

710

HCRA

HB 580

710

BRISTOL BAY NATIVE ASSOCIATION

P.O. BOX 179
DILLINGHAM, ALASKA 99576
PHONE (907) 842-5257

March 3, 1980

Representative Bill Parker
Pouch V
Juneau, Alaska 99811

Dear Fellow Countryman:

The Executive Committee met last Wednesday and Thursday, February 27 & 28th, 1980. One of the times discussed was the unorganized borough.

I realize from meeting with you previously that the unorganized Borough concept was created to help offset the population explosion of the State of Alaska. (Anchorage, Fairbanks). The committee's concerns about the unorganized borough concept are the following:

1. When the State turns over its services to the unorganized borough does annual operating budgets need to have approval of the legislature?

With reapportionment coming up, most of the legislators will be from the Urban Areas. The Executive Committee's concern is budget cuts. The current bill should contain provisions to insure that operations of each unorganized borough would not be shortchanged.

2. Taxes. This is probably the issue that would immediately turn off the bush residents. Perhaps a provision that would put a ceiling on the amount of taxes that can be collected when the borough decides to levy property taxes. What they are afraid of is losing property because someone did not pay taxes on his boat or property. Some ideas tossed around were \$50,000 deductible for each household, and a limit of 10 mils tax levy.

Bristol Bay Native Association would be very much interested if these items can be addressed in the original bill.

Hopefully, I will be down Juneau, if so, I'll make it a point to look you both up.

Sincerely yours,

BRISTOL BAY NATIVE ASSOCIATION



Fred T. Angasan
Executive Director

FTA/mff

cc: Nels Anderson, Jr.

THE FOLLOWING DOCUMENT(S) MAY NOT FILM
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ORIGINAL.

March 3, 1980

SB 99675-Z
Fairbanks, Ak. 99701

Senator Arliss Sturgulewski
Community and Regional Affairs
Pouch 7
Juneau, Alaska 99811

RE: Opposition to SB 343, 348, 350, 351, 352, 353, 354.

Dear Senator Sturgulewski:

The intent behind some of these bills could be for the good of the people but in their present state they are very premature. In reviewing SB 343 and 349, I find that these bills need more time and study on a local level. SB 349 should be introduced prior to 343 before any type of movement is made to basically organize the unorganized borough, which SB 343 is trying to do. In SB 349 the state should not have the authority to contract, as this is a breakdown of local government in itself. In looking over the proposed boundaries for the unorganized boroughs, I find these boundaries to be grossly out of proportion and there is no way for there to be a true local government in these areas. I realize that in the future the boundaries could be changed, but feel that this might not be possible due to improper planning and the development of a standardized system that could not afford the change.

The State Constitution provides adequate means and types of municipal governments for communities to choose from in order to have a local government body. I find that changing these procedures in order to reach a higher form of government more easily could allow the majority to be dominated by a minority and/or special interest groups or people concentrated in one area.

SB 350 needs a lot of work. The state is acting as the local government and there is no provision for input from residents in the area affected.

SB 351 relating to state aid to local government has good potential but discriminates toward communities that are not recognized municipalities who need the aid just as bad. A community needing some financial assistance might form a municipal government in order to receive this aid but it not be in the best interest of the community.

SB 352. The concept of this bill is good but it does not provide for input from the municipality to assist in the preparation of the note or statement.

In SB 353 you are again trying to make a short cut to a higher form of government. If this type of government is wanted by the majority, then it is easy enough for them to attain it under

present law. This bill has not been exposed to the voters so they are not aware of the side effects it could have on their community. For these reasons alone the bill should not pass. It truly needs to be studied by the people with more input from them before passage.

SB 554. I strongly oppose this bill and have given my reason to you already in writing and in testimony. With SB 548, 549, and 553 providing for more options to choose from, I find an attempt to eliminate third class boroughs a step backwards. I fail to see any gain by this act.

Very truly yours,

Allen J. Eusby

cc: Parker, Bill
Carney, Patrick J.
Zharoff, Fred F.
Branson, Margaret
Hatchel, Ray H.
Parr, Charles E.
O'Connell, Patrick H.
Kulcsy, Bob
Kelly, Tim
Rodey, Patrick W.
Stinson, Terry

THE PRECEDING DOCUMENT(S) MAY NOT FILM
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ORIGINAL.



Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

BILL NUMBER AND TITLE:

HB 580 Creating Unorganized Boroughs

ORIGINAL SPONSOR: House C&RA
RECEIVED FROM: _____

OTHER SPONSORS: _____
FURTHER REFERRALS: _____

HEARING DATE: 2/1/80

MEMBERS PRESENT: Bill Parker
Margaret Branson
Pat O'Connell

Pat Carney
Charlie Parr
Fred Zharoff
Ray Metcalfe

Jay Moor - DPDP

Sees prime target as service agencies. There are 3/4 ways to establish boundaries (1) by fiat (2) develop through compromise with agencies (3) objective approach-look at clientele (4) develop geocoding system. Collect information this way then build boundaries on an ad hoc basis.

Arbitrary may not be worst. State agency needs, however, should be secondary to needs of people being served. Management by objective should be considered. Agencies can ask for variances under bill and that might moot the effectiveness.

John Post, Dept. of Labor

1980 census boundaries are similar to those in HB580. Census areas and subareas (23 major areas and 24 subareas) should be taken into consideration in the creation of boundaries.

Palmer McCarter, Dept. C&RA

Dept. strongly supports. Active in working with the committee. This is a compromise bill and takes a significant step in providing some organization in the unorganized borough. Questions is appeals on boundaries would go to the legislature or rather to the Governor? Suggests that appeals should go to the Governor. Otherwise, one might be jumping the normal chain of command. And the legislature could act if the Governor isn't acting responsibly.

Refers to a comment made by Parr re constitutional borough standards and indicates that this concern is met by the reference to Title 29 in the bill.

