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HB

581

# COMMITTEE REPORT

## HOUSE

3/11/80

FURTHER:

(Taken from Rules and returned to)

Date: 21 Jan 80

Mr. Speaker:

COMMUNITY AND REGIONAL  
AFFAIRS

The Committee on \_\_\_\_\_ has had HS 581

"An Act relating to the responsibilities of the division of policy development and planning, Office of the Governor; and providing for an effective date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for 115 581  same title  
 new title
- and recommends do pass
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

**MEMBERS SIGNING  
DO PASS**

*Ben Doherty*

*Margaret Curran*

*Patrick J. O'Connell*

*John J. Curran*

*John J. Curran*

*Ray J. Straetzle*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**MEMBERS HAVING  
OTHER RECOMMENDATIONS:**

*Edward J. Curran*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Ben Doherty*

**CHAIRMAN**

(7)

# COMMITTEE REPORT

## HOUSE

*Sent to Purles  
then returned*

1/21/80

FURTHER:

Date: 22 Feb 80

Mr. Speaker:

COMMUNITY AND REGIONAL

The Committee on

AFFAIRS

has had

HB 581

"An Act relating to the responsibilities of the division of policy development and planning, Office of the Governor; and providing for an effective date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for \_\_\_\_\_  same title  
 new title
- and recommends \_\_\_\_\_
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

*Don P. L.*

*Ray D. Stoffe*

\_\_\_\_\_

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*Thomas P. ...*

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\_\_\_\_\_

*Bill Paul*

CHAIRMAN



# Alaska State Legislature

## House of Representatives

Committee on

Pouch V  
State Capitol  
Juneau, Alaska 99811

Official Business

Community & Regional Affairs

BILL NUMBER AND TITLE: HB 581 Responsibilities of DPDP

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 C'Connell	X	Fred Zharoff	X
			Ray Metcalfe	X

Bob Lohr, RuralCap

Effective dates are seen as the key in the CS. Concerned about lag between formation and time state agencies begin to use consistent boundaries. Exemption language tightened. Concerned that there is an encouragement of the status quo if there is any delay. Asks if the Dept. of Administration is exempt? P. 3 line 29 is overly broad in terminology. Resource information will be a main concern after local governments are formed.

\*p. 2 line 3 Don't allow for renewal of exemption. p. 2 line 5 A higher standard is indicated by "significant".

Palmer McCarter, Dept. C&RA

Discusses particular points of HB580 related to who may contract to do planning studies.

Jeff Smith, Planning Director, Maneluk  
Address HB580.

Jay Moor, DPDP

Likes the logical sequence of CSHB581. Section 1 requires assessment on the basis of local government units. (1) automation of state budget (2) state library is mandated to have data access center. (3) ALARS (4) Management by objective --all of these four efforts would be compatible with CSHB581.

Suggests omitting DPDP reference in pl. 1 line 22 as reference isn't in statutes. Strike "demographic" information used for modeling, etc.

Question related to exemption for 1 yr. from passage till 1982. Is the 1 years from the effective date of this particular section? p. 2 line 2,3 p. 3 line 14 Strike everything after "public".

COMMITTEE ACTION: No action

TAPE # 4 SIDE 2 Footage 947-1399



# Alaska State Legislature

## House of Representatives

Committee on

Community & Regional Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811

Official Business

BILL NUMBER AND TITLE: HB581Responsibilities of DPDP

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 Parr	X
	Pat O'Connell	X	Fred Zharoff	X
			Ray Metcalfe	X

Workshop

Review of HB 581

COMMITTEE ACTION: No Action

TAPE #      SIDE      Footage

2067  
Proposed Amendment CSHB 580

Add a new subsection at the end of Sec. 44.17.100 as follows:

The failure of a state agency to comply with the requirements of this section does not invalidate an action taken or proposed to be taken by a state agency.

## OVERLAYS

### A. LOCAL GOVERNMENT AND SERVICE AREAS

- ( A - 1 ) EXISTING BOROUGHS
- ( A - 2 ) REGIONAL EDUCATIONAL ATTENDANCE AREAS
- ( A - 3 ) COASTAL MANAGEMENT SERVICE AREAS

### B. ADMINISTRATIVE DISTRICTS & REGIONS

- ( B - 1 ) DEPT. OF ENVIRONMENTAL CONSERVATION REGIONAL BOUNDARIES
- ( B - 2 ) DEPT. OF PUBLIC SAFETY - TROOPER DETACHMENT AREAS
- ( B - 3 ) DEPT. OF HEALTH & SOCIAL SERVICES - DIVISION OF SOCIAL SERVICES REGIONS
- ( B - 4 ) DEPT. OF TRANSPORTATION AND PUBLIC FACILITIES REGIONAL AND DISTRICT BOUNDARIES
- ( B - 5 ) DEPT. OF HEALTH & SOCIAL SERVICES - DIVISION OF CORRECTIONS REGIONS
- ( B - 6 ) DEPT. OF FISH AND GAME - GAME MANAGEMENT UNITS
- ( B - 7 ) DEPT. OF FISH AND GAME - SPORT FISH REGULATORY AREAS

### C. GENERAL

- ( C - 1 ) ALASKA NATIVE CLAIMS SETTLEMENT ACT REGIONAL CORPORATION BOUNDARIES
- ( C - 2 ) CENSUS AREAS - 1980
- ( C - 3 ) ELECTION DISTRICTS - 1974
- ( C - 4 ) STATE PLANNING REGIONS

# CSHB 581

"AN ACT RELATING TO THE RESPONSIBILITIES OF EXECUTIVE DEPARTMENTS OF STATE GOVERNMENT FOR CERTAIN STATE PROGRAMS"

This bill addresses certain responsibilities of executive departments important to the implementation of CSHB 580. State agencies are required to collect data and information according to unorganized borough boundaries so that regional information will be available to local people and to the legislature. Certain exemptions are permitted. State agencies are also required to conduct program planning and management according to unorganized borough boundaries to facilitate coordinated service delivery. Combinations of unorganized boroughs for program planning and management purposes are permitted. Direct service delivery costs will be made available according to unorganized borough boundaries.

The Division of Policy Development and Planning (DPDP), Office of the Governor, is required to develop a data information system to facilitate state agency data collection and retrieval. Further, DPDP is required to report to the legislature alternatives and recommendations for improving coordination in state service delivery.

Alaska's Constitution establishes the policy of maximum self government for the people. This policy has been implemented through creation of boroughs and cities in urban areas and in some rural communities. However, the vast bulk of Alaska lacks any basis for self-government, and the people do not even have the means for planning and participating in the affairs of their own region. It is this problem that provided the principal focus for the interim work of the Senate and House Community and Regional Affairs Joint Local Government Study of 1979.

Legislative proposals of the Joint Committee were derived from (1) a series of studies and analyses sponsored by the Committee, (2) a two-day symposium designed to define issues and problems and suggest policies and directions, and (3) a series of public hearings held throughout rural parts of the state.

The Joint Committee found wide consensus in favor of a maximum measure of self-determination and self-rule, and establishment of regional units throughout the state to provide a basis for planning and program coordination. At the same time, the people do not want to rush into formal governmental organization; nor do they want it mandated.

Accordingly, the Joint Committee has developed an evolutionary approach that will provide people in rural areas with the means for self-government without forcing anything upon them prematurely. Choices and initiatives are left with each region.

HB 580 and HB 581 are two of the bills developed by the Joint Committee.

# CSHB 580

"AN ACT RELATING TO UNORGANIZED BOROUGHs, ESTABLISHING UNORGANIZED BOROUGHs, ESTABLISHING A PROGRAM OF PLANNING ASSISTANCE FOR UNORGANIZED BOROUGHs, PERMITTING 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"

## BOUNDARIES

The bill divides the unorganized borough into "unorganized boroughs" using the boundaries of the Regional Educational Attendance Areas (REAs). Public hearings are held, upon request, in each REA by the Commissioner of Community and Regional Affairs and provision is made for adjustment of the boundary lines.

## REGIONAL PLANNING

Each unorganized borough is eligible for regional planning program funds to study the economic, social, and environmental conditions of the area and the interrelationships between governmental units along with an examination of the feasibility of borough organization. No one is required to either undertake a study or form a borough. \$25,000 plus \$25 per capita is available to each unorganized borough for each of three years for regional planning programs.

## HOME RULE

Title 29 is amended allowing for the incorporation, by petition to the Local Boundary Commission, of unorganized boroughs as home rule municipalities and the adoption by vote of the people of a home rule charter. Nothing in the bill requires the incorporation of a home rule borough or borough of any class. Rather, this section broadens the options currently available to residents in the unorganized borough.



# 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: 3/19/80 (7:30 P.M. Informal hearing specifically

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

Also present were: Sen. Arliss Sturgulewski Ray Metcalfe

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 that 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 a lot 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 follow-up.

What will be done with the plans? p. 5 line -4

(see p. 2)

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

TAPE # SIDE \_\_\_\_\_ Footage \_\_\_\_\_ Cassette Tape #

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.

Public Hearing  
HB 580-586

3/19/80 7:30 P.M.

