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PETITION REQUESTING THAT THE LEGISLATURE REJECT ANNEXATION
OF TERRITORY TO THE CITY OF HOONAH AS PROPOSED BY
THE LOCAL BOUNDARY COMMISSION TO THE SECOND SESSION
OF THE THIRTEENTH LEGISLATURE

We the undersigned residents of Hoonah, Alaska request that the Alaska State Legislature, both Senate and House, reject the recommendation of the Local Boundary Commission for the annexation of territory to the City of Hoonah. Namely, we are opposed to the annexation in the present form containing 9.68 square miles, more or less. We are opposed to the requested annexation because it is not in the best interest of either the City of Hoonah or the property owners of the area sought to be annexed.

NAME - PRINTED	SIGNATURE	RESIDENCE ADDRESS	MAILING ADDRESS
EDWARD STEWART	Edward Stewart	Whitestone Log	Box 389 Hoonah, AK 99829
SHIRLEY STEWART	Shirley Stewart	Whitestone Logging Camp	Box 389 Hoonah, AK 99829
Clarence Dodge	Clarence Dodge	"	" Hoonah AK 99829
Phyllis Dodge	Phyllis Dodge	Whitestone Logging Camp	Box 389 Hoonah, AK 99829
HOWELL DOUGLAS	Douglas Howell	Whitestone Logging Camp	Box 389 Hoonah, AK 99829
HOWELL, JACQUELINE	Jacqueline Howell	Whitestone Logging Camp	Box 389 Hoonah, AK 99829
PEERY, BEATRICE	Beatrice Peery	Whitestone Logging Camp	Box 389 Hoonah, AK 99829
CAROL BEATRICE	CAROL BEATRICE	Whitestone Logging Camp	Box 389 Hoonah, AK 99829
GLENNA STAFFORD	Glenne Stafford	Whitestone Camp	Box 472 Hoonah, AK 99829
PEGGY M STAFFORD	Peggy M Stafford	Whitestone Camp	Box 472 Hoonah, AK 99829
GARDNER GARLICK	Gardner Garlick	"	Box 389 " "
DALIA C GARLICK	Dalia Garlick	"	Box 389 " "
BARBARA WITTE	Barbara Witte	"	" " "
JEFFREY MILLER	Jeffrey Miller	Whitestone Camp	Box 389 Hoonah, AK 99829
Layne Miller	Layne E Miller	Whitestone Camp	Box 389 Hoonah, AK 99829

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NAME - PRINTED	SIGNATURE	RESIDENCE ADDRESS	MAILING ADDRESS
JAY E. BEATTIE	Jay E. Beattie	Whitestone Log Camp	Box 389 Hoonah AK 99829
LADONNA J. STAFFORD	Ladonna J. Stafford	Whitestone Log Camp	Box 389 Hoonah, AK 99829
LEE W. STAFFORD	Lee W. Stafford	Whitestone Log Camp	Box 389 Hoonah, AK 99829
FRANK R. MOORE	Frank R. Moore	Whitestone Log Camp	Box 389 Hoonah, AK 99829
TOMMY V. MOORE	Tommy V. Moore	Whitestone Log Camp	Box 389 Hoonah, AK 99829
LESLIE O. LITTLE	Leslie O. Little	White Stone Log Camp	Box 389 Hoonah, AK 99829
WILLIAM C ELY	William C Ely	White Stone Log Camp	Box 288 Hoonah, AK 99829
CRAIG TEMANSON	Craig Temanson	Whitestone Log Camp	Box 288 Hoonah, AK 99829
PAMELA A. ELY	Pamela A. Ely	Whitestone Log Camp	Box 288 Hoonah, AK 99829
DAVID JONES	David Jones	White Stone Log Camp	Box 389 Hoonah, Alaska
NATLY JONES	Natly Jones	White Stone Log Camp	Box 389 - Hoonah Alaska
CONNIE BEATTIE	Connie Beattie	Whitestone Log Camp	Box 389 - Hoonah AK 99829
KATHY CARROLL	Kathy Carroll	Whitestone Log	Box 426 Hoonah AK 99829
JIM CARROLL	Jim Carroll	Whitestone Log	Box 426 Hoonah AK 99829
DIANA COWENS	Diana Cowens	Whitestone Log	Box 389 Hoonah, AK 99829

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NAME - PRINTED	SIGNATURE	RESIDENCE ADDRESS	MAILING ADDRESS
Laura L. Meyer	Laura L. Meyer	Front St., Hoonah, AK	P.O. Box 463, Hoonah, AK 99829
CONCHITA Conchita A. WALKER	Conchita A. Walker	Samson Loop Rd., Hoonah, AK	P.O. Box 423 Hoonah AK 99829
Jim Corbett	Jim Corbett	Box 375 Hoonah, AK	Box 375 Hoonah AK 99829
Terry Nikolov	Terry Nikolov	P.O. Box 389 Hoonah, AK	
Jimmy R. Martin		P.O. Box 389 Hoonah	
Steve Nikolov	Steve Nikolov	P.O. Box 389 Hoonah	Same
Megan Garvey MEGAN GARVEY		P.O. Box 405 Hoonah	same
Tim Garvey TIM GARVEY		P.O. Box 405 Hoonah	same
Ruth Martin	RUTH MARTIN	Box 389 Hoonah	99829

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We the undersigned Shareholders of Huna Totem Corporation residing in Juneau, Alaska request that the Alaska State Legislature, both Senate and House, reject the recommendation of the Local Boundary Commission for the annexation of territory to the City of Hoonah. Namely, we are opposed to the annexation in the present form containing 9.68 square miles, more or less. We are opposed to the requested annexation because it is not in the best interest of either the City of Hoonah or the property owners of the area sought to be annexed.

NAME - PRINTED	SIGNATURE	RESIDENCE ADDRESS	MAILING ADDRESS
HARVEY B. MARVIN	Harvey B Marvin	222 7th street	222 7th street 99801
CAROLYN L. MARTIN	Carolyn L. Martin	236 SWITZER VILLAGE	P.O. Box 403, Juneau 99802
David MARVIN Sr.	David Marvin Sr.	Moh. Haven Trailer Court #17	P.O. Box 789 99802
ERNEST Hillman Sr.	Ernest Hillman Sr.	1744 Glacier Ave.	1744 Glacier Ave. Juneau AK 99801
JANICE MARVIN GARNER	Janice Marvin Garner	222 7th street	222 7th street 99801
LeRoy MARVIN	LeRoy Marvin	222 7th street	222 7th street 99801
Wm C. Sheakley	Wm C Sheakley	26 Valley rd Juneau	Box 258, Douglas 99824
John T. Hillman	John T. Hillman	1744 Glacier Ave.	1744 Glacier Ave Juneau, AK 99801
VERONICA M. HILLMAN	Veronica M. Hillman	1744 Glacier Ave	1744 Glacier Ave Juneau, AK 99801
Valerie m. Hillman	Valerie m. Hillman	1744 Glacier Ave	1744 Glacier Ave Juneau, AK 99801
Sophie Frances M.	Sophie F Marvin	Box 789	Box 789 Juneau 99801
Violet J. James	Violet J. James	Lemon Creek Manor #7 P.O. Box 1051	P.O. Box 1051 99802 Juneau, AK
Ralph Knudson Sr.	Ralph Knudson	6590 Glacier Hwy #34	Juneau AK 99801
Ralph Knudson Sr.	Ralph Knudson	6590 Glacier Hwy #34	Juneau, AK 99801
HARRIET J. KNUDSON SR.	Harriet J Knudson Sr.		

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NAME - PRINTED	SIGNATURE	RESIDENCE ADDRESS	MAILING ADDRESS
Lillian MARVIN	Lillian Marvin	222 7th Street	222 7th Street 99801
Johanna MARVIN Dandoy	Johanna Marvin Dandoy	230 S. Franklin St	230 S. Franklin St. Apt. 803 99801
Eduvia Dandoy	Eduvia Dandoy	230 S. Franklin St	Juneau Alaska (same mailing address) 99801
Kathleen MilValentine	Kathleen MilValentine	3-6500 S. #126	Juneau Alaska 99801
Victoria A. Watkins	Victoria A. Watkins	323 Mackay Way	Juneau Alaska 99801
Martha NASHOANAK	Martha Nashornak	A-4 Cedar Park	A-4 Cedar Park Juneau AK 99801
Charles T. Fawcett & Sa.	Charles T. Fawcett	Side Motel	2-6500 S. L. #125 99801
Roberta Fawcett	Roberta Fawcett		Side Motel
HAZEL A PAUL	Hazel A Paul	230 So. Franklin St Apt #706	230 So. Franklin St Apt #706
Donna M Hernandez	Donna Hernandez	157 S Franklin St.	Mobil IP #4 North Douglas
Alfred McKivley, SR	Alfred McKivley, Sr.	816 Dixon	P.O. Box 173, Juneau, AK 99802
Betty Houston	Betty Houston	1378 Franklin #204	(same) Juneau Alaska 99801
Irene L. Lampe	IRENE L. LAMPE	P.O. Box 1833, JUN, AK 99802	same
Sandra A Schwaner	Sandra A Schwaner	1918 Lemay Rd.	1918 Lemay Rd Juneau, AK 99801
Lucille Dundas	Lucille Dundas	525 W. 10th Juneau, AK 99801	525 W. 10th Juneau, AK 99801

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NAME - PRINTED	SIGNATURE	RESIDENCE ADDRESS	MAILING ADDRESS
Katherine Mills	Katherine Mills	503 West 10th (P.O. Box 318 - Hoonah, Alaska 99829)	Juneau, Alaska 99801 mailing address
Darlene M Church	Darlene Church	3617-93 - Anchorage	Juneau Alaska 99801
Timothy P Lindoff	Timothy P Lindoff	431 Seeward St.	Juneau, Alaska 99801
Ida S. Heathley	Ida S. Heathley	P.O. Box 486	Hoonah AK 99829
Laura Williams	Laura Williams	P.O. Box 472	Juneau Ck 99802
RITA MARVIN	Rita Marvin	8477-34 Thunder Mt	Juneau, AK 99801.
Katherine M. Marvin	Katherine M. Marvin	P.O. Box 789	Cun-D AK 99801
Dorothy Rhodes	Dorothy Rhodes	9 1/2 Glac. Hwy	P.O. Box 1181 Juneau, AK 99802
LILLIAN JESSIE HILLMAN	Lillian Jessie Hillman	1744 Glacier Ave	Juneau AK 99801
Sue Belarde	Sue Belarde	503 W. 10th St	Juneau, Al. 99801 (address same)
EMMA WILLIAMS	Emma Williams	711 W. Willoughby	JUNEAU, AK 99802
MABEL LAWRENCE Mabel Lawrence	Mabel Lawrence	324 Village	JUNEAU, AK 99801
HELEN PETERS	Helen Peters	230 S. Franklin	JUNEAU AK 99801 (same)
HENRY PETERS	Henry Peters	230 S. Franklin	JUNEAU AK 99801 (same)
George Mayeds	George Mayeds	4025 Delta Dr.	Juneau AK 99801 "

