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VIA ELECTRONIC MAIL

The Honorable C.J. McCormick, Chair
House Community and Regional Affairs Committee
State Capitol Room 416
Juneau, Alaska 99801

Re: Comments Pertaining to HB 279, An Act Relating to the Local Boundary Commission

Dear Chair McCormick,

Primarily, HB 279 proposes to replace the at large commissioner position on the Local Boundary Commission with a commissioner residing in the unorganized borough. I am the Chair of the Local Boundary Commission (LBC), but please note that I offer my personal views of this legislation: the commission has not yet developed a consensus position regarding HB 279.

Until it does, I ask that further consideration of this fundamental change in the LBC's composition be delayed for two important reasons.

First, the legislation is unnecessary. Already composed of five members, one from every judicial district, and an at large member representing Alaska as a whole, nothing prevents the governor from immediately appointing LBC's at large member from the unorganized borough. As examples, Valdez and Tok residents were appointed LBC commissioners as recently as 2017.

Second, removing the governor's flexibility and mandating that a commissioner be appointed from the unorganized borough would institutionalize the notion that some communities may never organize a local government and thus take on responsibilities and costs for services provided to them for many years by the State of Alaska.

That is to say, there are approximately 739,000 Alaska residents. Of these, approximately 75,000 or 10 per cent live in the unorganized borough. Of course,

that number will diminish as boroughs are organized. Ninety per cent of Alaskans live in a total of 19 organized boroughs.

The mandatory services that boroughs are required to provide for their residents are education, planning, platting, and land use regulation, and the collection of any levied taxes. However, with the exception of home rule and first class cities in the unorganized borough, residents in the unorganized borough do not pay for local public education. Those costs are provided by the state through Regional Education Attendance Areas.

Moreover, planning, platting, and land use regulation is provided by the Alaska Department of Natural Resources, and residents in the unorganized borough do not pay for this service. As for other state-provided services, such as law enforcement, road maintenance, and maintenance of other state facilities such as docks, parks and recreation, waste management, it would be difficult to put a specific cost since those services vary across the state.

I've attached a 2005 commentary by former Senator Arliss Sturgulewski and Victor Fischer, Secretary for the Constitutional Convention's Committee on Local Government, who summarize the history of the unorganized borough as a *transitory* entity and emphasize that:

Constitutional provision for unorganized boroughs was made to allow for transition to organized status, and to recognize that some regions might lack the fiscal and administrative capacity to operate boroughs. In either case, the State was to provide services in unorganized boroughs, use them as regional planning units, and allow for maximum local participation and responsibility.

Local governments are better able to determine the needs of their residents than the state and its long provision and administration of those services to communities in the unorganized borough. State and local leadership will be required to carry out the Constitution's stated purpose "to provide for maximum local self-government." HB 279 is inconsistent with that mandate.

HB 279 also proposes that the LBC "maintain, for each community in the state, a record of that community's population according to the most recent decennial census conducted by the United States Bureau of the Census."

This large task is unnecessary: US Census Data is already maintained by the Department of Labor and Workforce Development.

Please feel free to contact me with your questions or comments.

Sincerely yours,

Larry D. Wood