Meeting with Rural Caucus <sup>7:30 P.M.</sup> Participation Conference

Name

Address

Ch...	T...
William C. ...	1st ...
	... AK 99701
Palmer McArthur	Pouch B - Juneau, AK
D. Pope	912 W. 6th, Anchorage
Norman A. Cohen	Rural CAP
Patricia ...	" "
Charles Hubbard	3305 Rossell A - Anch, AK 99504 (UPPER RIVER NATIVE ASSOC.)
Charles Mueller	P.O. Box 189 Dillingham AK 99576 (Bristol Bay Native Assoc)
PAVE WAKEFIELD	Box 270, Port Lions, AK 99550 (KADIA)
Robin Brown	United Crow Band P.O. Box 131 Tok, Alaska 99780
J. ...	F.Y. Log. Chair person Box 55 F.Y.U 99740
Jeff Smith	Mareluk, Inc
Bob Lohr	Rural CAP 327 Eagle, Anch 99501



# 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. 44.47.130 (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:

TAPE #      SIDE      Footage

HB 580

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 proposal 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 ~~exemption~~ 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

JOINT SENATE AND HOUSE  
COMMUNITY AND REGIONAL AFFAIRS COMMITTEE  
LOCAL GOVERNMENT STUDY

Co-Chairmen  
Senator Arliss Sturgulewski  
Representative Bill Parker

Address all  
correspondence to:  
LOCAL GOVERNMENT STUDY  
Pouch V  
State Capitol  
Juneau, Alaska 99811

C&RA Committee hearing HB 581

January 28, 1980

Jay Moore,  
planner for DPDP

Mr. Moore said the DPDP had been working on a 'management by objectives' process; that system really depends on good information coming back from client groups, which means the groups should be identical in geographic area. DPDP has been trying to define local boundaries, and trying to develop a geocoding system--- codes used by all agencies through a computerized system. The question is, what are the optimum boundaries that serve the state best, and what will provide the people with the best system of services.

Parker

Mr. Parker clarified that geocoding meant programming by computer so information can be retrieved by geographic locale.

Parr

Mr. Parr wanted to know if DPDP would have anything to do with setting boundaries.

Moore

Mr. Moore said that they would not, however they would be able to make suggestions. They recommended that the state adhere to REAA boundaries unless an area could show why that should not be done.

Parr

Mr Parr wanted to know who would define boundaries.

Moore

Mr. Moore said the boundaries would be defined by legislation.

Parr

Mr. Parr did not think the Constitution intended education to be the prime determinant of local boundaries (REAs).

Parker

Mr. Parker said the REAs were the most popular boundaries at the state and local level. They seemed to be the most sensible.



Official Business

# Alaska State Legislature

JOINT SENATE AND HOUSE  
COMMUNITY AND REGIONAL AFFAIRS COMMITTEE  
LOCAL GOVERNMENT STUDY

Co-Chairmen:  
Senator Arliss Sturgulewski  
Representative Bill Parker

Address all  
correspondence to:  
LOCAL GOVERNMENT STUDY

Pouch V  
State Capitol  
Juneau, Alaska 99811

HB 581---2

Moore

Mr. Moore expressed concern that 581 was extremely ambiguous, and suggested an elaboration as to why geocoding was needed. He added that variance from REAA boundaries will probably be asked by quite a few other agencies . and interagency coordination should be stressed.

Parr

Mr. Parr thought it would be best if variances were not allowed at all. Instead, he suggested that the matter rest with the local boundary commission.

Parker

Mr. Parker asked why the local boundary commission would be involved at all.

Parr

Mr. Parr stated that once the boundaries are established, there should be no more debate about it.

McCarter

McCarter said that the REAAs would be used as building blocks only. He thought it was appropriate for the C&RA to establish the borough boundaries, but didn't think it was appropriate to call in the local boundary commission, as they are called in when a local area is establishing a constitution.

Parr

Mr. Parr said he wouldn't vote for a bill that called for overlapping boundaries.



# Alaska State Legislature

## House of Representatives

Committee on

Community & Regional Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811

Official Business

TO: Senator Arliss Sturgulewski .  
FROM: Rep. Bill Parker  
DATE: 2/4/80  
RE: Joint Committee Legislative Package

The following are the substantive points raised during the informal review of the Legislative Package by the House C&RA Committee. Please note that the Committee did not review HB 582 relating to the Program of Planning Assistance as our hearing schedule did not allow enough time although we scheduled it on two successive days.

### HB 580      Establishing Unorganized Boroughs

Jay Moore, DPDP testified that although there are a number of ways to establish boundaries, the mandated approach may not be inappropriate. The positive advantage is that it will happen immediately. However, there may be a problem in allowing modifications to the boundaries once they are established, as allowed for in Sec. 44.14.120. DPDP has a concern that the provisions of this section might not necessarily put the agency needs secondary to the needs of the people being served and it is the Division's concern that this is what should be done.

John Post, Chief Research & Analysis, Dept. of Labor The importance of the census boundaries adopted by the Federal Government for 1980 should not be understated. Post expressed concern that if Labor had to meet the new unorganized borough boundaries it would be very difficult and very costly to come up with the employment, unemployment and population figures for the unorganized borough areas where they did not follow the area and subarea boundaries of the census boundaries. The Native Regional Corporation boundaries are the outer limits of the census boundaries.

Palmer McCarter, Director Div. Local Government Assistance,  
Dept. C&RA

McCarter questions whether appeals on boundary adjustments should go to the Legislative Council and suggests that instead the appeal be to the Governor. Perhaps the legislature could have the final appeal if the Governor isn't acting responsibly.

McCarter also questions how an REAA could be altered if necessary (there is an existing REAA which overlaps two Regional Corporation boundaries and this is not allowed in HB580). Perhaps a process for changing the REAA boundaries where necessary should be included in the bill.

-----

After the hearing, Ginny Chitwood of the Alaska Municipal League pointed out that HB 580 limits the charter writing period to 1 year and questioned if that was enough time. Also, she was concerned that unlike the provisions for unifying a municipality, there was no provision for drafting a second charter if the first one failed.

-----

HB 581      Establishing the Responsibilities of the  
Division of Policy Development and Planning

Jay Moore, DPDP

Expressed concern that HB 581 was ambiguous and suggested an elaboration as to why geocoding was needed. He also felt that variance from REAA boundaries would probably be requested by a large number of agencies and that interagency coordination should be stressed.

-----

HB 584      Eliminating the Third Class Borough

Rep. Charlie Parr expressed reservations about the bill saying that the C&PA department talks about giving local government flexibility and yet if the third class borough is eliminated, and the people don't want to form a second class borough, there is no alternative for them. Parr said that in his district it was planning and zoning powers that people were afraid of. Third class boroughs were restricted to service areas in this regard. Also, Parr felt that in unorganized boroughs the Div. of Lands would have zoning powers and the division's "shoddy track record" made it a poor option. "My bias is that we ought to have a mandatory borough act, but I think we should have a third class borough option." Parr felt the step from unorganized to second class was too large a jump. He feels there should be a proven overriding and compelling state argument against allowing the third class borough to exist if it is going to be eliminated.

## HB 585 Incorporation of Second Class Boroughs

Rep. Charlie Parr questions Line 20 of the bill and the requirement that it would take only 10 percent of the voters to petition for reclassification. Wonders if the expense of an election is justified for such a small percentage of the voters. Parr also questions Line 14 which would allow for the election to be either "special" or "regular". He is not sure it would be advisable to have a special election because of the expense and because there would not appear to be any urgency in such a reclassification. (After clarification by Ginny Chitwood, Parr drops concerns related to the timing of the election feeling perhaps it should be left up to the municipality).

Palmer McCarter, Dept. of C&RA pointed out that initiative and referendum require 25% of the voters when the city or borough has fewer than 7,500 persons or 15% when a city or borough has 7,500 persons or more. Unification requires 25% of the voters inside and outside of the city.

Rep. Charlie Parr suggests amending the percent of petitioners (line 20) to 15%. Committee concurs.

## HB 586 Requiring Fiscal Notes for Bills Affecting a Municipality

Rep. Parr raises question of whether this bill is intended to deal with just "significant" impacts. Palmer McCarter, Dept. of C&RA, responded that this would be his interpretation. Perhaps the word "major" expenditure could be added on line 15. McCarter stressed that the fiscal impact figure would be an estimate.

## HB 583 State Aid to Local Governments

Palmer McCarter, Dept. C&RA, testified that the Dept. opposes the bill as presently written. Although they support the \$25,000 as a base figure in revenue sharing, they believe it is too costly for the state to provide that amount in addition to the entitlements.



Official Business

# Alaska State Legislature

Senate

Committee on  
Community & Regional Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811

CSSB 348

This bill provides for sub-state regional units, called "unorganized boroughs," to be established in the unorganized borough. The Commissioner of Community and Regional Affairs is directed, after public hearings, to determine appropriate boundaries, initially based on REAA boundary lines. Provisions are made for the adjustment of boundary lines.

Each "unorganized borough" will be eligible for regional planning program funds to assist in determinations of the economic, social, and environmental conditions of the area and the interrelationships between governmental levels, with an examination of the potential and need for borough organization. No one is required to either undertake the study or to form a borough. The planning program and future organization, if any, is up to the local area. Each year, for 3 years, \$25,000 plus \$25 per capita is available to each unorganized borough for regional planning. A new chapter is added to AS 29 which allows for incorporation, by petition to the Local Boundary Commission, of unorganized boroughs as home rule boroughs and the adoption by election of a home rule charter. Dual majority votes are required for passage of the home rule charter.

CSSB 349

This bill addresses certain responsibilities of executive departments important to the implementation of CSSB 348.

