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on the marine ecosystem, minimize conflicts with recreational uses and activities, be safe from storms, and not constitute a hazard to navigation;

(3) roads for log transport and harvest area access must be planned, designed, and constructed so as to minimize mass wasting, erosion, sedimentation, and interference with drainage, and must be adequately maintained until they are returned to their pre-road natural drainage patterns (put-to-bed); and

(4) stream crossings, including bridges and culverts, must be kept to a minimum number, designed to withstand seasonal high water and flooding, and must provide for free passage and movement of fish.

(Eff. 7/18/78, Reg. 67; am / / , Reg.)

Authority: AS 44.19.893
AS 46.40.040

6 AAC 80.110(a), MINING AND MINERAL PROCESSING, is amended to read:

(a) Mining and mineral processing in the coastal area must be regulated, designed, and conducted so as to be compatible with the standards contained in this chapter, adjacent uses and activities, statewide and national needs, and district programs. (Eff. 7/18/78, Reg. 67; am / / , Reg.)

Authority: AS 44.19.893
AS 46.40.040

6 AAC 80.160(a), AREAS WHICH MERIT SPECIAL ATTENTION, is amended to read:

(a) Any person may recommend to a district or to the council areas to be designated as areas which merit special attention. Districts shall designate in district programs areas which merit special attention. Areas which are not in districts and which merit special attention shall be designated by the council with the concurrence of appropriate state agencies, municipalities, and villages affected by the designation. Designations must include the following information:

(1) the basis or bases for designation under AS 46.40.210(1) or (b) of this section:

(2) a map showing the geographical location, surface area and, where appropriate, bathymetry of the area;

(3) a description of the area which includes dominant physical and biological features;

(4) the existing ownership, jurisdiction, and management status of the area, including existing uses and activities;

(5) the existing ownership, jurisdiction, and management status of adjacent shoreland and sea areas, including existing uses and activities;

(6) present and anticipated conflicts among uses and activities within or adjacent to the area, if any; and

(7) a proposed management scheme, consisting of the following:

(A) a description of the uses and activities which will be considered proper and the uses and activities which will be considered improper with respect to land and water within the area;

(B) a summary or statement of the policies which will be applied in managing the area; and

(C) an identification of the authority which will be used to implement the proposed management scheme. (Eff. 7/18/78, Reg. 67; am / / , Reg.)

Authority: AS 44.19.893
AS 46.40.040

6 AAC 80.900, DEFINITIONS, is amended by adding new paragraphs to read:

6 AAC 80.900, DEFINITIONS. Unless the context indicates otherwise, in this chapter

(20) "feasible and prudent" means consistent with sound engineering practice and not causing environmental, social, or economic problems that outweigh the public benefit to be derived from compliance with the standard which is modified by the term "feasible and prudent;

(21) "including" means including but not limited to;

(22) "major energy facility" includes marine service bases and storage depots, pipelines and rights-of-way, drilling rigs and platforms, petroleum or coal separation, treatment, or storage facilities, liquid natural gas plants and terminals, oil terminals and other port development for the transfer of energy products, petrochemical plants, refineries and associated facilities, hydroelectric projects, other electric generating plants, transmission lines, uranium enrichment or nuclear fuel processing facilities, and geothermal facilities; "major energy facility" means a development of more than local concern carried out in, or in close proximity to, the coastal area, which meets one or more of the following criteria:

(1) a facility required to support energy operations for exploration or production purposes;

(2) a facility used to produce, convert, process, or store energy resources or marketable products;

(3) a facility used to transfer, transport, import, or export energy resources or marketable products;

(4) a facility used for in state energy use; or

(5) a facility used primarily for the manufacture, production, or assembly of equipment, machinery, products, or devices which are involved in any activity described in (1) - (4) of this paragraph;

6 AAC 80.900(9), is amended to read:

(9) "geophysical hazard areas" means those areas which present a threat to life or property from geophysical or geological hazards, including flooding, tsunami run-up, storm surge run-up, landslides, snowslides, faults, ice hazards, erosion, and littoral beach process; (Eff. 7/18/78, Reg. 67; am / / , Reg.)

Authority: AS 44.19.893
AS 46.40.040

6 AAC 85.040(a), BOUNDARIES, is amended to read:

(a) Each district must include a map of the boundaries of the coastal area within the district subject to the district program. Boundaries must enclose those lands which would reasonably be included in the coastal area subject to the district program if they were not subject to the exclusive jurisdiction of the federal government. (Eff. 7/18/78, Reg. 67; am / / , Reg.)

Authority: AS 44.19.893
AS 46.40.040

6 AAC 85.130(b), PUBLIC INVOLVEMENT, is amended to read:

(b) At least 60 days before giving conceptual approval to the district program or significant amendment to the district program, the district shall give written notice to the council and any person who has requested notice in writing, as well as public notice of the proposed action by conspicuous advertisement in a newspaper of general circulation within the district. In addition, notice must be given by radio and by posting in villages and municipalities within the district. The notice must specify the time and place of a public hearing on the proposed action and the availability for review of the proposed district program document or significant amendment to the district program. The public hearing under this subsection may be held not sooner than 30 days after notice is given. At the public hearing, each person must be given

the opportunity to present statements, arguments, or contentions, orally or in writing. Districts shall insure that, where appropriate, translation into the appropriate Native language(s) is provided. The district shall consider all relevant matter presented to it. A written transcript or electronic recording of the public hearing must be submitted to the council. (Eff. 7/18/78, Reg. 67; am / / , Reg.)

Authority: AS 44.19.893
AS 46.40.040

6 AAC 85.150, COUNCIL REVIEW, is amended to read:

(a) (((No changes.)))

(b) Within 30 days after submission of the district program or amendment under (a) of this section, the Office of Coastal Management shall issue its recommendation. The recommendation may be based, in whole or in part, on matters not submitted by the district under (a) of this section. Any matters so used must be identified in the recommendation and placed in the record file under (c) of this section. The recommendation must contain findings and conclusions based on this chapter, the standards contained in ch. 80 of this title, AS 46.40.060, and AS 46.40.070. The recommendation must be served on the district, the council, all persons who testified or submitted timely written statements at the public hearing held under sec. 130(b) of this chapter, and all persons who have requested the recommendation in writing. Broad public notice of the recommendation must be given.

(c) (((No changes.)))

(d) Within 30 days after service of the recommendation, any person served with the recommendation may serve on the council comments on the recommendation. Within 30 days after public notice of the recommendation, any other person may serve on the council comments on the recommendation. Within 10 days after the deadline for serving comments on the council under this subsection, the Office of Coastal Management may submit additional matter to the council in response to the comments. All comments served and all additional matter submitted under this subsection will be placed in the record file. The Office of Coastal Management shall respond to all comments within 30 days of receipt.

(e) (((No changes.)))

(f) If the council's decision under (e) of this section disapproves, in whole or in part, the district program, the decision will specify the date and location for the initial mediation session under AS 46.40.-060(b). Mediation sessions will be held with due regard for the convenience of the participants. Any person may attend mediation sessions. (Eff. 7/18/78, Reg. 67; am / / , Reg.)

Authority: AS 44.19.893
AS 46.40.040

6 AAC 85.900, DEFINITIONS, is amended by adding new subsections to read:

6 AAC 85.900, DEFINITIONS. Unless the context indicates otherwise, in this chapter

(9) "feasible and prudent" has the same meaning as
in 6 AAC 80.900;

(10) "including" has the same meaning as in 6 AAC 80.900.
(Eff. 7/18/78, Reg. 67; am / / , Reg.)

