

ALASKA LEGISLATURE COMMITTEE FILES 1985-1986 8672

214.1 HCRA LEG. BRIEF. - DEPT. C&RA COMM SERV BLOCK CRANT

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# RECORDS CERTIFICATION



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James O. Smith  
Signature of Camera Operator

7/25/89  
Date

LEGISLATIVE

BRIEFING

1/20/86

DEPT. COMM.

+ REGIONAL AFF.

STATE OF ALASKA  
THE LEGISLATURE

POUCHY - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907.465.3800

LEGISLATIVE AFFAIRS AGENCY  
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May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

HOUSE C+RA 1-22-86 3:00 P.M.

COMMUNITY AND REGIONAL AFFAIRS

<u>BRUs</u>	<u>FY 85 ACTUAL</u>	<u>FY 86 AUTHORIZED</u>	<u>FY 87 GOVERNOR'S</u>
Senior Citizens Tax Relief	\$ 4,460.2	\$ 4,430.2	\$ 4,430.2
Child Assistance	13,032.4	13,462.1	13,463.4
Job Training Partnership Act	12,799.3	14,535.0	14,428.2
Displaced Homemakers	589.3	529.8	529.8
Community Assistance Grants	4,306.3	6,400.5	6,778.9
Local Government Assistance	6,939.0	7,333.6	5,798.7
Energy Programs	4,006.4	3,161.7	1,822.7
Rural Development	771.8	948.1	937.3
Block Grants CIP	2,471.0	83.3	77.5
Administration and Support	2,736.8	2,677.3	2,133.9
Data & Word Processing	268.3	308.6	246.8
Housing Assistance	1,991.3	2,568.5	2,959.6
Municipal Revenue Sharing	60,350.0	59,632.2	137,133.6
Totals	\$110,722.1	\$116,070.9	\$190,740.6

OBJECTS OF EXPENDITURE:

Personal Services	\$ 7,995.5	\$ 9,118.7	\$ 9,265.7
Travel	894.9	909.3	850.3
Contractual	6,949.0	6,369.0	3,387.2
Supplies	90.4	156.4	157.1
Equipment	283.8	1.0	1.0
Grants, Claims	98,708.5	99,517.9	177,079.3
Miscellaneous	-	(1.4)	-

FUNDING SOURCES:

Federal Receipts	\$ 12,376.9	\$ 13,131.5	\$ 12,822.4
General Fund	96,461.2	94,001.5	168,577.4
Other	5,884.0	8,937.9	9,340.3

POSITIONS:

Full-Time	200	177	195
Part-Time	11	4	3
Temporary	-	-	-

# STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

## DEPT. OF COMMUNITY & REGIONAL AFFAIRS

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#### ISSUES AND STATUS OF THE TASK FORCE ON FEDERAL-STATE-TRIBAL RELATIONS.

In recent years, the legal and political relationships between IRA and traditional Native councils, the State of Alaska, and municipal governments under state law have become controversial issues in Alaska. In order to provide an understanding of the facts and law relating to Native sovereignty, in May 1984, Governor Bill Sheffield appointed a twelve member Task Force on Federal-State-Tribal Relations. Attached is a list of the members.

Based on a series of public hearings conducted throughout Alaska, the Task Force has identified the core arguments surrounding the controversy:

1) On one side are Alaskans who support the aspirations of rural Native Alaskans to exercise inherent tribal powers of self-government. They argue that in addition to being state citizens, Alaska Natives have a unique government-to-government relationship with the federal government, which affords them powers of self-government similar to those powers of lower-48 Indian tribes.

2.) On the other side are Alaskans who argue that whether they live in Anchorage or Akiachak, Alaska Natives are state citizens whose political rights are identical to the political rights of all other state citizens, subject to the jurisdiction of the Alaska Legislature.

In an effort to address the facts surrounding the arguments, the Task Force has drafted a report and recommendations to the Governor. Now in its final stage of drafting, the report considers the local control and government issues raised in the public hearings, and the legal questions surrounding jurisdiction rights of Native entities.

The last meeting of the Task Force will be held in Juneau during the first week of February, 1986. We expect to finalize the report and recommendations at that meeting and have it printed for general distribution directly after.

# STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

## DEPT. OF COMMUNITY & REGIONAL AFFAIRS

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ANALYSIS AND RECOMMENDATIONS  
ON LOCAL GOVERNMENT QUESTIONS  
AND ISSUES BEFORE THE  
TASK FORCE ON FEDERAL/STATE/TRIBAL RELATIONS  
DECEMBER 1985

Prepared By

Division of Municipal and Regional Assistance

State of Alaska  
Bill Sheffield, Governor

Department of Community  
and Regional Affairs  
Emil Notti, Commissioner

Federal-State-Tribal Relations Task Force

Analysis of Several Preliminary Task Force Recommendations  
by

Municipal and Regional Assistance Division  
Department of Community and Regional Affairs

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I. Extend the Municipal Assistance program to unincorporated communities through payments to community associations within those unincorporated communities.

A. Background

1. Assumptions.

a. The basic structure of Municipal Assistance would remain the same as currently exists, except that unincorporated communities would be included in the distribution. Payments would be on a per capita basis, consistent with the current program structure.

b. "Community associations" are intended to be the recipients in unincorporated communities.

c. The intent of this proposal is to extend financial support to unincorporated communities to better provide for the delivery of local services in such communities.

d. There are about 16,890 residents in the unorganized borough outside of municipal boundaries.

2. Constitutional Constraints

a. Article I, Section 3 - "No person is to be denied the enjoyment of any civil or political right because of race, color, creed, sex, or national origin. The legislature shall implement this section."

b. Article IX, Section 6 - "No tax shall be levied, or appropriation of public money made, or public property transferred, nor shall the public credit be used, except for a public purpose."

c. Article I, Section 2 - "All local government powers shall be vested in boroughs and cities. The State may delegate taxing powers to organized boroughs and cities only."

3. Existing Statutes

a. AS 43.20.016 provides the statutory authorization for the existing Municipal Assistance program. After January 1, 1986, the program will be transferred to AS 29.60.350.

b. The passage of Chapter 90, SLA 1985 makes Metlakatla eligible for Municipal Assistance payments on the grounds it is a federally recognized municipality.

## B. Relationship to State Policies and Goals

1. Municipal Incorporation. The State's goal in the past has been to encourage the formation of new municipalities to provide services to the residents of their communities through responsive, locally controlled governmental entities which fit into the state constitutional local government structure. Payment of Municipal Assistance only to municipalities is a financial incentive to encourage municipal formation. By making payments under this program to unincorporated communities, this incentive is lost and the goal of municipal incorporation is undercut.

It has been argued that the State's perspective in this regard is too narrow and that Native village councils should be recognized as local governments. These councils are seen to be indigenous to the local community and to require a municipality has the effect of mandating an unneeded, extraneous form of government unsuited to the needs of the community. The response of the State has generally been that these Native village councils do not adequately provide for participation by non-Native residents and are not recognized in the state constitution.

Exclusion of unincorporated communities from the program has also been justified on the grounds that municipalities have significant duties which are mandated by the State. Among these requirements are regular elections and council meetings, codification of ordinances, and so on, as set out in Title 29, which these payments may assist in meeting. Unincorporated communities do not have these duties required by the State, and consequently the State does not have the obligation to provide the same level of support.

2. Property Tax Relief. A stated goal of the Municipal Assistance Program is "that local governments which levy property taxes reduce those levies in reasonable proportion to the amount of increased state aid received by a local government." To the extent that the goal of the program is tax relief, which focuses on the impact on tax payers, the per capita formula is a good means of accomplishing this goal. Obviously, extension of the program to an unincorporated community which does not have a property tax or the capacity to levy a tax, would not serve this goal. While it is true that many municipalities which receive the assistance currently do not levy a property tax, they at least have the capacity to do so, while unincorporated communities do not.

3. Administrative Burdens/Efficiency. One problem created by the extension of such aid to unincorporated communities is determination of the basis on which to pay. An unincorporated community has no geographical limits of jurisdiction within which it may exercise powers, in the manner in which a municipality does. Consequently, it is difficult to determine who is eligible to be counted in a census for purposes of funding and provision of services. Because of this lack of defined boundaries, there is the additional problem of potentially overlapping claims.

More seriously, there is the problem of more than one applicant from the same community. Where a municipality exists, there is no question about the appropriate entity to pay. However, in an unincorporated community there is no single recognized entity which unequivocally should receive payment. This has been a recurrent problem experienced by the State Revenue Sharing Aid to Unincorporated Communities program which has resulted in difficult administrative problems and a lawsuit. Payments to unincorporated communities under the Municipal Assistance Program would compound this problem.

#### C. Financial Implications

In FY 1985, the population within municipalities was 530,585. The population in unincorporated areas of the unorganized borough was 16,890, for a total of 547,475 or an increase of about three percent. Therefore, if the Municipal Assistance Program were extended to these unincorporated communities, we could expect a reduction of program payments to municipalities of about three percent. In FY 85 this would have amounted to about \$2.4 million (.03 x \$80,000,000) and would have reduced payments from \$160 to about \$142 per resident.

#### D. Conclusions and Recommendations

1. The Municipal Assistance Program, as it exists today, represents a history of program development, modification and fine tuning. Most recently, the program, along with the Revenue Sharing Program, came under the close review of a Task Force specifically created to examine the function of these programs. That Task Force left the Municipal Assistance program essentially intact with regard to its basic policies of operation.

2. The above discussion regarding State goals provides a number of arguments for retaining the Program in its present form. Namely:

a. Payment of Municipal Assistance only to municipalities is a financial incentive to encourage municipal formation.

b. Extending the program to unincorporated communities would create complex and problematical "entity" issues, as demonstrated by the Revenue Sharing Program experience.

c. Exclusion of unincorporated communities from the program is justified on the grounds that municipalities have significant duties which are mandated by the State, while unincorporated communities do not have these State requirements.

d. An unincorporated community has no geographical basis of jurisdiction which creates problems of determination of the basis on which to pay.

3. The fiscal impacts of extending the program to unincorporated communities have a relatively small effect on existing program payments (3% reduction in payments).

4. Recommendation. While the fiscal impacts of extending the Municipal Assistance program to unincorporated communities is relatively small, staff feel that other impacts on the state goal of establishing local municipal government are significant. Additionally, the extension of the program creates inequities between incorporated and unincorporated communities and problems regarding appropriate community entity identification in unincorporated communities. Therefore, staff recommend that the Municipal Assistance Program not be extended to unincorporated communities.

5. Recommendation. If the program were to be extended to include unincorporated communities, staff recommends that an effort be undertaken to develop the policies and regulations for a systematic program of establishing "Authorized Community Entities" for purposes of receiving and implementing program funds for a given unincorporated community.

6. The concerns for basic service delivery implied in this Task Force recommendation are addressed to some degree within the goals and structure of the State Revenue Sharing Program which provides for a minimum entitlement of \$25,000. A basic objective of the minimum entitlement is to ensure that a community has at least a set minimum amount of funding to apply towards locally determined demands. The Task Force may wish to recommend that the minimum entitlement be increased to provide a greater level of assured local fiscal determination. This subject is discussed in more detail under section IV.B.3 of this report.

II. Modify the Municipal Assistance Program to distribute funds on a service delivery based formula which includes unincorporated communities

A. Background

1. Assumptions

a. Municipal Assistance would be distributed on the basis of a "foundation formula" based upon local service provision along the following lines:

◦A certain per capita value would be established for each type of service potentially provided by a community, limited to "basic services".

◦The services actually provided by a given community would be determined.

◦The population of that community would be determined.

◦The community entitlement would be calculated.

◦Entitlements would be prorated based upon total entitlements and the appropriation level.

b. Payments would be made to incorporated and unincorporated communities alike.

c. The intent would be to extend financial support to unincorporated communities to better provide for the delivery of local services in such communities.

2. Constitutional Constraints

a. Article I, Section 3 - "No person is to be denied the enjoyment of any civil or political right because of race, color, creed, sex, or national origin. The legislature shall implement this section."

b. Article IX, Section 6 - "No tax shall be levied, or appropriation of public money made, or public property transferred, nor shall the public credit be used, except for a public purpose."

c. Article X, Section 1 - "The purpose of this article is to provide for maximum local self-government with a minimum of local self-government units, and to prevent duplication of tax levying jurisdictions. A liberal construction shall be given to the powers of local government units."

d. Article X, Section 2 - "All local government powers shall be vested in boroughs and cities. The State may delegate taxing powers to organized boroughs and cities only."

### 3. Existing Statutes

a. AS 43.20.016 provides the statutory authorization for the existing Municipal Assistance program. After January 1, 1986, the program will be transferred to AS 29.60.350.

b. The passage of Chapter 90, SLA 1985 makes Metlakatla eligible for Municipal Assistance payments on the grounds it is a federally recognized municipality.

c. AS 29.88 - 95 (AS 29.60.010 -300 after January 1, 1986) provides for the State Revenue Sharing Program, which is oriented to local service delivery and equalization of municipal tax resources, rather than tax relief.