It would appear that the Dept. of C&RA would be responsible for costs associated with drafting and preparation of charter.

Asks how REAAs would be altered if it is necessary. Not sure that a process exists to do this in the bill.

Chitwood - 1 yr. as unrealistic for charter preparation.

COMMITTEE ACTION:

No action

TAPE # 2

SIDE 1

Footage 1331-1750



Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

BILL NUMBER AND TITLE: HB 580 Establishing Unorganized Boroughs

ORIGINAL SPONSOR: House C&RA
RECEIVED FROM: _____

OTHER SPONSORS: _____
FURTHER REFERRALS: Finance

HEARING DATE: 3/17/80

MEMBERS PRESENT:	Bill Parker	X	Pat Carney	X
	Margaret Branson	X	Charlie Parr	X
	Pat O'Connell	X	Fred Zharoff	X
			Ray Metcalfe	X

Bob Lohr, Ruralcap

Sees CSHB580 as substantial improvement over original bill. Requests that the committee defer action until the Community Action group has an opportunity to work on the bill while they are in Juneau. Sees it as a good idea to combine the formation of boundaries and the allocation of planning money of the areas in one bill.

COMMITTEE ACTION: No action.

TAPE # 4 SIDE 2 Footage 874-946



Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

BILL NUMBER AND TITLE: HB 580 Creating Unorganized Broughs

ORIGINAL SPONSOR: HOUSE C&RA
RECEIVED FROM: _____

OTHER SPONSORS: _____
FURTHER REFERRALS: _____

HEARING DATE: 1/10/80

MEMBERS PRESENT: Bill Parker X Pat Carney X
Margaret Branson X Charlie Parx
Pat O'Connell X Fred Zharoff X
Ray Metcalfe X

Workshop:

Parr - p. 3 line 7 Regerral should be to legislature rather than to the Legislative Council. Suggests that no modifications be allowed. Final authority should be with the legislature.

Check p. 6 line 17 Use of "substantially"

p. 2 Discussion of reference to census lines. Mention areas and subareas of the US. Census Bureau.

COMMITTEE ACTION: No Action

TAPE # SIDE _____ Footage _____

II. FISCAL DETAIL

Agency Affected Community & Regional Affairs
 Program Category Affected Development
 BRU, Program, or Subprogram(s) Affected Local Government Assistance

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES	0	154.8	167.2	180.6	125.0	210.6
200 TRAVEL	3.0	57.0	30.0	30.0	31.0	30.0
300 CONTRACTUAL	4.8	70.4	40.0	30.0	28.2	28.2
400 COMMODITIES	1.0	3.0	1.0	.6	.6	.6
500 EQUIPMENT	.0	2.0	.5	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
TOTAL	8.8	287.2	238.7	226.6	233.4	247.1

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND	8.8	287.2	238.7	226.6	233.4	247.1
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
FULL TIME	0	5	5	5	5	5
PART TIME						
TEMPORARY						

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

FY 80 - Reflects travel expenses, notice requirements, and supplies needed for public hearings on drawing boundary lines that differ from REAA's in the unorganized borough.

FY 81 - 85 - Reflects the addition of 3 Local Government Specialists (Range 17), a Clerk Typist III (Range 8) and Clerk Typist II (Range 7) to assist unorganized boroughs in becoming home rule boroughs. Seven proposed regions are presumed to be likely candidates for the home rule option. These areas are 1) Yukon Flats (REAA 13), 2) REAA 12, 3) NANA region (REAA 1), 4) Petersburg/Wrangell (part of REAA 19), 5) Prince of Wales Island (part of REAA 19), 6) The Aleutian Chain (parts of REAA's 8 and 10), and 7) Prince William Sound (REAA 21). It is anticipated that if this bill passes this session the bulk of the activity will take place during FY 81 and FY 82 and will begin to lessen gradually through FY 85 as the newly incorporated boroughs become more self-sufficient.

The high travel cost during FY 81 reflects the need to administer both of the main

activities in the bill: drawing the boundaries for the unorganized boroughs and assisting the seven areas previously mentioned in drawing up home rule charters.

The Local Boundary Commission's involvement in the incorporation of home rule boroughs under Section 4 of this bill is not budgeted for in this fiscal note. The annual appropriation received by the LBC to perform its constitutional and statutory duties may be adequate to cover the expenses incurred due to passage of this bill. If these expenses cannot be met by the LBC's annual appropriation there should be adequate lead time to secure additional funding so that the Commission may adequately participate in the borough incorporation process.



Official Business

Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

TO: Jack Chenoweth
FROM: Marjorie Gorsuch
DATE: 3/9/80
RE: CS HB 580

Questions re CS HB 580 Work Draft:

Is the Purpose, as written, adequate for what we are doing now in this bill, that is : Establishing unorganized boroughs; allowing for direct incorporation of a home rule borough; and including the substance of CS HB 582 work draft which provides for a program of planning assistance for the unorganized boroughs?

p. 2 Work Draft

Should wording on lines 27-29 be included now that we are dealing with service delivery in HB 581?

Should CSHB 582 be included at the end of p. 2 or should it be at the end of HB 580?

p. 4 We should deal with the questions raised by Lisa Rudd and Klinkner in this rewrite.

p. 5 line 16- Is 1 year long enough?

p. 6 lines 2,3 Is there any conflict between this section and Sec. 29.19.060 (p. 6 lines 25-29)?

p. 7 Is there any need to adjust the dates on lines 18,24 now that DPDP is talking about data collection by July 1, 1981 and implementation by July 1, 1982.

Jack, I will talk with you about CSHB 581 on Monday.

