

SENATE JOINT RESOLUTION NO. 15

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY SENATOR KOOKESH

Introduced: 1/30/08

Referred: Community and Regional Affairs, Finance

A RESOLUTION

1 **Disapproving the Local Boundary Commission recommendation regarding the**
2 **annexation of territory to the Ketchikan Gateway Borough.**

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

4 **WHEREAS** under art. X, sec. 12, Constitution of the State of Alaska, the Local
5 Boundary Commission has presented to the legislature its recommendation regarding the
6 annexation of territory to the Ketchikan Gateway Borough; and

7 **WHEREAS** a recommendation of the Local Boundary Commission presented to the
8 legislature becomes effective 45 days after presentation or at the end of the session, whichever
9 is earlier, unless disapproved by a resolution concurred in by the majority of the members of
10 each house; and

11 **WHEREAS** the legislature recognizes the constitutional authority of the Local
12 Boundary Commission as a disinterested party assigned the task of objectively reviewing
13 local boundary changes; and

14 **WHEREAS** the Ketchikan Gateway Borough submitted an application to the Local
15 Boundary Commission to annex lands outside of the current borough boundaries in 1999 and,
16 most recently, in 2007; and

1 **WHEREAS** the applications for annexation in 1999 and in 2007 were substantially
2 similar; and

3 **WHEREAS** the Local Boundary Commission refused to approve the application in
4 1999; and

5 **WHEREAS** the Local Boundary Commission approved the application in 2007
6 despite the grounds for approval being completely contrary to the 1999 decision; and

7 **WHEREAS** the Local Boundary Commission in approving the application also
8 directed the Ketchikan Gateway Borough to file a petition to annex Hyder within five years,
9 but failed to include that directive in its Order in the Statement of Decision; and

10 **WHEREAS** approval of the annexation would result in the loss of approximately
11 \$1,200,000 of federal funding each year to the school districts in the unorganized borough
12 because this money would be transferred to the Ketchikan Gateway Borough, despite the fact
13 that the Ketchikan Gateway Borough will not provide any educational services in the area
14 recommended for annexation; and

15 **WHEREAS** the effect of the annexation on the surrounding unorganized borough was
16 not properly taken into consideration by the Local Boundary Commission;

17 **BE IT RESOLVED** by the Alaska State Legislature that the recommendation of the
18 Local Boundary Commission received by the legislature in January 2008 regarding the
19 annexation of the territory to the Ketchikan Gateway Borough is disapproved.