

ALASKA LEGISLATURE COMMITTEE FILES 1995-1996 8672

8529 HOUSE • COMMUNITY & REGIONAL AFFAIRS •


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**MEMORANDUM**

April 25, 1995

**SUBJECT:** Sectional Summary of CSSB 87(FIN).  
**TO:** Senator Robin Taylor  
Attn: Joe Ambrose  
**FROM:** Michael F. Ford   
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

**Section 1.** Requires that at least three members of the Alcoholic Beverage Control Board must represent the general public. Prohibits a board member representing the general public from having a financial interest in the liquor industry.

**Section 2.** Requires that in a three member meeting of the Alcoholic Beverage Control Board, at least two members must be members who represent the general public.

**Section 3.** Prohibits solicitation or receipt of orders for delivery of alcoholic beverages in a local option area. Provides certain exceptions, depending on the local option.

**Section 4.** Provides that possession of 12 gallons or more of malt beverages in an area where sale is restricted or prohibited creates a presumption that the person possessed the alcohol for sale.

**Section 5.** Technical amendment.

Senator Robin Taylor

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**Section 6.** Allows the board to issue or reissue a restaurant or eating place license that is exempt from the requirements of AS 04.11.100(b) and (e), relating to a determination that the premises are a bona fide restaurant and to minimum food sales. Establishes restrictions on licenses issued under this section.

**Section 7.** Increases the quantity of beer than can be manufactured under a brew-pub license.

**Section 8.** Technical amendment.

**Section 9.** Establishes restrictions on sale of an alcoholic beverage by a package store.

**Section 10.** Limits sale of alcoholic beverages by shipment to a local option area.

**Section 11.** Requires that a person licensed as a wholesaler file certain information with the board regarding their alcoholic beverage product line and that the person pay a biennial filing fee. Requires the wholesaler notify the board of a change in a primary source of supply.

**Section 12.** Prohibit certain licensees from purchasing, selling, or offering for sale an alcoholic beverage unless obtained from a person licensed as a primary source of supply or from a brewery, winery, or distillery in the state.

**Section 13.** Changes the dates for renewal of a license and increases the penalty for late renewal.

**Section 14.** Technical amendment.

**Section 15.** Requires denial of a license renewal if the licensee has violated a condition or restriction imposed by the board.

**Section 16.** Technical amendment.

**Section 17.** Technical amendment.

**Section 18.** Amends certain provisions that, if the board finds have occurred, require the board to suspend or revoke a license.

**Section 19.** Adds new provision requiring suspension of a license for certain gambling offenses.

**Section 20.** Provides that the board has the authority to impose conditions or restrictions on a license or permit.

**Section 21.** Technical amendments.

**Section 22.** Allows a local governing body to protest the issuance, renewal, relocation, or transfer of a license, by filing a protest within 60 days of the application by the licensee. Prohibits the board from accepting a late protest. Allows a protest of the continuing operation of licensed premises by filing a protest during the second year of operation.

**Section 23.** Establishes the local options that may be adopted to control the sale and possession of alcoholic beverages by municipalities and by established villages. Establishes the ballot question, requires inclusion of a summary explanation, provides for continuance of the local option if the municipality dissolves, and provides for designation of a delivery site for alcoholic beverages in certain instances.

**Section 24.** Establishes a process for changing or removing a local option. Provides a priority for licensees in an area that removes a local option.

**Section 25.** Establishes the effect of a vote to prohibit sales of alcoholic beverages, on licensees.

**Section 26.** Establishes the effect of a vote to prohibit importation of alcoholic beverages.

**Section 27.** Establishes the effect of a vote to prohibit possession of an alcoholic beverage.

**Section 28.** Establishes the effect of a vote to restrict sales of alcoholic beverages, on licensees.

**Section 29.** Establishes the effect of a vote to only allow sales of an alcoholic beverage by a municipally owned liquor store.

**Section 30.**

Sec. 04.11.507 - Establishes the procedures for local option elections, including petition requirements, limits on elections to remove an option, and restrictions on multiple petitions.

Sec. 04.11.509 - Provides for notice of the results of a local option election to the board and to licensees.

**Section 31.** Establishes a biennial license renewal process.

**Section 32.** Provides for biennial licensing of a seasonal license.

**Section 33.** Prohibits a person from knowingly being on premises where illegal manufacture or sale of an alcoholic beverage is occurring.

**Section 34.** Prohibits sales of certain types of alcoholic beverages.

**Section 35.** Requires that a common carrier shipping alcoholic beverages in a local option area must attach a shipping invoice showing the quantity of the alcoholic beverages being shipped.

**Section 36.** Provides certain exceptions to the labeling and invoice requirements applicable to liquor shipments in a local option area.

**Section 37.** Provides that a violation of AS 04.16.025 is a class A misdemeanor.

**Section 38.** Technical amendment.

**Section 39.** Technical amendment.

**Section 40.** Requires forfeiture and seizure of illegally possessed liquor.

**Section 41.** Technical amendment.

**Section 42.** Technical amendment.

**Section 43.** Requires community work to be performed at the direction of the body that traditionally performed public functions on behalf of the entire community, in the absence of a local governing body.

**Section 44.** Technical amendment.

**Section 45.** Technical amendment.

**Section 46.** Technical amendment.

**Section 47.** Technical amendment.

**Section 48.** Technical amendment.

**Section 49.** Technical amendment.

**Section 50.** Required property forfeited in a municipality be transferred to the municipality.

**Section 51.** Provides authority for a municipality to adopt certain ordinances to limit importation, sales, or the type of container used for alcoholic beverages.

**Section 52.** Allows a municipality to adopt an ordinance making the importation, sale or possession of liquor a misdemeanor, to the extent allowed by the local option.

**Section 53.** Technical amendment.

**Section 54.** Technical amendment.

**Section 55.** Requires a person who checks the identification of a patron to complete an alcohol server education course.

**Section 56.** Requires alcohol training for persons licensed as common carrier dispensaries.

**Section 57.** Technical amendment.

**Section 58.** Amends the definition of "alcoholic beverage".

**Section 59.** Amends the definition of "established village".

**Section 60.** Requires the Department of Revenue to provide notice to the Alcoholic Beverage Control Board of certain gambling violations by licensees.

**Section 61.** Technical amendment.

**Section 62.** Technical amendment.

**Section 63.** Technical amendment.

**Section 64.** Technical amendment.

**Section 65.** Technical amendment.

**Section 66.** Technical amendment.

**Section 67.** Technical amendment.

**Section 68.** Technical amendment.

**Section 69.** Technical amendment.

**Section 70.** Repealers.

**Section 71.** Transition section related to prior adopted local options.

**Section 72.** Transition section related to existing local option petitions.

**Section 73.** Transition section related to community liquor licenses.

**Section 74.** Transition section related to submission of certain liquor stock information.

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**Section 75.** Transition section related to biennial seasonal licenses.

**Section 76.** Authority for the board to adopt regulations.

**Section 77.** Prohibits purchase of liquor that contains more than 76 percent of alcohol by volume.

**Section 78.** Transition section for existing members of the board.

**Section 79.** Effective date for sec. 76.

**Section 80.** Effective date for AS 04.16.110(2) enacted by sec. 34.

**Section 81.** Effective date for all sections except secs. 76 and 80.

MFF:klb

95-296.klb

# Alaska State Legislature

Chairman,  
Judiciary Committee

Vice Chairman,  
Transportation Committee

Member,  
Resources Committee  
Western Legislative Forestry Task Force



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*Senator Robin L. Taylor*

## Sponsor Statement

### Senate Bill 87

Last year the Alcoholic Beverage Control Board, prompted by concerns over a lack of clarity in how local option elections are to be conducted, asked for legislation to simplify the process. The board also asked that the same vehicle be used to address long needed technical and common sense amendments to Title 4.

The result was Senate Bill 372, which passed the Senate and moved through the committee process in the House, only to die in the Rules Committee in the hectic final days of the 18th State Legislature.

Senate Bill 87 is substantially the same as last year's legislation.

The bill addresses the shortcoming in the current statute dealing with local option elections, for which no provision is made for moving from one type of option to another. Under current law, a community must first vote to remove all restrictions on the sale and importation of alcoholic beverages and then conduct another vote on a new option. This burdensome process can cause confusion for municipalities and unincorporated villages alike.

SB 87 was amended in the Community and Regional Affairs and Judiciary Committees to address specific concerns raised by local option communities. Those amendments have the support of the ABC Board and the chairman of the sponsoring committee.

District A:

Hyder • Ketchikan • Kupreanof • Meyers Chuck • Petersburg • Saxman • Sitka • Wrangell

# Alaska State Legislature



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**Senator Robin L. Taylor**

## MEMORANDUM

**TO:** Representative Ivan Ivan, Co-Chair  
House CRA Committee  
  
**FROM:** Senator Robin Taylor *R.L.T.*  
  
**DATE:** 4/22/95  
**REF:** Hearing Request - Senate Bill 87

\*\*\*\*\*

Please consider this to be my formal request for a hearing on Senate Bill 87 at your earliest convenience.

SB 87 revises the alcohol local option election laws to clarify this provision of state law. It also makes changes to other provisions of Title 4 requested by the Alcoholic Beverage Control Board and the liquor industry.

Thank you for your consideration of this request.

POSITION PAPER  
ALCOHOLIC BEVERAGE CONTROL BOARD  
SB 87  
March 1, 1995

This bill is substantially identical to SB 372 that passed the senate and all house committees last year but did not get to a floor vote in the house on the last day of the legislative session.

The bill clarifies and simplifies provisions that allow unincorporated villages and incorporated municipalities to hold local option elections to restrict or prohibit alcoholic beverages within those communities. The board's assistant attorney general has noted that

"When the local option scheme was adopted, no provision was made for moving from one type of option to another. The problems primarily arise when a proposal is made to move to a less restrictive option. Under the limited ballot language permitted, the community must first vote to remove all restrictions, and then conduct another vote to reinstate the desired option. The local option law is also ambiguous as to when a community may first conduct an election to remove an option it has adopted. (Subsequent elections must be at least 12 months later."

The attached recent newspaper editorial provides an example of the dilemma.

Along with a few insignificant new items, the bill contains several long overdue common sense technical amendments. An abbreviated sectional analysis describing these amendments is also attached.

Except for potential average annual revenue of approximately \$5,000 from registration of "brands" by wholesale licensees provided in Section 8, the bill does not create any fiscal impact on board operations.

The Alcoholic Beverage Control Board is in complete support of this bill. Additionally, this legislation has been supported by Tanana Chiefs, North Slope Borough, Division of Elections, Department of Community and Regional Affairs, Department of Law, and Senator Al Adams.

# Barrow vote

Anchorage  
News  
1/2/95

## Give ban a chance

The news from Barrow about the positive effects of prohibition approved in a close fall election are heartening. Public safety has improved in the town and in outlying villages, hospital emergency room personnel aren't swamped with alcohol-related cases, and detoxification beds are in less demand.

Most tellingly, Inupiaq elder Morgan Solomon says "Our children are much happier."

Local option laws, like the one Barrow employed, allow communities to vote on banning the sale, importation and possession of alcohol — and to repeal those laws through the petition and ballot process. "Damp" status allows importation and possession of alcohol, whereas "dry" bans the sale, importation and possession of alcohol by anyone in the city. (The seven outlying villages already banned importation, but villagers were smuggling in booze from Barrow, creating local problems.)

But the heated wrangling in Barrow between supporters and critics of alcohol prohibition demonstrates that there is work ahead for Alaska's legislators as well as the community.

After the dry side won by seven votes, an anti-prohibition group hastily gathered enough signatures to hold another vote on Feb 21. Just days ago, the city council wisely upheld a mayoral veto of the election date, thus delaying it until fall.

State law ought to be clear enough so that community debate about local alcohol option centers on the pros and cons rather than what state law may or may not say. When even Alcoholic Beverage Control Board director Pat Sharrock is unsure about when a repeal election can be held, then it is the job of the legislature to make the laws clear.

The city council and Mayor Long have the right idea in giving the new policy a chance to work.

Prohibition is an extreme measure, and not one to be taken lightly. But given its troubled past, Barrow is on the right track in going dry to battle the devastating effects of alcohol. That's what local option laws are all about. But state law ought not to have gray areas so big as to allow bowhead whales to swim through unimpeded.

# The Almanac

## The Slope and alcohol

The month and year Barrow went dry: November 1994.

Number of calls North Slope Borough Department of Public Safety officials compiled in November 1994 in the seven Slope villages, excluding Barrow: 175.

Number of village calls in November 1994: 103.

Number of November 1993 village calls that were substance-abuse related: 38.

Number of November 1994 village calls that were substance-abuse related: 19.

Number of intoxicated persons removed by public safety officials from premises in Barrow in November 1993: 63.

Number of Barrow drunks removed from premises in November 1994: 18.

Number of Barrow drunks brought to detoxification by safety officials in November 1993: 29.

Number of Barrow drunks brought to detox in November 1994: 3.

Number of calls logged by public safety officials related to Barrow minors consuming alcohol from Sept. 1 through Nov. 1, 1994: 23.

Number of such calls from November 1994 through Dec. 21, 1994: 3.

□ Sources: Daily News and North Slope Borough reports.

## MEMORANDUM

State of Alaska  
Department of Law

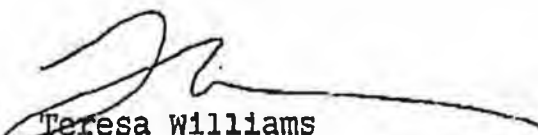
TO: Patrick Sharrock  
Director  
Alcoholic Beverage Control Board

DATE: March 10, 1995

FILE NO.:

TEL NO: 269-5200

SUBJECT: Local Option Laws

  
Teresa Williams  
FROM: Assistant Attorney General  
Commercial Section -- Anchorage

I am writing to indicate a need for revisions to the current local option laws. When reviewing the original 1986 bill for the governor, the Department of Law found practical problems. 1986 Inf. Op. Att'y Gen. at 4 n.1, 6 - 8 (May 29; 883-86-0074). The Department noted that the speed with which the bill was crafted may have caused the problems: the bill was introduced in late March, 1986 and moved quickly through both houses. With time, we have learned that additional significant problems exist in the implementation of the law.

Both I, as the attorney who advises your board, and Barbara Ritchie, as the supervisor for the Governmental Affairs section of the Juneau Attorney General's Office, have fielded a number of calls from St. Mary's and Barrow about the local option election process. Neither of us could find a solution to their problems within the confines of the present statute. Attorneys in the criminal division of the Department of Law have also reported some problems in enforcing the criminal provisions of local option because of ambiguities in the language.

When the local option scheme was adopted, no provision was made for moving from one type of option to another. The problems primarily arise when a proposal is made to move to a less restrictive option. Under the limited ballot language permitted, the community must first vote to remove all restrictions, and then conduct another vote to reinstate the desired option. The required ballot language does not advise voters what the result of a particular vote will be. The local option law is also ambiguous as to when a community may first conduct an election to remove an option it has adopted. (Subsequent elections must be at least 12 months later. AS 04.11.502(d))

Thank you for your attention to this matter. I would be happy to provide any additional information that you need.

TEW:mh

# STATE OF ALASKA

DEPARTMENT OF

OFFICE OF THE ATTORNEY GENERAL

Post-it™ brand fax transmittal memo 7671		# of pages ▶ 5
To Joe Ambrose	From Theresa Williams	
Co.	Co.	
Dept.	Phone 907-5825	
4105-3922	Fax #	

May 29, 1986

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Honorable Bill Sheffield  
Governor  
State of Alaska  
P.O. Box A  
Juneau, Alaska 99811

Re: CSSH B 700 (Fin) am --  
local option to ban  
possession of alcohol  
Our file no. 883-86-0074

Dear Governor Sheffield:

As Jim Ayers requested on your behalf, we have reviewed CSSH B 700 (Fin) am (hereafter HB 700), a bill relating to local option elections. This bill was introduced in late March and moved quickly through both houses. Although the law will be subject to constitutional challenge and may create a number of practical problems, it will be of potentially great benefit to many rural communities.

This bill was the product of the work of the Joint Special Committee on Local Option Laws, which held interim hearings all over western and northern Alaska on the question of banning possession of alcoholic beverages through local option elections. The Special Committee also drafted a lengthy report of its findings, which was made part of the legislative record. See 1986 H.J. 2865-66. That report is a valuable record of the legislature's intent in passing this bill and of the need for a local option banning possession of alcohol, and assuming that the bill is signed into law, the report will ultimately be very helpful in defending this legislation against the potential legal challenges described below.