Original sponsor: Rules/Legislative Council

1 IN THE HOUSE

BY THE COMMUNITY AND
REGIONAL AFFAIRS COMMITTEE

2

CS FOR HOUSE BILL NO. 580

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act establishing unorganized boroughs, amending the responsibilities of executive departments for state programs and services for residents of organized and unorganized boroughs, and authorizing adoption of home rule charters by unorganized boroughs; and providing for an effective date."

Handwritten notes:
Suggest
amendments
Rewrite

12

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

13

* Section 1. PURPOSE. The legislature finds that the single unorganized borough of the state has proven unworkable in accommodating demands from its residents for change and recognizes that a more systematic approach to the planning and delivery of services for residents of this area is necessary. In providing, in this Act, for the identifying of a common set of boundaries by which to subdivide the state's single unorganized borough into multiple unorganized boroughs, it is the purpose of this legislation

20

(1) to facilitate planning and program development by coordinating delivery of services and the collection of data; and

22

(2) to extend the opportunity to residents of unorganized boroughs to assist in planning and program development by

24

~~(A) preparing regional management studies; and~~

25

(B) broadening the range of methods by which residents may

26

incorporate a regional government.

27

* Sec. 2. INTENT In providing for the division of the state's unorganized borough into unorganized boroughs, it is the intent of the legislature that all future transfers of functions or services from state agencies to

29

regions within unincorporated areas be made only within the appropriate boundaries for unorganized boroughs established under AS 29.03.011 - 29.03.021, added by sec. 3 of this Act.

* Sec. 3. AS 29.03 is amended by adding new sections to read:

Sec. 29.03.011. ESTABLISHMENT OF UNORGANIZED BOROUGHES. Except as the boundaries are adjusted as provided in AS 29.03.021, the geographic area within each regional educational attendance area established under AS 14.08.031 is, effective 120 days after the effective date of this Act, established as an unorganized borough.

Sec. 29.03.021. ADJUSTMENT OF BOUNDARIES BY COMMISSIONER. (a) The commissioner of community and regional affairs may, after public hearings in regional educational attendance areas, establish boundaries other than the boundaries of a regional educational attendance area for an unorganized borough under AS 29.03.011. In making adjustments, the commissioner shall consider

(1) the standards applicable to the incorporation of boroughs under AS 29.18.030;

(2) the regional boundaries adopted by the Native regional corporations established under the Alaska Native Claims Settlement Act;

(3) the boundaries of regional educational attendance areas and coastal resource service areas; and

(4) census divisions of the state applicable to the 1980 census.

(b) The commissioner of community and regional affairs may not establish boundaries for an unorganized borough which include territory within more than one Native regional corporation established under the Alaska Native Claims Settlement Act (unless the inclusion of the territory is reasonably necessary for the efficient administration of programs and services by state agencies.)

Should ^{CS} HB 582 be here?

5
6 CHAPTER 19. DIRECT INCORPORATION OF A HOME RULE BOROUGH.

7 Sec. 29.19.010. INCORPORATION. (a) The residents of an unorgan-
8 ized borough established in accordance with AS 29.03.011 - 29.03.021 may
9 apply for the incorporation of a home rule borough. The petition for
10 borough incorporation shall be filed with the Department of Community
11 and Regional Affairs and shall include the information and signatures
12 required by AS 29.18.050. Petitions for incorporation filed under this
13 section shall be processed, reviewed and determined in accordance with
14 AS 29.18.060 - 29.18.090.

15 (b) A petition submitted under (a) of this section shall

16 (1) specify the number of members of the charter commission,
17 but the number of members may not exceed 15;

18 (2) describe the manner of election of members of the charter
19 commission; if election is to be by district, a description of the
20 boundaries of each district shall be included in or attached to the
21 petition;

22 (c) The standards applicable to the incorporation of an organized
23 borough under art. X, sec. 3 of the state constitution and AS 29.18.030
24 apply to the incorporation of an unorganized borough under this section.
25 Equal protection standards of the state constitution apply to the elec-
26 tion of members of the charter commission under this section.

27 Sec. 29.19.020. CHARTER ELECTION. If the Local Boundary Commis-
28 sion accepts the petition filed under AS 29.19.010, it shall immediately
29 notify the lieutenant governor. Within 30 days after notification, the

*Some mention of home rule boroughs as
first class as to functions/powers which
must be exercised?*

1 lieutenant governor shall order an election within the proposed home
2 rule borough to determine whether the voters will elect a charter com-
3 mission, and to determine the persons elected to serve on the charter
4 commission. The lieutenant governor shall provide not less than 20 or
5 more than 30 days during which candidates for the charter commission may
6 present nominating petitions. The election on the question of election
7 of a charter commission and the determination of persons elected to
8 serve on the charter commission shall be held not less than 60 or more
9 than 75 days after the date of the election order.

10 Sec. 29.19.030. PREPARATION OF CHARTER. (a) If, at the election
11 called by the lieutenant governor under AS 29.19.020, a majority of the
12 voters favors election of a charter commission, the persons receiving
13 the highest number of votes cast at that election constitutes the char-
14 ter commission. The charter commission shall prepare a proposed charter
15 and submit it to the Department of Community and Regional Affairs within
16 *Enough time* one year of the first meeting of the charter commission. The commis-
17 sioner of community and regional affairs shall review the proposed
18 charter for compliance with laws applicable to home rule municipalities
19 and, if it complies, request the lieutenant governor to submit the
20 proposed borough incorporation petition and proposed home rule charter
21 to residents of the proposed home rule borough. If the proposed charter
22 does not comply with law, the commissioner shall return the proposed
23 charter to the charter commission with a statement of the legal defi-
24 ciencies.

25 (b) Within 90 days of the receipt of comments from the commis-
26 sioner of community and regional affairs with respect to provisions of a
27 proposed home rule charter which are not in compliance with the laws
28 applicable to home rule municipalities, the charter commission may
29 prepare and submit to the commissioner an amended charter which meets

1 the objections in the original proposed charter.

