

RESOLUTION #331

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF BETHEL, ALASKA, SUPPORTING THE CONCEPT IN SB168, THE CAPITAL GRANTS PROGRAM, HOWEVER, SUPPORT IS CONTINGENT UPON ADJUSTMENT IN THE PER CAPITA AMOUNT TO REFLECT DIFFERENCES IN CONSTRUCTION COSTS STATEWIDE.

WHEREAS, the Alaska State Legislature is contemplating passage of SB168 and HB182, both enacting a Capital Grants Program providing \$1,000.00 per capita to Alaskan municipalities for capital improvement projects annually; and,

WHEREAS, the concept of providing Capital Improvement Funds, to be spent at the discretion of the local government is laudible if said entitlement is provided on an equitable basis considering the wide disparity of construction costs statewide; and,

WHEREAS, the State of Alaska, in A.S.39.27.030 and A.S.39.27.035 recognizes the differences in cost of living throughout Alaska and adjusts the salary scales accordingly; and,

WHEREAS, the State of Alaska commissioned a report on Alaska Inter-regional Cost Differentials done in 1977, again recognized and studied the cost differentials in various areas of Alaska with respect to overall living and construction costs; and,

WHEREAS, the State of Alaska again acknowledges the cost differential through the sliding scale used in the Revenue Sharing Program.

NOW THEREFORE BE IT RESOLVED that the City of Bethel supports the concept in SB168 and HB182 to allow local government to decide on how capital improvement funds are spent within their municipal limits.

BE IT FURTHER RESOLVED the the City of Bethel withholds full support of SB168 and HB182 until such time as the Alaska State Legislature takes action according to their own precedents and adjust the Capital Project Fund to reflect the wide differences in construction costs throughout Alaska.

PASSED AND APPROVED THIS 13 DAY OF May, 1981.

PASSED AND APPROVED:


John Quinn, Mayor

ATTEST:


Elsie Jennings, City Clerk

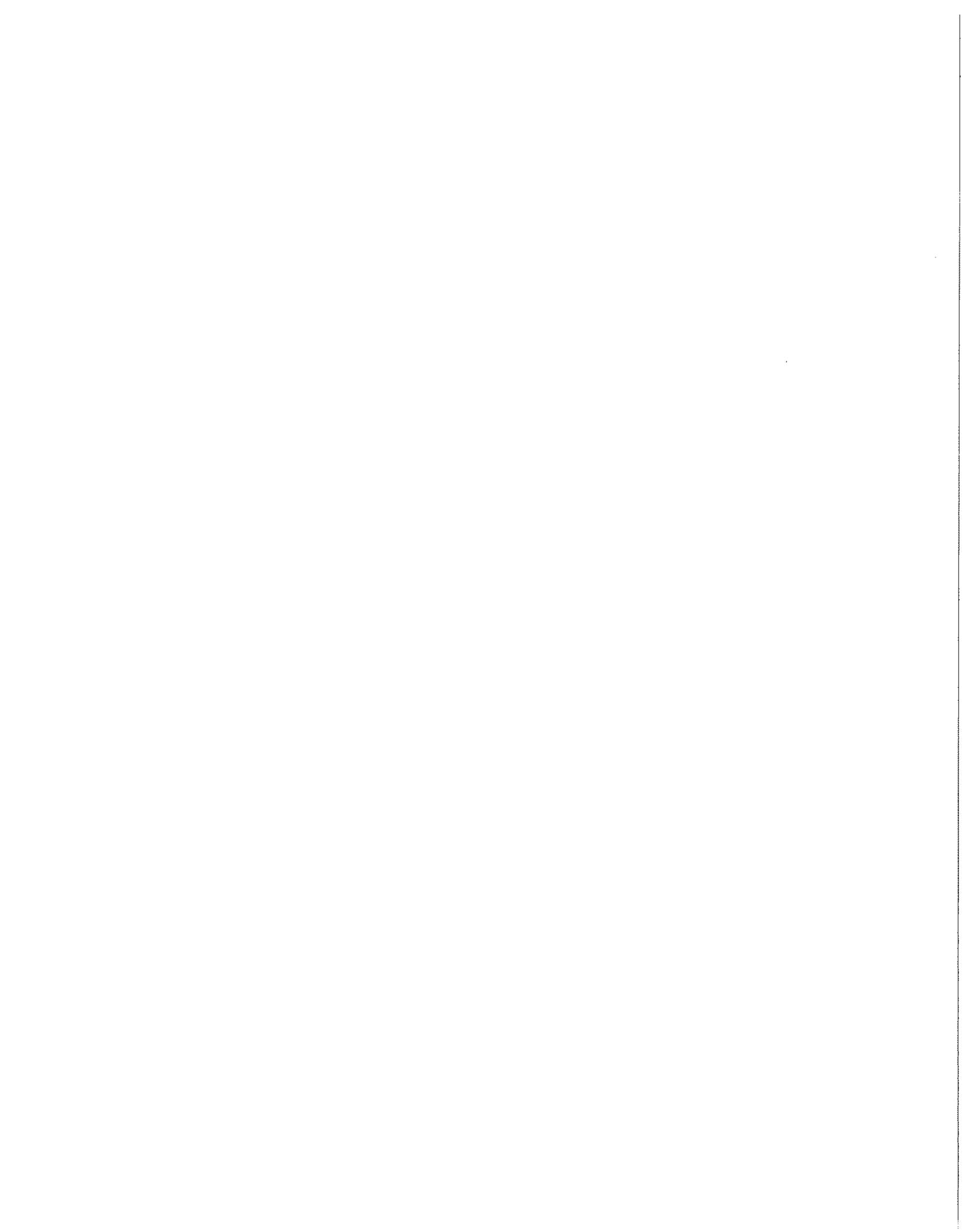


TABLE 10

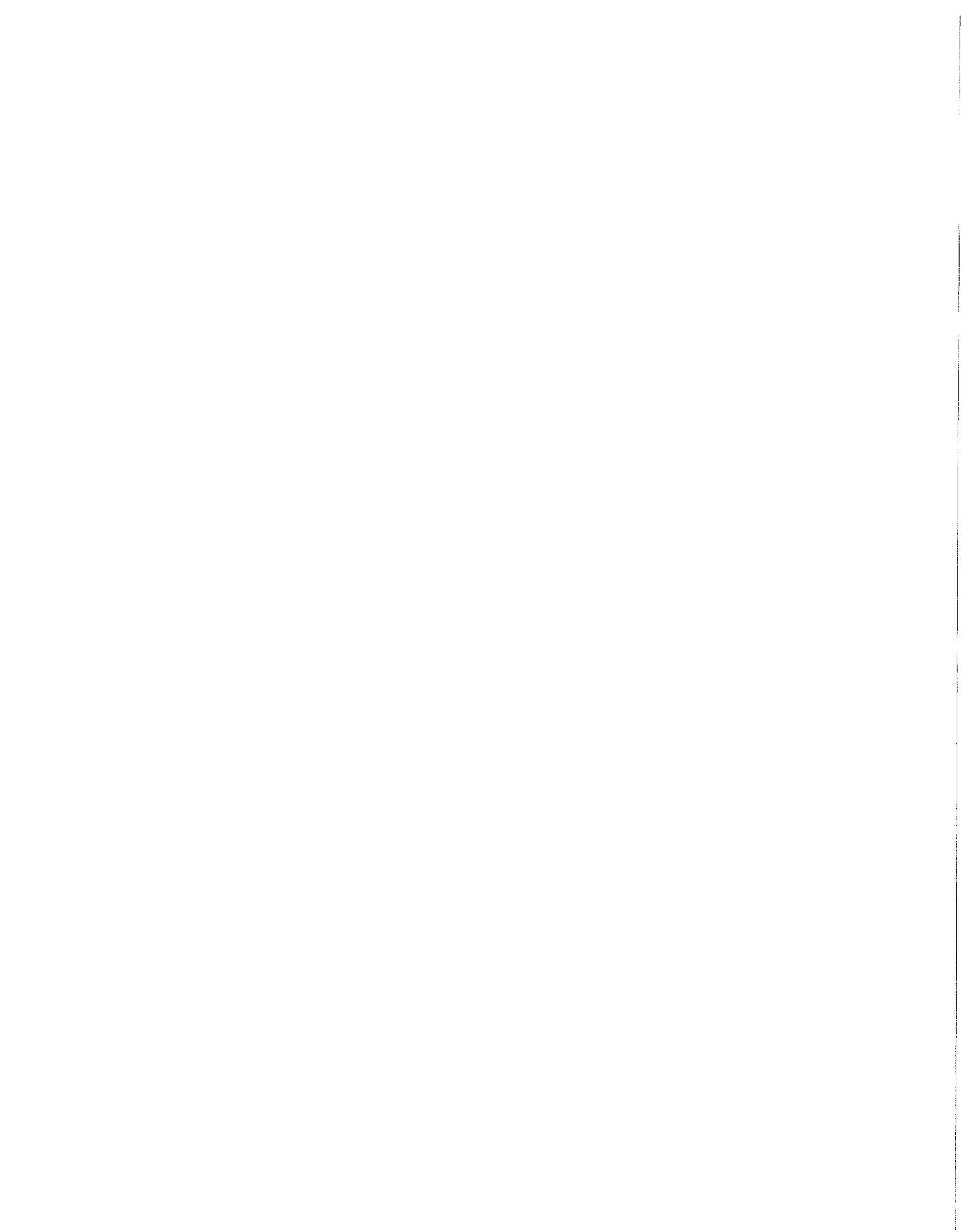
ALASKA TOTAL CONSUMPTION INDEX,*

SELECTED AREAS, 1976

(ANCHORAGE = 100)

Anchorage	100.0	Juneau	100.2
Kenai	109.6	Ketchikan	101.0
Kodiak	112.6	Dillingham	160.0
Fairbanks	113.4	Bethel	155.0
Yukon-Koyukuk	159.7	Nome	167.5
Cordova	114.8	Barrow	166.3
Valdez	113.5		

*Source: Alaska Interregional Cost Differentials
(Anchorage: University of Alaska and Center for
Northern Educational Research, 1977), 152 pp., in
cooperation with the Alaska State Finance Study Staff.



52168

Introduced: 2/18/81
Referred: Community & Regional
Affairs and Finance

BY CUDDY, ABOOD, ANDERSON, BARNES,
BEIRNE, BETTISWORTH, BYLSMA, HALFORD,
HAUGEN, HAYES, MARTIN, METCALFE,
MONTGOMERY, O'CONNELL AND PHILLIPS

1 IN THE HOUSE

2 HOUSE BILL NO. 182

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing a special municipal aid program;
7 and providing for an effective date."

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

9 * Section 1. MUNICIPAL AID PROGRAM. (a) During the fiscal year ending
10 June 30, 1981, the department shall compute and pay an entitlement to each
11 qualified municipality. The entitlement shall be used for capital projects
12 and tax reduction, and shall be computed in accordance with (b) of this
13 section.

14 (b) Within the limits of appropriations for the purpose, each qualified
15 municipality is entitled to receive \$1,000 per person residing within the
16 boundaries of the municipality, or \$25,000, whichever is greater.

17 (c) To qualify for an entitlement under this section, a municipality
18 which levies taxes must agree to reduce the amount of taxes levied in 1981
19 by 20 percent of the amount of the entitlement. This eligibility requirement
20 does not apply to a tax levied on oil and gas production and pipeline prop-
21 erty under AS 29.53.045 or to a tax levied on unimproved land. The agreement
22 must be submitted in writing to the department by October 1, 1981.