HB 700 creates another "local option" so that communities may vote to ban possession of intoxicating beverages. Possession of alcoholic beverages in the home (including homemade liquor) would be a violation of the ban, but possession of alcohol in the body would not. Violation of the ban would be made an infraction punishable by a maximum \$1,000 fine, and the person would not be entitled to publicly-financed counsel or trial by a six- or twelve-person jury.

Hon. Bill Sheffield, Governor  
File No. 88-3-86-0074

May 29, 1986  
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The most obvious question raised by this bill is whether banning possession of alcohol in the home violates the right to privacy under article I, section 22, of the Alaska Constitution. In addition, however, there are legal issues relating to penalties under the bill and to delegation of state authority, and there are some practical problems left unresolved. Each of these will be discussed briefly below.

#### Right to Privacy

Despite the minimal penalties provided by this bill (and the ability to "pay" a fine through community work service), the ban on possession is subject to challenge as an invasion of privacy under article I, section 22, and Ravin v. State, 537 P.2d 497 (Alaska 1975) (possession of small amounts of marijuana, by adults in their homes, is protected).

The many public hearings held by the Special Committee throughout the state elicited hours of testimony from people from all walks of life on the problems created by alcohol in rural Alaska, which are summarized in the committee's detailed report. A Search For Control: The Effect Of Alcohol On Public Rights And Private Wrongs, Report to the Legislature, Joint Special Committee on Local Option Laws (March 1986) (hereafter "Report"). The problems created by alcohol are well known and beyond dispute (see Findings 1 through 9 and 11, Report at 108-09). There seems to be ample evidence, and it stands to reason, that in communities banning sale and importation of alcohol, much drinking takes place in private homes. Finding 10, id. Given the enormous economic and social costs of alcohol abuse, it is not surprising that communities would want to ban possession. Finding 12, id.

Giving communities this additional option (and allowing community work service to be administered through village councils) provides a greater measure of local control over a problem which, although it exists statewide, has its most severe impact at the local level. This bill represents the legitimate view that each community should be the sole judge of whether an expectation of privacy in the possession of alcohol is one that their localized society believes is reasonable and deserving of protection. In other words, the balance between one person's right to possess and consume alcohol and the public's right to safety and security should be made on a village-by-village basis by the voters in each locale.

One of the most important of the Special Committee's findings is that present laws are not adequate to deal with

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problems created by possession of alcohol, including home brew. Finding 14, Report at 110. Because present laws are inadequate, the legislature may devise different means to achieve its legitimate health and safety purposes. This is not to say that the legislature is free to devise draconian and irrational solutions to a problem once a less intrusive method has failed. For example, we understand that there are some who have advocated ideas that amount to a virtual suspension of search and seizure protections in order to completely eradicate all traces of alcohol from a village. This bill obviously does not go that far and is consistent with state and federal law regarding searches and seizures. In the absence of consent, or exigent circumstances, a search warrant issued by a judicial officer will still be required to gain entrance to a person's home. See Report at 107.

The means chosen by the legislature to make alcohol laws more effective helps cure a problem created by current local option laws and by decisions such as Ravin v. State. As noted in Finding 14, Report at 110, Alaska law currently prohibits sale and importation of alcoholic beverages but permits possession. Similarly, the Ravin case left intact criminal prohibition of sale or public possession of marijuana, but legitimized home possession. Laws such as these tend to create an incentive to do precisely what is prohibited, i.e., to acquire these controlled substances. The general populace knows very well that if you can get it to your house (or if you can make it yourself) you are literally home free. On the other hand, if possession is prohibited then it may very well lead to less importation and less manufacturing, which has always been a legitimate goal.

We have not reviewed the transcripts of the Special Committee's interim hearings, as a judge might do, nor have we perused the many reports and publications that are part of the committee record. Nonetheless, if the summary of the evidence contained in the committee's report is accurate, we believe that there is ample justification for the legislative findings contained in sec. 1 of the bill and for upholding the validity of the law. See Harrison v. State, 687 P.2d 332 (Alaska App. 1984); State v. Erickson, 574 P.2d 1 (Alaska 1978).

#### Penalty Provisions

Another legal question posed by this bill is whether the potential monetary penalty (sec. 4 of the bill) or public opprobrium resulting from a violation is sufficiently indicative of criminality so as to require full criminal procedural rights

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such as court-appointed counsel or trial by jury. See Report at 103-06. ~~We believe that the answer is no.~~

There is authority that suggests that whether or not a penalty is "criminal" should be determined based on "community" attitudes. See Beran v. State, 705 P.2d 1280, 1284, n.4 (Alaska App. 1985). As we understand it, the testimony elicited during the interim hearings was that rural villages want this local option as a preventive, rather than punitive, measure. The committee's findings in this regard (Findings 15-16, Report at 110) and the legislative findings in sec. 1 of the bill are entitled to deference by the courts and would probably be overturned only if they were irrational or without a basis. Moreover, in light of the fact that the actual fine will be set by bail schedule and that community work service can be substituted as payment of the fine, this provision will probably not be struck down. Even if invalid, this is a severable part of the law, and the remainder will not be affected.

#### Delegation of Responsibility

This bill contains an innovative provision that requires the "governing body" of a municipality or established village to assign community work service to persons who violate the ban on possession. Proposed AS 04.16.205(d), in sec. 4. This provision raises two separate issues. First, whether this constitutes an impermissible delegation of state authority to unincorporated villages, and second, whether this constitutes some sort of implicit state recognition of the sovereign power of the governing body. 1/

1/ The term "governing body" is not defined in the bill, but a court would probably apply the nearly identical term "local governing body" under AS 04.21.080(b)(10), which is defined as "as appropriate, a city council, a borough assembly, or a traditional village council, but does not include a corporation established under the Alaska Native Claims Settlement Act." This definition raises several interpretive questions, e.g., which is the appropriate "governing body" when a community has both a municipal government and a traditional council. We believe the answer must be supplied by referring to the overall intent of the legislature, which was to allow the community as a whole to provide local input on the content of work programs. Therefore, we believe that this provision should be interpreted as follows:

(Footnote Continued)

Hon. Bill Sheffield, Governor  
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because the bill also requires that the amount of the fine must be based on the amount of alcohol and the number of prior violations, it may be very difficult for a police officer in the field to choose the correct fine. Another problem is that it might be very difficult for an offender to complete the required amount of community work service in the 30 days specified in the bill.

However, the most important potential practical problems arise out of the definition of "established village" in AS 04.21.080(b)(8). Before 1985, the boundary of an established village was fairly easily ascertained because it was based on a specified distance from a specified central point (a post office station). However, in 1985 the definition was changed to refer simply to an "unincorporated community" with 25 or more residents, without defining how the boundaries of the community are determined.

Although this lack of a definite boundary is a problem under current local option laws, it becomes much more critical when possession is prohibited. It is at least arguable that a person could exclude himself from the "community," particularly if his residence is on the outer perimeter of a group of residences, thus circumventing the local option law. It is hoped that the courts will define the boundaries of an "unincorporated community" so that the historical or commonly understood boundaries will govern, thus assuring that persons within the community have notice of the law and upholding the legislature's intent that the public safety concerns of the majority of voters would outweigh the drinking habits of the minority. Any other, more restrictive, interpretation as to boundaries of a village would frustrate that intent and make the law useless. 2/

2/ During the legislative consideration of HB 700, it was assumed that the definition of "established village" in AS 04.21.080(b)(8) would be changed by Senate Bill No. 69 back to the pre-1985 provision setting up a boundary based on a radius of five miles from a central point in the community. All discussions centered on this "new" definition in SB 69. Unfortunately, SB 69 did not pass, thus resulting in the uncertainty described here. The definition of "established village" should probably be the subject of corrective legislation next session.

Alcoholic Beverage Control Board  
 550 W 7th Ave Suite 350  
 Anchorage AK 99501  
 Patrick L. Sharrock, Director  
 (907) 277-8638 Fax (907) 272-9412

**SCHEDULE OF LOCAL OPTON COMMUNITIES**

Updated December 30, 1994

City	Community license only	Open jurisdiction	Vote Tally	Election date	Certification date	Effective date
Akiak			38-16	07-17-91	08-21-91	09-01-91
Alakunuk			94-24	07-20-81	07-27-81	08-01-81
Alakunuk		1	47-7	02-08-90	02-12-90	03-01-90
Allakaket			49-30	05-12-89	05-19-89	06-01-89
Allakaket		1	45-34	05-12-89	05-19-89	08-17-89
Ambler				12-15-81	12-15-81	01-01-82
Anaktuvuk Pass			78-11		1982	01-01-83
Anaktuvuk Pass		1	59-45	11-04-86	12-16-86	01-01-87
Angoon		1	92-40	07-26-88	08-03-88	11-01-88
Aka			22-16	03-07-89	03-08-89	04-01-89
Almauttuak			80-12	10-06-81	04-29-82	05-01-82
Atkasuk		1	43-31	10-05-83	10-11-83	01-01-84
Barrow			614-588	10-04-84	10-06-84	11-01-84
Barrow		1	604-596	10-04-84	10-06-84	11-01-84
Bethel			611-207	10-04-77	10-08-77	11-01-77
Birch Creek*		1	13-2	10-06-87	10-22-87	11-01-87
Brevig Mission			26-14	03-08-83	03-08-83	04-01-83
Buckland			52-8	05-10-82	05-11-82	06-01-82
Chalkyitsik*			21-2	07-20-82	07-28-82	08-01-82
Chefomek			48-29	10-14-82	10-15-82	11-01-82
Chevak			88-63	10-02-90	10-02-90	11-01-90
Deering			32-24	05-28-82	06-01-82	07-01-82
Diomedea			27-11	09-10-81	09-29-81	10-01-81
EEK			90-15	11-27-82	11-27-82	12-01-82
Elim			49-17	08-24-81	08-27-81	09-01-81
Emmonak			54-12	10-12-81	10-12-81	11-01-81
✓ Fort Yukon		1				
Gambell			79-10	08-22-81	08-25-81	09-01-81
Gambell		1	72-13	12-23-86	12-29-86	01-01-87
Golovin			31-22	01-16-84	01-17-84	02-01-84
Goodnews Bay			36-25	11-08-83	11-08-83	12-01-83
Goodnews Bay		1	37-11	01-14-91	01-18-91	02-01-91
Grayling			36-23	12-28-83	01-04-84	02-01-84

\*Unincorporated

## SCHEDULE OF LOCAL OPTION COMMUNITIES

Updated December 30, 1994

City	Community Income only	Plan possession	Vote Tally	Election date	Certification date	Effective date
Hooper Bay			103-44	03-01-83	03-01-83	04-01-83
Hughes			17-4	03-02-93	03-29-93	04-01-93
Huslia			37-13	03-14-89	03-23-89	04-01-89
Ilanina*			35-24	10-05-82	10-25-82	01-23-83
✓Kake	1					
Kaktovik		1	56-39	08-01-89	08-07-89	11-05-89
✓Kasigluk			74-3	10-04-83	10-17-83	11-01-83
Kiana			81-38	12-08-87	12-17-87	01-01-88
Kipruk*			82-7	10-05-82	10-25-82	11-01-82
Kivalina			79-33	01-08-85	01-09-85	02-01-85
Klawock	1		111-70	10-05-93	10-11-93	10-11-93
Kobuk			15-12	03-29-89	04-03-89	05-01-89
Kokhanok*			38-19	09-18-84	09-27-84	10-01-84
Kongiganak*			50-9	07-13-82	07-28-82	08-01-82
Kotlik				09-08-81	09-30-81	10-01-81
Kotlik		1	51-22	03-24-87	03-25-87	04-01-87
Kotzebue			843-433	12-08-88	12-07-88	01-01-89
Koyuk			57-8	08-25-81	08-28-81	09-01-81
Kwethluk			82-30	01-01-82	02-24-82	03-01-82
Kwigillingok*			63-5	08-09-83	09-01-83	10-01-83
Lower Kalskag			46-31	11-05-91	11-07-91	12-01-91
Manokotak			79-9	01-29-88	02-01-88	03-01-88
Manokotak		1	80-8	01-29-88	02-01-88	03-01-88
Marshall (Fortuna)			42-16	07-25-81	07-28-81	08-01-81
Marshall		1	37-34	10-07-86	10-08-86	11-01-86
Mekoryuk			48-10	09-01-81	09-02-81	10-01-81
Mekoryuk		1	42-29	10-07-86	10-08-86	11-01-86
Minto*			59-34	07-12-83	07-21-83	08-01-83
Mountain Village			72-52	03-13-84	03-19-84	04-01-84
Napaklak			54-14	03-31-82	03-31-82	04-01-82
Napaklak		1	82-14	05-05-87	05-19-87	06-01-87
Napasklak			55-4	11-01-82	11-08-82	12-01-82
Newtok			37-9	10-30-84	11-02-84	12-01-84
Noatak*			69-53	12-07-82	12-22-82	01-01-83
Nondalton			46-30	11-10-86	12-30-86	01-28-87
Noorvik			103-58	04-28-87	04-28-87	05-01-87
Nuiqsut			57-39	11-21-83	11-22-83	12-01-83
Nuiqsut		1	60-58	11-04-88	11-12-88	12-01-88
Nunapitchuk			106-35	09-15-81	10-02-81	11-01-81

\*Unincorporated

**SCHEDULE OF LOCAL OPTION COMMUNITIES**  
Updated December 30, 1994

City	Community Services only	San jurisdiction	Vote Tally	Election date	Certification date	Effective date
Nunapitchuk		1	75-23	10-07-86	10-13-86	11-01-86
Pilot Station			67-58	03-08-85	03-20-85	04-01-85
Platinum			12-9	01-14-82	01-25-82	02-01-82
Point Hope			62-39	06-29-82	07-02-82	08-01-82
Point Hope		1		10-03-89	10-09-89	11-01-89
Point Lay*			30-15	07-01-86	07-11-88	08-01-88
Port Alexander			31-16	01-05-82	01-11-82	02-01-82
Port Protection*			23-9	03-27-88	04-05-88	05-01-88
Quinhagak			77-26	10-30-81	10-31-81	11-01-81
Quinhagak		1	71-27	10-06-87	10-12-87	11-01-87
Red Devil*			17-8	02-20-90	04-27-90	07-28-90
Russian Mission			46-22	10-06-87	10-27-87	11-01-87
Saint Mary's			60-86	08-23-84	09-02-84	10-01-84
Saint Mary's			63-48	09-22-81	09-28-81	10-01-81
Saint Michael			39-21	08-04-86	08-07-86	09-01-86
Savoonga			103-18	10-14-81	10-14-81	11-01-81
Scammon Bay			57-10	12-07-81	12-08-81	01-01-82
Scammon Bay		1	71-25	10-06-87	10-12-87	11-01-87
Selawik			89-69	12-17-86	12-22-86	01-01-87
Strangeluk			31-27	06-29-93	07-06-93	09-01-93
Shaldoolik			34-28	03-13-84	03-15-84	04-01-84
Sheldon Point			26-7	08-26-86	08-27-86	09-01-86
Shishmaref			82-47	01-04-83	01-04-83	02-01-83
Shungnak			48-44	10-06-87	10-10-87	11-01-87
Stebbins			88-19	06-25-87	10-08-87	11-01-87
Stevens Village*			31-11	06-05-84	06-15-84	07-01-84
Tanacross*		1	32-5	05-17-88	05-31-88	06-01-88
Tanana	1		98-15	01-13-82	01-13-82	03-01-82
Tatitlek*			28-15	08-23-83	09-13-83	10-01-83
Teller			47-31	05-16-83	05-16-83	06-01-83
Tetlin*			54-7	12-07-82	12-22-82	01-01-83
Togiak			96-23	05-03-82	05-04-82	06-01-82
Togiak		1	80-38	10-07-86	10-31-86	11-01-86
Toksook Bay			78-32	11-23-81	11-23-81	12-01-81
Tuluksak			51-16	10-05-82	10-05-82	11-01-82
Tuluksak		1	55-12	04-12-94	04-25-94	05-01-94
Tuntutuliak			47-20	07-20-82	08-02-82	09-01-82
Tuntutuliak		1	41-22	10-06-87	10-28-87	11-01-87
Tununak			90-11	06-12-81	06-13-81	09-01-82

\*Unincorporated

## SCHEDULE OF LOCAL OPTION COMMUNITIES

Updated December 30, 1994

City	Community license only	Community license only Ban possession	Vote Tally	Election date	Certification date	Effective date
Unalakleet			121-40	04-14-92	04-16-92	05-01-92
Upper Kalskag			38-30	01-20-93	02-22-93	03-01-93
Wainwright			21-42	07-08-82	07-14-82	08-01-82
Wales			29-21	08-14-81	08-17-81	09-01-81
<b>TOTALS</b>	<b>4</b>	<b>24</b>				

### CHANGES THIS UPDATE:

The City of Saint Marys change is ban importation of alcoholic beverage - added to list.  
 The City of Alca has changed from unincorporated to incorporated.