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NAME - PRINTED	SIGNATURE	RESIDENCE ADDRESS	MAILING ADDRESS
Annabell Revels	Annabell Revels	Marina View Tr. Lot #7	Box 756, Juneau, Ak. 99802
Willis D. Marvin	Willis D. Marvin	41 Mobile Haven	P.O. Box 11265 Juneau AK 99802
Johanna Tuerson	Johanna Tuerson	#3 Cedar Park	90 P.O.B. 1115 Juneau, AK 99802
Zenith Williams	Zenith Williams	228 Village St.	228 Village St Juneau Ak same
Elizabeth McKinley	Elizabeth McKinley	228 Village St	VJND 99801 same
DONNA PERRIN	Donna Perrin	Channel Apt #18	P.O. Box 251 Juneau
Karen Carlson	Karen Carlson Mayada	Kodzo Acres TE #20	P.O. Box 250 Douglas
Nick E Lindoff	Nick E Lindoff	Cedar Park	c/o 220 S. Franklin 99801
Roger Sheakley	Roger Sheakley	1-4 Cedar park JNU ak	same
Robert Fawcett	Robert Fawcett	722 7th Street	same

BILL SHEFFIELD, GOVERNOR

REPLY TO: 225 Cordova. Bldg.
Anchorage, AK 9950

LOCAL BOUNDARY COMMISSION

January 17, 1984

The Honorable Joe L. Hayes
Speaker
Alaska House of Representatives
Pouch V
Juneau, Alaska 99811

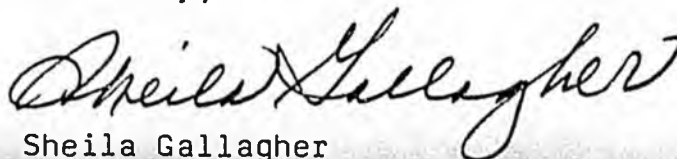
Dear Representative Hayes:

Attached hereto is the REPORT OF CALENDAR YEAR 1983 ACTIVITIES OF THE LOCAL BOUNDARY COMMISSION AND RECOMMENDATIONS TO THE SECOND SESSION OF THE THIRTEENTH LEGISLATURE FOR CERTAIN MUNICIPAL BOUNDARY CHANGES.

The report contains recommendations for changes to the boundaries of five municipalities which, pursuant to Article X, Section 12 of the State Constitution and AS 29.68.010, are to be presented to the Legislature. These recommended boundary changes become effective forty-five days after presentation or at the end of the session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of each house.

The Local Boundary Commission is hoping to meet with the House and Senate Community and Regional Affairs Committees in early February to discuss its report and recommendations.

Sincerely,



Sheila Gallagher
Chairman
Local Boundary Commission

BILL SHEFFIELD, GOVERNOR

REPLY TO:

LOCAL BOUNDARY COMMISSION

March 3rd

REPORT OF CALENDAR YEAR 1983
ACTIVITIES OF THE LOCAL BOUNDARY COMMISSION
AND RECOMMENDATIONS TO THE SECOND SESSION
OF THE THIRTEENTH LEGISLATURE
FOR CERTAIN MUNICIPAL BOUNDARY CHANGES

Submitted by:

Sheila Gallagher

Sheila Gallagher
Chairman

January 17, 1984

INTRODUCTION

This document contains a report of the activities of the State Local Boundary Commission during 1983. More importantly, it contains recommendations to the Second Session of the Thirteenth Legislature for changes to the boundaries of five municipalities, pursuant to Article X, Section 12 of the State Constitution and AS 29.68.010. These recommended boundary changes become effective forty-five days after presentation or at the end of the Session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of each house.

The Local Boundary Commission consists of five members, one from each of the four Judicial Districts of the State, plus one member at large. The Commission members serve without compensation at the pleasure of the Governor. The current members of the Commission are:

SHEILA GALLAGHER, Chairman, serving at large until
January 31, 1987;
JOSEPHINE ANDERSON, serving from the First Judicial
District until January 31, 1986;
BERT GREIST, serving from the Second Judicial District
until January 31, 1984;
Position Vacant, member from the Third Judicial
District; and
CHARLES BETTISWORTH, serving from the Fourth Judicial
District until January 31, 1985.

Staff support for the Local Boundary Commission is provided by the Department of Community and Regional Affairs, Municipal and Regional Assistance Division.

The Local Boundary Commission was established pursuant to Article X Section 12 of the State Constitution and Section 44.47.565 of the Alaska Statutes for the purposes of considering municipal incorporations, boundary changes and dissolutions.

Municipal incorporations are effected under the provisions of State laws and administrative regulations. It is the responsibility of the Local Boundary Commission to review and act on all petitions for municipal incorporations in accordance with AS 29.18.011-150, 19 AAC 10.010-030, 19 AAC 10.160-180 and 19 AAC 10.325-440. Unlike municipal boundary changes and dissolutions, the Legislature plays no role in municipal incorporations.

MUNICIPAL BOUNDARY CHANGES: Annexations and detachments may be effected by Local Boundary Commission action through either of two general procedures:

- A. Legislative Review - The legislative review boundary change procedure assures an objective examination of the merits of a proposed municipal boundary change. In that the decision on such matters rests with the Local Boundary Commission and the Legislature, this process assures that decisions will be made with the greatest consideration given to the application of regulatory standards concerning such matters.

This process is typically initiated by municipalities in situations where there is a compelling need for the proposed boundary change, but where a majority of the residents in the territory involved in the proposed boundary change oppose it.

Under this process the Local Boundary Commission may accept and review any proposed local government boundary change. Once the Local Boundary Commission has accepted a petition proposing a local government boundary change, the Commission conducts a public hearing in the municipality proposing the boundary change. If, after the public hearing is completed, the proposed boundary change is approved by the Local Boundary Commission, the Commission presents a recommendation for the change to the Legislature during the first 10 days of any regular session. The recommended change becomes effective 45 days after presentation or at the end of the session, whichever is earlier, unless disapproved by a resolution receiving concurrent approval from a majority of the members of each house.

- B Local Action - Municipal boundary changes subjected to this process gain final approval at the local level. The following discussion examines the three types of local action boundary change procedures:

1. An area adjoining a municipality may be annexed or detached by municipal ordinance without an election, provided all property owners and voters within the area petition the assembly or council. The annexation becomes effective with the consent of a majority of the Local Boundary Commission members.
2. Municipally owned property adjoining the municipality may be annexed by ordinance without voter approval. The annexation becomes effective with the consent of a majority of the Local Boundary Commission members.

3. A proposition for the annexation or detachment of territory may be submitted to the voters residing within the area of the proposed boundary change. To become effective the proposed boundary change must be approved by a majority of such voters. Before the proposition is submitted to the voters, the Local Boundary Commission must approve a petition for the proposed boundary change.

DISSOLUTIONS: Current activities related to the issue of sovereignty of Alaska Native villages has alerted the Commission to the need to prepare for a potentially significant number of rural city governments which might seek dissolution.

In August of 1983, the second class city of Akiachak notified the Department of Community and Regional Affairs that it wanted to consider dissolution of its municipal government. Department staff met with representatives of the City Council and the IRA Council to discuss the dissolution process.

Subsequently, but contrary to the Department's explanation of the dissolution process, the Akiachak City Council resigned and the IRA Council passed a resolution notifying the Department that the IRA Council had become the representative government for the community of Akiachak. The Department notified the IRA Council that the dissolution of the City government has not been accomplished, as the City had not followed the statutory procedures for dissolution. The Department notified the IRA Council that the Department was willing to assist the City with the preparation of a correct dissolution petition. The IRA council indicated that it did not recognize the State's authority in the dissolution process and considered the City government dissolved. To date, there has been no resolution to this issue.

The following explanation reviews the procedures for the dissolution of a municipality. The dissolution of a municipal government, in accordance with Sec. 29.68.500-580, can be effected by Local Boundary Commission action through either of two procedures:

- A. Legislative Review -- The legislative review procedure assures an objective examination of the merits of a proposed dissolution. The decision for a dissolution rests with the Local Boundary Commission and the Legislature, which ensures that decisions will be made with the greatest consideration given to the application of regulatory standards concerning such matters.

This process is typically initiated through a petition by the community where the municipal government has ceased to function or by the Commissioner of the Department of Community and Regional Affairs.

Once the Department has received and approved a petition for the dissolution of a municipal government, the petition is forwarded to the Local Boundary Commission which must then hold a public hearing in the community proposing the dissolution.

In reviewing the dissolution action, the Commission will apply the standards for dissolution of cities.

These standards require that: 1.) the city has ceased, for two or more consecutive years, to exercise any of the municipal powers set forth in AS 29.48.030 - 29.48.035; 2.) the city has failed to conduct two or more consecutive regular elections in the manner provided by law; and 3.) the city no longer meets the standards for incorporation as provided by law and regulation.

If, after the public hearing is completed, the proposed dissolution is approved by the Local Boundary Commission, the Commission presents a recommendation for the action to the Legislature during the first 10 days of any regular session. The recommended dissolution becomes effective 45 days after presentation or at the end of the session, whichever is earlier, unless disapproved by a resolution receiving concurrent approval from a majority of the members of each house.

- B Local Action - A municipal dissolution subjected to this process gains final approval at the local level. The process is initiated by municipal residents filing a dissolution petition. The petition must be signed by at least 25 percent of the number of voters who voted in the last regular municipal election.