### B. Relationship with State Policies and Goals

1. Local Control. The service delivery formula proposed above is similar to the categorical type of state aid for municipal services in effect prior to the adoption of the current revenue sharing program in 1980. One of the complaints about that program was that payment was based upon state determination of what services were "essential" and thus included in the formula. It was felt that the local government was the proper entity to determine how money was to be spent locally and what services should be provided. The proposed service delivery based formula suffers from the same type of fault, in that the state will determine what services should be regarded as "basic services" for inclusion in the formula, despite the fact that those services are not regarded as the basic needs for a particular community.

For example, a 1979 survey of the NANA region ranked community services in the following order: 1) search and rescue, 2) maintain airport, 3) community center activities, 4) firefighting equipment, 5) street lights, 6) sewer (and water), 7) garbage, 8) playground, 9) jail, 10) maintain roads, 10) community shower, 11) paid firemen (cited in: Problems and Possibilities for Service Delivery and Government in the Alaska Unorganized Borough, Alaska Department of Community and Regional Affairs, 1981, p. 37.) Most formulations of "basic needs" on a state-wide basis would probably be much different, with the result that those services regarded as priorities in smaller, rural areas would get left out.

2. Service Provision. A second complaint about the old "categorical" revenue sharing program was that, by requiring the services to be in place before funding was provided, the program cut off those communities which actually needed the assistance most. Because smaller, rural communities often lack the financial resources to provide these "basic services" in the first place, they are unable to afford to qualify to receive the very funds they need to provide the

services. Consequently, the proposed formula would potentially discriminate against the smaller, less wealthy communities in the state and not serve the intent of the program to better provide local services.

Additionally, because certain services would be included for funding and others not, this type of program encourages the provision of inappropriate services, simply to get the money, rather than provide desired services to residents.

3. Stability of State funding to local governments. The Task Force on State Shared Revenues has reviewed this concept in its deliberations, and input from local governments across the state revealed a desire not to have basic patterns of distribution under the State Revenue Sharing Program and Municipal Assistance Program altered. The proposed formula for Municipal Assistance discussed here would mean a major change in the distribution of state funds under that program. The resultant impacts on communities could be very unsettling and financially disruptive for local governments that rely heavily on State funding.

4. Equalization of Municipal Tax Resources. As noted above, the State Revenue Sharing Program is based upon the idea of equalizing municipal tax resources in the provision of local services, while Municipal Assistance is based upon the idea of tax relief. The State in 1980 rejected the categorical formula approach to service delivery in the Revenue Sharing Program and adopted the "equalization" approach which is designed to assist those less wealthy communities which must tax themselves at a higher rate to provide a certain level of service compared to a municipality with a relatively large tax base. The proposed distribution of Municipal Assistance would be a return to the old, discredited system of revenue sharing.

5. Administrative Burdens. Verification of the provision of services to qualify for payments and expenditures of funds on designated services would require additional paperwork and red tape. The Municipal Assistance Program is a very "clean" program from an administrative standpoint.

6. Municipal Incorporation. The State's goal in the past has been to encourage the formation of new municipalities. By making payments under this program to unincorporated communities, this incentive is lost and the goal of municipal incorporation is undercut. A more complete discussion of this argument may be found in section I.B.1.

7. Accountability of State Funds. The extension of such aid to unincorporated communities creates potential problems associated with determining accurate population counts, overlapping claims and multiple applicants from the same community. A more complete discussion of this argument is presented in section I.B.3.

### C. Conclusions and Recommendations

1. Local government is the proper entity to determine how money is to be spent locally and what services should be provided. Employing a statewide service delivery based formula obviates the local control in such determinations. "Basic services" depend to a degree upon the perception of basic needs for each particular community.

2. The proposed formula would be based on two factors, services provided and population. Such a formula favors communities with large populations which provide many services over those communities with small populations and few services.

3. Because certain services would be included for funding and others not, this type of program may encourage the provision of inappropriate services, simply to get the money, rather than to provide the service to residents.

4. Basing the formula on services "needed" rather than services "provided" might better address the spirit of the Task Force recommendation; however, the problems of establishing an equitable, affordable, methodology of "needs determination" remain enormous.

5. Governments across the state revealed a desire not to have basic patterns of distribution under the State Revenue Sharing Program and Municipal Assistance Program altered.

6. The additional program requirements necessary to verify provision of services, or need for services, to qualify for payments would greatly increase the administrative burdens of this program which currently is very "clean" in that regard.

7. Recommendation. On the basis of the above, staff recommend that the Municipal Assistance Program not be modified to a service delivery based formula.

III. Create a new lease form of municipal incorporation limited to the provision of specific basic services

A. Background

1. Assumptions

a. The alternatives available for municipal corporations under existing State law are limited. The least demanding level of government, the second class city, may still possess more powers and, more importantly, more responsibilities and State requirements than can reasonably be expected of small, relatively unsophisticated communities.

b. The role of a new form of municipal government would be limited to specific, basic services and functions.

c. The power to tax is not a primary consideration as the application of this lesser municipality concept would predominantly be used in rural Alaskan communities which lack the tax base to support more "traditional" forms of city government.

2. Constitutional Constraints

a. Article I, Section 3 - "No person is to be denied the enjoyment of any civil or political right because of race, color, creed, sex, or national origin. The legislature shall implement this section."

b. Article IX, Section 6 - "No tax shall be levied, or appropriation of public money made, or public property transferred, nor shall the public credit be used, except for a public purpose."

c. Article X, Section 1 - "The purpose of this article is to provide for maximum local self-government with a minimum of local self-government units, and to prevent duplication of tax levying jurisdictions. A liberal construction shall be given to the powers of local government units."

d. Article X, Section 2 - "All local government powers shall be vested in boroughs and cities. The State may delegate taxing powers to organized boroughs and cities only."

e. Article X, Section 7 - "Cities shall be incorporated in a manner prescribed by law, and shall be a part of the borough in which they are located. Cities shall have the powers and functions conferred by law or charter. They may be merged, consolidated, classified, reclassified, or dissolved in the manner provided by law."

f. Article X, Section 8 - "The governing body of a city shall be the council."

g. Article X, Section 9 - "The qualified voters of any borough of the first class or city of the first class may adopt, amend, or repeal a home rule charter in a manner provided by law. In the absence of such legislation, the governing body of a borough or city of the first class shall provide the procedure for the preparation and adoption or rejection of the charter. All charters, or parts or amendments of charters, shall be submitted to the qualified voters of the borough or city, and shall become effective if approved by a majority of those who vote on the specific question.

### 3. Existing Statutes

The new Title 29 allows all general law boroughs, first class cities, and second class cities which exceed 35 square miles in area and have a permanent population of at least 3,500 to adopt home rule charters (AS 29.10.010).

AS 29.35.010 sets out general powers for all municipalities dealing primarily with organization of the local government, reporting and investigating, taxing, enforcement, management of property, expanding public funds, borrowing money, entering into agreements, and right to sue or being sued.

AS 29.35.260 allows cities outside a borough to exercise any power not otherwise prohibited by law. However, for a second class cities all powers are optional. Second class cities do not possess education powers, but they may exercise any other power within their boundaries.

AS 29.45.590 limits second class city property tax rates to 5 mills (one-half of one percent of the assessed value of the property taxed).

AS 29.45.700 (c) allows cities outside boroughs to levy and collect sales and use taxes up to six percent.

### B. Analysis

The rationale for the establishment of a new minimal form of municipal incorporation is based on the perception that the existing most basic political subdivision of State government, the second class city, is beyond the administrative and fiscal capacity of many small rural communities. However, the present second class city form of government does, in fact, provide a fairly minimal option for local governance. Many existing second class cities provide very limited services within their boundaries.

One aspect of the second class city that appears most disconcerting for many unincorporated community residents is the municipal power to tax through a sales or limited property tax. While the ability to tax is constitutionally delegated to cities and boroughs, not all municipalities choose to exercise the taxing power. About one-third of the States 112 second class cities do not levy a tax. Therefore, in practice, many existing cities are already functioning in a basic service delivery mode using state and Federal funds to support all locally provided services.

Beyond taxation, many existing cities face the problem of a shortage of human resources to run the local government. A seven member council may be deemed too large in smaller communities and adequate staff support for city operation is a chronic problem in many rural villages. At least two proposals have been put forth which address the concept of a new minimum form of local government. These are the "incorporated Village" and the "town meeting home rule city".

The "Incorporated Village" Proposal. This proposal, transmitted by a June 25, 1976 Department of Community and Regional Affairs memorandum from Pat Poland to Palmer McCarter (in Appendix A of that memo), set out a concept for a third class city and identifies it as an "Incorporated Village". The semantics of referring to these types of communities as villages should not be overlooked as this could make the proposal more attractive to rural residents who have traditionally used the term village and are, therefore, more comfortable with its connotations.

The third class city concept, as outlined by Mr. Poland in his 1976 memorandum, contains the following key innovations:

1. "Incorporated Village" would be synonymous with "city of the third class."
2. 25 or more permanent inhabitants would be needed to incorporate.
3. Standard petition, public notice, Local Boundary Commission hearing, and election would be required in accordance with the existing statutory/regulatory incorporation process.
4. Incorporated Village councils would be composed of only five members instead of the seven council positions required of second class cities. An Incorporated Village council could upgrade to seven members, by ordinance, if they so desired.
5. Elections could be held by means other than secret ballot, such as an annual town meeting.

6. Only eight community services (cemeteries, community centers, libraries, recreation, solid waste, fire protection, historic preservation, and trails) could be exercised by an Incorporated Village.

7. Council meetings would need to be held only once each quarter. Other town meetings could be adopted as part of the council procedure.

8. Incorporated Villages would not have the power to levy a property tax, but could levy a sales taxes in the manner of second class cities.

To update this concept, the actual community powers permitted this hypothetical form of local government could be expanded or reduced from those listed in item six. Additional powers might include public safety and planning and regulation of land use.

As an extension of item 7, perhaps existing Native Council meetings (representing community Native interests) might somehow be procedurally linked to the activities of the Incorporated Village meetings (representing the interests of all community residents). This might be in the form of a formally designated advisory committee in the manner of a planning commission. Such an advisory commission might even be delegated limited authority for certain municipal functions such as historical preservation and land use planning related to subsistence. In this event, the Incorporated Village Council would retain the powers of the body of higher appeal.

The "town Meeting Home Rule City" Proposal. Another alternative for a new minimal form of local government is contained in House Bill 325 which is pending in the House Community and Regional Affairs Committee. This proposal, sponsored by Representatives Koponen, Hurley, and Marrou, would authorize a "town meeting home rule city" form of government.

In its simplest form this bill would allow an unincorporated community to adopt a charter and incorporate as a town meeting home rule city. The charter, which would prescribe the general rules for conducting town council meetings, would be offered to the Local Boundary Commission as a key element of the community's petition for incorporation.

Upon incorporation, the charter would become the organic law of the town meeting city and would provide the basis for government as a direct democracy through town council meetings. Additionally, the charter would provide for annual (at least) town meetings and procedures for calling a special town meeting; preparing agendas; voting and ordinance adoption; reporting; and electing a moderator, at least three council members for administration of the city and a finance committee responsible for budget and fiscal affairs.

The town meeting format eliminates the need for secret elections by ballot and is designed for relatively small communities. The town meeting city can perform a wide range of services, including planning and zoning, through the adoption of ordinances.

#### D. Conclusions and Recommendations

1. The idea of creating an alternative to allow local decision-making and provide limited service provision is a concept which may have merit. A third class city, for lack of better term, which could operate more informally and be exempt from costly State requirements requires a balancing of authority, accountability, autonomy, and jurisdiction.

2. Recommendation. Either the third class city (incorporated village) proposal or the town meeting home rule city proposal could be viable alternatives for a new minimal form of municipal incorporation. Of the two alternatives presented, DCRA staff prefer the third class city concept with a limited number of powers specifically set out in statute. The Task Force may wish to consider modifying the list to include planning and land regulation or other powers it may feel are necessary to protect and serve rural residents. The third class city option would require less overhaul of Title 29 and does not contemplate home rule status as conferred under the town meeting approach. The town meeting concept is untried and could entail many unanticipated problems with its implementation. It also represents a radical departure from the system of local government that has historically been in place since statehood.

3. Recommendation. Either of these new forms of local government may tax, or not tax, based on a majority vote of residents voting on the question. If the Task Force were to pursue either of these options, it may wish to consider recommending that the power to tax be withdrawn from a new lesser form of government to provide a further distinction between third class/town meeting cities and second class cities. The constitution is permissive on this point: "the state may delegate taxing powers to organized boroughs and cities only." From a DCRA staff perspective, the elimination of taxing authority is a serious matter and dramatically limits the flexibility of a local government to provide services. Therefore, staff recommends that taxing powers, however limited they might be, not be waived. To do so, legitimizes a multi-purpose political subdivision that is powerless to sustain itself except as a ward of the state.