2 (c) Only one original and one amended charter may be submitted to
3 the commissioner of community and regional affairs under this section.

4 Sec. 29.19.040. RATIFICATION OF CHARTER. The lieutenant governor
5 shall order an election on the question of whether the area shall be
6 incorporated as a home rule borough in accordance with the charter
7 approved by the commissioner of community and regional affairs. The
8 proposed charter shall be posted throughout the proposed borough by the
9 lieutenant governor before the election is held. The election shall be
10 held not less than 60 or more than 90 days following the election order.

11 Sec. 29.19.050. RESULTS OF RATIFICATION ELECTION. (a) If a
12 majority of the votes cast by the qualified voters of the proposed
13 borough is against the incorporation of a borough under the proposed
14 home rule charter, the proposal is defeated.

15 (b) If a majority of the votes cast by the qualified voters of the
16 proposed borough favors incorporation of the borough under the proposed
17 home rule charter, the lieutenant governor shall declare that the un-
18 organized borough in which the election was held is incorporated as an
19 organized borough and a municipal corporation in accordance with the
20 provisions of the home rule charter. The lieutenant governor shall
21 provide for the election of the officers provided for in the charter.

22 (c) The election and qualification of officers under (b) of this
23 section shall be completed by the lieutenant governor in accordance with
24 AS 29.18.120 and the provisions of the home rule charter of the borough.

25 Sec. 29.19.060. RESUBMISSION OF CHARTER. If a proposed charter is
26 rejected, the charter commission shall prepare, adopt and submit a
27 second proposed charter to the voters within one year of the date of the
28 charter election held under AS 29.19.040. If the second proposed charter
29 is rejected, the charter commission is dissolved.

1 Sec. 29.19.070. VOTERS, ELECTIONS AND COSTS. (a) A person is
2 qualified to vote in an election authorized by AS 29.19.010 - 29.19.060
3 if he is qualified to vote in state elections and if he is a resident of
4 the unorganized borough proposed for incorporation as a home rule
5 borough.

6 (b) The lieutenant governor shall conduct elections authorized by
7 AS 29.19.010 - 29.19.060 substantially in the manner provided in the
8 Alaska Election Code (AS 15.05 - 15.60), and shall certify the results
9 of all elections under this chapter. Costs of elections under this
10 chapter shall be paid by the office of the lieutenant governor.

11 (c) Costs of charter preparation under this chapter shall be paid
12 by the Department of Community and Regional Affairs.

13 Sec. 29.19.080. APPLICABILITY OF GENERAL TRANSITIONAL PROVISIONS.
14 The provisions of AS 29.18.130 - 29.18.180 apply to home rule boroughs
15 incorporated under this chapter.

16 * Sec. 6. AS 29.03.010 and 29.03.020 are repealed.

17 * Sec. 7. UNORGANIZED BOROUGH SERVICES AREAS. (a) The commissioner of
18 education shall report to the legislature, not later than January 31, 1981,
19 recommending whether changes should be made in the boundaries of a regional
20 educational attendance area organized under AS 14.08 to conform the bound-
21 aries of the regional educational attendance area to an unorganized borough
22 of which it is a part.

23 (b) The Alaska Coastal Policy Council shall report to the legislature,
24 not later than January 31, 1981, recommending whether changes should be made
25 in the boundaries of an existing coastal resource service area organized
26 under AS 46.40 to conform the boundaries of the coastal resource service area
27 to an unorganized borough of which it is a part.

28 * Sec. 8. This Act takes effect immediately in accordance with AS 01.10
29 070(c).



Official Business

Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

TO: Rep. Russ Meekins, Chairman
Finance Committee Members

FROM: Rep. Bill Parker, Chairman
House Community and Regional Affairs

RE: Amendments for CSHB580, CSHB581

CSHB580 - Establishing Unorganized Boroughs

p.2

*Material
for
Finance*

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSHB 580/CSSB 348

Title An Act Establishing Unorganized Boroughs...regional plans...home rule charters

Requested by Community and Regional Affairs Committee Date 4-21-80

II. FISCAL DETAIL

Agency Affected Community and Regional Affairs

Program Category Affected Development

BRU, Program, or Subprogram(s) Affected Local Government Assistance

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES	0	154.8	167.2	180.6	195.0	210.6
200 TRAVEL	3.0	57.0	30.0	30.0	31.0	30.0
300 CONTRACTUAL	4.8	70.4	40.0	30.0	28.2	28.2
400 COMMODITIES	1.0	3.0	1.0	.6	.6	.6
500 EQUIPMENT	0	2.0	.5	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
TOTAL	8.8	287.2	238.7	241.2	254.8	269.4

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND	8.8	287.2	238.7	241.2	254.8	269.4
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
FULL TIME	0	5	5	5	5	5
PART TIME						
TEMPORARY						

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

FY 80 - Reflects travel expenses, notice requirements, and supplies needed for public hearings on drawing boundary lines that differ from REAA's in the unorganized borough.

FY 81 - 85 - Reflects the addition of 3 Local Government Specialists (Range 17), a Clerk Typist III (Range 8) and Clerk Typist II (Range 7) to assist unorganized boroughs in becoming home rule boroughs. Seven proposed regions are presumed to be likely candidates for the home rule option. These areas are 1) Yukon Flats (REAA 13), 2) REAA 12, 3) NANA region (REAA 1), 4) Petersburg/Wrangell (part of REAA 19), 5) Prince of Wales Island (part of REAA 19), 6) The Aleutian Chain (parts of REAA's 8 and 10), and 7) Prince William Sound (REAA 21). It is anticipated that if this bill passes this session, the bulk of the activity will take place during FY 81 and FY 82 and will begin to lessen gradually through FY 85 as the newly incorporated boroughs become more self-sufficient.