Once the Department has received and accepted the petition, it is forwarded to the Local Boundary Commission. The Commission would then conduct a public hearing in the community proposing the action to determine if the standards for a local action dissolution have been met.

The standards for a local action dissolution require that: 1.) the municipality to be free of debt, or if in debt, that each of its creditors is satisfied with a method of repayment, and 2.) either it no longer meets the minimum standards prescribed for incorporation by AS. 29.18.011, or it ceases to use each and every one of its mandatory powers.

If the Commission finds that the dissolution petition meets the standards it will accept the petition and immediately notify the lieutenant governor. Within 30 days after notification, the lieutenant governor will order an election with the municipality to determine whether the voters desire dissolution.

SUMMARY OF ACTIVITIES OF THE
LOCAL BOUNDARY COMMISSION DURING 1983

During 1983 the Local Boundary Commission dealt with petitions concerning the following proposed municipal incorporations and boundary changes:

- 1) CITY OF HAINES - The Commission approved the petition for the annexation of territory, comprising approximately 8.11 square miles. The proposed annexation is subject to Legislative review of the recommendation submitted on pages 9 through 12 of this document.
- 2) CITY OF KETCHIKAN - The Commission approved the two petitions for annexation of approximately 6.82 acres and 0.3 square miles. The proposed annexations are subject to Legislative review of the recommendations submitted on pages 13 through 17 of this document.
- 3) CITY OF POINT HOPE - The Commission approved the petition for annexation of approximately 3.03 square miles. The proposed annexation is subject to Legislative review of the recommendation submitted on pages through 18 of 21 this document.
- 4) CITY OF HOONAH - The Commission approved the petition for annexation of approximately 9.68 square miles. The proposed annexation is subject to Legislative review of the recommendation submitted on pages 22 through 25 of this document.
- 5) CITY OF KODIAK - The Commission approved the petition for annexation of approximately 10.92 acres. The proposed annexation is subject to Legislative review of the recommendation submitted on pages 26 through 33 of this document.
- 6) CITY OF CHIGNIK - The Commission approved the petition for the incorporation of Chignik as a city of the second class, pursuant to AS. 29.18. The voters subsequently approved the proposed incorporation. The Lieutenant Governor's office certified the election results on May 16, 1983.
- 7) CITY OF SAINT GEORGE - The Commission approved the petition for the incorporation of Saint George as a city of the second class, pursuant to AS. 29.18. The voters subsequently approved the proposed incorporation. The Lieutenant Governor's office certified the election results on September 13, 1983.

- 8) CITY OF FAIRBANKS - The Commission approved the City's local action petition authorized by City Ordinance 4241 to annex 26.86 acres.
- 9) CITY OF FAIRBANKS - The Commission approved the City's local action petition authorized by City Ordinance 4242 to annex 40 acres.
- 10) CITY OF FAIRBANKS - The Commission approved the City's local action petition authorized by City Ordinance 4244 to annex 6,810 square feet.
- 11) CITY OF FAIRBANKS - The Commission approved the City's local action petition authorized by City Ordinance 4265 to annex 26.86 acres.
- 12) CITY OF NORTH POLE - The Commission approved the City's local action petition authorized by City Ordinance 82-20 to annex 37.03 acres.
- 13) CITY OF NORTH POLE - The Commission reviewed the City's local action election petition authorized by City Ordinance 83-10 to annex 116.07 acres. Final action on the petition by the Commission will follow a public hearing to be held in early 1984.
- 14) CITY OF NORTH POLE - The Commission reviewed the City's local action election petition authorized by City Ordinance 83-14 to annex 0.3 square miles. Final action on the petition by the Commission will follow a public hearing to be held in early 1984.
- 15) CITY OF KETCHIKAN - The Commission approved the City's local action petition authorized by City Ordinance 999 for the annexation of 8.95 acres.
- 16) CITY OF KETCHIKAN - The Commission approved the City's local action petition authorized by City Ordinance 1001 for the annexation of 2.37 acres.
- 17) CITY OF KETCHIKAN - The Commission approved the City's local action petition authorized by City Ordinance 1002 for the annexation of 10.79 acres.
- 18) CITY OF KETCHIKAN - The Commission approved the City's local action petition authorized by City Ordinance 1003 for the annexation of 85.16 acres.
- 19) CITY OF KETCHIKAN - The Commission approved the City's local action petition authorized by City Ordinance 1004 for the annexation of 9.67 acres.
- 20) CITY OF PELICAN - The Commission approved the City's local action petition authorized by City Ordinance 1983-7 for the annexation of 11.43 acres.

- 21) CITY OF WASILLA - The Commission approved the City's local action petition authorized by City Ordinance 83-32 for the annexation of 92.77 acres.
- 22) CITY OF KODIAK - The Commission approved the City's local action petition authorized by City Ordinance 656 for the annexation of 12.87 acres.
- 23) CITY OF KODIAK - The Commission approved the City's local action petition authorized by City Ordinance 673 for the annexation of 8.54 acres.
- 24) CITY OF KODIAK - The Commission approved the City's local action petition authorized by City Ordinance 708 for the annexation of 8.8 acres.

The incorporation of the Cities of Chignik and Saint George brought the total number of municipal corporations in the State to 156.

STATE OF ALASKA
LOCAL BOUNDARY COMMISSION

RECOMMENDATION NUMBER FOUR TO THE SECOND
SESSION OF THE THIRTEENTH LEGISLATURE

RECOMMENDATION FOR THE ANNEXATION OF TERRITORY
TO THE CITY OF HOONAH

On September 22, 1983, the Hoonah City Council passed resolution number 83-09-22-01 authorizing the petition for the annexation of twenty-four square miles of territory. The City of Hoonah submitted its petition and supporting documentation to the Department on September 30, 1983.

The petition was determined to be sufficient as to form and content and was accepted by the Department November 2, 1983. The requirement that the petitioner give public notice of the filing of the petition was fulfilled by the posting of such notice in three public places (the City Hall, the U.S. Post Office, and the B.M. Behrends Bank).

Pursuant to proper notice, the Local Boundary Commission held a public hearing on the petition for the proposed annexation on December 18, 1983. The hearing began at 1 p.m. (local time) in the Hoonah City Council Chambers. Local Boundary Commission members present were: Charles Bettisworth and Bert Greist. Answering briefs were submitted by the Sealaska Corporation and Huna Totem Corporation. The City of Hoonah subsequently submitted a reply brief during the hearing.

Pursuant to proper notice, the Local Boundary Commission held a decisional meeting on the petition for the proposed annexation on January 7, 1984. Local Boundary Commission members present were: Sheila Gallagher (Chairman), Charles Bettisworth, Joe Anderson, and Bert Greist.

Upon consideration of the petition to annex twenty-four square miles to the City of Hoonah, the December 12, 1983 report of the Department, the answering briefs submitted by Huna Totem Corporation and Sealaska, the reply brief submitted by the City of Hoonah and the testimony presented at the public hearing, the Local Boundary Commission made the following findings of fact:

1. There are no other municipalities in the immediate area of the City of Hoonah to provide services to the approximately 200 residents of the territory proposed for annexation. As there are no other municipalities in the immediate area of the City of Hoonah, the territory is in need of municipal services which the City can provide more effectively than any other municipality.

Currently, the City of Hoonah is providing municipal services outside of the City. The City of Hoonah airport, the City landfill, and the City maintained recreational trails are all located outside of the City. The City is providing on request, police protection, emergency medical treatment, library, and health clinic services to persons residing outside of the City. With the continued expansion of the timber industry in the Hoonah area, the need for municipal services will continue to expand. It will be necessary for the City to provide for education, planning and zoning, public safety, emergency medical services in that territory proposed for annexation.

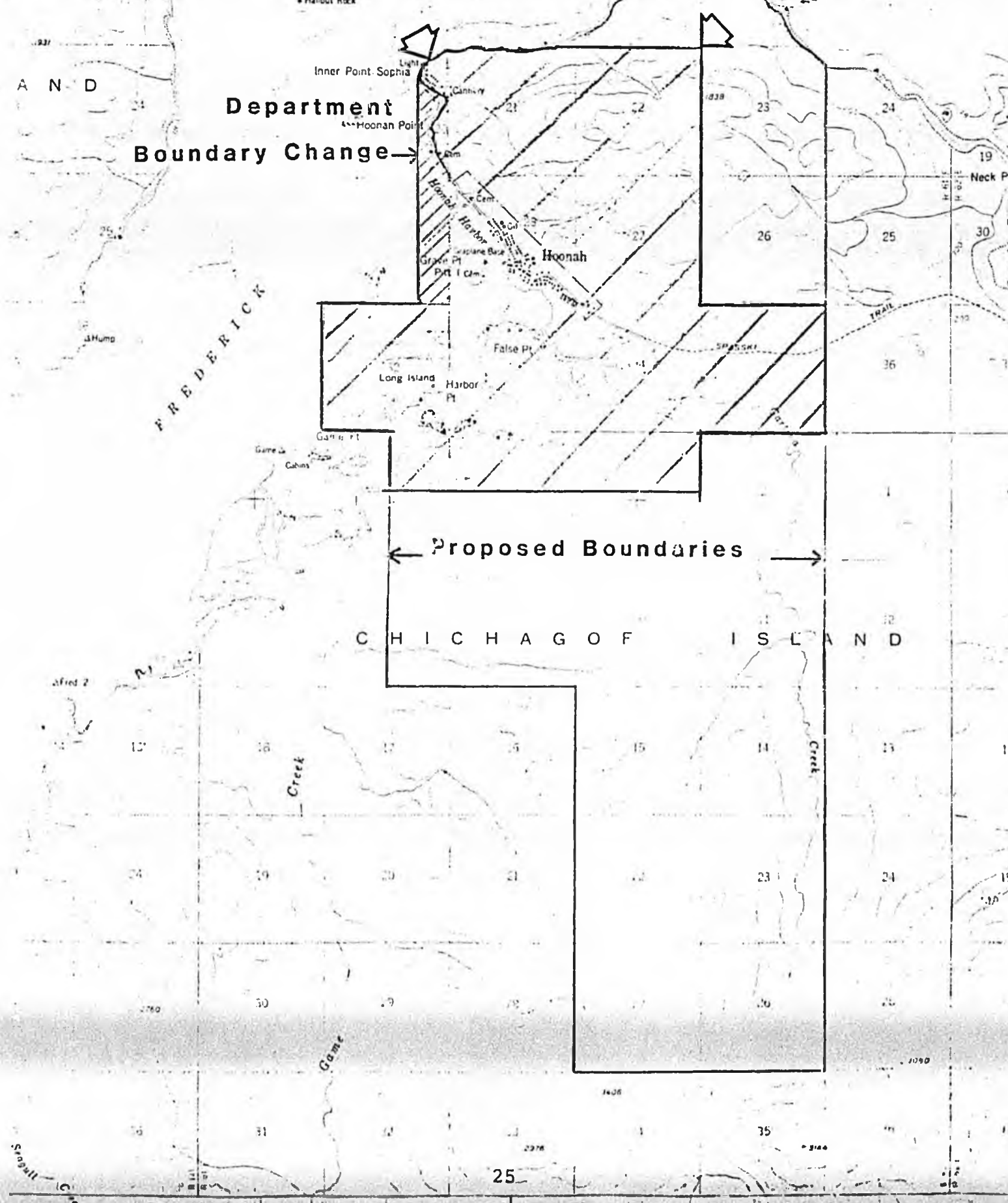
2. Given the current level of timber harvesting and plans for expansion of the timber harvesting activities in the Hoonah area, it is likely that future growth and development will occur within the territory and that annexation of the territory will enable the City to plan for and control that development.
3. Residents of Hoonah residing outside of the municipal boundaries may not participate in the democratic process which guides the municipality's direction and growth. So long as these individuals reside outside of the municipality's boundaries, they are precluded from holding office on the City Council. Further, those residents may not vote on members of the City Council and may not vote on City referenda or initiative.
4. The watershed territory proposed for annexation in the City of Hoonah's petition has been excluded from the Commission's recommendation. The Commission feels that there was not sufficient justification given for the annexation for this territory.