23 (d) An entitlement to a unified municipality is conditioned on compli-
24 ance with (c) of this section and on approval of the expenditure of the
25 money for a capital project. The plan of expenditure shall be approved by
26 the local governing body and submitted to the people for ratification by a
27 majority of the registered voters voting on the question of approval at a
28 regular election or special election called for that purpose.

29 (e) Within the limits of appropriations for the purpose, the depart-

1 ment shall compute an entitlement for the unorganized borough of \$1,000 per
2 person residing within the unorganized borough. The department shall admin-
3 ister the entitlement for the unorganized borough and disburse money from
4 the entitlement for capital projects in the unorganized borough upon autho-
5 rization of the legislature.

6 * Sec. 2. DETERMINATION OF POPULATION. For purposes of this Act, the
7 population of a municipality and of the unorganized borough shall be deter-
8 mined from the latest figures of the United States Bureau of the Census or
9 other population data which, in the judgment of the department is reliable.
10 For purposes of determining the population of a home rule or general law
11 borough, the population of each city located within the boundaries of the
12 borough shall be subtracted from the population of the borough.

13 * Sec. 3. MUNICIPAL AID ACCOUNT. The municipal aid account is estab-
14 lished in the department. Money to carry out the provisions of this Act
15 shall be appropriated to the account and distributed by the department as
16 authorized under sec. 1 of this Act. If the amount appropriated to the
17 account is not sufficient to finance all entitlements, the amount appropri-
18 ated shall be distributed pro rata among eligible municipalities and the
19 unorganized borough. If the amount appropriated to the account exceeds the
20 amount authorized for entitlements under sec. 1 of this Act, the excess
21 money lapses into the general fund on June 30, 1982.

22 * Sec. 4. DEFINITIONS. In this Act

23 (1) "department" means the Department of Community and Regional
24 Affairs;

25 (2) "municipality" means a city, borough, or unified municipality
26 incorporated under state law and includes home rule and general law munic-
27 ipalities.

28 * Sec. 5. This Act terminates July 1, 1982.

29 * Sec. 6. This Act takes effect July 1, 1981.

Original sponsors: Dankworth, Kerttula,
Ferguson, et al

Offered: 3/9/81
Referred: Finance

1 IN THE SENATE

BY THE COMMUNITY AND REGIONAL
AFFAIRS COMMITTEE

2

CS FOR SENATE BILL NO. 168 (C&RA)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to state assistance for capital
7 projects; and providing for an effective date."

8

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

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* Section 1. MUNICIPAL AID PROGRAM. (a) During the fiscal year ending
10 June 30, 1982, the Department of Administration shall compute and pay an
11 entitlement to each qualified municipality. The entitlement shall be used
12 for capital projects at the discretion of the municipality. The entitlement
13 shall be computed in accordance with (b) of this section, and is payable by
14 the Department of Administration in accordance with AS 37.05.315.

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(b) Within the limits of appropriations for the purpose, each munici-
16 pality is entitled to receive \$1,000 per person residing within the bound-
17 aries of the municipality.

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(c) Money received as an entitlement by a municipality under this
19 section may be used only for capital projects.

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(d) A municipality may not receive money as an entitlement under this
21 section unless it certifies to the Department of Administration that it has
22 adopted an ordinance or resolution which

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(1) authorizes the municipality to receive and spend the money to
24 be provided by the entitlement; and

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(2) identifies the capital projects for which the money will be
26 spent.

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* Sec. 2. AID TO UNINCORPORATED COMMUNITIES. (a) During the fiscal
28 year ending June 30, 1982, the Department of Community and Regional Affairs
29 shall compute and pay an entitlement to each unincorporated community in the

1 unorganized borough. An entitlement payable under this section shall be
2 computed in accordance with (b) of this section, and is payable by the
3 Department of Community and Regional Affairs in accordance with (c) of this
4 section.

5 (b) Within the limits of appropriations for the purpose, each unincor-
6 porated community which qualifies under (a) of this section is entitled to
7 receive \$1,000 per person residing within that unincorporated community.