4. Recommendation. Staff recommend that the Task Force consider a concept of local government in which existing Native Council meetings (representing community Native interests) might somehow be procedurally linked to the activities of local municipal government meetings (representing the interests of all community residents). This might be in the form of a formally designated advisory committee in the manner of a planning commission. While staff find this concept to have some merit upon initial inspection, there are a number of practical and legal considerations that would require more extensive research.

IV. Form new mandatory boroughs, established for specific functions (State aid recipient; planning and land regulation to protect subsistence, land use and development) while leaving school functions with the existing REAA's.

#### A. Background

##### 1. Assumptions

The Alaska Constitution, as discussed below, does not permit the operation of an REAA, a service area formed within the unorganized borough, once a borough is established for that same area. While this essentially nullifies the above recommendation, as stated, the Legislature has at least three related options available to it:

a. Create a new type of single purpose service area in the unorganized borough for a specific function ( e.g. planning and land use regulations) with, as much as possible, the characteristics of a local government.

b. Create a multi-purpose service area in the unorganized borough, combining the single purpose function, as above, with existing service area functions such as education (REAA's). Such entities would resemble "unorganized boroughs" as suggested in a 1979 local government study conducted by the Senate and House Community and Regional Affairs Committee (Local Government Study - 1979; Symposium, August 4-5, 1979) Again, the service area should have, as much as possible, the characteristics of a local government.

c. Create organized boroughs which integrate the single purpose function of the first option and assume the powers of existing service areas, such as REAA's.

The following assessment addresses these options as well as the original Task Force recommendation.

##### 2. Constitutional Constraints

a. Article X, Section 1 - "The purpose of this article is to provide for maximum local self-government with a minimum of local self-government units, and to prevent duplication of tax levying jurisdictions. A liberal construction shall be given to the powers of local government units."

b. Article X, Section 2. The only limitations placed on service area functions is that they cannot be given the power to tax.

c. Article X, Section 3. While the Constitution gives the Legislature the power to divide the State into boroughs, they must be established " in a manner and according to

standards provided by law". These standards must include population, geography, economy, transportation and "other factors". The boroughs must contain an area and population with common interests as much as possible.

d. Article X, Section 5. Provides that service areas can be established within organized boroughs to provide special services.

e. Article X, Section 6. Because of its powers as the borough assembly for the unorganized borough, the Legislature can establish service areas in the unorganized borough.

f. Article X, Section 15. All pre-existing service areas must be integrated into the government of a new borough.

### 3. Existing Statutes

The Legislature provided for the establishment of at least four types of service areas in the unorganized borough: Regional Educational Attendance Areas (AS 14.08.031), Coastal Resource Service Areas (AS 46.40.120), Regional Aquacultural Associations (AS 16.10.380), and Resource Development Authorities (AS 30.13.01C). Regional Housing Authorities (AS 18.55.995) and Regional Electrical Authorities (AS 18.57.010) may also be considered service areas.

a. AS 29.03.020 permits service areas in the unorganized borough to exercise a full range of local government powers (with the exception of taxation) as long as those powers are specifically granted by the Legislature. The only requirement is that the Legislature allow for maximum local participation. They can have elected managing boards. They can administer contracts, float revenue bonds, regulate land use and operate utilities. Service areas could be established that would have basically identical powers and functions as a single purpose borough.

b. AS 29.05.190 provides for organizational grants to boroughs of \$500,000 over a three year period. Each borough would also receive at least \$25,000/yr in Revenue Sharing and Municipal Assistance. No similar provision is currently made for newly formed service areas.

c. AS 29.35 (effective January 1, 1986). Outlines the powers and responsibilities of existing boroughs. New boroughs with powers of land use planning and regulations and with the functions of existing REAA's would provide the same services as existing second class boroughs, which also have powers of assessment and taxation.

d. AS 29.60.010 - 300 (after January 1, 1986). Authorize the State Revenue Sharing Program.

e. AS 29.60.350 - .370 (after January 1, 1986). Authorize the Municipal Assistance Program.

f. AS 46.40.12. Provides for the establishment of Coastal Resource Service Areas (CRSA's) in the unorganized borough within the coastal zone. Along with municipal coastal districts, CRSA's can develop local coastal management programs, but unlike municipalities they cannot implement their own programs. The Legislature has not given them that power. A municipality's coastal management and general land use planning and regulatory functions are integrated. If the Legislature were to establish service areas with the powers of planning and zoning it should also make provision for the new service areas to take over the functions of CRSA's. If the Legislature wished to further minimize the proliferation of service areas, it could provide for "multiple function" service areas (which would be, in effect "unorganized boroughs) with one governing board, for instance, overseeing land use regulation and education functions.

#### 4. Existing Regulations

As a legislative prerogative, there are no regulations governing the creation of a service area in the unorganized borough. However, the Legislature can provide for authority to develop regulations governing the operations of service areas, as it has with REAA's and CRSA's. While there are regulations governing the formation of boroughs, the Legislature would preempt those in creating mandatory boroughs.

### B. Analysis

#### 1. Relationship to State Policies and Goals

a. Local Decision Making. A long term policy of the State has been to encourage local participation in decisions affecting local areas. Through the formation of regional entities such as Regional Housing Authorities and Regional Educational Attendance Areas, the State has encouraged the local control and the decentralization of power. The State encourages the formation of autonomous local governments and has longstanding programs geared toward developing the capability of local areas. This is in line with the Constitutional goal of providing "for maximum local self government with a minimum of local government units" The current system of Municipal Assistance and Revenue Sharing is intended to encourage municipal incorporation.

b. Equitable Distribution of State Benefits. It is also the policy of the State to "equitably" distribute benefits to residents, reflecting the need for services, the ability to pay, and encouraging local contribution. In some cases

(e.g. education), it is the State's policy to provide a high level of service (equal access to educational opportunities for all residents), regardless of local ability to pay.

## 2. Relationship to State Constitution, Statutes and Programs

Both Article X of the Constitution and Alaska Statutes (Title 29) permit service areas in the unorganized borough to exercise a full range of local governmental powers as long as they are specifically granted by the Legislature. They can have elected managing boards. They can administer contracts. They can regulate land use and operate utilities. However, they cannot be given powers of taxation. Otherwise their potential powers are not limited. The Legislature has already provided for the establishment of a variety of service areas, including Regional Educational Attendance Areas, Coastal Resource Service Areas, Regional Aquacultural Associations, Resource Development Authorities, Health Districts, Regional Native Housing Authorities and Regional Electrical Authorities.

A service area can be established within organized boroughs by the borough assembly to provide special services. The Legislature has the powers of a borough assembly in the unorganized borough and thus can provide for the establishment of service areas in the unorganized borough. It is important to note that the Legislature's power to establish service areas derives from its power to act as the assembly for the unorganized borough. The Legislature does not have the constitutional authority to establish service areas within organized boroughs. Thus, an existing Rural Educational Attendance Area (REAA), for instance, would not have authority to operate within a newly created borough even if that borough's powers were limited to, say, planning and zoning.

On a related issue, many of the concerns that led the drafters of the Constitution to write Article X revolved around the multitude of autonomous, single-purpose service districts in other states and in Alaska during territorial days (Gordon S. Harrison, A Citizen's Guide to the Constitution of the State of Alaska, pp. 85-86). While the courts have taken a permissive view of the limitations on service area formation contained in the Constitution, the framers of the Constitution were concerned about the unnecessary proliferation of special purpose service areas. The Constitution makes it very clear that all special service districts are to be integrated into the government of a new borough. This provision was in keeping with "the general constitutional objectives of minimizing local jurisdictions and favoring general purpose over special purpose government" (Gordon S. Harrison, p. 92).

Along with municipal coastal districts, CRSA's can develop local coastal management programs, but unlike municipalities they cannot implement their own programs. The Legislature has not given them that power. A municipality's coastal management and general land use planning and regulatory functions are integrated. If the Legislature were to establish service areas with the powers of planning and zoning it should also make provision for the new service areas to take over the functions of CRSA's. If the Legislature wished to further minimize the proliferation of service areas, it could provide for "multiple function" service areas (unorganized boroughs) with one governing board, for instance, overseeing land use regulation and education functions.

### 3. Financial Implications

A reasonable annual budget range for a land use planning and regulation function is estimated to be:

<u>"Bare Bones" Minimum</u>	<u>"Reasonable High Range"</u>	
\$60,000	\$ 75,000	Chief Planner/Administrator (1) (with benefits)
--	165,000	Other professionals (0-3) (with benefits)
14,000	56,000	Clerical (0.5-2) (with benefits)
5,000	35,000	Legal Fees/Retainage
10,000	19,000	Board Travel (4-8 meetings/yr. 6 members traveling at \$400/person)
5,000	14,000	Staff Travel (12-35 trips @\$400)
7,000	30,000	Office Rental/Utilities
5,000	25,000	Telephone, advertising, supplies, Publications, office equipment
<u>24,000</u>	<u>100,000</u>	Special Studies, Comprehensive plan, etc.
130,000	519,000	TOTAL

The "bare bones minimum" estimate is based on either (1) a planning only function (with enforcement and regulation provided by the State) or (2) simplified local enforcement (i.e., in areas with limited development activity or when the plan and enforcement policies are very basic). A model might be the City and Borough of Sitka Planning Department, which operated as a one - person department for many years. While the population (8,221) of Sitka is relatively high, development, planning and enforcement is concentrated in a relatively small urban area. Little development occurs in the rest of the municipality, with the exception of timber operations, Sitka basically acquiesces to U.S. Forest Service management in those areas.

On the other hand, a planning department based on a Ketchikan Gateway Borough, North Slope Borough, or City and Borough of Juneau model could have an annual budget of over \$1 million. However, a more moderate upper limit is probably the "reasonable high range" shown in the table which could provide a full range of planning and enforcement services in an actively developing area.

Coastal areas could capture some of the funding, mostly federal, now available to Coastal Resource Service Areas. It is impossible to know the actual grant awards that would be made, but they reasonably could range from \$30,000 - 150,000.

Consolidation of service area functions, e.g. combining land use regulation and educational functions, could offer some savings. It is conceivable that use of clerical staffing already available to REAA's and reduced board travel through consolidated boards could save as much as \$15,000 - 20,000/yr.

Service areas outside of organized boroughs are directly funded by the State, however they are not eligible for Revenue Sharing or Municipal Assistance. Boroughs, however, are eligible and State Revenue Sharing does provide for sharing for service areas within municipalities based upon the respective service area tax efforts. New boroughs are also eligible for formation grants totalling \$600,000 over a three year period (\$300,000 for the first full or partial fiscal year, \$200,000 for the second year; and, \$100,000 for the year). Such organizational grants must be appropriated by the legislature.

Staff examined the possibility of using Municipal Assistance and State Revenue Sharing program monies to finance the mandatory boroughs, and service area options. It was assumed that the programs would continue to be based upon the distribution formulas currently in place.

Municipal Assistance. The amount of Municipal Assistance program funding is established by a base level of assistance based upon 1978 distributions and per capita prorationing of the remaining amount of the appropriation. The amount distributed to a given borough is based upon the population outside of cities within that borough. There is no minimum entitlement but there is a "base" payment based upon the amount communities received in 1978. The distribution in FY 85 amounted to about \$160 per person.

Revenue Sharing. The amount of State Revenue Sharing assistance is based upon population, locally generated revenues, full and true property values, road miles serviced, hospitals or health facilities, and appropriation level. A minimum entitlement of \$25,000 plus a geographic location adjustment factor is provided for municipalities.

The minimum entitlement for a municipality in the State Revenue Sharing Program is designed to provide a minimum level of support for municipal operations consistent with the constitutional mandate for maximum self-government at the local level. This is accomplished by allowing the local government to determine how the funds should be spent rather than requiring the funds be spent for specific categories of services. It has been argued that the current level is too low and does not provide an adequate base for operations in this era of inflation, increasing insurance costs, and increased service responsibilities of local governments in due to the rapid growth of physical facilities in the last five years since the \$25,000 level was first set. To the extent this is true for small cities, it may be even more true for boroughs. An increased level of minimum entitlement may be necessary for boroughs, if it is desired to guarantee a minimum level of support which is related to the actual cost of providing local government on a regional basis.

Increasing minimum entitlements for all municipalities was examined recently by the Task Force on State Shared Revenues. Satisfying an increased \$80,000 minimum entitlement based upon combined State Revenue Sharing and Municipal Assistance entitlements would have cost about \$3.5 million out of a combined appropriation of \$140 million. In the absence of additional funding for the programs, the increases would come out of other recipients' entitlements.