IV. DATE 4-21-80

PREPARED BY Doug Griffin

AGENCY Community and Regional Affairs

PHONE 465-4736

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

CSHB 580/CSHB 348 (continued)

The high travel cost during FY 81 reflects the need to administer both of the main activities in the bill: drawing the boundaries for the unorganized boroughs and assisting the seven areas previously mentioned in drawing up home rule charters.

There will be no fiscal impact in Sec. 4 of this bill until there is an appropriation (CSHB 886) for regional plans. The Department does anticipate the following additional cost at such time as appropriations are made.

Staff to monitor and oversee contracts.

Personnel		42,156
Local Government Specialist IV (Range 19)		32,934
Benefits @ 28% base pay		9,222
Travel 10 trips @ 600		6,000
Contractual		2,700
Communications	1,000	
Printing and Advertising	200	
Office Space 100 Sq. ft. @ 1.25 x 12	1,500	
Commodities		300
Equipment (one time only)		700
	TOTAL	<u>51,856</u>

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSHB 580
 Title An Act Establishing Unorganized Boroughs
 Requested by Rules Committee (By Legislative Counsel) Date 4-9-80

II. FISCAL DETAIL

Agency Affected Labor
 Program Category Affected Social Services
 BRU, Program, or Subprogram(s) Affected Employment Security and Administrative Services
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	0	0	0	0	0
400 COMMODITIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER (Specify Fund Source)	0	0	0	0	0	0

POSITIONS

FULL TIME	0	0	0	0	0	0
PART TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

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

ASSUMPTION

This revised Fiscal Note assumes that CSHB 581 will be passed concurrently so that problems which may develop in relating unorganized borough statistics to census divisions and REAA'S statistics can be addressed later if they arise.

IV. DATE 4-9-80

PREPARED BY James Souby

AGENCY Labor

PHONE 465-2720

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

FISCAL NOTE

REQUEST

Bill/Resolution No. HB 580 (revised fiscal note)

Title An Act establishing reorganized boroughs

Requested by Rules - Request of Legislative Council

Date 3/17/80

II. FISCAL DETAIL

Agency Affected Department of Revenue

Program Category Affected _____

BRU, Program, or Subprogram(s) Affected _____

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

IV. DATE March 17, 1980

PREPARED BY Joseph K. Donohue

AGENCY Department of Revenue

PHONE 465-2300

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)



Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol

Juneau, Alaska 99811

Official Business

BILL NUMBER AND TITLE: USHB 580 Establishing Unorganized Boroughs

ORIGINAL SPONSOR: House/Senate C&RA
RECEIVED FROM: Interim Committee

OTHER SPONSORS: _____
FURTHER REFERRALS: Finance

HEARING DATE: 3/21/80

MEMBERS PRESENT: Bill Parker X Pat Carney X
Margaret Branson X Charlie Parr X
Pat O'Connell X Fred Zharoff X
Ray Metcalfe X

The Committee reviewed the proposed amendments (see attached) developed in response to the Citizens' Participation Conference RuralCap Local Government Workshop recommendations as contained in the Executive Summary (March 17-20, 1980), "Juneau 1980". CPC addressed each of the recommendations in a public hearing with the committee previously held on March 19, 1980.

Committee took action as follows:

Approved:

p. 2 Line 8 Change 120 to 180 days

p. 2 Lines 11-14 Hearings would be held "upon request" of those in the region

The Committee considered and rejected inclusion of the other proposed amendments and approved a CS with the amendments as noted.

COMMITTEE ACTION: CS passed out with changes as noted above.

TAPE # 5 SIDE 2 Footage 0-878

p. 1 Line 9

Insert "voluntary" before adoption

OK p. 2 Line 8

Change 120 to 180 days

OK p. 2 Lines 11 - 14

^{upon request}
The Commissioner of community and regional affairs shall hold public hearings in each of the regional educational attendance areas and may, after such hearings, establish boundaries other than the boundaries of a regional educational attendance area for an unorganized borough under AS 29.03.011.

P. 3 J.H.

p. 2 Line 27 & following

Assistance for Regional Planning Programs In the Unorganized Borough would be rewritten as follows:

Residents of unorganized borough may request
make a request
please

(a) Upon request, funds shall be made available by the Commissioner of Community and Regional Affairs to a municipality, group of municipalities, non-profit corporation or non-profit corporations which represent the majority of the residents of the unorganized borough for the preparation of a regional planning study. A request may also be made by residents of an unorganized borough upon petition to the Commissioner signed by a number of qualified voters equal to not less than 15% of the number of votes cast in that unorganized borough at the last state general election. A grant will be made by the commissioner upon a finding that the municipality, group of municipalities, or non profit corporation(s) propose a study that considers the entire population of the area. Funds will be provided for only one regional planning program for each unorganized borough.

Eliminate Commissioner being able to subcontract

(b) Grants made in (a) may be, at the discretion of the group selected by the commissioner be further subcontracted for planning studies. If the selected representative group wishes to contract for the preparation of a regional planning study, they shall request the Department of Community and Regional Affairs to advertise a request for proposals for the preparation of the regional planning study outlining the work to be completed and containing other information which the commissioner believes will inform the public of the work to be completed under the contract. The commissioner shall advertise for a period of not less than 45 days by public notice announcements provided to newspapers and radio and television stations.

(c) A contract entered into under this section shall (See rest of CSHB580 p. 4) Following sections will be renumbered as appropriate.

p. 7 Line 28

This section will be rewritten to reflect that a majority of the votes cast within the incorporated cities of the unorganized borough and a majority of those cast in the areas outside of the incorporated cities must support the charter for passage.

MS

Write in
the picture
H. J.

02/11

193

30

The Workshop participants formed into two groups. One group examined the package of Bills proposed by the Joint Interim Committee. The other group looked at alternative approaches including the relationship of the Planning Process to Regional Government, options for contracting with non-profit corporations for the delivery of services and other concerns.