State agencies are required to collect data and information according to unorganized borough boundaries so that regional information will be available to local people and to the legislature. Certain exemptions are permitted. State agencies are also required to conduct program planning and management according to unorganized borough boundaries to facilitate coordinated service delivery. Combinations of unorganized boroughs for program planning and management purposes are permitted.

Direct service delivery costs will be made available according to unorganized borough boundaries.

The Division of Policy Development and Planning (DPDP), Office of the Governor, is required to develop a data information system to facilitate state agency data collection and retrieval. Further, DPDP is required to report to the legislature alternatives and recommendations for improving coordination in state service delivery

PROPOSED  
ADMINISTRATIVE ORDER NO. \_\_\_\_\_

The proliferation of district boundaries used by governmental agencies in Alaska is confusing, prohibits efficient delivery of services to citizens and, therefore, prevents the federal, state and local governments from fulfilling their responsibilities to Alaskans.

The Division of Policy Development and Planning in my office has conducted a study of region and district usage in the state and has recommended two sets of state subdivisions for various governmental purposes. These districts do not meet every specific need but represent a compromise between the many boundaries heretofore established.

It is my intention to have state government comply to the highest degree possible with these regions and districts and to urge federal and local governments to also conform to these boundaries. Through this cooperative effort we should be able to assure Alaskans of maximum value from their public programs.

Therefore, under authority of article III, section 1, Alaska Constitution, it is ordered that all agencies in the executive branch of the state government, conducting business at the local level through districts or regions, and planning future programs requiring a regional approach, use the regions and districts designated by this order, or use the census divisions and REAA's.

The following constitute State Planning Regions:

- |            |   |
|------------|---|
| REGION I   | Census Division 040, Barrow   |
| REGION II  | Census Division 140, Kobuk; and 130, Nome   |
| REGION III | Census Divisions 090, Fairbanks; 240 Southeast Fairbanks; 250, Upper Yukon; and 290, Yukon-Koyukuk  |
| REGION IV  | Census Divisions 010, Aleutian Islands; 050, Bethel; 060, Bristol Bay Borough; 070, Bristol Bay; 160, Kuskokwim; and 270, Wade Hampton                            |
| REGION V   | Census Divisions 020, Anchorage; 080, Cordova-McCarthy; 120, Kenai-Cook Inlet; 150, Kodiak; 170, Matanuska-Susitna; 210, Seward; and 260, Valdez-Chitina-Whittier |

REGION VI            Census Divisions 030, Angoon; 100, Haines;  
110, Juneau; 130, Ketchikan; 190, Outer  
Ketchikan; 200, Prince of Wales; 220, Sitka;  
230, Skagway- Yakutat; and 280, Wrangell-  
Petersburg

The following constitute Substate Districts:

All Unified Home Rule Municipalities:

City and Borough of Juneau  
City and Borough of Sitka  
Municipality of Anchorage

All Organized Boroughs:

Bristol Bay Borough  
Fairbanks North Star Borough  
Haines Borough  
Kenai Peninsula Borough  
Ketchikan Gateway Borough  
Kodiak Island Borough  
Matanuska-Susitna Borough  
North Slope Borough

The following districts of the Unorganized Borough:

District A	REAA #1
District B	REAA's #11, 12, 13 & 14
District C	REAA #2
District D	REAA's #15 & 16
District E	REAA #3
District F	REAA's #4 & 5
District G	REAA #17
District H	REAA's #8, 9 & 10
District J	REAA's #6 & 7
District K	REAA's #21 & #18 west of Dry Bay
District L	REAA #18 east of Dry Bay
District M	REAA's #19 & 20

Special exemptions may be granted to those agencies whose use of specific region or district boundaries would bring undue expense, hardship, or decreased efficiency to the operation of that agency. Exemptions will be granted by my office on a region-by-region or district-by-district basis. Agencies seeking exemption because of special circumstances shall submit to my office:

1. A map depicting those regions or districts which can be used and those where a modification from State Planning Regions or Substate Districts is essential;

2. An identification of statutes, federal regulations or guidelines, personnel difficulties, workload difficulties, or existing investments in field facilities which justify delay in adoption of the state regions and districts specified in this order; and
3. A timetable for eventual agency conformance with this order.

Each agency shall furnish my Office of Budget and Management with region or district map for each program submitted for funding which is administered on a regional or district basis.

Within one year from the date of this order, my Division of Policy Development and Planning shall review conformance to this order by state agencies and any exceptions which may have been granted and recommend the regions and districts for permanent status or recommend any changes that may be desirable.

Dated: \_\_\_\_\_, 197\_\_  
at Juneau, Alaska

\_\_\_\_\_  
Governor

# Legislative Reporting Service

510 Kennedy Street, Juneau, Alaska 99801

Phone: 586 - 6672

Kimberly L. Metcalfe

Ann Gardiner Metcalfe

January 28, 1980

## REPORT NO. 2

IN THE SENATE: Honorable Clem V. Tillion, President

Senator Colletta, Majority Leader  
Senator Bradley, Majority Caucus Chairman  
Senator Kerttuia, Minority Leader  
Senator Ferguson, Minority Whip  
Senator Rodey, Minority Caucus Chairman

### INTRODUCTION OF BILLS (Senate)

Unorganized  
Boroughs  
(establishment)

SENATE BILL NO. 348, by the Rules Committee by request of the Legislative Council (for the C&RA Interim Joint Local Government Study). Purpose "is to provide for the division of the state's single unorganized borough into unorganized boroughs to accommodate the delivery of services and programs by state agencies within common boundaries and to require the collection of data and information about state programs with reference to a set of boundaries adopted for use by all state agencies for the purpose of improving the delivery of state services and encouraging the development of regional responsibilities for the planning and implementation of these services."

Repeals statutes relating to unorganized boroughs (AS 29.03) and adds sections which establish, within 120 days of effective date of act, unorganized boroughs within boundaries of each Regional Education Attendance Area established under AS 14.08.031. Provides boundaries may be adjusted by Commissioner of Community & Regional Affairs.

Adds new sections to AS 44.17 (Admin. of Departments) which relate to collection of data and information about state services in districts. Districts are boroughs or unified municipalities and unorganized boroughs.

Adds new Ch. to AS 29 which allows for incorporation, by petition to Local Boundary Commission, of unorganized boroughs as home rule boroughs. Provides for charter elections of petition accepted. Provides Act effective immediately. Identical to HB 580, this report.

Introduced January 21 and referred to Community & Regional Affairs and Finance.

Unorganized  
Boroughs  
(planning  
assistance)

SENATE BILL NO. 349, by the Rules Committee by request of the Legislative Council (for the C&RA Committee Interim Joint Local Government Study). Adds new section to AS 44.47 which allows the Commissioner of Dept. of Community & Regional Affairs to contract with a municipality or group of municipalities or with a non-profit corporation for purpose of preparing a management program for an unorganized borough (only one contract for each unorg. borough). Outlines contract requirements and establishes the Unorganized Borough Planning Account in Dept. of C&RA. Limits contract awards to maximum of \$25,000 plus \$25 per capita. Effective on effective date of a version of SB 348. Identical to HB 582.

Introduced January 21 and referred to Community & Regional Affairs and Finance.

D.P.D.P.  
(responsi-  
bilities)

SENATE BILL NO. 350, by the Rules Committee by request of the Legislative Council (for the C&RA Committee Interim Joint Local Government Study). Directs the Division of Policy Development and Planning to "study and report to the legislature, not later than January 31, 1981, as to the conformity by state agencies, boards and commissions with the program requirements under AS 44.17.100 - 44.17.120, [enacted by SB 348] including but not limited to recommendations which require legislation and for the development and implementation of a master geographical coding system to report on the coordination of delivery of state services by districts." AS 44.17.100-120 relate to collection by state agencies of information about state services in districts.

Effective on effective date of a version of SB 348. Identical to HB 581.

Introduced January 21 and referred to Community & Regional Affairs and Finance.

State Aid to  
Local Govern-  
ments

SENATE BILL NO. 351, by the Rules Committee by request of the Legislative Council (for the C&RA Committee Interim Joint Local Government Study). Provides for an additional State Aid to Local Government entitlement (AS 43.18) of \$25,000 for each fiscal year for cities or organized boroughs of any class that qualify under provisions of chapter. Entitlement shall be adjusted to include area cost-of-living differential. Provides Act effective July 1, 1980. Identical to HB 583.

Introduced January 21 and referred to Community & Regional Affairs and Finance.

Fiscal Notes  
(for bills  
affecting  
municipali-  
ties)

SENATE BILL NO. 352, by the Rules Committee by request of the Legislative Council (for the C&RA Committee Interim Joint Local Government Study). Adds to AS 24.30.035 (Fiscal Notes on Bills): "If enactment of the bill would require an expenditure or appropriation by any municipality, a fiscal note shall be attached to the bill containing an estimate of the amount of the total expenditure or appropriation which would be required during each of the first three fiscal years by all affected municipalities." Also adds: "The fiscal note or statement...shall be prepared by the Department of Community and Regional Affairs, but that department may

# MEMORANDUM

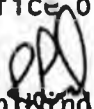
# State of Alaska

TO: John Halterman, Deputy Director  
Division of Policy Development  
& Planning  
Office of the Governor

DATE: February 21, 1980

FILE NO: 100H

TELEPHONE NO: 465-3900

FROM:  Ron Lind, Deputy Commissioner  
Administration  
Department of Transportation  
& Public Facilities

SUBJECT: HB 580 - State Program Line to  
Follow Standardized Boundaries

The impact of HB 580 upon Department of Transportation & Public Facilities (DOT/PF) for planning and management cannot be adequately assessed without a clearer idea of what is envisioned by the bill. However, a simplified reading of AS 44.17.110 would indicate that all statistics, planning, and information (including financial) would need to be on the basis of districts designated by AS 44.17.100. This would be a considerable shift from the alignments now used. While not impossible, it would be very time consuming and, in my view, counter productive until a clear picture of the benefits expected are outlined.