An increase for boroughs only would not necessarily have the same type of fiscal impact (depending upon the level) because of the lesser number of boroughs and generally higher level of fiscal resources available to them.

In the past, it has been proposed that the formula to distribute state shared revenues be used to establish funding for the creation and support of a number of "unorganized boroughs" in the current unorganized borough and that these unorganized boroughs undertake a greater level of local service oriented activities under the direction of the legislature acting as the assembly for the unorganized borough. It was felt that such a system would provide the basis for evolution of these areas to eventual organized status.

One problem which must be faced by such a proposal is to insure there would be no financial disincentive for eventual incorporation. Additionally, the issue of establishing boundaries for these nascent boroughs is a difficult one and there may be resistance from established boroughs and municipalities to the sharing of increasingly scarce financial resources, whether in the form of state-shared revenues or potentially taxable property.

## C. Conclusions and Recommendations

1. The creation of special purpose boroughs would create problems for the delivery of services now provided by service areas in the unorganized borough. The new borough must either have the power to provide those services itself or the State would have to provide them directly. Service areas such as REAA's could no longer provide them.

2. The creation of a borough with the limited powers of land use regulation and planning and education, but without taxation powers would create problems of equity relative to those boroughs which currently have the same powers, but are expected to make a local tax contribution as they have taxation powers.

3. Recommendation. Staff recommends that the Task Force not pursue the concept of a mandatory special purpose borough.

4. Alternative options (to single-purpose boroughs). Other options available to the Legislature which address the concerns of the Task Force recommendation include:

a. Ordinary boroughs could be established to provide a full range of governmental services including those now provided by service areas; or

b. New service areas could be created to provide for special purposes. These service areas could have freely elected governing boards and a full range of powers can be delegated to them by the Legislature, acting as the assembly for the unorganized borough. Because of the multitude of entities now providing local government services, some consideration should be given to consolidating some functions, possibly through the creation of multi-purpose service areas.

5. There is concern that the current minimum entitlement set for the Revenue Sharing Program is too low. To the extent this is true in general, it may be even more true for boroughs. An increased level of minimum entitlement may be necessary for boroughs, if it is desired to guarantee a minimum level of support which is related to the actual cost of providing local government on a regional level.

6. Recommendation. Research should be undertaken to assess a Revenue Sharing Program Minimum entitlement level (in combination with Municipal Assistance grants) appropriate to the increased demands of local government operation.

7. Recommendation. Any proposal to fund the establishment and operation of special purpose service areas through the Revenue Sharing/Municipal Assistance Programs should provide measures to avoid creating financial disincentives to eventual municipal incorporation within the given region.

IV-a. Examine the possibility of using a service area to regulate development and fish and game activities for the purpose of protecting subsistence.

A. Federal Constraints

1. Alaska National Interest Conservation Lands Act (ANILCA)

Staff have researched the Act and make the following findings:

a. The Authority for Fish and Game Management is with the State.

b. ANILCA provides for regional advisory councils which are to provide input into fish and game matters.

c. ANILCA provides for federal reimbursement of costs associated with regional advisory councils.

d. The Secretary of the Interior shall establish at least six subsistence resource regions in the State and each region shall have a regional advisory council composed of residents in the region. Each advisory council has the following authorities:

◦Review and evaluate proposals for regulations, policies, management plans, etc. relating to subsistence uses within the region.

◦Provide a forum for discussing subsistence activities in the region.

◦Encourage local and regional participation in the decision making processes affecting subsistence activities in the region.

◦Prepare an annual report to the Secretary of Interior.

e. The Secretary of Interior shall assign staff to the advisory councils and consider the council's recommendations.

However, the Secretary may not do the above if the State enacts and implements relevant laws of general applicability which are consistent with, and which provide for the definition, preference, and participation specified in the Act (Sections 803, 804, and 805). In that case, State rulemaking authority shall consider the advice and recommendations of the regional councils. According to ANILCA, the Department of Interior must then reimburse the State, from funds appropriated to the Department of the Interior for such purposes, for costs relating to the establishment and operation of the regional advisory councils. Total payments to the State are not to exceed \$5,000,000 in any one fiscal year.

## B. State Constitutional Constraints

According to Gordon Harrison's analysis of the Alaska State Constitution (A Citizen's Guide to The Constitution of the State of Alaska) there are a number of clear constitutional constraints with regard to the Alaska's fish and game resources. In fact, Harrison states:

No other state constitution has a separate article devoted exclusively to natural resources. The presence of Article VIII, Natural Resources in Alaska's constitution signifies the importance of minerals, fish, and wildlife and the expectation they would continue to be significant in the future of Alaska.

It was evident from bills pending in Congress at the time of the constitution convention that the new state would assume responsibility for management of fish and wildlife. In their "Report to the People," the constitution convention delegates said: "The future wealth of the State of Alaska will depend largely on how it administers the immense and the varied resources to which it will fall heir.

he adds:

The natural resources of Alaska are to be managed as a public trust. This means that state-owned resources may be sold, leased, or given away only according to principles laid down in the constitution and state law, and transactions must be in full public view. Under Article VIII, a citizen could bring suit if he/she believed the legislature or DNR violated the public trust in its management of the state's land, water, or wildlife resources.

Specific constraints provided in the Constitution include:

1. Article VIII, Section 2. The legislature shall provide for the utilization, development, and conservation of all natural resources belonging to the State, including land and waters, for the maximum benefit of its people.
2. Article VII, Section 4 All replenishable resources belonging to the State shall be utilized, developed and maintained on the basis of sustained yield. Resources such as fish and game may not be harvested faster than they can replenish themselves, so that future generations can use and enjoy the same resources.
3. Article VIII, Section 15. No exclusive right or special privilege of fishery shall be created or authorized in the natural waters of the State.

4. Article VIII, Section 17. Laws and regulations governing the use or disposal of natural resources shall apply equally to all persons similarly situated with reference to the subject matter and purpose to be served by the law or regulation.

### C. State Statutory Constraints

1. AS 29.35.010. The State may authorize municipalities to assume certain powers

2. AS 29.35.020. A municipality cannot go beyond its boundaries to regulate the many uses and activities that affect fish and game. A municipality could prohibit hunting in the municipal watershed (both inside and outside its boundaries) in order to protect the watershed.

3. AS 29.35.145. A municipality can restrict the use of firearms within its jurisdiction.

4. AS 29.35.180. Land Use Regulation: municipal planning powers can be used to restrict development on land used for subsistence (a first or second class borough shall provide for planning, platting and land use regulation) Use of planning powers must be based on need to protect public health, safety and welfare. Planning powers cannot be used to determine specifically who uses the land

5. AS 29.40.030. Comprehensive Plan: "(a) The comprehensive plan is a compilation of policy statements, goals, standards, and maps for guiding the physical, social, and economic development, both private and public, of the first or second class borough, and may include, but is not limited to, the following: (1) statements of policies, goals, standards; (2) a land use plan; (3) a community facilities plan; (4) a transportation plan; and (5) recommendations for implementation of the comprehensive plan."

6. AS 29.40.040 Land Use Regulation: "(a) In accordance with a comprehensive plan adopted under AS 29.40.030 and in order to implement the plan, the assembly by ordinance shall adopt or amend provisions governing the use and occupation of land they may include, but are not limited to, (1) zoning regulations restricting the use of land and improvements by geographic districts; (2) land use permit requirements designed to encourage or discourage specified uses and construction of specified structures, or to minimize unfavorable effects of uses and the construction of structures; (3) measures to further the goals and objectives of the comprehensive plan."

7. AS 46.40.020. Alaska Coastal Management Program. One objective of the program reflects the constitutional requirement for sustained yield, balanced utilization of resources

8. AS 46.40.030 Development of District Coastal Management Programs: The program includes a definition of the land and water uses and activities subject to the district coastal management program; a statement of policies to be applied to the land and water uses subject to the district coastal management program; regulations, as appropriate to be applied to the land and water uses subject to the district coastal management program; a description of uses and activities which will be considered proper and the uses and activities which will be considered improper with respect to the land and water within the coastal area.

Coastal districts include coastal resource service areas and some municipalities in the coastal zone, namely, first-class cities, home-rule municipalities, and some second-class cities and boroughs that exercise planning powers.

A program prepared by a municipality is adopted locally by ordinance and by the State and federal government. The program is implemented by the State and the municipality, as appropriate.

A district coastal management program apparently can be used to regulate fish and game activities to protect subsistence. Following are examples from the proposed North Slope Borough coastal management program (still to be approved by the federal government, but adopted by the Alaska Coastal Policy Council):

"2.4.3 Prohibited Development Development which will likely result in depleting a subsistence resource below the subsistence needs of local residents of the Borough (will be prohibited) when the impacts cannot be avoided or mitigated."

"Offshore drilling and other development within the area of bowhead whale migration during the migration seasons (will be prohibited) unless the activity will not interfere with subsistence activities and the proposed activity will not jeopardize the continued existence of the bowhead whale."

"Development on barrier islands and in the marine and estuarine waters within three miles of the passes of Kasegaluk Lagoon intensively used by beluga whales (is prohibited) unless the activity will not interfere with subsistence use of beluga whales; the activity will not cause the whales to be displaced

from these passes; and the activity will not jeopardize the continued use of these passes and lagoon system by beluga whales. The passes intensively utilized by beluga whales are Kukpowruk Pass, Akunik Pass, Utokok Pass, Icy Cape Pass, and Alokiakatat Pass"

#### D. Conclusions and Recommendations

1. The State has the option of assuming rulemaking authority of the regional advisory boards provided for in ANILCA by enacting and implementing relevant laws of general applicability which are consistent with, and which provide for the definition, preference, and participation specified in the Act.

2. The State Constitution and ANILCA both give the State management authority (oversight) over fish and game activities. However, the State could probably delegate at least some of this authority to a local government or service area, as long as the State maintained oversight authority and final responsibility. Possibly, the federal funds received for the Regional Advisory Council could be used to support the local government/service area.

2. The requirement that fish and game management be based on the concept of sustainable yield (on a statewide basis) poses a fundamental problem for localized management control. It would be essential that the numerous local or regional management efforts be coordinated to reflect the statewide, intra-state and international requirements of sustained species management. One general manner in which to handle this problem is to provide local entities input and limited control over local management data collection, and control of the details of local allocations once a regional allocation has been determined on the basis of statewide considerations. In this concept, some statewide entity would retain the responsibility of statewide data assimilation and powers of allocation at the regional level.

3. Recommendation. Staff recommend a further investigation as to the degree to which the fish and game advisory board responsibility can be delegated to the local/regional governments where they exist. If it is determined that the local government cannot be made the advisory board for a region, then staff recommends that some mechanism be in place to provide for some representation of locally elected officials on the board.

4. Regarding municipal powers. Planning powers are given to municipalities for the purpose of protecting the public health, safety and welfare. The application of planning powers (zoning and land use regulations) must be based on an adopted comprehensive plan. A restriction on land owned that is applied under the guise of planning powers must be shown to be necessary for the purpose of protecting the public health, safety and welfare -- otherwise, it could be subject to legal challenge. The application of zoning and subdivision regulation must be applied without bias. A municipality cannot determine who uses land, only how land is used. The exercise of planning powers expressly for the purpose of protecting subsistence uses would have to satisfy these constraints. Such a zoning ordinance is in place in Kodiak and is entitled a "conservation zone". The intent of this zone, which covers both public and private land, is to protect subsistence use of resources.

5. Recommendation. The constraints on municipal planning powers for purposes of subsistence preservation should be further researched. Specifically, the Kodiak model should be investigated with regard to general application.

6. Recommendation. Municipalities, in conjunction with the State, should consider methods of Property tax exemption as an incentive for maintaining land for subsistence purposes.

7. The intent of the Alaska Coastal Management Program is to provide local residents the opportunity to work with State and federal agencies to cooperatively develop policies (which become State law) pertaining to fish and game activities and subsistence. The application of this program to specifically address subsistence issues is being tested by the North Slope Borough plan. A legal opinion was rendered for the North Slope Borough which discusses using the Program Plan to protect subsistence.

8. Recommendation. It is recommended that the legal opinion regarding the North Slope Borough Coastal Management Plan be further researched by persons with a legal background regarding its implications for general application.

V. Identify methods for acknowledging tribal governments as recipients of state funds.

A. Background

1. Metlakatla is recognized as a tribal government based upon its status as a federally recognized municipality and its geographic jurisdiction for the Annette Islands Indian Reserve. It is the only community in Alaska now recognized as having this status. Metlakatla is now eligible for Municipal Assistance, although funds are not paid to the council but to a community development corporation open to participation for all residents of the community. Other State funds distributed to Metlakatla are subject to the conditions of waiver of sovereign immunity, and assurance that funds will be used in a nondiscriminatory manner for a public purpose.

