Cook Inlet sales through 1968, lease bonus bids would have increased five times over, assuming exploratory drilling increased the effectiveness: the bonus bid from 16 per cent to 80 per cent as a means of collection rent, Norgaard said.

"The increased revenues to the state would have been equivalent to nearly \$300 million (in 1975 dollars) received in 1961," he said.

Norgaard concluded the lease bonus bid system "appears to have been between five and 20 per cent effective as a means of collecting rent over and above that collected through royalties."

HE SAID THE state should seriously consider alter-

native leasing systems, presale exploration, and establishment of a system to reject bids that are too low for a particular tract.

Norgaard did not address leasing alternatives, but Gaffney did.

Gaffney said he would "screen out" systems such as the high front-end bonus plan for oil and gas leasing, and place "greatest emphasis" on a system called the ad valorem charge, which he said could be described as "a low signature bonus paid on the installment plan followed by a high production bonus or discovery bonus whose size depends on the flow of production."

THE BONUS BID system required bidders to pay in an advance for an unknown possibility. It essentially substitutes wealth for productivity as the basis for awarding bids, Gaffney said.

The ad valorem charge is similar to a property tax, Gaffney said. The charge would be a percentage rate of the current appraised value of the resource, which might range from zero to "very high values for superior deposits."

Voting "yes":	Hanger
	Watt
	Salazar
	Davidson
	Laurance
	Elkins
	Kouni
	McBride
	Johnson
Voting "no":	Simpson
Absent:	Zastrow

6 4/7 votes required for passage
 Effective date: 2/22/77

K E T C H I K A N G A T E W A Y B O R O U G H

RESOLUTION NO. 248

A RESOLUTION OF THE ASSEMBLY OF THE KETCHIKAN GATEWAY BOROUGH, ALASKA, EXPRESSING TO THE LEGISLATURE OF THE STATE OF ALASKA, THE ASSEMBLY'S SUPPORT OF HOUSE BILL NO. 134, RELATING TO PENALTIES FOR VIOLATION OF A MUNICIPAL ORDINANCE; DIRECTING THE CLERK TO SEND COPIES OF THIS RESOLUTION TO THE MEMBERS OF THE ALASKA LEGISLATURE; AND ESTABLISHING AN EFFECTIVE DATE.

THE ASSEMBLY OF THE KETCHIKAN GATEWAY BOROUGH, ALASKA, RESOLVES, as follows:

Section 1. The Alaska Legislature is requested to adopt House Bill 134, "An Act relating to penalties for violation of a municipal ordinance." The Assembly fully supports increasing penalties for knowing and willful violation of ordinances.

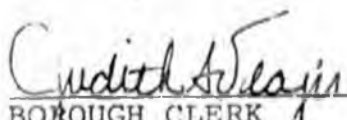
Section 2. The Clerk is directed to send copies of this resolution to the members of the Alaska Legislature.

Section 3. This resolution is effective immediately.

ADOPTED this 22nd day of February, 1977.


 BOROUGH MAYOR

ATTEST:


 BOROUGH CLERK

Approved as to form:


 Borough Attorney

Alaska State Legislature

SENATOR
JOE ORSINI
2912 ALDER DRIVE
ANCHORAGE, ALASKA 99504

WILEE IN JUNEAU
POUCH V
JUNEAU, ALASKA
99811



COMMITTEES
RESOURCES
COMMERCE
COMMUNITY & REGIONAL AFFAIRS

Senate

March 1, 1977

Dr. John Lindauer
Chancellor
University of Alaska, Anchorage
3221 Providence Drive
Anchorage, Alaska 99504

Dear Dr. Lindauer:

It has come to my attention that you are seeking a Dean for the School of Business and Public Administration. While you may be looking nationwide for suitable candidates, I feel very strongly that where there is an Alaskan "available and qualified", that he (or she) be given preference over an "outsider".

It seems that we do have such an Alaskan in the person of Dr. Garth Jones, and he has my wholehearted support for the position. I have known Dr. Jones since shortly after he came to Alaska, and have every confidence he can admirably do the job.

My first meeting with Dr. Jones was in the course of researching a bill of mine pertaining to agricultural land in Alaska. His expertise and willingness to take sufficient time to provide the information needed to serve as backup to the bill was instrumental in its passage. That bill is, to date, the most significant piece of legislation passed with respect to the eventual promotion of a true agricultural industry in the state.

Again, I hope you will give favorable consideration to his candidacy for Dean.

Sincerely,

Senator Joe Orsini

cc: Dr. Richard Ender

JO/js



UNIVERSITY OF ALASKA, ANCHORAGE

21 PROVIDENCE DRIVE
ANCHORAGE, ALASKA 99504

SCHOOL OF BUSINESS
AND PUBLIC ADMINISTRATION

February 23, 1977

The Hon. Joseph L. Orsini
Alaska State Senate
Pouch V
Juneau, AK 99811

Dear Senator Orsini:

Could you write a letter of recommendation in support of my candidacy for the position of Dean of the School of Business and Public Administration at UAA? Under the University's reorganization scheme and Chancellor Lindauer's guidelines, all top positions shall be filled on the basis of a nationwide search. I feel that I have a reputation in my academic field as well as a proven track record in Alaska.

For awhile I was reluctant to become a candidate, particularly in light of the turbulence in the University system. However, a number of Alaskans have requested that I become a candidate and feel that it would be a mistake to bring in an "outsider." I feel pleased that I'm now deemed an "insider." I've now been here almost four years and have managed to build a reputable program with only modest budgetary support.

If you can support my candidacy, please address a letter to Chancellor John Lindauer with a copy to:

Richard L. Ender, Chairman
Search Committee
University of Alaska, Anchorage
3221 Providence Drive
Anchorage, AK 99504

Thanks for a copy of your recent legislative newsletter, I enjoyed reading it immensely.

Best regards.

Sincerely,

Garth N. Jones, Head
School of Business and Public Administration

GNJ/sr

Enclosures

BIOGRAPHIC DATA

NAME: Garth N. Jones

January 1977

BIOGRAPHIC DATA:

DOB: February 25, 1925; Salt Lake Co. Utah. Married, three sons.

EDUCATION:

1943-47 Utah State University - B.S., Political Science and Economics
1947-48 University of Utah - M.A., Political Science and Economics
1948-49 Pennsylvania State University
1950-51 University of Utah - Ph.D. (1954) Political Science and Economics
University of Utah, Special Certificate Public Administration (1948)

CAREER:

September, 1972 to Present

Professor, Public Policy and Administration
Head of School of Business and Public Administration
Senior College, University of Alaska, Anchorage

Primary responsibility to develop a professional education program in business and public management. Also taught courses in the areas of organizational theory and behavior, urban administration, political dynamics, and public finance administration.

October, 1972 to August, 1973

Senior Consultant, Population Programme, Public Administration Division,
Economic and Social Council, United Nations

Responsible for developing a comprehensive programme in the organization and administration aspects of population programmes. This includes preparing background papers for the 1974 World Population Conference, organizing symposia and seminars, writing a major study on the organization and administration of family planning programmes, consulting with national and international agencies, arranging special training and management development programs.

August, 1970 to October, 1972

Professor, Department of Political Science
Colorado State University, Fort Collins.

Primary activity in research and writing on the development process in the lesser developed countries and the United States. Principal frame of reference socio-technical systems for human and natural resource development. Emphasis placed on environment impacts, particularly in relationship to water needs. Considerable publication on the Indus basin irrigation systems. Also major work in organizational theory and behavior issues in the IDC's.

Also served as a member of an interdisciplinary research team to study the environmental impact of oil shale development in Western Colorado. Project sponsored by Thorne Ecological Institute, Boulder, Colorado.

September, 1969 to July, 1970

Senior Specialist, East-West Center, Honolulu, Hawaii

Invited as one of twenty-four Asian, European, and American scholars to spend nine months at the East-West Center researching and writing upon particularly the two following topics:

1. "Role of Bureaucracy in Planned Development: A Comparative Study of Indonesia and Pakistan."
2. "Planned Organizational Change: A Study of the Change Process through Marginal Utility and Social Exchange Analyses."

June, 1967 to August, 1969

Chief, Public Administration Division, FSRO-2, Pakistan

Responsible for supervising a broadly-designed technical assistance in public administration which centered on three development goals: (a) strengthening economic decision-making, (b) strengthening key development agencies, and (c) strengthening local government. Supervised five contract operations as well as direct agency activities. These included 25 - 30 professionals.

October, 1964 to June, 1967

Chief of Party, University of Southern California Contract in Pakistan
Associate Professor

From October 1964 to June 1965 USC Party Representative in Lahore with the primary responsibility of developing an academic program at the Department of Administrative Science, University of the Punjab. On July 1, 1965 appointed Chief of Party of the Contract. The contract provided for assistance to three National Institutes of Public Administration located at Karachi, Dacca, and Lahore; Department of Administrative Science at the University of the Punjab, and the Civil Service Academy at Lahore.

September, 1961 to October, 1964

Associate Professor, School of Public Administration, University of Southern California, Los Angeles

Position equally divided between teaching and administrative activities. Subjects of instruction were Finance Administration, Local Government Administration, Modernization of Administration in Emerging Countries, and Organizational Theory and Behavior. Faculty Student Advisor for the Pakistan Project. Also served as Peace Corps Liaison Coordinator.

December, 1956 to February, 1962

Public Administration Advisor, FSRO-3, US/AID, Indonesia, Djakarta

Planned and implemented an administrative management educational and training program; initiated and assisted in carrying out management improvement projects for more efficient operation of provincial and local governments. Projects were undertaken to establish a bureau of reconstruction and development, bureau of statistics and planning, and an integrated department of finance. In the absence of the Chief, assumed his responsibilities; prepared and implemented necessary program and related documents; and undertook reconnaissance and research type activities as to the nature and scope of the Indonesian Public Administration, particularly in the field of fiscal and financial management.

August, 1953 to December, 1956

Assistant Professor, Brigham Young University, Provo, Utah

Delivered lectures in Public Administration, Municipal Administration, American Heritage and related subjects. During 1955-56 taught a Personnel Management course to Air Force Reserve Officers at Clearfield, Utah. Also served as Research Associate, Local Government Survey Commission. Acted as consultant to Utah Municipal League and Utah State Association of County Officials.

April, 1953 to September, 1954

Research Consultant - Utah Foundation, Salt Lake City

Utah Foundation is a private research organization concerned with government problems. Prepared studies on public finance, tax administration, and state and local government organization and administration.

December, 1951 to April, 1953

Food and Drug Inspector - Dept. of Agriculture, Salt Lake City, Utah

Responsible for enforcement of pure food and drug laws of State of Utah entailing review of written reports from seven regional food and drug inspectors; determination of measures to be taken against business concerns or persons who violated the law; inspection of food and drug processing plants; and preparation of monthly and periodic reports for submission to Board of Agriculture and special advisory body.

May, 1951 to December, 1951

Administrative Assistant to the District Administrator, Ponape District, Eastern Carolines, Department of Interior.

Responsible for establishment of records and record keeping systems; gathering data, doing research and performing other related activities for preparation of economic and other reports; assisting heads of other units in developing necessary report forms; routing of all income mail;

preparation and review of correspondence relating to administrative matters. Handled all necessary local personnel action and served as reviewing officer for efficiency-rating system. Assisted in preparation of budgets; made field trips; and in absence of District Administrator, supervised the district.

May, 1950 to April, 1951

Research Specialist and Consultant, Utah Municipal League and Utah State Association of County Officers and Officials, Salt Lake City, Utah

Periodically called upon to make studies and advise on various legal and administrative problems confronting local governments.

September, 1949 to June, 1950

Research and Teaching Assistant at the University of Utah

September, 1948 to June, 1949

Teaching and Research Assistant in Political Science Department, Pennsylvania State College

September, 1947 to June, 1948

Research Assistant, Political Science Department, University of Utah

April, 1947 to August, 1948

Research Specialist, Internship, County of Salt Lake City, Salt Lake City, Utah

HONORS AND FELLOWSHIPS:

- A. Utah State University, Logan, Utah
 1. Sears Scholarship, 1943-44
 2. Selected for Who's Who in American Colleges and Universities, 1947
 3. Elected Blue Key Fraternity, 1946
- B. University of Utah
 1. Graduate Research Fellowship in Political Science, 1947-48
 2. Graduate and Teaching Fellowships, 1949-50
- C. Pennsylvania State University
Graduate Teaching Fellowship in Political Science, 1948-49
- D. University of Southern California
Professor of the Year, School of Public Administration, 1962
- E. East West Center, Honolulu, Hawaii
Senior Specialist, September, 1969 to July, 1970.
- F. Other Honors:
Listed in American Men of Science, American Women and Men of Science, Who's Who in America, and Who's Who in the West.

Professional Associations:

- A. American Society of Public Administration
- B. American Political Science Association
- C. Western Political Science Association
- D. Society for Applied Anthropology
- E. Comparative and International Administration Group of the American Society for Public Administration

Teaching and Research Interests:

A. Teaching:

Public Policy and Administration, Organizational Theory and Behavior, Comparative and Development Administration, Public Finance Administration, Local Government Administration

B. Research:

Planned Organizational Change with emphasis on the empirical approach.
Financial Management with emphasis on the integration of planning and budgeting institutions and processes.
Environmental Policy and Management with emphasis on Water and Population.

