

1971-72

JOINT PIPELINE IMPACT COMMITTEE

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JOINT PIPELINE IMPACT COMMITTEE
MINLOG

1971

TAPE

INVENTORY

3/15/1971 - 9/29/1971

COMMITTEE TAPES INVENTORY

1971 Joint Pipeline Impact Committee
Joint Select Comm. on the Oil
COMMITTEE: Pipeline
Special Pipeline Committee
YEAR: 1971 Page:

Misc. Information:

<u>TAPE #</u>	<u>DATE</u>	<u>BILL NUMBER/SIGNIFICANT INFORMATION</u>
1-2	3/15	Attorney General Havelock
3-4	3/17	Poirier Preston Locher
5	3/18	Preston Locher
6-8	3/23	W.J. Levy, Milton Lipton
9	4/3	Mr. Patton of ALPS
10	4/5	Oil Pollution Cleanup
11-12	4/15	Conner/McDonald
13	7/27 or 8/27	Division of Oil and Gas 1, side 5
14	7/27 or 8/27	Division of Oil and Gas 2,3
15	7/27 or 8/27	Division of Oil and Gas 4,3(?) Brewer
16-17	9/29	Northwest Pipeline Study Group
18	n.d.	Commissioner Campbell

1971-72

MISC.

HJR Mr. Hillstrand moved and asked unanimous consent that
35 amendment No. 6 be adopted. There being no objection,
am amendment No. 6 was adopted.

Mr. Farrell moved and asked unanimous consent that HOUSE
JOINT RESOLUTION NO. 35 amended be considered engrossed,
advanced to third reading and placed on final passage.
There being no objection, it was so ordered.

HOUSE JOINT RESOLUTION NO. 35 amended was read the third
time.

The question being: "Shall HOUSE JOINT RESOLUTION NO. 35
amended pass the House?" The roll was taken with the
following result:

Yeas: 38 - Banfield, Bowman, Bradner,
Chance, Colletta, Degnan,
Ditman, Farrell, Ferguson, Fink,
Fischer, Guess, Harris, Haugen,
Hillstrand, Hohman, Holm, Huber,
Kerttula, McGill, McVeigh,
Meland, E. Miller, M. Miller,
Moore, Moran, Moses, Naughton,
Orbeck, Peratrovich, Randolph,
Reed, Rose, Specking, Swanson,
Tillion, Warwick, Whittaker.

Nays: 0 -

Excused: 2 - Barber, Wright.

And so, HOUSE JOINT RESOLUTION NO. 35 amended passed the
House and was referred to the Chief Clerk for engrossment.

SECOND READING OF HOUSE BILLS

HB HOUSE BILL NO. 115 (relating to excise tax credits on
115 alcoholic beverages; and providing for an effective date)
was read the second time with the State Affairs Committee
report (page 164 of the journal) and the Finance Committee
report (page 252 of the journal).

Mrs. Fischer moved and asked unanimous consent that HOUSE
BILL NO. 115 be considered engrossed, advanced to third
reading and placed on final passage. There being no objec-
tion, it was so ordered.

HOUSE BILL NO. 115 was read the third time.

The question being: "Shall HOUSE BILL NO. 115 pass the
House?" The roll was taken with the following result:

Yeas: 36 - Banfield, Bowman, Bradner, Chance,
Colletta, Degnan, Ditman, Farrell,
Ferguson, Fink, Fischer, Guess,
Harris, Haugen, Hillstrand,
Hohman, Holm, Huber, Kerttula,
McGill, McVeigh, E. Miller,
M. Miller, Moore, Moses, Naughton,
Orbeck, Peratrovich, Randolph,
Reed, Rose, Specking, Swanson,
Tillion, Warwick, Whittaker.

Nays: 2 - Meland, Moran.

Excused: 2 - Barber, Wright.

And so, HOUSE BILL NO. 115 passed the House.

Mr. E. Miller moved and asked unanimous consent that the
roll call on the passage of HOUSE BILL NO. 115 be considered
the roll call on the effective date clause. There being
no objection, it was so ordered.

HOUSE BILL NO. 115 was referred to the Chief Clerk for
engrossment.

SPECIAL ORDERS

Mr. E. Miller moved and asked unanimous consent that Mrs.
Chance be excused from a call of the House on March 8 and
March 9, 1971. There being no objection, it was so ordered.

Mr. Huber moved and asked unanimous consent that the
reconsideration of his vote on COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 22 amended (relating to veteran affairs;
and providing for an effective date) be held over one
legislative day. There being no objection, it was so
ordered. CSHB 22 am

Mr. Kerttula gave notice of reconsideration of his vote on
HOUSE BILL NO. 115 (relating to excise tax credits on
alcoholic beverages; and providing for an effective date)
on the next legislative day. HB 115

Mr. E. Miller moved and asked unanimous consent that the
House revert to Communication. There being no objection,
the House reverted to

COMMUNICATIONS

"March 3, 1971

Honorable William A. Egan
Governor of Alaska
Third Floor, Capitol Building
Juneau, Alaska 99801

Dear Governor Egan:

We are sure that you will agree that the settlement of
the Alaska Native Land Claims and the proposed Alyeska pipe-
line system overshadow other events in importance to Alaska's
future at this point in our history. As to land claims,
both the executive and legislative branches have spoken with
one voice to the Congress, you through direct testimony, the
legislature through joint resolution. As to the pipeline,
you have requested a select legislative committee be appointed
for consideration in depth.