2. The status of all other Alaskan Native village entities remains as a fundamental, unresolved, issue. Central to this unresolved issue is the question of recognition of Alaskan Native entities as "sovereign tribal governments". The question of such recognition is largely based upon the existence, or lack of existence, of "Indian country" in Alaska which would provide a geographical land base over which tribal governments could exercise jurisdiction.

3. The state does not recognize IRA and traditional councils as "tribal governments" in the sense of being sovereign governments or political subdivisions of the Alaska State system of governments.

4. The State does contract with such entities and requires two conditions (as is the case with Metlakatla) that are specifically directed towards these entities: waiver of sovereign immunity, and assurance that funds will be used in a nondiscriminatory manner for a public purpose.

5. There are three basic options for addressing the issue of recognizing tribal governments as sovereign governments or political subdivisions of Alaska State Government (a fourth basic option is maintenance of the status quo, i.e., as above):

a. Federal determination regarding existence of Alaska Native village entities as tribal governments.

b. Judicial determination.

c. State determination.

## B. Discussion of Options

1. Determination by the federal government. Tribal governments are political subdivisions of the federal government. Recognition of tribal governments and relations with tribal governments is a federal responsibility. In this option, until the federal government explicitly recognizes Native village councils (or establishes criteria for such recognitions) as tribal governments, the state should defer judgment to the federal government.

2. Judicial determination. If the federal government is unable or unwilling to make a definitive, timely, response to the question of the existence of tribal governments in Alaska, and the limits of their powers, the question may have to be settled by the courts. Any such decision by the courts would likely be on the narrowest of grounds and hard to interpret as to its applicability to other situations. A definitive ruling might take years to reach because of the appeals process. The courts might even be unwilling to make any such determination, on the basis that it is a "political question" which should be deferred to the federal government.

3. State determination. In order to resolve the issue, the state could take a more aggressive role to determine, for itself, the existence of tribal governments. Such a determination might be based upon an approach suggested by Justice Rabinowitz in his concurring opinion in Board of Equalization vs. Alaska Native Brotherhood and Sisterhood, an Alaska Supreme Court opinion. That approach would employ existing Department of Interior regulations entitled "Procedures for Establishing that an American Indian Group Exists as an Indian Tribe." (25 C.F.R. Part 54). These regulations are applicable to Alaska Natives. The regulations suggest that a group petitioning for such recognition must show that the group does possess and has continuously exercised governmental powers over the members of the group and that the group lives in a distinctly Native community in an area historically inhabited by members of the group. The State would also have to consider the requirements of the Alaska Native Claims Settlement Act relevant to such findings. If it were determined that ANCSA permitted such an action, then based upon these findings, the state could recognize Alaska Native village entities as tribal governments and treat them in the manner of Metlakatla.

### C. Conclusion and Recommendations

The choice between the above outlined options is a political choice and beyond the discretion of staff. Staff does recommend that the State follow through with a detailed assessment of the implications of a hypothetical scenerio in which tribal governments were recognized in Alaska, by whichever of the above means. The State does not yet have a clear understanding of the range of possibilities as to what would actually happen if this were to occur. What would it mean for the State? What would it mean for the communities involved?

VI. Examine local government options which could provide the greatest degree of decentralization (maximum local control structure) possible within existing State Constitutional constraints.

In effect, this recommendation suggests a topic so broad as to encompass in its scope at least all of the preceding discussion within this report. The requirements of an adequate treatment of the full scope go beyond the time and staff resources available for this initial assessment. Several earlier studies have dealt with aspects of this subject at some length, including the Local Government Study - 1979 (the results of the Local Government Symposium, August 4-5, 1979) and Problems and Possibilities for Service Delivery and Government in the Alaska Unorganized Borough (DCRA, September, 1981).

On the basis these previous works, and concerns of the Task Force as reflected in their cumulative preliminary recommendations, staff have assembled the following scope of work for a study which would provide a comprehensive discussion of the central questions of improving local government in rural Alaska. Most, if not all, of the items suggested for study are not new and to some degree have already been studied in the past; however, none of those studies have addressed all of the identified issues in an integrated and comprehensive fashion. By conducting a comprehensive study that is focused on providing solutions to specific problems, a form of government that could be both functional and desirable to a majority of rural residents could be identified.

#### Proposed Scope of Study

1. Identification of the services rural residents would want from a regional government.
2. Identification of the services rural residents would want from a community government (i.e. city).
3. Identification and analysis of the various forms of regional government available, including:
  - a. Organized boroughs.
  - b. Unorganized boroughs.
  - c. Service areas - both single and multi-purpose.
4. Options for decentralizing decision making authority of a regional government to the village level while at the same time complying with the "one-man-one-vote" concept enunciated by the U.S. Supreme Court.

5. Identification of alternative means of funding services provided by regional governments, including:

- a. Expanded municipal assistance/revenue sharing program.
- b. Elimination of certain services currently provided by the State coupled with transfer of responsibility for service provision and current State funding to a regional government.
- c. Local taxation, including property, sales and resource extraction taxation, income tax and any other forms of taxation that could generate local revenue.

6. Examination of the ramifications of establishing a process whereby rural residents could petition for and establish a service area to provide any traditional municipal service.

7. Identification and analysis of authorities and strategies regional governments could use to control and direct fish and game activities within their regions.

8. Analysis of the potential impacts that regional governments possessing certain powers could have on Federal programs for Native Americans, including:

- a. Duplication of services.
- b. Loss of Federal funding.

9. Identification and analysis of alternate forms of community government that could, within existing U.S. and Alaska Constitutional constraints:

- a. Approximate the decision making processes of the more traditional forms of Alaska Native Government.
- b. Qualify for Federal financial aide programs designated for Native Americans.
- c. Qualify for State Municipal financial assistance programs.

An adequate treatment of the subject matter provided in this suggested scope of study would clearly place great requirements on staff resources. It is recommended that staff assemble a workplan for accomplishing the above scope, including staff requirements, any outside (contracted) professional requirements, time frame and costs (including printing of a final report).



# RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith  
Signature of Camera Operator

7/25/89  
Date

DEPT. OF COMM.  
+ REGIONAL AFF.  
COMM. SERVICES  
BLOCK GRANT  
STATE PLAN

## OVERVIEW

Community Action Agencies are unique vehicles for addressing rural economic problems. There are two Community Action agencies in Alaska, RURALCAP and SEACAP; there will never be any others. It is imperative that we examine our relevance to the state's mission and begin making the constructive changes required in these times to ensure the survival of the institutions and their valuable services to our community residents.

In the broadest sense, the mission of community action agencies is to provide a wide range of services which will have a direct and measurable effect on the causes of poverty in the state. Faced with the need to adapt, come to terms with diminished funding opportunities, and focus on our specific charge to combat the causes of poverty we at SEACAP have taken the bold and progressive step of addressing the more fundamental problems areas that affect the economic health of our communities.

The general economic health of a community is the single greatest determinant of opportunities for its residents. If we are to wage a war on poverty we must do far more than simply treat the wounded. At SEACAP we have developed a strategy and a specific plan to significantly broaden the scope of our services and activities on behalf of those communities we serve.

We at SEACAP realize that in our adaptation to the new economic realities facing all non-profit organizations we must look to our marketable services and skills for a means to at least partially support the organization's traditional activities for low income and disadvantaged residents. In doing so SEACAP has already begun to identify a number of capabilities of relevance to our anti-poverty mission which are also quite marketable in their own respect.

To date we have identified the following range of services as marketable and have taken the initiative to begin moving cautiously into those markets. I must stress at this point that to date our accomplishments though modest are significant and represent a huge voluntary effort on the part of staff to achieve them.

I. General administrative and management services: Because we are located in the Capital city this is a natural market for us to explore. The services in this category consist at this point of a copying service, graphics layout and production, word processing, and proposal packaging.

II. Fund accounting and project management services: This is a market area we are moving into with particular care. There is a clear need for small communities to have access to an affordable service which will enhance their ability to account for grants and manage community projects. This is a particularly relevant activity when one looks carefully at the chronic lack of job opportunities for small community residents. It is also a measure that directly addresses the local hire problem.

III. Capital city management and liaison services: This will give our small communities a reference point in Juneau to assist in resolving technical problems, provide timely information, and perform specialized services.

IV. Residential energy services: This service will augment our low income weatherization program. By performing a similar but non-subsidized energy related business SEACAP can finance a far broader range of appropriate energy services to our low income residents that are excluded under the present program.

SEACAP has identified its needed structural changes and with our board of director's concurrence we have made the necessary organizational adaptations to operate with the degree of efficiency and accountability these new projects will demand. Furthermore, we have identified our equipment requirements and have obtained private financing for its purchase.

It is of no small significance to note that SEACAP is breaking new ground in having undertaken the kind of reorganization we have and having established a credible relationship with the private financial community. This is certainly unique in the history of Alaska's Community Action Agencies.

SEACAP's approach is to consider as one of our primary goals the overall economic health of our Southeastern communities. In looking at new options for financing our programs we have begun developing the kinds of relationships with other, non-traditional funding sources, the business community, and the private financial community that it will take to bring more resources to bear on the problems of community development, new enterprise opportunities, local job opportunity, and local hire. All of this while we continue to work toward greater financial independence.

I WOULD BE HAPPY TO ANSWER ANY QUESTIONS THE COMMITTEE MAY HAVE.

ACTION AGENCIES AND GET ON WITH THE BUSINESS AT HAND.

TO SEE AN END TO THE TRADITIONAL ACFTMOMX BETWEEN ALASKA'S TWO COMMUNITA  
MONTHS WE HAVE MADE A GREAT DEAL OF PROGRESS. IT IS OUR SINCERE DESIRE  
TO THIS POSSIBILITY. IT ISN'T GOING TO BE EASY BUT IN JUST A FEW SHORT  
FUNDING REDUCTIONS. YOU HAVE BEFORE YOU SEASONS' PLAN FOR ADAPTATION  
IN ALL LIKELIHOOD WE ARE LOOKING AT THE DISTINCT POSSIBILITY OF FURTHER

ELIMINATING INDEPENDENCE

THE CONTINUITY OF SERVICE IN OUR REGION AS IT DEVELOPS ITS OWN MEANS OF  
CONSIDERABLE MERIT. I APPRECIATE THIS AGENCY'S NEW APPROACH TO PRESERVE  
I HAVE SEEN SEVERAL'S PLAN OF DEVELOPMENT AND I CONSIDER IT ONE OF

THE CURRENT TRENDS IN PUBLIC FUNDING REDUCTIONS IS NOT LIKELY TO ABATE  
REGION. WE FURTHERMORE FEEL SEVERAL IS CORRECT IN THEIR ASSUMPTION THAT  
ROSTER APPROPRIATE DEVELOPMENT, NEW ENTERPRISES, AND MORE JOBS IN OUR  
BENEFITS BANK IS COMMITTED TO WORKING CLOSELY WITH ORGANIZATIONS THAT

AND INTO THE PRIVATE ECONOMIES OF OUR COMMUNITIES.

TO DIRECT ITS EFFORTS BEYOND THE VACUUM OF STATE AND FEDERAL PROGRAMS

I AM PLEASED TO SEE THE KIND OF INITIATIVE THAT SEVERAL HAS TAKEN

COMMUNITIES.

TESTED AND SINCERE INTEREST IN THE ECONOMIC FUTURE OF SOUTHEASTERN  
BENEFITS BANK. WE ARE A SOUTHEASTERN ALASKA REGIONAL BANK WITH A  
GOOD AFTERNOON, I AM PAUL MORSE, VICE PRESIDENT AND MANAGER FOR B.W.

FRIDAY, APRIL 14, 1988

PROPOSED 1988 STATE PLAN

ON THE

TESTIMONY BY PAUL MORSE, VICE PRESIDENT, B. W. BENEFITS BANK

Senior Citizen Homeowner Exemption  
From Real Property Taxes  
(FY84)

Boroughs	Assessed Value (\$000)			Population		
	Total	Exempt	% Exempt	Total	Exemption	% Exempt
Yakutat	17,949	216	2.84	11	2.38	11
Wrangell	106,432	3,926	3.71	77	3.24	77
Whittier	18,210	144	0.77	6	2.19	6
Valdez	1,750,122	1,631	0.09	22	0.29	22
Unalaska	92,670	400	0.41	6	0.31	6
Seward	63,333	1,250	2.44	22	3.16	22
Petersburg	161,668	7,224	4.48	94	2.99	94
Pelican	9,143	103	1.12	3	1.40	3
Nome	207,020	2,093	1.01	22	1.39	22
Nenana	11,232	421	3.74	18	3.29	18
Dillingham	112,642	2,603	2.31	23	1.13	23
Craig	28,381	383	1.34	7	0.77	7
Cordova	121,884	2,161	1.77	36	1.42	36
Stikine	756,321	10,232	1.32	129	1.26	129
North Slope	12,324,883	1,343	0.10	24	0.19	24
Mat-Su	1,773,384	38,497	2.17	464	1.36	464
Kodiak Island	621,444	9,074	1.39	111	0.82	111
Ketchikan	711,341	20,226	2.88	299	2.08	299
Kenai Peninsula	3,102,640	37,718	1.21	222	1.34	222
Juneau	1,493,919	32,296	2.38	420	1.42	420
Haines	88,882	2,792	3.14	24	2.92	24
Fairbanks	3,627,908	39,628	1.09	607	0.87	607
Bristol Bay	112,212	300	0.32	7	0.22	7
Anchorage	13,199,322	173,133	1.31	2,139	0.88	2,139
<b>Total</b>	<b>244,030</b>	<b>2,139</b>	<b>0.88</b>	<b>12,324,883</b>	<b>1,343</b>	<b>0.10</b>

907-452-3809  
JUNE 17, ALASKA 99511  
FOURTH FLOOR - STATE CAPITOL

# STATE OF ALASKA THE LEGISLATURE

## LEGISLATIVE AFFAIRS AGENCY

LEGISLATIVE REFERENCE LIBRARY

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STARS database CMR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

House C+R A 2-14-88 3:10 P.M.

of our boys of development and our accomplishments to date.  
The program is a very important part of our  
community and we are proud of the progress we have made.  
We have a lot of work to do and we are committed to  
achieving our goals.