Recent Grants:

- A. Comparative Administration Group of the American Society for Public Administration, Grant of \$3,000 to study planned organizational change, 1964.
- B. Research Committee, University of Southern California, Grant of \$500 to study planned organizational change, 1964.
- C. East-West Center, Honolulu, Hawaii. Provides assistance in services valued \$5,000 beside a grant equivalent to \$24,000 year salary, 1969-70.
- D. Colorado State University, Water Management studies. 75% salary, four graduate assistants, and related aid for three years. AID financing. Total grant over \$60,000: 1970-73.
- E. Columbia University, Pakistan Program, Grant of \$1,000 to prepare volume IV of Pakistan Bibliography. Also \$500 from Colorado State University to complete this study, 1974-75.
- F. Urban Observatory, National League of Cities and HUD. Supervised preparation of proposal. Funded for \$300,000, 1975-77. Assisted in the preparation and securing of grant.
- G. Urban Education, ICMA/NASPAA Grant of \$9,000, 1975-76.

RECENT PUBLICATIONS:

I have published over 100 articles, monographs and books. My most recent book is Planned Organizational Change: A Study Using an Empirical Approach, London: Routledge and Kegan Paul (1968) and Praeger (1969). Prentice-Hall Publishers, as well as the English Publisher, have approached me to write an updated version.

Below are some publications:

1. "Integration of Political Ethos and Local Government Systems: The Utah Experience with Council Manager Government," Human Organization, 23 (Fall 1964): 210-222.
2. "Soekarno's Early Views on the Territorial Boundaries of Indonesia," Australian Outlook, 18 (April 1964): 30-39.
3. "Planned Organizational Change: A Case from the Malaria Eradication Program of Indonesia," National Institute of Public Administration Reporter, Karachi: April 1964: 57-72.
4. "Strategies and Tactics of Planned Organizational Change: Case Examples of the Modernization Process of Traditional Societies," Human Organization, 24, Fall 1965: 192-200.
5. "Muhammad Yamin: The Chief Architect of Indonesia's Manifest History," East-West Center Journal, Fall 1965.
6. "Preventive Medicine at Work: A Hypothetical Study of Managed Organizational Change," Philippine Journal of Public Administration, July 1965.
7. "The Problem of Water Scheduling in West Pakistan: Research Studies and Needs," Water Management Technical Report No. 13, Fort Collins: Cususwah Water Management Project, Colorado State University, 1971.
8. "The Problem of Under-Irrigation in West Pakistan: Research Studies and Needs," Water Management Technical Report No. 8, Fort Collins: Cususwah Water Management Project, Colorado State University, 1971, (co-author Raymond L. Anderson). Also published in Journal of Rural Development and Administration, 9, April-June 1972: 1-42.
9. Two chapters on "Community Relations," in Desmond Anderson (ed.), Municipal Public Relations, Chicago: International City Managers' Association, 1965.
10. "Frontiersmen in Search for the 'Lost Horizon': The State of Development Administration in the 1960's," Public Administration Review, 36 (January/February) 1976: 99-110.

Translated from Indonesian into English:

1. Imam Roesdi, Some Problems of State Budgeting. Jogjakarta: University of Gadjah Mada, Public Administration Center, 1960. 37 p.

2. Arifin Abdulrachman, State Finance Administration and Soepardi, Finance Management and Organization of Second Level Autonomous Government, Jogjakarta: University of Gadjah Mada, Public Administration Center, 1960. 18 p.
3. Soeparno, The 1950 Provisional Constitution of the Republic of Indonesia, Ithaca: Cornell University, Modern Indonesia Project, 1964. 156 p.

Recent University Activities:

- A. Senior College Representative - Southcentral Regional Council 1973-74 and 1974-75.
- B. Criminal Justice Center
 1. Senior College Representative 1974-75, 1975 to date
 2. Member Bachelor Curriculum Committee

Recent Public Service Activities:

- A. Second Annual Western Governors' Conference, Billings, Montana. March 31 to April 3, 1975 - Member of Alaska's delegation.
- B. Alaska Council of World Affairs - Member of Board of Directors.
- C. Chairman, Mayor's Ad Hoc Governmental Review Committee, Municipality of Anchorage, 1976-77.

Miscellaneous:

- A. Guest lecturer, University of North Carolina, Chapel Hill. Delivered the opening address on population lecture series: "Populational Policy in this Age of Dissonance."
- B. Consulted with United National and Agency of International Development on problem of development administration.

In fiscal year '77, the state spent between \$3.5 and \$4.0 million on the non-Federal Highway System maintenance outside of municipalities. This is the type of maintenance that is done on local roads and paid for by municipal taxpayer when those roads are within municipalities.

Since state motor fuel tax pays about half of maintenance costs, this amounts to an annual state subsidy of almost \$2 million to those areas outside of municipalities. Why should municipal residents pay for a service that non-municipal residents receive free?

There are over 4000 registered motor vehicles outside of municipalities. Assuming that these are taxed at an average rate equal to a 3 year old auto, this amendment would raise approximately \$160,000; certainly not enough to completely pay for the subsidy, but at least it will help.



KENAI PENINSULA BOROUGH

BOX 850 • SOLDOTNA, ALASKA 99669
PHONE 262-4441

DON GILMAN
MAYOR

April 7, 1977

Honorable Joseph Orsini
Alaska State Senate
Pouch V
Juneau, Alaska 99801

Dear Senator Orsini:

In reviewing the numerous bills that have been introduced in order to distribute the expected large oil revenues and to alleviate the tax burdens of the residents of the state, our assembly committee has noted some disturbing similarities.

While removing from the municipalities the burden of taxing residents and property taxpayers these bills also remove from the local governments, borough and municipality, the burden of deciding on the use of the revenues which will replace the present taxes.

We find this inconsistent with the intent of the Constitution of the state, with the Governor's "grass-roots" level of involvement and extremely detrimental to the local governments. We cannot believe that it is in the best interest of the state or the people to dictate to them and to their locally elected and responsible government units what uses they should ultimately make of such revenues.

For example, HB 163, which we adamantly oppose, would place the Commissioner of Education in charge of designing, assigning priorities and approving local school construction. In our borough we have 16 assemblymembers and 7 school board members who are directly elected by the residents of the Kenai Peninsula and we feel that they are more aware of the problems, needs and priorities of the Peninsula than any state agency, and if they prove not to be, the voters will amend their thinking.

Public Law 94-565
94th Congress

An Act

Oct. 20, 1976

[H.R. 9719]

To provide for certain payments to be made to local governments by the Secretary of the Interior based upon the amount of certain public lands within the boundaries of such locality.

Local government
units.
Public lands,
payments.
31 USC 1601.

Amounts,
determination.
31 USC 1602.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That effective for fiscal years beginning on and after October 1, 1976, the Secretary is authorized and directed to make payments on a fiscal year basis to each unit of local government in which entitlement lands (as defined in section 6) are located. Such payments may be used by such unit for any governmental purpose. The amount of such payments shall be computed as provided in section 2.

SEC. 2. (a) The amount of any payment made for any fiscal year to a unit of local government under section 1 shall be equal to the greater of the following amounts—

(1) 75 cents for each acre of entitlement land located within the boundaries of such unit of local government (but not in excess of the population limitation determined under subsection (b)), reduced (but not below 0) by the aggregate amount of payments, if any, received by such unit of local government during the preceding fiscal year under all of the provisions specified in section 4, or

(2) 10 cents for each acre of entitlement land located within the boundaries of such unit of local government (but not in excess of the population limitation determined under subsection (b)).

In the case of any payment under a provision specified in section 4 which is received by a State, the Governor (or his delegate) shall submit to the Secretary a statement respecting the amount of such payment which is transferred to each unit of local government within the State.

(b) (1) In the case of any unit of local government having a population of less than five thousand, the population limitation applicable to such unit of local government shall not exceed an amount equal to \$30 multiplied by the population within the jurisdiction of such unit of local government.

(2) In the case of any unit of local government having a population of five thousand or more, the population limitation applicable to such unit of local government shall not exceed the amount computed under the following table (using a population figure rounded off to the nearest thousand):

If population equals—	Payment shall not exceed the amount computed by multiplying such population by—
5,000	\$50.00
6,000	47.00
7,000	44.00
8,000	41.00
9,000	38.00
10,000	35.00
11,000	34.00
12,000	33.00
13,000	

If population equals—	Payment shall not exceed the amount computed by multiplying such population by—
14,000	31.00
15,000	30.00
16,000	29.50
17,000	29.00
18,000	28.50
19,000	28.00
20,000	27.50
21,000	27.20
22,000	26.90
23,000	26.60
24,000	26.30
25,000	26.00
26,000	25.80
27,000	25.60
28,000	25.40
29,000	25.20
30,000	25.00
31,000	24.75
32,000	24.50
33,000	24.25
34,000	24.00
35,000	23.75
36,000	23.50
37,000	23.25
38,000	23.00
39,000	22.75
40,000	22.50
41,000	22.25
42,000	22.00
43,000	21.75
44,000	21.50
45,000	21.25
46,000	21.00
47,000	20.75
48,000	20.50
49,000	20.25
50,000	20.00

For the purpose of this computation no unit of local government shall be credited with a population greater than fifty thousand.

(c) For purposes of this section, "population" shall be determined on the same basis as resident population is determined by the Bureau of the Census for general statistical purposes.

(d) In the case of a smaller unit of local government all or part of which is located within another unit of local government, entitlement lands which are within the jurisdiction of both such units shall be treated for purposes of this section as only within the jurisdiction of such smaller unit.

SEC. 3. In the case of any land or interest therein, acquired by the United States (i) for the Redwood National Park pursuant to the Act of October 2, 1968 (82 Stat. 931) or (ii) acquired for addition to the National Park System or National Forest Wilderness Areas after December 31, 1970, which was subject to local real property taxes within the five years preceding such acquisition, the Secretary is authorized and directed to make payments to counties within the jurisdiction of which such lands or interests therein are located, in addition to payments under section 1. The counties, under guidelines established by the Secretary, shall distribute the payments on a proportional basis to those units of local government and affected school districts which have incurred losses of real property taxes due to the acquisition of such lands or interests therein.

Payments to
counties.
31 USC 1605.

Distribution
guidelines.

Regulations.

than the county acts as the collecting and distributing agency for real property taxes, the payments shall be made to such unit of local government, which shall distribute such payments as provided in this subsection. The Secretary may prescribe regulations under which payments may be made to units of local government in any case in which the preceding provisions will not carry out the purposes of this subsection.

(b) Payments authorized under this section shall be made on a fiscal year basis beginning with the later of—

(1) the fiscal year beginning October 1, 1976, or

(2) the first full fiscal year beginning after the fiscal year in which such lands or interests therein are acquired by the United States.

Such payments may be used by the affected local governmental unit for any governmental purpose.

(c) (1) The amount of any payment made for any fiscal year to any unit of local government and affected school districts under subsection (a) shall be an amount equal to 1 per centum of the fair market value of such lands and interests therein on the date on which acquired by the United States. If, after the date of enactment of legislation authorizing any unit of the National Park System or National Forest Wilderness Areas as to which a payment is authorized under subsection (a), rezoning increases the value of the land or any interest therein, the fair market value for the purpose of such payments shall be computed as if such land had not been rezoned.

Rezoned land.

(2) Notwithstanding paragraph (1), the payment made for any fiscal year to a unit of local government under subsection (a) shall not exceed the amount of real property taxes assessed and levied on such property during the last full fiscal year before the fiscal year in which such land or interest was acquired for addition to the National Park System or National Forest Wilderness Areas.

Payment limitation.

(d) No payment shall be made under this section with respect to any land or interest therein after the fifth full fiscal year beginning after the first fiscal year in which such a payment was made with respect to such land or interest therein.

31 USC 1604.

Sec. 4. The provisions of law referred to in section 2 are as follows:

(1) the Act of May 23, 1908, entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and nine" (35 Stat. 251; 16 U.S.C. 593);

(2) the Act of June 20, 1910, entitled "An Act to enable the people of New Mexico to form a constitution and State government and be admitted into the Union on an equal footing with the original States, and to enable the people of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States" (36 Stat. 557);

(3) section 35 of the Act of February 25, 1920, entitled "An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain", commonly known as the "Mineral Lands Leasing Act" (41 Stat. 450; 30 U.S.C. 191);

(4) section 17 of the Federal Power Act (41 Stat. 1672; 16 U.S.C. 810);

(5) section 10 of the Taylor Grazing Act (38 Stat. 1273; 43 U.S.C. 315i);

(6) section 33 of the Bankhead-Jones Farm Tenant Act (50 Stat. 526; 7 U.S.C. 1012);

(7) section certain areas National Forest approved June

(8) section June 22, 1918 June 22, 1956

(9) section (61 Stat. 915;

(10) section U.S.C. 603).