Authority: AS 44.19.893
AS 46.40.040

SCR

19

COMMITTEE REPORT

SENATE

2/19/79

FURTHER: None

Date: _____

Mr. President:

The Committee on COMMUNITY & REG. AFFAIRS CO has had SCR 19

(annexation of territory to the City of Kodiak)

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:

Larry A. Steiman
PATRICK RODEY
Bob Blawie Do Pass
Walter St...
Tim Kelly

DO PASS

Walter St...
CHAIRMAN
Do Pass



Official Business

Alaska State Legislature

Senate

Committee on

Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

TO: Senator Bob Mulcahy
Vice-Chairman
Senator Terry Stimson
Senator Tim Kelly
Senator Patrick Rooley
All Interested Parties

FROM: Arliss Sturgulewski (AS)
Chairman

SUBJECT: COMMITTEE MEETING - BUTROVICH ROOM, 207 Capitol Building

Thursday, February 15, 1979

1:30 p.m.

KODIAK - BOUNDARY COMMISSION
RECOMMENDATIONS

SJR 12 - ANNEXATION OF TERRITORY TO CITY
OF KODIAK

Briefing by Department of Community
and Regional Affairs on Department
functions

Metg. Con'd 2/16/79
Friday

Rough - SCR. [19] Approved

SENATE JOURNAL

ALASKA STATE LEGISLATURE

ELEVENTH LEGISLATURE - FIRST SESSION

JUNEAU, ALASKA

Tuesday

February 20, 1979

Thirty-seventh Day

Pursuant to adjournment, the Senate was called to order by President Tillion at 10:07 a.m.

The roll call showed nineteen members present. Senator Mulcahy was excused from a call of the Senate.

The prayer was offered by the Chaplain, Reverend Curtis McClain of the Glacier Valley Baptist Church.

Senator Colletta moved and asked unanimous consent that the journal for the thirty-sixth legislative day be approved as certified. Without objection, it was so ordered.

MESSAGES FROM THE HOUSE

Message of February 19 was read, stating the House has passed the following:

INTRODUCTION AND REFERENCE OF HOUSE RESOLUTIONS

HOUSE JOINT RESOLUTION NO. 12 by Representatives Randolph, Anderson, Barnes, Beirne, Bettisworth, Branson, Brown, Carney, Cotten, Duncan, Eliason, Freeman, Fuller, Gardiner, Guy, Halliord, Haugen, Hayes, Hurlbert, McKinnon, Malone, Martin, Meekins, Metcalfe, Miles, Miller, Montgomery, Moss, Munson, O'Connell, Osterback, Parker, Parr, Phillips, Rogers, Smith and Zharoff, HJR 12

Relating to the tax exemption granted to federal employees in Alaska and in other locations outside the contiguous 48 states,

was read the first time and referred to the State Affairs Committee.

INTRODUCTION AND REFERENCE OF HOUSE BILLS

CS COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 3 by the Judiciary
 HB Committee, entitled:
 3

"An Act relating to the loss and restoration
 of voting rights."

was read the first time and referred to the State Affairs
 Committee.

CS COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 131 by the Health,
 HB Education and Social Services Committee, entitled:
 131

"An Act relating to the Pioneers' Homes."

was read the first time and referred to the Health, Educa-
 tion and Social Services Committee.

STANDING COMMITTEE REPORTS

SCR The Community and Regional Affairs Committee has had
 19 SENATE CONCURRENT RESOLUTION NO. 19 (annexation of
 territory of the City of Kodiak) under consideration
 and the committee recommends it do pass. The report
 was signed by Senator Sturgulewski, Chairman, and
 concurred in by Senators Stimson, Rodey, Mulcahy and
 Kelly.

SENATE CONCURRENT RESOLUTION NO. 19 was referred to
 the Rules Committee.

SB The Health, Education and Social Services Committee has
 32 had SENATE BILL NO. 32 (adopting the Interstate Correc-
 tions Compact) under consideration and a majority of
 the committee recommends it do pass. The report was
 signed by Senator Hackney, Chairman, and concurred in
 by Senators Sturgulewski and Fahrenkamp. Senator
 Ferguson signed "no recommendation".

SENATE BILL NO. 32 was referred to the Judiciary Committee.

The Resources Committee has had SENATE BILL NO. 51 (relating SB
to the confidential nature of certain reports required by 51
the Department of Fish and Game) under consideration and
recommends it be replaced with COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 51 and reports it back as follows: Senator
Summer, Chairman, and Senators Meland, Bennett and Dankworth
signed "no recommendation". Senators Fahrenkamp and
Mulcahy signed "do pass".

SENATE BILL NO. 51 was referred to the Rules Committee.

The Resources Committee has had SENATE BILL NO. 71 (relating SB
to issuance of free annual licenses for senior citizens) 71
under consideration and a majority of the committee recom-
mends it be replaced with COMMITTEE SUBSTITUTE FOR SENATE
BILL NO. 71, entitled:

"An Act relating to fish and game licenses;
and providing for an effective date."

and reports it back as follows: Senators Fahrenkamp,
Dankworth and Bennett signed "do pass". Senator Summer,
Chairman and Senator Kerttula signed "no recommendation".

SENATE BILL NO. 71 was referred to the Rules Committee.

The Health, Education and Social Services Committee has CS
had COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 94 amended HB
(supplemental appropriations to the Department of Education, 94
division of vocational rehabilitation, Department of am
Health and Social Services, division of social services)
under consideration and a majority of the committee
recommends it be replaced with SENATE COMMITTEE SUBSTITUTE
FOR COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 94 and that
it do pass. The report was signed by Senator Hackney,
Chairman, and concurred in by Senators Sturgulewski,
Fahrenkamp and Colletta. Senator Ferguson signed "no
recommendation". The Committee further reports it back
with a letter of intent.

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 94 amended was
referred to the Finance Committee.

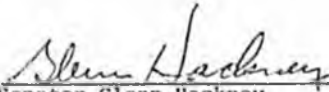
Letter of intent follows:

CS
 HB
 94
 BR

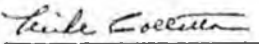
February 17, 1979

SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE
LETTER OF INTENT FOR SENATE CS FOR CS FOR HOUSE BILL 94

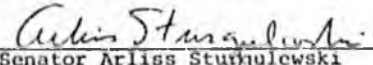
With respect to the five social worker II positions and one social worker IV position in the Southcentral Region, it is the intent of the Senate Health, Education and Social Services Committee that these social workers be assigned to the area of child protection and not used by the Division of Social Services for some other unrelated service.


 Senator Glenn Hackney
 Chairman


 Senator Frank Ferguson
 Vice Chairman


 Senator Mike Colletta


 Senator Bettye Fahrenkamp


 Senator Arliss Stupjulewski

The Rules Committee has had the following resolutions and bill under consideration and recommends they be placed on the February 21 calendar:

- | | |
|-----------|--|
| SR
4 | SENATE RESOLUTION NO. 4 (termination of the Mutual Defense Treaty with the Republic of China) |
| SJR
7 | SENATE JOINT RESOLUTION NO. 7 (expressing disappointment in and disapproval of President Carter's withdrawal of Alaska land under the Antiquities Act) |
| SB
101 | SENATE BILL NO. 101 (disciplining of a licensed guide) |

The reports were signed by Senator Colletta, Chairman, and concurred in by Senators Tillion, Sumner and Ziegler.

The above resolutions and bill will appear on the February 21 calendar.

SPECIAL COMMITTEE REPORTS

FREE CONFERENCE COMMITTEE REPORT

February 19, 1979

Mr. President:

Mr. Speaker:

The Free Conference Committee which has had SENATE JOINT RESOLUTION NO. 13 amended (encouraging the Alaska Congressional delegation to work together to resolve the problems created by the President's imposition of the Antiquities Act on lands in Alaska) and HOUSE COMMITTEE SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 13 amended House (enunciating the position of the Alaska State Legislature with respect to national interest lands in Alaska) under consideration, recommends that FREE CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 13 (enunciating the position of the Alaska State Legislature with respect to national interest lands in Alaska) be adopted.