This schedule is continuously updated as dictated by ongoing elections. If you have any questions, please do not hesitate to call the ABC Board office at 277-0630.

**SB**

**166**

# FISCAL NOTE

13. 2  
 Bill Number: SB 166  
 (S) Publish Date: 4/29/95

STATE OF ALASKA  
 1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_  
 Title: An Act relating to the date by which a borough school is required to submit a school budget to the borough  
 Sponsor: Senator Torgerson  
 Requester: Senate CRA Committee

Department Affected: Education  
 BRU: Executive Administration  
 Component: Commissioner's Office

COMPONENT SERIAL NO. \_\_\_\_\_ 185

**Expenditures/Revenues:**

(Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE FUND SOURCE:						
----------------------	--	--	--	--	--	--

**FUNDING:**

(Thousands of Dollars)

	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MIHTIA						
Other						
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0

**POSITIONS:**

	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY95) impact: \$ 0.0

**ANALYSIS: (Attach a separate page if necessary.)**

Senate Bill 166 changes the date by which a borough school board is required to submit a school budget to the borough assembly to May 1 of each year. The date by which the borough assembly is required to appropriate money from local sources for public schools is changed to June 30. This legislation will have no fiscal impact on the department.

Prepared by: Sheila Peterson, Special Assistant Phone: 465-2803  
 Division: Commissioner's Office Date: April 26, 1995  
 Approved by Commissioner: *Shirley J. Holloway* Shirley J. Holloway  
 Agency: Education Date: April 26, 1995

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# FISCAL NOTE

No. 1

Bill Version: SB 166

(S) Publish Date: 4/29/95

Revision Date: April 26, 1995 Dept. Affected: Community & Regional Affairs  
 Title: An Act relating to the date by which a boroug BRU: none  
school board is required to submit a school ... Component none  
 Sponsor: Senator Torgerson  
 Requestor: Senate CRA Committee COMPONENT SERIAL NO. \_\_\_\_\_

Expenditures/Revenues: (Thousands of Dollars)

	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
OPERATING						
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0

REVENUE FUND SOURCE: \_\_\_\_\_

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

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

Estimate of current (FY94) impact \$ none

ANALYSIS: (Attach a separate page if necessary)

This legislation would have no fiscal impact on the department.

Prepared by: Remond Henderson, Director *Remond Henderson* Phone: 465-4708  
 Division: Division of Administrative Services Date: 4/26/95  
 Approved by Commissioner: *Mike Hewson* Date: 4/26/95  
 Agency: Community & Regional Affairs

# Alaska State Legislature

SENATOR  
JOHN TORGERSON  
DISTRICT D



SESSION ADDRESS  
STATE CAPITOL, ROOM 427  
JUNEAU, ALASKA 99801-1182  
(907) 465-2828  
FAX (907) 465-4770

Senate

- SENATE BILL 166 -

AN ACT RELATING TO THE DATE BY WHICH A BOROUGH SCHOOL BOARD IS REQUIRED TO SUBMIT A SCHOOL BUDGET TO THE BOROUGH ASSEMBLY AND THE DATE BY WHICH THE BOROUGH ASSEMBLY IS REQUIRED TO APPROPRIATE MONEY FROM LOCAL SOURCES FOR PUBLIC SCHOOLS

THE INTRODUCTION OF SENATE BILL 166 WOULD SIMPLY AMEND THE DATES BY WHICH A BOROUGH SCHOOL BOARD IS REQUIRED TO SUBMIT THE SCHOOL BUDGET, FOR THE UPCOMING YEAR, TO THE BOROUGH ASSEMBLY AS WELL AS THE DATE THE ASSEMBLY IS REQUIRED TO APPROPRIATE THE LOCAL EFFORT AMOUNT TO BE MADE AVAILABLE FOR THAT PURPOSE.

PRESENTLY, APRIL 1, IS THE DATE THE SCHOOL BOARD IS REQUIRED TO SUBMIT THEIR SCHOOL BUDGET TO THE BOROUGH ASSEMBLY. SENATE BILL 166 CHANGES THAT DATE TO MAY 1, WHICH IS A MUCH MORE REALISTIC DATE WHEREBY THE SCHOOL BOARD COULD HAVE MORE ACCURATE INFORMATION AS TO WHAT LEVEL OF FUNDING THE LEGISLATURE IS CONSIDERING APPROPRIATING FOR THE NEXT FISCAL YEAR.

THE SECOND DATE CHANGE IN THE BILL IS TO AMEND THE DATE BY WHICH THE ASSEMBLY MUST APPROVE THE AMOUNT OF THE LOCAL CONTRIBUTION TOWARDS EDUCATION IN ORDER TO CORRESPOND WITH THE MAY 1, DATE CHANGE. PRESENT STATUTE PROVIDES FOR A MAY 31 DEADLINE. THE PROPOSED AMENDMENT WOULD MOVE THAT DATE FORWARD TO JUNE 30.



— SPONSOR STATEMENT —



# ALASKA STATE LEGISLATURE

## Senate Community & Regional Affairs Committee

State Capitol

Juneau, AK 99801-1182

(907) 465-4989

### MEMORANDUM

TO: Representative Ivan Ivan, Co-Chair  
and Representative Alan Austerman, Co-Chair  
House Community & Regional Affairs Committee

FROM: Senator *John Torgerson*

SUBJECT: Senate Bill 166 am  
(Budget deadline for Borough School Board)

DATE: May 3, 1995

---

I would appreciate your scheduling the above referenced bill for a hearing before the House Community & Regional Affairs Committee at your earliest possible convenience.

As you are aware, this bill passed the Senate unanimously on Tuesday, May 2.

I have attached the following items for your information:

Sponsor Statement  
Letter of Support from the Department of Education  
Letter of Support from Alaska Council of School Administrators

Your consideration would be greatly appreciated.

JT/sgn

DEPARTMENT OF EDUCATION  
DIVISION OF SCHOOL FINANCE

GOLDBELT PLACE  
801 WEST 10TH STREET, SUITE 200  
JUNEAU, ALASKA 99801-1394

(907) 465-8679  
FAX (907) 463-5279

May 1, 1995

The Honorable John Torgerson  
Alaska State Legislature  
State Capitol, Room 427  
Juneau, Alaska 99801

Dear Senator Torgerson:

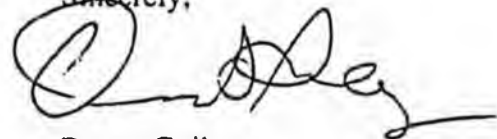
The department supports SB166, an act that extends the time by which city and borough school districts must submit a school budget to the assembly and the assembly must appropriate money from local sources. Current statute requires city and borough school districts to submit a school budget for the following school year to the assembly by April 1. This bill extends the date of submission to May 1. In addition, AS 14.14.060 (c) requires the assembly to appropriate the amount of money to be made available from local sources by May 31. This bill revises the appropriation date to June 30.

The proposed legislation provides an opportunity for the school district and the assembly to do more responsible budget planning by knowing the actual state aid appropriation, prior to finalizing the local budget. Nothing prevents a district and assembly from acting on the budget before the deadlines. The extension simply provides an additional month in situations beneficial to both parties.

Current regulation requires the school budget to be submitted to the department by July 15 of each fiscal year. Passage of this bill will not necessitate change in regulation. There is no financial impact on the department.

As you know, this issue does not impact REAA school districts, but is of great importance to some city and borough school districts and assemblies. On their behalf, the department appreciates your consideration of their situation.

Sincerely,



Duane Guiley  
Director



## POSITION STATEMENT

### SB 166

"An Act relating to the date by which a borough school board is required to submit a school budget to the borough assembly and the date by which the borough assembly is required to appropriate money from local sources for public schools; and providing for an effective date."

The Alaska council of School Administrators is in support if SB 166.

School district have had to labor under a very close time line in the development of their budget. This includes the gathering of information to introducing it to the local school board. Then there is a month long process of budget hearings before the local school board takes official action on the final version. The budget usually includes the best guess of the total contributions anticipated from the state foundation program.

By moving the date back a month to May 1, the district will have better information from the legislature and the Department of Education as to what they could anticipate being the contributions from the state foundation program. This could lead to a more productive dialogue with the local assembly and ultimately a more satisfactory resolution to the budget building process.

Again. The Alaska Council of School Administrators supports SB 166.

A handwritten signature in cursive script, appearing to read "S. T. McPhetres".

Stephen T. McPhetres  
Executive Director

**SB**

**256**

# FISCAL NOTE

Revision Date: February 20, 1996 Dept. Affected: Community & Regional Affairs  
 Title: An Act relating to the offices of mayor and BRU: none  
and mayor pro tempore of a second class ... Component none  
 Sponsor: Sen. Adams  
 Requestor: Senate C&RA COMPONENT SERIAL NO. ---

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CAPITAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

REVENUE FUND SOURCE:

--	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

POSITIONS:

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

Estimate of current (FY3, in) none

**ANALYSIS: (Attach a separate page if necessary)**  
 Under current statutes, mayors of second class cities are elected from the elected council members by the council members themselves. This legislation would create the option of a second city passing an ordinance that would provide for the election of the mayor by city voters rather than the council. DCRA staff would certainly be involved in assisting cities understand, and perhaps implement, this option. The department would also likely prepare informational materials to educate cities about this option. However, these efforts would be absorbed by existing departmental staff and resources. The department anticipates no significant fiscal impact as a consequence of this legislation.

Prepared by: Remond Henderson, Director *Remond Henderson* Phone: 465-4708  
 Division: Division of Administrative Services Date: 2/20/96  
 Approved by Commissioner: *Mike Dwan* Date: 2/20/96  
 Agency: Community & Regional Affairs

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AMENDMENT

#1

OFFERED IN THE HOUSE

BY REPRESENTATIVE IVAN

TO: SB256

- 1 Page 1, line 10, following "Within":
- 2 Delete "30"
- 3 Insert "45"

adopted

Amend 2  
(verbal)  
adopted

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE IVAN

TO: SB256

1 Page 1, line 10, following "Within":

2 Delete "30"

3 Insert "45"

# Alaska State Legislature

Senator Al Adams

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State Capitol  
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Fax 465-4821

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(907) 442-3880



Official Business

## Sponsor Statement SB 256

Under current law, the mayor of a second class city may not be elected by the voters. Mayors are elected by and from the council and serve a one-year term, unless a longer term is approved by ordinance.

This bill, introduced at the request of the City of Savoonga and endorsed by the Alaska Municipal League, would amend the law so that voters in a second class cities would have the option of directly electing their mayor.

This bill does not change the qualifications for mayor, powers and duties of the mayor or give the mayor veto power in second class cities.

# Alaska State Legislature

Senator Al Adams



Official Business

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OUT OF SESSION  
P.O. Box 333  
Kotzebue, Alaska 99752  
(907) 442-3880

April 16, 1996

TO: Rep. Ivan Ivan, Co-Chair  
Rep. Alan Austerman, Co-Chair  
House Community & Regional Affairs Committee

FROM: Sen. Al Adams *APA*

RE: SB 256--Scheduling Request

I would appreciate it if you would schedule SB 256 for a hearing in the Community and Regional Affairs Committee.

Under current law, mayors of second class cities are elected by and from the elected city council members themselves. SB 256 would give the voters in a second class city the option of directly electing their mayor.

This legislation was initially requested by the City of Savoonga, and the concept was endorsed by the Alaska Municipal League Conference held last fall in Valdez.

Thank you for your consideration of this request.

as to which any pretended exercise of discretion would have been in legal essence arbitrary and wrongful and thus unlaw-

ful. *Reherd v. Manders*, 66 F. Supp. 520 (D. Alaska 1946).

Collateral references. — 56 Am. Jur. 2d, *Municipal Corporations, Counties, and Other Political Subdivisions*, §§ 231-336.

**Sec. 29.20.230. Election and term of mayor.** (a) The mayor of a borough or first class city is elected at large. The mayor of a borough or first class city serves a term of three years, unless by ordinance a different term not to exceed four years is provided. The current term of an incumbent mayor may not be altered. The regular term of a mayor of a borough or first class city begins on the first Monday following certification of the election.

(b) The mayor of a second class city is elected by and from the council, and serves until a successor is elected and qualifies. The council of a second class city shall meet on the first Monday after certification of the regular election and elect a mayor who takes office immediately. The mayor of a second class city serves a one-year term, unless a longer term is provided by ordinance. The mayor of a second class city may serve only while a member of the council regardless of the term established for the office of mayor.

(c) Except by ordinance ratified by the voters, no limit may be placed on the total number of terms or number of consecutive terms a mayor may serve. (§ 7 ch 74 SLA 1985)

**Sec. 29.20.240. Qualifications for the office of mayor.** (a) A voter of the municipality is eligible to hold the office of mayor in a borough or first class city. A member of the city council is eligible to hold the office of mayor in a second class city.

(b) Residency requirements for the office of mayor not exceeding three years may be prescribed by ordinance. (§ 7 ch 74 SLA 1985)

**Sec. 29.20.250. Powers and duties of mayor.** (a) If a municipality has not adopted a manager plan of government, the mayor is the chief administrator and the mayor has the same powers and duties as those of a manager under AS 29.20.500.

(b) The mayor may take part in the discussion of a matter before the governing body. The mayor may not vote, except that the mayor of a first class city or the mayor of a borough with a manager form of government may vote in the case of a tie. The mayor of a second class city, as a council member, may vote on all matters. (§ 7 ch 74 SLA 1985)

**Sec. 29.20.260. Executive absence.** The borough mayor, subject to assembly approval, shall designate a person to act as mayor during the borough mayor's temporary absence or disability. If a manager plan has been adopted, the assembly shall designate by resolution a borough administrative official to act as manager during the manager's absence or disability. (§ 7 ch 74 SLA 1985)

**Sec. 29.20.270. Veto.** (a) Except as provided in (c) — (e) of this section, the mayor may veto an ordinance, resolution, motion, or other action of the governing body and may strike or reduce appropriation items.

(b) A veto must be exercised before the next regular meeting of the governing body and must be accompanied by a written explanation of the reasons for the veto. A veto may be overridden by vote of two-thirds of the authorized membership of the governing body within 21 days following exercise of the veto, or at the next regular meeting, whichever is later.

(c) The veto does not extend to

(1) appropriation items in a school budget ordinance;

(2) actions of the governing body sitting as the board of equalization or the board of adjustment;

(3) adoption or repeal of a manager plan of government.

(d) The mayor of a second class city has no veto power.

(e) The veto does not extend to an ordinance adopted under AS 04.11.498. This subsection applies to home rule and general law municipalities. (§ 7 ch 74 SLA 1985; am §§ 13, 14 ch 80 SLA 1986)

**Collateral references.** — 56 Am. Jur. 62 C.J.S., Municipal Corporations, 2d, Municipal Corporations, Counties, and § 421. Other Political Subdivisions, § 360. Passing bill over veto. 2 ALR 1593.

**Sec. 29.20.280. Vacancy in the office of mayor.** (a) The governing body shall, by two-thirds concurring vote, declare the office of mayor vacant only when the person elected

(1) fails to qualify or take office within 30 days after election or appointment;

(2) unless excused by the governing body, is physically absent for 90 consecutive days;

(3) resigns and the resignation is accepted;

(4) is physically or mentally unable to perform the duties of office;

(5) is convicted of a felony or of an offense involving a violation of the oath of office;

(6) is convicted of a felony or misdemeanor described in AS 15.56;

(7) is convicted of a violation of AS 15.13;

(8) no longer physically resides in the municipality; or

(9) if a member of the governing body in a second class city, misses three consecutive regular meetings and is not excused.