The full group agreed to use CSHB 580 as the vehicle for comments. Participants acknowledged the extensive work that has gone into the development of this Bill, but felt that any legislation dividing up the unorganized borough is so fundamental and so important to residents of rural Alaska that additional public involvement beyond that which has occurred already is essential before final boundaries are drawn. The changes that Workshop participants suggested are outlined below.

3. RECOMMENDATION OF BILLS CONSIDERED:

The Committee Substitute for House Bill 580 ("An Act relating to unorganized boroughs, establishing unorganized boroughs, establishing a program of planning assistance for unorganized boroughs, authorizing adoption of home rule charters by unorganized boroughs, and directing submission of recommendations concerning adjustment of the boundaries of service areas of the unorganized borough") is by far the most important and far-reaching Bill that the Workshop considered. The following amendments to the Bill were recommended:

1. The voluntary nature of the process needs to be re-emphasized in the wording of the Bill. The intent language of the Bill should include a statement that it is not the intent of this Legislation to assist in any way a move toward imposition of mandatory boroughs at a later date
2. The establishment of boundaries for unorganized boroughs is very important, and should be done more deliberately, with more checks and balances than provided for in the present version. The effective date of the boundaries should be more than 120 days after enactment of this Legislation. People need more time than that to comment on the appropriateness of the boundaries. Hearings should be held in all proposed unorganized boroughs to explain the options the Legislation provides, and not simply discuss proposed boundaries.

The boundaries that are established should remain provisional until the planning programs (provided for later in this Bill) are completed. The Regional Educational Attendance Area boundaries are ac-

LOCAL GOVERNMENT WORKSHOP

ceptable as a starting point for this planning process, but a mechanism must be provided to adjust them if the regional planning programs determine them to be inappropriate in certain areas.

As drafted, the Bill would not allow an "unorganized borough" to include communities located outside of the boundaries established by the Alaska Native Claims Settlement Act, even though such communities may have been placed within the boundaries of Regional Education Attendance Areas established pursuant to SB 35. At least three such communities were identified (Mentasta, Lime Village, and Cantwell) by delegates. The Committee recommends that hearings be held in those three communities and in all other communities similarly situated in order that local desires may be honored.

3. The assistance provided for management programs in the original Committee Substitute should be amended to refer to planning programs. The language in the Bill is really talking about a planning program, and the title should reflect this. (The most recent Committee Substitute has already adopted this suggestion.)
4. The Workshop felt that local initiation of, and participation in, the selection of a contractor for the regional planning program is absolutely essential, and should be required in all cases. In order for any planning exercise to be legitimate, the active involvement of those on whose behalf the plan is drawn up is required.
5. Since the boundaries proposed in recommendation #2 are provisional, the regional planning program contract should require an additional element; the appropriateness of the provisional boundaries.
6. Once the regional planning program is conducted, provisions should be made for an optional election to form a planning service area to continue planning and to implement the plan, without requiring the formation of organized borough government.

This Bill is recommended to the Citizen's Participation Conference as the highest possible priority for passage.



Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

BILL NUMBER AND TITLE: HB 580-586 Legislative Package Bills

ORIGINAL SPONSOR: Joint C&RA Interim
RECEIVED FROM: _____

OTHER SPONSORS: _____
FURTHER REFERRALS: _____

HEARING DATE: 5/19/80 (7:30 P.M. Informal hearing specifically

MEMBERS PRESENT: Bill Parker with members of RuralCap CPC
Margaret Branson Pat Carney
Pat O'Connell Charlie Parr
Fred Zharoff X
Ray Metcalfe

Also present were: Sen. Arliss Sturgulewski

Bob Lohr, Deputy Director, RuralCap

Voluntary process contained in HB 580 should be emphasized repeatedly. Not intent to promote mandatory boroughs and this should be continuously emphasized Insert wherever reasonable (p. 1 line 19)

Overkill the voluntary aspects of the bill.

Does boundary drawing encourage borough formation? This is a question which will be raised.

p. 2 line 8 120 days not long enough

The boundaries which are developed should be provisional for the duration of the planning process.

p. 4 Add to planning process

Expressed concern tht REAA boundaries might not meet borough boundary standards.

p. 3 line 29 Add that the commissioner would "seek public participation in the evaluation process.

Suggests that wording used in the development of coastal resource service districts could be used, i.e., by resolution by a majority of villages or petition of 15%--to ask for funds for study.

Whatever entity receives the money should be representative of the community. People are deciding what should take place. People want to evaluate.

Questioned if enough money was being appropriated in HB 886? Palmer McCarter explained that the estimate was that 3-4 regions might request funding during a given year.

Spud Williams - Citizens' Participation Conference re HB 580
No phase between organized and unorganized status of regions.
Will be spending alot of money to develop plans and a "planning commission" of sorts will have been established and yet then there will be no mechanism for local followthrough.

What will be done with the plans? p. 5 line 14

(see p. 2)

COMMITTEE ACTION: No action. Scheduled for hearing 3/21/80

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There will be no way to implement the recommendations of the study. There should be a phasing process allowing for planning and zoning powers. There is a need to implement what we are planning for. Allow enough time to see what works in each area. Check for legitimacy of planning instrument.

There should be a provision for review of the exemption provision in HB 851 every 3 years or after provisional boundaries have been made final.

State should recognize IRA Councils as a new class of city.

Revenue sharing for IRAs and recognition of IRAs for revenue sharing purposes has been raised by Saxman. Legal research is being done in conjunction with the Tanana Chiefs which addresses this question, according to Palmer McCarter.

Lohr pointed out that there are a number of native villages which perhaps need modification from the requirement that Native Regional Corporation Boundary lines be respected: Mentasa, Cantwell, Lime Village. Suggests that perhaps there should be listed in the bill.



Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

BILL NUMBER AND TITLE: CS HB 580/581 Establishing Unorganized Boroughs
Responsibilities of DPDP

ORIGINAL SPONSOR: _____
RECEIVED FROM: _____

OTHER SPONSORS: _____
FURTHER REFERRALS: _____

HEARING DATE: 3/17/80

MEMBERS PRESENT:	Bill Parker	Pat Carney	X
	Margaret Branson	Charlie Parr	X
	Pat O'Connell	Fred Zharoff	X
		Ray Metcalfe	

CSHB 580

Bob Lohr, Ruralcap

Substantial improvement over original bills. Requests that action be deferred until Thursday when RuralCap Citizens' Participation Conference will have final position paper developed. RuralCap believes it is desirable to combine the drawing of the boundary lines with the planning fund for the unorganized boroughs as is done in CSHB 580. Likes the addition of the word "shall" in page 4 line 5 as was recommended during RuralCap testimony.

Parr - Suggests that the assistance being given in Sec. 44.47.085 P. 3) is really for "planning" rather than for "management" programs and suggests that this be reworded.

CSHB 581

Bob Lohr - Sees the effective dates as the key in this bill and states that the lag time between creation of the unorganized boroughs and the use of these new boundary lines by the state is too long. Also suggests that the exemption language be tightened in Sec. 44.17.130 (1) and (2)(A). Concerned that in (1) that the whole Dept. of Admin. might be exempted or that certain important programs might be exempted. Lohr sees (A) as overly broad with the current wording. Resource information will be main concern after local governments are formed. Lohr expressed concern re how agencies might combine "one or more home rule boroughs, general law boroughs, unified municipalities, and unorganized boroughs" (p. 2 lines 27-29)
p. 2 line 3 Lohr suggests that it be stated that this exemption not be renewable.
p. 2 line 5 It appears that a higher standard is implied with the use of "substantially" re increased workload and a similar higher standard should be applied to "additional expense" and "decreased efficiency".

COMMITTEE ACTION:

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Palmer McCarter, Director Division of Local Assistance
DC&RA

p. 3 Line 4 Questions inclusion of nonprofit in this section and suggests that it should be "corporation" while the idea of "nonprofit" should be included in (c) of this section. Asks whether DC&RA would be able to contract with a consultant with the given language? The language of A should be consistent with C. A consultant shouldn't be able to initiate a study.

Parr - Questions if ISIGR would be able to do a study under the existing wording and states that it should not preclude a group such as that which has substantial expertise.

McCarter - Suggests that corporation of whatever type should be able to do study. Should go back to the notion of nonprofit corp. as being among those who can request.

Parr - The people or C&RA should be the only ones who can request the study.

Branson - suggests that this section be reorganized to put (c) first and (a) in place of (c).

Parr - There is a need to address just the constitutional standards for borough incorporation as few REAAs would meet these standards.

Jeff Smith- Maneluk, Planning Director
Concurs with Parr that what is being addressed is a "planning" strategy. Local control should be of prime importance and it would be a mistake to allow a private consultant to request that a study be done. Smith discussed some of the history of the NANA regional strategies and the current state of the effort.

HB 581

Jay Moor DPDP

Logical sequence of bill is good. Section 1 Requires that basic program data and information conform to specific boundaries. Feels that certain happenings in state government will be complimentary to proposdal in CSHB581:

1. automation of state budget
2. State library mandate for the data access center
3. ALARS system of Natural Resources
4. Management by objective approach

Parr - Will all of these systems be compatible?

Moor - Change wording on p. 1 line 21 to read:

(1) Information which may be required by the Office of the Governor for purposes of modeling the geographic distribution of the state's population, economic activities and public services."

Parr - Suggests that the intent in Section 1 (p. 1 lines 12-18) is not clearly stated and should instead be rewritten to be similar to statement on p. 2 lines 19-26.

Question is raised as to when the effective date of the ~~exception~~ exemption will be? Will it be from the effective date of this section?

Parr - Suggests eliminating everything on p. 3 line 14 after the word "public".



Official Business

Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

TO: Jack Chenoweth
FROM: Rep. Parker/Senator Sturgulewski
DATE: 2/14/80
RE: Committee Substitutes for HB 580 (SB 348) and
HB 582 (SB 349)

HB 580 (SB 348) Establishing Unorganized Boroughs

P. 1 Rewrite the Purpose section of the bill as follows:

PURPOSE:

The legislature recognizes that a more systematic approach to the future of the unorganized borough is necessary. In order to accommodate future changes when desired by local residents, the state has an obligation to provide a framework within which structured change may occur. To this end, this Act provides for a common set of boundaries in the unorganized borough which divide the state's unorganized borough into unorganized boroughs. This division will facilitate planning and programming by regional management studies and by coordinating data collection and state delivery of services. Additionally, the Act allows for direct incorporation of a home rule borough by the residents of an unorganized borough thereby broadening the regional government options available.

INTENT:

In providing for the division of the state's unorganized borough into unorganized boroughs, it is the intent of the legislature that all future transfers of functions or services from state agencies to regions within unincorporated areas be made only within the appropriate boundaries for unorganized boroughs established under AS 29.03.011 - 29.03.021, added by section 3 of this Act.

p.3

Exemptions and Modifications

In every instance in the bill, reference will be to the legislature rather than to the Legislative Council.

The section on exemptions and modifications will be rewritten to direct that the Governor review requests from state agencies for exemptions to AS 44.17.110. The legislature would then be empowered to override such exemptions and modifications.