HCS
SJR
13
am
H

The report was signed by Senator Tillion, Chairman, and concurred in by Senator Ziegler. Senator Rodey signed "do not concur". House members concurring, Representative Miles, Chairman, and Representatives Fuller and Hayes.

Senator Ziegler moved that the Senate adopt the Free Conference Committee report. Senator Rodey objected, then withdrew his objection.

The question being: "Shall FREE CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 13 (enunciating the position of the Alaska State Legislature with respect to national interest lands in Alaska) pass the Senate?"
The roll was taken with the following result:

Yeas:	18	Bennett, Bradley, Colletta, Fahrenkamp, Ferguson, Hackney, Hohman, Kelly, Kerttula, Meland, Ray, Rodey, Sackett, Stimson, Sturgulewski, Summer, Tillion, Ziegler
Nays:	1	Dankworth
Excused:	1	Mulcahy

FCCS and so, FREE CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE
SJR JOINT RESOLUTION NO. 13 passed the Senate.
13

The Secretary was requested to notify the House.

UNFINISHED BUSINESS

Senator Sumner moved and asked unanimous consent that he be excused from a call of the Senate on February 21. Without objection, Senator Sumner was excused.

Senator Sturgulewski moved and asked unanimous consent that she be excused from a call of the Senate February 24, 25 and 26. Without objection, Senator Sturgulewski was excused.

ANNOUNCEMENTS

Commerce SB 165, SB 125 SB 146, SJR 18	Beltz Room Room 209, Capitol	3:00 p.m., 2/20
Finance	Room 423, Capitol	8:30 a.m., 2/21
Resources SB 187, SB 92 SB 192, SB 128	Butrovich Room Room 207, Capitol	1:30 p.m., 2/21
State Affairs SCR 3, SCR 11 SB 3, SCR 2, SJR 23	Beltz Room Room 209, Capitol	3:30 p.m., 2/21
HESS SB 80, SB 90 SB 222 & Board of Pharmacy - Sunset Reports	Butrovich Room Room 207, Capitol	3:30 p.m., 2/21
C & RA SB 2 Litter Bill	Butrovich Room Room 207, Capitol	1:30 p.m., 2/22

ADJOURNMENT

Senator Colletta moved and asked unanimous consent that the Senate adjourn until 10:00 a.m., February 21. Without objection, the Senate adjourned at 10:30 a.m.

Peggy Mulligan
Senate Secretary

February 1979

SCR

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Alaska State Legislature

Senate

Office of the Secretary
January 24, 1980

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

MEMORANDUM TO: Community and Regional Affairs Committee

From: Secretary of the Senate *RM*

Subject: Coastal Management Program for the Municipality
of Anchorage, City of Haines and Annette
Islands Indian Reserve

The President this date referred the following reports to
your committee in accordance with the enclosed letter:

Municipality of Anchorage Coastal Management Program
(Final report April 1979 Volume II, Office of Coastal
Management Summary of Revised Findings and Conclusions,
and the Final Report September 1979 of the Coastal
Management Program

Haines Coastal Management Plan and Office of Coastal
Management Summary of Revised Findings and Conclusions
January 4, 1980

Annette Islands Coastal Management Program and the
Office of Coastal Management Summary of Findings and
Conclusions of January 4, 1980

Encls: Letter
3 Reports w/ attach.

Committee Log Book - 1980

Tape Number XII

Side Number ①

Dates 2-28-80 to _____

Chairman A. Sturgulewski
Committee

Mbs Present: Sens. Stinson, Mulcahy

Bill Numbers Discussed

Coastal Zone	Res. SER: 51, 52, 53, 54						
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Date & Time	Tape Meter Number	Bill	Significant Information (Witness, Action)
2-28-80 1:35	008		Mtg. Called to Order
	129		Sen. Mulcahy
	146		Tony Burras - CstL Mgmt
	184		Sen. Mulcahy
	220		Sen. Stinson
	269		Sen. Sturgulewski - ^{Public Input/Approv} re Anch. Munic. Plan
	300		Roger Allington - "Concept"
	391	scr 51	Sen. Stinson Moves to Pass
	400	scr 52	Lance Bousley - ^{Natural Resource Center, Metlak} Annette Island Ind. Reserve
	438		Sen. Sturgulewski - re Beneficial
	456		Sen. Mulcahy - moves to move out
	484	scr 54	Roger Allington - ^{Extra territorial planning} & interp. of Plans
	554	"	Sen. Stinson Moves to Pass
	579	scr 53	Murray Walsh, Coastal Mgmt re ^{Regs, when} Post Op.
	610	"	Sen. Stinson Moves Pass Out
	614		Sen. Sturgulewski
	633		Samere Coal - ^{Resol. 1} reqs ¹ constitutionality & legal
	707		Murray Walsh - AG's Memo - C

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Sen. Sturgelwski & Tamara Cook
what courts will do.

766

Roger Allington

Ginny Chitwood

NOTICE

The Senate Community and Regional Affairs Committee will hold a series of three meetings regarding legislative approval of three district coastal management programs--Haines District Coastal Management Program, Annette Islands District Management Program, and Anchorage Municipal District Coastal Management Program.

2/8/80 8:30-10:00 a.m. Joint House-Senate CRA Committees will hold a work session on the district programs with presentations by the Office of Coastal Management.

HCRA Committee Room, Capitol Building, Rm. 112.

2/21/80 1:00-3:00 p.m. Senate CRA Committee Public Hearing regarding district coastal programs and related policy and implementation issues. A copy of Committee concerns is attached. In advance of this session interested parties are invited to submit written comments on policy and implementation concerns.

Public testimony is encouraged on district programs.

2/28/80 1:30 p.m. Senate C/RA Additional comments, if any, on the district programs and action meeting.

SCRA Committee, Rm. 207, Capitol Building

SCR

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Official Business

Alaska State Legislature

Senate

Office of the Secretary
January 24, 1980

Pouch V
State Capitol
Juneau, Alaska 99811

MEMORANDUM TO: Community and Regional Affairs Committee

From: Secretary of the Senate *RM*

Subject: Coastal Management Program for the Municipality
of Anchorage, City of Haines and Annette
Islands Indian Reserve

The President this date referred the following reports to
your committee in accordance with the enclosed letter:

Municipality of Anchorage Coastal Management Program
(Final report April 1979 Volume II, Office of Coastal
Management Summary of Revised Findings and Conclusions,
and the Final Report September 1979 of the Coastal
Management Program

Haines Coastal Management Plan and Office of Coastal
Management Summary of Revised Findings and Conclusions
January 4, 1980

Annette Islands Coastal Management Program and the
Office of Coastal Management Summary of Findings and
Conclusions of January 4, 1980

Encls: Letter
3 Reports w/ attach.

