

**SENATE BILL NO. 323**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-SECOND LEGISLATURE - SECOND SESSION

**BY SENATOR WILKEN**

**Introduced: 2/19/02**

**Referred: Community and Regional Affairs, Judiciary, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the mandatory incorporation of certain boroughs in the unorganized**  
2 **borough; and providing for an effective date."**

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

4 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
5 to read:

6 LEGISLATIVE INTENT. The legislature intends to carry out the purpose expressed  
7 in art. X, sec. 1, Constitution of the State of Alaska, and provide for maximum local self-  
8 government with a minimum number of local government units and tax levying jurisdictions.

9 \* **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to  
10 read:

11 REGIONS INCORPORATED. If a borough is not incorporated under AS 29.05.060 -  
12 29.05.120 within the region by January 1, 2005, each of the following regions described in the  
13 report entitled "Model Borough Boundaries" revised in 1997 by the Local Boundary  
14 Commission shall be incorporated as a second class borough under this Act:

- 1 (1) Copper River Basin Region;
- 2 (2) Glacier Bay Region;
- 3 (3) Prince of Wales Island Region;
- 4 (4) Prince William Sound Region;
- 5 (5) Upper Tanana Basin Region; and
- 6 (6) Wrangell/Petersburg Region.

7 \* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to  
8 read:

9 **BOROUGH INCORPORATION PROPOSALS.** By July 1, 2003, the Department of  
10 Community and Economic Development shall prepare a second class borough incorporation  
11 proposal for each of the regions identified in sec. 2 of this Act. During the process of  
12 preparing the incorporation proposal for a region, the department shall hold public hearings in  
13 the region and consider recommendations regarding the proposal. A proposal must include  
14 the following information:

- 15 (1) name of the proposed borough;
- 16 (2) boundaries;
- 17 (3) maps, documents, and other information considered by the department to  
18 be necessary;
- 19 (4) composition and apportionment of the assembly;
- 20 (5) a proposed operating budget for the proposed borough projecting sources  
21 of income and items of expenditure through the first full fiscal year of operation;
- 22 (6) a designation of areawide and nonareawide powers to be exercised.

23 \* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to  
24 read:

25 **ELECTIONS.** By August 1, 2004, the director of elections shall order an election in  
26 each of the regions listed in sec. 2 of this Act for initial borough officials. The election order  
27 must specify the dates during which nomination petitions for election of initial officials may  
28 be filed. The election shall be held on or before January 1, 2005. AS 29.05.120 applies to  
29 elections held under this section.

30 \* **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to  
31 read:

1           INCORPORATION OF NEW BOROUGHES. A region is incorporated in accordance  
2 with the incorporation proposal prepared under sec. 3 of this Act on the first Monday  
3 following certification of the election held under sec. 4 of this Act. AS 29.05.130 - 29.05.150  
4 and 29.05.190 - 29.05.210 apply to boroughs incorporated under this section.

5       \* **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to  
6 read:

7           BOUNDARY ADJUSTMENTS. The Local Boundary Commission shall hold public  
8 hearings in each borough incorporated under this Act to determine the necessity of boundary  
9 adjustments. The Local Boundary Commission may submit any boundary change it  
10 recommends to the legislature under art. X, sec. 12, Constitution of the State of Alaska.

11       \* **Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to  
12 read:

13           CONDITIONAL EFFECT. This Act takes effect only if a version of SB 48, Twenty-  
14 Second Alaska State Legislature, is not enacted into law on or before July 31, 2002.

15       \* **Sec. 8.** If this Act takes effect under sec. 7 of this Act, it takes effect on August 1, 2002.