THEREFORE, the Commission hereby recommends to the Second Session of the Thirteen Legislature of the State of Alaska, annexation of territory to the City of Hoonah, resulting in the following legal description for the City of Hoonah:

Beginning at the NE corner of protracted Section 22, T43S, R61E, Copper River meridian (C.R.M.); thence, south to the NE corner of protracted Section 34, T43S, R61E, C.R.M.; thence east to the NE corner of protracted Section 35, T43S, R61E, C.R.M.; thence south to the SE corner of protracted Section 35, T43S, R61E, C.R.M.; thence west to the SE corner of protracted Section 34, T43S, R61E, C.R.M.; thence south to the SE corner of the North 1/2 of protracted Section 3, T44S, R61E, C.R.M.; thence west to the SW corner of the NE 1/4th of protracted Section 5, T44S, R61E, C.R.M.; thence north to the NW corner of the NE 1/4th of protracted Section 5, T44S, R61E, C.R.M.; thence west to the SW corner of protracted Section 32, T43S, R61E, C.R.M.; thence north to the NW corner of protracted Section 32, T43S, R61E, C.R.M.; thence east to the NW corner of the NE 1/4th of the NE 1/4th of

protracted Section 32, T43S, R61E, C.R.M.; thence north to a point that intersects with the line of mean high water off Inner Point Sophia; thence meandering in a generally easterly direction along the mean high tide water line of Icy Strait to a point which intersects with the northern boundary of protracted Section 21, T43S, R61E, C.R.M.; thence east to the NE corner of protracted Section 22, T43S, R61E, C.R.M., the true point of beginning, containing 9.68 square miles, more or less, all in the First Judicial District, State of Alaska.

LBC RECOMMENDED BOUNDARIES



December 20, 1983

RECEIVED

DEC 30 1983

DEPT. OF COMM. & REG. AFFAIRS
DIV. OF MUNICIPAL & REG. ASST.

Local Boundary Commission
C/O Jim Sanders
Department of Community & Regional
Affairs, Local Government Assistance
225 Cordova St., Bldg. B
Anchorage, AK. 99501

Gentlemen:

Since the City has been afforded the opportunity of written rebuttal and since I limited my final remarks at the annexation hearing on 12/18/83 at the request of the acting Chairman of the Local Boundary Commission, the Huna Totem Corporation feels that a brief reply is in order. We will generally follow the order of the City's reply.

It is still our contention that the notice of the annexation was not sufficient to meet the intent of the Alaska Administrative Code even if it can be demonstrated that the City met the letter of the code, which we doubt.

In a workshop on December 9th, and 10th, 1983 the Huna Totem Corporation Board of Directors unanimously directed me as the Corporate Chief Executive Officer to oppose all annexation except the 1130 acres. I was stretching my authority when I recognized there might be some validity to annexing U.S. Survey 2414. The Board is not accustomed to passing resolutions each time they give the Chief Executive Officer a directive.

The Huna Totem Corporation brief was mailed to the address given in the public notice and hand delivered to the petitioner. (See Affidavit)

The fact that a Huna Totem Corporation Board member and an employee of the Corporation are/were councilmen and/or on the Planning & Zoning Commission is immaterial. An individual Board member does not represent the Corporation. Only the Chairman and Chief Executive Officer can commit the Corporation as individuals and then with limitations. Certainly the Board member/City Councilman is not considered as being able to speak for or commit the City in a Corporate Board meeting.

The Coastal Zone Management Plan was cited in testimony at the hearing in several instances as being the document from which many of the "Facts" were drawn. It should be noted that the Coastal Zone Management Plan has not been adopted. Additionally, the Huna Totem Corporation is on record as questioning the accuracy and completeness of the draft Coastal Zone Management Plan. The use of one inaccurate and incomplete document to validate a second document is not acceptable. Neither the City's brief nor the State's report cited the Coastal Zone Management Plan as the authority, therefore, it should come as little surprise that we ignored

HUNA TOTEM CORPORATION

P.O. BOX 290

HOONAH, ALASKA 99829

907-845-3330

the Coastal Zone Management Plan in our original brief.

The petitioner claims we did not comply with 19 AAC 10.550. 19 AAC 10.500 states in part "... the brief ... shall demonstrate that the boundary change meets the applicable standards ..."

One of the difficulties in preparing our answering brief was the fact the petitioner did not address any of the standards. We were left to guess at which standards the petitioner was trying to substantially meet and the basis for their determination. Had each standard been addressed and factual information presented demonstrating the criteria were met then our analysis could have been more thorough. As it stands there was no testimony which indicated that any statement in our original brief was materially incorrect or uncomplete. We still stand behind our statement that the City's brief was incorrect and incomplete as further evidenced by their complete failure to address any of the standards as required by 19 AAC 10.550.

The petitioner uses the State's "Report..." as substantive proof that their brief is accurate. Please refer to our comments on the Coastal Zone Management Plan. One inaccurate document cannot validate another.

Subsistence became an issue at the public hearing. Except for one "Whereas" clause in one of the supporting documents the petitioner had not addressed subsistence as justification for annexation in the actual brief. It might be of interest to point out that Mr. Hill and Mr. Greenwald who testified about subsistence, specifically herring eggs and crab pots, both enjoy family incomes substantially in excess of \$50,000 per year.

In the desire to limit and control development on Corporate lands the petitioner is ignoring the whole legislative intent behind ANCSA which established the native village corporations and gave them land. The lands were given to the corporations for the purpose of development in order to establish an economic base for the residents of the native villages and allow them to rise above the subsistence level if they so desired. If the issue of City boundaries is to be based on subsistence then it would be well to hear from those forced to live the subsistence life. We do not deny that development will impact subsistence fishing and hunting. But it can be demonstrated that the impacts are, in some cases, beneficial as well as the acknowledged negative impacts. As only one example of the benefits is the fact that more areas and streams have easier and better access. As a native village corporation with 100% native shareholders you can be sure that we are aware of the subsistence issue and subsistence is taken into account in all development plans.

Finally, the petitioner in their brief and in the public testimony spoke at length on the need to annex the watersheds in order to control and protect them. You heard testimony from the Hoonah District Ranger, Ms. Joy Berg, who stated that annexation will not effect management and control one way or the other. That sort of shoots a hole in the major argument of the petitioner, doesn't it? The FACT is that Federal statutes and regulations will supersede any control or management measures the City will try to impose and the City will be ignored.


In addition, all other forest lands in state and private ownership are regulated by the Alaska Forest Practices Act which largely follows the federal regulations. Before we do anything with our lands we must demonstrate that we are in compliance with the State's Statutes. Again, State statutes will supersede City Ordinances.

We have pointed out that the petitioner's brief is factually incomplete and incorrect as required by 19 AAC 10.550, that the State's "Report to the Local Boundary Commission..." is inaccurate and incomplete and that public testimony failed to demonstrate any valid reasons for annexation.

We have demonstrated that the actual health, welfare and safety may well be endangered if this annexation is permitted. We therefore request that the Local Boundary Commission limit the City's annexation to the 1130 acres now owned by the City.

Yours truly,

HUNA TOTEM CORPORATION



William C. Bivin
Chief Executive Officer

WB/ld

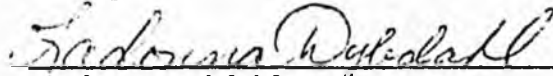
cc: City of Hoonah
Mike Tavoliero - City Manager

Baxter, Douglas & Marks
Jim Douglas - HTC Attorney

Attachment:

AFFIDAVIT

I do hereby certify and swear that on December 15, 1983 at approximately 9:45 a.m. I hand delivered one copy of the Huna Totem Corporation's brief on the City of Hoonah's proposed annexation to the City Clerk and one copy to the City Manager.



Ladonna Dybdahl
Secretary for Huna Totem Corp.

HUNA TOTEM CORPORATION

P.O. BOX 290

HOONAH, ALASKA 99829

907-945-3330

Huna Totem Corporation Brief

Rec'd - 12c
15, 1983
OAS.

My name is William C. Bivin and I am here today representing the Huna Totem Corporation, the village corporation of Hoonah, Alaska. Huna Totem Corporation has 953 shareholders and an estimated 80% of the population of Hoonah are shareholders.