Committee Log Book - 1980

Tape Number XIISide Number ①Dates 2-28-80 to _____Chairman A. Sturgulewski
Committee

Mbs Present: Sens. Stinson, Mulcahy

Bill Numbers Discussed

Coastal Zone	Res. Secs. 51, 52, 53, 54						
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Date & Time	Tape Meter Number	Bill	Significant Information (Witness, Action)
2-28-80 1:35	008		Mtg. Called to Order.
	129		Sen. Mulcahy
	146		Tony Burns - CstL Mgmt
	184		Sen. Mulcahy
	220		Sen. Stinson
	269		Sen. Sturgulewski - re Anch. Munic. Plan ^{Public Input/approval}
	300		Roger Allington - "Concept"
	391	SCR 51	Sen. Stinson Moves to Pass
	400	SCR 52	Lance Bowsley - Annette Island Ind. Reserve ^{Natural Resource Center, Metlak}
	438		Sen. Sturgulewski - re Beneficial
	456		Sen. Mulcahy - moves to move out
	484	SCR 54	Roger Allington - ^{Extra territorial planning} & interp. of Plans
	554	"	Sen. Stinson Moves to Pass
	579	SCR 53	Murray Walsh, Coastal Mgmt, re ^{Regs, what Post year}
	610	"	Sen. Stinson Moves Pass Out
	614		Sen. Sturgulewski
	633		Jamere Coal - ^{Resol.} re ^{Regs} constitutionality & legality
	707		Murray Walsh - AG's Memo - CstL Plan ^{Enc.}

CUCR

740

Sen. Sturgulowski & Tamara Cook on
what courts will do.

766

Roger Allington

Ginny Chitwood

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2/8/80 8:30-10:00 a.m.. Joint House-Senate CRA Committees will hold a work session on the district programs with presentations by the Office of Coastal Management.

HCRA Committee Room, Capitol Building, Rm. 112.

2/21/80 1:00-3:00 p.m. Senate CRA Committee Public Hearing regarding district coastal programs and related policy and implementation issues. A copy of Committee concerns is attached. In advance of this session interested parties are invited to submit written comments on policy and implementation concerns.

Public testimony is encouraged on district programs.

2/28/80 1:30 p.m. Senate C/RA Additional comments, if any, on the district programs and action meeting.

SCRA Committee, Rm. 207, Capitol Building

SCR

53

COMMITTEE REPORT
SENATE

FURTHER: None

2/28/80

Date: _____

Mr. President:

The Committee on COMMUNITY AND REGIONAL AFFAIRS has had SCR 53

Approving an amendment to a regulation adopted by the Alaska Coastal Policy Council

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 as follows Committee

MEMBERS SIGNING
DO PASS

[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]

[Signature]
CHAIRMAN

Committee Log Book - 1980

Tape Number XIISide Number ①Dates 2-28-80 to _____Chairman A. Sturgulewski
Committee

Mbs Present: Sens. Stinson, Mulcahy

Bill Numbers Discussed

Coastal Zone	RES. SER. 51, 52, 53, 54						
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	707		Murray Walsh - AG's Memo - CstL Port Cnc

CUCR

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Ginny Chitwood

NOTICE

The Senate Community and Regional Affairs Committee will hold a series of three meetings regarding legislative approval of three district coastal management programs--Haines District Coastal Management Program, Annette Islands District Management Program, and Anchorage Municipal District Coastal Management Program.

2/8/80 8:30-10:00 a.m.. Joint House-Senate CRA Committees will hold a work session on the district programs with presentations by the Office of Coastal Management.

HCRA Committee Room, Capitol Building, Rm. 112.

2/21/80 1:00-3:00 p.m. Senate CRA Committee Public Hearing regarding district coastal programs and related policy and implementation issues. A copy of Committee concerns is attached. In advance of this session interested parties are invited to submit written comments on policy and implementation concerns. Public testimony is encouraged on district programs.

2/28/80 1:30 p.m. Senate C/RA Additional comments, if any, on the district programs and action meeting.

SCRA Committee, Rm. 207, Capitol Building

SCR

54/



Official Business

Alaska State Legislature

Senate

Office of the Secretary
January 24, 1980

Pouch V
State Capitol
Juneau, Alaska 99811

MEMORANDUM TO: Community and Regional Affairs Committee

From: Secretary of the Senate *RM*

Subject: Coastal Management Program for the Municipality
of Anchorage, City of Haines and Annette
Islands Indian Reserve

The President this date referred the following reports to
your committee in accordance with the enclosed letter:

Municipality of Anchorage Coastal Management Program
(Final report April 1979 Volume II, Office of Coastal
Management Summary of Revised Findings and Conclusions,
and the Final Report September 1979 of the Coastal
Management Program

Haines Coastal Management Plan and Office of Coastal
Management Summary of Revised Findings and Conclusions
January 4, 1980

Annette Islands Coastal Management Program and the
Office of Coastal Management Summary of Findings and
Conclusions of January 4, 1980

Encls: Letter
3 Reports w/ attach.

Committee Log Book - 1980

Tape Number XIISide Number ①Dates 2-28-80 to _____Chairman A. Sturgulewski
CommitteeMBS Present: Sens. Stinson, Mulcahy

Bill Numbers Discussed

Coastal Zone	Res. Secs. 51, 52, 53, 54				
--------------	------------------------------	--	--	--	--

Date & Time	Tape Meter Number	Bill	Significant Information (Witness, Action)
2-28-80 1:35	008		Mtg. Called to Order
	129		Sen. Mulcahy
	146		Tony Burras. - CstL Mgmt
	184		Sen. Mulcahy
	220		Sen. Stinson
	269		Sen. Sturgulewski - ^{Public Input/Approve} re Anch. Munic. Plan
	300		Rogers Allington - "Concept"
	391	SCR 51	Sen. Stinson Moves to Pass
	400	SCR 52	Lance Bousley - ^{Natural Resource Center, Metlat} Annette Island Fed. Reserve
	438		Sen. Sturgulewski - re Beneficial
	456		Sen. Mulcahy - moves to move out
	484	SCR 54	Roger Allington - ^{extra territorial planning} interp. of Plans
	554	"	Sen. Stinson Moves to Pass
	579	SCR 53	Murray Walsh, Coastal Mgmt, re ^{Regs, what} Post year
	610	"	Sen. Stinson Moves Pass Out
	614		Sen. Sturgulewski
	633		Tamera Cook - ^{Resol. 1} reqs. "constitutionality & legality"
	707		Murray Walsh - AB's Memo - CstL Port Cnc.

CUCR

740

Sen. Sturgelwiski & Tamara Cook on
what Bourke will do.

766

Roger Allington

Ginny Chitwood

NOTICE

The Senate Community and Regional Affairs Committee will hold a series of three meetings regarding legislative approval of three district coastal management programs--Haines District Coastal Management Program, Annette Islands District Management Program, and Anchorage Municipal District Coastal Management Program.

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2/21/80 1:00-3:00 p.m. Senate CRA Committee Public Hearing regarding district coastal programs and related policy and implementation issues. A copy of Committee concerns is attached. In advance of this session interested parties are invited to submit written comments on policy and implementation concerns.

Public testimony is encouraged on district programs.

2/28/80 1:30 p.m. Senate C/RA Additional comments, if any, on the district programs and action meeting.

SCRA Committee, Rm. 207, Capitol Building

SCR

64

Committee Log Book - 1980

Tape Number XX11

SENATE C/RA

Side Number 1 & 2

Committee

Dates 4/15/80 to --

PRESENT: Senators Mulcahy, Rodey, Chairman Sturgulewski
 LATE: Senators Stimson and Kelly

Bill Numbers Discussed

CSHB 550	SB 546							
-------------	-----------	--	--	--	--	--	--	--

Date & Time	Tape Meter Number	Bill	Significant Information (Witness, Action)
1:30 p. 4/15/80	005	CSHB 550	Chairman Sturgulewski opened meeting & gave a brief summary
	029		Representative Joyce Munson, Sponsor
	123		Sen. Rodey / Traffic lights owned by city?
	188		Mike Thompson, Anchorage Municipality Traffic Div.
	208		Sen. Rodey questioned past cooperation/coordination between State and Municipality
	242		Ron Lind, Dept. of Transportation & D.P. - No Objections
	250		Mitch Gravo, Anchorage Municipality. Support bill
	281		Senator Rodey moved to "do pass" no objections..
	300	RES.	Summary / resolution requesting Gov. to direct Dept. Fish & Game to conduct study relating to the restocking of Anchorage lakes. COMM. INTRODUCE?? by Sen. Rodey No objections for Committee introduction.
	373	RES	Summary / Utility Revolving Loan Fund / by Sen. Sturgulewski. No objections to Comm. introduction
	405	SB 546	Capitol Foundation Program
	536		Marge Gorsuch, AA Hs. C/RA
	449		Jim Rhodes, AA Rep. Malone / Formula Summary

SIDE 2 -----

159
221

Sen. Kelly objects to formula base
 Meeting adjourned.