I would suggest that instead of passage of this bill, which mandates all information along these predetermined lines, funding be made available to one central group to identify the results desired, their benefits, and the costs associated with providing the information. If the bill were passed as it now stands, it would have a financial impact on DOT/PF because it would be necessary for us to revise our financial reporting and planning data processing systems to track the information by the new districts. We would also need to prepare our transportation plans in much finer detail, which would increase their cost.

In summary, I believe that there would be merit in a system which allowed extraction of statistical and program information in a manner which would make it compatible. I am not sure this bill has the best approach. If a central geographic coding were agreed to and sufficient data processing support provided, agencies could supply raw data by location, which is more specific than by district. Then when it would be beneficial to do planning on a district basis, it could be done, or if it were more reasonable to do the planning on a larger basis without reference to district, that could also be done.

RECEIVED

FEB 22 1980

POLICY DEVELOPMENT  
& PLANNING

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 350/HB 581  
 Title "...relating to the responsibility of the Div. of Policy Development and Planning."  
 Requested by Legislative Council (for CRA Committee) Date 1/21/80

II. FISCAL DETAIL

Agency Affected Division of Policy Development and Planning  
 Program Category Affected Executive Operations  
 BRU, Program, or Subprogram(s) Affected Policy Development and Planning  
 (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) \*(see note, below)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES	x	x				
200 TRAVEL	x	x				
300 CONTRACTUAL	x	x				
400 COMMODITIES	x	x				
500 EQUIPMENT	x	x				
600 LAND & STRUCTURES	x	x				
700 GRANTS, CLAIMS, ETC.	x	x				

TOTAL

FUNDING (Thousands of Dollars)

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

POSITIONS

FULL TIME	x	x				
PART TIME	x	x				
TEMPORARY	x	x				

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

- \* DPDP has requested in its FY 81 budget, two positions which would have, as a part of their responsibilities, the development of a common geo-coding system for state agencies and the development and implementation of a process for reviewing state service delivery locations. Evaluation of agency service delivery conformity with district boundaries and evaluation of boundary variance requests (a change in wording of the bill is suggested) would fall within the purview of the latter responsibility. These were tasks independently identified during the formulation of DPDP budget and the increases have been shown only once, in the Division budget.

IV. DATE 1/23/80 PREPARED BY Jay H. Moor

AGENCY DPDP

Original: Legislative Finance PHONE 465-3573

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

1	POSITION TITLE Policy and Program Manager I			RANGE/STEP 20 A	BARG. UNIT. X	LOCATION Juneau	NOV	APPROV	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY 2	FORM 12 PAGE/LINE 1 4	LEG.		
3	TYPE OF EXPENDITURE			AMOUNT		JUSTIFICATION:  There is growing concern that the increasing number of data collection and processing systems in state government are developing in such a way as to exclude possible users in favor of only catering to specific, narrow agency needs. This position will serve as a coordinator for these agency efforts in order to ensure the efficient development and utilization of these data systems.			
	1	2	3						
4	PERSONAL SERVICES:								
	SALARY		28,932						
5	BENEFITS		4,239						
6	FICA		1,924						
7	HEALTH INS.		1,272						
8	TOTAL PERSONAL SERVICES		36,367						
9	TRAVEL		3,220						
10	CONTRACTUAL		300						
11	COMMODITIES		500						
12	EQUIPMENT		910						
13	OTHER		00						
14	TOTAL COST		41,297						
	CODE	FUNDING SOURCE							
15		FED RCPTS.							
16		GF MATCH.							
17		GEN. FUND		41,297					
18		I-A RCPTS.							
19		PGM RCPTS							
20		OTHER							
21	CONTINUATION		FOR B&M USE ONLY						
22	ADDITION	X							
4A KEY NUMBER		COLUMN NO.							

AGENCY Office of the Governor PROGRAM AREA Executive Operations

BRU Policy Development and Planning

FY 81

**13** REQUEST FOR NEW POSITION.

COMPONENT Same

Page 1 of 3

REVISED DATE \_\_\_\_\_

000175

1	POSITION TITLE <b>Management Analyst III</b>			RANGE/STEP <b>18 A</b>	BARG. UNIT. <b>X</b>	LOCATION <b>Bureau</b>	GOV	APPROV	DISAPP.
2	TYPE OF POSITION <b>PFT</b>	STAFF MONTHS <b>12</b>	RP No.	PCN No.	PRIORITY <b>3</b>	FORM 12 <b>I 7</b>	LEG		
3	TYPE OF EXPENDITURE			AMOUNT					
	1			2		3			
4	PERSONAL SERVICES: SALARY			24,984					
5	BENEFITS			3,660					
6	FICA			1,661					
7	HEALTH INS.			1,272					
8	TOTAL PERSONAL SERVICES			31,577					
9	TRAVEL			4,466					
10	CONTRACTUAL			300					
11	COMMODITIES			500					
12	EQUIPMENT			910					
13	OTHER			00					
14	TOTAL COST			37,753					
	CODE	FUNDING SOURCE							
15		FED RCPTS.							
16		GF MATCH.							
17		GEN. FUND		37,753					
18		I-A RCPTS.							
19		PGM RCPTS							
20		OTHER							
21	CONTINUATION			FOR B&M USE ONLY					
22	ADDITION	X							
4A KEY NUMBER _____ COLUMN NO. _____									

JUSTIFICATION:

As required by statute, this position will allow the division to develop and implement a process for reviewing all proposals for the location of capital improvements by any state agency. This process will insure that applicable state policies are considered in planning for capital facilities and that interested agencies and the public are consulted prior to the locational decision.

AGENCY Office of the Governor PROGRAM AREA Executive Operations

ORU Policy Development and Planning

**13** REQUEST FOR NEW POSITION.

COMPONENT \_\_\_\_\_

Page 2 of 3

REVISED DATE \_\_\_\_\_

FY 81

000176

# MEMORANDUM

TO:  John Halterman, Acting Director  
Division of Policy Development  
and Planning

DATE: January 25, 1980

FILE NO:

TELEPHONE NO:

FROM:

*Jay Moor*  
Jay Moor

SUBJECT: SB 350/HB 581 "...relating to  
the responsibilities of the  
Division of Policy Development  
and Planning

This requires DPDP to produce a report on the subject of agencies' conformity with program requirements of another bill. That bill (I don't have the number) establishes districts throughout Alaska and requires agencies to collect data, develop program planning, coordinate planning and agency activities with other agencies, and provide information on the basis of the districts. The districts are to coincide with the REAA boundaries except where individual commissioners have determined that other boundaries would be more applicable to program requirements and have requested a variance from the Legislative Council.

In reporting on conformity with these provisions, DPDP is to make recommendations which require legislation and, apparently, which relate to the development and implementation of a master geographical coding system. It is not clear from the grammar of these bills that the coding system is to be anything more than a way to report on the coordination of delivery of state services by districts.

The bill should be written to separate the coding system from the conformity issue, since basic coordination among agencies by district will come largely from adherence to a commonly adopted coding system. That system, by itself will help to insure conformity and may necessarily precede conformity.

Although DPDP may undertake evaluations of programs involving more than one agency (AS 44.19), we would not be able to do the conformance evaluation without addition of one full-time position requested in our budget as a Range 18A. The person filling that position should be prepared to do continuing analysis of program district boundaries and service delivery patterns. The bill referred to in SB 350 allows agencies to determine unilaterally the need for boundary variances, submitting requests for variance to the Legislative Council. Such variances are clearly of interagency importance; especially so since the Governor's policy to develop efficient and effective service delivery suggests that space sharing and co-delivery of services may be, overall, more effective than when each agency attempts to minimize its own costs without regard for other agencies. DPDP should commence the design and implementation of a master geocoding system--not just the evaluation of how to do it.

The only other reservation I have about the bill is that it refers to a set of pre-determined service delivery boundaries, deviation from which must be justified. This may be a good strategy where programs stand by themselves, but as mentioned above where some programs gain in effectiveness by association with others, there is no guarantee that the synergies of program delivery will be looked at. We had originally proposed that those synergies be investigated and district boundaries be determined on the basis of program clientele needs and other commonalities among programs.

I would add to the current version only the safeguard that someone be assigned the authority for insuring participation and coordination among agencies in evaluating any one agency's request for variance. To do this, someone must develop a comprehensive inventory of service delivery needs and a location model that will compute the economic and social tradeoffs of any agency's proposal for variance from established service delivery boundaries. The position we have requested would do this.