In my following remarks it is important to remember that not only do I represent a corporation but that I also have close to 7 years in City management with my most recent City position being City Manager of Kodiak, Alaska ending June 1982. In my city management experience I have been personally responsible for two extremely controversial annexations and 1 - 3, non-controversial annexations. My battle scars entitle me to speak knowledgeably about annexations in general and this one in particular.

The Huna Totem Corporation wishes to actively support the City's annexation efforts as long as they are reasonable. The Corporation whole heartedly supports annexation of the 1130 acres recently conveyed to the City and would not oppose annexation of the Parcel U.S. Survey 2414 owned by Huna Totem Corporation. This property is immediately adjacent to the City and is presently being subdivided. The Corporation is of the opinion that this annexation meets the standards of 19 AAC 10.065 through 10.080.

With the exception of the above properties the City has not demonstrated that the rest of the properties adequately meet the "Standards for Annexation" as defined in 19 AAC 10.065 - .070. If it is held that the territory is contiguous to the City (which we don't necessarily agree with) and falls within the parameters of 19 AAC 10.070 then the City has failed to meet the following specific standards:

19 AAC 10.070 (a) (1) the contiguous territory is totally surrounded by
the city's boundaries;

The fact that this standard is not met is evident.

(2) the land in the territory is wholly owned by the
city;

The majority of the land is in private, state or federal ownership.

(3) the territory is urban in character;

19 AAC 10.070 (d) states that "in determining whether the territory is urban in character for the purposes of (a) (3) of this section the Commission will ... consider whether the property is platted or held for sale for residential or commercial purposes..." With the exceptions noted it is obvious the vast majority of the lands proposed for annexation are not now subdivided and will never be. With very minor exceptions these lands are totally unsuitable for commercial or residential use. Further, the Huna Totem Corporation has adopted a policy that they will not sell ANCSA lands as it is felt that this is the heritage of the shareholders and natives of this community.

This paragraph goes on to state, that the Commission will consider ... "whether the population density approximates that of the annexing city,..." The population density does not approximate that of the City and there is no possibility of that ever occurring. For the population density to approximate that of the existing city the population would have to be in the 100's of thousands.

In short, there is no justifiable way of arriving at the conclusion that the territory is urban in character.

(4) the territory is in need of municipal services
which the city can provide more efficiently than
another municipality;

What municipal services can the City efficiently provide to the territories in question? Just last Sunday I was the recipient of a house full of raw sewage. While solving the problem it was obvious that the lines had not received any maintenance for a long, long time. The water main near my house is leaking and has been for at least two weeks. In addition the City ran a deficit last year and actually passed a deficit budget this year. This is not meant to be sour

grapes but is simply used to illustrate the following paragraph. Other examples are readily available.

Given a deficit budget, a lack of a long term capital improvements plan, lack of an adopted comprehensive land use plan, a lack of any facilities maintenance programs, one has to question the ability of the City to even provide adequate municipal services within it's existing boundaries and to it's existing population let alone extending any sort of services to territories proposed for annexation.

I am aware that the Boundary Commission has held, in the past, that the inability of a City to provide services was not sufficient reason, by itself, to deny annexation. I am also aware of the use of service districts. However, from an ex-city manager's point of view I can tell you that service districts create additional problems for, and financial demands on, a City Council and it's administration. With the City's demonstrated inability to provide adequate municipal services and it's demonstrated lack of resouces to provide such services, where is it going to get the financial and human resources to monitor and administer service (non-service) districts when they can be eliminated by simply not annexing?

The City, in it's brief, has not demonstrated that there is a need for municipal services in the territory nor has the City demcnstrated that it has the finances or competance to extend and maintain such services.

- (5) there is a reasonable likelihood that future growth and development will occur within the territory and that annexation of the territory will enable the city to plan for and control that development;

One of the strongest arguments the City has for the annexation of the 1130 acres conveyed to the City and possibly the U.S. Survey 2414 property is that there is a reasonable likelihood that there will be future growth and development.

Indeed, Huna Totem Corporation supports the City in their argument, based on anticipated growth, that the developable lands should be annexed and are needed to alliviate the current shortage for residential property. But annexation of these lands would adequately supply the needs of the current and future residents through the year 2000 and beyond. This argument is valid only for the 1130 acres and U.S. Survey 2414.

The City in it's brief has not adequately demonstrated that there is a reasonable likelihood for growth and development in the other areas. Their factual information is both incomplete and incorrect. For example, they indicate that the Whitestone Logging camp should be included in the annexation because it requires services of the City. But yet it excludes Mount Bether Community stating it is self sufficient and does not rely on City services. This is factually incorrect. Mount Bether owns at least one house in Hoonah and there are several families from Mount Bether Community who reside full or part-time in Hoonah and even have children in school here. During the construction and fishing season Mt. Bether residents habitually work in Hoonah and regularly sell farm produce in the City. The Mount Bether Community probably utilizes the City's services to a greater extent than the logging camp.

Take a look at the map. What conceivable growth and development, which might affect the City, can your imagine in Sections 14, 15, E.½ of 21, 22, 23, 26, E.½ of 27, and 35 of Township 43 South, Range 61 East? Or sections 2, 3, 4 (except NE¼), E.½ 5, E.½ 8, 9, 10, 11, 14, 15, 22, 23, 26, and 27? The answer is "NONE" and because of the physiography of the territory there will be none in the foreseeable future.

- (6) the health, welfare or safety of city residents
is endangered by conditions existing or developing
in the territory and annexation will enable the city
to remove or relieve these conditions;

This might conceivably have been one of the City's strongest arguments but nowhere in the City's brief or supporting documents have they demonstrated that the health, welfare, or safety of City residents is endangered if the territory is not annexed. In fact, annexation may actually jeopardize the health, welfare and safety of the City residents and may actually reduce the City's control of, or ability to control, the annexed properties.

Territory does not have to be annexed, or even owned, to be controlled. The city manager actually has a more effective control of an extra-territorial watershed, especially if it is on state or federal lands. If something occurs in the extra-territorial watershed the city manager can have the responsible agencies, with the authority and resources on site in a matter of minutes to hours. If underlings aren't responsive, the City Manager can have the responsible State Commissioner on the phone in a couple of hours and if that Commissioner is unresponsive the City manager can have the Governor on the phone within 12 hours.

If the City has annexed territory to "Protect" it and passes ordinances to effectuate control then the City is expected to use its resources to establish and administer that control. The City and City manager's effectiveness is limited and it is only after the City has exhausted its resources that it becomes possible to call on outside agencies for help. My point is that it is not necessary to use scarce City resources to control land outside of the City limits which is vital to its health, welfare and safety. Let others who have more adequate resources do it.

There are many cities with watersheds outside of their corporate boundaries. Portland, Oregon immediately comes to mind as does the City of Kodiak, Alaska where I was City Manager. I preferred having the watershed (and garbage dump) outside of the City limits as I felt the City had more effective control and used less City resources to get that control.

While these comments cover all of the watersheds, it must be pointed out that the Agreement conveying the 1130 acres between the City and Huna Totem

Corporation dated Jan. 26, 1982 prohibits logging or any other activities in the watershed immediately behind Hoonah without City authorization. In addition, the water rights on this same area have been quit claim deeded to the City.

It is conceivable that the welfare of the City residents could be materially damaged by this annexation. As a simple example, and more can be given, the City has indicated it wants control over Huna Totem Corporation's log transfer facility. The Planning and Zoning Commission has already recommended that temporary water storage of logs and log ship loading be banned within the City boundaries. It is my understanding that this proposal still exists. If Long Island is annexed and this occurs, 35 stevedoring jobs with a payroll of over \$350,000.00 will be lost; a \$2½ million dollar investment will become worthless and additional employment opportunities will permanently be lost.

Leaving aside the subject of watershed control, the City has not demonstrated that the health, welfare and safety of the residents of the City will be improved by annexation.

- (7) the extension into the territory of city services or facilities is necessary to enable the city to provide adequate service to city residents, and it is impossible or impractical for the city to extend the facilities or services unless the territory is within the city's boundaries;

Again we agree that the City can demonstrate it meets this standard for the 1130 acres and possibly for U.S. Survey 2414.

The City has not demonstrated that it is necessary to extend services into these territories to provide adequate services for City residents. Annexation will place additional demands on financial and human resources which are already demonstrably inadequate.

- (8) residents or property owners within the

territory receive or may be reasonably expected to receive, directly or indirectly, the benefit of city government without commensurate property tax contributions, whether city services are rendered or received inside or outside the territory;

If the City resident was being unduly burdened by property taxes because of service demands originating from property owners and residents in the territory proposed for annexation then it is conceivable that there might be a more legitimate argument. However, there are no property taxes and the City resident is not being burdened. The fact is, with the exception of the enterprise funds, the City's revenues all come from the State and Federal governments.

The City's brief stated that annexation of these territories, "Will help offset the cost of providing certain municipal services,... such as police and fire protection..." The operative words are "help offset". The City has not demonstrated that it has the ability to provide adequate services to its existing population with its existing manpower and equipment. Are they going to stretch that manpower and equipment even thinner to extend services into the annexed territories? As a City resident I can personally state that I object to having the police at Long Island, or up at the White Alice Site leaving me, my daughter and about 800+ other City residents without protection.

This would indicate the need for additional manpower and equipment. I can tell you, again from my city management experience, that the increase in revenue sharing from 250 residents will not be adequate to pay the operating expenses for additional men and equipment.

19 AAC 10.070 (e) stipulates that alternative methods for offsetting the cost of providing services to individuals or property be considered. The City's brief does not address this issue and I suggest there are methods of offsetting the costs of services which the City has failed to adequately consider.

- (9) the annexation is otherwise necessary to accomplish a valid public purpose.

We have read and re-read the City's brief and have attempted to what valid public purpose annexation might accomplish. Section V, "Rationale For The Boundaries Proposed" of the City's brief states it has three purposes for annexation:

1. "First, the area offers developable land for residential purposes..."

In so far as this is applied to the 1130 acres and possibly to U.S. Survey 2414, we agree and support the City. However, to assume that any of the rest of the territory is developable for residential purposes is patently ludicrous.

2. "Third, the City has a justifiable desire to include the recently conveyed 1300 (sic) acres in its jurisdiction." We agree.

3. "Second, Since the proposed area is contiguous with existing City boundaries, the City Council feels that proper control over development of the area is best placed on the City's Management."