March 3, 1971

Today, the committee is appointed to work with the existing state agencies and such other agencies as you might request. The members are:

Senator Chancy Croft, Chairman
 Senator Clifford Groh
 Senator Willie Hensley
 Senator Lowell Thomas, Jr.
 Representative Mike Colletta
 Representative Marty Farrell
 Representative Andrew Warwick
 Representative Edward Naughton

Because the impact of the pipeline is considerable, the scope of the committee is broad. With the view of maximizing State knowledge of and increasing the state role in decision-making about, it is specifically being asked of the committee to explore and periodically report on the following:

- 1) The economic impact of the pipeline, prior to, during, and after construction, with particular attention to the effect on Alaska business, labor, government and our transportation and communication systems.
- 2) The environmental impact including Alaska's policy towards environmental protection and coordination with federal and local agencies. Particular emphasis should be given to the governmental structure designed to handle this area and any needed additional legislation.
- 3) Accruing state development including roads and highways, harbors and airfields.
- 4) Necessary governmental expansion including public facilities and governmental services such as schools, water and sewer systems, police protection, fish and game law enforcement, to mention a few.
- 5) State economic regulations of the pipeline generally and as it affects our royalty and severance tax income specifically, and control of potential abuses such as anti-trust restraint of trade and the inflationary aspects of construction.
- 6) Choices of action related to means of transporting oil and gas, their advantages and disadvantages.
- 7) The legal aspects of the proposals and their relation to other state problems and activities.
- 8) Alaska's natural resource policy including description of existing and potential resources, possible future development and their relationship to the proposed pipeline.
- 9) Such other areas as designated by the presiding officers.

The committee will function as a joint committee during the session reporting to the Rules Committee chairman of both houses and will act as an interim committee upon adjournment, reporting to the Legislative Council.

March 3, 1971

The committee looks forward to working with your administration in this undertaking.

Sincerely,

Jay Hammond
 President of the Senate

Gene Guess
 Speaker of the House"

ENGROSSMENT AND ENROLLMENT

The following were engrossed, signed by the Speaker and the Chief Clerk and transmitted to the Senate for its consideration:

HOUSE JOINT RESOLUTION NO. 21

HJR
21

HOUSE JOINT RESOLUTION NO. 34

HJR
34

HOUSE JOINT RESOLUTION NO. 35 amended

HJR
35
am

The following was enrolled, signed by the Speaker, Chief Clerk, President and Secretary of the Senate and transmitted to the Office of the Governor at 1:35 p.m., Wednesday, March 3, 1971:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 100
 amended by the Senate

SCS
HB
100
am S

The following was enrolled, signed by the Speaker, Chief Clerk, President and Secretary of the Senate and transmitted to the Office of the Governor at 2:55 p.m., Wednesday, March 3, 1971:

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 86

CSHB
86ANNOUNCEMENTS

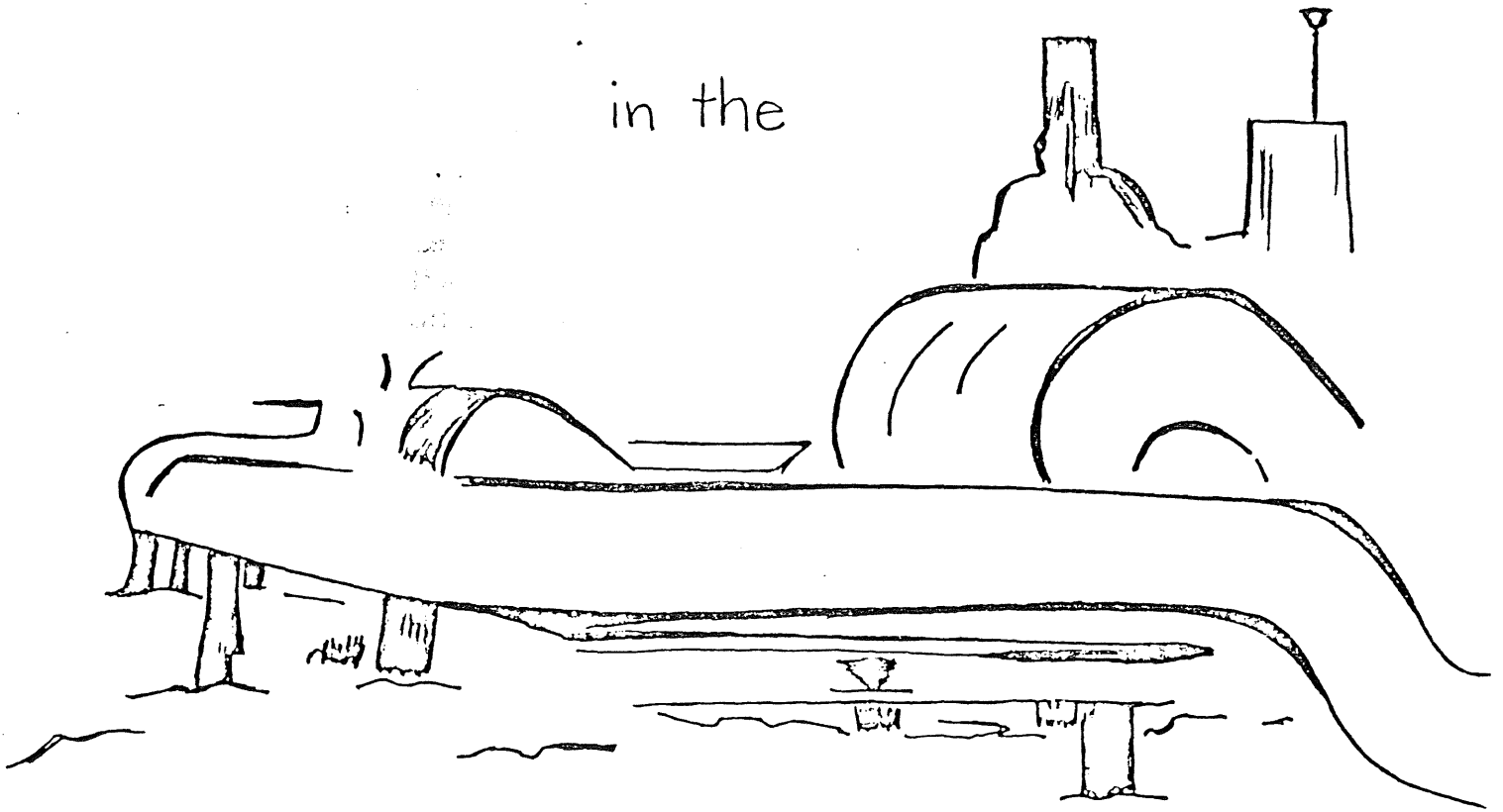
Judiciary Committee HB 97	Masonic Temple	3:00 p.m. March 3, 1971
Health, Welfare and Education Committee HB 35, 165, 173, 4	Conference Room	1:30 p.m. March 3, 1971
Resources Committee HCR 6, HB 193	Conference Room	3:30 p.m. March 3, 1971
Local Government Committee HB 158	Speaker's former office	9:00 a.m. March 4, 1971
Labor and Management Committee HB 150, 186	Room 1	9:00 a.m. March 4, 1971 and 9:00 a.m. March 8, 1971
HB 2, 78, 211, 212		

