

1 IN THE HOUSE

BY LOCAL GOVERNMENT COMMITTEE

2

CS FOR HOUSE BILL NO. 351

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIRST LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the duties and powers of
7 the Local Boundary Commission and procedures
8 for the exercise of those duties and powers;
9 repealing Ch. 185, SLA 1959; and providing
10 for an effective date."

10

11

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

12

Section 1. PURPOSE. The purpose of this Act is to establish
13 the duties and powers of the Local Boundary Commission, procedures
14 for the exercise of those duties and powers, and to direct a study
15 for the organization of boroughs and the integration of existing
16 special districts.

17

Sec. 2. DUTIES AND POWERS. The commission has the following
18 duties and powers:

19

(1) it may conduct meetings and hearings for the pur-
20 pose of considering local government boundary changes and other
21 matters related to local government boundary changes;

22

(2) it may present proposed local government boundary
23 changes to the legislature during the first 10 days of any regular
24 session. The change shall become effective 45 days after presen-
25 tation or at the end of the session, whichever is earlier, unless
26 disapproved by a resolution concurred in by a majority of the
27 members of each house;

28

(3) it shall consider any local government boundary
29 change requested of it by the legislature, the director of local

CS for HB #351 as amended -1-

1 affairs, or a political subdivision of the state;

2 (4) it may establish procedures whereby boundaries of
3 political subdivisions may be changed by local action; provided
4 that the procedures shall include public hearings and that no
5 change may be affected unless a majority of the people who live in
6 the area to be included or excluded by a boundary change and who
7 vote on the change approve it;

8 (5) no local government boundary change may be proposed
9 to the legislature unless a hearing on the change has been held in
10 the area affected by the change.

11 Sec. 3. MEETINGS AND HEARINGS. a. Meetings and hearings
12 may be called by the chairman of the commission or by the director
13 of local affairs with the concurrence of the chairman.

14 (1) All meetings and hearings of the commission shall
15 be public.

16 (2) Minutes shall be kept for all meetings and hearings
17 unless the entire proceedings are transcribed, in which case
18 minutes shall be made from the transcription. All minutes are a
19 matter of public record.

20 (3) All votes taken by the commission shall be entered
21 in the minutes.

22 (4) Public notice of any hearing shall be made in the
23 area in which the hearing is to be held at least 15 days before
24 the date of the hearing and the notice shall include the time,
25 date, place, and subject of the hearing. The director of local
26 affairs shall give notice of the hearing at least three times in
27 the press or through other news media or by posting in a public
28 place, whichever is most feasible.

29 b. Three members of the commission constitute a quorum for
CS for HB #351 as amended -2-

1 the conduct of business at a meeting and two members constitute
2 a quorum for the conduct of business at a hearing, provided that
3 a majority of the membership of the commission must vote in favor
4 of a proposed boundary change before it may be presented to the
5 legislature.

6 Sec. 4. PAY. Members of the commission receive no pay but
7 shall receive travel expenses and per diem as is authorized for
8 members of boards and commissions.

9 Sec. 5. STUDY AND PROPOSALS. The Local Boundary Commission
10 shall conduct a study on the establishment of organized boroughs
11 and the integration of existing special districts into service
12 areas in unorganized boroughs, and present the following to the
13 next legislature within 10 days after the start of its first
14 regular session:

15 (1) specific proposals for legislation to establish
16 boundaries of the first organized boroughs;

17 (2) specific proposals for legislation on organized
18 boroughs, including a draft of a general law on organized boroughs
19 which will provide for the organization and powers and duties of
20 organized boroughs, the integration of existing special districts
21 into their governments, and a system of assembly apportionment and
22 reapportionment for all organized boroughs;

23 (3) specific proposals for legislation to integrate
24 special districts into service areas in unorganized boroughs, the
25 number of service areas to be kept to a minimum.

26 Sec. 6. REPEAL. Ch. 185, SLA 1959 is repealed.

27 Sec. 7. EFFECTIVE DATE. This Act takes effect on the day
28 after its passage and approval or on the day it becomes law without
29 such approval.