The operative word appears to be "Control". Control for what purpose? The City has failed to demonstrate that it has the requisite financial or human resources to adequately provide services to the existing community. A deficit budget and one man professional staff is going to take on the additional burden of "controlling development"? Ludicrous!

It has been my experience that cities greatest propensities are to obstruct and obfuscate. It is a rare city that can initiate. Unfortunately, the City's entire brief clearly indicates the intent to obstruct.

The City has stated they wanted to control development. This can only be read to mean logging, as logging is the only "development" which will occur on most of the land to be annexed. One then has to assume that all of our logging plans, roadbuilding plans, etc. would have to be submitted to the City for review and approval. The City staff, City Council and it's committees and com-

missions does not have the staff, resources or expertise to adequately evaluate this type of plans. The City could only obstruct and delay and drive up costs. One must then ask who benefits? Certainly not the City and its inadequate resources; not the resident of the City who is going to be faced with fewer job opportunities and higher City administrative costs, not the Huna Totem Corporation, or it's shareholders, who will be faced with greater costs.

Section V of the City's brief speaks to certain specific parcels of land proposed for annexation and we wish to comment on each parcel.

(1) Gartina Creek Drainage. The City has not demonstrated that it has the financial and human resources or the technical expertise to effectuate control over the watershed. Because much of the watershed is on federal land the U.S. Forest Service can be forced to develop, implement and administer an appropriate watershed management plan. They have the expertise and resources which are totally lacking in the City. Use the City's scarce resources to insure the U.S. Forest Service does it's job.

(2) Hoonah Airport. The Huna Totem Corporation sees no valid reason for annexation of the airport. Speaking from a City manager's stand point, with experience in two cities with airports in the City limits, I can assure you that an airport in the City limits is not necessarily beneficial. The only justification is if the land immediately adjacent to the runways is private ownership, can be commercially developed, and taxed. There is little likelihood for that happening. Again, why use scarce city resources on an area better served by others?

(3) Whitestone Logging. We have made several comments previously and will not repeat them here. The Huna Totem Corporation supports Whitestone Logging in whatever they wish to do.

We would like to note that the brief is factually incorrect in this section. The camp does not have to be annexed to be in the Hoonah School District. School district boundaries do not have to coincide with municipal boundaries.

(4) Long Island. Why does the fact that Long Island is a Log Transfer Facility

make it appropriate for city control? At last count there are 8 state and federal regulatory agencies with jurisdiction over Long Island and surrounding waters. These agencies have the resources and expertise to exercise control. The City has neither.

Conversations with members of the City's Planning and Zoning Commission indicate that in their annexation discussions the impression was given that whatever was satisfactory to the regulatory agencies would be acceptable to the City. If this is so, why annex? Why add a layer of bureaucracy without the resources, expertise or competence to control? What benefit will accrue to the City resident, remembering that 80% of the residents are corporate shareholders?

The only benefit to the City resident we can identify would be through taxation. Because of the City's inability to put their financial affairs in order, it is felt that the City is looking to the Huna Totem Corporation to bail them out. Besides taxation there are a whole series of financial mechanisms which the City could use to increase their revenues at the expense of the Huna Totem Corporation without benefitting the Corporation. In the short run revenues might increase but in the long run the welfare of the City residents will be harmed.

Many residents of Hoonah feel the Corporation should get out of logging and will do whatever they can to stop logging. Surprisingly, the Huna Totem Corporation has a goal of being out of logging within five years with the smallest possible depletion of the timber resource. However, because of existing financial commitments some logging will be required for a period of time. The City can do nothing to reduce the time or volume of timber logged. However, it can and will materially increase both the time Huna Totem Corporation remains in the logging business and the volume of timber logged if this annexation takes place. The very fact that the City is incapable of recognizing the existence of this situation is evidence of their lack of competence to exercise any

meaningful control over Long Island or other timber lands.

(5) Excursion Inlet Packing. Huna Totem Corporation will support Excursion Inlet Packing in the decision they make.

General Comments:

The Huna Totem Corporation doubts that the City has complied with the regulations governing annexation. It is certain that the City's brief and supporting documentation is factually incorrect. The City claims, in Resolution 83-09-22-01, that public hearings were held on the proposed annexation and cites Sept. 22, 1983 as the specific example. "Exhibit F" simply indicates a public meeting between the City Council and the Planning and Zoning Commission. It is doubtful that this was a public annexation hearing or that it complies with statutory requirements regarding annexations.

Even if the Commission finds that the City was procedurally correct we still question the process... It is the Huna Totem Corporation's position that the City did not adequately allow for public input into the process. As stated earlier, I have been involved in two very controversial annexations. In order to insure adequate public input several public hearings were held. In addition to the hearings, however, I personally contacted every landowner affected with copies of maps and the final annexation proposal. Informal meetings were held at the convenience of interested parties. I understand now that it comes as a surprise that Huna Totem Corporation opposes annexing the world, but up until after the Sept. 22 meeting we understood that the City's annexation proposal just included the 1130 acres, which we have never opposed.

The City has the responsibility of informing the public and insuring the public input. The City has been derelict and grossly negligent in carrying out it's obligations.

Summary:

1. Huna Totem Corporation supports the annexation of the 1130 acres of recently conveyed, City owned land. The City has demonstrated

that this territory meets the standards for annexation.

2. The City's brief presents information which is factually incorrect and incomplete regarding all territories except
 1. above. Specifically this includes information regarding:
 - (a) The Mount Bether Community;
 - (b) The Whitestone Logging Camp;
 - (c) Public hearings;
 - (d) The ability of the City to prudently manage and protect the territories to be annexed.
 - (e) The ability of the City to extend and maintain municipal services to the area proposed for annexation;
 - (f) Benefits to existing City residents and residents of the territories to be annexed.

In conclusion, this is a poorly thought out annexation which has a very real potential of materially endangering the health, welfare and safety of the residents of Hoonah and territories to be annexed. This proposal is an irresponsible misuse of public funds which are demonstrably inadequate to meet existing needs. We have demonstrated that the territory in question does not meet the standards for annexation and that the information presented in the brief is factually incorrect and incomplete.

It is suggested that the City withdraw its annexation petition, reduce it's scope and return when it can demonstrate that it can even provide adequate services for the existing population.

Huna Totem Corporation Brief In Opposition

After the Huna Totem Corporation brief was written a copy was received of the "Report to the Local Boundary Commission on the Proposed Annexation of 23.91 Square Miles to the City of Hoonah," written by the Department of Community and Regional Affairs. The material contained is so erroneous and misleading that a rebuttal is called for. In several places the document purports to detail Huna Totem Corporation plans as substantive justification for finding that a standard is met. To the best of my knowledge the Corporation was not contacted regarding its plans and takes exception to the Department of Community and Regional Affairs attributing such statements to the Corporation without verification.

Specific examples of fallacious information is:

1. Page 4, Standard (4), paragraph 3 and 5. The Corporation has a goal of being out of the logging business within 5 years. The 1983 and 1984 logging seasons have and will be the peak production years. The 1984 logging season will be the last season on the East side of Port Frederick Sound. The growth has occurred and no additional growth is anticipated or needed. The "Report" is inaccurate in growth projections and Huna Totem Corporation's "anticipated market".
2. Page 5, Standard (5) all. The Report is factually inaccurate and misleading in its entire treatment of standard (5).

151.5 Million board feet and 91.6 miles of road will not be harvested and built by 1986 in the Hoonah area. These figures are close to 3 times as much as planned or anticipated.

The statement is made, "It is anticipate(d) that several more logging camps and logging facilities will be constructed in the territory to be annexed." This statement is totally erroneous, factually inaccurate and grossly misleading.

The log transfer and storage facility was designed for a 15 year life span and not 50-100 years. Stretch the usable period to 300 years and the report would really show an impressive volume. This paragraph is inaccurate and

misleading.

3. Page 6, Standard (6) all. The Report finds that there are no conditions endangering City residents and that have adequate protection. But then, goes on to find the standard has been met. Incredible - just incredible. The spurious thinking responsible for this finding has to be one of the classic examples of bureaucratic ineptitude. The writer of this report just received my nomination for "State Bureaucrat of The Year".

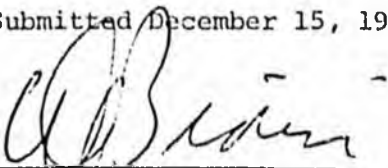
4. Page 6, Standard (7). This statement is inaccurate, incomplete and misleading.

5. Page 7, Standard (9). I feel that there are a number of residents outside of the City who would not find this to be a "valid public purpose".

The "Report to the Local Boundary Commission ..." is spurious, specious and fallacious. It has been written so as to consciously mislead the Commissioners and general public. It has been written without any attempt to validate the statements or to include material which would give a balance appraisal of the situation. As such the writer of this document is grossly negligent in carrying out his duties and responsibilities to the State, the City and to the public.

This Report should be thrown out in its entirety and the Department of Community and Regional Affairs requested to prepare a balanced unbiased report.

Submitted December 15, 1983 at 9:45 a.m.



William C. Bivin
Huna Totem Corporation
Chief Executive Officer

S

B

2

1

~~over this job~~

3/30

COMMITTEE REPORT

HOUSE

FINANCE

FURTHER:

(7)

5/11/83

Return to

Date: 25 MAR

Mr. Speaker:

The Committee on COMMUNITY & REGIONAL AFFAIRS has had CSRB 21 (CSRA) an

An Act relating to grants for water supply, sewerage and solid waste facilities; and providing for an effective date.

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for CSRB 21 same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]

[Signature]

CHAIRMAN

Original sponsors: Lacher and Szymanski

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 101 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to grants for water supply, sewerage
7 and solid waste facilities; and providing for an
8 effective date."

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

10 * Section 1. AS 46.03.030(b) is amended to read:

11 (b) The department may grant to a municipality, as funds are
12 available, up to 75 [50] percent of eligible costs not financed by the
13 federal government, for public water supply, treatment and distribu-
14 tion systems and public sewage collection, treatment and discharge
15 systems, ^{and solid waste processing and disposal facilities} [FACILITIES] for which construction or acquisition has not
16 commenced on or before July 1, 1983 [JUNE 21, 1976]. The eligible
17 cost of a project or portions of a project will be as determined by
18 the federal agency granting the most monetary assistance. On projects
19 or portions of projects, for which federal participation is not avail-
20 able, eligible costs will be determined by the department in accor-
21 dance with (d) of this section. Projects shall be constructed in
22 accordance with plans and specifications approved by the department.