Sec. 5. (a) No unit with respect to any 875), or the Act of shall be eligible to year with respect to to apply to the Act May 24, 1939 (53 Stat.

(b) If the total local government unit shall not be made.

Sec. 6. As used in

(a) "entitled States that are

(1) with System, in combination the in section 2 of this Act refer 577d-1);

(2) admin the Bureau

(3) dedi projects of

(4) notifi to any unit

entitled to this section

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(5) dred under the ju

(b) "Secretar

(c) "unit of l ship, municipal

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Such term also Guan, and the V

Sec. 7. There are a

5 of the Act entitled "To safeguard and consolidate of exceptional public value within the Superior est, State of Minnesota, and for other purposes", e 22, 1918 (62 Stat. 570; 16 U.S.C. 577g);
 5 of the Act entitled "An Act to amend the Act of (62 Stat. 568) and for other purposes" approved (70 Stat. 366; 16 U.S.C. 577g-1);
 6 of the Mineral Leasing Act for Acquired Lands (30 U.S.C. 355); and
 3 of the Materials Disposal Act (61 Stat. 681; 30

unit of local government which receives any payment of land under the Act of August 28, 1937 (50 Stat. May 24, 1939 (53 Stat. 753), during any fiscal year receive any payment under this Act for such fiscal to such land. Nothing in this Act shall be construed of August 28, 1937 (50 Stat. 875), or the Act of at. 753).

payment by the Secretary to any county or unit of under this Act would be less than \$100, such payment

this Act, the term—
 ment lands" means lands owned by the United

in the National Park System, the National Forest including wilderness areas within each, or any com- areof, including, but not limited to, lands described of the Act referred to in paragraph (7) of section Act (16 U.S.C. 577d) and the first section of the ed to in paragraph (c) of this Act (16 U.S.C.

ministered by the Secretary of the Interior through of Land Management;
 eated to the use of water resource development the United States;

ing in this section shall authorize any payments of local government for any lands otherwise receive payments pursuant to subsection (a) of if such lands were owned and/or administered or local unit of government and exempt from the real estate taxes at the time title to such lands to the United States; or

ge disposal areas owned by the United States jurisdiction of the Army Corps of Engineers;

y" means the Secretary of the Interior; and
 eal government" means a county, parish, town- ty, borough existing in the State of Alaska on tment of this Act, or other unit of government which is a unit of general government as deter- ratory (on the basis of the same principles as are au of the Census for general statistical purposes). includes the Commonwealth of Puerto Rico, Virgin Islands.

authorized to be appropriated for carrying out the

Eligibility.
 31 USC 1605.

Definitions.
 31 USC 1606.

Appropriation

PUBLIC LAW 94-565—OCT. 20, 1976

90 STAT. 2666

provisions of this Act such sums as may be necessary: *Provided*, That, notwithstanding any other provision of this Act no funds may be made available except to the extent provided in advance in appropriate Acts.

Approved October 20, 1976.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 94-1106 (Comm. on Interior and Insular Affairs).
 SENATE REPORT No. 94-1262 (Comm. on Interior and Insular Affairs).
 CONGRESSIONAL RECORD, Vol. 122 (1976).

Aug. 5, considered and passed House.
 Oct. 1, considered and passed Senate.





CITY OF VALDEZ

P.O. BOX 307
PHONE: (907) 835-4313

ZIP CODE 99686

April 14, 1977

Senator Joe Orsini
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Subject: CS for Senate Concurrent Resolution No. 25

Dear Senator Orsini:

The city council and the citizens of Valdez urge your support of the subject resolution.

The resolution as drafted expresses our feelings and desires. The utilization of Alaskan resources by Alaskans should be the highest priority of all legislators.

Highest personal regards,

Herbert W. Lehfelde
City Manager

HWL:ss

STATE OF ALASKA

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

DIVISION OF LOCAL GOVERNMENT ASSISTANCE

JAY S. HAMMOND, GOVERNOR

POUCH B - JUNEAU 99811

April 21, 1977

The Honorable Joseph L. Orsini
Chairman, Senate Community and Regional Affairs Committee
Alaska State Legislature
Pouch "Y"
Juneau, Alaska 99811

Re: CS for House Bill No. 403, amending ch. 59, SLA 1975 - Juneau Indemnification Act.

Dear Senator Orsini:

Attached are two proposed amendments to CS for House Bill No. 403 which if adopted will correct obvious inconsistencies in terminology and if not corrected before the program is activated may result in an adverse state court interpretation of legislative intent.

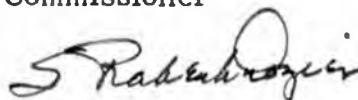
Amendment No. 1: Section 8 (3) of ch. 59, SLA 1975, defines rental real property as a business capital asset. The fair market value of business capital assets as stated in section 11 (c) of that Act is computed on the basis of replacement cost in the year of sale less depreciation. In our opinion legislative intent was that the fair market value of real property, (single family, multifamily, multipurpose, business and commercial), whether rented or not should be computed by adjustments to the base year assessment as stated in section 11 (a) of the Act.

Amendment No. 2: Section 8 (5) states that mobile homes and business inventories are the only classes of personal property eligible for indemnification under the Act. This section is in conflict with paragraph (3) which states that business capital assets include major items of fixed equipment and machinery which produces income but are not bought or sold in the ordinary course of the proprietor's business.

In Summary: The two suggested amendments would result in equal treatment to all owners of real property and stipulate that business inventories are not eligible for indemnification under the Act.

Sincerely,

Lee McAnerney
Commissioner

A handwritten signature in cursive script, appearing to read "S. Robert Dozier".

By: S. Robert Dozier
State Assessor

LMA: SRD: lz

Attachment: Proposed Amendments
to CS HB No. 403

PROPOSED AMENDMENTS
CS FOR HOUSE BILL NO. 403

Section 4. Section 8, (3) and (5) ch. 59, SLA 1975
are amended to read:

(3) Business capital assets include [RENTAL REAL
PROPERTY AND] major items of fixed equipment and machinery
which produce income but are not bought or sold in the
ordinary course of the proprietor's business. Business
capital assets must be in use in an ongoing business which
has been carried on for at least one year before the applica-
tion is submitted.

(5) Personal property other than mobile homes and
business capital assets [INVENTORIES] are not eligible for
indemnification under this program.

City of Nome

BOX 281
NOME, ALASKA 99762



Office of the Mayor
Robert H. Renshaw

Phone 443 5242

May 10, 1977

Senator Joe Orsini
Chairman, Community & Regional Affairs
Pouch V
Juneau, Alaska 99811

Dear Senator Orsini:

The people on which I rely for expertise are all tied up with assessment and Board of Equalization meetings. I will send you information on this probably the middle of next week. I'll get on this as quickly as I can. Thank you for the letter, sorry I couldn't help you sooner.

Sincerely,

Bob

Robert H. Renshaw
Mayor

RHR:mo





May 19, 1977

Senator Joseph L. Orsini
Juneau, Alaska 99801

Dear Senator Orsini:

The enclosed statement, in my opinion, is a blatant lie. It appears Commissioner Burton is allowing some very strong tendencies to show through.

No one should be allowed to make racist statements and get away with it. It is sufficiently difficult already to get the two major ethnic groups to work together, without making obviously falacious statements that are aimed at derision and division.

It is my feeling that Commissioner Burton has ended his effectiveness as the Commissioner of Public Safety and I would like your support in voicing this position to the Governor.

Sincerely,



Clifford A. Black
Executive Director

Enclosure

~~912 East 15th Avenue~~ / Anchorage / Alaska 99501 / Ph

433 W. 9th Ave., Suite 200

~~912 East 15th Avenue~~ / Anchorage / Alaska 99501 / Ph. (907) 276-2121

The Non Profit Corporation Serving The People of the Chugach Native Region



'Agents' on pipeline workforce

WASHINGTON (AP) - Alaska Public Safety Commissioner Richard Burton told a congressional committee that foreign powers probably placed agents within the workforce on the trans-Alaska oil pipeline.

The state official also told the Senate Judiciary Committee's internal security subcommittee that Native militants pose a threat to the security of the 800-mile pipeline.

Burton made his comments during a closed meeting of the now-defunct Senate panel last February. The transcript was released on Monday.

The transcript quotes Burton as telling the subcommittee: "I am confident there were a number of people working up there as construction workers who probably have associations with other countries, if you know what I mean.

"If I were in a position of some of the foreign powers and had an opportunity to put a truckdriver in there to tell me what is going on, I would do it."

Burton also told the subcommittee hearing on pipeline security that members of the militant American Indian Movement (AIM) were traveling throughout Alaska.

He said the Alaska State Troopers had noticed a change in areas of Alaska with large Native populations in recent years.

"The younger Native populations, age 30 and down, have become extremely vocal and militant, where we enjoyed an excellent relationship with them in the past. AIM members have moved through . . . these villages," Burton said.

Burton also told the subcommittee that a number of bullets have been fired at the nearly completed pipeline, but he said none penetrated the line.

He said tests by the Alaska State Troopers showed, however, that a high-power bullet fired directly at the pipeline would puncture it.

The Senate also released testimony by another witness who said that if the pipeline were forced to close by terrorists in midwinter, the oil in it could congeal and become the "longest candle in the world."

Leonard O. LeShack, president of Development and Resources Transportation Co., denied, however, that the Alaska line was indefensible from acts of terrorism.

STUART H. BOWDOIN
BOROUGH MANAGER



F. H. (3)
F. H. (3)

TELEPHONE
(907) 268-4224

Bristol Bay Borough

Box 189 • NAKNEK, ALASKA 99633

February 24, 1978

The Honorable Joseph L. Orsini
Alaska State Senate
Pouch "V" State Capitol Building
Juneau, Alaska. 99811

Dear Senator Orsini:

Reference to your letter of January 15, to Mayor Bradford and our recent visit regarding the interpretation by the Department of Community and Regional Affairs of AS44.47.150.

As we discussed with you we fully agree with the opinions expressed by the Municipality of Anchorage on this subject.

Should the Department of Community and Regional Affairs interpretation prevail it will prevent the Bristol Bay Borough from receiving land from Village Corporations. The Borough is the smallest Borough in the State and there are no other municipal governments within its boundaries.

The Bristol Bay Borough has the legal responsibility to provide area wide services such as solid waste disposal, cemeteries, Parks and Recreation etc.

It is our opinion that AS44.47.150 is contrary to the intent of ANSCA 14 (c).

Therefore we support your efforts to correct this oversight.

Sincerely,

A handwritten signature in cursive script, appearing to read "Stuart H. Bowdoin".

Stuart H. Bowdoin
Borough Manager

SHB:jmf

Pr. 14(0)(3)
Re...



KENAI PENINSULA BOROUGH

BOX 850 • SOLDOTNA, ALASKA 99669
PHONE 262-4441

January 30, 1978

DON GILMAN
MAYOR

Honorable Joe Orsini, Chairman
Senate Committee on Community &
Regional Affairs
Pouch V
State Capitol
Juneau, Alaska 99811

Dear Senator Orsini:

Thank you for your letter concerning Village Corporation trust lands under ANSCA 14 (c) provisions. The Kenai Peninsula Borough has taken the position that these lands are best administered through the Community and Regional Affairs authority. We have arrived at this conclusion because this agency will have in place all the necessary administrative detail for villages located within the unorganized boroughs. If this borough were to become the trust agency we would be required to initiate additional administrative procedures which would surely duplicate the efforts of DCRA.

The concern of a detrimental effect on second class boroughs is somewhat confusing. As far as I can tell, there are no over-lapping claims of borough selection and what might become village municipal lands. Since CRA is the lead agency in assisting both the boroughs and villages at the time of incorporation into municipalities, it would seem that that department could easily be the adjudicator in case of some unforeseen conflict.

Frankly, we would rather see the program proceed as it is now outlined. If I can be of further assistance please feel free to call on me at any time.

Sincerely,

DeLyde Bailey for
Donald E. Gilman, Mayor
Kenai Peninsula Borough

DEG:law

October 3, 1977

Lee McAnerney
Commissioner
Department of Community and Regional Affairs
Pouch B
Juneau, Alaska 99811

Re: Comments on Departmental Publication entitled "Municipal
Lands Trust Program a Preliminary Statement of Trust
Philosophy and Assessment of Principles and Primary
Policy Issues".

Dear Mrs. McAnerney:

The departmental publication authored by Robert D. Wanku was referred to my office for study and comment. A thorough legal analysis by my staff has uncovered several fundamental and very disturbing misapplications of state and federal legislation which will be the subject of this letter.

On the broadest level the most serious defect in the document is the erroneous assumption that the Municipal Lands Trust Program has any authority whatsoever over 14(C) reconveyances involving existing municipal corporations exercising jurisdiction over a certified native village. A more specific error of law (which seemingly stems from the general error referenced above) is contained in the stated position that AS 44.47.150 limits the reconveyance entitlement established in section 14(C) to existing first and second class cities.