I recommend the language and grammar of the bill be edited to include the points noted above: a) DPDP will report on agencies' conformity in delivering services by district and in collecting data by district; b) DPDP will develop and implement a master geographical coding system for data collection and service delivery, and c) DPDP will have the authority to coordinate among agencies in determining the impacts of boundary variance requests.

cc: Sally Rue



Official Business

# Alaska State Legislature

## House of Representatives

Committee on

Community & Regional Affairs

Fouch V  
State Capitol  
Juneau, Alaska 99811

TO: Jack Chenoweth  
FROM: Rep. Bill Parker/Sen. Arliss Sturgulewski  
DATE: 3/6/80  
RE: Legislative Package (HB 580-583, SB 348-350)  
Redrafts

The Senate/House C&RA Committees would like Committee Substitutes drafted for HB 580-582 (SB 348-350) which would contain the following elements:

### HB 580 (SB 348) Establishing Unorganized Boroughs

This CS would establish unorganized boroughs (See AS 29.03.011 in CS draft for HB 580); allow for direct incorporation of a home rule borough; and would also include the substance of HB 582, a program of planning assistance for the unorganized

### HB 581 (SB 350) Responsibilities of DPDP

This CS would consolidate the provisions establishing the unorganized boroughs; the existing HB 581 (SB 350); AS 44.14.100 (a) as contained in the CSHB 580 work draft; and AS 44.17.100 (b) as contained in the DPDP rewrite; (c) (1) (2) (omit (c) (3)); and would also include (d) and (e) of the DPDP rewrite.

Additionally, Rod Pegues' suggested wording will be included in this CS.



# Alaska State Legislature

## House of Representatives

Committee on

Community & Regional Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811

Official Business

TO: Jack Chenoweth  
FROM: Marjorie Gorsuch *MG*  
DATE: 3/22/80  
RE: Committee Substitutes

Jack,

The Committee has approved the work draft copies of CSHB 886, CSHB 581 as prepared. Please have them run off as finals.

Also approved was the work draft for CSHB580 with the following changes:

- p. 2 Line 8 Change 120 days to 180 days
- p. 2 Lines 22-25 Eliminate this (b)
- p. 3 Line 11 Eliminate "or the commissioner may request proposals on his own initiative"
- p. 7 Lines 28 & following  
There was a question of whether or not this wording was necessary and if (b) on p. 8 lines 3-8 didn't suffice?
- p. 2 Lines 11-14 Change to "The commissioner shall, upon request, 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.  
The rest of this section p. 2 lines 14-21 would remain as in CS.

*p. 7 Eliminate lines 18, 19  
p. 8 lines 13, 17, make reference back to p. 7*

*p. 9 lines 8, 9 - "shall" phrase removed  
changed to "first class boroughs"*

*"Pursued outside"*

*Get Hellet Call Voe!*

*4/19/80  
Hearst Office Commission*

*Advised service delivery boundaries  
display of direct & costs by region*



Official Business

# Alaska State Legislature

## House of Representatives

Committee on  
Community & Regional Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811

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FROM: Rep. Bill Parker/Sen. Arliss Sturgulewski  
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*if there are no unorganized boroughs*

*Unorganized borough as building blocks - combinations of NCAAs or divisions*

*Well-organized in practice of all communities being settled against each other*

*\*! Include Budget point*

*1 year reporting period is plan for compliance*

*Identify agencies responsible for delivery. Those that don't*

*OK July 1 '81 delivery of agencies to address administrative*

*OK July 1 '82 supplemental*

*Exposition language*

*State OK*

*Administrative J*

*Future State!*

\* Add establishment of UBa -

THE HOUSE

BY THE COMMUNITY AND  
REGIONAL AFFAIRS COMMITTEE

CS FOR HOUSE BILL NO. 581

IN THE LEGISLATURE OF THE STATE OF ALASKA

ELEVENTH LEGISLATURE - SECOND SESSION

A BILL

an Act entitled: "An Act amending the responsibilities of executive departments of the state government for certain state programs; and providing for an effective date."

AS ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

Section 1. AS 44.17 is amended by adding new sections to read:

ARTICLE 2. PLANNING AND MANAGEMENT OF STATE SERVICES.

Sec. 44.17.100. PROGRAM DATA AND INFORMATION. (a) A principal department of the executive branch of the government, including a board or commission assigned to a department for administrative purposes, shall collect <sup>and also make available for display</sup> data and information and process and analyze statistics about its programs on the basis of home rule and general law boroughs, unified municipalities, and unorganized boroughs.

(b) The information, data and statistics required to be collected by this section include but are not limited to,

*Use Margo's "data" definition plus "demographic info"*

*Add DRDP (b) 1, 2*

*(c) 1, 2*

*(d) Temporary exemption up to 1 yr.*

*(e) 1, 2, 3*

(c) In carrying out the provisions of (b) of this section, the Division of Policy Development and Planning shall consider, among other things,

(1) applicable new technologies for data and information referencing;

(2) existing and developing state, local, and federal management and program information systems; and

*omit*  
(3) ~~the need for continued use by agencies of existing program and administrative boundaries.~~

*from student*  
(d) A temporary exemption from (a) of this section may be granted for up to three years by the governor to an agency if the expense, hardship, or decreased efficiency in the development and operation of an agency program outweighs the public benefit derived from adherence to its provisions. The agency requesting the exemption shall submit to the governor

(1) a written statement naming the program for which the exemption is sought and explaining the reasons for seeking the exemption;

(2) an evaluation of the practicality of conforming to the approved data and information referencing system within a three year period; and

(3) an evaluation of impacts of the proposed exemption on the data and information collection activities of other agencies.

(e) The governor shall report to the legislature each temporary program exemption approved by him under (d) of this section.

*Exemptions*

Sec. 44.17.100. DATA AND INFORMATION

(a) Effective June 30, 1981, all principal departments of the executive branch of the government, including boards and commissions assigned to departments for administrative purposes, shall, in planning, developing, implementing, and reporting program activities, provide data and information, classified by home rule and general law boroughs, unified municipalities, and unorganized boroughs.

*this data + info will be data used as a basis for agency prog planning & budgeting*

(b) To provide for coordination and exchange of data and information among all agencies of government, the Division of Policy Development and Planning shall, by December 31, 1980,

(1) evaluate the structural suitability, capability, and cost of alternative data and information referencing systems; and

(2) recommend to the governor for approval a system for data and information referencing to be adopted within 180 days of the governor's approval by each of the principal departments of the executive branch of government, including boards and commissions assigned to departments for administrative purposes. The recommended system shall be capable of classifying data and information by home rule and general law boroughs, by unified municipalities, and by unorganized boroughs. The recommended system shall allow for cross-referencing of data and information among the principal departments of the executive branch of government.

*including a geo-coding system*

*Budgetary info*

*limit the home rule or general law boroughs, unified municipalities and unorganized boroughs to those basic geographic areas as their basic geographic*

\* Sec. 2. AS 44.17 is amended by adding new sections to read:

Sec. 44.17.110. PROGRAM MANAGEMENT. (a) A principal department of the executive branch of the government, including a board or commission assigned to a department for administrative purposes, shall provide for the management and administration of its program activities, by adjusting the <sup>geographical limits</sup> boundaries within which those programs are <sup>provided</sup> conducted to correspond to one or more home rule and general law boroughs, unified municipalities, and unorganized boroughs <sup>for administrative purposes</sup>.

(b) For purposes of this section, management and administration of program activities of a department, board or commission includes

- (1) the development <sup>of implementation</sup> of program plans;
- (2) the initiation or completion of activities <sup>in delivery of services</sup> consistent with those program plans; and
- (3) coordination of program planning with the plans and activities of other agencies, municipalities and the federal government.

Sec. 44.17.120. REPORTING OF SERVICE COSTS. (a) A principal department of the executive branch of the government, including a board or commission assigned to a department for administrative purposes, shall provide information indicating the <sup>direct expenditures</sup> ~~total~~ costs of providing for the delivery of services for each municipality and unorganized borough adopted by the department under AS 44.17.110(a) for the management and administration of its program. The information shall be <sup>available</sup> provided to

- (1) the division of budget and management in the Office of the Governor, for its use in making recommendations for the program budget of a department, board or commission;
- (2) the legislature, for its use in consideration of the state budget and other legislation which extends stat services; and

(3) the public, upon request to the department, board or commission.

(b) In this section, "~~related~~ costs" means:

*These costs directly ~~related~~ related to providing a service, i.e. program expenses, not including general administrative & support costs.*

Sec. 44.17.130. EXEMPTION. The provisions of AS 44.17.110 - 44.17.120 do not apply to

(1) a program of an executive department, board or commission which provides professional or technical support services for another state department, board or commission, as determined by the governor; and

(2) a program for which exemption is specifically requested by the department, board or commission, and granted by the governor, *if* because the program concerns the conservation or development of a natural resource. *and if non-exemption would prove to be a severe and substantiated hindrance to proper performance of the agencies' statutory responsibility.*

\* Sec. 3. RESPONSIBILITIES OF THE DIVISION OF POLICY DEVELOPMENT AND

PLANNING. The division of policy development and planning shall study and report to the legislature, not later than July 1, 1983, as to the conformity by state agencies, boards and commissions with the program requirements under AS 44.17.100 - 44.17.120, including but not limited to,

(1) alternatives and recommendations for improving coordination of delivery of programs which provide direct services to people, for which an exemption has <sup>not</sup> been granted under AS 44.17.130; and

(2) recommendations which require legislation for the development and implementation of a master geographical coding system to report on the coordination of delivery of state services.

\* Sec. 4. Section 1 of this Act takes effect July 1, 1981.)