Additional wording will be added to the bill specifying that the Commissioner of Education and the Director of the Division of Policy Development and Planning would also report on their ability to conform the boundaries of the REAAs and Coastal Resource Service Areas to those of the unorganized boroughs.

p. 4
Lines
17-18

Committee Substitute would provide that the voters will elect a charter commission of not more than 15 members with the method of election determined in the petition and reviewed.

p. 5

The section will be amended to provide that if the proposed charter is rejected, the charter commission shall prepare, adopt, and submit a proposed charter to the voters at a general or special election held within one year of the date of the first charter election. If the second proposed charter is also rejected, the charter commission shall be dissolved. This procedure would follow that currently used in unification procedures.



Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

TO: House Community & Regional Affairs Committee
FROM: Rep. Bill Parker, Chairman
DATE: 2/11/80
RE: Proposed Committee Substitute Amendments for
Interim Legislative Package

HB 580 (SB 348) Establishing Unorganized Boroughs

p.1 Line 13-20

The "Purpose" Section will be rewritten to reflect the intent of the legislation from the point of view of the people affected, rather than from a state service delivery perspective, i.e., these unorganized boroughs provide the framework within which maximum local participation and responsibility can occur and will be used for planning and programming purposes (regional strategy studies, coordination of services, coordination of services, data collection, and achieving equity in allocation of state resources.

The Committee Substitute would also make note in the "Purpose" of the provisions of Chapter 19 of HB 580 (SB 348) which allow for direct incorporation of a home rule borough and of the additional flexibility this option provides for residents of unorganized boroughs.

p.2 Line 10

Additional wording will be added to the bill dealing with the alteration of Regional Educational Attendance Area (REAA) and Coastal Resource Service Area boundaries to bring them into compliance with the unorganized borough boundaries established by HB 580 (SB 348).

p.3 Line 7

This section will be rewritten to direct that the Governor would review requests from state agencies for exemptions to AS 44.17.110 (use of unorganized boroughs boundaries for data collection, program planning and coordinating, etc.) Further referral on the state agency use of different boundaries would

be to the Legislative Council.

p. 4 Lines 17-18

Committee Substitute would provide that the voters will elect a "geographically representative" charter commission. The number of members on the commission would not be specified. This change would also be reflected on p. 4 line 27.

p. 5 Line 17-18

This section will be amended to provide that if the proposed charter is rejected, the charter commission shall prepare, adopt, and submit a proposed charter to the voters at a general or special election held within one year of the date of the first charter election. If the second proposed charter is also rejected, the charter commission shall be dissolved. This procedure would follow that currently used in unification procedures.

HB 582 (SB 349) Establishing a program of planning assistance for unorganized boroughs

- p. 1 The Committee Substitute would add wording addressing who may request that a management program be developed for an unorganized borough and would include (1) a municipality or group of municipalities (2) a nonprofit corporation or non profit corporations organized under the laws of the state (3) and by petition by 15% of the voters living within the unorganized borough.
- p. 1 Line 16 Number (2) would be amended to read:
"a nonprofit corporation or nonprofit corporations organized under the laws of the state.
- p. 2 A Committee Substitute would require that a contract entered into under AS44.47.085 (f) shall (rather than "may" line 26) include the four enumerated points listed on p. 2 lines 28-29, p. 3 lines 1-6. Additionally, the contract would have to specify the process to be used for regional public participation and representation in the development of the study.
- p. 2 Line 15 Add that the report would also generally address the interrelationships of:
(a) the school board for the regional educational attendance area;
(b) the coastal resource service area board, if one has been established under AS 46.40,100-46.40.160;
(c) any other regional entity responsible for services; and
(d) the governments of cities located within that unorganized borough

HB 583 (SB 351) State aid to local governments

The Committee Substitute would provide that a municipality qualifying for revenue sharing would receive a minimum payment of \$25,00 plus an area cost of living differential for each fiscal year.

HB 585 (SB 353) Incorporation of second class boroughs as home
rule boroughs

This bill would be amended to allow that a first class municipality or second class borough might adopt a home rule charter after petition by 15% of the voters who voted in the last regular election of the municipality.

STATE OF ALASKA
THE LEGISLATURE

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


LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

January 18, 1980

SUBJECT: Alteration of Work Orders Nos. 7656 and 7657
relating to unorganized boroughs.

TO: Representative Bill Parker

FROM: John B. Chenoweth
Legislative Counsel 

In response to Margo Waring's memo --

Item 1:

Work Order No. 7657: Page 1, following line 20: Insert
*Sec. 2 to read:

*Sec. 2. INTENT. In providing for the division of the state's unorganized borough into unorganized boroughs, it is the intent of the legislature that all future transfers of functions or services from state agencies to regions within unincorporated areas be made only within the appropriate boundaries for unorganized boroughs established under AS 29.03.011 - 29.03.021, added by section 3 of this Act.

Item 4 is covered by AS 29.03.021.

Item 6: The previous language, precluding subdivision of areas within REAA's into smaller unorganized boroughs, read:

"Sec. . . . COMBINING OF SERVICE AREAS TO ESTABLISH UNORGANIZED BOROUGHES. The commissioner may, after public hearings in the areas affected, constitute the geographic area within two or more regional educational attendance areas as a single unorganized borough. . . ."

The provision was modified to the language you have in the bill (Work Order No. 7657) in response to Marge's December 8th memo and verbal clarification of some of the points in that memo.

* * *

Item 5:

Work Order No. 7656: Page 2, following line 14, insert new paragraph "(2)" to read:

(2) require that if the report does not favor incorporation of a borough, the report include an analysis and recommendations concerning a representative advisory body for the unorganized borough and an analysis and recommendations defining the relationship between that body and

(A) the school board for the regional educational attendance area;

(B) the coastal resource service area board, if one has been established under AS 46.40.110 - 46.-40.160;

(C) any other regional entity responsible for services; and

(D) the governments of cities located within that unorganized borough.

* * *

Item 2 of Margo's memo is, I think, answered by the suggested language prepared in response to item 5 in that these regional strategy contracts may not run longer than 3 - 4 years.

Item 3 in that memo was not to be acted on.

JBC:ljb