It is quite clear that under pertinent federal and state law any existing municipal corporation that exercises territorial jurisdiction within a native village with ANCSA selection rights shall be the recipient of a reconveyance from that village corporation "... to the ... surface state of the improved land on which the Native Village is located and as

October 3, 1977 ()

such additional land as is necessary for community expansion, and appropriate rights-of-way for public use, and other foreseeable community needs; ..." of an area no less than 1,200 acres. Only in situations where no existing municipal corporation exercises territorial jurisdiction within a native village is the State of Alaska to receive land in trust for a future municipal corporation. This principle is made abundantly clear by the plain language of section 14(C)(3) which provides "the Village Corporation shall then convey to any municipal corporation in the native village or to the state in trust for any municipal corporation established in the native village in the future..." and by reference to AKCSA section 3(i) which defines municipal corporation as "... any general unit of municipal government under the laws of the State of Alaska;". Reference to Title 19 of Alaska Statutes will confirm that all classes of boroughs and cities are defined as a "municipal corporation" and each is a "unit of municipal government". That title also establishes that all classes of municipalities are granted the power to receive property in their own name from the federal government which property is thereafter held in its name and under its exclusive control the same manner as any "person" whether individual or corporate.

The analytical error contained in the publication seems to stem from a lack of familiarity with Alaska municipal law together with a misreading of AS 44.47.150. Subsection (a) of AS 44.47.150 provides:

The Commissioner of the Department of Community and Regional Affairs is designated to accept, administer and dispose of lands conveyed to the state in trust by village corporations under 14(C)(3) of the Alaska Native Claims Settlement Act for the purposes specified in that section.
(emphasis added)

Legislative history supports a limited construction of AS 44.47.150(a). The bill enacting the provision was entitled "An Act relating to land to be conveyed to the state in trust for future cities under the Alaska Native Claims Settlement Act" (emphasis added). Plainly, by the above emphasized portion of the bill title and of the statute itself, the section does not have any effect on land conveyed directly to municipal corporations under the terms of 14(C). The federal act mandates a transfer directly from a village corporation to a municipal corporation whenever "any municipal corporation" exists. The powers of municipal corporations

In this state are such that no involvement of the State is necessary in a direct transfer to a municipality from a third party. In fact, under Alaska law the state legislature could not prevent a municipality from receiving an entitlement from a third party unless the legislature were to make a clear and express exception to the general powers of a municipality under title 26. In short, the statement set forth in your publication to the effect that the state as sovereign may affect municipal corporations is too simplistic as does not take into account the municipal law of this State.

Subsection (g) of AS 44.47.150 limits the application of the chapter to first and second class cities. Even this it is apparently inferred by Mr. Jinks that the subsection also limits direct conveyances under § 14(C) of the Federal act. The explicit terms of subsection (g), however, clearly limit its application to Chapter 47.

(g) for the purposes of this chapter, the term municipality includes only first and second class cities incorporated under the laws of the State.
(emphasis added)

Its effect then, is only to provide that the state, in accepting conveyances in trust for future public utilities, has chosen to encourage the formation of first and second class cities by villages that desire incorporation as a municipality. Whether by the express terms of AS 44.47.150 or by the legislative history of Section 1 Chapter 110 of 1975 may it be argued that the statute does, or was intended to, modify the power of various classes of municipal corporations.

The Municipality of Anchorage is not directly adversely affected by the position taken by the Municipal Land Trust. Anchorage, being a Home Rule Municipality, is defined as a second class city under the laws of Title 26. It would therefore be eligible for 14(C) conveyances from the Alaska Inc. Village Corporation irrespective of the department's interpretation of AS 44.47.150. The Municipality, however, is distressed for the reasons. First, the Municipality is generally concerned that the Municipal Land Trust Program operated by your department does not overextend its jurisdiction on the basis of a clear misapplication of the law. While Anchorage definitely releases the resistance of the department on the 14(C) conveyance issue, we insist that the state recognize that its role with respect to such municipalities is advisory only. Second, the Municipality does not wish to see an injustice done to sister municipalities, such as second class boroughs, which are clearly entitled to 14(C) conveyances from a Village Corporation under MCLTA.

We strongly urge that the department expressly reverse its position on the issues discussed in this letter. We would further urge that the department, in its promulgation of any administrative regulations to administer the trust, recognize the trustees lack of jurisdiction over existing municipalities. Consultation with your own legal staff will, I am sure, lead to that result. While I am unaware that the Attorney General's office has taken an official position on this matter, our staff has discussed the issue in depth with several of the state's attorneys who have been involved in both municipal law and MCOA matters and have found their opinions to coincide with ours.

Because this matter is of such great importance I have been very emphatic. This should clearly not be interpreted to mean that the publication has created any antagonism. I fully recognize that the publication states only preliminary positions and was intended to invite comment and critical analysis. I hope our response has been constructive and will lead to a productive results. Notwithstanding, our position on your department's jurisdiction over the M(C) trust issue, we appreciate and encourage the department's effort to disseminate information and otherwise help in the resolution of this very complex matter. In this regard, I would very much appreciate your keeping this office informed as to further action on this matter.

Sincerely,

RICHARD W. CRISLEY III
Municipal Attorney

Jonny Warkzhangher
Assistant Municipal Attorney

JW/la

cc: Governor Jay Hammond
Kevin Harding, Director Division of Community Planning
Robert L. Janda, Municipal Lands Council
Joseph Orlandi, Chairman, Senate Urban Council on
Municipal Reorganizations
Alyssa Cross, Attorney General

Municipality
of
Anchorage



POUCH 6 650
ANCHORAGE, ALASKA 99502
(907) 274-2526

GEORGE E. SULLIVAN
MAYOR

OFFICE OF THE MUNICIPAL ATTORNEY

January 10, 1978

The Honorable Senator Joseph Orsini
Pouch V
Juneau, Alaska 99811

Re: Department of Community & Regional Affairs
Promulgation of Regulations Pertaining to
AS §44.47.150

Dear Senator Orsini:

On or about August 29, 1977, municipal lands trustee, Robert L. Jenks issued a publication under the signature of Commissioner Lee McAnerney entitled, "Municipal Lands Trust Program, A Preliminary Statement of Trust Philosophy and an Assessment of Principles and Primary Policy Issues". The publication was thoroughly analyzed by the Municipal Attorney in consultation with staff members of the Attorney General's Office. It was the announced opinion of those attorneys consulted that certain portions of the publication contained evidence of misapprehension and misconstruction of AS §44.47.150. That section, adopted by §1, Chapter 119 SLA 1975, provides for the state's acceptance of land conveyed to the state in trust by village corporations under §14.C.3 of the Alaska Native Claims Settlement Act. The Municipality's objection to the Department's treatment of §44.47.150 is fully set forth in the letter to Lee McAnerney, attached. In brief, the Municipality objects to the Department taking a position that only first and second class cities are entitled to direct conveyances from village corporations as clearly provided by the federal and state acts.

It is the Municipality's contention that AS 44.47.150 applies only to conveyances from village corporations to the state under §14.C.3, which conveyances result only when no municipal corporation exercises jurisdiction within the village corporation. This interpretation is supported by the specific terms of the statute, which in pertinent part provides:

The commissioner of the Department of Community & Regional Affairs is designated to accept, administer,

January 10, 1978

Page 2

and dispose of land conveyed to the state in trust by village corporations under §14.C.3 of the Alaska Native Claims Settlement Act for the purposes specified in that section. [emphasis added]

While the strict terms of both the federal and state statutes support the Municipality's position, that position may be bolstered by a compilation of legislative history on the subject. For that reason, the Municipality is seeking assistance in obtaining any documentation of legislative intent behind the enactment of §44.47.170 (§1, Chapter 119, 1975). In that regard, the Municipality would greatly appreciate your assistance as Chairman of the Community & Regional Affairs Committee. To date the Municipality has only been able to compile the barest legislative history as contained in the Senate and House Journals. If the Committee records or the other Senate records contain committee reports or records of debate, those items may greatly aid our effort.

The Municipality sincerely appreciates any help that you or the Senate staff may be able to offer in compiling the legislative history. In aid of this effort I have listed below the record of the progress of the bill as reflected in the Journals:

Senate Bill No. 358 introduced by Senator Sackett entitled, "An Act Relating to Land to be Conveyed to the State in Trust for Future Cities under the Alaska Native Claims Settlement Act; and Providing for an Effective Date." was read the first time and referred to the Community & Regional Affairs Committee on April 10, 1975.

SB 358 was recommended for passage by the Community & Regional Affairs Committee on April 21, 1975. The report was signed by Senator Rody, Chairman, and concurred in by Senators Tillion and Willis.

Senate Bill No. 358 was read a second time on April 23, 1975. The bill was advanced for a third reading at that time. The question was called and adopted by the Senate by 19-0. Senate Bill 358 was referred to the secretary for engrossment.

On April 24, 1975, Senate Bill No. 358 was read for the first time before the House and was referred to the committee on Resources and Judiciary.

On April 29, 1975, the Speaker of the House stated that Senate Bill No. 358 had been referred to the Committee on Community & Regional Affairs. That Committee recommended that Senate Bill 358 be replaced with the House Committee substitute for Senate Bill No. 358 (same title) and that it pass.

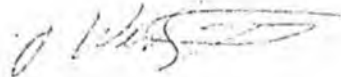
On May 5, 1975, the House Resource Committee recommended passage of SB 358.

On May 19, 1975, the House Judiciary Committee recommended the substitution of SB 358 with House Committee substitute for Senate Bill No. 358 and recommended that it pass with an amendment.

On May 22, 1975, SB 358 was read a second time with the Community & Regional Affairs Committee report, the Resources Committee report, and the Judiciary Committee report. With the unanimous consent of the House, committee substitute for Senate Bill No. 358 was adopted in lieu of SB 358.

On May 23, 1975, the Senate received a message from the House on SB 358 regarding House committee substitute for Senate Bill No. 358 amended by the House, and transmitting same for consideration. The Senate thereafter adopted House committee substitute for Senate Bill No. 358, and was referred to the Secretary for enrollment.

THEODORE D. BERNS
Municipal Attorney



Jerry Wertzbaugher
Assistant Municipal Attorney

JW:gml

F. 14(3)(c)
2-1-78

COLE, HARTIG, RHODES, NORMAN & MAHONEY

HOYT M. COLE
ROBERT L. HARTIG
JAMES D. RHODES
JOHN K. NORMAN
ROBERT J. MAHONEY
BERNARD J. DOUGHERTY
MICHAEL W. SHARON

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
SUITE 201
717 K STREET
ANCHORAGE, ALASKA 99501

KODIAK OFFICE:
KODIAK PLAZA, BOX 503
KODIAK, ALASKA 99615
(907) 486-3143
(907) 486-3144

G. RODNEY KLEEDERN
J. MICHAEL ROBBINS
ROGER H. BEATY
STEPHEN D. ROUTH
WEV W. SHEA

(907) 274-3576

January 26, 1978

OF COUNSEL:
G. KENT EDWARDS

REPLY TO: Anchorage

The Honorable Joe Orsini
Chairman, Senate
Community & Regional Affairs
Alaska State Legislature
Pouch V
State Capitol
Juneau, AK 99811

Re: Our File 101-30

Dear Joe:

Your letter of January 16, 1978, to the Mayor of the Kodiak Island Borough has been referred to me by the Borough for response. Our firm represents the Borough on many land matters.

In November, 1977, I wrote Commissioner McAnerney of the Department of Community and Regional Affairs regarding my interpretation of § 14(c)(3) of the Alaska Native Claims Settlement Act. I agree with the Municipality of Anchorage that boroughs are not to be excluded from receiving village corporation lands. A copy of my letter and her response is attached for your information.

While AS 44.47.150(g) limits trust lands to only first and second class cities, in the case of established municipalities such as Kodiak and Anchorage I would maintain that there is no need to be guided by AS 44.47.150, as the lands can be transferred directly to those municipal entities.

The commissioner feels that somehow AS 44.47.150 is controlling and interprets § 14(c)(3) of the Act as limiting municipalities to first and second class cities. If one were to look at the definition of "municipality" in the Act (§ 3(i)) it would become obvious that the State Legislature could not preclude the borough from receiving the land directly under § 14(c)(3).

Hon. Joe Orsini
January 26, 1978
Page Two

Please keep me informed of any action which is taken regarding this matter, and if I can be of assistance I would be happy to do so.

Yours truly,

COLE, HARTIG, RHODES,
NORMAN & MAHONEY
Counsel for Kodiak Island Borough

By:



Robert L. Hartig

RLH:kh

Enclosures

cc: Kodiak Island Borough



Official Business

Alaska State Legislature

Senate
Committee on
Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

February 1, 1978

Robert Jenks
Municipal Lands Trustee
Department of Community &
Regional Affairs
511 West Fourth Avenue
Anchorage, Alaska 99501

Dear Mr. Jenks:

I appreciated having the opportunity to discuss with you recently the situation concerning the conveyance of village lands to municipalities under the provisions of Paragraph 14(c) (3) of the Alaska Native Claims Settlement Act.