1.	PIPELINE HEARINGS TRANSCRIPT/TESTIMONY I: BEFORE SENATE COMMERCE COMMITTEE AND HOUSE LOCAL AFFAIRS COMMITTEE, 1972	436-437
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An Inventory of the
Joint Pipeline Impact Committee,
Alaska State Legislature
Records

in the



Alaska Historical Library

Juneau, 1972

Historical Scope Note

The Joint Pipeline Impact Committee was appointed March 3, 1971 following the request of Governor William A. Egan for a select legislative committee to study the pipeline in depth.

In the Senate Journal-Supplement no. 6, March 3, 1971, the committee was appointed to work with existing state agencies and such other agencies the governor might request.

The committee reported to the Rules Committee chairman of both houses, and continued as an interim committee upon adjournment reporting to the Legislative Council.

Committee members are:

Senator Chancy Croft, Chairman
Senator Clifford Groh
Senator Willie Hensley
Senator Lowell Thomas, Jr.
Representative Mike Colletta
Representative Marty Farrell
Representative Andrew Warwick
Representative Edward Naughton

Because of the impact of the pipeline, the scope of the committee was broadly defined and asked to explore and report on the following:

1) The economic impact of the pipeline, prior to, during, and after construction, with particular attention to the effect on Alaska business, labor, government and our transportation and communication systems.

2) The environmental impact including Alaska's policy towards environmental protection and coordination with federal and local agencies. Particular emphasis should be given to the governmental structure designed to handle this area and any needed additional legislation.

3) Accruing state development including roads and highways, harbors and airfields.

4) Necessary governmental expansion including public facilities and governmental services such as schools, water and sewer systems, police protection, fish and game law enforcement, to mention a few.

5) State economic regulation of the pipeline generally and as it affects our royalty and severance tax income specifically, and control of potential abuses such as anti-trust restraint of trade and the inflationary aspects of construction.

6) Choices of action related to means of transporting oil and gas, their advantages and disadvantages.

7) The legal aspects of the proposals and their relation to other state problems and activities.

8) Alaska's natural resource policy including description of existing and potential resources, possible future development and their relationship to the proposed pipeline.

9) Such other areas as designated by the presiding officers.

RECORDS OF THE JOINT PIPELINE IMPACT COMMITTEE

4 drawer legal size vertical file.

Finding Aids:

Records include a "Guide to Pipeline Impact Committee Files; a Subject Index to the Administrative Records and Library Collection." This guide was prepared by the committee secretary.

A loose-leaf card file for authors of reports, legislative testimony, etc. is on top of vertical file cabinet.

- I. Administrative records.
Contains correspondence, legislation, newspaper clippings, hearings and other material concerned with Committee activities.
- II. Library Collection.
213 subject indexed publications. Includes a list of "Books and Other Publications" obtained by the Committee. (These have been added to the stacks of the State Library.)

Guide to Pipeline Impact Committee Files

<u>Subject</u>	<u>Filed Under</u>
General Correspondence	Alphabetically
Information and Data on Alyeska and its Member Companies	Alphabetically, A and Library
Consultants to Pipeline Committee	A, W, R and Library.
Data on Environmental Impact Statement	E
Data on Environmental Impact Statement Hearings	E
Gas Pipelines (Proposed) for N.S. Gas	G, M, N and Library
Department of Interior	I and Library
Legislation	L
Cents Per Barrel	L
Strict Liability	L
Right-Of-Way Leasing Act	L
Regulatory Act	L
20 Mill Tax on Oil & Gas Transportation Equipment	L
Levy	L and Library
Department of Natural Resources	N and Library
Newspaper Clippings	N and L (Pipeline Regulations)
Pipeline Hearings on Pending Pipeline Legislation	P and Library
Pipeline Hearings/Meetings prior to Session	P and Library
Pipeline Ownership	P and Library
Pipeline Legislation	L and Library
Resident Hire Legislation	R and Library
Trans-Alaska Pipeline	A and Library
- Tapes of Pipeline Hearings & Meetings	Library

LIBRARY INDEX

*Subject

ALASKA,

Business
Cost of Living,
Urban
Economic Base Studies
Economic Development
Education
Employment (TAPS)
Facilities and Physical Features
Highway Construction
Housing
Insurance
Land Claims
Leasing Policy
Local Hire (TAPS)
Manpower Outlook,
Methodology & Systems Document
Mineral Policy
Oil and the Environment
Population
Population and Workforce (Race)
Revenues
Revenue Projections,
Oil and Gas
Statistical Data
Taxes,
Property
Timber Resources

Tourism

Trans-Alaska Pipeline, Impact on

ALASKA-JAPAN TRADE

ARCHEOLOGY,

Pipeline Sites

BIBLIOGRAPHIES,

Legal,
Oil Pollution

Pipelines

BUSINESS - Alaska

CANADA,

Alberta

Northwest Territories

Oil and Gas Exploration

Oil and Gas Pipelines

CENSUS,

Business,
Alaska

Housing,
Alaska

Manufactures

Population,
Alaska

Population and Housing

Population & Workforce (Race)

COAL

COAL GASIFICATION

COASTAL ZONE MANAGEMENT

COST OF LIVING - Alaska

Urban

ECONOMIC DEVELOPMENT - Alaska

ECOSYSTEMS,

Alaska
Arctic

EDUCATION - Alaska

EMPLOYMENT - Alaska (TAPS)