*NO ACTION
 TAKE*

SCR

66

COMMITTEE REPORT

SENATE

FURTHER: None

4/25/80

Date: 4-29-80

Mr. President:

COMMUNITY AND REGIONAL
AFFAIRS

The Committee on _____ has had SCR 66

Directing the Alaska Legislative Council to revise AS 29

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
- and recommends _____ new title
- 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:

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

CHAIRMAN

Committee Log Book - 1980

SENATE C/RA

Committee

Tape Number XXV

Side Number 1

Dates 4/29/80 to --

PRESENT: Chairman Sturgulewski, Senators Kelly, Stimson, Mulcahy and Rodey.

Bill Numbers Discussed

SCR 66	CSSB 562	CSHB 192 am						
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Date & Time	Tape Meter Number	Bill	Significant Information (Witness, Action)
1:40	005	SCR 66	Chairman Sturgulewski reviews SCR 66
	(063)		Recorder started to work better....
	124		Senator Rodey
	140		Senator Rodey moved to "do pass"
	154	CSSB 562	Chairman reviews SB 562
	193		Senator Mulcahy
	228		Representative Osterback
	288		Dep. Commissioner Marie Matsumo/ Dept. C/RA
	399		Chairman Sturgulewski and Murray Walsh/ Coastal mgmt.
	446		Sen. Rodey - REAA's
			Chairman Sturgulewski, Veronica Clark - Dept. C/RA
			Sen. Stimson
	558		Senator Mulcahy moves to pass CSSB 562
	580	CSHB 192	Chairman Sturgulewski, and Representative Gardiner
	753		Representative Gardiner suggests amendment
	138		Chairman Sturgulewski referred action to next date
			Discussion re Jack Krienharter/ amendments devised by Rep. Rogers, etc.
	456		Larry Crawford/ Gene Husick of Anch. Municipality
	760		Chairman Sturgulewski re scheduling for more work..

Committee Log Book - 1980

Tape Number XXIV

SENATE C/RA - Chairman Sturgulewski

Side Number 1

Committee
Mbrs: Senators Mulcahy, Kelly, Stimson, Rodey
All members present. Sen. Rodey came in late.

Dates 4/24/80 to --

Bill Numbers Discussed

CSHB 782									
-------------	--	--	--	--	--	--	--	--	--

Date & Time	Tape Meter Number	Bill	Significant Information (Witness, Action)
4/24/80 1:40	001	782	Sen. Sturgulewski on CSHB 782
	040	"	John Scribner/DOT/PF
	117	"	Terry Earley, Dept. C/RA - no spec. comments
	132		Chairman Sturgulewski, Section by Section
	139		Royce Weller, Representative Malone's Office
	159		Section 1
	194		" 2
	201		" 3-4-5
	280		Senator Kelly, Chrmn. Sturgulewski, Royce State's Authority
	300		Section 6
	327		Chrmn. Sturgulewski reads statutes
	362		Section 7
	398		Section 8
	407		Section 7
	425		Chrmn. Sturgulewski - Section 9, 10, 11, 12
	469		Sen. Rodey explains "royalties"
	489		Section 12
	495		Chrmn. Sturgulewski

514

Sen. Stimson - Procedure explanation

567

"DO PASS" move

581

Sen. Sturgulewski - Day Care Assistance

Title 29

612

New Resol.

Sen. Sturgulewski - Ora Consideration in House Title 29 Resolution

SUGGESTED AMENDMENT

Line 21, and following to page 2, line 9:

BE IT RESOLVED by the Alaska State Legislature that under the provisions of AS 24.20.090 and Uniform Rule 48(c) the Alaska Legislative Council is directed to prepare a revision of Title 29 of the Alaska Statute (Municipal Government) by directing the legal services division of the Legislative Affairs Agency to prepare the revision with the assistance of a policy advisory group representative of the concerned public from all areas of the state and a working group of persons experienced in the application of AS 29, and soliciting the advice of the Alaska Code Revision Commission; and be it

FURTHER RESOLVED that the policy advisory group consist of two members of each House of the Legislature appointed by the presiding officer and other members selected by the presiding officers of each house from persons recommended by legislative members, by the Department of Community and Regional Affairs, the Alaska Municipal League, the Rural Alaska Community Action Program, Inc., and other interested parties; and that the working group consist of municipal attorneys, municipal managers, municipal clerks or other municipal staff, appointed by the director of legal services of the Legislative Affairs Agency, representatives of the Departments of Community and Regional Affairs and Law and a member of the staff of the legal services division; and be it

II. FISCAL DETAIL

Agency Affected Legislative Affairs AgencyProgram Category Affected General GovernmentBudget Request Unit(s) Affected Legal ServicesEXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES			24.0	-0-	-0-	-0-
200 TRAVEL			55.9	-0-	-0-	-0-
300 CONTRACTUAL			5.0	-0-	-0-	-0-
400 COMMODITIES			2.0	-0-	-0-	-0-
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL			86.9	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND			86.9	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME						
PART TIME			1	-0-	-0-	-0-
TEMPORARY						

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

Personal Services - Range 14 for 9 months.

Travel - Advisory group (3 meetings for 20 people at \$451 travel/pd) = \$27,060

Working group (8 meetings for 8 people at \$451 travel/pd) \$28,864

Contractual - \$5,000 for miscellaneous printing and other costs

Commodities - \$2,000 for office supplies.

IV. DATE 4/17/80PREPARED BY Richard G. Berg, DirectorAGENCY Legislative Affairs AgencyPHONE 465-3850

Original: Legislative Finance

cc. Budget and Management

Prime Sponsor (First Legislator Named)

Senator Clem Tillion

-2-

March 31, 1980

project. A draft bill will be ready for January 1981.

It is anticipated that \$20,000 should cover the cost of this project.
Any funds remaining would be returned.

Thank you for your attention to this matter.

April 28, 1980

J. D. Nordale
Borough Attorney
Fairbanks North Star Borough
Box 1267
Fairbanks, Alaska 99707

Dear Jim:

Enclosed is a copy of SCR 66 which directs the Alaska Legislative Council to revise AS 29, Municipal Government. I'm also attaching a copy of my March 31 memo to Senator Clem Tillion which spoke to this issue. The Senate Concurrent Resolution was drawn as a result of that memorandum. The fiscal note is much higher than I anticipated, however, I think it is important that there be an advisory group and working group, and that funds be provided to bring people together.

I would appreciate whatever support you can lend to see the passage of SCR 66. I will be contacting the House Community and Regional Affairs Committee to request that they introduce a similar resolution on their side, and expedite it as fast as possible through the system. I will be bringing SCR 66 to the Senate Community and Regional Affairs Committee Tuesday, April 29.