I understand that presently most attention has focused on the situation between the Village Corporation of Eklutna and the Municipality of Anchorage. I would be interested in receiving your assessment as to where else in Alaska differences of opinion between municipality and village corporation regarding the conveyance of village land may occur; and where else, in your view, the State of Alaska should act as trustee for this land in place of a Borough government.

I would also appreciate any other comments you might have on this issue and how close it is to a satisfactory settlement.

Sincerely,

A handwritten signature in cursive script that reads "Joe Orsini".

JOE ORSINI
Chairman, Senate
Community and Regional
Affairs Committee

JO:gd

14 C (3) File Index

December 18, 1971	Alaska Native Claims Settlement Act
June 23, 1974	Discussion of Legal Issues Related to 14 (c) Reconveyances by the Federal State Land Use Planning Commission
July 1975	14-C Handbook - Reconveying Land; Handbook for Village Corporations by the Federal State Land Use Planning Commission
AS 44.47.150	The Alaska Statues which defines the trust responsibility of the state for the village corporations
August 29, 1977	Jenk's Paper <u>Municipal Lands Trust Program A preliminary Statement of Trust Philosophy and an Assessment of Principles and Primary Policy Issues</u>
August 29, 1977	Brief Summary of Comments Received Regarding Bob Jenk's Paper by Bob Jenks
January 1978	Introduction to the 1978 Edition of <u>Alaska Native Land Claims</u> by Bob Arnold
January 15, 1978	<u>Alaska Native Management Report</u> , page 7 "Conveyances of Land to Village Corporations During 1977 (to January 15, 1978)"
February 17, 1978	Letter to Senator Ferguson from Commissioner McAnerney
March 6, 1978	Letter to Senator Orsini from Bob Jenks
<u>News Clippings:</u>	Municipality, Village Continue Discussing School Land Use - Anchorage Times January 14, 1978
	Native Land Plans Shake Up BLM - Anchorage Daily News February 1, 1978
	Eklutna, Anchorage Reach Interim Agreement on Land - Anchorage Times February 10, 1978
	Interim Plan on Chugiak Land - Anchorage Daily News February 10, 1978
	Native Claim Roadblocks May be Erased - Southeast Alaska Empire March 3, 1978

Senator Orsini's File on 14 C (3):

AS 12 A (1) of the Alaska Native Claims Settlement Act

July 21, 1977 Draft of a letter to Commissioner McAnerney from Senator Orsini

August 2, 1977 Letter to Commissioner McAnerney from Senator Orsini

August 10, 1977 Letter to Senator Orsini from Jack Chenoweth, Legislative Counsel

August 16, 1977 Letter to Senator Orsini from Commissioner McAnerney

Sept. 1, 1977 Letter to Senator Orsini from Donald Howell, Chief, Branch of Automatic Data Processing - U.S. Dept. of the Interior, BLM

Sept. 1, 1977 Letter to Senator Orsini from Jack Chenoweth, Legislative Counsel

Sept. 7, 1977 Letter to Senator Orsini from Jack Chenoweth
Copies Sent to 128 Municipalities

Sept. 9, 1977 Letter to Mayor Sullivan from Senator Orsini

Sept. 12, 1977 Letter to Senator Orsini from Jack Chenoweth, Legislative Counsel

Sept. 15, 1977 Letter to Senator Orsini from Bob Jenks

Sept. 30, 1977 Letter to Senator Orsini from Mayor Sullivan

October 3, 1977 Letter to Commissioner McAnerney from Jerry Wertzbaugher, Anchorage Assistant Municipal Attorney

Oct. 17, 1977 Letter to Mayor Sullivan from Commissioner McAnerney

Nov. 1, 1977 Letter to Senator Orsini from Edward G. Burton of Burr, Pease and Kurtz, Inc., Enclosure; copy of Nov. 1 letter to Commissioner McAnerney

Nov. 9, 1977 Letter to Bob Jenks from Edward G. Burton of Burr, Pease and Kurtz, Inc. of Anchorage

Nov. 21, 1977 Letter to Commissioner McAnerney from Robert Hartig of Cole, Hartig, Norman and Mahoney of Anchorage

Dec. 8, 1977 Letter to Bob Hartig from Commissioner McAnerney

Dec. 30, 1977 Memo to Bob Jenks from Kevin Waring, Dept. of Community and Regional Affairs

Jan 10, 1978 Letter to Senator Orsini from Jerry Wertzbaugher, Anchorage Assistant Municipal Attorney

- Jan. 16, 1978 Letter to W. D. Overstreet, Mayor of City & Borough of Juneau (sent to all Borough Mayors)
- Jan. 20, 1978 Comments by Bob Jenks of Dept. of C & RA Regarding the Status of 14 C (3) Land Reconveyances from Village Corporations by Ben Harding, A.A. to Senator Orsini
- Jan 26, 1978 Letter to Senator Orsini from Bob Hurtig of Cole, Hartig, Norman and Mahoney of Anchorage
- Jan. 30, 1978 Letter to Senator Orsini from Donald Gilman, Mayor of Kenai Peninsula Borough
- Feb. 1, 1978 Letter to Bob Jenks from Senator Orsini

Other Related Publications:

Congressional Records regarding ANCSA

Alaska Native Land Claims Hearings before the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs of the U.S. House of Representatives, May 3 - 7, 1971

Of Interest:

- December 1975 Agenda for State Lands; Recommendations to the People of Alaska on the Future of Their Public Lands by the Federal State Land Use Planning Commission for Alaska
- February 1976 Alaska National Interest Land Withdrawals and their opportunity Costs by John V. Krutilla and Sterling Brubaker by the Federal State Land Use Planning Commission
- March 15, 1977 Memo to the Federal State Land Use Planning Commission for Alaska from Liz Mathews, Legal Extern
- Aug. 1977 Alaska National Interest (D-2) Lands; A History and Reviews of Legislation by the Legislative Research Division
- 1976 Land Use Planning Workshops by the League of Women Voters
- Sept (?) 1977 Report of the Joint Federal State Land Use Planning Commission for Alaska "Cooperative Management and Organization"
- Nov. 1977 "The D-2 Book" Volume II, "Lands of National Interest in Alaska; A Comparative Analysis" by the Federal State Land Use Planning Commission for Alaska

Jan. 17, 1978 Memo to Congressman Seiberling from Walt Parker
State Co-Chairman, Federal State Land Use Planning
Commission

A Paper by Guy Martin on Land Trust, "ANCSA Issues Implementation
Recommendations " is available for reading in the Division of
Community Planning of the Dept. of Community & Regional Affairs

M E M O R A N D U M

To: Senator Orsini, Chairman
and members of the 1977 Interim Committee
on Village Land Reconveyances

From: Katherine Brown, A.A.
to the Bush Caucus

Subject: 14 C (3) of the Alaska Native Claims Settlement Act
Village Lands Reconveyances

Date: March 14, 1978

On Friday, February 17th, I travelled to Anchorage (at my own expense) and met with several people with regard to their various perspectives on the issues and problems surrounding the 14 C (3) reconveyance of lands to village corporations.

At 9 a.m I met with Byron Mallott, President of the Alaska Federation of Natives and members of his staff. Mr. Mallott had just talked to the Governor relevant to the status of the land bills currently before Congress. He told me at that time, that since few easement agreements had been reached with the Secretary of the Interior, the Interior and the State would eliminate the core township language thus allowing conveyance of core townships without easements.

On signing of HR 39, title passes to the "appropriate municipal corporation or to the state in trust." Although they may have title, 14 C (3) reconveyances cannot occur until the patents have been received. BLM is reorganizing and Mr. Mallott feels that they will be prepared to convey the lands quickly upon passage of the bill.

With regard to reconveyance, Mr. Mallott felt that most village corporations are viewing the 1,280 acre community expansion entitlements as a maximum. The municipality must justify a need for the land. Lands held in trust by the state are to be managed as state lands. Mr. Mallott was concerned that sufficient channels be established for village input as to the use of state lands held in trust. The Regional Corporations in this regard have maintained a "hands off" policy.

Mr. Mallott suggested that I talk to Mr. Jenks about the Department of Community and Regional Affairs plan to administer these lands and planned provisions for village input. He also suggested that I talk to Lydia Hayes of the Alaska Native Foundation who may have additional material on the subject as well as Dan Alex of the Eklutna Corporation in Chugiak and Agnes Brown of Tyonek Corporation.

Later that morning, I talked with Bob Arnold and Gordon Jackson at the Alaska Native Foundation. Lydia Hayes was out of town and so I was unable to talk with her. Mr. Arnold gave me the status of conveyances thus far which is also contained in the introduction to the 1978 edition of Alaska Native Land Claims which he authored.

In this introduction which he gave me, he states that "six years after the Settlement Act, only ten percent of the land selected by Native

Corporations had been conveyed to them and most of that had been conveyed in a single region." (The Arctic Slope Region) "Only 22 village corporations in ten regions had received any conveyance of land by late 1977." And the amounts of land that has been conveyed has been very small. Mr. Arnold and Mr. Jackson agreed to keep me informed of any new developments and to send copies of whatever relevant materials they could find.

At 3 p.m. I talked briefly with Susan Wolf at the Anchorage office of BLM. who explained some of the problems associated with interim conveyance of native lands. They can't survey until they know what selections have been made. Once selections have been made, the surveys can begin however the surveyors have to be able to physically see the ground. In many areas, long winters and snow cover prevents this for the greater part of the year, further slowing the process. Some regional corporations are contracting with private field surveyors in an attempt to accelerate surveys. Bristol Bay Regional Corporation is one such corporation and is currently writing guidelines for villages who wish to do this. Ms. Wolf suggested that I contact them for further information.

From four to six p.m. I talked with Bob Jenks, the Municipal Lands Trustee with the Department of Community and Regional Affairs. AS 44.47.150 authorizes the Department of Community and Regional Affairs to assume the role of trustee for approximately one hundred unincorporated villages and gives direction for the administration of these lands.

Mr. Jenks thinks that any potential problems that may develop will occur between cities and village corporations. He strongly believes that since it is in the best interest of both parties to come to agreement with each other as soon as that is possible, within an atmosphere of open communication, good faith negotiation will lead to agreements satisfactory to both parties. In this light, the Department, without being a party to the agreement, seeks to provide the needed technical expertise and a forum for airing conflicts and developing a consensus.

The Department is currently working on regulations to accomplish this end. While I was in the office, Mr. Jenks received a phone call notifying him that Mr. Jim Reeves, an Assistant Attorney General in the Anchorage Office, had been appointed to work on drafting these regs. The regulations at this time are in rough draft form. Mr. Jenks told me that they were attempting to build into these regs appropriate due process provisions as well as conformance to the Administrative Procedures Act.

They hope to uphold the people's right to decide for themselves what lands they will offer to the municipal corporations. They will not dictate what kinds of lands should be included; there will be no "checklist" of land classes. Only land which is clearly essential to community expansion (as determined by the villages) will be offered. It is hoped that decisions made at this level will not adversely affect the general welfare of the village. Key land in the village area is not necessarily includable.

Mr Jenks emphasized that they will be dealing with approximately one hundred very different villages and therefore the regs must be flexible yet balanced with controls; they must withstand possible changes in the Administration

and any other attempts at political manipulation. Mechanisms must be established to allow the village itself to identify and offer the lands to go into trust. The trust duties would begin when accepted by the appropriate trustee.

There will be one hearing per region on the proposed regulations. These hearings will take place this summer and fall.

STATE OF ALASKA

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

DIVISION OF COMMUNITY PLANNING

JAY S. HAMMOND, GOVERNOR

511 WEST 4TH AVENUE
ANCHORAGE 99501

March 6, 1978

Honorable Joseph Orsini
Chairman, Senate
Community and Regional Affairs Committee
Pouch V
Juneau, Alaska 99811

Dear Senator Orsini:

Thank you for your time last month. I, too, appreciate having had an opportunity to chat briefly on the Municipal Trust Lands Program, but regret not being able to complete our discussion on the substance of the trust program.

Your understanding concerning the Municipal Lands Trustee Program, as stated in your letter of February 1, "that presently most attention has focused on the situation between the Village Corporation of Eklutna and the Municipality of Anchorage," is not one which I share. You may recall that you brought up this subject during the course of our general background discussion of regulations and program development pertaining to Municipal Trust lands. Just as we were stating that we believe we have a clear duty to preserve the option that the "State in trust" may be a potential recipient of a portion or all of Eklutna's conveyances under ANCSA 14(c)(3), our conversation was interrupted when you left for a call of the Senate.

This interruption is unfortunate, as it prevented us from fully discussing the scope of our fiduciary duties in this matter. I completed this discussion as you requested with your aide, Ben Harding. Perhaps your understanding of trust program priorities suffered by the necessity of going through a third party.

As I indicated to Mr. Harding (and recently to Mr. Ferguson's aide, Cathy Brown), we are delighted that Eklutna, Inc. and the Municipality appear to be progressing towards a mutually satisfactory agreement concerning 14(c)(3) lands. We initially sponsored and participated in these negotiations. They are fully consistent with public and private statements of Commissioner McAnerney and myself with respect to Eklutna and Anchorage.