ENERGY POLICY,

Administration

FIRE SUPPRESSION

GEOLOGY,

North Slope

GULF OF ALASKA

HIGHWAY CONSTRUCTION - Alaska

HOUSING - Alaska

INSURANCE - Alaska

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JOB TRAINING

LABOR RELATIONS

LAND CLAIMS - Alaska

LAND USE PLANNING

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LEASING POLICY - Alaska

LNG

LOCAL HIRE,

TAPS

MACHIASPORT, Maine

MANPOWER OUTLOOK - Alaska

Methodology & Systems Document

MINERAL POLICY

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NATURAL GAS,

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Liquefied

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Pipeline Statistics,
Financial and Operating

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Regulations,
State and Federal

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OFFSHORE RESOURCES

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Pipelines

Revenue Projections

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Import Quotas

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Taxation of

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Definition of

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Valuation of Alaskan Crude

OLD AGE ASSISTANCE

PERMAFROST

PIPELINE CONSTRUCTION
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Ecological Studies
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Employment & Local Hire
Bibliography, Legal
Biological Impact
Canada
TRANSPORTATION,
Cleanup Technology
Cook Inlet
Oil
Kodiak
Oil Terminals and Refineries
Tank Ships

TREATIES

TUNDRA

TUNDRA BIOME

WELDING

WOLF

WORKFORCE - Alaska

BOOKS AND OTHER PUBLICATIONS

Alaska Natives and the Land, Federal Field Committee for Development Planning in Alaska

Alaskan Oil (Costs & Supply). M. A. Addelman, Editor

Alaska Pipeline Report, Alaska's Economy, Oil and Gas Industry Development, and the Economic Impact of Building and Operating the Trans-Alaska Pipeline, Arlon Tussing, George W. Rogers & Victor Fischer

Alaska's Manpower Outlook - 1970's, State of Alaska, Depts. of Education and Labor

*American Pipe Lines, Their Industrial Structure, Economic Status and Legal Implications, George S. Wolbert, Jr.

(1970) Annual Report (Surveillance of the Proposed Trans-Alaska Pipeline System), U.S. Department of the Interior, B.L.M.

Applicant Characteristics, 17 Villages, Alaska Department of Labor, Employment Security Division

Change in Alaska, People, Petroleum, and Politics, Edited by George W. Rogers

Compact to Conserve Oil and Gas, Hearing before the Subcommittee on Minerals, Materials, and Fuels of the Committee on Interior and Insular Affairs, U.S. Senate, 1971.

(Report on) Crude Oil and Gasoline Price Increases of November 1970: A Background Study, Prepared for Joint Economic Committee, U.S. Congress, 1971.

*Crude Oil Pipe Lines and Competition in the Oil Industry, L. Cookenboo, Jr.

(The President's) Energy Message, Hearing before the Committee on Interior and Insular Affairs, U.S. Senate, 1971.

(Final) Environmental Impact Statement, Proposed Trans-Alaska Pipeline, Department of Interior (1972) - 9 Volumes

(An Introduction to) Exploration Economics, R. E. Megill

(The) Field Price Regulation of Natural Gas, Clark A. Hawkins

Foreign Trade in Gas and Electricity in North America, A Legal and Historical Study, John T. Miller, Jr.

(The) Gas Supplies of Interstate Natural Gas Pipeline Companies, Federal Power Comm.

Governmental Intervention in the Market Mechanism: The Petroleum Industry, (Parts 1 through 4), Hearings before the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary, U.S. Senate, 1969 and 1970.

(The) Growth of Firms, Middle East Oil and Other Essays, Edith Penrose

(A Study of the) Impact of the Proposed Trans-Alaska Pipeline on the Alaska Native Population, Education Systems Resources Corporation

(Proceedings) Joint Conference on Prevention and Control of Oil Spills, (1969)
Sponsored by American Petroleum Institute and Federal Water Pollution Control
Administration

Map Atlas (Pipeline and Roadway, Livengood to Prudhoe Bay), Alyeska Pipeline
Service Company

Middle East Oil; A Study in Political and Economic Controversy, George W. Stocking

*(A) National Policy for the Oil Industry, Eugene V. Rostow

Natural Gas Supply for Pacific Northwest, (Parts 1 and 2), Hearings before the
Committee on Commerce, U.S. Senate, 1971.

(The) Oil Import Question (A Report on the Relationship of Oil Imports to the
National Security) Cabinet Task Force on Oil Import Control

Our Industry - Petroleum, British Petroleum

Petroleum Accounting Practices, Stanley P. Porter

Petroleum Economics and Offshore Mining Legislation, A.P.H. Van Meurs

Petroleum Facts and Figures, 1971 Edition, American Petroleum Institute

Petroleum Pipelines and Public Policy, 1906 - 1959, Arthur M. Johnson

Pipeline, William Kilbourn

(The) Political Economy of International Oil and the Underdeveloped Countries,
Michael Tanzer

(Proceedings of Joint Conference on) Prevention and Control of Oil Spills, (1971),
American Petroleum Institute

(Hearings on) Proposed Pipeline Legislation, March 1972, State of Alaska

Publications

ISEGR Review

Oil and Gas Journals

Oil Week

Petroleum Press Service

*Regulation of Pipe Lines as Common Carriers, W. Beard

52 p. 28 cm.

Transcript of taped testimony.

1. Alaska. Dept. of Environmental Conservation. 2. Petroleum--Pipelines. 3. Pipelines. 4. Brewer, Max.

333.8 Alaska. Legislature. Joint Pipeline Impact
Allt Committee.

Testimony [of] Edward L. Patton [before the]
Legislative Pipeline Committee. [Juneau, 1971]

69 p. 29 cm.

Transcript of testimony.

1. Pipelines--Alaska. 2. Petroleum--Pipelines. I. Patton, Edward L

Alaska State Library

CONTENTS:-1. Testimony before the Pipeline Impact Committee by Walter Levy and Milton Lipton, consultants to the Legislature on oil. March 23, 1971.-2. Pipeline Impact Committee Meeting. July 26, 1971. Testimony by Dr. Max Brewer, Commissioner, Department

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Alaska. Legislature. Joint Pipeline Impact Committee.