(b) A vacancy in a regular election; appointed service; elected to serve; body is appointed governing body; regular election; the unexpired term.

(c) Notwithstanding, the mayor of a second class city may appoint to which appointment of the council.

**Section**  
300. School board  
310. Utility board

**Sec. 29.20.300.** has a school board of a school board terms and unexpired terms unless a large number of voters in a regular election.

(b) The mayor is the school board. (§ 7 c)

**Cross references** relating to § 29.20.300.  
14.14.

**Sec. 29.20.300.** municipality or utility board ties.

(b) As determined, either appointed or elected are elected a term of two years and the governing body may not exceed four members to be altered.

(b) A vacancy in the office of mayor occurring six months before a regular election shall be filled by the governing body. The person appointed serves until the next regular election when a successor is elected to serve the balance of the term. If a member of the governing body is appointed mayor, the member shall resign the seat on the governing body. If a vacancy occurs more than six months before a regular election, the governing body shall call a special election to fill the unexpired term.

(c) Notwithstanding (b) of this section, a vacancy in the office of mayor of a second class city shall be filled by and from the council. A mayor appointed under this subsection serves the balance of the term to which appointed, except the mayor may serve only while a member of the council. (§ 7 ch 74 SLA 1985)

**Article 4. Boards and Commissions.**

**Section**  
300. School boards  
310. Utility boards

**Section**  
320. Other boards and commissions

**Sec. 29.20.300. School boards.** (a) Each municipal school district has a school board. Except as provided in (b) of this section, members of a school board are elected at the regular election for three-year terms and until their successors take office. Members are elected at large unless a different method of election has been approved by the voters in a regular election.

(b) The assembly is the school board for a third class borough. The mayor is the presiding officer of the assembly and president of the school board. However, the mayor may not veto an action of the school board. (§ 7 ch 74 SLA 1985)

**Cross references.** — For further provisions relating to school boards, see AS 14.14.

**Collateral references.** — 56 Am. Jur. 2d, Municipal Corporations, Counties, and Other Political Subdivisions, §§ 231-336.

**Sec. 29.20.310. Utility boards.** (a) The governing body of a municipality operating a public utility may provide by ordinance for a utility board of five members and define the board's powers and duties.

(b) As determined by ordinance, members of a utility board are either appointed by the mayor and confirmed by the governing body or are elected at a regular election. The term of a utility board member is two years and until a successor is selected and qualifies. However, the governing body may by ordinance provide for a different term not to exceed four years. The current term of an elected incumbent may not be altered.



**WALRUS CAPITAL OF THE WORLD  
SAVOONGA, ALASKA**



CITY OF SAVOONGA  
P.O. BOX 87  
SAVOONGA, ALASKA 99769  
PHONE 984-6614

NOVEMBER 22, 1995

TO: SENATOR AL ADAMS  
ALASKA STATE LEGISLATIVE  
STATE CAPITOL  
JUNEAU, AK.  
99801-1182

SUBJECT: RESOLUTION AMENDMENT  
TITLE 29 CHANGES

DEAR SENATOR ADAMS,

ENCLOSED PLEASE FIND A RESOLUTION NO. 96-01 AS PASSED DURING THE  
ALASKA MUNICIPAL LEAGUE CONFERENCE AT VALDEZ, ALASKA.  
IF THIS RESOLUTION NEEDS TO BE INTRODUCED TO THE STATE LEGISLATIVE  
I WOULD VERY MUCH APPRECIATE IF YOU WOULD SUPPORT IT AND  
INTRODUCE IT AS WELL. THANK YOU.

SINCERELY,

  
JERRY WONGITILIN SR. MAYOR  
CITY OF SAVOONGA

C.C: REP. RICHARD FOSTER  
LT. GOVERNOR FRAN ULMER

Introduced by : City of Savoonga, Alaska  
Date: November 13, 1995

Resolution of the Alaska Municipal League

Resolution No. 96-01

A RESOLUTION SUPPORTING AN AMENDMENT TO AS TITLE 29  
TO GIVE AN OPTION TO SECOND CLASS CITIES  
TO PERMIT THEIR MAYOR TO BE ELECTED  
DIRECTLY BY THE VOTERS.

WHEREAS, the Alaska Municipal League supports the policy of providing municipalities with the maximum of flexibility and local control in the exercise of municipal powers, and

WHEREAS, under current law, the mayor of a second class city must be elected from and by the council and may not be elected directly by the voters,

NOW, THEREFORE, BE IT RESOLVED that the Alaska Municipal League supports amendments to AS Title 29 that will permit second class cities the choice of whether to elect the mayor directly by the voters or to continue to elect the mayor from and by the council.

This resolution was approved for submission to the Alaska Municipal League membership by the governing body of City of Savoonga, Alaska on November 09, 1995.

311-7

Resolution of the Alaska Municipal League

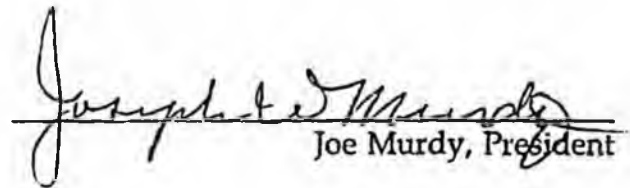
Resolution No. 96-7

RESOLUTION SUPPORTING AN AMENDMENT TO AS TITLE 29  
TO GIVE AN OPTION TO SECOND CLASS CITIES  
TO PERMIT THEIR MAYOR TO BE ELECTED DIRECTLY BY VOTERS

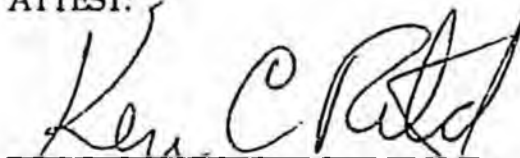
WHEREAS, the Alaska Municipal League supports the policy of providing municipalities with the maximum flexibility and local control in the exercise of municipal powers; and

WHEREAS, under current law, the mayor of a second class city must be elected from and by the council and may not be elected directly by the voters,

NOW, THEREFORE, BE IT RESOLVED that the Alaska Municipal League supports amendments to AS Title 29 that will permit second class cities the choice of whether to elect the mayor directly by the voters or to continue to elect the mayor from and by the council.

  
Joe Murdy, President

ATTEST:

  
Kevin C. Ritchie, Executive Director

Post-it® Fax Note	7671	Date	3-13-96	# of pages	1
To	Maria	From	Tulsa		
Co./Dept	Sen Adams	Co	AML		
Phone #		Phone #	586-1325		
Fax #	465-4821	Fax #	463-5480		

**SB**

**287**

9-LS1642M  
Cook  
4/27/96

HOUSE CS FOR CS FOR SENATE BILL NO. 287(CRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Offered:  
Referred:

Sponsor(s): SENATOR TORGERSON

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the unincorporated community capital project matching  
2 grant program; and providing for an effective date."

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

4 \* Section 1. AS 37.06.020(b) is amended to read:

5 (b) The unincorporated community capital project matching grant fund is  
6 established in the department and consists of appropriations to the fund. Appropriations  
7 to the fund do not lapse except as provided in (h) of this section. The money in the  
8 fund is held by the department in custody under this subsection for each  
9 unincorporated community eligible for an allocation under this subsection. The  
10 department shall establish an individual grant account within the fund for each eligible  
11 unincorporated community [THAT WAS ENTITLED TO RECEIVE STATE AID  
12 UNDER AS 29.60.140 DURING THE PRECEDING FISCAL YEAR]. As provided  
13 in this subsection, each fiscal year the department shall allocate, to the individual grant  
14 accounts, appropriations to the fund. An unincorporated community is eligible for an

1 allocation in a fiscal year if the requirements of (d) are met and the community was  
2 a place in the state in which 25 or more individuals resided as a social unit  
3 [ELIGIBLE TO RECEIVE STATE AID UNDER AS 29.60.140] during the preceding  
4 fiscal year. The department shall credit interest earned on money in an individual  
5 grant account to that account. Except as provided in (c) of this section, the amount  
6 allocated under this subsection to an individual grant account in a fiscal year is the  
7 amount needed to fund the projects presented to the legislature under (e) of this  
8 section [DETERMINED BY DIVIDING THE TOTAL AMOUNT APPROPRIATED  
9 TO THE FUND DURING THAT FISCAL YEAR BY THE NUMBER OF  
10 UNINCORPORATED COMMUNITIES ELIGIBLE FOR AN ALLOCATION  
11 DURING THAT FISCAL YEAR].

12 \* Sec. 2. AS 37.06.020(c) is amended to read:

13 (c) A maximum [MINIMUM] of \$25,000 may [SHALL] be allocated to each  
14 eligible unincorporated community's grant account each fiscal year under (b) of this  
15 section. If appropriations are not sufficient to fully fund the [MINIMUM] amount for  
16 each eligible unincorporated community, the amount appropriated shall be allocated  
17 on a pro rata basis [EQUALLY] among the eligible unincorporated communities.  
18 If appropriations exceed the amount necessary to fully fund the amount for each  
19 eligible unincorporated community, the excess amount lapses into the general  
20 fund.

21 \* Sec. 3. AS 37.06.020(d) is amended to read:

22 (d) The department shall designate, in each eligible unincorporated community,  
23 a [AN INCORPORATED] nonprofit corporation [ENTITY] or a Native village  
24 council that agrees to receive and spend grant money allocated to the unincorporated  
25 community's individual grant account under (b) of this section. If the community is  
26 located in a borough or a unified municipality, the department may only designate  
27 the entity that has been approved by the assembly and the department must have  
28 written evidence of that approval. If there is more than one qualified entity in a  
29 community in the unorganized borough, the department shall designate the entity that  
30 the department finds most qualified to make draws from that unincorporated  
31 community's individual grant account and spend the money. If there is no qualified

1 [INCORPORATED] nonprofit corporation [ENTITY] or Native village council in an  
 2 unincorporated community that will agree to receive and spend money allocated to the  
 3 community under (b) of this section, draws may not be made from the unincorporated  
 4 community's individual grant account and the amount allocated to the account lapses  
 5 into the general fund. An entity qualifies for designation under this subsection only  
 6 if it

7 (1) was formed to serve a public or civic purpose;

8 (2) is registered and in good standing with the Department of  
 9 Commerce and Economic Development if it is a nonprofit corporation;

10 (3) agrees to use the grant money for a public purpose;

11 (4) provides the residents of the community with a public facility  
 12 or service;

13 (5) has held a public meeting to give residents of the community the  
 14 opportunity to express their preferences and ideas for use of the grant money;

15 and

16 (6) agrees to make a facility provided with grant money available  
 17 to every person in the community.

18 \* Sec. 4. AS 37.06.020(e) is amended to read:

19 (e) By October 1 of each fiscal year, the [INCORPORATED] nonprofit  
 20 corporation [ENTITY] or Native village council designated by the department under  
 21 (d) of this section shall submit to the governor a prioritized list of capital projects and  
 22 estimated costs to be financed with money from the community's individual grant  
 23 account established under (b) of this section. The list must include the amount and  
 24 source of the local share required by AS 37.06.030. If the community is located in  
 25 a borough or unified municipality, the list is subject to approval of the assembly  
 26 and must be accompanied by written evidence of that approval. The governor  
 27 shall include in the capital improvements program presented to the legislature under  
 28 AS 37.07.060 the projects submitted by designated entities under this subsection that  
 29 the governor recommends for funding. If, in the capital improvements program, the  
 30 governor includes projects in other than the priority order submitted by a designated  
 31 entity, the governor shall provide the legislature with a written statement of the reasons

1 for that action.

2 \* Sec. 5. AS 37.06.030(b) is amended to read:

3 (b) For each draw made by an entity or council under AS 37.06.020, the  
4 incorporated entity or Native village council that makes the draw shall contribute a local  
5 share of the cost of the capital project for which the draw is made. The amount of the  
6 local share for an unincorporated community in a borough or unified municipality  
7 is the amount of the local share for that borough or unified municipality as  
8 calculated under (a) of this section. The amount of the local share for an  
9 unincorporated community in the unorganized borough equals the local share  
10 percentage as calculated under (1) of this subsection, divided by the state share  
11 percentage as calculated under (2) of this subsection, multiplied by the amount of the  
12 draw. For purposes of this subsection,

13 (1) the local share percentage is five percent;

14 (2) the state share percentage equals one minus the local share  
15 percentage;

16 (3) the local share may be satisfied from (A) federal or local money; (B)  
17 labor, materials, or equipment used directly in the construction of the project, or land,  
18 including land transferred by the state; the department shall determine the value of a  
19 contribution under this subparagraph; (C) money from another nonstate source; (D)  
20 money received by the unincorporated community under AS 29.60.010 - 29.60.375; or  
21 (E) money obtained from the sale or lease of land or other assets transferred by the state;  
22 except as provided in this paragraph, the local share may not be satisfied with money  
23 from, or with the portion of an asset that was obtained with money from, an  
24 appropriation, allocation, entitlement, grant, or other payment from the state.

25 \* Sec. 6. This Act takes effect July 1, 1996.

# FISCAL NOTE

Revision Date: April 19, 1996 Dept. Affected: Community & Regional Affairs  
 Title: An Act relating to the unincorporated com- BRU: Administration & Support  
munity capital project matching grant program Component Administrative Services  
 Sponsor: Sen. Torgerson  
 Requestor: Sen. Finance Committee COMPONENT SERIAL NO. 684

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	42.7	43.9	45.3	46.6	48.1	49.6
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>42.7</b>	<b>43.9</b>	<b>45.3</b>	<b>46.6</b>	<b>48.1</b>	<b>49.6</b>
<b>CAPITAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

REVENUE FUND SOURCE:

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	42.7	43.9	45.3	46.6	48.1	49.6
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>42.7</b>	<b>43.9</b>	<b>45.3</b>	<b>46.6</b>	<b>48.1</b>	<b>49.6</b>

POSITIONS:

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

Estimate of current (FY94) impact \$ none

**ANALYSIS:** (Attach a separate page if necessary)  
 Based on the definition of communities eligible for program participation under this legislation, the department has determined an additional 60 unincorporated communities could participate. The program provides for a possible \$25,000 for each unincorporated participant. Therefore, an additional \$1,500,000 would be needed to fully fund the unincorporated element of the amended Capital Match Program administered by the department. Appropriations for this program are provided at the discretion of the Legislature.  
 (continued on separate page)

Prepared by: Remond Henderson, Director *Remond Henderson* Phone: 465-4708  
 Division: Division of Administrative Services Date: 4/19/96  
 Approved by Commissioner: *[Signature]* Date: 4/19/96  
 Agency: Community & Regional Affairs

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**Fiscal Note Analysis Continued**

The addition of 60 new participants in the unincorporated Capital Match Program administered by the department will translate into increased burdens of grant tracking and community assistance for department staff. Existing staff would not be able to absorb the increased work load. The department feels these additional duties could only be absorbed by a new grant administration position. Therefore, a Grants Administrator I (range 13) with full-time funding is included in the fiscal note. It is important that full funding be attached due to the imminent general fund reductions to the component.

# Alaska State Legislature

## District Address

145 Main St. Loop; Suite 226  
Kenai, Alaska 99611  
(907) 283-2690 • Fax 283-9267



## Session Address

State Capitol; Room 427  
Juneau, AK 99801-1182  
(907) 465-2828: fax 465-4779

Senator John Torgerson

## COMMITTEE SUBSTITUTE FOR SENATE BILL 287(FIN) SPONSOR STATEMENT

The purpose of the capital project matching grant programs is to "(1) provide a capital project funding system that is equitable to municipalities and unincorporated communities throughout the state; (2) enhance the role of communities in initiating and prioritizing the construction of capital projects; (3) encourage a sense of local ownership in capital projects by requiring local participation . . . ; and (4) improve the process for making grants for capital projects by providing a more orderly and thoughtful planning process that involves the local community, the executive branch, and the legislature."