Notwithstanding our interest and participation in Eklutna-Anchorage negotiations, this issue has by no stretch of the imagination occupied "most" of our attention. Eklutna is only one of some 100 villages for which the State has a potential trust duty. Two dozen others during

March 6, 1978

the past 11 months since I was hired have commanded an equal or greater amount of our attention in providing land interests for highly urgent and critical community needs such as schools, airports, clinics, housing, and electrification systems.

I was explaining as our conversation was interrupted, that our major attention to date has been devoted to program and regulation development. A comprehensive report on this activity recently was given by the Commissioner to the sub-committee chaired by Senator Ferguson.

In response to one of your questions, I am unable to assess which municipalities and village corporations may have differences of opinion concerning 14(c)(3) land reconveyances, since the Municipal Trust Lands Program with which I am associated has no program responsibilities in villages where first or second class cities exist. Our statutory and functional trust responsibilities relate only to those where there is no municipal corporation in the Native village.

In my personal view, what may appear at first blush to be potential differences of opinion between cities and village corporations are merely preliminary assessments of position options each party is studying prior to entering negotiations. For the most part, actual negotiations are premature at this time, since only 3% of the total village corporation land entitlement has been processed by BLM. It is not all together certain in many villages which lands will be conveyed to the village corporations by BLM and thus be available for consideration for reconveyance under Sec. 14(c)(3).

I'd like to re-emphasize my often stated belief that settlement of 14(c)(3) land transfers is fully in the mutual self-interest of both village corporations and the entities which will receive titles thereto. Thus, good faith, arms-length negotiations between those parties are expected to resolve any 14(c)(3) questions without the necessity of serious confrontation or litigation.

The Executive and Legislative branches of state government, I believe, can constructively assist cities and village corporations by providing a climate of unhurried and impartial technical assistance which encourages good-faith dialog between the parties. In contrast, "assistance" which advocates one party's position in opposition to the other may not only inhibit amicable resolution of 14(c)(3) conveyances, but generates a substantial risk in the event of impasse, that the State of Alaska could involuntarily become a plaintiff or defendant in future litigation initiated by the actual parties as they attempt to resolve 14(c)(3) issues. The law does not designate the State as an adjudicator or a party to 14(c)(3) land transfers involving municipalities and village corporations.

March 6, 1978

In response to your final question concerning the identification of villages where the State "should" act as trustee "in place of" a borough government, it would be appropriate, I believe, to rephrase the question to read, "For which villages did Congress and the State Legislature establish a fiduciary trust duty for the State to accept and administer trust lands on behalf of future municipal corporations established in the Native villages in the future?"

Obviously, this question cannot be answered as your question implies, in terms of a policy opinion designating those villages for which the state "should" be a trustee. Since the Legislature defined "municipality" with respect to the Municipal Trust Lands Program as "only first or second class cities incorporated under the laws of the State" (A.S. 44.47.150(g)), it seems apparent that we have a clear and unequivocal duty and obligation to accept and administer appropriate trust lands offered for conveyance by village corporations in those villages which do not have a first or second class city therein. At the very least, we have a present and obvious duty to keep open the option that such lands may be received from any village corporation so situated which does not enter into a lawful settlement of 14(c)(3) lands with a Borough, at least until all legal issues surrounding this matter are finally and completely settled. This, of course, is our position with respect to Eklutna; i.e., that the Municipality of Anchorage is not necessarily ineligible to receive land from Eklutna, Inc., but for the present, until the legal issues are resolved, the trustee has a clear duty to stand available as a potential trustee for at least a portion of the settlement. (Eklutna's land lies mostly outside of the Municipality of Anchorage.)

Your final question prompts another observation. It may not be the State which would act as a trustee "in place" of a borough government as you suggest, but more likely, just the reverse would occur if a borough receives a conveyance under 14(c)(3) from a village corporation. Apparently well-reasoned opinions have been expressed, that because donation of the so-called 1,280 acres is for the benefit and expansion of the donating community, (and not for the State, itself), a borough receiving lands under the same circumstances should be a comparable "trustee" over the lands. Thus, a borough would administer the lands for the benefit and expansion of the donating community, and not for the benefit or gain of the borough as a whole. No borough has yet, to my knowledge, willingly expressed a desire to assume the administrative and financial burdens that such a trusteeship would entail. Since the Legislature has accepted and funded these trust duties on behalf of the State, I think acceptance of such lands by Boroughs, to be administered on behalf of unincorporated villages, will be quite limited.

The regulations of the Municipal Trust Lands Program now being drafted will, of course, provide the standards upon which lands offered by any village corporation into the trust can be judged for acceptability. These regulations will go through an extensive public review process

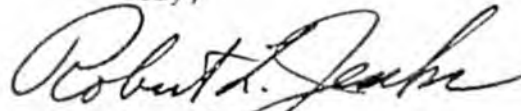
Senator Orsini

-4-

March 6, 1978

considerably exceeding minimum standards set by the Legislature in the Administrative Procedures Act. Since the drafting, publication, and review process is now evolving, it seems inappropriate to enumerate further concerning this sensitive issue prior to completion of legal interpretations and statements of departmental policy. Proposed regulations probably will be published within the next 90 days.

Sincerely,

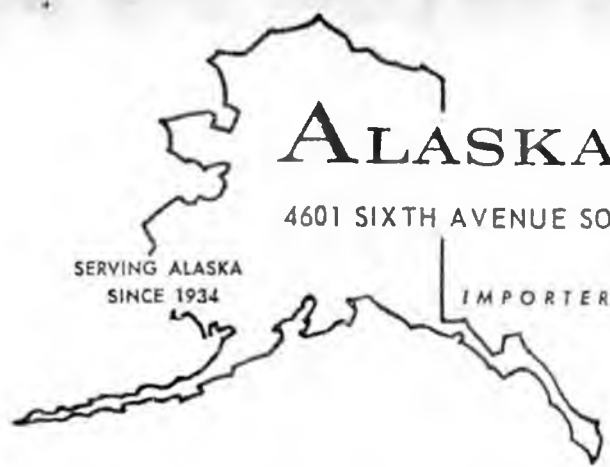


Robert L. Jenks
Municipal Lands Trustee

cc: Senator Ferguson
Lee McAnerney
Larry Kimball
Eklutna, Inc.

RLJ:jlg

SB 183



ALASKA DISTRIBUTORS Co.

4601 SIXTH AVENUE SOUTH • SEATTLE, WASHINGTON 98108 • 622-7311

IMPORTERS AND WHOLESALERS OF LIQUORS, WINES AND BEERS

March 29, 1978

The Honorable Glenn Hackney
Alaska State Senate
Pouch "V" State Capitol Building
Juneau, Alaska 99811

Dear Senator Hackney:

Believing that it is our Corporate responsibility to help educate the public as to the proper use of our products, Alaska Distributors Co. is embarking on a Moderation Campaign based upon the underlying assumption that alcohol abuse is a people problem, not a product problem.

Moderation and responsibility will be the theme of this campaign. Messages, such as the one that is included with this letter which will run during the week of April 3rd, will appear approximately five times during 1978 in the following publications:

- Anchorage News
- Anchorage Times
- Fairbanks News-Miner
- Juneau Southeast Alaska Empire
- Ketchikan News
- Sitka Sentinel
- Kodiak Mirror
- Tundra Times
- Alaska Advocate

A copy of the "Know Your Limits" pamphlet will be provided to anyone upon request. This pamphlet will let that individual know the impact different amounts of consumption can have on one's system.

Our objective is the healthy and responsible enjoyment of our products. The Moderation Campaign will be our contribution towards achieving that goal.

Very truly yours,

ALASKA DISTRIBUTORS CO.

Richard Loeb
Richard Loeb

RL:1a
Enc.

Ain't Charlie a scream?

The fat man with a lampshade on his head entertaining his friends and their wives may be a "scream" at a party. But the scream could turn into one of terror should good, ol' Charlie decide to drive home in that condition.

There is nothing funny about drinking too much or any kind of excess for that matter—be it with food or exercise, smoking, or exceeding the speed limit.

A poll asking people how they felt about alcohol yielded opinions ranging from *alcohol is poison*, to *the more you drink the better the party*.

Somewhere in between lies a sensible answer: **moderation. Moderation is the mark of maturity.**

Those who abuse alcohol are abusing their rights as members of a free society. And the cost of their misbehavior falls on you and me.

Fun is fun, and an occasional drink is accepted as part of the traditional American scene.

But that doesn't mean that excessive drinking gives you the right to interfere with my enjoyment of life—or to injure me for life—or to take my life.

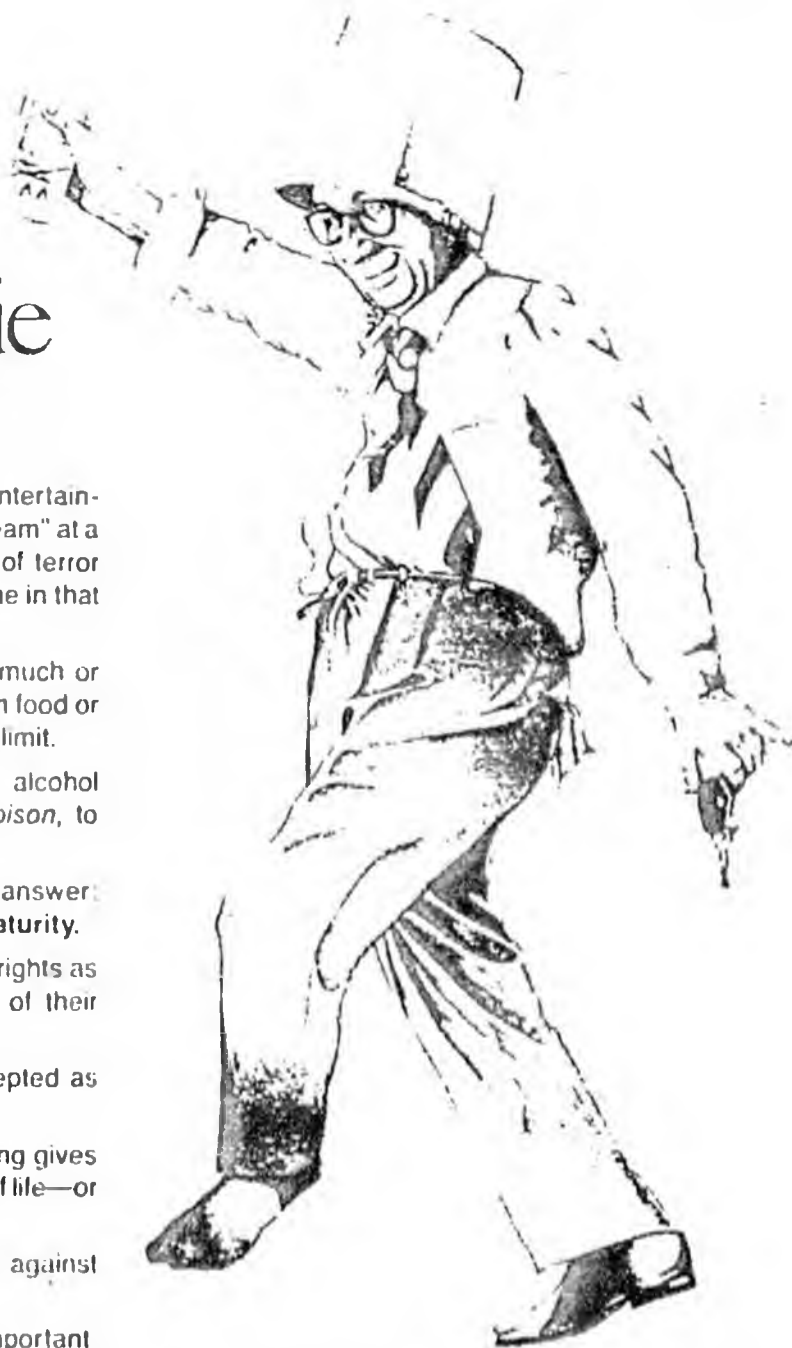
There is a role for each of us in this battle against alcohol abuse.

That's why education on moderation is so important.

We can begin by adopting a responsible attitude toward the use of beverage alcohol and promoting that attitude among others.

We can respect the rights of abstainers and demand that respect of others if we do not drink.

If you can think of anyone who could use a little guidance on moderation, send for our booklet, "Know Your Limits." It includes the latest information on this subject, and it's free for the writing.
Alaska Distributors Co., P.O. Box 4-1598, Anchorage, Alaska 99509.



We can learn and teach that there is a point in time when pleasure turns into punishment.

That's why we're offering a pamphlet, "Know Your Limits." It may be of help to you—or someone you know. Send for it today.



ALASKA DISTRIBUTORS Co.

IMPORTERS AND WHOLESALERS OF LIQUORS, WINES AND BEERS SINCE 1934

© 1978 Ed. Phillips & Sons Co.
Minneapolis, Minnesota

You will find it a valuable guide. But it is *not* a guarantee. There are many variables, such as when you've last had a meal or eaten snacks, fatigue, your mood, etc.

This chart also indicates the relationship between number of drinks and other factors to the legal limits (.10 as defined by law in most states and prescribed officially as a Federal standard).