[Testimony...] (Card 2)

of Environmental Conservation.-3. Pipeline Impact Committee Meeting. July 27, 1971. Testimony by Gas Arctic Systems Study Group.-4. Pipeline Impact Committee Meeting. August 27, 1971. Testimony by Mr. Homer Burrell, Mr. O.K. Gilbreth, Mr. Thomas R. Marshall, Oil and Gas Division, Department of Natural Resources.

() (Next card)

Sec. coll.

Sec.

Committee

file

Alaska. Legislature. Joint Pipeline Impact Committee.

[Testimony...] (Card 3)

1. Pipe lines--Alaska. 2. Petroleum--Pipe lines--Alaska. I. Levy, Walter. II. Lipton, Milton. III. Alaska. Department of Environmental Conservation. IV. Gas Arctic Systems Study Group. V. Alaska. Division of Oil and Gas.

Alaska State Library

1971-72

SENATE & HOUSE LOCAL GOVERNMENT COMMITTEES

RE: MUNICIPAL CODE RESEARCH, HB 208/SB 113

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FILES OF CONFERENCE COMMITTEE ON HB 208/SB 113

1971

SENATE AND HOUSE

LOCAL GOVERNMENT

COMMITTEES-

RE: MUNICIPAL CODE REVISION,
HB 208/SB 113

(SEE ALSO, 1971 FREE CONFERENCE
COMMITTEE BILL FILES)

Hearing on Municipal Code Revisions

Attendees:

Mr. Roscoe Bell, British Petroleum
Mr. Bill Berrier, Attorney, City & Borough of Juneau
Mr. Don Berry, Executive Director, Alaska Municipal League
Mr. Jim Bruce, Attorney, North Star Borough, Fairbanks
Mr. Warren Christianson, Attorney, City of Sitka
Mrs. Alice Crosby, Association of Alaska School Boards
Mr. William Curtis, City Manager, Palmer
Mr. James Eide, City Manager, Ketchikan
Mr. Greg Machyowsky, Attorney, Legislative Affairs Agency
Mr. James Nordale, Attorney, Kenai Peninsula Borough
Mr. Hank Ostrosky, Box 125, Naknek, Alaska
Mrs. John Rader
Mr. Jim Rhode, Administrative Assistant, Hse. Local Govt. Committee
Mr. Robert Sharp, City Manager, Anchorage
Mr. Sig Strandberg, Local Govt. Specialist, Local Affairs Agency
Mrs. Arliss Sturgulewski, S.A.A.B. Planning Commission
Mr. Harold Tobey, City Attorney, Anchorage
Mr. Vernon Wiggins, Div. of Planning, Gr. Anchorage Borough

TESTIMONY OF MR. WILLIAM CURTIS, CITY MANAGER - PALMER

- introduces Messrs. Berrier, Christianson and Nordale who have worked for over six years on the bill.
- many flaws in the old bills, Titles 29 & 30, that municipalities have lived with for years. Gives example of how Assessment Section did not work, which was changed by legislative action last year.
- tried to make document a workable one, not burdening cities or boroughs; yet no substantive changes made in it.
- have not tried to change concept of boroughs and cities.
- Alaska Municipal League has agreed proposed bill is a good compromise measure.
- AML hopes that the hearings and action on bill will be held down to working on a good, administrative code-don't want to get involved in changing basic city-borough concept.
- turned meeting over to Bill Berrier who will show where appreciable changes have been made in the code-don't want to go item by item, just where appreciable changes have occurred.

Sen. Rader noted that he did not want to see this just as a recodification of the law. He said that if the committee can help to ease friction between the city and the borough, he hopes that it will do so.

TESTIMONY OF MR. BILL BERRIER, ATTORNEY, CITY & BOROUGH OF JUNEAU

- an entire recodification of existing law, its arrangement differs, and its simplicity differs.
- this change most significant of all-Chapter 8-Classification of Municipalities
 - under this bill only two classes of cities (1st & 2nd)
 - incorporated community of over 400 people are mandatorily made a 1st class city.

Continuation of Mr. Berrier's testimony:

- pulled Home Rule powers together into one section.
- 29.18.180, page 12 - change in transitional assistance
- 29.23.060, page 15 - smoothed out assembly procedures
- 29.23.170 & 29.23.270, pgs. 22 & 24 - question of executive veto powers clarified. Mayor or Borough Chairman is given a line item veto over budget items.
- 29.23.310, page 26 - School Boards. Section is shortened as much is now contained in Title 14. Made no substantive changes but it appears so because of cross reference to Title 14.
- 29.28.130-250, pages 36-38. Recall. At a recall election, the successor to the recalled person does not run at the same election.
- 29.33.030, page 39. Provision added that borough assembly also collects sales and use tax as well as property tax.
- Under Planning and Zoning; the entire map and planning is new law.
- 29.33.250-290, pge 54. Additional areawide powers. Eliminates need to go to Local Affairs Agency to add additional areawide powers. Clarifies how 1st & 2nd class cities shall exercise powers transferred from the city.
- 29.38.010-050, page 55. Local Affairs Agency has been taken out "of picture" re the question of additional areawide powers. No longer submit to LAA prior to election.
- 29.48.030, page 57. More illustrative of entire form of bill than it is a change in itself. Currently powers of city are spelled out in detail. This has been changed to a skeleton or "blueprint" in proposed AML bill.
- 29.48.040-100, pages 61-63. Essentially codifies existing law which is not statutory law.
 - (discussion involving Berrier, Merdes & Rader whether there are grandfather rights re utilities, whether any attempt to change existing law.)
 - attention called to 29.48.100, page 64, re which provisions of law shall prevail in case of conflict.
- 29.48.050(c), page 61, repeats essentially what was put into Title 29 by legislature last year. Is almost verbatim duplicate.
- 29.48.190, page 67, puts in a provision fixing the current fiscal year for all municipalities - uniform date of July 1st. Also changes method of passing ordinances.
- 29.48.270, page 70, gives emergency disaster powers to all municipalities.
- 29.48.310-330, pages 70-71, new law.
- 29.53.090-180, pages 74-78, the omission is most appreciable change. Omits boat tax of from \$5-\$15, which means that boats will be taxed at full and true value.
- 29.53.240, page 80, does away with requirement that tax foreclosure list must be filed on the same day that it is published.
- 29.53.360, page 84, Deed to boroughs and cities. Title to land within cities goes to cities; within boroughs goes to boroughs.
 - (discussion involving Berrier, Rader re whether title should be held by borough).
- Berrier calls attention to Section (c), page 84 which establishes priorities of public use.
- 29.53.385, page 85, if either municipality takes land for public use, must pay unpaid taxes and assessment to the other municipality.
 - (discussion by Berrier & Merdes re possibility of recording deed within 2 years. Berrier has no objection.)