Some of the things we are doing are:  
- providing training and education for our  
- providing health care services  
- providing social services  
- providing housing services  
- providing food services

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TESTIMONY BY GORDON STOCKDALE, DIRECTOR  
SOUTHEASTERN ALASKA COMMUNITY ACTION PROGRAM (SEACAP)

On The  
PROPOSED 1986 CSBG STATE PLAN  
Friday, February 14, 1986

HELLO, I'M GORDON STOCKDALE, THE DIRECTOR OF SEACAP. I HAVE BEEN WITH THE ORGANIZATION SINCE AUGUST OF 1985. IN THIS TIME WE HAVE TAKEN THE INITIATIVE TO ADDRESS THE UNIVERSAL PROBLEM OF FUNDING REDUCTIONS THAT ALL NON-PROFIT CORPORATIONS MUST EXPECT TO FACE IN THE COMING YEAR AND THEREAFTER. ALTHOUGH I MAY BE SOMEWHAT NAIVE IN THIS I AM INCLINED TO BELIEVE THAT THE REDUCTIONS WE FACE ARE REAL AND MORE THAN LIKELY TO BE PERMANENT. IN KEEPING WITH THIS BELIEF, SEACAP, WITH THE FULL CONCURRENCE OF ITS BOARD OF DIRECTORS, HAS UNDERTAKEN A SIGNIFICANT REORGANIZATION TO COME TO TERMS WITH THE REALITY OF ITS MISSION AND ITS MEANS. WE BELIEVE IT WOULD BE A MISTAKE TO ASSUME THAT WE WILL BE ABLE TO GO ON DOING BUSINESS AS USUAL. THEREFORE, SEACAP IS MOVING AHEAD WITH A PLAN TO DEVELOP NEW RESOURCES TO CONTINUE ITS OPERATION, TO BECOME MORE SELF-SUFFICIENT, AND DELIVER THE MOST RELEVANT POSSIBLE RANGE OF SERVICES TO ITS CONSTITUENT COMMUNITIES IN SOUTHEASTERN ALASKA.

WE APPRECIATE THE STATE'S ACKNOWLEDGEMENT OF FUNDING OVERSIGHTS AND DISPARITIES IN THE CREATION AND USE OF THE FORMER CSBG ALLOCATION FORMULA. IT IS NOT OUR INTENTION TO COMPLAIN OR SEEK RESTITUTION FOR PAST INEQUITIES, RATHER, WE BELIEVE THAT THE PROPOSED 1986 PLAN CONTAINS AN IMPROVEMENT OVER PAST PLANS; IT CONTAINS A RECOGNITION OF THE NEED FOR A "BASIC GRANT" AWARD TO THE ELIGIBLE CAP AGENCIES.

IN ALL LIKLIHOOD WE ARE LOOKING AT THE DISTINCT POSSIBILITY OF FURTHER FUNDING REDUCTIONS. YOU HAVE BEFORE YOU SEACAP'S PLAN FOR ADAPTATION TO THIS POSSIBILITY. IT ISN'T GOING TO BE EASY BUT IN JUST A FEW SHORT MONTHS WE HAVE MADE A GREAT DEAL OF PROGRESS. IT IS OUR SINCERE DESIRE TO SEE AN END TO THE TRADITIONAL ACRIMONY BETWEEN ALASKA'S TWO COMMUNITY ACTION AGENCIES AND GET ON WITH THE BUSINESS AT HAND.

I WOULD BE HAPPY TO ANSWER ANY QUESTIONS THE COMMITTEE MAY HAVE.

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

OFFICE OF THE COMMISSIONER

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

949 E. 36TH AVENUE, SUITE 400  
ANCHORAGE, ALASKA 99508  
PHONE: (907) 563-1073

February 14, 1986

The Honorable Peter Goll  
Alaska State House  
of Representatives  
P.O. Box V  
Juneau, AK 99811

Dear Representative *Peter* Goll:

I appreciate the cooperation of you, your staff, and the committee in conducting a hearing on the Community Services Block Grant (CSBG) Draft FY 86 State Plan. I have enclosed copies of the draft State Plan which explains the program in detail. The following provides an overview of the program's history and funding.

In 1981 Congress enacted the Omnibus Budget Reconciliation Act, PL 97-35, which consolidated a number of categorical grants into nine block grant programs. Various poverty programs administered by the Community Services Administration (CSA) were combined in to the Community Services Block Grant (CSBG) program and were transferred to the federal Department of Health and Human Services (DHHS). A new Office of Community Services (OCS) was created to manage the program. This Congressional action was designed to have the state's take over the administration of the programs instead of the federal government. The Governor chose the Department of Community and Regional Affairs to administer Alaska's program. The Department began its administration of the CSBG program in FY 83.

PL 97-35 required the State to prepare a draft State Plan to describe how the program would operate. The draft plan is submitted each year to the public for review and comment, and the final plan is submitted to OCS for approval and funding.

According to the law, the State must distribute 90% of the available funds to eligible Community Action Agencies (CAA's) and the State retains 10%. The 90% is distributed to the two CAA's which were recognized by OCS when the State assumed administration of the program, the Rural Alaska Community Action Program (Rural CAP), and the Southeastern Alaska Community Action Program (SEACAP). Both agencies have done a good job of using the funds to benefit the low-income persons for whom the program was established.

Representative Goll  
February 14, 1986  
Page Two

When the Department prepared the first plan, the funds were allocated on a formula based primarily on poverty population which resulted in one CAA receiving 90% of the available funds and the other receiving 10%. This has created considerable friction between the organizations and the Department, since 10% of the funding is not adequate to provide for the basic costs of an office, minimal staff, and programs.

This year I have proposed that the formula be changed modestly to provide a basic grant for staff, office and board meetings, and the remaining funds be allocated by the population formula. I have recommended this change after reviewing the experience we have had in the past two years and because I feel the Department should give more consideration to the administrative costs associated with these programs.

Also, if you review the history of the funding since FY 81, when both CAA's received funds from CSA, the resulting distribution provided a more equitable funding picture.

#### COMMUNITY SERVICES BLOCK GRANT - HISTORY OF FUNDING

FY 81	\$182,000.00 (17%)	\$915,000.00 (83%)
FY 82	\$164,892.00 (17%)	\$784,000.00 (83%)
FY 83*	\$ 70,647.00 (9.69%)	\$658,661.00 (90.31%)
FY 84**	\$ 75,660.00 (9.69%)	\$659,071.00 (90.31%)
FY 85**	\$ 68,748.00 (9.69%)	\$640,722.00 (90.31%)
FY 86 (Proposed)	\$110,193.00 (15.2%)	\$610,936.00 (84.8%)

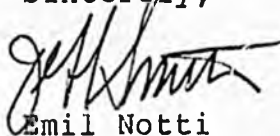
\*This is the first full year of State administration of the program after a State Plan was submitted and approved by the Office of Community Services.

\*\*The State reserves 10% of the available CSBG funds of which 5% is for State administration and 5% is discretionary funding for projects that benefit low-income persons. In FY 84 SEACAP received \$36,639.00 in Discretionary Funds and the Department has committed \$15,000.00 in FY 85 Discretionary Funds to Rural CAP.

Representative Goll  
February 14, 1986  
Page Three

My proposed funding adjustment is to provide equity in the distribution of the funds.

Sincerely,



Emil Notti  
Commissioner

Enclosure

cc: Representative Wallis  
Representative Koponen  
Representative Gruenberg  
Representative Phillips  
Representative Furnace ✓  
Representative Marrou

**Municipality  
of  
Anchorage**



OFFICE OF THE MAYOR

P.O. BOX 6650  
ANCHORAGE, ALASKA 99502-0650  
(907) 264-4431

TONY KNOWLES  
MAYOR

February 11, 1986

Representative Peter Goll  
Chairman  
House Community and Regional  
Affairs Committee  
Pouch V  
Juneau, Alaska 99811

Dear Representative Goll:

I understand that you will be taking testimony on the draft of the State Plan for distribution of the Community Services Block Grant during a teleconference hearing on February 14th. Unfortunately, other duties will prevent me from testifying at the hearing itself, but I felt it important that I be on record with my support for one of the recipients of those block grant funds -- the Rural Alaska Community Action Program (RurAL CAP)

At first it might seem strange that the Mayor of Anchorage would be testifying on behalf of an organization which is primarily known for its programs which serve low-income people throughout the rest of the state. RurAL CAP's reputation for excellence over the past 20 years of rural programs -- Weatherization, Energy Conservation Workshops, Subsistence, Village Participation, Alcohol and Drug Abuse Prevention, Head Start -- is widely known.

What is not so well known is that RurAL CAP operates Anchorage Head Start, with 5 center-based programs and 4 home-based programs serving approximately 160 low-income families. With more resources, they could serve even more, as each year there are many more qualified applicants than openings in the program. RurAL CAP also serves low-income people in Anchorage through its support of Bean's Cafe, not only through its direct support of the program, but through the matching donations from private sector that RurAL CAP's support generates.

In addition to program services, as one of the largest non-profit organizations in the city, RurAL CAP is a major

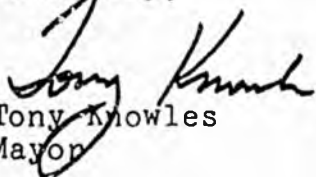
Representative Goll

Page - 2 -

employer, providing jobs and benefits for approximately 75 people in the Anchorage Area alone. In the past, RurAL CAP has also nurtured other Anchorage non-profit organizations through its sponsorship of Internship Program for Alaska, a program which places student interns with non-profit organizations. With RurAL CAP's help, this program has spun-off to become an independent organization.

As you can see, it's really not so strange that the Mayor of Anchorage would be writing on behalf of RurAL CAP. As you review the draft of the State Plan for distribution of the Community Services Block Grant, I urge you to keep the positive statewide impacts of this organization in mind.

Sincerely,



Tony Knowles  
Mayor

cc: Commissioner Emil Notti  
Representative Kay Wallis  
Representative Niilo Koponen  
Representative Max Gruenberg  
Representative Randy Phillips  
Representative Walt Furnace  
Representative Andre Marrou




Official Business

# Alaska State Legislature

Pouch V  
State Capitol  
Juneau, Alaska 99811

## MEMORANDUM

TO: MEMBERS OF THE HOUSE

FROM: REPRESENTATIVE MAX F. GRUENBERG, JR. 

DATE: FEBRUARY 11, 1986

RE: CO-SPONSORSHIP OF THE ATTACHED BILL

The attached bill, relating to tax credits for contributions to colleges and universities in the state, will be introduced on Monday, February 17th. The aim of the bill is to provide a new revenue stream for higher education in Alaska, while providing considerable state and federal tax benefits for individuals making contributions.

- SECTION 1 Provides that a person engaged in trade or business is allowed a credit against their tax due for 50% of their contribution to a qualified college or university.
- SECTION 2 Provides that 10% of a bequest to a qualified college or university is allowed as a credit towards estate tax.
- SECTION 3 Provides for a tax credit of 50% of the contribution to a qualified college or university for an oil and gas producer.
- SECTION 4 Provides for a tax credit of 50% of the contribution to a qualified college or university by an owner of taxable oil and gas property.
- SECTION 5 Provides for a tax credit of 50% of the contribution to a qualified college or university towards the mining business tax.
- SECTION 6 Provides for a tax credit of 50% of the contribution to a qualified college or university towards the state share of the raw fish tax.
- SECTION 7 Defines "tax revenue collected" under the raw fish tax.

1 IN THE HOUSE

BY GRUENBERG AND KOPONEN

2 HOUSE BILL NO.

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act allowing tax credits for contributions to  
7 educational institutions."