Kindest personal regards,

Arliss Sturgulewski
Senator, District 10-H

Enclosure

FAIRBANKS NORTH STAR BOROUGH

Box 1267, Fairbanks, Alaska 99707

April 1, 1980

Senator Arliss Sturgulewski
Pouch V
Juneau, Alaska 99811

Re: Municipal Code Revisions

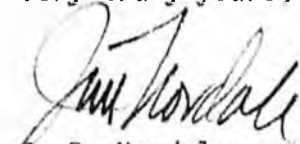
Dear Arliss:

Both because of Alan Teshe's letter of March 18 to you and a recent conversation with Ginny Chitwood, I would urge you to make every effort to provide for the interim review of AS 29. I would urge that the Alaska Municipal League be a participant in the review process either as a contractor, a co-sponsor or in some other capacity. Based upon the discussions at the Local Government Symposium as well as comments received by the Joint House-Senate C & RA hearings, I think that participation from the unorganized borough is desirable.

A good deal of the criticism of and antagonism toward local government stems from inflexibility in portions of the code and vagueness in other parts. The writers of the Constitution were wise in their recognition that strong and flexible local government could best meet the needs of the diverse areas of this state. Too often local governments are unable to respond effectively because of unrealistic restrictions imposed by the state.

I hope that there is something that you can do to accomplish this review, and if I can be of any assistance, please let me know.

Very truly yours,



J. D. Nordale
Borough Attorney

JDN/sy



Matanuska-Susitna Borough

BOX B, PALMER, ALASKA 99645 • PHONE 745-3246

BOROUGH ATTORNEY'S OFFICE

March 18, 1980

The Honorable Arliss Sturgulewski
Alaska State Senate
Pouch V
State Capital
Juneau, Alaska 99811

Dear Arliss:

Re. Municipal code revisions.

Attached with this letter is a list of examples of various provisions of Title 29 which should be clarified through revision of that title. This list is by no means exhaustive and I am sure that other attorneys and municipal officials throughout the state could add additional examples and support a thorough revision of Title 29.

As we discussed some time ago in Juneau, I recommend that the Legislature form an interim committee to review AS 29 during the next two years and that the committee be empowered to seek assistance from municipal attorneys throughout the state, hold hearings as it deems appropriate, and present a new municipal code to the Legislature in 1981 or 1982. I have received expressions of support from attorneys representing several municipalities throughout the state and am confident they will assist the Legislature in preparing a revised municipal code.

Thank you very much for your continued attention to this matter. If there are additional questions I can answer regarding Title 29 or if the Legislature is prepared to take action in this matter, please do not hesitate to contact me.

Cordially,

A handwritten signature in cursive script, appearing to read "Allan E. Tesche".

Allan E. Tesche
Borough Attorney

er

cc: Jerry Wertzbaugher
Tom Klinkner
Jim Nordale
Russ Walker
Lee Sharp

Title
29

January 4, 1980

Mr. Thomas F. Klinkner
Law Offices of Richard W.
Garnett III
900 West 5th Avenue, Suite 540
Anchorage, Alaska 99501

Dear Tom:

Thank you very much for your comments regarding the Local Government Study. Our final report is due out very soon and I will see that you are added to this mailing list. Overall, I am pleased with the results of this study. Although the proposals may seem modest, they seem to follow well the constitutional directions set for local governments and certainly can bring some cohesiveness and coordination to the delivery of services to rural Alaska. Your indepth comments and support can certainly help in seeing that this needed legislation is adopted by this session of the Legislature.

Your voice adds to a growing chorus speaking to the need for thorough technical revision of Title 29 of the Alaskan Statutes. When a certain number of amendments have been made to the Statutes, a recommendation is made for a revision of the Title. This is the case, as I understand it, with Title 29 and the recommendation is being made that Title 29 be the next title to be revised. I have had preliminary discussions with Representative Bill Parker regarding this and with several other interested parties, such as the Alaska Municipal League. One possible approach might be the establishment of a short-term committee composed of chairs of the Senate and House Community and Regional Affairs, Mr. Jack Chenoweth, from the Legislative Legal Department, other attorneys who are familiar with working on the Statutes, and other interested persons. I would see this as a working group that would produce revisions to Title 29 for introduction to the next Legislature. It seems to me there needs to be a careful delineation of the so-called house-keeping aspects and other issues that may be of major policy impact. For example, issues dealing with service areas, annexation procedures, etc., may take some special review and consideration.

January 4, 1980

I will discuss this matter further with Mrs. Ginny Chitwood, Alaska Municipal League, and with Representative Bill Parker as to possible methods for best proceeding with the revision of Title 29. I am sending copies of this letter to a number of people in hopes that both you, Tom, and the ones receiving copies will send me their thoughts and comments as to how best to proceed. It would be very helpful to have some input as to the number of policy issues, in addition to overall revisions that may well need to be addressed. Again, thank you for your interest and I will look forward to hearing from you further on this.

Sincerely,

Arliss Sturgulewski
Senator, District 10-H

cc: Mr. Lee Sharp
Juneau City Attorney
Mr. Bruce Aronson
Petersburg City Manager
Mrs. Ginny Chitwood, Ex. Dir.
Alaska Municipal League
Mr. Alan Tesche
Mat-Su Borough Attorney
Mr. Jim Nordale
North Star Borough
The Honorable Bill Parker
House of Representatives
Mr. Jim Nordale
North Star Borough

LAW OFFICES OF
RICHARD W. GARNETT III

THOMAS F. KLINKNER
SUITE 540, 900 WEST FIFTH AVENUE
ANCHORAGE, ALASKA 99501

TEL. (907) 276-2221

December 5, 1979

Senator Arliss Sturgulewski
Pouch V
State Capitol
Juneau, Alaska 99811

Dear Arliss:

I appreciated the opportunity to attend your discussion group on local government in rural Alaska, and thank you for sending me a copy of the report resulting from that session. I regret that I have not responded sooner to your request for implementation proposals.

While it certainly is not an essential prerequisite to the program you propose, I suggest that you consider as a complementary project a thorough technical revision of Title 29 of the Alaska Statutes. As an attorney for general law municipalities who has had substantial experience working with Title 29, I frequently am exposed to its legal inadequacies as a charter for the operation of small municipalities. Title 29 is at once too vague to be helpful in some areas and too restrictive in others. A new rural municipality can ill afford the added expense of developing a home rule charter and detailed municipal code merely to avoid the deficiencies of Title 29. While the structure of local government organization under Title 29 is basically sound, many of its procedural and administrative provisions do not provide the support and instruction that those who administer small, rural municipalities require.

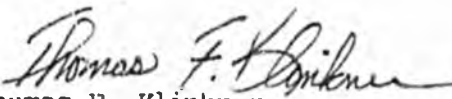
I believe that if there were support for the project in the legislature it would not be difficult to assemble a committee of attorneys and others with day to day experience in the operation of general law municipalities to undertake a revision of Title 29 to make it more useful to those who operate under it—generally the smaller, more rural municipalities in the state.

LAW OFFICES OF
RICHARD W. GARNETT III

Senator Sturgeulewski
December 5, 1979
Page 2

Please let me know if you would be interested in
pursuing such a project.

Yours truly,


Thomas F. Klinkner

TFK:pac

File: Title 29

Revisions

I need for a ^{CRA} file that
we can track in
stuff re revisions
in title 29. These
are for background
only

9/

Introduced by: Chairman of the Assembly
at the request of the Mayor
Prepared by: Department of Law
For Reading: July 31, 1979

*Subbed
10-1*

ANCHORAGE, ALASKA
AO NO. 79-138

AN ORDINANCE PROVIDING FOR THE SUBMISSION OF A BALLOT PROPOSITION TO QUALIFIED VOTERS AT THE OCTOBER 2, 1979 REGULAR ELECTION PROPOSING AN AMENDMENT TO ARTICLE II OF THE HOME RULE CHARTER FOR THE MUNICIPALITY OF ANCHORAGE.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. A ballot proposition containing the following language shall be submitted to qualified voters at the regular election set for October 2, 1979:

PROPOSED CHARTER AMENDMENT

Shall Article II of the Home Rule Charter for the Municipality of Anchorage be amended by addition of a new subsection (14) to read as follows:

- (14) The right to free and unfettered access to an Assemblyman on any issue or matter before the Assembly.