CSSB 287(FIN) revises the **Unincorporated Community Capital Project Matching Grant Program** by:

- Expanding the program to include unincorporated communities within boroughs and unified municipalities
- Changing the grant amount from an automatic minimum of \$25,000 per year to a maximum of \$25,000 per year based on approved projects;
- Requiring that only nonprofit corporations may administer grants;
- Requiring borough assembly approval of an unincorporated community's nonprofit entity and its list of requested projects;
- Revising the timeline of grants from automatically receiving funds and then applying for grants to first applying for grant and then receiving funds for approved projects;
- Maintaining local share requirements of 5 percent for unincorporated communities in the unorganized borough but requiring that unincorporated communities within boroughs provide the same local share percentage as their borough; and
- Changing the time in which unexpended and unobligated funds are spent from five years to four years.

JT:dld:CSSB287(fin):4/25/96

# Alaska State Legislature



District Address

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Kenai, Alaska 99611  
(907) 283-2690 • Fax 283-9267

Session Address


State Capitol; Room 427  
Juneau, AK 99801-1182  
(907) 465-2828; fax 465-4779

Senator John Torgerson

## MEMORANDUM

April 26, 1996

TO: Representative Ivan Ivan, Co-Chair  
House Community and Regional Affairs Committee

FROM: Senator John Torgerson 

RE: Schedule Request for CSSB 287(FIN)

Please schedule CSSB 287(FIN), "an Act relating to the unincorporated community capital project matching grant; and providing for an effective date," for a hearing at your convenience.

Attached for your information are the following:

- CSSB 287(FIN)
- Fiscal Note
- Sponsor Statement
- Sectional Analysis
- Comparison of the existing program with CSSB 287
- Table of Communities
- Affected Statute and regulations
- List of grant recipients and the approved projects, FY 94 - FY 97 request

Thank you for your time and consideration in this matter.

Attachments

**COMMITTEE SUBSTITUTE FOR SENATE BILL 287 (FIN)**  
**SECTIONAL ANALYSIS**

Section 1: Amends AS 37.06.020(b) to include any unincorporated community which meets the requirements of AS 37.06.020(d) and was a place in which 25 or more individuals resided as a social unit; deletes reference to revenue sharing statute.

States that funds will be allocated to community accounts based on the cost of projects requested.

Section 2: Amends AS 37.06.020(c) to read that a maximum of \$25,000 may be allocated to each eligible unincorporated community's account in a fiscal year. If the appropriation to the fund is not sufficient to fully fund the amount for each account, allocations will be pro rated. If the appropriation is more than what is necessary to fully fund the individual allocations, the excess lapses into the general fund.

Section 3: Amends AS 37.06.020(d) to require that only a nonprofit corporation that meets the following qualifications may administer the grant funds received:

- was formed to serve a public or civic purpose
- is registered and in good standing with the Department of Commerce & Economic Development if it is a nonprofit corporation;
- agrees to use the grant money for a public purpose
- provides the residents of a community with a public facility or service
- has held a public meeting to give residents the opportunity to express their preferences and ideas for use of the grant money; and
- agrees to make the facility provided with grant money available to every person in the community.

Requires a borough assembly's written approval of the administering nonprofit corporation for unincorporated communities located within its boundaries. Deletes reference to Native village councils.

- Section 4: Amends AS 37.06.020(e) to require that written assembly approval must accompany an unincorporated community's list of requested projects for communities within its boundaries. Deletes reference to Native village councils.
- Section 5: Amends AS 37.06.020(h) to change the lapse date from five years to four for projects that do not have substantial, ongoing work being done.
- Section 6: Amends AS 37.06.030(b) to state that the local share for an unincorporated community located within a borough is calculated the same as for that borough.
- Section 7: Provides a transition period so that Native village councils who have a project in process may continue to withdraw the approved funds for that project.
- Section 8: Repeals AS 37.06.020(g) which required Native village councils to sign waivers before receiving grants.

## Comparison of the Unincorporated Community Project Matching Grant Program with Changes made by CS SB 287(Fin)

### CURRENT PROGRAM

### CSSB 287(Fin)

#### Participants

Unincorporated communities in the unorganized borough who were eligible to participate in the revenue sharing program the preceding year

Any unincorporated community in the state that meets the definition of a social unit of 25 or more and have a nonprofit corporation to administer the funds

#### Funding

One appropriation divided evenly among all eligible participants regardless of whether they have requested a project. Minimum allocation is \$25,000.

One appropriation allocated to individual communities based upon the amount of the project requested, up to a maximum of \$25,000 per year

#### Entity Qualifications

Nonprofit entity or Native village council that meets the standards currently in regulation for the revenue sharing program.

Must be a nonprofit corporation. The same qualifications apply except the basic qualifications are now in statute. The DCRA has the ability to adopt regulations to further clarify and define them.

DCRA determines the entity's eligibility. The department determines the most qualified if there is more than one in a community

DCRA determines the entity's eligibility. Entities for communities within boroughs must also obtain their assembly's written designation and approval

#### Grant Request Procedure

Unincorporated community submits prioritized list of projects including estimated costs and source of local share.

Procedure is the same, however communities within boroughs must obtain written assembly approval of the list of projects

### **Grant Approval**

Governor places list in capital budget request, with appropriations from the individual accounts. If project is approved, the appropriation stands, if not approved, it is deleted by the legislature in the appropriation process.

This process technically does not change, except that initial appropriations are made to individual accounts for projects.

### **Allocation of Funds**

Money is allocated to a community account regardless of whether there is a project requested or if the requested project requires less funding than the allocation. Communities may keep the excess funds in their accounts for up to five years.

Money is allocated to a community account based on the amount of the project requested, up to a maximum of \$25,000 each year. Only the amount of the project requested may go into the account. If a project is not requested, the community receives no funds.

### **Lapse of Funds**

Communities have five years in which to start substantial, ongoing work on an approved project. If this is not done, or if a project is not requested in that time, the funds in the community's account lapses into the general fund

Communities have four years in which to start substantial, ongoing work.

### **Local Contribution Required**

The percentage used for calculating the required local contribution is 5 percent

The percentage used for calculating the required local contribution for communities in the unorganized borough is 5 percent. Local share requirements for communities within boroughs are calculated using the borough's percentage (normally 30 percent)

(f) A municipality shall repay to the department money drawn from its individual grant account if substantial, ongoing work on the capital project is not started within five years after the effective date of the appropriation from which the draw is funded. Money repaid shall be deposited into the general fund. Money from an allocation to a municipality's individual grant account that has not been drawn out by the municipality within five years after the effective date of the appropriation from which the allocation is funded lapses into the general fund.

(g) For purposes of this section, in calculating the population of a borough the population of each city in the borough is excluded. The determination of population shall be based upon data used by the Department of Community and Regional Affairs under AS 29.60.020.

(h) The provisions of AS 37.05.321 apply to a grant and draws made under this section, and to earnings from the grant and draws.

(i) In this section, unless specified otherwise, "department" means the Department of Administration. (§ 3 ch 80 SLA 1993)

**Sec. 37.06.020. Unincorporated community capital project matching grant program.** (a) The unincorporated community capital project matching grant program is established in the department. Grants to unincorporated communities under the program shall be administered as provided in this section.

(b) The unincorporated community capital project matching grant fund is established in the department and consists of appropriations to the fund. Appropriations to the fund do not lapse except as provided in (h) of this section. The money in the fund is held by the department in custody under this subsection for each unincorporated community eligible for an allocation under this subsection. The department shall establish an individual grant account within the fund for each unincorporated community that was entitled to receive state aid under AS 29.60.140 during the preceding fiscal year. As provided in this subsection, each fiscal year the department shall allocate, to the individual grant accounts, appropriations to the fund. An unincorporated community is eligible for an allocation in a fiscal year if the community was eligible to receive state aid under AS 29.60.140 during the preceding fiscal year. The department shall credit interest earned on money in an individual grant account to that account. Except as provided in (c) of this section, the amount allocated under this subsection to an individual grant account in a fiscal year is determined by dividing the total amount appropriated to the fund during that fiscal year by the number of unincorporated communities eligible for an allocation during that fiscal year.

(c) A minimum of \$25,000 shall be allocated to each eligible unincorporated community's grant account each fiscal year under (b) of this section. If appropriations are not sufficient to fully fund the mini-

num amount for each eligible unincorporated community, the amount appropriated shall be allocated equally among the eligible unincorporated communities.

(c) The department shall designate, in each eligible unincorporated community, an incorporated nonprofit entity or a Native village council that agrees to receive and spend grant money allocated to the unincorporated community's individual grant account under (b) of this section. If there is more than one qualified entity in a community, the department shall designate the entity that the department finds most qualified to make draws from that unincorporated community's individual grant account and spend the money. If there is no qualified incorporated nonprofit entity or Native village council in an unincorporated community that will agree to receive and spend money allocated to the community under (b) of this section, draws may not be made from the unincorporated community's individual grant account and the amount allocated to the account lapses into the general fund.

(e) By October 1 of each fiscal year, the incorporated nonprofit entity or Native village council designated by the department under (d) of this section shall submit to the governor a prioritized list of capital projects and estimated costs to be financed with money from the community's individual grant account established under (b) of this section. The list must include the amount and source of the local share required by AS 37.06.030. The governor shall include in the capital improvements program presented to the legislature under AS 37.07.060 the projects submitted by designated entities under this subsection that the governor recommends for funding. If, in the capital improvements program, the governor includes projects in other than the priority order submitted by a designated entity, the governor shall provide the legislature with a written statement of the reasons for that action.

(f) The legislature may make appropriations, from an unincorporated community's individual grant account established under (b) of this section, for the unincorporated community for capital projects under this section. Subject to appropriations under this subsection and to the local share requirements of AS 37.06.030, an entity designated by the department under (d) of this section may draw, on behalf of the unincorporated community, amounts from that community's individual grant account for a capital project in accordance with an appropriation for that project. In accepting a draw, an entity designated by the department under (d) of this section acknowledges that the state is not responsible for operating or maintaining a capital project for which the draw is used, or for paying for its operation or maintenance. The acknowledgment does not apply to use of money from a draw for repair or improvement of an existing facility that is operated or maintained by the state at the time that the draw is made if the repair or improvement for which the draw is used will not substantially increase the

operating or maintenance costs to the state. No more than 10 percent of the total amount of money from a draw for land acquisition, or planning, design, construction, or repair of a facility may be used for administrative expenses. No more than five percent of the total amount of money from a draw for equipment or equipment repairs may be used for administrative expenses. The designated entity and its agents, contractors, and subcontractors shall comply with the hiring preferences under AS 36.10 in hiring employees to be paid wholly or in part with money from a draw.

(g) An entity designated by the department under (d) of this section that is a Native village council may not draw money from an unincorporated community's individual grant account unless the council waives immunity from suit for claims arising out of activities of the council related to the draw. A waiver of immunity from suit under this subsection must be on a form provided by the Department of Law. Neither this subsection nor any action taken under it enlarges or diminishes the governmental authority or jurisdiction of a Native village council.

(h) An entity designated by the department under (d) of this section shall repay to the department money it has drawn from an unincorporated community's individual grant account if substantial, ongoing work on the project is not started within five years after the effective date of the appropriation from which the draw is funded. Money repaid shall be deposited into the general fund. Money from an allocation to an unincorporated community's individual grant account that has not been drawn out by a designated entity within five years after the effective date of the appropriation from which the allocation is funded lapses into the general fund.

(i) The limitations of AS 44.47.140 do not apply to a grant made under this section.

(j) The provisions of AS 37.05.321 apply to a grant and draws made under this section, and to earnings from the grant and draws.

(k) In this section, unless specified otherwise, "department" means the Department of Community and Regional Affairs. (§ 3 ch 80 SLA 1993)

**Sec. 37.06.030. Local share requirements.** (a) For each draw made by a municipality under AS 37.06.010, the municipality shall contribute a local share to the cost of the capital project for which the draw is made. The amount of the local share equals the local share percentage as calculated under (1) of this subsection, divided by the state share percentage as calculated under (2) of this subsection, multiplied by the amount of the draw. For purposes of this subsection,

(1) the local share percentage is

(A) 30 percent for a municipality with a population of 5,000 or more;

(B) for a municipality with a population of 1,000 — 4,999, the greater of

(i) 15 percent; or

(ii) the percentage obtained by dividing the amount that would be received by the municipality from a property tax levy of 1/1000th of a mill per \$1,000 of grant funds received by the sum of that first amount plus the amount of the grant or draw, but not more than 30 percent;

(C) for a municipality with a population of under 1,000, the greater of

(i) five percent; or

(ii) the percentage obtained by dividing the amount that would be received by the municipality from a property tax levy of 1/1000th of a mill per \$1,000 of grant funds received by the sum of that first amount plus the amount of the grant or draw, but not more than 30 percent;

(2) the state share percentage equals one minus the local share percentage;

(3) the local share to be contributed by a municipality may be satisfied with (A) federal, municipal, or local money; (B) labor, materials, or equipment used directly in the construction of the project, or land, including land transferred by the state to the municipality; the department shall determine the value of a contribution under this subparagraph; (C) money from another nonstate source; (D) money received by the municipality under AS 29.60.010 — 29.60.375; (E) state taxes refunded or reimbursed to the municipality whose use for the purposes of this subsection is not prohibited; (F) allocations of state aid for the costs of school construction debt under AS 14.11.100; and (G) money obtained from the sale or lease of land or other assets transferred by the state to the municipality; except as provided in this paragraph, the local share may not be satisfied with money from, or with the portion of an asset that was obtained with money from, an appropriation, allocation, entitlement, grant, or other payment from the state.

(b) For each draw made by an entity or council under AS 37.06.020, the incorporated entity or Native village council that makes the draw shall contribute a local share of the cost of the capital project for which the draw is made. The amount of the local share equals the local share percentage as calculated under (1) of this subsection, divided by the state share percentage as calculated under (2) of this subsection, multiplied by the amount of the draw. For purposes of this subsection,

(1) the local share percentage is five percent;

(2) the state share percentage equals one minus the local share percentage;

(3) the local share may be satisfied from (A) federal or local money; (B) labor, materials, or equipment used directly in the construction of the project, or land, including land transferred by the state; the department shall determine the value of a contribution under this sub-

paragraph; (C) money from another nonstate source; (D) money received by the unincorporated community under AS 29.60.010 — 29.60.375; or (E) money obtained from the sale or lease of land or other assets transferred by the state; except as provided in this paragraph, the local share may not be satisfied with money from, or with the portion of an asset that was obtained with money from, an appropriation, allocation, entitlement, grant, or other payment from the state.

(c) For purposes of (a) of this section, in calculating the population of a borough the population of each city in the borough is excluded. The determination of population shall be based upon data used by the Department of Community and Regional Affairs under AS 29.20.060. (§ 3 ch 80 SLA 1993)

**Sec. 37.06.080. Adoption of regulations.** The Department of Administration for grants under AS 37.06.010 and the Department of Community and Regional Affairs for grants under AS 37.06.020

(1) may adopt regulations that impose additional requirements or procedures to implement, interpret, make specific, or otherwise carry out the applicable provisions of this chapter for grants administered by the department;

(2) shall adopt regulations providing for periodic audits of the use of money for grants administered by the department under this chapter, including audit of the department's determination of the value of, and adequacy of the verification of the actual use of, locally funded or contributed labor on projects funded by a grant under this chapter. (§ 3 ch 80 SLA 1993)

**Sec. 37.06.090. Definition of "capital project."** In this chapter, "capital project" means a project with a cost exceeding \$10,000 to acquire or improve an asset with an anticipated life exceeding one year and includes land acquisition, construction, repair or structural improvement of a facility, engineering and design for a facility, and acquisition or repair of equipment. (§ 3 ch 80 SLA 1993) .

### Chapter 07. Executive Budget Act.

**Section**

- 10. Statement of policy
- 20. Responsibilities of the governor
- 30. Responsibilities of the legislature
- 40. Office of management and budget
- 50. Agency program and financial plans
- 60. Governor's recommendation
- 62. Capital budget
- 70. Legislative review

**Section**

- 80. Program execution
- 90. Performance reporting
- 100. Proposed supplemental or special appropriations
- 110. Interpretation of chapter
- 120. Definitions
- 130. Short title

19 AAC 010.0920

## DETERMINATION OF COMMUNITY.

(a) In determining whether a population comprises a community or social unit, the commission will, in its discretion, consider relevant factors, including whether the people

(1) reside permanently in a close geographical proximity that allows frequent personal contacts and has a population density that is characteristic of neighborhood living;

(2) residing permanently at a location are a discrete and identifiable unit, as indicated by such factors as school enrollment, number of sources of employment, voter registration, precinct boundaries, permanency of dwelling units, and the number of commercial establishments and other service centers.