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

9 \* Section 1. AS 43.20 is amended by adding a new section to read:

10 Sec. 43.20.014. TRADE OR BUSINESS EDUCATION CREDIT. A person  
11 engaged in a trade or business is allowed as a credit against the tax  
12 due under this chapter 50 percent of contributions to an accredited,  
13 nonprofit, public or private, in-state, two- or four-year, college or  
14 university. The credit may not exceed the amount of tax due under  
15 this chapter.

16 \* Sec. 2. AS 43.31 is amended by adding a new section to read:

17 Sec. 43.31.014. ESTATE EDUCATION CREDIT. The estate of a  
18 person, who at the time of death, was a resident of this state, is  
19 allowed as a credit against the tax due under this chapter 10 percent  
20 of bequests to an accredited, nonprofit, public or private, in-state,  
21 two- or four-year, college or university. The credit may not exceed  
22 the amount of tax due under this chapter.

23 \* Sec. 3. AS 43.55 is amended by adding a new section to read:

24 Sec. 43.55.019. OIL OR GAS PRODUCER EDUCATION CREDIT. A pro-  
25 ducer of oil or gas is allowed as a credit against the tax due under  
26 this chapter 50 percent of contributions to an accredited, nonprofit,  
27 public or private, in-state, two- or four-year, college or university.  
28 The credit may not exceed the amount of tax due under this chapter.

29 \* Sec. 4. AS 43.56 is amended by adding a new section to read:

1           Sec. 43.56.018. OIL OR GAS PROPERTY EDUCATION CREDIT. The owner  
2 of property taxable under this chapter is allowed as a credit against  
3 the tax due under this chapter 50 percent of contributions to an  
4 accredited, nonprofit, public or private, in-state, two- or four-year,  
5 college or university. The credit may not exceed the amount of tax  
6 due under this chapter.

7 \* Sec. 5. AS 43.65 is amended by adding a new section to read:

8           Sec. 43.65.018. MINING BUSINESS EDUCATION CREDIT. A person  
9 engaged in the business of mining in the state is allowed as a credit  
10 against the tax due under this chapter 50 percent of contributions to  
11 an accredited, nonprofit, public or private, in-state, two- or four-  
12 year, college or university. The credit may not exceed the amount of  
13 tax due under this chapter.

14 \* Sec. 6. AS 43.75 is amended by adding a new section to read:

15           Sec. 43.75.018. FISHERIES BUSINESS EDUCATION CREDIT. A person  
16 engaged in a fisheries business is allowed as a credit against the tax  
17 due under this chapter 50 percent of contributions to an accredited,  
18 nonprofit, public or private, in-state, two- or four-year, college or  
19 university. The credit may not exceed the amount of tax due under  
20 this chapter.

21 \* Sec. 7. AS 43.75.130 is amended by adding a new subsection to read:

22           (b) In this section, "tax revenue collected" includes the amount  
23 credited against taxes under AS 43.75.018.  
24  
25  
26  
27  
28  
29

# STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

## DEPT. OF COMMUNITY & REGIONAL AFFAIRS

### OFFICE OF THE COMMISSIONER

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

949 E. 36TH AVENUE, SUITE 400  
ANCHORAGE, ALASKA 99506  
PHONE: (907) 563-1073

February 14, 1986

The Honorable Peter Goll  
Alaska State House  
of Representatives  
P.O. Box V  
Juneau, AK 99811

Dear Representative Goll:

I appreciate the cooperation of you, your staff, and the committee in conducting a hearing on the Community Services Block Grant (CSBG) Draft FY 86 State Plan. I have enclosed copies of the draft State Plan which explains the program in detail. The following provides an overview of the program's history and funding.

In 1981 Congress enacted the Omnibus Budget Reconciliation Act, PL 97-35, which consolidated a number of categorical grants into nine block grant programs. Various poverty programs administered by the Community Services Administration (CSA) were combined in to the Community Services Block Grant (CSBG) program and were transferred to the federal Department of Health and Human Services (DHHS). A new Office of Community Services (OCS) was created to manage the program. This Congressional action was designed to have the state's take over the administration of the programs instead of the federal government. The Governor chose the Department of Community and Regional Affairs to administer Alaska's program. The Department began its administration of the CSBG program in FY 83.

PL 97-35 required the State to prepare a draft State Plan to describe how the program would operate. The draft plan is submitted each year to the public for review and comment, and the final plan is submitted to OCS for approval and funding.

According to the law, the State must distribute 90% of the available funds to eligible Community Action Agencies (CAA's) and the State retains 10%. The 90% is distributed to the two CAA's which were recognized by OCS when the State assumed administration of the program, the Rural Alaska Community Action Program (Rural CAP), and the Southeastern Alaska Community Action Program (SEACAP). Both agencies have done a good job of using the funds to benefit the low-income persons for whom the program was established.

Representative Goli  
February 14, 1986  
Page Two

When the Department prepared the first plan, the funds were allocated on a formula based primarily on poverty population which resulted in one CAA receiving 90% of the available funds and the other receiving 10%. This has created considerable friction between the organizations and the Department, since 10% of the funding is not adequate to provide for the basic costs of an office, minimal staff, and programs.

This year I have proposed that the formula be changed modestly to provide a basic grant for staff, office and board meetings, and the remaining funds be allocated by the population formula. I have recommended this change after reviewing the experience we have had in the past two years and because I feel the Department should give more consideration to the administrative costs associated with these programs.

Also, if you review the history of the funding since FY 81, when both CAA's received funds from CSA, the resulting distribution provided a more equitable funding picture.

#### COMMUNITY SERVICES BLOCK GRANT - HISTORY OF FUNDING

FY 81	\$182,000.00 (17%)	\$915,000.00 (83%)
FY 82	\$164,892.00 (17%)	\$784,000.00 (83%)
FY 83*	\$ 70,647.00 (9.69%)	\$658,661.00 (90.31%)
FY 84**	\$ 75,660.00 (9.69%)	\$659,071.00 (90.31%)
FY 85**	\$ 68,748.00 (9.69%)	\$640,722.00 (90.31%)
FY 86 (Proposed)	\$110,193.00 (15.2%)	\$610,936.00 (84.8%)

\*This is the first full year of State administration of the program after a State Plan was submitted and approved by the Office of Community Services.

\*\*The State reserves 10% of the available CSBG funds of which 5% is for State administration and 5% is discretionary funding for projects that benefit low-income persons. In FY 84 SEACAP received \$36,639.00 in Discretionary Funds and the Department has committed \$15,000.00 in FY 85 Discretionary Funds to Rural CAP.

Representative Goll  
February 14, 1986  
Page Three

My proposed funding adjustment is to provide equity in the distribution of the funds.

Sincerely,



Emil Notti  
Commissioner

Enclosure

cc: Representative Wallis  
Representative Koponen  
Representative Gruenberg  
Representative Phillips  
Representative Furnace  
Representative Marrou



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*, *****
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* DELIVER TO: TCJNU
*
* ORIGINAL
* SENT: 02/10/86 TIME: 16:00
* FROM: FALEENE BIGGS
* SUBJECT: FINAL STATS
* PRINT DATE: 02/10/86 TIME: 16:00
*
*****

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\*\*\* FINAL T/C STATS \*\*\*

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DATE: THURSDAY, FEBRUARY 6, 1986
SITE: SITKA LIO
SPONSOR: H & S JOINT COMMUNITY & REGIONAL AFFAIRS COMM.
SUBJECT: BOUNDARY CHANGES ANGOON, KTN, N. POLE, STP, UAK
LOCAL MODERATOR: FALEENE BIGGS

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TESTIFIED

1. NELSON D. FRANK, SHEE ATIKA, INC.  
 330 SEWARD ST., SITKA, AK 99835 747-3534

OBSERVED:

1. ROGER SNIPPEN, SHEE ATIKA, INC.  
 330 SEWARD ST., SITKA, AK 99835 747-3534

\*\*\*\*\*

TESTIFIED: \_\_\_1\_\_\_  
 OBSERVED: \_\_\_1\_\_\_  
 TOTAL: \_\_\_2\_\_\_

TIME START: \_\_\_3:30\_\_\_  
 TIME END: \_\_\_5:30\_\_\_

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*****
*
* DELIVER TO: TCJNU
*
* ORIGINAL
* SENT: 02/07/86 TIME: 09:59
* FROM: EVELYN JOHNSON
* SUBJECT: FINAL T/C STATS/KTN
* PRINT DATE: 02/07/86 TIME: 09:59
*
*****

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\*\*\* FINAL T/C STATS \*\*\*

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DATE: ___FEBRUARY 6, 1986_____
SITE: ___KETCHIKAN LIO_____
SPONSOR: ___HOUSE AND SENATE COMMUNITY AND REGIONAL AF.____
SUBJECT: ___BOUNDARY CHANGES_____
LOCAL MODERATOR: ___EVELYN JOHNSON_____

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TESTIFIED:
NAME/REPRESENTING           ADDRESS           PHONE

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1. JAMES A. VAN ALTVORST, CITY MGR., 334 FRONT ST., 225-3111 X335
2. BILL ELBERSON, NORTHWAY REALTY, 322 DOCK ST., KTN 99901 225-6191
3. EDWARD KING, ATTORNEY/FURUSETH ESTATE, 307 BAWDEN ST. 225-9401

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OBSERVED:
NAME/REPRESENTING           ADDRESS           PHONE

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1. KIM ROGERS, CITY OF KETCHIKAN, 334 FRONT, KTN 225-3111 X370

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TESTIFIED:  ___3___
OBSERVED:   ___1___
TOTAL:      ___4___

TIME START: ___3:30 PM___
TIME END:   ___5:20 PM___

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*
* DELIVER TO: TCJNU
*
* ORIGINAL
* SENT: 02/07/86 TIME: 13:18
* FROM: TCFBX
* SUBJECT: 2/6 C&RA BOUNDARY
* PRINT DATE: 02/07/86 TIME: 13:19
*
*****

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##### FINAL T/C STATS #####

DATE: 2/6/86  
SITE: AIRBANKS MODERATOR ERANK ZABELING

SPONSOR: HOUSE & SENATE COMMUNITY AND REGIONAL AFFAIRS  
SUBJECT: BOUNDARY COMMISSION, BOUNDARY CHANGES

NAME/REPRESENTING	ADDRESS	PHONE
TESTIFIED:		
1. THOMAS MAHER OBSERVED	1912 CHEECHAKO, FBX, 99701	479-6144
1. LYNN WOLF	3094 LUPINE, NORTH FLE, 99705	488-4301
2. WILLIAM WAUGAMAN	BOX 80589, FBX, 99708	452-1247
3. WILLIAM STROECKER	BOX 1230, FBX, 99707	452-2146
4. SUNNY CARPENTER	BOX 447, FBX, 99707	456-1312
TESTIFIED: 1	TIME START: 3:45 P.	TIME END: 6:00 P
OBSERVED: 4		
TOTAL: 5		

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 \*  
 \* DELIVER TO: TCJNU \*  
 \* \*  
 \* \*  
 \* ORIGINAL \*  
 \* SENT: 02/07/86 TIME: 10:18 \*  
 \* FROM: EVELYN JOHNSON \*  
 \* SUBJECT: FINAL T/C STATS/WRG \*  
 \* PRINT DATE: 02/07/86 TIME: 10:18 \*  
 \* \*  
 \*\*\*\*\*

\*\*\* FINAL T/C STATS \*\*\*

DATE: \_\_\_FEBRUARY 6, 1986\_\_\_  
 SITE: \_\_\_WRANGELL LTC\_\_\_  
 SPONSOR: HOUSE AND SENATE COMMUNITY AND REGIONAL AFFAIRS  
 SUBJECT: BOUNDARY CHANGES  
 LOCAL MODERATOR: \_\_\_MABEL FENNIMORE\_\_\_

\*\*\*\*\*

TESTIFIED:  
 NAME/REPRESENTING ADDRESS PHONE

\*\*\*\*\*

OBSERVED:  
 NAME/REPRESENTING ADDRESS PHONE

1. JOSEPHINE ANDERSON

\*\*\*\*\*

TESTIFIED: \_\_\_0\_\_\_ TIME START: 3:30 PM \_\_\_  
 OBSERVED: \_\_\_1\_\_\_ TIME END: 5:30 PM (2)  
 TOTAL: \_\_\_1\_\_\_

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 \*  
 \* DELIVER TO: TCJNU \*  
 \*  
 \* ORIGINAL \*  
 \* SENT: 02/07/86 TIME: 16:29 \*  
 \* FROM: LIOKOD \*  
 \* SUBJECT: FINAL STATS \*  
 \* PRINT DATE: 02/07/86 TIME: 16:40 \*  
 \*  
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\*\*\* FINAL T/C STATS \*\*\*

DATE: \_\_\_FEBRUARY 6, 1986\_\_\_  
 SITE: \_\_\_KODIAK LIO\_\_\_  
 SPONSOR: HOUSE/SENATE JOINT COMMUNITY REGIONAL AEE.  
 SUBJECT: \_\_\_BOUNDARY COMMISSION HEARINGS\_\_\_  
 LOCAL MODERATOR: \_\_\_DONNA DUGGAN\_\_\_

\*\*\*\*\*

TESTIFIED:

	NAME/REPRESENTING	ADDRESS	PHONE
1.	NANCY GROSS, CITY OF UNALASKA,	BOX 89, UNALASKA	99685 581-1251
2.	GERT SVARNY, OUNALASHKA CORP.,	BOX 197, UNALASKA	99685 581-1597

\*\*\*\*\*

OBSERVED:

	NAME/REPRESENTING	ADDRESS	PHONE
1.	A. ERICKSON, CITY OF UNALASKA,	BOX 89, UNALASKA	
2.	KATHY GRIMME, P RES. OUNALASHKA CORP.,	BOX 149, UNALASKA	99685, 581-1276
3.	LOIS B. HOPE, BOX 136,	UNALASKA,	581-1344
4.	WM. P. HOPE, BOX 136,	UNALASKA,	581-1344

\*\*\*\*\*

TESTIFIED:	___2___	TIME START:	3:30PM
OBSERVED:	___4___	TIME END:	5:30PM
TOTAL:	___6___		

745  
7966

\*\*\* FINAL STATS \*\*\*

T/C: HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE  
SUBJECT: COMMUNITY SERVICES BLOCK GRANT, FY 86 GRANTS  
DATE: 2-14-86  
SITE: BETHEL  
TIME IN/OUT: 3:00 P.M. - 4:30 P.M.  
MODERATOR: WALLY RICHARDSON

TESTIFIED:

- 1. HAROLD SPARCK, NUNAM KITLUTSISTI, BOX 2068, BETHEL 543-2856
- NO OBSERVERS.