(Discussion involving Christiansen, Merdes, Rader re advisability of recording deed within 2 year period.)

--29.53.410, page 86, Sales & Use Tax. Addition of power to levy a use tax for a general law municipality.

(Clarification of general law municipality to mean a home rule city)

--29.58.010-040, page 88, Tax Anticipation Notes is added as there is no general law authority to issue tax anticipation notes at present.

--29.58.205, page 91, Provides that no election is required on revenue bonds is new language.

--Special assessments and service areas all tied together into one special assessment procedure.

--29.63.010, page 94, May assess state property for local improvement districts.

(Merdes says should seriously consider assessing federal property also. Discussion follows re merits of assessing federal & state property..involving Merdes, Rader, Sharp, and Berry-who said that the impact of assessment on state budget a few years ago was only \$5,000).

-Berry agrees to get new figures and give to Machyowsky.

(Further discussion regarding who votes for state when an agency votes on the petition process.--ASHA is doing it at this moment-Rader asks whether to clarify should designate Dept. of Administration to vote-discussion involves Sharp, Rader, Berry, Merdes. Attention called to page 94, lines 18-22.)

--29.73.010, page 113, Actionable claims against a municipality-certain limitation on claims against the state wording taken and exemptions have been added. Berrier called it the LITTLE TORT CLAIMS ACT.

(discussion follows involving Berrier, Rader, Machyowsky, and Rader re what has been included and/or excluded from 29.73.010. Merdes says very substantive change and something to consider seriously with lots of back-up figures etc.)

-Merdes asks that insurance carriers for cities and boroughs what insurance rate would be if bill passes with this section left in.

Discussion followed regarding reclassification of cities involving Rader & Berrier. Also dealt with school obligations...would cities have to maintain their own schools (Kotzebue, Bethel) Rader suggests create 1 more class of city to take care of the school problem.

TESTIMONY OF MR. JAMES NORDALE, ATTORNEY - KENAI PENINSULA BOROUGH

--4th class cities, even though over 400 population are not automatically reclassified as 1st class cities. 4th class cities become 2nd class cities even if excess of 400 population.

--Local Boundary Commission is required to review classification of cities within 2 years and make recommendations to legislature.

(Discussion followed re reclassification of cities involved Nordale, Merdes, Rader, Swanson, Moore and Machyowsky. Rep. Moore asked to have explanation of bill, particularly interested in getting title to land; is pushing for 1st class city right now--must translate explanation into Eskimo for his people.)

Sen Merdes said that he would like to see the testimony summarized; it might help to have a more lasting effect. Sen. Merdes suggested that it might be in order to have a committee report spread on the Journal or in a Journal Supplement. Berrier said that he would help in summarizing testimony.

Mr. Warren Christianson then testified re the full and true value taxation of boats. He said it was a very minor part of the act, but one that the AML committee recognized would be very sensitive especially to Southeasterners.

(Discussion followed re merit of full and true value taxation of boats--involved Christianson, Merdes, M. Miller, Machyowsky. Question was asked what would happen if city did not have personal property tax now. - intention not to limit any local municipality from giving exemption; altho assessor is still required to put 100% true value on it. Now are two methods to assess boat...on weight or on value. If municipality wants to exempt, that is their prerogative. Any thought to put limit on true value??)

Sen. Merdes suggested that all Southeasterners would want to make sure that this option did exist.

--29.53.020 does not list exemptions; thereby leaving option to cities to put in, according to Mr. Christianson.

Sen. Merdes asked Mr. Machyowsky's opinion on whether, in fact, things can be exempted from taxation that are not written in the code. Mr. Machyowsky said that present law as far as general law-not home rule law- would require taxation of all real and personal property except that for which the required exemption is in writing. He said that 29.53.010 confirms the present law. Sen. Merdes asked Mr. Machyowsky to come up with language to clarify this section, which would grant additional exemptions. All legislators present agree to make the language explicit.

--Business Inventory tax, exemption and personal property exemptions were then discussed by M. Miller, Swanson, Rader, Moore, Bruce, Nordale, Sharp, Christianson. Nordale and Fairbanks group agree to clarify language re power of home rule cities and general law to exempt from taxation.

--Question of Use Tax, pages 86 & 87, line 24 on down, was brought up.

(Discussion involving, Rader, Merdes & Sharp re intent of this legislation)

RECESS FROM 9:35 to 9:55 p.m.

--Christianson states after recess that after conferences with some of the members during the break, the AML felt it would be well to point out that there are many areas of conflict that have been intentionally avoided. One of these is the building code area. He said that this proposed bill is offered as a "platform on which to build". Didn't want the bill not to pass because of "hang ups" or conflicts re some parts. Asked to have different bills introduced for controversial portions rather than lose whole municipal code bill, if feel controversial areas, please take out now. (Building Code 29.33.070-245)

TESTIMONY OF MR. ROBERT SHARP, CITY MANAGER - ANCHORAGE

--Didn't work on committee, but feels that they did good job with the instructions that they had. It accomplishes purpose; hope to see fit to enact this bill this session.
--Anchorage did not agree with all of bill and will bring some of these areas to the committee's attention.
--Anchorage was represented on the AML legislative committee and has agreed to support the Municipal Code.