(b) Absent a specific and persuasive showing to the contrary, the commission will presume that a population does not constitute a community or social unit if

(1) public access to or the right to reside at, the location of the population is restricted;

(2) the population is contiguous or closely adjacent to a community or social unit and is dependent upon that community or social unit for its existence; or

(3) the location of the population is provided by an employer and is occupied as a condition of employment primarily by persons who do not consider the place to be their permanent residence.

History -

Eff. 7/31/92, Register 123

Authority -

Alaska Const. art. X, sec. 12

AS 44.47.567

AS 44.47.980

19 AAC 030.0055

STANDARDS FOR PAYMENTS OF STATE AID TO INCORPORATED COMMUNITIES.

An applicant that is an entity qualified to receive an entitlement under AS 29.60.140 must meet the following standards to receive payment:

(1) the applicant must agree to irrevocably dedicate for a public purpose the payment that the applicant receives under AS 29.60.140;

(2) the applicant must be providing the residents of the unincorporated community with a public facility or service as of October 1 of the computation year;

(3) the applicant must have held a public meeting to give residents the opportunity to express their ideas and preferences for the use of money received under AS 29.60.140 and must have posted notice of the meeting in three public and prominent places in the community for at least 15 days before the meeting; and

(4) the applicant must agree to make a service or facility provided with the money received under AS 29.60.140 available to every person in the community regardless of race, religion, color, national origin, age, physical handicap, sex, marital status, changes in marital status, pregnancy, parenthood, or political affiliation.

History -

Eff. 10/18/87, Register 104; am 8/19/88, Register 107

Authority -

AS 29.60.130

AS 29.60.180

AS 44.47.050

AS 44.47.980

BILL: SB 287                    SHORT TITLE: UNINCORP. COMMUNITY MATCHING GRANTS  
BILL VERSION: CSSB 287(FIN)  
SPONSOR(S): SENATOR(S) TORGERSON

CURRENT STATUS: TRANSMITTED TO (H)                    STATUS DATE: 04/25/96

TITLE: "An Act relating to the unincorporated community capital project matching grant program; and providing for an effective date."

02/09/96	2358	(S)	READ THE FIRST TIME - REFERRAL(S)
02/09/96	2358	(S)	CRA, FIN
03/22/96	2832	(S)	CRA RPT CS 2DP 3NR            SAME TITLE
03/22/96	2833	(S)	FISCAL NOTE TO SB & CS (DCRA)
03/27/96	2928	(S)	COSPONSOR(S): HOFFMAN
04/22/96	3410	(S)	FIN RPT CS 2DP 3NR 1DNP        SAME TITLE
04/22/96	3410	(S)	FISCAL NOTE TO CS (DCRA)
04/23/96	3448	(S)	RULES TO CALENDAR 4/23/96
04/23/96	3452	(S)	READ THE SECOND TIME
04/23/96	3453	(S)	FIN CS ADOPTED Y12 N8
04/23/96	3453	(S)	COSPONSOR'S NAME WITHDRAWN: HOFFMAN
04/23/96	3453	(S)	ADVANCE TO THIRD READING FAILED Y12 N8
04/23/96	3453	(S)	THIRD READING 4/24 CALENDAR
04/24/96	3536	(S)	READ THE THIRD TIME CSSB 287(FIN)
04/24/96	3536	(S)	PASSED Y13 N7
04/24/96	3536	(S)	EFFECTIVE DATE(S) ADPTD Y14 N6
04/24/96	3536	(S)	Duncan NOTICE OF RECONSIDERATION
04/25/96	3575	(S)	RECON TAKEN UP - IN THIRD READING
04/25/96	3576	(S)	PASSED ON RECONSIDERATION Y14 N6
04/25/96	3576	(S)	EFFECTIVE DATE(S) SAME AS PASSAGE
04/25/96	3581	(S)	TRANSMITTED TO (H)

# Project Request

FY97 Capital Matching Grants

Community	Entity (Do not include in legislation)	Project	State Funds	E.D.
Akiachak	Akiachak IRA Council	Repair Akiachak Townsite (water, sewer, roads)	\$25,000	39
Arctic Village	Arctic Village Traditional Council	Bulk Fuel Tank Farm-Phase II	\$25,000	36
Beaver	Beaver Tribal Village Council	Construction Mgmt for Multi-Purpose Bldg.	\$25,000	36
Birch Creek	Birch Creek Village Council	Community Health Center Improvements	\$25,000	36
Central	Circle District Historical Society	Finish Interior of Addition to Museum	\$8,000	36
		Computer w/Visual Access for use by Public	\$10,000	
		Landscaping of Museum Road & Parking Lot	\$7,000	
Chalkyitsik	Chalkyitsik Village Council	New Council Office Building	\$25,000	36
Chenega Bay	Chenega Bay IRA Council	Water Room/Holding Tank Upgrade	\$25,000	35
		Mental Public Safety Garage	\$25,000	
Chistochina	Chistochina Village Council	Water Building Repairs/EMS Shed	\$25,000	36
Chitina	Chitina Village Council	Pedestrian Pathway	\$25,000	36
Circle	Circle Civic Community Assoc.		\$79,441	36
Copper Center	Native Village Kluti-Kaah		\$52,711	36
Crooked Creek	Crooked Creek Traditional Council	Equipment Repair	\$25,000	36
Deltana	Deltana Community Corporation		* \$24,996	35
Dot Lake Services	Dot Lake Services, Inc.	Community Building	\$27,710	36
Dot Lake Village	Dot Lake Village Council	Village Recreational Facilities Upgrade	\$19,950	36
Eagle Village	Eagle Village Council	Renovation of Community Hall	* \$15,000	36
		Purchase Hauling Vehicle (Garbage)	\$9,996	
Edna Bay	Edna Bay Community Association	Road Construction, Access & Maintenance	\$13,750	5
		Dock/Harbor Maintenance & Improvement	\$10,000	
Elfin Cove	Elfin Cove Community Council		\$25,000	5
Evansville	Evansville Village Council	Multi-use Community Center	\$25,000	36
Four Mile Road	Four Mile Road Community Council	Road Stabilization	\$25,000	36
Gakona	Gakona Village Council		\$79,441	35
Glennallen	Glennallen-Copper Valley Library Assoc.	Building Expansion and Renovation	\$25,589	35
Gulkana	Gulkana Village Council	Village Council Office Building	\$25,000	36
Gustavus	Gustavus Community Council	On-going Projects	\$25,000	5
Healy Lake	Healy Lake Traditional Council		\$25,000	36
Hollis	Hollis Community Council	Clark Bay Dr. & Island View Dr. Completion	\$25,000	5
		Canoe Pass Road - Pioneer 1500 linear feet	\$25,000	
		Peninsula Dr & Island View Dr. Road work	\$25,000	
Hyder	Hyder Community Association, Inc.		\$25,000	1
Kenny Lake	Kenny Lake Community League	Fire Department Building Repair	\$14,000	35
		Library Repair	\$11,000	
Kipnuk	Kipnuk Village Council	House Moving Trailer	\$25,000	39
Klukwan	Klukwan Chilkat Indian Village Council	Expansion of ANS Hall	\$25,000	5
Koliganek	New Koliganek Village Council	New Powerhouse Upgrading Distribution	\$25,000	39
Kongiganak	Kongiganak Traditional Council	Office Upgrade	\$11,000	39
		Washeteria	\$14,000	
Kwigillingok	Kwigillingok IRA Council	Relocation Project	\$25,000	39
Lake Minchumina	Lake Minchumina Traditional Council		\$79,441	36
Lime Village	Lime Village Traditional Council	Electrification	\$50,000	36
Manley Hot Springs	Manley Hot Springs Community Assoc.	Multi-Purpose Community Facility	\$25,000	36
Mentasta	Mentasta Lake Village Council	Equipment Lease Payments	* \$24,985	36
Metlakatla	Metlakatla Indian Village	Smoked Salmon Development Project	\$26,358	1
Minto	Minto IRA Council	Multi-purpose Building	\$50,000	36
Nelchina/Mendeltna	Nelchina/Mendeltna Corporation	Solid Waste Transfer Station	\$25,000	35

FY97 Capital Matching Grants

Nikolski	Nikolski IRA Council	Building Purchase/Repair	\$79,441	40
Northway	Northway Village Council		\$25,000	36
Oscarville	Oscarville Village Council		\$79,441	39
Paxson	Paxson Community Affairs	Residential Telephone Service	\$50,000	35
		Snowmachine/Four Wheel Trail	\$10,000	
		TV Station	\$10,000	
Pitka's Point	Pitka's Point Village Council	Village Office/Hall Upgrade	\$25,000	38
		Clinic Water/Sewer Hook-up	\$25,000	
Point Baker	Point Baker Community		\$25,000	5
Port Protection	Port Protection Community Association	Boardwalk Repair/Upgrade/Water Tank Extensi	\$25,000	5
Rampart	Rampart Village Council	Washeteria/Laundromat/Watering Point	\$25,000	36
Red Devil	Red Devil Corporation	Community Health Clinic Building	\$25,000	36
Silver Springs	Silver Springs Residents Association	Road Improvements	\$25,000	35
Slana Community	Slana Community Corporation		\$25,346	36
Slana League	Slana League	Distance Learning/Medical Link	\$25,000	36
Sleetmute	Sleetmute Village Council	Multi-purpose Building	\$10,000	36
		Roads	\$10,000	
Stevens Village	Stevens Village IRA Council	Renovation Upgrade	\$25,000	36
Stony River	Stony River TVC	Roads	\$79,441	36
Takotna	Takotna Community Assoc.	TCA Utility Office/Lodge	\$23,684	36
Tanacross	Tanacross Village Council		\$54,027	36
Tatitlek	Tatitlek Village IRA Council		\$54,441	35
Tazlina	Assoc. of Tazlina Residents	Hockey Rink	\$10,000	35
		Road Improvements	\$25,000	
Tetlin	Tetlin Village Council	Community Kitchen Elders Upgrade	\$25,000	36
Tok	Tok Community Umbrella Corp.	Rescue Truck	\$25,000	36
Tolsona	Tolsona Community Corporation	Firehall Enhancements	\$12,000	35
		Solid Waste Site Improvements	\$12,000	
Tuntutuliak	Tuntutuliak Village Council		\$25,000	39
Twin Hills	Twin Hills Village Council	Tribal Office Completion	\$25,000	39
		Pumphouse Building Repair	\$25,000	
Venetie	Venetie Village Council	Multi-Purpose Building	\$26,793	36
Whale Pass	Whale Pass Homeowners Association	Resurface existing Roads 1/2 - 1 Mile	\$26,250	5
Wiseman	Wiseman Community Association	Purchases for Community Center (land/equip)	\$12,500	36
		Flood Dike/Levy Repair - Wiseman Creek	\$12,500	
Naukati Bay	Naukati West, Inc.	Road Construction/Pit Development	\$25,000	5

\* These communities were over-funded during FY 95. Therefore the amount available to them for FY97 is slightly less than \$25,000

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Committee Substitute for Senate Bill 287 (FIN)

Participating Communities in the Unorganized Borough		Communities in the Organized Boroughs Possibly Eligible to Participate				Communities in the Organized Boroughs Most Likely NOT Eligible to Participate	
		Community	Borough	Community	Borough		
Akiachak	Lime Village	Nelson Lagoon	Aleutians East	Ninilchik	Kenai	Eklutna	Anchorage
Arctic Village	Manley Hot Springs	King Salmon	Bristol Bay	Port Graham	Kenai	Ferry	Denali
Beaver	Mentasta Lake	Naknek	Bristol Bay	Primrose	Kenai	Lignite	Denali
Birch Creek	Metlakatla	South Naknek	Bristol Bay	Salamatof	Kenai	College	Fairbanks
Central	Minto	Cantwell	Denali	Tyonek	Kenai	Eielson AFB	Fairbanks
Chalkyitsik	Naukati Bay	Healy	Denali	Chiniak	Kodiak	Ester	Fairbanks
Chenega Bay	Nelchina/Mendaltna	McKinley Park	Denali	Karluk	Kodiak	Covenant Life	Haines
Chistochina	Nikolski	Fox	Fairbanks	Chignik Lagoon	Lake & Pen	Fritz Creek	Kenai
Chitina	Northway	Harding Lake	Fairbanks	Chignik Lake	Lake & Pen	Nikiski	Kenai
Circle	Oscarville	Moose Creek	Fairbanks	Egegik	Lake & Pen	Ridgeway	Kenai
Copper Center	Paxson	Pleasant Valley	Fairbanks	Igiugig	Lake & Pen	Sterling	Kenai
Crooked Creek	Pitka's Point	Salcha	Fairbanks	Iliamna	Lake & Pen	Kodiak Station	Kodiak
Deltana	Point Baker	Two Rivers	Fairbanks	Ivanof Bay	Lake & Pen	Womens Bay	Kodiak
Dot Lake Services	Port Protection	Lutak	Haines	Kokhanok	Lake & Pen	Butte	Mat-Su
Dot Lake Village	Rampart	Mosquito Lake	Haines	Levelock	Lake & Pen	Lazy Mountain	Mat-Su
Eagle Village	Red Devil	Anchor Point	Kenai	Pedro Bay	Lake & Pen	Meadow Lakes	Mat-Su
Edna Bay	Silver Springs	Clam Gulch	Kenai	Perryville	Lake & Pen	Deadhorse	North Slope
Elfin Cove	Slana	Cohoe	Kenai	Port Alsworth	Lake & Pen	Prudhoe Bay	North Slope
Evansville	Slana	Cooper Landing	Kenai	Alexander Creek	Mat-Su		
Four Mile Rd Comm.	Sleetmute	Crown Point	Kenai	Big Lake	Mat-Su		
Gakona	Stevens Village	Fox River	Kenai	Chase	Mat-Su		
Glennallen	Stony River	Halibut Cove	Kenai	Chickaloon	Mat-Su		
Gulkana	Takotna	Happy Valley	Kenai	Knik	Mat-Su		
Gustavus	Tanacross	Hope	Kenai	Skwentna	Mat-Su		
Healy Lake	Tatitlek	Jakolof Bay	Kenai	Sutton	Mat-Su		
Hollis	Tazlina	Kalifonsky	Kenai	Talkeetna	Mat-Su		
Hyder	Tetlin	Kasilof	Kenai	Trapper Creek	Mat-Su		
Kenny Lake	Tok	Moose Pass	Kenai	Willow	Mat-Su		
Kipnuk	Tolsona	Nanwalek	Kenai	Point Lay	North Slope		
Klukwan	Tuntutuliak	Nikolaevsk	Kenai	Noatak	Northwest Arctic		
Koliganek	Twin Hills						
Kongiganak	Venetie						
Kwigillingok	Whale Pass						
Lake Minchumina	Wiseman						