Section 2. As the current wording of Article II of the Charter would not be changed by addition of a new subsection (14), the existing provisions of Article II need not be indicated on the ballot proposition.

Section 3. Upon the concurrence of a majority of the qualified voters voting on the amendment proposed in this ordinance and thirty days after certification of the regular election of October 2, 1979, this amendment shall become effective.

Section 4. This ordinance shall take effect upon passage and approval.

Passed and approved by the Anchorage Assembly, this _____ day of _____, 1979.

Chairman

ATTEST:

Municipal Clerk

Introduced by: Chairman of the Assembly
at the request of the Mayor
Prepared by: Department of Law
For Reading: July 31, 1979

ANCHORAGE, ALASKA
AO NO. 79-139

AN ORDINANCE PROVIDING FOR THE SUBMISSION OF A BALLOT PROPOSITION TO QUALIFIED VOTERS AT THE OCTOBER 2, 1979 REGULAR ELECTION PROPOSING AN AMENDMENT TO SECTION 3.02(d) OF THE HOME RULE CHARTER FOR THE MUNICIPALITY OF ANCHORAGE.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. A ballot proposition containing the following language shall be submitted to qualified voters at the regular election set for October 2, 1979:

PROPOSED CHARTER AMENDMENT

Amended
11 0

Shall Section 3.02(d) of the Home Rule Charter for the Municipality of Anchorage be amended to read as follows:

- (d) An initiative petition is void if the Assembly enacts substantially the same measure prior to the election. A referendum petition is void if the Assembly repeals the ordinance in question prior to the election.

The present language of Section 3.02(d) of the Charter reads as follows:

- (d) An initiative petition is void if the Assembly enacts an identical measure prior to the election. A referendum petition is void if the Assembly repeals the ordinance in question prior to the election.

Section 2. Upon the concurrence of a majority of the qualified voters voting on the amendment proposed in this ordinance and thirty days after certification of the regular

election of October 2, 1979, this amendment shall become effective.

Section 3. This ordinance shall take effect upon passage and approval.

Passed and approved by the Anchorage Assembly, this _____ day of _____, 1979.

Chairman

ATTEST:

Municipal Clerk

Introduced by: Chairman of the Assembly
at the request of the Mayor
Prepared by: Department of Law
For Reading: July 31, 1979

ANCHORAGE, ALASKA
AO NO. 79-140

AN ORDINANCE PROVIDING FOR THE SUBMISSION OF A BALLOT PROPOSITION TO QUALIFIED VOTERS AT THE OCTOBER 2, 1979 REGULAR ELECTION PROPOSING AN AMENDMENT TO SECTION 4.04(d) OF THE HOME RULE CHARTER FOR THE MUNICIPALITY OF ANCHORAGE.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. A ballot proposition containing the following language shall be submitted to qualified voters at the regular election set for October 2, 1979:

PROPOSED CHARTER AMENDMENT

Shall Section 4.04(d) of the Home Rule Charter for the Municipality of Anchorage be amended to read as follows:

- Passed
11-0*
- (d) voting shall be by roll call, electronic device or other public method as defined by Assembly Rule. The votes of all Assemblymen shall be recorded.

The present language of Section 4.04(d) of the Charter reads as follows:

- (d) Except on procedural motions, voting shall be by roll call or electronic device, and the votes of all assemblymen shall be recorded.

Section 2. Upon the concurrence of a majority of the qualified voters voting on the amendment proposed in this ordinance and thirty days after certification of the regular election of October 2, 1979, this amendment shall become effective.

Section 3. This ordinance shall take effect upon passage and approval.

Passed and approved by the Anchorage Assembly, this _____ day of _____, 1979.

Chairman

ATTEST:

Municipal Clerk

Introduced by: Chairman of the Assembly
at the request of the Mayor
Prepared by: Department of Law
For Reading: July 31, 1979

ANCHORAGE, ALASKA
AO NO. 79-141

AN ORDINANCE PROVIDING FOR THE SUBMISSION OF A BALLOT PROPOSITION TO QUALIFIED VOTERS AT THE OCTOBER 2, 1979 REGULAR ELECTION PROPOSING AN AMENDMENT TO SECTION 9.01 OF THE HOME RULE CHARTER FOR THE MUNICIPALITY OF ANCHORAGE.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. A ballot proposition containing the following language shall be submitted to qualified voters at the regular election set for October 2, 1979:

PROPOSED CHARTER AMENDMENT

Shall Section 9.01 of the Home Rule Charter for the Municipality of Anchorage be amended to read as follows:

Section 9.01 Service Areas

(a) A service area to provide special services may be established, altered or abolished only by ordinance ratified by a majority of the qualified voters voting on the question who reside in the area where the special services are to be established, altered or abolished, or, if no qualified voter resides in that area, by the written consent of all owners of real property in that area; provided that the Assembly by ordinance may require that voters in a larger area vote on the question. The Assembly by ordinance may consolidate service areas providing substantially the same level of special services.

(b) The Assembly by ordinance shall adopt procedures for establishing, altering, abolishing and operating service areas. The Assembly may provide for appointed or elected boards of supervisors to supervise the

*Table
Table 5.6
1976 and July
1971*

furnishing of special services in service areas. Special services provided in a service area shall be financed by a uniform tax levy within the area.

(b) Special services are services not provided on an areawide basis throughout the municipality, or services provided at a higher or different level than provided on an areawide basis throughout the municipality. Special services do not include the exercise of regulatory powers as determined by the Assembly.

The present language of Section 9.01 of the Charter reads as follows:

Section 9.01 Service Areas

(a) A service area may be created, altered, or abolished only with the approval of a majority of those voting on the question within the area affected, or, if no qualified voter resides within the area, with the written consent of the owners of all real property within the area affected. However, the Assembly, by ordinance may consolidate service areas in which services are provided by the municipality at the same level in each of the areas to be consolidated.

(b) The Assembly by ordinance shall adopt procedures for creating, altering, abolishing and operating service areas. Services provided in a service area shall be financed by a uniform tax levy within the area.

(c) The Assembly may provide for appointed or elected boards to supervise the furnishing of special services in service areas.

Section 2 Upon the concurrence of a majority of the qualified voters voting on the amendment proposed in this ordinance and thirty days after certification of the regular election of October 2, 1979, this amendment shall become effective.

Section 3. This ordinance shall take effect upon passage and approval.

Passed and approved by the Anchorage Assembly, this _____ day of _____, 1979.

Chairman

ATTEST:

Municipal Attorney

Introduced by: Chairman of the Assembly
at the request of the Mayor
Prepared by: Department of Law
For Reading: July 31, 1979

ANCHORAGE, ALASKA
AO NO. 79-142

AN ORDINANCE PROVIDING FOR THE SUBMISSION OF A BALLOT PROPOSITION TO QUALIFIED VOTERS AT THE OCTOBER 2, 1979 REGULAR ELECTION PROPOSING AN AMENDMENT TO SECTION 9.02 OF THE HOME RULE CHARTER FOR THE MUNICIPALITY OF ANCHORAGE.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. A ballot proposition containing the following language shall be submitted to qualified voters at the regular election set for October 2, 1979:

PROPOSED CHARTER AMENDMENT

Shall Section 9.02 of the Home Rule Charter for the Municipality of Anchorage be amended to read as follows:

Section 9.02 Assessment Districts

(a) The assembly by ordinance may establish assessment districts to provide and finance capital improvements specially benefiting real property. Assessments shall be proportionate to the special benefit received from the improvement. The assembly by ordinance shall prescribe uniform criteria for allocating the cost of the improvement within an assessment district.