23 * Sec. 2. AS 46.03.030(d) is amended to read:

24 (d) The department shall, by regulation, identify those costs
25 that [WHICH] are eligible costs for the purposes of this section.
26 Eligible costs include the costs ^{that} [ESTABLISHED IN A CONSTRUCTION CON-
27 TRACT WHICH]

28 (1) that are necessary for construction of a project, but
29 do not include the cost of interest and financing and right-of-way

1 acquisition, or costs related to operation, maintenance, repair or
2 replacement of a project;

3 (2) of the initial acquisition of water delivery and sewage
4 collection vehicles if the vehicles are determined by the department
5 to be cost effective compared with conventional water supply and
6 sewage collection systems;

7 (3) of facilities for the maintenance and storage of water
8 delivery and sewage collection vehicles.

9 * Sec. 3. AS 46.03.030(e) is amended to read:

10 (e) The department may grant to a municipality not more than 75
11 [50] percent of the eligible costs that [, INCLUDING COSTS OF OBTAIN-
12 ING FEDERAL WAIVERS FROM THE REQUIREMENT FOR SECONDARY TREATMENT
13 PLANTS, WHICH] are not paid for by the federal government for solid
14 waste processing or disposal systems [FACILITIES] constructed or
15 acquired after July 1, 1983 [1980]. However, the department may grant
16 a municipality up to 85 [60] percent of the eligible costs not paid
17 for by the federal government for a solid waste processing or disposal
18 system [FACILITY] constructed or acquired after July 1, 1983 [1980],
19 if the system [FACILITY] is used for resource recovery. The eligible
20 costs of a solid waste processing or disposal system [FACILITY] are
21 determined by the federal agency granting the most monetary assistance
22 for construction or acquisition of the system [FACILITY]. For a solid
23 waste processing or disposal system [FACILITY] for which federal money
24 is not available, the department shall determine the eligible costs in
25 accordance with (d) of this section. A municipality shall construct
26 solid waste processing or disposal facilities financed by grants under
27 this section according to plans and specifications approved by the
28 department.

29 *> Add Line 26, p. 2 of CSSB 21 (definition) except change "heavy burden" to "sewage"*
* Sec. 4. This Act takes effect July 1, 1983.

Original sponsors: Kerttula, Ferguson
and Josephson

1 IN THE SENATE

BY THE COMMUNITY AND
REGIONAL AFFAIRS COMMITTEE

2

CS FOR SENATE BILL NO. 21 (C&RA) am

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to grants for water supply, sewerage
7 and solid waste facilities; and providing for an
8 effective date."

9

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

10

* Section 1. AS 46.03.030(b) is amended to read:

11

(b) The department may grant to a municipality, as funds are

12

available, up to 75 [50] percent of eligible costs not financed by the

13

federal government, for public water supply, treatment and distribu-

14

tion systems and public sewage collection, treatment and discharge

15

^{systems} facilities, and solid waste processing and disposal facilities) for

16

^{or acquisition} which construction has not commenced on or before July 1, 1983 [JUNE

17

21, 1976]. The eligible cost of a project or portions of a project

18

will be as determined by the federal agency granting the most monetary

19

assistance. On projects or portions of projects, for which federal

20

participation is not available, eligible costs will be determined by

21

the department in accordance with (d) of this section. Projects shall

22

be constructed in accordance with plans and specifications approved by

23

the department.

24

* Sec. 2. AS 46.03.030(d) is amended to read:

25

(d) The department shall, by regulation, identify those costs

26

that [WHICH] are eligible costs for the purposes of this section.

27

Eligible costs include the costs that [ESTABLISHED IN A CONSTRUCTION

28

CONTRACT WHICH] are necessary for construction of a project, but do

29

not include the cost of interest and financing and right-of-way

1 acquisition, or costs related to operation, maintenance, ^{repair or replacement of a} ~~and normal~~ ^{project.}
2 repairs. Eligible costs include the costs of the initial purchase of
3 water delivery and ^{sewage} honey bucket collection vehicles if the vehicles
4 are determined by the department to be cost effective compared with
5 conventional water supply and sewage collection systems. Eligible
6 costs also include the cost of facilities for the maintenance and
7 storage of those vehicles [REPAIR OR REPLACEMENT OF A PROJECT].

8 * Sec. 3. AS 46.03.030(e) is amended to read:

9 (e) The department may grant to a municipality not more than 75
10 [50] percent of the eligible costs, [including costs of obtaining ^{DELETED IN HB 101}
11 federal waivers from the requirement for secondary treatment plants,
12 that [WHICH] are not paid for by the federal government for solid
13 waste processing or disposal facilities constructed ^{or acquired} after July 1, 1983
14 [1980]. However, the department may grant a municipality up to 85
15 [60] percent of the eligible costs not paid for by the federal govern-
16 ment for a solid waste processing or disposal facility constructed ^{or acquired}
17 after July 1, 1983 [1980], if the facility is used for resource recov-
18 ery. The eligible costs of a solid waste processing or disposal
19 facility are determined by the federal agency granting the most mone-
20 tary assistance for construction ^{or acquisition} of the facility. For a solid waste
21 processing or disposal facility for which federal money is not avail-
22 able, the department shall determine the eligible costs in accordance
23 with (d) of this section. A municipality shall construct solid waste
24 processing or disposal facilities financed by grants under this sec-
25 tion according to plans and specifications approved by the department.

26 * Sec. 4. AS 46.03.900(19) is amended to read: ^{(this portion NOT IN CS HB 101, should be}
27 ^{retained)}

28 (19) "sewer system" or "sewerage system" means pipelines or
29 conduits, pumping stations, and force mains, and all other appurtenant
constructions, devices, and appliances used for conducting sewage,

1 industrial waste, or other wastes to a point of ultimate disposal and
2 includes the original purchase of ^{Sewage}honey bucket collection vehicle. and
3 facilities for the maintenance and storage of those vehicles if the
4 vehicles are determined by the department to be cost effective com-
5 pared with conventional sewage collection systems;

6 * Sec. 5. This Act takes effect July 1, 1983.

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: 12/29/83

REQUEST

Bill/Resolution No.: SB 021 HCS CS
Title: Grants/Water Supply, Sewer
& Solid Waste Rec ID 805
Sponsor: C&RA Committee
Requestor: Jay Hogan
Date of Request: 12/16/83

FISCAL DETAIL

Agency Affected: Community & Regional Affairs
Program Category Affected: Development

BRU, Program or Subprogram(s) Affected:

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	No fiscal impact DCRA					
CAPITAL	No fiscal impact DCRA					
REVENUE	No fiscal impact DCRA					

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Mar Winegar
Division: Municipal and Regional Assistance

Phone: 465-4750
Date: 12/29/83

Approved by Commissioner: [Signature]
Agency: Community and Regional Affairs

Date: 12/24/83

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: 12/29/83

Bill/Resolution No.: SB 021 HCS CS
Title: Grants/Water Supply, Sewer & Solid
Waste Rec ID 805

ANALYSIS:

Assumptions:

This bill revises the State share for local water and sewer construction from 50% to 75%. This is a Department of Environmental Conservation program and will result in no additional fiscal obligations for Community and Regional Affairs.

Positions:

Other Expenditures:

Funding:

Section Cost Analysis:

Computations:

Economic Impact:

Impact on Local Government:

Attachments

POSITION PAPER ON SENATE BILL 21
by the
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Before the
HOUSE COMMUNITY & REGIONAL AFFAIRS COMMITTEE
March 25, 1983

Senate Bill 21 amends existing statute AS 46.03.030. This statute authorizes the Department of Environmental Conservation to award grants up to 50 percent of the eligible costs for water, sewerage, and solid waste facilities. This amendment would increase the State's grant percentage from 50 to 75 percent. The bill also provides for an effective date.

This bill contains the same major provisions as SB 252 which passed the Legislature last year and was vetoed.

The Department supports this legislation for several reasons:

- 1) Small municipalities are often unable to raise the 50 percent local match required under the existing statute. The proposed amendment will allow many of these municipalities to improve their basic sanitation services.
- 2) Federal matching grants have been drastically reduced. Adoption of SB 21 with the accompanying fiscal note will help offset the impact of decreased federal revenues.
- 3) Alaska's residents will receive a nontaxable financial benefit. An increase in State funds will reduce LID and property assessments, thereby providing a financial benefit. Since there is no direct monetary gain for the taxpayer, there can be no increase in their federal income tax.

Adoption of SD 21 could result in construction of projects that would not have been built under the 50 percent funding program. As a practical matter, however, there is no means by which we can reliably predict which projects will be affected or their costs. The attached fiscal note estimates that if the base level of funding remains constant at \$30.0 million per year, the effect of this bill will be approximately \$19.5 million in FY-84.

Thank you for the opportunity to present these comments. I will be happy to address any questions you may have.

STATE OF ALASKA
FISCAL NOTE

Revision Date Mar 25 , 1983

I. REQUEST

Bill/Resolution No.: CSSB 21 (C&RA) Am
 Title: Grants for Water, Sewer, Solid Waste Fac
 Sponsor: Kertulla, Ferguson, Josephson
 Requestor: Community & Regional Affairs Comm

II. FISCAL DETAIL

Agency Affected: Environmental Conservation
 Program Category Affected: NRMEC
 BRU, Program of Subprogram(s) Affected: Facility Construction & Operation

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL	*Assumes an annual construction inflation rate					
400 COMMODITIES	of 10%					
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC		19.5	21.5	23.6	26.0	28.6
TOTAL OPERATING						
CAPITAL		19.5	21.5	23.6	26.0	28.6
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		19.5	21.5	23.6	26.0	28.6
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

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

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

General Funds

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Gary Hayden, Director Phone: 465-2610
 Division: Facility Construction & Operation Date: March 25, 1983

Approved by Commissioner: _____ Date: _____
 Department: _____

Distribution:

Original to Legislative Finance
 Copy to Office of Management and Budget (for Legislature introduced bills)
 Copy to Department (for Governor introduced bills)
 Copy to Sponsor
 Copy to Requestor (if different from Sponsor)

(Continued on next page) 3/8/83

Department of Environmental Conservation
March 25, 1983

FISCAL NOTE

Bill CSSB 21 (C&RA) Am

Title: An act relating to grants for water supply, sewerage, and solid waste facilities, and providing for an effective date.