TESTIMONY OF MR. HANK OSTROSKY - NAKNEK

--Have taxing problem in Bristol Bay with area of land that is classified as a federal reserve. Represents a third of the vote in the total borough.
--Do not have planning & zoning, power of school or taxing over this area - generally, hard time getting any change through to change from 2nd to 1st class borough...school bonds etc.
--Want to know if some way that they can obtain jurisdiction over this area or else exclude them from elections.
(discussion follows involving Machyowsky, Ostrosky, Merdes, Rader re problem in Bristol Bay. Merdes requests that Sig Strandberg look into the matter)

Rep. Mike Miller says he doesn't want this incorporated into bill, but would like to "Plant seed" now for possible consideration next year-Municipalities need to have the vital tool of municipal taxation. Could be handled as a "piggyback" on top of the state tax so don't have to set up own tax bureaus.
(discussion follows involving M. Miller, Merdes, Rader Swanson Machyowsky and Christianson as to how or if to do this..M. Miller asked to suggest proposed language to give to the committee

After further discussion, the meeting adjourned at 10:20 p.m.

Hearing on Municipal Code Revisions

Attendees:

Jim Bruce, FNSB Attorney
Donald D. Gilmer, FNSB Planning Director
Wilda Hudson, GAAB Assembly President, Anchorage
Gregg Machyowski, Legislative Affairs Agency, Counsel
Richard E. Whittaker, MLA
James R. Eide, City Manager Ketchikan
James D. Nordale, Attorney, Kenai Pen. Borough
Don M. Berry, Alaska Municipal League, Juneau
Donald E. King, Borough Chairman, Ketchikan
Alice Crosby, Alaska Association of School Boards
Bob Isaac, Dept. of Education
Byron Mallott, Local Affairs Agency
Bill Berrier, Attorney, City & Borough of Juneau
Zig Strandberg
John Asplund, Chairman GAAB Assembly
Sheila Gallagher, GAAB Attorney
Verne Wiggins, GAAB, Planning Director
Bill Curtis, City Manager, Palmer
Michael D'Mann
Jim Rhodes

TESTIMONY OF WILDA HUDSON:

Dual majority concept in voting area-wide powers

-- Reclassification of boroughs - second class cities be allowed to adopt home rule charter

--Drop third-class boroughs

--Sections 29.18.090 - 29.18.100 - decisions re borough and city incorporation

--Sections dealing with municipal officers and employees - combine (Chapter 23)

--Chapter 33 - powers and duties

--Combine chapters concerning the filling of vacancies

--Page 16, line 11 - Implied building code

(discussion included Senators Rader, Merdes, Messrs. Nordale and Machyowski)

--Schools - Page 39, Line 27

-Centralized accounting

-Consent of school board

(Senators Rader, Merdes, Rep. Miller)

Proposed amendments to Title 7:

--Problems of second class boroughs

--Sewers, parks and recreation

--Transfer of powers - city and borough

C --Assumption of debts

(Senators Merdes, Rader, Mr. Machyowski and Mr. Rhodes)

Continuation of Mrs. Hudson's testimony:

Public utilities

(discussion included Sen. Merdes and Mr. Nordale)

Sen. Merdes instructed Mrs. Hudson to present her proposals to Mr. Machyowski's staff for evaluation.

Hearing moved on to discussion of packet presented by GAAB - Short statement by Mr. Asplund, whereafter he requested Mrs. Sheila Gallagher and Verne Wiggins to take up the testimony.

Mr. Asplund's statement concerned proposed amendments and improvements in municipal code - Requested Mrs. Gallagher to speak re proposed amendments to Title 7; Mr. Verne Wiggins to comment on proposed changes in planning and zoning areas; borough attorney to offer specific suggestions to Municipal League.

Recommended appointment of committee from qualified members of Legislative staff to draft a municipal code to be considered during next session.

Requested retention of provision allowing vote of people on matters affecting their destiny

Gallagher: Classification of cities (Discussion here as to whether or not GAAB had worked with municipal league on its problems - Berry, Merdes, Gallagher)

Educational responsibilities of organized and unorganized boroughs

(Here discussion on lack of cooperation between GAAB and Municipal League and why GAAB not member of League - Rader, Merdes, Asplund, Gallagher, Berry)

Schools

-Line item veto - 29.23.170, page 22
(discussion - Rader, Merdes, Machyowski, Nordale)

-Sectional representation
-29.23.100 - apportioning decisions
-Transitional assistance
-29.18.180, page 12
(discussion - Gallagher, Rader, Merdes)

-Enumeration of powers
-29.48.330, page 71, line 7

Building code

-29.33.090(d), lines 6 through 9 (requested deletion on page 44)

TEN MINUTE RECESS

Further proposed revisions to Code continued with discussion on area-wide powers, planning and zoning, building code (Rader, Curtis, Asplund, Gallagher, Merdes, Gilmer, Bruce, Wiggins, Hudson)

Mr. Machyowski discussed Page 43, lines 2 - 7.

Present

Don Berry

Zib Strandberg

Wilda Hudson

Gregg Machyowski

John Nordale

Bill Curtis

Byron Mallott

Sheila Gallagher

Jim Rhodes

Wade Jackinsky - AASB President, Box 7 Ninilchik

Alice Crosby, AASB Legislative Agent, Box 1072 Juneau

Verne Wiggins

Senate-House joint hearing - Municipal code

2:00 P.M.

2/24/71

Testimony of Byron Mallott - Assisted by Zig Strandberg

-Unorganized borough

-Page 3, transition, determination of classification and second and third class cities

-Page 6, Requirements to form municipal corporation, population figures in determination

-Pages 9 and 10 - city incorporation

-Election of municipal officers

Strandberg: -Incorporation of cities
 -A.S. 29.10.019 - decision on incorporation of cities
 -29.18.100, page 9, SB 113

Nordale: Acquisition of powers - boundary commission

Strandberg: Section 90, pages 8 and 9, section 100 - consolidate
 -Page 12, organizational grants
 -Subsection (a) 29.18.180, page 12
 (discussion - Machyowski, Rader, Whittaker, Hudson, Mallott re. creation of debt, limitation of grants)

Mallott: -Page 13, state land selections, percentage open to boroughs and cities
 (Whittaker, Nordale, Curtis, Strandberg, Miller, Rader)

Strandberg: -Page 14, Line 7 - Standards for apportionment of borough assemblies
 -Page 15, line 4, appointment of members representing first class cities (Cites Article X, Sec. 4 - Alaska Constitution)
 Short discussion between Sen. Rader and Mr. Curtis on election for incorporation and election of officers.