(b) An assessment district may be created or extended only with the approval of the property owners who would bear more than 50% of the estimated cost of the improvement. An assessment district may be dissolved by assembly resolution at any time after the district's share of the cost of the improvement has been paid.

The present language of Section 9.02 of the Charter reads as follows:

*failed
2-9*

*ordinance by measure
or assembly by measure of the body*

Section 9.02 Assessment Districts

(a) The Assembly by ordinance may establish assessment districts to provide and finance capital improvements by means of an assessment, or services by means of a tax levy. The assessment or levy shall be proportionate to the benefit received from and the burden imposed upon the improvement or service. The Assembly by ordinance shall prescribe uniform criteria for allocating the cost of the improvement or service within an assessment district.

(b) An assessment district may be created or extended only with the approval of the property owners who would bear more than fifty per cent (50%) of the estimated cost of the improvement or service. An assessment district created to finance a capital improvement may be dissolved by Assembly resolution at any time after the district's share of the cost of the improvement has been paid. An assessment district created to finance a service may not be dissolved without the approval of the property owners who bear more than fifty per cent (50%) of the cost of providing the service.

(c) A special assessment for capital improvements, with interest and collection charges, is a lien on the property assessed, second only to property taxes and prior special assessments.

(d) A special assessment may not be contested by civil action unless the action is brought within sixty (60) days after confirmation of the assessment roll.

(e) An account or accounts for each special assessment district shall be created and kept separate from all other municipal accounts. Revenues collected within a special assessment may be applied only to costs incurred with respect to that assessment district.

Section 2 Upon the concurrence of a majority of the qualified voters voting on the amendment proposed in this

ordinance and thirty days after certification of the regular election of October 2, 1979, this amendment shall become effective.

Section 3. This ordinance shall take effect upon passage and approval.

Passed and approved by the Anchorage Assembly, this _____ day of _____, 1979.

Chairman

ATTEST:

Municipal Clerk

For August 1-10
Chase
Hatch
Mack
Rudd
Smith
Bali
Kumler
Rose
Brammer
Selby
Marr

Introduced by: Chairman of the Assembly
at the request of the Mayor
Prepared by: Department of Law
For Reading: July 31, 1979

ANCHORAGE, ALASKA
AO NO. 79-143

AN ORDINANCE PROVIDING FOR THE SUBMISSION OF A BALLOT PROPOSITION TO QUALIFIED VOTERS AT THE OCTOBER 2, 1979 REGULAR ELECTION PROPOSING AN AMENDMENT TO SECTION 18.01 OF THE HOME RULE CHARTER FOR THE MUNICIPALITY OF ANCHORAGE.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. A ballot proposition containing the following language shall be submitted to qualified voters at the regular election set for October 2, 1979:

PROPOSED CHARTER AMENDMENT

Shall Section 18.01 of the Home Rule Charter for the Municipality of Anchorage be amended to read as follows:

Section 18.01 Vote Required

This Charter may be amended only upon the concurrence of a majority of the qualified voters of Anchorage voting on a proposed amendment.

The present language of Section 18.01 of the Charter reads as follows:

Section 18.01 Vote Required

This Charter may be amended only upon the concurrence of a majority of the qualified voters of Anchorage voting on a proposed amendment, except that a proposed amendment which would diminish any right referred to in Article II or any provision of Section 16.02 requires approval by three-fifths (3/5) of the qualified voters voting on the amendment.

100%

[Handwritten scribbles]

Section 2. Upon the concurrence of a majority of the qualified voters voting on the amendment proposed in this ordinance and thirty days after certification of the regular election of October 2, 1979, this amendment shall become effective.

Section 3. This ordinance shall take effect upon passage and approval.

Passed and approved by the Anchorage Assembly, this _____ day of _____, 1979.

Chairman

ATTEST:

Municipal Clerk

Introduced by: Chairman of the Assembly
at the request of the Mayor
Prepared by: Department of Law
For Reading: July 31, 1979

ANCHORAGE, ALASKA
AO NO. 79-144

AN ORDINANCE PROVIDING FOR THE SUBMISSION OF A BALLOT PROPOSITION TO QUALIFIED VOTERS AT THE OCTOBER 2, 1979 REGULAR ELECTION PROPOSING AN AMENDMENT TO SECTION 17.13 OF THE HOME RULE CHARTER FOR THE MUNICIPALITY OF ANCHORAGE.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. A ballot proposition containing the following language shall be submitted to qualified voters at the regular election set for October 2, 1979:

PROPOSED CHARTER AMENDMENT

8-3
Shall Section 17.13 of the Home Rule Charter for the Municipality of Anchorage be amended by addition of a new subsection (e) to read as follows:

(e) "interest in lands" means any estate in real property or improvements thereon excluding revocable permits or licenses, rights of way, or easements which the Assembly finds to be without substantial value to the Municipality.

Section 2. As the current wording of Section 17.13 of the Charter would not be changed by addition of a new subsection, the existing provisions of Section 17.13 need not be indicated on the ballot proposition.

Section 3. Upon the effective date of the amendment to the Charter proposed herein, the existing subsections of Section 17.03 of the Charter shall be redesignated alphabetically.

Section 4. Upon the concurrence of a majority of the qualified voters voting on the amendment proposed in this ordinance and thirty days after certification of the regular election of October 2, 1979, this amendment shall become effective.

Section 5. This ordinance shall become effective immediately upon passage and approval.

Passed and approved by the Anchorage Assembly, this _____ day of _____, 1979.

Chairman

ATTEST:

Municipal Clerk

Introduced by: Chairman of the Assembly
at the request of the Mayor
Prepared by: Department of Law
For Reading: July 31, 1979

Handwritten initials and date: Howard 7/31/79

ANCHORAGE, ALASKA
AO NO. 79-145

AN ORDINANCE PROVIDING FOR THE SUBMISSION OF A BALLOT PROPOSITION TO QUALIFIED VOTERS AT THE OCTOBER 2, 1979 REGULAR ELECTION PROPOSING AN AMENDMENT TO ARTICLE 17 OF THE HOME RULE CHARTER FOR THE MUNICIPALITY OF ANCHORAGE.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. A ballot proposition containing the following language shall be submitted to qualified voters at the regular election set for October 2, 1979:

PROPOSED CHARTER AMENDMENT

11.0 Shall Article 17 of the Home Rule Charter for the Municipality of Anchorage be amended by deletion of Section 17.06?

The present language of Section 17.06 of the Charter reads as follows:

Section 17.06 Notice of Claims

The Municipality shall not be liable in damages for injury to person or property by reason of negligence or gross negligence unless, within four (4) months after the injury occurs, the person damaged, or his representative, serves written notice on an officer upon whom process may be served. The notice shall state that the person intends to hold the municipality liable for damages. It shall set forth with clarity the time and place of the injury, the manner in which it occurred, the nature of the act or defect complained of and the extent of the injury so far as known, and the names and addresses of witnesses known to be the claimant. The Assembly by ordinance may provide for exceptions to the requirements of this section for the administration of minor and routine claims.

Section 2. Upon the concurrence of a majority of the qualified voters voting on the amendment proposed in this ordinance and thirty days after certification of the regular election of October 2, 1979, this amendment shall become effective.

Section 4. This ordinance shall take effect upon passage and approval.

Passed and approved by the Anchorage Assembly, this _____ day of _____, 1979.

Chairman

ATTEST:

Municipal Clerk