Community	Entity	FY 84 Project	FY 84 Award	FY 85 Project	FY 85 Award	FY 86 Project	FY 86 Award
Akiachak	IRA Council	Road Improvements	\$25,000.00	Public Safety Building	\$15,000.00	Replat Townsite for Water/Sewer/Road Paving Projects	\$25,917.00
				Equipment Repairs	\$10,000.00		
Arctic Village	Traditional Council	Power Generation Upgrade	\$25,000.00	Bulk Fuel Tank	\$25,000.00	Power Line System Upgrade	\$25,917.00
Beaver	Village Council	Design & Construction Multi - Purpose	\$25,000.00	Multipurpose Building Design/Construction	\$25,000.00	Multi-Purpose Building Phase III	\$25,000.00
Birch Creek	Village Council	Clinic Equipment	\$25,000.00	Safe Water Treatment Plant Upgrade	\$25,000.00	Clinic Water and Sewer Installation	\$25,000.00
Central	Circle Dist. Hist. Soc.	Undesignated	\$0.00	Community Facilities & Equipment	\$25,000.00	Addition to Museum/Library/Archives	\$25,000.00
Chalkyitsik	Village Council	Washeteria	\$25,000.00	Construct Community Washeteria Building/Offices	\$25,000.00	Water/Sewer Project Continuation	\$25,000.00
Chenega Bay	IRA Council	Undesignated	\$0.00	Community Facilities & Equipment	\$0.00	Road Maintenance Equipment	\$50,000.00
Chistochina	Village Council	Office Renovation and Repairs	\$25,000.00	Community Hall Upgrade	\$25,000.00	Recreational Building Addition	\$25,000.00
Chitina	Village Council	Freezer Purchase	\$25,000.00	Washeteria	\$25,000.00	Incinerator Project	\$25,000.00
Circle	Community Assn.	Undesignated	\$0.00	Community Facilities & Equipment	\$0.00	Community Facilities and Equipment	\$25,000.00
Copper Center	Nat. Vill. Klud - Kaah	Undesignated	\$0.00	Snow Removal Vehicle/Equipment Purchase	\$25,000.00	Community Facilities and Equipment	\$25,000.00
Crooked Creek	Traditional Council	Upgrade Office Equipment/Purchase	\$10,000.00	Clinic Improvements	\$15,000.00	Road Repairs	\$25,000.00
		Repair Council Equipment	\$10,000.00	Preschool Facility	\$15,000.00		
Deftana	Community Corp.	Processing Plant Phase I	\$23,750.00	Processing Plant Construction	\$28,300.00	Processing Plant Phase III	\$25,060.00
Dot Lake Services	Same	Undesignated	\$0.00	Community Facilities & Equipment	\$25,000.00	Community Building Construction	\$50,000.00
Dot Lake Village	Village Council	Washeteria Site Preparations	\$10,000.00	Community Hall Upgrade	\$23,800.00	ATCO Trailer Renovation	\$28,200.00
		Washeteria Project Design	\$15,000.00				
Eagle Village	Council	Village Safe Water Project	\$23,750.00	Safe Water and Sewer Project	\$28,300.00	Community Facilities and Equipment	\$25,000.00
Edna Bay	Community Assn.	Construction/Topping of Davidson Ave.	\$12,350.00	Construction of Breakwater	\$27,700.00	Harbor Maintenance and Improvements	\$13,750.00
		Marine Facilities Repair and Expansion	\$9,925.00			Road Construction and Access	\$10,000.00
Elfin Cove	Community Council	Boardwalk Replacement/Repair Grant	\$25,000.00	Hydroelectric Project	\$25,000.00	Community and Facilities	\$25,000.00
Evansville	Village Council	Utility Truck	\$25,000.00	Bulk Fuel Storage Facility	\$25,000.00	Ambulance Purchase	\$25,000.00
Four mile Road Comm.	Same	Road Stabilization Project	\$25,000.00	Road Stabilization Project	\$25,000.00	Road Stabilization Project	\$25,000.00
Gakona	Village Council	Undesignated	\$0.00	Community Facilities & Equipment	\$0.00	Community Facilities and Equipment	\$25,000.00
Glennallen	Copper Valley Comm.	Distance Learning /Medical Link	\$25,000.00	Library Building Expansion	\$40,000.00	Library Expansion/Renovation	\$25,000.00
Gulkana	Village Council	Site Preparation Work for Health Clinic	\$25,000.00	Health Clinic Completion	\$25,000.00	Community Recreation Park	\$15,000.00
						Clinic Site Completion	\$10,000.00
Gustavus	Community Council	Landfill Compliance Grant	\$25,000.00	Public Library Replacement	\$25,000.00	Landfill Activities	\$10,000.00
						Completion of New Library	\$7,000.00
						Medical/Office Equipment	\$8,000.00
Healy Lake	Traditional Council	Teach. or Housing/Generator	\$25,000.00	Health Clinic Construction	\$25,000.00	Health Clinic Construction Phase I	\$25,091.00
Holla	Community Council	Roads Upgrade	\$25,000.00	Pioneer Road Upgrade	\$25,000.00	Upgrade Lower Harris River Subdivision Road	\$25,000.00
Hyder	Community Assn.	Design/Development of RV/Tenting Campground	\$25,000.00	Campground Design and Development	\$25,000.00	Community Facilities and Equipment	\$25,000.00
Kenny Lake	Community League	Athletic Storage Building	\$11,150.00	Track and Baseball Field	\$11,100.00	Land Acquisition for Community Center	\$25,000.00
		Track and Baseball Field	\$12,835.00	Hockey Rink	\$13,800.00		
Kipruk	Village Council	Boardwalks	\$25,000.00	Boardwalk Renovation	\$25,000.00	House Moving Trailer	\$25,000.00
Klukwan	Chilkat Indian Vill. Cnl	Building Repairs	\$25,000.00	Community Center Design and Construction	\$25,000.00	Community Facilities and Equipment	\$25,000.00
Koliganek	Village Council	Design and Construction of New Health Clinic	\$25,000.00	Health Clinic Design and Construction	\$25,000.00	Health Clinic Construction Phase III	\$25,000.00
Kongiganak	Traditional Council	Facilities & Equipment Project	\$25,000.00	Community Facilities & Equipment	\$25,000.00	Community Hall/Office	\$25,000.00
Kwigillingok	IRA Council	Public Facilities	\$25,000.00	Community Facilities & Equipment	\$25,000.00	Community Facilities and Equipment Phase III	\$25,000.00
Lake Minchumina	Traditional Council	Undesignated	\$0.00	Community Facilities & Equipment	\$0.00	Community Facilities and Equipment	\$25,000.00
Lime Village	Traditional Council	Undesignated	\$0.00	Community Facilities & Equipment	\$0.00	Bulk Fuel Storage	\$12,500.00
						Village Electrification	\$25,000.00
						Road Improvements	\$12,500.00
Manley Hot Springs	Community Assn.	Phase 1 - Multi-Purpose Facility	\$25,000.00	Multipurpose Community Facility	\$25,000.00	Multipurpose Community Facility	\$25,000.00
Mentasta	Village Council	Clinic Expansion Project	\$25,000.00	Village Store Renovation	\$25,700.00	Day Care/Elder Center	\$25,878.00
Metakatla	Indian Village	Lift Station	\$23,775.00	Hatchery Site Preparation	\$25,000.00	Cold Storage Facility Repairs	\$18,000.00
						Replace Cannery Building Wall	\$7,000.00
Minto	IRA Council	Undesignated	\$0.00	Search and Rescue Supplies/Equipment/Training	\$25,000.00	Emergency Rescue Truck	\$25,000.00
Naukatl Bay	Naukatl West Inc.	Undesignated	\$0.00	Road Construction Rock Pit Development	\$25,000.00	Road Construction/Pit Development	\$25,000.00
Natchina/Mendelina	Corporation	Undesignated	\$0.00	Mendelina Community Well	\$25,000.00	Community Facilities and Equipment	\$25,000.00
Nikolski	IRA Council	Undesignated	\$0.00	Community Facilities & Equipment	\$0.00	Community Facilities and Equipment	\$25,000.00

Northway	Village Council	Clinic Renovation	\$15,000.00	Community Hall Water/Sewer Hook-Up	\$25,000.00	Water/Sewer Hook-up for Community Hall/Council Office	\$25,000.00
		Youth Recreation - Cement Basketball Court	\$10,000.00				
Oscarville	Village Council	Undesignated	\$0.00	Community Facilities & Equipment	\$0.00	Community Facilities and Equipment	\$25,000.00
Paxson	Community Affairs	Undesignated	\$0.00	Community Facilities & Equipment	\$0.00	Community Facilities and Equipment	\$25,000.00
Pikka's Point	Village Council	Sewer Treatment Plant	\$25,000.00	Community Facilities & Equipment	\$0.00	Community Facilities and Equipment	\$25,000.00
Point Baker	Community	Safe Drinking Water Project	\$25,000.00	Community Drinking Water System Development	\$25,000.00	Community Facilities and Equipment	\$25,000.00
Port Protection	Community Assn.	Rebuilding of Rotting Boardwalk	\$25,000.00	Rebuild Boardwalk	\$25,000.00	Rebuild Boardwalk	\$25,000.00
Rampart	Village Council	Undesignated	\$0.00	Water Plant Building	\$25,000.00	Washeteria/Laundromat/Watering Point Construction	\$50,000.00
Red Devil	Corporation	Undesignated	\$0.00	Community Facilities & Equipment	\$25,000.00	Community Facilities and Equipment	\$50,000.00
Silver Springs	Area Residents Assn.	Undesignated	22,599,000	Road Improvements	\$27,400.00	Road Improvements	\$25,000.00
Slana Community	Corporation	Road Maintenance	\$10,000.00	Community Road Construction	\$20,000.00	Building Construction	\$30,000.00
		Road Construction	\$15,000.00				
Slana League	Same	Distance Learning/Medical Link	\$25,000.00	Distance Learning/Medical Link	\$25,000.00	Community Facilities and Equipment	\$25,000.00
Sleetmute	Traditional Council	Undesignated	\$0.00	Road Improvements	\$25,000.00	Community Facilities and Equipment	\$25,000.00
Stevens Village	IRA Council	Multi-Purpose Community Building	\$25,000.00	New Community Hall	\$25,000.00	Multi-Purpose Building Construction	\$25,000.00
Stony River	Traditional Council	Undesignated	\$0.00	Community Facilities & Equipment	\$0.00	Community Facilities and Equipment	\$25,000.00
Takotna	Community Assn.	Undesignated	23,684,500	Utility Office and Lodge Materials Purchase	\$25,000.00	Utility Office and Lodge Construction	\$25,000.00
Tana-oes	Village Council	Undesignated	\$0.00	Washeteria Renovation	\$25,000.00	Community Hall and Fire Hall Rehabilitation Project	\$23,684.00
Tatitlek	IRA Council	Undesignated	\$0.00	Community Facilities & Equipment	\$0.00	Teacher Housing Construction	\$50,000.00
Tazlina	Assn. Tazlina Res.	Distance Learning/Medical Link	\$10,000.00	Distance Learning/Medical Link	\$20,000.00	Distance Learning/Medical Link	\$10,000.00
		Hockey Rink Building	\$10,000.00			Hockey Rink Construction	\$10,000.00
						School Bus Stop Shelters	\$5,000.00
Tetlin	Village Council	Road Improvements/Equipment Purchase	\$25,000.00	Repair Village Wash house/Replacement Equipment	\$25,000.00	Washeteria Phase II	\$25,917.00
Tok	Comm. Umbrella Corp	Water/Sewer Installation and Reconstruction	\$25,000.00	Community Center/Library/Yard Maintenance and Upgrade	\$25,000.00	Community Facilities and Equipment	\$25,000.00
Tolsona	Community Corp.	Undesignated	\$0.00	Firehall Well	\$25,000.00	Firehall Improvements	\$23,000.00
Tuntutulak	Village Council	JAILHOUSE Construction	\$25,000.00	Bulk Fuel Tank/Farm Dike	\$25,000.00	Tractor	\$25,917.00
Twin Hills	Village Council	Undesignated	\$0.00	Community Facilities & Equipment	\$0.00	Tribal Office Building	\$50,000.00
Venetie	Village Council	Undesignated	\$0.00	Back-Up Generator Purchase	\$25,000.00	Youth Center Building Purchase	\$25,000.00
Whale Pass	Homeowners Assn.	Firehall	\$10,000.00	Dock Upgrade and Improvements	\$25,000.00	Firehall Renovation Project	\$23,750.00
		Dock	\$15,000.00				
Wiseman	Community Assn.	Phase 1 Land Purchase	\$25,000.00	Community Center Land Acquisition and Design	\$25,000.00	Community Center Electrical Generation Co-op	\$25,000.00

68 COMMUNITIES

1-15-95

**SJR**

**13**

# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

No. 1  
 NO. BILL VERSION: SCR13  
 PUBLISH DATE: (S) Publish Date: 4/29/95

Revision Date: \_\_\_\_\_  
 Title: Recognizing the women who have  
served Alaska as state or territorial legislators...  
 Sponsor: Senator Lincoln  
 Requestor: Senate C&RA

Department Affected: Legislative Affairs Agency  
 BRU: All  
 Component: All

COMPONENT SERIAL NO:

**Expenditures/Revenues: (Thousands of Dollars)**

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE	0	0	0	0	0	0
---------------------	---	---	---	---	---	---

**FUNDING: (Thousands of Dollars)**

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER FUND SOURCE						
<b>TOTAL</b>	0	0	0	0	0	0

**POSITIONS:**

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

Estimate of current year impact: \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact.

Prepared By: Karla Schofield, Deputy Director  
 Division: Administrative Services

Phone: 465-3852  
 Date: 4/24/95

Approved By: Pamela A. Vanni, Executive Director  
 Agency: Legislative Affairs Agency

Date: 4/29/95

Distribution (by preparer): Leg. Finance, Legislative Sponsor, Requestor, OMB, Gov. , & Impacted Agency(ies).

# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

NO. \_\_\_\_\_  
BILL VERSION: SCR 13  
PUBLISH DATE: \_\_\_\_\_

Revision Date: \_\_\_\_\_  
Title: Recognizing the women who have  
served Alaska as state or territorial legislators...  
Sponsor: Senator Lincoln  
Requestor: Senate C&RA

Department Affected: Legislative Affairs Agency  
BRU: All  
Component: All

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE FUND SOURCE	0	0	0	0	0	0
---------------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER FUND SOURCE						
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

POSITIONS:

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

Estimate of current year impact: \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact.

Prepared By: Karla Schofield, Deputy Director *Karla Schofield* Phone: 485-3852  
Division: Administrative Services Date: 4/24/95

Approved By: Pamela A. Vami, Executive Director *Pamela Vami*  
Agency: Legislative Affairs Agency Date: 4/24/95

Distribution (by preparer): Leg. Finance, Legislative Sponsor, Requestor, OMB, Gov., & Impacted Agency(ies).

# ALASKA STATE LEGISLATURE

Senator Georgianna Lincoln

State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-3732  
Fax (907) 465-2652



Committees:  
Transportation  
Labor and Commerce  
Administrative Regulation Review

Minority Whip  
Bush Caucus Chair

## DISTRICT R

### Sponsor Statement SCR 13 100th Year of Women in State Legislatures

At the request of the National Foundation for Women Legislators, Inc., I have introduced SCR 13 relating to the 100th Year of Women in State Legislatures. The National Foundation for Women Legislators is a non-partisan, educational organization which exists to assist women state legislators in the process of legislative debate, networking, and leadership.

One hundred years ago, long before most American women had the right to vote, Clara Cressingham, Carrie C. Holly, and Frances S. Klock of Colorado became the first women to serve as state legislators. To commemorate this event, each state in our country is adopting a similar Resolution. In conjunction, celebrations are being planned to elevate public knowledge and awareness of women in history.

SCR 13 is but one part of the national effort to provide current and former women legislators with the opportunity to be recognized for their outstanding contributions as America's true "Timeless Pioneers". I encourage you to support this Resolution and join me in celebrating 100 years of women in state legislatures.

Alaina  
Allakusuk  
Anvik  
Anvik  
Arctic Village  
Beaver  
Bertha  
Big Delta  
Birch Creek  
Census Village  
Central  
Chalkyitsik  
Chena Bay  
Chickasaw  
Chicken  
Chitina  
Chitina  
Chukchee  
Circle  
Copper Center  
Copperville  
Cordova  
Crooked Creek  
Delta Junction  
Dot Lake  
Dry Creek  
Eagle  
Evanville  
Fort Greer  
Fort Yukon  
Galena  
Galena  
Glenallen  
Grading  
Gulkana  
Healy Lake  
Holy Cross  
Hughes  
Iliamna  
Iliamna  
Kakhovka  
Kaliq  
Kenny Lake  
Kotikuk  
Lake Minchumina  
Lime Village  
Livengood  
Lower Kalslag  
Manley Hot Springs  
McCarthy  
McCrish  
Medfra  
Mendelina  
Mentana  
Minto  
Nabesna  
Nelchina  
Newhalen  
Nikolai  
Nordstad  
Northway  
Nulato  
Parson  
Post Alsworth  
Rampart  
Red Devil  
Ruby  
Shageluk  
Sleep Mountain  
Slana  
Sleetmire  
Stevens Village  
Stony River  
Sutton  
Tadivona  
Tanana  
Tanana  
Tatitlek  
Tazlina  
Telida  
Tetlin  
Toa  
Tukona  
Tukovik  
Tulokuk  
Twin  
Upper Kalslag  
Vadler  
Venetie  
Whitman



# Legislative Research Agency

Alaska State Legislature



130 Seward Street, Suite 218  
Juneau, Alaska 99801-2196

Phone: (907) 465-3991  
Fax: (907) 463-3351

April 13, 1995 REVISED

## MEMORANDUM

TO: Senator Georgianna Lincoln

FROM: Deb Davidson *DD*  
Legislative Analyst

RE: Women Who Have Served in the Alaska Legislature  
Research Request 95.180 (Revised)

You asked for a list of women who have served in the Alaska Legislature. Attached is an alphabetical list of the 68 women who served in the Alaska State Legislature or who have served in the Alaska Territorial Legislature. We also included women who served as delegates to the Constitutional Convention. This information is summarized below.