*Check for consistency with 11-3-*

*OK?*  
*J?*

\* Sec. 5. Section 2 of this Act takes effect July 1, 1982.

2/21/70

\* Use of bill rather than resolution p. 4 (2.1-4)

WO#7657 /  
Chenoweth

~~DEPP~~  
~~DO~~  
~~...~~  
5812

Original sponsor: Rules/Legislative Council

1 IN THE HOUSE

BY THE COMMUNITY AND  
REGIONAL AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. ~~580~~ 581

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  
7 responsibilities of executive departments for state  
8 programs and services for residents of organized and  
9 unorganized boroughs, and authorizing adoption of home  
10 rule charters by unorganized boroughs; and providing  
11 for an effective date."

*Re-write  
... suggested  
...*

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

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

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

22 (2) to extend the opportunity to residents of unorganized boroughs  
23 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 unorga-  
28 nized borough into unorganized boroughs, it is the intent of the legislature  
29 that all future transfers of functions or services from state agencies to

1 \* Sec. 4. AS 44.17 is amended by adding new sections to read: *info. 02*  
*depleted, def.*

2 ARTICLE 2. COLLECTION OF DATA AND INFORMATION  
3 ABOUT STATE SERVICES. *info*

4 Sec. 44.17.100. DATA AND INFORMATION. (a) A principal department  
5 of the executive branch of the government, including a board or commis-  
6 sion assigned to a department for administrative purposes, shall *by June 30, 1980* provide  
7 *for each program activity the following:* for the administration of its program activities by

8 (1) collecting *ing* data, processing and analyzing statistics, and  
9 providing information about programs on the basis of home rule and  
10 general law boroughs, unified municipalities, and unorganized boroughs;

11 (2) developing *ment of* program planning for home rule and general law  
12 boroughs, unified municipalities and unorganized boroughs;

13 *agency planning* (3) coordinating *ing of* program planning for agency activities with  
14 the plans and activities of other agencies, municipalities, and federal  
15 departments and agencies; and

(b) To provide for coordination and exchange of  
data and information among all agencies of government, the  
Division of Policy Development and Planning shall, by Decem-  
ber 31, 1980,

(1) evaluate the structural suitability,  
capability, and cost of alternative data and information  
referencing systems; and

(2) recommend to the governor for approval  
a system for data and information referencing to be adopted  
within 180 days of the governor's approval by each of the  
principal departments of the executive branch of government,  
including boards and commissions assigned to departments  
for administrative purposes. The recommended system shall  
be capable of classifying data and information by home rule  
and general law boroughs, by unified municipalities, and by  
unorganized boroughs. The recommended system shall allow  
for cross-referencing of data and information among the prin-  
cipal departments of the executive branch of government.

*Budgetary info*

(c) In carrying out the provisions of (b) of this section, the Division of Policy Development and Planning shall consider, among other things,

(1) applicable new technologies for data and information referencing;

(2) existing and developing state, local, and federal management and program information systems; and

OMTI (3) the need for continued use by agencies of existing program and administrative boundaries.

(d) A temporary exemption from (a) of this section may be granted for up to three years by the governor to an agency if the expense, hardship, or decreased efficiency in the development and operation of an agency program outweighs the public benefit derived from adherence to its provisions. The agency requesting the exemption shall submit to the governor

(1) a written statement naming the program for which the exemption is sought and explaining the reasons for seeking the exemption;

(2) an evaluation of the practicality of conforming to the approved data and information referencing system within a three year period; and

(3) an evaluation of impacts of the proposed exemption on the data and information collection activities of other agencies.

(e) The governor shall report to the legislature each temporary program exemption approved by him under (d) of this section.

Add a new subsection at the end of Sec. 44.17.100 as follows:

The failure of a state agency to comply with the requirements of this section does not invalidate an action taken or proposed to be taken by a state agency.

BILL ANALYSIS

ASSIGNMENT DATE: \_\_\_\_\_

UNASSIGNED \_\_\_\_\_

<b>DEPARTMENT</b>	<b>SPONSOR (PRINCIPAL)</b>	<b>BILL NO.</b>
Fish and Game	Rules Committee/Legislative Council	SB 348
<b>DEPARTMENT POSITION</b>		
Oppose		
<b>DIVISION DIRECTOR</b>	<b>DATE</b>	<b>COMMISSIONER</b>
<i>Ronald J. Somerville</i> Ronald J. Somerville	February 28, 1980	<i>Ronald O. Skoog</i> Ronald O. Skoog
<b>GOVERNOR'S OFFICE USE</b>		
<input type="checkbox"/> POSITION NOTED <input type="checkbox"/> POSITION APPROVED <input type="checkbox"/> POSITION DISAPPROVED		
BY: _____ DATE: _____		
<b>SUMMARY</b>		
(1) RELATED BILLS (SIMILAR OR CONFLICTING)      Unknown		
(2) OTHER AGENCIES AFFECTED BY BILL              Other regulatory agencies of the State		
(2) a. ORGANIZATIONAL SUPPORT FOR BILL		(2) b. ORGANIZATIONAL OPPOSITION TO BILL
None known		None known
(3) PROGRAM EFFECTS OF BILL      Data and information acquisition and organization. For the purposes of this Department, we are extremely concerned about the impact of Sec. 1 (Purpose) and 44.17.110. These would seem to require that we base our biological data gathering ( i.e., our management programs) on districts established by the Commissioner of Community and Regional Affairs, essentially the political divisions of the State. If such a requirement is established, it would necessitate a complete revamping of our data gathering and management systems, would seriously disrupt the continuity of data collected since Statehood, and would make no sense biologically. In all probability, it would require the keeping of biological and management data under two sets of criteria simultaneously, adding		
(4) FISCAL IMPACT: <input type="checkbox"/> NONE <input checked="" type="checkbox"/> FISCAL ANALYSIS ATTACHED      a considerable cost.		
(5) AMENDMENTS PROPOSED:		
Amend to exclude the Department of Fish and Game from provisions of 44.17.110.		

(6) COMMENTS:

We recognize that this Act may be beneficial to local and state government when applied to some other state agencies. We emphasize that it would cause chaos if applied to fish and game management in the State. We realize that Section 44.17.120 may provide an exemption for this Department, but we would strongly prefer that the Department be specifically exempted by statute if this bill is adopted.

HR 581 TITLE & SPONSOR SUMMARY

11:28 4/21/80 PAGE 1 OF 2

AMENDED TITLE

AN ACT RELATING TO THE RESPONSIBILITIES OF THE DIVISION  
OF PUBLIC DEVELOPMENT AND PLANNING, OFFICE OF THE  
GOVERNOR, AND PROVIDING FOR AN EFFECTIVE DATE

PRIME SPONSOR: HOUSE RULES COMMITTEE.

CO-SPONSORS:

CURRENT STATUS: 3/26/80 IN (H) RULES

HB 581 HOUSE ACTION

11:29 4/21/80 PAGE 2 OF 2

DATE	BY	PAGE	LEGISLATIVE ACTION
01/21/80	01	0071	FIRST READING -- COMMITTEE REPORTS
02/22/80	02	0423	CRA -- DP04, NR01
03/11/80	03	0607	RECOMMENDED TO CRA BY UNAN CONSENT
03/26/80	00	0770	CRA -- CS06

FILES

\*\*\* \*\* \*\*\* \*\*

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 corporations organized under the laws of the state (?) 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 AS 44.47.085 (f) shall (see present "may" on 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 46.40.10C-46.40.160;  
(c) any other regional entity responsible for services; and  
(d) the governments of cities located within that unorganized borough

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 44.110. 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.



Official Business

# Alaska State Legislature

## House of Representatives

Committee on

Community & Regional Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811

TO: Senator Arliss Sturgulewski  
FROM: Rep. Bill Parker  
DATE: 2/4/80  
RE: Joint Committee Legislative Package

The following are the substantive points raised during the informal review of the Legislative Package by the House C&RA Committee. Please note that the Committee did not review HB 582 relating to the Program of Planning Assistance as our hearing schedule did not allow enough time although we scheduled it on two successive days.

HB 580      Establishing Unorganized Boroughs

Jay Moore, DPDP testified that although there are a number of ways to establish boundaries, the mandated approach may not be inappropriate. The positive advantage is that it will happen immediately. However, there may be a problem in allowing modifications to the boundaries once they are established, as allowed for in Sec. 44. 17.120. DPDP has a concern that the provisions of this section might not necessarily put the agency needs secondary to the needs of the people being served and it is the Division's concern that this is what should be done.

John Post, Chief Research & Analysis, Dept. of Labor The importance of the census boundaries adopted by the Federal Government for 1980 should not be understated. Post expressed concern that if Labor had to meet the new unorganized borough boundaries it would be very difficult and very costly to come up with the employment, unemployment and population figures for the unorganized borough areas where they did not follow the area and subarea boundaries of the census boundaries. The Native Regional Corporation boundaries are the outer limits of the census boundaries.

Palmer McCarter, Director Div. Local Government Assistance, Dept. C&RA

McCarter questions whether appeals on boundary adjustments should go to the Legislative Council and suggests that instead the appeal be to the Governor. Perhaps the legislature could have the final appeal if the Governor isn't acting responsibly.

*Revisiting of purpose*

*modification census lines were affected after REA formation*

McCarter also questions how an REAA could be altered if necessary (there is an existing REAA which overlaps two Regional Corporation boundaries and this is not allowed in HB580). Perhaps a process for changing the REAA boundaries where necessary should be included in the bill.