The vast majority of people don't know what "legal limits" means. This chart tells you in precise detail.

Naturally, the distilled spirits industry is **NOT** urging you to drink up to the legal limit or anywhere near it, before driving or otherwise.

Liquor is part of the good life. Having a drink with friends is a long-time American tradition. Most people don't overdo it. Most adults who choose to drink, drink sensibly.

We urge you to know and stay within your own personal, safe limits. And, if you can't stop drinking, don't start driving. For your sake. And for the safety of others on the road.



KNOW YOUR LIMITS

Distilled Spirits Council
of the United States, Inc.
Suite 1300 - Pennsylvania Building
425 Thirteenth Street, N.W.
Washington, DC 20004

**CHART FOR RESPONSIBLE PEOPLE WHO MAY
SOMETIMES DRIVE AFTER DRINKING!**

Drinks	APPROXIMATE BLOOD ALCOHOL PERCENTAGE								
	Body Weight in Pounds								
	100	120	140	160	180	200	220	240	
1	.04	.03	.03	.02	.02	.02	.02	.02	Influenced Rarely
2	.08	.07	.06	.05	.04	.04	.03	.03	
3	.11	.09	.08	.07	.06	.05	.05	.05	Possibly
4	.15	.12	.11	.09	.08	.07	.07	.06	
5	.19	.16	.13	.12	.11	.10	.10	.09	
6	.23	.19	.16	.14	.13	.11	.10	.10	Definitely
7	.26	.22	.19	.16	.15	.13	.12	.11	
8	.30	.25	.21	.19	.17	.15	.14	.13	
9	.34	.28	.24	.21	.19	.17	.15	.14	
10	.38	.31	.27	.23	.21	.19	.17	.16	

Subtract .01% for each 45 minutes of detaching.
One drink is 1 oz. of 100 proof liquor, 12 oz. of beer, or 4 oz. of table wine.

SUREST POLICY IS... DON'T DRIVE AFTER DRINKING!

The safest policy is not to drink and then drive. If you do drink and then drive, then know and stay safely within your own personal limit. Even this chart is only a guide, not a guarantee. Driving after excessive drinking is dangerous and punishable by law. The operator of a motor vehicle is presumed by law to be impaired when the percent of alcohol in his blood is above the .10 level. The table on the reverse side indicates the relationship between number of drinks (taken by normal adults) and the legal limits. If your weight is between two of those shown, use the lower weight.

The legal limit is not the same as your own personal, safe limit.

Endorsed by Disabled Spints Council of U.S.A., Inc.

**KNOW
YOUR
LIMITS**

You're probably a licensed driver. And, statistically, you may be one of the millions of normal adults who choose to consume beverage alcohol in moderation, without harm to yourself or others.

Ideally, of course, the safest policy is not to drink before driving. But, common observation and experience tell us that millions of Americans drink and then drive on occasion. This is a fact of life.

Also confirmed is the fact that slogans like "If you drink, don't drive" have proved unrealistic and unsuccessful. Why? Because the motoring public simply pays little or no attention to them. Because many adults have had a drink before and a cordial after dinner in a restaurant and then driven home safely.

The Know Your Limits approach to responsible drinking and safe driving recognizes these facts of life and applies them to safety education.

This approach does NOT apply to alcoholics or problem drinkers. They should not drink at all. They require treatment or counseling. The disabled spirits industry certainly does not condone drunk driving by any one at any time.

No two adults are exactly alike. That is why precise rules about personal drinking habits cannot be readily set down and applied to the entire adult population. And even an individual's safe habits can vary from time to time, depending upon his state of health and mental outlook. But we do urge you to know and stay safely within your own personal limit—beyond which you tend to become impaired. So, know when to say when. Experts specializing in the drinking and driving field, however, have related number of drinks, body weight and frequency of consumption to risk probabilities.

This information is contained in the Know Your Limits chart pictured above in this publication.



THE CITY AND BOROUGH OF JUNEAU

CAPITAL OF ALASKA

155 SOUTH SEWARD ST. JUNEAU, ALASKA 99801

DATE: April 5, 1978

FILE NO. Legislature-1978 Session

SUBJECT SB 183

Honorable Joseph Orsini, Chairman
Senate Community & Regional Affairs Committee
Pouch V, State Capitol Building
Juneau, Alaska 99811

Dear Senator Orsini:

I have reviewed Senate Bill 183 relating to alcoholic beverages. On page 6 of the Bill, it is proposed that the Alcoholic Beverage Control Board be given the authority to determine which debts and taxes must be paid before transfer of ownership of an existing license may be made.

Often, when a license is being transferred, the only thing of value which the transferring entity has is the license itself. For that reason, allowing the Board to decide whether or not local taxes owing by the transferring licensee should be paid is a little like setting the Board up as a bankruptcy court for its licensees. I would suggest that the Board be given no authority to transfer a license where local taxes are still owing unless the licensee has made satisfactory arrangements with the municipality for their payment. I would suggest that the following changes be made on page 6 of SB 183:

On line 11, change the word "and" to "other than".

Change line 15 to read, "debts [AND TAXES] which it determines must be paid and taxes owing or in fact paid, or".

We would appreciate your consideration of the above change which would insure that liquor establishments are not allowed to escape paying taxes owed when licenses are transferred. Thank you.

Very truly yours,

GERALD L. SHARP
Attorney
City and Borough of Juneau

GLS:jt

cc: Senators
Willis, Ferguson,
Hackney, Sumner

April 18, 1977

Hank Mann, President
Anchorage Associated Broadcasters
P.O. Box 2200
Anchorage, AK 99510

Dear Mr. Mann:

Thank you for your letter of April 11 stating the opinion of the Anchorage Associated Broadcasters regarding the advertising provisions of HB 240/SB183.

The members of the Special Committee on Alcohol which I chair, do not intend to deal with this bill this session. During the interim we are planning an indepth study of the alcohol package complete with public hearing. The dates have not yet been set, but we hope to hear more from you at that time.

Again, thanks for your concern.

Sincerely,

Mike Colletta
Senate Floor Leader

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April 11, 1977

The Honorable Jay Hammond
Governor, State of Alaska
Pouch A
Juneau, Alaska 99811

Dear Governor Hammond,

Contained herein are the collective thoughts of the Anchorage Associated Broadcasters outlining our opposition to a proposed portion of legislation, currently in committee in the State Senate. Specifically, that portion of HB-240 that would ban all but "competitive brand" advertising of alcoholic beverages in the State of Alaska. 45818

1. We do not feel such prohibition of advertising would have any appreciable effect in solving the problem of alcoholism. Prohibition of cigarette advertising (discriminatively effective, incidentally, to the electric media, but not to print) has had little significant effect or none at all, on the problem of cigarette smoking. Indeed, Federal HEW statistics indicate that cigarette smoking has increased steadily, since the electric media cigarette advertising ban has been in effect. This did have the effect, however, of depriving the electric media of advertising revenues.

2. Such legislation as an advertising ban as outlined in HB-240 constitutes an infringement of the rights of private citizens to be informed and jeopardizes the economic viability of both advertising alcohol beverage licensees and the advertising media. Such legislation also may be an infringement of first amendment constitutional guarantees and certainly constitutes a "blatant" restraint of trade. Further, electric media facilities are federally, not state, licensed and it is valid to question whether the state government may enact legislation that would restrict what a federal licensee may or may not broadcast. Even the FCC is having difficulties in this area (re: US Court of Appeals 1977 decision, FCC versus WBAI/New York).

3. There is a questionable intelligence behind the logic of allowing, for example, 86 proof whiskies such as "Johnnie Walker" to extoll their virtues as a competitive brand advertiser, while prohibiting businesses such as the Ramada Inn, the Captain Cook Hotel, etcetera, to advertise the

price of 7 or 8 proof beer. This, in essence, is what the advertising prohibition in HB-240 does.

4. Enforcement also could constitute a problem. Does the State of Alaska propose to intercept US Mails to clip out offending advertisements, or, is this bill directed only at the electric media? That's not the way we read it, but if so, does the State of Alaska propose to tamper with national commercial continuity, beamed in via satellite, or, make the individual stations liable? That's a real "double bind". In many network affiliate contracts, the affiliate station is prohibited from overriding or deleting network advertising. Their choice would be a contract violation with possible loss of network service versus a State law violation. Not much of a choice, is it?

5. In other sections of HB-240, it is proposed that "bush" communities that vote to go "dry" be compensated by the State (meaning the taxpayers in the "wet" communities) for lost liquor tax revenues. Yet, the same "Rube Goldberg" logic behind this inequity is not carried over into any form of recompensation for lost revenues that will be edgendered by a ban on advertising alcoholic beverages. Does this stand the test of "reasonableness"?

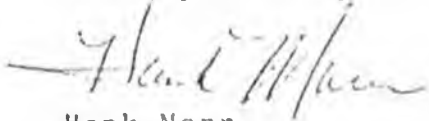
In summation, nobody has shown conclusively that an advertising ban of alcoholic beverages would have a significant effect on the problem of alcoholism. Those who want to purchase or consume alcohol will do so, regardless of the existence or lack of advertising. An advertising ban would constitute a restraint of trade...would have an adverse economic effect of private enterprise...could be a violation of interstate commerce, interstate mail service, and constitutionally guaranteed first ammendment rights. The proposal to ban the advertising of alcoholic beverages is the product of "fuzzy thinking" by a special interest study committee with much broader adverse impact than any good it might accomplish.

Please remember also, that the consumption of alcohol is not, in itself, bad, if done in moderation. Recent clinical tests have shown that regular consumption of small amounts of alcohol is frequently beneficial, both psychologically and physiologically. The problem is alcoholic consumption to excess. I doubt you could show me one radio or television

station that would accept a commercial advertisement that advocates drinking to excess. However, almost all of them cooperate extensively with the Departments of Health & Social Services and Public Safety in public service advertising...at no cost to the taxpayer...pointing out the dangers of drinking to excess. But remember, in order to be able to make public service advertising available to state agencies free, we have to be able to sell other forms of advertising and HB-240 makes that job harder.

With all this in mind, the thirteen radio and television member stations of the Anchorage Associated Broadcasters strongly urge, that should HB-240 ever reach your desk with a prohibition of advertising still contained in it, that you exercise your gubernatorial power of veto.... unhesitatingly and unconditionally!

Thank you for your attention.



Hank Mann
President
Anchorage Associated Broadcasters

cc: William Allen, KHAR-AM
Alvin O. Bramstedt, Sr., KENI
Alvin O. Bramstedt, Jr., KENI-T.V.
Robert Flemming, KYAK/KGOT
Ken Flynn, Vice President, AAB
James Hafer, KENI-AM
Patti Harpel, KHAR/KKLV
Auggie Hebert, KTVA/KBYR/KNIK-FM
Ronald Moore, Secretary/Treasurer AAB
Jay Perry, KJZZ-FM
Roy Robinson, KFQD
Duane Triplet, KIMO-T.V.
William Walley, President, Alaska Broadcasters Association

cc: Legislators;
Mike Colletta
Joseph Hayes
Bill Ray

News Etc - opposition -

Dec. 12 letter to Mr. W. C. Army

News outside city

First appearance would require new water source.

Writings of Luther Co. part recovered

75% of employees live in city

Wright - City Mgr. 172 sq.

only a couple of people called him in

opposition to annexation

50% of employees live outside of city

those outside city

1st - 1st survey - 1st visit

1000 lbs (or) within

2nd February - 98 percent

out of 23 testings - 6 were negative - City employees

City says tax figures are 300 to 400 lbs.

Self-motivated pilot water source for 1950 - 1955

City 1950 outside

6.5 million lbs. in '75 / 6.7 million in 1977

US 35,067.84 for Petersburg

13 employees in Mill

Gene Owens - Director City

City would control coastal zone development

John Smith - Mayor - Director City

appear on radio to announce

Managers on radio to announce

Central Express - Millard

185 Great 1 week

Some kids - Beadman in town - put in town
thinks city is in his straits and wants it
to stay together and should be done. Recently
they can't supply water for industry

Bill Miller - Minneapolis City

Franklin would find more representation than
any other 2.5%

SB 373

Handprinted proposals

Middle Shelley

AREA - opposes word restrictions and in process
since it would solidify both parties in their
positions and put added stress on parties.