### Service in the State Legislature Only (49)

- 35 served in the State House (4 were appointed, --1 ran for and won re-election, 1 was an interim appointee);
- 8 served in the State Senate (2 were appointed, 1 of whom went on for re-election);
- 6 served in both the House and Senate (1 was appointed to the House and later elected to the Senate; 1 was appointed to the Senate and later elected to the House).

### Service in the State Legislature and Territorial Legislature or Constitutional Convention (3)

- 2 served in the State House, the Territorial House and at the Constitutional Convention
- 1 served in the State Senate and the Territorial House

### Service in the Territorial Legislature Only (12)

- 9 served in the Territorial House
- 3 served in the Territorial House and Territorial Senate

### Service in the Territorial Legislature and Constitutional Convention (1)

- 1 served in the Territorial House and at the Constitutional Convention

### Delegates to the Constitutional Convention Only (3)

- 3 served as delegates to the Constitutional Convention only

Senator Lincoln  
April 13, 1995  
Page 2

As can be seen above, there have been 52 women who served in the State Legislature. Of those, 49 have served in the State Legislature only, 1 served in the State and the Territorial Legislatures and 2 served in the State and Territorial Legislatures and were delegates to the Constitutional Convention.

There were 16 women who served in the Territorial Legislature: 12 served in the Territorial Legislature only, 1 was later elected to the State Legislature; and 3 had been delegates to the constitutional convention (2 of the three were later elected to the State Legislature).

Delegates to the Constitutional Convention included 6 women: 1 went on to serve in the Territorial Legislature and 2 later served in both the Territorial and the State Legislatures.

We hope this information is useful to you. If you have any questions, please call.

Attachment

SENATE JOURNAL

1386

May 1, 1995

SCR 13

SENATE CONCURRENT RESOLUTION NO. 13 Recognizing the women who have served Alaska as state or territorial legislators and celebrating 100 years of women serving as state legislators, was read the second time.

Senator Torgerson moved and asked unanimous consent for the adoption of the Community and Regional Affairs Committee Substitute offered on page 1333. Without objection, CS FOR SENATE CONCURRENT RESOLUTION NO. 13(CRA) was adopted, read the second time and was before the Senate on final passage.

Senators Leman, Halford, Kelly moved and asked unanimous consent that they be shown as cosponsors on the resolution. Without objection, it was so ordered.

The question being: "Shall CS FOR SENATE CONCURRENT RESOLUTION NO. 13(CRA) Recognizing the women who have served Alaska as state or territorial legislators and celebrating 100 years of women serving as state legislators, pass the Senate?" The roll was taken with the following result:

CSSCR 13(CRA)  
Final Passage

YEAS: 19 NAYS: 0 EXCUSED: 1 ABSENT: 0

Yeas: Adams, Donley, Duncan, Ellis, Frank, Green, Halford, Kelly, Leman, Lincoln, Miller, Pearce, Phillips, Rieger, Salo, Sharp, Taylor, Torgerson, Zharoff

Excused: Hoffman

and so, CS FOR SENATE CONCURRENT RESOLUTION NO. 13(CRA) passed the Senate and was referred to the Secretary for engrossment.

# SENATE COMMITTEE REPORT

## First Committee of Referral

DATE: 4/20/95

FURTHER:

<sup>24 Hr.</sup>  
Date of 5-Day Notice: 4/25/95  
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 4/29/95

CRA Committee considered SCR 13

Recognizing women who served Alaska as state/territorial legislators and celebrating 100 years of women serving as state legislators.

and recommends:

- be replaced with CS SCR 13 (CRA)
- adopt previous CS (        )
- attached amendment(s)
- adopt Letter of Intent by          Committee
- further referral to the          Committee

Senate Bill:

- same title
- new title
- House Bill:
- same title
- technical title
- new: SCR#

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Tom Kelly</i>					
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
<b>CHAIR:</b> <i>[Signature]</i>	✓				

**NEW FISCAL NOTE(S):**

Department                      Date    Zero    Fiscal

Legislative Affairs	4/24/95	✓	

**PREVIOUS FISCAL NOTE(S):\***

Department                      Date    Zero    Fiscal


APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

*Sample*



# The Legislature of the State of New Mexico

HOUSE OF REPRESENTATIVES  
Forty-Second Legislature, First Session, 1995

A MEMORIAL INTRODUCED BY  
REPRESENTATIVES ANNA MARIE CROOK, PAULINE K. GUBBELS, GLORIA VAUGHN,  
JEANNETTE WALLACE, DELORES C. WRIGHT, MIMI STEWART,  
SANDRA L. TOWNSEND, PATSY G. TRUJILLO, DEBBIE A. RODELLA,  
LYNDA M. LOVEJOY, DANICE R. PICRAUX, E. SHIRLEY BACA,  
BARBARA A. PEREA CASEY, SHERYL M. WILLIAMS  
AND EARLENE ROBERTS

## CELEBRATING THE ONE HUNDRETH YEAR OF WOMEN ELECTED TO STATE LEGISLATURES

WHEREAS, one hundred years ago, Clara Crossingham, Carrie C. Holly and Frances S. Klock became the first women to serve as legislators; and

WHEREAS, these three women were elected to represent the people of Colorado twenty-five years before women's suffrage in the United States; and

WHEREAS, since this historical event, many other women legislators have served their states with diligence and enthusiasm; and

WHEREAS, since 1923, only eleven years after statehood, New Mexico women legislators have employed their knowledge, expertise and wise leadership to carry New Mexico into the twenty-first century;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that in recognition of the one hundredth year of women in state legislatures, it extend its congratulations and sincerest appreciation to all women legislators who have represented and are currently representing this Land of Enchantment, for their outstanding contributions and accomplishments as America's true timeless pioneers; and

BE IT FURTHER RESOLVED that the state of New Mexico hereby extend a warm Land of Enchantment welcome to the members of the National Order of Women Legislators for their annual conference to be held October 8 through 13, 1995 in Albuquerque and Santa Fe; and

BE IT FURTHER RESOLVED that a copy of this memorial be transmitted to the National Foundation for Women Legislators, Incorporated.



*Raymond R. Sanchez*  
RAYMOND R. SANCHEZ, SPEAKER  
HOUSE OF REPRESENTATIVES  
*Epifanio R. Ariza*  
EPIFANIO R. ARIZA, CHIEF CLERK  
HOUSE OF REPRESENTATIVES

# NATIONAL FOUNDATION FOR WOMEN LEGISLATORS, INC.

## 100TH YEAR CELEBRATION SPONSORSHIP

### RECOGNIZING A LEGACY OF DEDICATION

One hundred years ago Clara Cressingham, Carrie C. Holly, and Frances S. Klock of Colorado became the first women to serve as state legislators. To commemorate this event the National Foundation for Women Legislators, Inc. will host with each of the fifty states and territories special educational and public awareness events.

Celebrations of this centennial in each state and the Foundation's seven regions will elevate public knowledge and awareness of women in history as well as provide current and former women legislators from all across the country with the opportunity to be recognized for their outstanding contributions as America's true "Timeless Pioneers." National and State media coverage will be accorded to each state and regional celebration.

These state 100th Year Celebrations allow corporations with the opportunity to support their own women state legislators by serving as one of the three Foundation State Celebration Directors or by serving as a sponsor for the state events.

Serving as a state corporate partner will offer you the opportunity to tell your story and articulate your most important concerns directly to those women legislators who will be voting on laws that will affect the business community. Corporate partners will be recognized nationally and locally for their support of those historic celebrations.

The Three Foundation State Directors are composed of a present sitting legislator, a former legislator and a corporate sponsor. These three directors will set the tone and coordinate the state celebration events.

The National Foundation for Women Legislators, Inc. is a non-partisan, educational organization that arms sitting women legislators intellectually for the legislative debates in their respective state houses, senates, and assemblies. The Foundation does not take ideological positions on any current issues, but rather it exists to assist women state legislators in the process of legislative debate, networking, and leadership.

The National Foundation for Women Legislators, Inc. serves as the educational arm of the National Order of Women Legislators, the oldest professional association for women legislators in the country.

Please contact Mary Ann Gomez, 100th Year Celebration Coordinator, at 202/337-3565 to discuss your state involvement. She will provide you with additional information on planned events and the name of your State Foundation Celebration Legislative Director

ROBIN READ, PRESIDENT - CEO NFWL // EXECUTIVE DIRECTOR, NOWL

3240 PROSPECT STREET NW WASHINGTON, DC 20007

## CALENDAR OF EVENTS FOR 100TH YEAR STATE CELEBRATIONS

## MARCH

DATE	EVENT	LOCATION
20th	North Dakota 54th Legislative Assembly passed House Concurrent Resolution No. 3047 - Resolution Celebrates the 100th Year of Women serving in State Legislature	Legislative Chamber Bismarck, ND
20th 2:30/4:00	North Dakota **FIRST 100TH YEAR CELEBRATION Presentation of State's Highest recognition, the Theodore Roosevelt Rough Rider Award to Rep. Brynhild Haugland by Governor Schaffner	Great Hall State Capitol Bismarck, ND
5:00/6:30	Reception - Honoring North Dakota's Past & Present Women Legislators	Bismarck Arts & Bismarck, ND
24th	West Virginia 100th Year Celebration Women's Conference "A Century of Achievement"	West Virginia University School of Law Morgantown, WV
25th 5:00 pm	West Virginia - 100th Anniversary of Women Legislators & 100th Anniversary of 1st Female Law Graduate - Reception & Banquet	West Virginia University School of Law Morgantown, WV
28th	Rhode Island passed House Resolution (95-H 6870) Celebrating the 100th Anniversary of Women Elected to State Legislatures	General Assembly State of Rhode Island & Providence Plantations
28th 6:00/8:00	Missouri - 100th Celebration Women Legislators of Missouri Reception for Former & present Legislators and DeVerne Lee Calloway Award - 600 attendees	Governor's Mansion Jefferson City, MO

## CALENDAR OF EVENTS FOR 100TH YEAR STATE CELEBRATIONS

## MARCH

DATE	EVENT	LOCATION
29th 9:00 am	Vermont - 100th Celebration Women Legislative Recognition Program & Exhibit	Vermont State House Montpelier, VT
1:00 pm	Oral Histories of Vermont Women Legislators Slide Presentation & Tours of renovated Statehouse	
4:00 pm	Reception Honoring Women Legislators	Cedar Creek Room
7:30 pm	Farmers' Night Program - observing Women's History Month	VT House Chambers
29th	Tennessee - Proclamation Signing Mayor of Clarksville - Honoring 100th Year Celebration	Mayor's Office Clarksville, TN
29th	South Carolina adopted a Concurrent Resolution recognizing the One Hundredth Year of Women in Legislatures and the many contributions women serving in various capacities in the General Assembly of the State of South Carolina, have made to our Legislative process.	General Assembly Columbia, SC
29th	South Carolina - "100th Years in 50 States Celebration"	
	South Caroline House & Senate pay tribute to all women legislators	South Caroline Legislative Chambers Columbia, SC
	Govenor's Proclamation Honoring Women past & Present Legislators	Governor's Office Columbia, SC
	Luncheon Hosted by Governor	Governor's Mansion
6:00/8:00	Reception Honoring Past & Present Women Legislators, Exhibit will Honor Women & Women History Month	South Caroline State Museum

## CALENDAR OF EVENTS FOR 100TH YEAR STATE CELEBRATIONS

## MARCH

DATE	EVENT	LOCATION
1st	Georgia General Assembly adopted H.R. No. 459, A Resolution Recognizing the 100th Year of Women in State Legislatures and commending past and present women legislators; and for other purposes.	General Assembly of Georgia Augusta, Georgia
2nd	New Mexico 42nd House of Representatives passed a Memorial celebrating the One Hundredth Year of Women Elected to State Legislatures	House of Representative State Capitol Santa Fe, New Mexico
3rd	New Mexico 42nd Senate passed a Memorial celebrating the One Hundreth Year of Women elected to State Legislatures	State Senate State Capitol Santa Fe, New Mexico
3rd	Tennessee presented a 100th Year Skip to TN Democratic Women's Group	Tennessee
11th	West Virginia House of Delegates adopted House Resolution No. 29 recognizing the One Hundredth Year of Women In State Legislatures and the many contributions women serving, or who formerly served, in the West Virginia Legislature have made to the Legislative process.	House of Delegates
13th	Maryland 100th Year Celebration Committee Meeting	210 Lowe House Office Building, Annapolis, MD

## CALENDAR OF EVENTS FOR 100TH YEAR STATE CELEBRATIONS

## APRIL

DATE	EVENT	LOCATION
7th	Arkansas - 80th General Assembly of the State of Arkansas passed a Senate Concurrent Resolution SCR No. 18 recognizing the One Hundredth Year of Women in State Legislatures and the many contributions women serving, or formerly serving, in various capacities have made to Arkansas legislative process.	Arkansas General Assembly Little Rock, AR
17th 5:00	Tennessee - 100th Year Celebration Signing of Legislative Resolution	Legislative Chambers State Capitol Nashville, TN
6:00/8:00	Reception Honoring Present & Past Women Legislators National Foundation President, Robin Read featured speaker	Cubertlain Club Building Nashville, TN
18th	Illinois - Introducing Joint Resolution to commomerate 100th Year Celebration	General Assembly Springfield, IL
20th	Georgia - General Assembly to adopt Resolution to commomerate Women Legislators.	General Assembly Atlanta, GA
27th	Colorado - General Assembly to adopt Joint Resolution HR 95-0124 to salute 100th Year Celebration. All Statewide Officials & Legislative Body to be present	General Assembly State Capitol Denver, CO
3:30	Colorado High Tea Reception for all Former & Present Women Legislators & Statewide Women Officials	

## CALENDAR OF EVENTS FOR 100TH YEAR STATE CELEBRATIONS

APRIL

DATE	EVENT	LOCATION
23th	Kansas 100th Year Celebration Reception to recognize all past & present women legislators. 100th Birthday Cake will be served in Legislative Chambers.	State Capitol Topeka, KA
30th/2	Georgia 100th Year Celebration Women's Leadership Conference  Virginia 100th Year Celebration	Atlanta, GA

## CALENDAR OF EVENTS FOR 100TH YEAR STATE CELEBRATIONS

MAY

DATE	EVENT	LOCATION
2nd	Georgia - 100th Celebration Women's Seminar - for Statewide Women Leaders	Atlanta, GA
8th 11:00	Maryland - 100th Celebration Committee Meeting	State Capitol Annapolis, MD
10TH	Connecticut - 100th Year Celebration Reception to Honor all Women past & present Legislators - All Statewide Elected Women are invited.	Memorial Hall Museum Hartford, CT
29-30	Indiana - 100th Year Celebration	Indianapolis, IN
	Indiana - Introduction of Joint Resolution commomerating 100th Year Celebration	General Assembly Indianapolis, IN
	Florida - Introducing Joint Resolution to commomerate 100th Year Celebration	

## CALENDAR OF EVENTS FOR 100TH YEAR STATE CELEBRATIONS

JUNE

DATE	EVENT	LOCATION
15TH	<u>NEWL CELEBRATION TELECONFERENCE</u> MICHIGAN ALABAMA NEW MEXICO- PRE CELEBRATION FLORIDA? DELAWARE? MONTANA? IOWA ? MISSOURI - SECOND EVENT!!!! COLORADO - SECOND EVENT!!!! HAWAII - LOUISIANA	University of North Carolina
15TH	Michigan - Introducing Joint Resolution to commerate 100th Year Celebration  Michigan - Reception for all Women past & present Legislators- will hook up for teleconference	General Assembly Lansing, MI
a.m.	Alabama - Introduction of Special Joint Resolution commomerating 100th Year Celebration - all past & Present Legislators will be present for passage and all Legislators will be receive special recognition	General Assembly State Capitol Montgomery, AL
noon	Luncheon to honor past & present legislators and all women statewide office holders, Gov. & Lt. Gov. and all legislative leadership	
evening	Alabama to join in 20 state Teleconference	