

Introduced by: Mayor  
Date: March 4, 1975  
Vote: Unanimous  
Action: Adopted

**KENAI PENINSULA BOROUGH**

**RESOLUTION 75-12**

**A RESOLUTION OPPOSING ENACTMENT OF HOUSE BILL NO. 32 TO  
ESTABLISH A LAND USE BOARD.**

WHEREAS, House Bill No. 32 has been introduced in the First Session of the Ninth Legislature of the State of Alaska to establish a Land Use Board; and

WHEREAS, this bill would subject landowners within the State of Alaska to the whims of another statewide bureaucracy; and

WHEREAS, the provisions of the bill, while giving lip service to municipal authority for land use planning, places ultimate authority in the Land Use Board created by the chapter and specifically provides for authority of the Land Use Board to supersede classification made by local municipalities; and

WHEREAS, the land to be controlled by the Land Use Board as defined in Sec. 46.28.100 could conceivably, and would probably ultimately, under the interpretations to be given it by a statewide bureaucratic agency in expanding its powers, extend to all of the land in Alaska; and

WHEREAS, the specific land use restrictions provided in Sec. 46.28.110 would undoubtedly under the normal bureaucratic tendencies, with which we are so familiar, ultimately bring every activity within the state affecting land within the control of the Land Use Board under the bureaucratic interpretation of the vague clause "which may significantly affect the quality of the land or water" requiring submission to the Board for review and approval a plan for each action, activity, or project undertaken by a person; and

WHEREAS, in a time of deficit spending when the state does not have sufficient funds for its needs and when the largest expense within the state is for payment of employees, this statute will provide for paid members of a board and a staff of regular employees, consultants, experts, hearing officers, and legal counsel as the Board may deem appropriate, to further inflate the expanding budget of the state above and beyond all fiscal responsibility; and

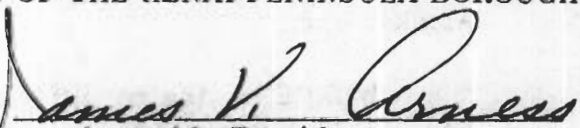
WHEREAS, the citizenry of the state is helpless enough to obtain fair hearings as to their legitimate concerns before local land use planning bodies, and would be entirely helpless before a statewide bureaucracy envisioned by this enactment;

NOW THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

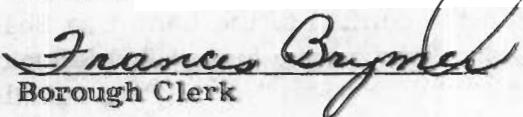
That the Assembly of the Kenai Peninsula Borough vigorously opposes enactment of House Bill No. 32, or any part thereof, or any similar legislation, that would remove land use planning from local bodies and place it in a statewide bureaucracy or that would create any further boards or commissions with their tendency to proliferate employees of the state and increase the deficit spending of the state.

That copies of this resolution shall be transmitted to Governor Jay Hammond, Senator Jalmar Kertulla, Senator Clem Tillion, Representative Keith Specking, Representative Hugh Malone, and Representative Leo Rhode.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH  
THIS 4 DAY OF MARCH, 1975.

  
Assembly President

ATTEST:

  
Borough Clerk

Kenai Peninsula Borough  
Resolution 75-12  
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