8 (c) By August 15, 1981, the Department of Community and Regional
9 Affairs shall notify each unincorporated community that an entitlement is
10 available. The Department of Community and Regional Affairs shall determine
11 whether there is an incorporated entity in the unincorporated community
12 which will agree to receive and spend the money under the entitlement. If
13 there is more than one qualified incorporated entity in the unincorporated
14 community, the Department of Community and Regional Affairs shall pay the
15 money under the entitlement to the entity which the department finds most
16 qualified to spend the money consistent with (d) and (e) of this section.
17 The Department of Community and Regional Affairs shall give preference to a
18 nonprofit corporation organized by an unincorporated community for receipt
19 of the entitlement.

20 (d) Money received as an entitlement under this section may be used
21 only for capital projects in the unincorporated community.

22 (e) An unincorporated community may not receive money as an entitle-
23 ment under this section unless the recipient selected by the Department of
24 Community and Regional Affairs under (c) of this section certifies to the
25 Department of Community and Regional Affairs that it has adopted a resolu-
26 tion which

27 (1) authorizes the recipient to receive and spend the money
28 provided by the entitlement; and

29 (2) identifies the capital project for which the money will be

1 spent.

2 (f) If there is no incorporated entity willing to receive the money,
3 the entitlement determined by the Department of Community and Regional
4 Affairs for that unincorporated community may not be paid.

5 * Sec. 3. DETERMINATION OF POPULATION. (a) For purposes of this Act,
6 the population of a municipality and of an unincorporated community shall be
7 determined from the latest figures of the United States Bureau of the Census.

8 (b) For purposes of determining the population of a home rule or
9 general law borough, the population of each city located within the boundar-
10 ies of the borough shall be subtracted from the population of the borough.

11 * Sec. 4. MUNICIPAL AID ACCOUNT. The municipal aid account is estab-
12 lished in the Department of Administration. Money to carry out the provi-
13 sions of sec. 1 of this Act shall be appropriated to the account and dis-
14 tributed by the Department of Administration as authorized in sec. 1 of this
15 Act. If the amount appropriated to the account is not sufficient to finance
16 all entitlements, the amount appropriated shall be distributed pro rata
17 among eligible municipalities.

18 * Sec. 5. UNINCORPORATED COMMUNITY AID ACCOUNT. The unincorporated
19 community aid account is established in the Department of Community and
20 Regional Affairs. Money to carry out the provisions of sec. 2 of this Act
21 shall be appropriated to the account and distributed by the Department of
22 Community and Regional Affairs as authorized in sec. 2 of this Act. If the
23 amount appropriated to the account is not sufficient to finance all entitle-
24 ments, the amount appropriated shall be distributed pro rata among eligible
25 recipients.

26 * Sec. 6. DEFINITION. In this Act,

27 (1) "capital project" means

28 (A) a public facility; or

29 (B) equipment which may be necessary to construct, operate

1 or maintain a public facility or service;

2 (2) "municipality" means a city, borough, or unified municipality
3 incorporated under state law and includes home rule and general law munici-
4 palities.

5 (3) "unincorporated community" means a village in the unorganized
6 borough in which 25 or more persons reside.

7 * Sec. 7. This Act takes effect July 1, 1981.

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Title 39
Public Officers
and Employees

§ 39.27.035

ALASKA STATUTES

§ 39.27.040

other states constituting the prime recruiting areas, using "bench-mark" classes selected by the director of personnel, based on the principle of like pay for like work, from as many employment categories as is necessary to reflect correctly the competitive position of the state salary levels with those paid other employees under this paragraph; and secondly, by comparing fringe benefits in the state service with other governmental agencies and major employers throughout the state.

(b) The director shall use United States Department of Labor statistics or other reliable statistical data in carrying out the provisions of (a) (1) of this section. If reliable statistics are not available, the director shall gather the data by field studies for the survey required by (a) (1) of this section.

(c) The director may use any reliable source of data in carrying out the provisions of (a) (2) of this section. When reliable statistics are not available, the director shall by field studies gather the data to carry out the provisions of (a) (2) of this section.