-----

After the hearing, Ginny Chitwood of the Alaska Municipal League pointed out that HB 580 limits the charter writing period to 1 year and questioned if that was enough time. Also, she was concerned that unlike the provisions for unifying a municipality, there was no provision for drafting a second charter if the first one failed.

-----

HB 581      Establishing the Responsibilities of the  
Division of Policy Development and Planning

Jay Moore, DPDP

Expressed concern that HB 581 was ambiguous and suggested an elaboration as to why geocoding was needed. He also felt that variance from REAA boundaries would probably be requested by a large number of agencies and that interagency coordination should be stressed.

-----

HB 584      Eliminating the Third Class Borough

Rep. Charlie Parr expressed reservations about the bill saying that the C&RA department talks about giving local government flexibility and yet if the third class borough is eliminated, and the people don't want to form a second class borough, there is no alternative for them. Parr said that in his district it was planning and zoning powers that people were afraid of. Third class boroughs were restricted to service areas in this regard. Also, Parr felt that in unorganized boroughs the Div. of Lands would have zoning powers and the divisions's "shoddy track record" made it a poor option. "My bias is that we ought to have a mandatory borough act, but I think we should have a third class borough option." Parr felt the step from unorganized to second class was too large a jump. He feels there should be a proven overriding and compelling state argument against allowing the third class borough to exist if it is going to be eliminated.

## HB 585 Incorporation of Second Class Boroughs

Rep. Charlie Parr questions Line 20 of the bill and the requirement that it would take only 10 percent of the voters to petition for reclassification. Wonders if the expense of an election is justified for such a small percentage of the voters. Parr also questions Line 14 which would allow for the election to be either "special" or "regular". He is not sure it would be advisable to have a special election because of the expense and because there would not appear to be any urgency in such a reclassification. (After clarification by Ginny Chitwood, Parr drops concerns related to the timing of the election feeling perhaps it should be left up to the municipality).

Palmer McCarter, Dept. of C&RA pointed out that initiative and referendum require 25% of the voters when the city or borough has fewer than 7,500 persons or 15% when a city or borough has 7,500 persons or more. Unification requires 25% of the voters inside and outside of the city.

Rep. Charlie Parr suggests amending the percent of petitioners (line 20) to 15%. Committee concurs.

## HB 586 Requiring Fiscal Notes for Bills Affecting a Municipality

Rep. Parr raises question of whether this bill is intended to deal with just "significant" impacts. Palmer McCarter, Dept. of C&RA, responded that this would be his interpretation. Perhaps the word "major" expenditure could be added on line 15. McCarter stressed that the fiscal impact figure would be an estimate.

## HB 583 State Aid to Local Governments

Palmer McCarter, Dept. C&RA, testified that the Dept. opposes the bill as presently written. Although they support the \$25,000 as a base figure in revenue sharing, they believe it is too costly for the state to provide that amount in addition to the entitlements.



# 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

*p. 1 L 20 Insert  
"Intent" from Committee  
memo*

*Just prep  
this bill  
push bill -  
state  
Com. report back  
2/11/80  
Sec 3  
p. 3*

*Justin... that  
you may get  
smaller  
than REAA  
longer  
taken out*

be to the Legislative Council.

p. 4 Lines 17-18

OK

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.

②  
Substantiated by  
completing  
representative  
method of  
election for  
forward Com.  
would the  
required  
R.A.A.

as  
charter - 15

p. 5 Line 17-18

OK

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.

*avoidance of use of "district" a drafting problem*

*Repealer do we still want service areas allowed?*

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

*Supplement AS4.10.200 New Requirements*

*p. 2 lines 4-7 Use of term "advertising" - does it adequately cover? Eliminate by any means which he believes will provide adequate notice*  
*p. 2 line 26 Use of "shall", then eliminate "however" on p. 3 l. 1*

*\* Appropriation bill - State right? Or for the Holding for purpose -*



Official Business

# Alaska State Legislature

## House of Representatives

Committee on

Community & Regional Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811

TO: Senator Arliss Sturgulewski  
FROM: Rep. Bill Parker  
DATE: 2/12/80  
RE: HB 580, HB 582

\* In addition to the points covered in the attached memo, the Committee raised the following issues for discussion:

HB 580

\* p. 3 Lines 7-29 This section was questioned in general. It was felt that in every instance in the bill, reference should be made to the legislature rather than to the Legislative Council ( see p. 3 line 10). The section should 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.

\* The repealers are to be checked with legislative legal staff.

After discussion of the census lines, it was determined that mention should be made of these boundaries, along with those of the ANCSA, on page 2.

Use of the term "substantially" (p. 6 line 17) was questioned. McCarter suggested that this was legally applied as there may be technical difficulties in complying with all the requirements of the election code if there are no election clerks in the areas.

HB 582

\* If the term "may" (p. 2 line 26) is changed to "shall", the reference to housing (p. 3 line 1) should be eliminated.

\* p. 2 lines 5-6. The legal meaning of the term "advertise" will be checked to see if it is adequate and "by any means which he believes will provide adequate notice etc." will be eliminated.

HB 583-586 will be reviewed Feb. 13

*Discuss  
How will  
Committee  
determine  
repeal  
AS 15.05  
reference  
prescription*

STATE OF ALASKA  
THE LEGISLATURE

POLCHY, STATE CAPITOL  
JUNEAU, ALASKA 99801  
507-465-3800

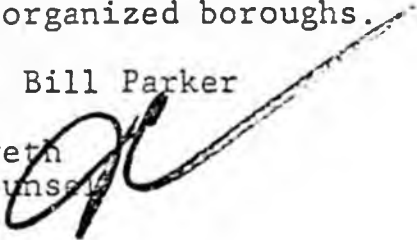
LEGISLATIVE AFFAIRS AGENCY

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:

OK | \*Sec. 2. INTFNT. 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 BOROUGHs. 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:

*Revised* [ (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





Official Business

# Alaska State Legislature

## House of Representatives

Committee on

Community & Regional Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811

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. 3 Line 28

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 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 \$25,000 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.



Official Business

# Alaska State Legislature

## House of Representatives

Committee on

Community & Regional Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811

TO: Senator Arliss Sturgulewski  
FROM: Rep. Bill Parker  
DATE: 2/12/80  
RE: HB 580, HB 582

- \* In addition to the points covered in the attached memo, the Committee raised the following issues for discussion:  
HB 580
- \* p. 3 Lines 7-29 This section was questioned in general. It was felt that in every instance in the bill, reference should be made to the legislature rather than to the Legislative Council ( see p. 3 line 10). The section should 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.
- \* The repealers are to be checked with legislative legal staff.
- \* After discussion of the census lines, it was determined that mention should be made of these boundaries, along with those of the ANCSA, on page 2.
- \* Use of the term "substantially" (p. 6 line 17) was questioned. McCarter suggested that this was legally applied as there may be technical difficulties in complying with all the requirements of the election code if there are no election clerks in the areas.

### HB 582

- \* If the term "may" (p. 2 line 26) is changed to "shall", the reference to housing (p. 3 line 1) should be eliminated.
- \* p. 2 lines 5-6. The legal meaning of the term "advertise" will be checked to see if it is adequate and "by any means which he believes will provide adequate notice etc." will be eliminated.

HB 583-586 will be reviewed Feb. 13

II. FISCAL DETAIL

Agency Affected Division of Policy Development and Planning

Program Category Affected Executive Operations

BRU, Program, or Subprogram(s) Affected Policy Development and Planning

(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 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES		0.0	0.0	0.0	0.0	0.0
200 TRAVEL		0.0	4.5	0.0	5.0	0.0
300 CONTRACTUAL		0.0	80.0	0.0	20.0	0.0
400 COMMODITIES		0.0	0.0	0.0	0.0	0.0
500 EQUIPMENT		0.0	3.5	0.0	0.0	0.0
600 LAND & STRUCTURES		0.0	0.0	0.0	0.0	0.0
700 GRANTS, CLAIMS, ETC.		0.0	0.0	0.0	0.0	0.0
TOTAL		0.0	88.0	0.0	25.0	0.0

FUNDING (Thousands of Dollars)

GENERAL FUND	0.0	88.0	0.0	25.0	0.0
FEDERAL FUNDS	0.0	0.0	0.0	0.0	0.0
OTHER (Specify Fund Source)	0.0	0.0	0.0	0.0	0.0

POSITIONS

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

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

- A. Using current per diem and travel rates inflated 25% for 1983.
- B. Recommendations required of DPDP by this bill will result from intensive field survey of data needs, data sources and systems adequacies in Anchorage, Fairbanks, Juneau and other centers.
  1. The work will be done under contract; supervision provided by person filling position requested in the Division's FY81 budget.
  2. Travel for contract supervisor to interview potential contractors and to monitor field work. Contractual for field interviews of state, local and federal data and information users and providers, evaluation of data systems, evaluation of system operation (FY83), equipment purchase of CRT and line printer for central access to and monitoring of data system during evaluation.
  3. 88.0 is for evaluation and recommendation of the referencing system; 25.0 is for contractual and travel for evaluation and report on improvement of agency program coordination. These evaluations will result in a cost analysis for compliance to agencies with the sections 1-4 of this bill.