\* PRINT DATE: 02/29/86 \*  
\*\*\*\*\*

\*\*\*\*\*FINAL STATS\*\*\*\*\*

DATE: 2-14-86  
SITE: KOTZEBUE  
SPONSOR: H. C RA  
SUBJECT: COMM SERVICES BLOCK GRANT: FY 86 GRANTS...  
LOCAL MODERATOR: KAREN JOHNSON

NO PARTICIPANTS IN KOTZEBUE.

\*\*\*\*\*

TO: FBX AND JUNEAU

WE WILL BE BROADCASTING THE SEN. LABOR AND COMMERCE HEARING OVER THE 4 WIRE NETWORK BECAUSE WE HAVE SO MANY PEOPLE IN THE CONFERENCE ROOM AND OUR P.A. SYTEM IS TIED INTO OUR CONFERENCE SET AND WE NEED TO USE IT.

WE WILL BE ON LINE UNTIL THE POLLING FOR THE BLOCK GRANTS T/C<sup>2</sup> STARTS...

JUNEAU T/C PLEASE CALL ME AHEAD OF TIME SO I CAN SHUT THE SYTEM OFF HERE- I WILL TRY AND NOT FORGET.....

\*\*\*\*\*

E-MAIL # 1 T/C BLOCK GRANTS - FROM FAIRBANKS

HERE TO TESTIFY:

- 1. JIM KOWALSKY

\*\*\*\*\*

E-MAIL # 2 - FROM FAIRBANKS

\*\*\*\*\*  
\*  
\* DELIVER TO: TCJNU  
\*  
\* ORIGINAL  
\* SENT: 02/17/86 TIME: 13:00  
\* FROM: LIODLG  
\* SUBJECT: FINAL STATS-HCR BLOCK GRANTS  
\* PRINT DATE: 02/17/86 TIME: 13:00  
\*  
\*\*\*\*\*

FINAL STATS FOR HOUSE COMMUNITY AND REGIONAL AFFAIRS TC  
ON COMMUNITY SERVICES BLOCK GRANT - FY 86 GRANTS PUBLIC HEARING  
2-14-86, 3 TO 4 PM  
SITE: DILLINGHAM LIO

OBSERVERS ONLY

1. WILLIAM NICHOLSON, BRISTOL BAY NATIVE ASSN., EDA PROGRAM,  
DILLINGHAM, AK. 99576 - PH, 842-5257

\*\*\*\*\*NAKNEK LTC - OBSERVER ONLY

1. SUE ASPELUND, BOX 171, NAKNEK, AK. 99633

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*
* DELIVER TO: TCJNU
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* ORIGINAL
* SENT: 02/14/86 TIME: 16:20
* FROM: TCM4T
* SUBJECT: FY 86 BLOCK GRANT
* PRINT DATE: 02/14/86 TIME: 16:21
*
*****

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\*\*\* FINAL T/C STATS\*\*\*

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DATE: 2-14-86
SITE: SEWARD
SPONSOR: HOUSE CR&A
SUBJECT: FY86 BLOCK GRANT
LOCAL MODERATOR: VICKI SIEGEL

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TESTIFIER:
NAME/REPRESENTING ADDRESS PHONE

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OBSERVED:
NAME/REPRESENTING ADDRESS PHONE

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1. MICHAEL ROBINSON C/O SEWARD COMMUNITY SCHOOLS 224-3014
*****

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TESTIFIED: 0 TIME START: 3:00
OBSERVED: 1 TIME END: 4:00
TOTAL: 1

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LIST OF ALL RECORDS IN THE ATMS INPUT QUEUE

HB583	HB586	HB575	HB600	HB576
HB599	HB597	HB585	HB593	HB595
HB592	HB580	HB579	HB578	HB577
HB582				

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*****
*
* DELIVER TO: TCJNU
*
* ORIGINAL
* SENT: 02/14/86 TIME: 16:16
* FROM: TCMAT
* SUBJECT: FY 86 BLOCK GRANT
* PRINT DATE: 02/14/86 TIME: 16:17
*
*****

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\*\*\* FINAL T/C STATS\*\*\*

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DATE: -----2-14-86-----
SITE: -----MAT-SU-----
SPONSOR: -----HOUSE C R & A-----
SUBJECT: -----FY 86 BLOCK GRANT-----
LOCAL MODERATOR: -----JUDY MATHIS-----

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TESTIFIED:

NAME/REPRESENTING	ADDRESS	PHONE
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OBSERVED:

NAME/REPRESENTING	ADDRESS	PHONE
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1.	LEANNA K. BROWN	831 S. CHUGACH PALMER	99645	745-5454
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TESTIFIED:	TIME START:	3:00
OBSERVED: 1	TIME END:	4:00
TOTAL: 1		

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\*  
\* DELIVER TO: TCJNU \*  
\*  
\* ORIGINAL \*  
\* SENT: 02/14/86 TIME: 16:12 \*  
\* FROM: LIOBAR \*  
\* SUBJECT: FINAL STATS \*  
\* PRINT DATE: 02/14/86 TIME: 16:12 \*  
\*  
\*\*\*\*\*

\*\*\*FINAL STATS\*\*\*FINAL STATS\*\*\*FINAL STATS\*\*\*FINAL STATS\*\*\*

BARROW LIO  
2/14/86  
HOUSE C&RA  
CO..SERVICE BLOCK GRANTS

-----TESTIFY/OBSERVE

BARROW PARTICIPANTS:  
1)CATHY JANSSON  
GRANTS DEPT.  
NORTH SLOPE BOROUGH  
BOX 69  
BARROW 99723

X

TESTIFIED: OBSERVED: 1 TOTAL: 1

\*\*\*\*\*

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*****  
*                                                                 *  
* DELIVER TO: TCJNU                                           *  
*                                                                 *  
* ORIGINAL                                                     *  
* SENT:          02/14/86  TIME: 15:56                       *  
* FROM:          LIOSIT                                       *  
* SUBJECT:       FINAL STATS 2/14                             *  
* PRINT DATE:   02/14/86  TIME: 16:04                       *  
*                                                                 *  
*****
```

TO MODERATOR  
FR ELAINE, SITKA

FINAL\_STATS 2/14/86 (H) Q&A

OBSERVING IN SITKA:

1. JOHN DAF  
CEVICH, SEACAP BD OF DIRECTORS, BOX 1081, SITKA
2. FRANKLIN ROTH, SHELDON JACKSON COLLEGE INSTRUCTOR, BOX 479,  
SITKA
3. RAE ROGERS, STUDENT, 491 MONESTARY, SITKA
4. JIM ANDERSEN, STUDENT, BOX 479, SITKA
5. WADE PARRISH, STUDENT, BOX 1145, SITKA

SUMMARY: 5 OBSERVING, 0 TESTIFYING

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*
* DELIVER TO: TCJNU
*
* ORIGINAL
* SENT: 02/17/86 TIME: 10:20
* FROM: TCFBX
* SUBJECT: 2/14 HC&RA, COMM SVS BLOCK GRT
* PRINT DATE: 02/17/86 TIME: 10:21
*
*****

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\*\*\*\*\* FINAL T/C STATS \*\*\*\*\*

DATE: 2-14-86  
SITE: FAIRBANKS MODERATOR ERAN ZABLING

SPONSOR: HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE  
SUBJECT: COMMUNITY SERVICES BLOCK GRANTS

NAME/REPRESENTING	ADDRESS	PHONE
TESTIFIED:		
1. JIM KOWALSKY	201 1ST AVE, FBX 99701	452-8251
OBSERVED		
1. CHRIS BALLARD	PO BX 1267, FBX 99707	452-4761

TESTIFIED: 1 TIME START: 3:00\_E TIME END: 4:00\_E

OBSERVED: 1  
TOTAL: 2

DELIVER TO: TCJNU

ORIGINAL  
SENT: 02/17/86 TIME: 10:26  
FROM: FALZENE BIGGS  
SUBJECT: FINAL STATS  
PRINT DATE: 02/17/86 TIME: 10:26

\*\*\* FINAL T/C STATS \*\*\*

DATE: FRIDAY, FEBRUARY 14, 1986  
SPONSOR: JSE COMMUNITY & REGIONAL AFFAIRS COMMITTEE  
SUBJECT: COMMUNITY SERVICE BLOCK GRANTS

HAINES LTC -- ALETA ADKINS, MODERATOR

TESTIFIED:

1. JAMES AXEL WILSON, P.O. BOX 745, HAINES, AK 99827

OBSERVED:

1. JUDY GOENETT, REPRESENTING HEAD START  
P.O. BOX 357, HAINES, AK 99827

TESTIFIED: 1  
OBSERVED: 1  
TOTAL: 2

TIME START: 3PM  
TIME END: 4:30

HOONAH VTS, CAROL WILLIAMS, MODERATOR

OBSERVED:

1. FRANK WRIGHT, JR., REPRESENTING INDIAN RIGHTS ACT  
P.O. BOX 497, HOONAH, AK 99829

TESTIFIED: 0  
OBSERVED: 1  
TOTAL: 1

TIME START: 3:00  
TIME END: 4:30

# # # # # E N D O F P A G E # # #

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*
* DELIVER TO: TCJNU
*
* ORIGINAL
* SENT: 02/19/86 TIME: 12:19
* FROM: HARRY MANDREGAN
* SUBJECT: FINAL STATS T/C 02/14/86
* PRINT DATE: 02/19/86 TIME: 12:20
*

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\*\*\* FINAL T/C STATS \*\*\*

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DATE: __FEBRUARY 14TH, 1986__
SITE: __ANCHORAGE, ALASKA__
SPONSOR: __HOUSE COMMUNITY AND REGIONAL AFFAIRS__
SUBJECT: __COMM SERVICES BLOCK GRANT: FY86 GRANTS__
LOCAL MODERATOR: __HARRY MANDREGAN__

```

\*\*\*\*\* TESTIFY \*\*\*\*\*

NAME/REPRESENTING	ADDRESS	PHONE
1. MAX CHICKALUSTON (ALCOHOL PROGRAM COORDINATOR)	TYONEK, ALASKA	583-2875
2. BOB LOHR (RURAL CAP)	731 E. 8TH AVE. 99520	279-2511

\*\*\*\*\* OBSERVE \*\*\*\*\*

OBSERVE:	NAME/REPRESENTING	ADDRESS	PHONE
1.	ROBERT L. BREAN (DCRA)	949 E. 36TH AVENUE	583-1955
2.	CARRIE D. LONGORIA (S.T.A.R.)	P.O. BOX 19-3356	276-7270
3.	VERNITA ZILYS (RURAL CAP)	731 E. 8TH 99520	279-2511
4.	DOUG MODIG (RURAL CAP)	731 E. 8TH 99520	279-2511
5.	JE/ NINE KENNEDY (RURAL CAP)	731 E. 8TH 99520	279-2511

\*\*\*\*\* TESTIFIED AND OBSERVED \*\*\*\*\*

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TESTIFIED: 2
OBSERVED: 5
TOTAL: 7

TIME START: 3:10 PM
TIME END: 4:27 PM

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