Pat Hunt

3 people with (c) 24 hour language.
Would prefer that instead of new ^{subject} ~~word~~ by them
periodically a status report be issued periodically.
Possible problem with (b) 'Reasonable time'

Guy Stringham - 3000

what if you or constituents vote on their
desires for (a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (m) (n) (o) (p) (q) (r) (s) (t) (u) (v) (w) (x) (y) (z) (aa) (ab) (ac) (ad) (ae) (af) (ag) (ah) (ai) (aj) (ak) (al) (am) (an) (ao) (ap) (aq) (ar) (as) (at) (au) (av) (aw) (ax) (ay) (az) (ba) (bb) (bc) (bd) (be) (bf) (bg) (bh) (bi) (bj) (bk) (bl) (bm) (bn) (bo) (bp) (bq) (br) (bs) (bt) (bu) (bv) (bw) (bx) (by) (bz) (ca) (cb) (cc) (cd) (ce) (cf) (cg) (ch) (ci) (cj) (ck) (cl) (cm) (cn) (co) (cp) (cq) (cr) (cs) (ct) (cu) (cv) (cw) (cx) (cy) (cz) (da) (db) (dc) (dd) (de) (df) (dg) (dh) (di) (dj) (dk) (dl) (dm) (dn) (do) (dp) (dq) (dr) (ds) (dt) (du) (dv) (dw) (dx) (dy) (dz) (ea) (eb) (ec) (ed) (ee) (ef) (eg) (eh) (ei) (ej) (ek) (el) (em) (en) (eo) (ep) (eq) (er) (es) (et) (eu) (ev) (ew) (ex) (ey) (ez) (fa) (fb) (fc) (fd) (fe) (ff) (fg) (fh) (fi) (fj) (fk) (fl) (fm) (fn) (fo) (fp) (fq) (fr) (fs) (ft) (fu) (fv) (fw) (fx) (fy) (fz) (ga) (gb) (gc) (gd) (ge) (gf) (gg) (gh) (gi) (gj) (gk) (gl) (gm) (gn) (go) (gp) (gq) (gr) (gs) (gt) (gu) (gv) (gw) (gx) (gy) (gz) (ha) (hb) (hc) (hd) (he) (hf) (hg) (hh) (hi) (hj) (hk) (hl) (hm) (hn) (ho) (hp) (hq) (hr) (hs) (ht) (hu) (hv) (hw) (hx) (hy) (hz) (ia) (ib) (ic) (id) (ie) (if) (ig) (ih) (ii) (ij) (ik) (il) (im) (in) (io) (ip) (iq) (ir) (is) (it) (iu) (iv) (iw) (ix) (iy) (iz) (ja) (jb) (jc) (jd) (je) (jf) (jg) (jh) (ji) (jj) (jk) (jl) (jm) (jn) (jo) (jp) (jq) (jr) (js) (jt) (ju) (jv) (jw) (jx) (jy) (jz) (ka) (kb) (kc) (kd) (ke) (kf) (kg) (kh) (ki) (kj) (kk) (kl) (km) (kn) (ko) (kp) (kq) (kr) (ks) (kt) (ku) (kv) (kw) (kx) (ky) (kz) (la) (lb) (lc) (ld) (le) (lf) (lg) (lh) (li) (lj) (lk) (ll) (lm) (ln) (lo) (lp) (lq) (lr) (ls) (lt) (lu) (lv) (lw) (lx) (ly) (lz) (ma) (mb) (mc) (md) (me) (mf) (mg) (mh) (mi) (mj) (mk) (ml) (mm) (mn) (mo) (mp) (mq) (mr) (ms) (mt) (mu) (mv) (mw) (mx) (my) (mz) (na) (nb) (nc) (nd) (ne) (nf) (ng) (nh) (ni) (nj) (nk) (nl) (nm) (nn) (no) (np) (nq) (nr) (ns) (nt) (nu) (nv) (nw) (nx) (ny) (nz) (oa) (ob) (oc) (od) (oe) (of) (og) (oh) (oi) (oj) (ok) (ol) (om) (on) (oo) (op) (oq) (or) (os) (ot) (ou) (ov) (ow) (ox) (oy) (oz) (pa) (pb) (pc) (pd) (pe) (pf) (pg) (ph) (pi) (pj) (pk) (pl) (pm) (pn) (po) (pp) (pq) (pr) (ps) (pt) (pu) (pv) (pw) (px) (py) (pz) (qa) (qb) (qc) (qd) (qe) (qf) (qg) (qh) (qi) (qj) (qk) (ql) (qm) (qn) (qo) (qp) (qq) (qr) (qs) (qt) (qu) (qv) (qw) (qx) (qy) (qz) (ra) (rb) (rc) (rd) (re) (rf) (rg) (rh) (ri) (rj) (rk) (rl) (rm) (rn) (ro) (rp) (rq) (rr) (rs) (rt) (ru) (rv) (rw) (rx) (ry) (rz) (sa) (sb) (sc) (sd) (se) (sf) (sg) (sh) (si) (sj) (sk) (sl) (sm) (sn) (so) (sp) (sq) (sr) (ss) (st) (su) (sv) (sw) (sx) (sy) (sz) (ta) (tb) (tc) (td) (te) (tf) (tg) (th) (ti) (tj) (tk) (tl) (tm) (tn) (to) (tp) (tq) (tr) (ts) (tt) (tu) (tv) (tw) (tx) (ty) (tz) (ua) (ub) (uc) (ud) (ue) (uf) (ug) (uh) (ui) (uj) (uk) (ul) (um) (un) (uo) (up) (uq) (ur) (us) (ut) (uu) (uv) (uw) (ux) (uy) (uz) (va) (vb) (vc) (vd) (ve) (vf) (vg) (vh) (vi) (vj) (vk) (vl) (vm) (vn) (vo) (vp) (vq) (vr) (vs) (vt) (vu) (vv) (vw) (vx) (vy) (vz) (wa) (wb) (wc) (wd) (we) (wf) (wg) (wh) (wi) (wj) (wk) (wl) (wm) (wn) (wo) (wp) (wq) (wr) (ws) (wt) (wu) (wv) (ww) (wx) (wy) (wz) (xa) (xb) (xc) (xd) (xe) (xf) (xg) (xh) (xi) (xj) (xk) (xl) (xm) (xn) (xo) (xp) (xq) (xr) (xs) (xt) (xu) (xv) (xw) (xx) (xy) (xz) (ya) (yb) (yc) (yd) (ye) (yf) (yg) (yh) (yi) (yj) (yk) (yl) (ym) (yn) (yo) (yp) (yq) (yr) (ys) (yt) (yu) (yv) (yw) (yx) (yy) (yz) (za) (zb) (zc) (zd) (ze) (zf) (zg) (zh) (zi) (zj) (zk) (zl) (zm) (zn) (zo) (zp) (zq) (zr) (zs) (zt) (zu) (zv) (zw) (zx) (zy) (zz)

Suggest (d) be deleted
might solidify positions by making a list of
details of bargaining.
& also possible through other means for
sampling desires of membership.

Carlyle Walford - decided to do 3d.

Favors (d) since it will inform public as to
issues.

Suggest (c) may not be necessary since they
do not usually negotiate.

would lead to a more reasonable position.
being worked out by both sides since a
patently ridiculous offer publicly would cost

SB373

II

do not see the good faith of party that had
introduced the entire trade.

Board starts out with heads no approach.
Would not feel constrained to give away
the farm.

Prof. Green - I do. B. L. Cass

Has no problem with keeping negotiations
private but has no problem with publicizing
initial offers.

Could be understood (2) - since usually negotiations
are limited anyway early in negotiations.

TO: COMMUNITY & REGIONAL AFFAIRS COMMITTEE

ATTENTION: Honorable Joseph Orsini,
Chairman, and Committee
Members

From: Gertrude B. Lyons
P. O. Box 1128
Petersburg, AK 99833

Date: February 8, 1978

I am on the Board of Directors of the Petersburg Indian Association and have been a resident of the City of Petersburg all my life and have been authorized by unanimous vote of the Board to appear and protest to the Legislature any extension of the boundaries of Petersburg. The members of the Petersburg Indian Association are strongly opposed to the recommendations of the Local Boundary Commission to the Legislature of the State of Alaska concerning the extension of the boundaries of the City of Petersburg.

The Petersburg Indian Association was formed because of the various Alaska native groups, including the Tlingit-Haida Central Council, the Alaska Native Brotherhood, the Alaska Native Sisterhood, and Sealaska Corporation, which had programs to be administered within the Petersburg area. The Petersburg Indian Association is a combination and serves and represents all Alaska native programs administered in the Petersburg area. There are approximately one hundred eighty-five (185) adult members in the Petersburg Indian Association, all of whom are residents residing in the existing City of Petersburg.

The Petersburg Indian Association has reviewed the petition submitted by the City of Petersburg to the Department of Community and Regional Affairs for the annexation or expansion of the existing city limits of Petersburg and the recommendations of the Local Boundary Commission to the Legislature. The Petersburg Indian Association is strongly opposed to any expansion of the existing city limits of Petersburg.

The existing tax base for the City of Petersburg, including real property taxes, sales taxes, and utility charges is extremely high and before any of the existing utilities are expanded to additional areas, and before any additional police and fire protection services are expanded to additional areas, it appears to the Petersburg Indian Association that steps should be made to improve and reduce the charges to the existing residents within the present city limits of the City of Petersburg. The cost of expanding utilities and services to any additional areas could only be met by additional taxes far and above those which would be generated through the annexation of the additional area.

I was employed for eight (8) years as a dispatcher for the City of Petersburg Police Department, having left that position approximately one (1) year ago. In reviewing the petition of the City of Petersburg for additional areas to be annexed I noted the number of emergency medical treatment calls that they attributed to

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areas outside the existing city limits. Based upon my own observations and experience, by far the vast majority of these calls would have been to the Petersburg Municipal Airport or to the float plane charter services operated in and out of Petersburg, bringing injured or sick persons from other areas to receive treatment at the Petersburg hospital.

The existing fire equipment is inadequate to serve outlying areas without the addition of water lines and hydrants as the present tank trucks or pumper trucks would not be sufficient to fight any major fire without fire hydrants being located in the immediate vicinity.

If police protection is to be afforded in the additional annexed area it will require that at least one additional squad car be added to the existing police force and at least four (4) officers, one for each shift and one as a relief officer. The existing bonded indebtedness of the City of Petersburg is the highest per capita in the State of Alaska. It would seem apparent that if additional services and utilities are afforded to areas outside the existing city limits, that the only way this could be accomplished would be by incurring additional bonded indebtedness which would place an undue burden and hardship on the taxpayers and residents of the City of Petersburg. This is particularly true of our native residents who for the most part are employed on a seasonal basis, which severely limits their income and ability to pay any additional taxes or utility charges.

Before any additional areas are added to the City of Petersburg, the Petersburg Indian Association and myself feel that definite steps and improvements should be made within the city limits to reduce the taxes and improve existing services and utilities, particularly the electric utility services which, in my opinion, are the highest in the State. Presently people outside of the existing city limits of Petersburg pay a surcharge on top of their electric service charges for being rendered that service by the city; however, if these areas are included in the city this surcharge would be lost, and the only way that this could be made up is by adding to the already high electric service charges being taxed on the residents of the City of Petersburg.

For these reasons, the Petersburg Indian Association respectfully requests that the Senate and the House of Representatives pass a concurrent resolution rejecting the recommendation of the Local Boundary Commission.

Respectfully,

Gertrude B. Lyons

Gertrude B. Lyons

March 7, 1977

The Honorable John L. Rader
President of the Senate
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. President:

Under the authority of art. III, sec. 18 of the Alaska Constitution, and in accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting proposed legislation to amend Title 29 to allow areas to incorporate as first class, home rule boroughs. Currently, areas desiring to incorporate as home rule boroughs must first incorporate as a first class borough and then proceed to hold still another election on whether to frame a home rule charter and submit it for adoption to the borough residents. The proposed amendment to Title 29 would eliminate this two-step process, allowing residents of an area the opportunity to vote on the question of home rule status at the same time they vote on the question of incorporation. The option of being able to begin drafting a home rule charter immediately upon incorporation will encourage the development of borough government in Alaska.

Sincerely,

Jay S. Hammond
Governor

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Willis

John E. Longworth
Petersburg, Alaska 99833
February 14, 1978

Senator Edward Willis, Vice Chairman
Community & Regional Affairs Committee
Room 614, Court Building
Juneau, Alaska 99811

Re: Local Boundary Commission's Recommendations
Re Area To Be Annexed To Petersburg

Dear Senator Willis:

I am most aware of the tremendous and perplexing problems facing this second session of the Tenth Legislature; therefore, it is somewhat embarrassing for me to have to write to you and request that you take the time to aid and assist us in settling what should be a very local problem in our island community of Petersburg. This is a problem that could have been settled, and should have been settled, without any fanfare, and I have no doubt that it would have been settled had it been presented to the people of the Petersburg area on a timely and reasonable basis.

I have been a resident of Alaska since December of 1940, and a resident residing within the existing boundaries of Petersburg since September of 1941. I served on the local city council at various times and I also served in the first, second, and third sessions of the Alaska Legislature, so I am not totally unfamiliar with government and governmental processes.

As is the case with the great majority of Alaskans, I am violently opposed to the treatment that our state is receiving on the D2 Land issue. Alaskans are being given no opportunity to have any say in determining the settlement of a problem which is purely one involving our own state.

A parallel situation, however in reverse, exists in reference to the petition presented by the city council to the Local Boundary Commission and the Local Boundary Commission's recommendation to the legislature regarding the annexation of land outside of the existing city limits of Petersburg. These things were all accomplished without giving the people of Mitkof Island, and particularly in Petersburg, a chance to express their concerns and views, not even in that most democratic manner--the ballot box.