IV. Analysis

Estimating the fiscal impact of this bill requires that several assumptions be made:

- 1) that the base level of funding appropriated by the Legislature remains approximately \$30.0 million per year;
- 2) that the Legislature wishes to increase the base level to fund the same number of projects at the higher level; and
- 3) increased funding would be provided to meet the demand created by smaller communities seeking 75% grants where they now are required to provide only a 25% match. The effect of these assumptions is an increase of approximately \$19.5 million in FY-84, with a 10% annual increase thereafter.

$\$30.0 \times 75/50 = \45.0	$\$49.5 \text{ million} - \$30.0 \text{ million} =$
$6.0 \times .75 = 4.5$	19.5 million
Total = $\underline{\$49.5}$	

The fiscal impact of this bill could be much larger if the Legislature attempts to appropriate funds sufficient to meet all the identified needs for water, sewerage, and solid waste facilities. A survey conducted by the Department in July of 1982 indicated a total grant demand exceeding \$230 million for fiscal years 84 and 85. Assuming appropriations adequate to meet even 50 percent of this demand, the impact of increasing grants to 75 percent results in a \$57.5 million impact for FY-84; therefore, it is obvious that the fiscal impact depends solely upon the size of the appropriation and can be limited to whatever the Legislature wishes.

Alaska MUNICIPAL League

TELEPHONES
(907) 586-1325
586-6526

204 N. FRANKLIN ST.
JUNEAU, ALASKA 99801

March 21, 1983

To: House Community and Regional Affairs Committee

From: Ginny Chitwood, AML Executive Director

Re: CSSB 21 (CRA) am - Grants for Water Supply, Sewerage, and Solid Waste Facilities

The Alaska Municipal League urges your favorable consideration of CSSB 21 (CRA) am, increasing the state share of construction grants for community water supply, sewerage, and solid waste facilities from 50% to 75% of the non-federal share.

Public Health Needs: Adequate and clean water, sanitary sewer, and solid waste disposal are basic public health issues that, for the most part, cannot be addressed on an individual basis. Because total costs of these projects are very large, it is hard for many areas to raise the 50% local match required by the current programs. Further compounding the problem is the decrease in the federal funding percentage from 75% to 55%.

Relief for Property Owners: The local share of water and sewer projects traditionally is paid by assessments on local property, not by general municipal taxation. Increasing the state share will provide direct relief to property owners and taxpayers by reducing local improvement district (LID) payments. Additionally, none of the state assistance dollars under this program will result in increased federal tax payments, as is the case with many of the other state revenue distribution plans. LID payments, as opposed to property and sales tax payments, are not eligible as federal income tax deductions, nor are monthly charges for water, sewer, and solid waste services.

Mandated Costs: Many of the municipal water, sewer, and solid waste projects have costly additional features, not because communities want them, but because they are mandated by federal and/or state laws and regulations. It seems only fair that a large portion of the mandated cost be borne by other than local residents.

Most areas of the state are way behind the rest of the country in having basic water supply, sewerage disposal, and solid waste facilities. Expanding the state's construction grants program is a means to accelerate the process of "catch-up". Because this is a matching grants program, an expenditure by the state will generate an increased amount of capital projects throughout the state. The new facilities will be maintained by the local governments and utility districts and will not require state operating assistance.

STATE OF ALASKA

Bill Sheffield, Governor

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

OFFICE OF THE COMMISSIONER

POUCH B
JUNEAU, ALASKA 99811
PHONE: (907) 465-4700

March 21, 1983

POSITION PAPER

RE: CSSB 21

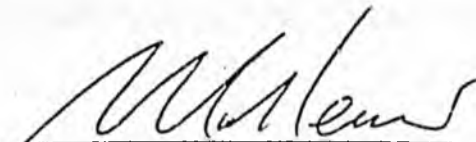
SPONSOR: Senate Community and Regional Affairs Committee

Program Effects of Bill

Increases from 50% to 75% the percentage of State matching funds for eligible construction costs for local water supply, treatment and discharge facilities and solid waste processing for disposal facilities constructed after July 1, 1983.

Comments

The Department supports this increase in aid to municipalities. The increase in State participation will allow a greater number of communities to afford water and sewer projects. Most local projects are partly financed through local improvement districts. At 50% State participation, many project balances could not be financed locally, due to lack of assets for bonding or high resident payback rates. The requirements that projects be pre-planned and engineered and that the local financing be arranged ensure that projects are genuine local priorities. This program has been one of most efficient capital assistance programs administered by the State.



Mark Lewis, Commissioner

STATE OF ALASKA
FISCAL NOTE

Revision Date _____, 1983

I. REQUEST

Bill/Resolution No.: CSSB 21
 Title: Grants for water supply
 Sponsor: Senate C&RA
 Requestor: House C&RA

II. FISCAL DETAIL

Agency Affected: Dept. Comm. & Reg. Affairs
 Program Category Affected: Development
 BRU, Program of Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING		-0-	-0-	-0-	-0-	-0-
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		-0-	-0-	-0-	-0-	-0-
CAPITAL		-0-	-0-	-0-	-0-	-0-
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Richard Rainery
 Division: Commissioner's Office
 Approved by Commissioner: _____
 Department: Community & Regional Affairs

Phone: 465-4703
 Date: 3/21/83
 Date: 3/21/83

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

3/8/83

Alaska State Legislature

Barbara Lacher, Chairman
Mae Tischer, Vice-Chairman
Randy Phillips
Milo Fritz
Don Clocksin
Jack McBride
Mike Szymanski



Room 104
State Capitol
Juneau, Alaska 99811

Pouch V
Juneau, Alaska 99811

House of Representatives Committee on Community & Regional Affairs

MEMORANDUM

TO: House C & R A Committee

FROM: Staff

SUBJECT: CSSB 21 (C & R A) am

DATE: March 19, 1983

Purpose of the legislation is to increase the portion of state grants for sewage, solid waste and water systems not financed by federal funding from 50 percent to 75 percent.

The other significant impact of CSSB 21 is to include the initial purchase of water delivery and honey bucket collection vehicles, as well as associated maintenance facilities, as eligible for grant funding provided the department finds them to be cost effective as compared to conventional systems.

A companion bill, CSHB 101 has been introduced by Representative Lacher. The companion bill is now in House Finance Committee. A comparison of the two bills is attached.

Alaska State Legislature

Barbara Lacher, Chairman
Mae Tischer, Vice-Chairman
Randy Phillips
Milo Fritz
Don Clocksin
Jack McBride
Mike Szymanski



Room 104
State Capitol
Juneau, Alaska 99811

Pouch V
Juneau, Alaska 99811

House of Representatives Committee on Community & Regional Affairs

COMPARISON OF CSSB 21 (C & R A) am to CSHB 101

pg. 1, line 15 CSSB 21 uses word "facilities; CSHB 101 uses word "systems".

pg. 1, line 16 after word "construction" CSHB 101 adds the words "or acquisition".

pg. 2, line 1 after word "maintenance," CSSB 21 uses words "and normal repairs." CSHB 101, after word "maintenance" uses words "repair or replacement of a project."

pg. 2, line 3 CSSB 21 uses words "honey bucket collection;" CSHB 101 uses words "sewage collection vehicles."

pg. 2, line 10 CSSB 21, after word "costs" and CSHB 101 deletes phrase "including costs of obtaining federal waivers from the requirement for secondary treatment plants." Reason: time period for applications for these waivers has expired and they are no longer available.

pg. 2, lines 16, 17, 19, 20, 21 CSSB 21 uses word "facility; CSHB 101 uses word "system."

pg. 2, line 20 following word "construction" CSHB 101 adds words "or acquisition."

pg. 2, line 26, CSHB 101 does not add the portion pertaining to honey bucket collection to "sewer system" or "sewerage system" as does CSSB 21. Recommend retaining the change in definition for clarity.

Alaska State Legislature

REPRESENTATIVE
BARBARA LACHER
P.O. BOX 478
PALMER, ALASKA 99645
(907) 376-4215



WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4894

House of Representatives

COMPARISON OF CSSB 21 (COMMUNITY AND REGIONAL AFFAIRS) to CSHB 101

pg. 1. line 15 CSSB 21 uses word "facilities"; CSHB 101 uses word "systems". Recommend change to CSSB 21, "systems" is a better definition. For description: See AS 46.03.900.

pg. 1. line 16 After word "construction" CSHB 101 adds the words "or acquisition". Recommend adding "or acquisition" to include projects which are now awaiting grant award and have not actually started construction.

pg. 2. line 1 After word "maintenance," CSSB 21 uses words "and normal repairs." CSHB 101, after word "maintenance" uses words "repair or replacement of a project." Recommend change to wording in HB 101 to clarify intent. It is not legal nor proper for the state to pay for replacements or repairs thru grant programs.

pg. 2. line 3 CSSB 21, uses words "honey bucket collection;" CSHB 101 uses words "sewage collection vehicles." Recommend change to HB 101 verbage.

pg. 2. line 10 CSSB 21, after word "costs", CSHB 101 deletes the phrase "including costs of obtaining federal waivers from the requirement for secondary treatment plants." Recommend deleting the phrase "including costs of obtaining federal waivers from the requirement for secondary treatment plants," from CSSB 21. Reason: time period for applications for these waivers has expired and they are no longer available.

~~pg. 2. lines 16,17,19,20,21 CSSB 21 uses word "facility;" CSHB 101 uses word "system". Recommend to change to "system" to be consistent.~~ *VOID SEE: AS 46.03.900 (24)*

pg. 2. line 20 Following word "construction" CSHB 101 adds words "or acquisition". Recommend adding words "or acquisition" to CSSB 21.

pg. 2. line 26 CSHB 101 does not include the definition pertaining to honey bucket collection to as does CSSB 21. Recommend retaining the change in definition for clarity, except change "honey bucket" to "sewage".

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