IV. DATE 25 March 1980 PREPARED BY Jay Moor  
 AGENCY Division of Policy Development and Planning  
 PHONE 465-3575

Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)  
 Sturgelewski (Senate)  
 Parker (House)  
 33 (00) (Rev. 12/78) Rod Mourant  
 John Halterman

HB

582



# 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 582 Program of Planning Assistance

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 Parr	X
	Pat O'Connell	X	Fred Zharoff	X
			Ray Metcalfe	X

Discussion of p. 3 and reference to "housing". Suggestion is made to delete such reference.

p. 2 line 4-7 Check use of "advertise by any means he believes will provide adequate notice."

COMMITTEE ACTION: No Action

TAPE #      SIDE \_\_\_\_\_ Footage \_\_\_\_\_

# COMMITTEE REPORT

(7)

## HOUSE

1/21/80

FURTHER: FINANCE

Date: \_\_\_\_\_

Mr. Speaker:

The Committee on COMMUNITY AND REGIONAL AFFAIRS has had HB 582

"An Act establishing a program of planning assistance for unorganized boroughs; and providing for an effective date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for \_\_\_\_\_  same title  
 new title
- and recommends \_\_\_\_\_
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

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\_\_\_\_\_  
CHAIRMAN

I. REQUEST  
 Bill/Resolution No. H. B. 582 and S. B. 349  
 Title: An Act Providing Planning Assistance for Unorganized Boroughs  
 Requested by House Community & Regional Affairs Committee Date 1-18-80

II. FISCAL DETAIL

Agency Affected \_\_\_\_\_  
 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	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						
	0	0	0	0	0	0

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

There would be no fiscal impact from this bill until there is an appropriation as indicated in section (e)(2)(B) of this bill. However, the Department does anticipate the following additional cost at such time as appropriations are made.

Staff to monitor and oversee contracts.

1. Local Government Specialist IV      Range 19      Salary 31,824  
     Fringes      8,910  
     Travel 10 trips @ 600      6,000  
     Equipment & Supplies (400 after FY 81)      1,000  
     Total Position Cost      47,734

2. Local Government Specialist III      Range 17      Salary 27,468  
     Fringes      7,910

IV. DATE 1-18-80 PREPARED BY Terry Earley  
 AGENCY Department of Community & Regional Affairs  
 Original: Legislative Finance      PHONE 465-4730  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

HB

583

(7)

# COMMITTEE REPORT

## HOUSE

1/21/80

FURTHER: FINANCE

Date: 22 Jan 80

Mr. Speaker:

COMMUNITY AND REGIONAL

The Committee on AFFAIRS has had HB 583

"An Act relating to state aid to local governments; and providing for an effective date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for \_\_\_\_\_  same title  
 new title
- and recommends \_\_\_\_\_
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

\_\_\_\_\_

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MEMBERS HAVING  
OTHER RECOMMENDATIONS:

\_\_\_\_\_

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\_\_\_\_\_

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\_\_\_\_\_

CHAIRMAN



# Alaska State Legislature

## House of Representatives

Committee on

Community & Regional Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811

Official Business

BILL NUMBER AND TITLE:

HR 583 Minimum grant/Revenue Sharing

ORIGINAL SPONSOR: House C&RA

OTHER SPONSORS: \_\_\_\_\_

RECEIVED FROM: \_\_\_\_\_

FURTHER REFERRALS: \_\_\_\_\_

HEARING DATE: 1/30/80

MEMBERS PRESENT: Bill Parker  
Margaret Branson  
Pat O'Connell

Pat Carney  
Charlie Parr  
Fred Zharoff  
Ray Metcalfe

Witnesses:

McCarter, Dept. of C&RA

COMMITTEE ACTION: No action

TAPE # 1 SIDE 2 Footage 1195-1741

# Alaska State Legislature



## House of Representatives

Committee on

Community & Regional Affairs

COMMITTEE MINUTES

Pouch V  
State Capitol  
Juneau, Alaska 99801

Official Business

DATE: 2/13/80-

BILL NUMBER AND TITLE: HB 583 State Aid to Local Governments

ORIGINAL SPONSOR : Joint House/Senate  
C&RA

OTHER SPONSORS:

RECEIVED FROM:

FURTHER REFERRALS: Finance

MEMBERS PRESENT: Bill Parker X  
Margaret Branson X  
Pat O'Connell X

Pat Carney X  
Charlie Parr X  
Fred Zharoff X  
Ray Metcalfe

INDIVIDUALS CONTACTED:

WITNESSES TESTIFYING:

The committee discussed the proposed CS which would establish a minimum base revenue sharing entitlement of \$25,000. CS to be drafted and signed out week of 2/18/80

COMMITTEE ACTION: See above

TAPE # 2 SIDE 2

Sections 580-600

# STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

## DEPT. OF COMMUNITY & REGIONAL AFFAIRS

DIVISION OF LOCAL GOVERNMENT ASSISTANCE

POUCH B

JUNEAU, ALASKA 99811

February 1, 1980

Ms. Theresa Peoples  
Local Government Training Coordinator  
A.V.C.P. Employment & Training  
P. O. Box 848  
Bethel, Alaska 99559

Dear Ms. Peoples:

RE: STATE REVENUE SHARING PROGRAM

The concerns expressed in your letter of January 22, 1980 are appreciated. The Department of Community & Regional Affairs recognizes the limited revenue sources available to most second class cities, including the amount of State shared revenue these cities can generate. To improve this situation, we support legislation that would provide for a minimum grant of \$25,000 under the State Revenue Sharing Program. This annual payment would not be dependent on municipal services provided by the applicant, and any city or borough could apply for this minimum grant in lieu of the per capita, per mile and per facility payments currently authorized. The grant would hopefully be used to pay the salary of a permanent, experienced city clerk or administrator.

Currently, there are several bills pending in the legislature that would establish the \$25,000 minimum grant. H. B. 300 introduced last year by Representative Nels Anderson provides for a minimum entitlement to the current municipal services revenue sharing program. H. B. 192 introduced last year by Representative Terry Gardiner would repeal the existing revenue sharing program and replace it with a formula based on a municipality's tax effort compared to its taxable wealth. A minimum grant of \$25,000 has been attached to this formula. This Department supports the concept proposed by both bills. Copies are enclosed for your information.

Another related bill, H. B. 583 introduced this year, would entitle every municipality to \$25,000 in addition to the amount it receives under the municipal services revenue sharing program. The Department is opposed to this approach as it would grant the additional \$25,000 to those cities and boroughs already receiving substantial revenue sharing funds.

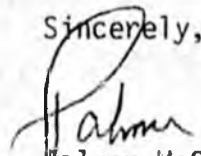
Ms. Theresa Peoples  
February 1, 1980  
Page 2

It is important to remember that insufficient funding would result in prorated entitlements. In other words, due to prorationing, a city could receive less than \$25,000 even if one of these bills were to become law.

It is suggested that the cities in the A.V.C.P. Region contact their legislators to voice their support for H. B. 300 which provides the \$25,000 minimum entitlement, and for H. B. 192 which generally provides more revenue sharing dollars to poorer rural communities. We envision this grant as a partial solution, at least, to the problems of a poor revenue/tax base and high administrator turnover in most second class cities.

The #3 concern in your letter addressing needs for improved judicial services is one well recognized by this Department. We hoped that improvements in this area can be made through further efforts by the Executive and Legislative branches of State government.

Sincerely,

  
Palmer McCarter  
Director

Enclosures

cc: Senator Arliss Sturgulewski  
Representative Terry Gardiner  
✓ Representative Bill Parker  
Representative Nels Anderson  
w/Enclosure

A.V.C.P. Employment & Training

P.O. BOX 848

BETHEL, ALASKA 99559

Phone: 543-3243

January 22, 1980

Palmer McCarter, Director  
Division of Local Government  
& Assistance  
Department of Community &  
Regional Affairs  
Pouch B  
Juneau, Alaska 99811

RECEIVED  
JAN 25 1980

DEPT. OF COMMUNITY  
AND REGIONAL AFFAIRS

Dear Mr. McCarter:

Thank you for your response to my letter.

At my last meeting with the City Administrators the questions/concerns were in the following areas:

- a. State Construction Aid
- b. Land Use Planning
- c. Transportation Facilities
- d. Health Facilities
- e. Preparing for a Census

In addition the following have been brought to my attention:

1. Second class cities, whose population is less than 200 are barely functioning with the existing State Revenue Sharing Formulas. In the A.V.C.P. Region, 98% of the Second Class Cities and their residents are economically disadvantaged, and therefore are not in any position to levy and collect local taxes.
2. The existing State Revenue Sharing has no provisions for City Administrators/Managers. As there are no local taxes, there are no funds to hire a City Administrator/Manager. For the last four years, Yupiktak Bista Manpower through CETA grants have employed City Administrators. A.V.C.P. Employment & Training finds that there are many disadvantages, for one, the present system lacks continuity. The Second Class Cities are involuntarily experiencing key staff turnovers. As the result of the turnovers/terminations we are constantly training new City Administrators.

3. The State of Alaska and the Alaska Statutes lacks and does not provide for any judicial system for Second Class Cities. The second Class Cities are finding themselves handicapped when ordinances are adopted for collection of fines and/or punishments.

We will be most happy for your time and assistance.

Thank you.

Sincerely,  
AVCP Employment & Training

*Theresa Peoples*  
Theresa Peoples  
Local Government Training  
Coordinator

cc: John Angaiak  
Executive Director

TP/rmj