Mallott: -Page 28, adoption of city manager plan (Nordale, Rader, Miller)

Strandberg: -29.23.560, page 30
 Home rule and general law municipalities; uniform accounting
 (Curtis, Whittaker, Rader, Rhodes, Hudson)

Mallott: -Page 54, area-wide powers

Strandberg: -Agreement between borough and city re. transfer of assets
 (Rader, Nordale)

Mallott: -Page 56, third class boroughs

Strandberg: -Provision in Title 14 for other than third class boroughs to consolidate assemblies and school boards. Title 7 and Title 14 could be incorporated (AS 14. 12.110)

Senate-House joint hearing - Municipal code

2:00 P.M.

2/24/71

Mallott: -Page 57, powers of first and second class cities
 -29.35.380, regulatory powers of municipalities, local option
 with respect to liquor, page 60, line 10 (cites both sections)
 -Page 65 - second class cities, ordinance procedure, codification
 of ordinances
 -Page 87, combining sales tax with incorporation

Testimony of school representatives - Mrs. Jackinsky and Mrs. Crosby

Jackinsky: Article II - Home Rule Limitations, pages 5 and 6 - Amend Title 14
 (Discussion - Machyowski, Rader, Nordale, Miller, Gallagher, Crosby,
 Whittaker)

Crosby: Centralized accounting
 Education - State function

Jackinsky Major maintenance

END - THIS PORTION OF HEARING

General discussion on items in Borough packet of amendments to municipal code

Hearing adjourned - Mrs. Hudson then met with Mr. Machyowski's group.

Municipal Code Tape Summaries

Side 1

3/24/71 Discussion of proposed amendments to SB113, Revise and Codify the law relating to cities and boroughs. These amendments were proposed by Senator John Raden and Representative Mike Miller, Chairman of the Senate and House Local Government Committee.

- Second Class cities which reclassify to First Class cities will receive transitional grants of \$10 per voter (grant for assuming school power).

- Elections of Borough assemblies, city Councils of School boards will be held every 2 years on same date as State elections.

- A Borough Chairman does not have the right to line item veto on school budget appropriations.

- City Council members may be elected by districts as well as at-large as provided by ordinance.

- Second Class (Current 4th Class) Cities may submit an annual statement of income & expenditures to the Local Affairs Agency in place of an audit (currently not required to make any type of statement).

- Any person registered to vote may contest an election and the Borough will assume the cost if the contestor succeeds. It will be the contestors own expense if he loses.

- A Borough proposing to reserve land for public use must notify persons on and adjacent to such lands. A vote was called for and this section was deleted from the bill.

- Second Class boroughs may provide for garbage collection and solid waste disposal in the area outside cities. (This rescinds a house bill protecting garbage services)

- General law cities may exempt or exclude civic centers and boats from property tax by an ordinance (same as existing law). ~~It~~ They may grant additional exemptions and exclusions by an ordinance ratified by the voters.

3/24/11 - Consideration of HB 402 Governor's Municipal Bond
Side 2 Bank Authority.

- Consideration of HB 403 Appropriating to Bond Bank Authority.

- Municipal Code

- Consideration of whether or not to pass it out

d Committee. It was not voted upon. A decision was postponed until each Committee member received printed copies of

1. Summary - A comparison of the Committee substitute (CSSB 113, CS HB 208) and existing municipal law.
2. Summary - A comparison of the Committee substitute (CSSB 113) & the original bill (SB 113, HB 208).
3. A printed copy incorporating Committee's amendments to CS HB 208.

1971
(SB 113, HB 208)

Sen. Local Government Committee
Sen. John Rader, Chairman

April 19, 1971 - 2:00 P.M.

Present: Senators Rader, Merdes, Miller, Groh, Gregg Machyowski, Jim Rhode, Bill Berrier, Don Berry.

Item for discussion - CSHB 208 - amendments thereto.

- OK #2 Page 124, line 14 - new matter added concerning regular elections for municipalities - Approved by committee.
- OK #3 Sec. 29.18.030(2) concerning borough incorporation. Matter inserted on page 9, line 9 - approved by committee.
- OK #4 Sec. 29.53.050 - Tax limitation language substitution approved by committee; Sec. 29.53.055 - No limitation on taxes to pay bonds language substitution approved by committee.
- OK #5 Sec. 29.53.010 concerning rates of taxation for property, approved by committee.
- OK #7 Sec. 29.33.290(c) concerning "dual majority", Page 55, line 4, matter stricken and that substituted approved by committee.
- OK #8 Amendment to section 38.05 concerning platting authority approved by committee.
- OK #9 Sec. 29.53.410 concerning taxing power (property) of second class cities within boroughs - amendment approved, subject to deletion of phrase "within a borough". Amendment to be revised to reflect this deletion.
- OK #10 Sec. 29.48.010(9) - substitution of material on page 59, line 20 approved by committee.

Technical amendments approved by committee:

- #1
- | | |
|----|--|
| TA | Sec. 29.53.400 - deletion and substitution on Page 92, line 22; |
| TA | Sec. 29.53.180 - pages 8, 84, 85, 93 insertions, approved by committee; |
| TA | Sec. 29.33.110(b)(4) - references relating to official maps; |
| TA | Substitutions - page 17, lines 27, 28; page 25, line 28; page 65, line 15; page 73, line 12; page 106, line 19 |

Other amendments:

OK#6 Page 71, Line 5 of Sec. 29.48.190(a) - after the words "fiscal year" add:

"This provision shall be implemented by cities and boroughs no later than January 1, 1973".

Senators Rader and Miller announced their intention to co-sponsor two amendments from the floor as follows:

BY GROH, MILLER
AND RADER

- (1) Placing maximum possible financial responsibility for schools, and control over treasury, purchasing and maintenance operations for the schools with the local governing body;
- (2) Placing the maximum possible responsibility and control over those matters with the school board.

Senator Groh agreed to co-sponsor amendment No. (1).

There being no further business, the meeting adjourned.

Prepare revised combined assembly
school board amendment
for Sen. Mendes - sponsor blank