(d) The director shall, on a regular basis, report to the state employees association by providing a summary of the information accumulated during the data-gathering process; he shall consult with the employees association and consider its findings before his final recommendation. (§ 1 ch 226 SLA 1970; am §§ 1, 2, 4 ch 42 SLA 1971)

Cross reference. — As to gathering data reflecting the cost of living in various election districts, see AS 44.31.020(a).

Sec. 39.27.035. Preparation and submission of pay schedules.

The director shall prepare an annual pay schedule setting out the base pay for all classes of positions in the state's partially exempt and classified service, taking into account the statistics and reasonable internal pay relationships. The director shall also prepare annual pay schedules for persons in the state service in each election district. These annual pay schedules shall either add to or subtract from the base pay of the person in state service according to the data obtained by the annual salary survey conducted under AS 39.27.030 — 39.27.040. The base pay schedule and the election district differentials shall be prepared annually from data obtained by the annual salary survey provided for in AS 39.27.030 — 39.27.040. The salary schedule shall be reviewed by the personnel board before submission to the legislature. A report and recommended salary schedules shall be submitted to each regular session of the legislature no later than five days after the session convenes. (§ 1 ch 226 SLA 1970)

indication of such legislative intent is to be found elsewhere. The supreme court has discovered no such expression of contrary legislative intent. Alaska Pub. Employees Ass'n v. State, Sup. Ct. Op. No. 1066 (File No. 1999), 525 P.2d 12 (1974).

Thus, employees entitled retroactively to pay increments in subsection (b). — As of July 1, 1972, state employees who otherwise met the statutory eligibility requirements and had been in the last step of their pay range for one, nine, or 13 years should have immediately received the pay increments provided by subsection (b) of this section. Alaska Pub. Employees Ass'n v. State, Sup. Ct. Op. No. 1066 (File No. 1999), 525 P.2d 12 (1974).

Given an indication of retroactivity in the Free Conference Committee Report on the original bill and the similarity in the phrasing of subsections (a) and (b), the most intrinsically reasonable

to become effective on July 1, 1972, then should become effective on that date. Alaska Pub. Employees Ass'n v. State, Sup. Ct. Op. No. 1066 (File No. 1999), 525 P.2d 12 (1974).

Increments as salary steps. — Interpreting the longevity pay increments provided for by this section, so as to suggest that these increments may not be salary steps and therefore employees receiving these longevity increments who are promoted to a higher job series are not entitled to the salary increases required by Personnel Rule 9.02.13 and article 7 of the agreement between the state of Alaska and Alaska Public Employees Association covering the general government unit would be at variance with the legislative intent expressed in this section. September 11, 1974. Op. Atty. Gen.

Sec. 39.27.025. Swing and graveyard shift differentials. (a) Classified and partially exempt state employees who regularly work a "swing" shift beginning between 12:00 noon and 7:59 p.m. are entitled to a one-step increase over their normal pay established by this chapter.

(b) Classified and partially exempt state employees who regularly work a "graveyard" shift beginning between 8:00 p.m. and 3:59 a.m. are entitled to a two-step increase over their normal pay established by this chapter. (§ 3 ch 87 SLA 1971)

Legislative history report. — For report on ch. 87, SLA 1971 (FCCS SCSHB 106), see 1971 House Journal, p. 378.

Sec. 39.27.030. Annual salary survey. (a) The director of the division of personnel shall conduct an annual salary survey in the manner prescribed by AS 39.27.030 — 39.27.040, and make recommendations in pay ranges to be applied to all classes of positions in the state's partially exempt and classified service. This survey shall (1) reflect the costs of living in the various election districts of the state by using the cost of living in Seattle, Washington, as a base of 100;

(2) reflect the competitive position of the state, first, by comparing state salary levels with salary levels of comparable classes in private industry, in other governmental agencies throughout the state, and in

Title 40
Public Records
and Recorders

Title 41
Public Resources

Title 42
Public Utilities
and Carriers