

Original Sponsors: Messrs. Jackson  
Orbeck and Rader

Offered: 3/18/65  
Referred: Local Govern-  
ment

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 112

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the establishment of  
7 service areas within an organized borough."

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

9 \* Section 1. AS 07.15 is amended by adding a new section to  
10 read:

11 Sec. 07.15.053. RESTRICTION ON ESTABLISHMENT OF SERVICE  
12 AREAS. (a) The assembly shall determine whether a new  
13 service area should be established, or whether the new ser-  
14 vice can be provided by an existing service area, by incor-  
15 poration as a city, or by annexation to a city.

16 (b) The ordinance establishing a service area shall  
17 contain the findings of the assembly upon which the decision  
18 to form a service area is based; the findings shall include  
19 reasons why the proposed new service cannot or should not be  
20 provided by (1) an existing service area, (2) incorporation  
21 as a city, or (3) annexation to a city.

22 (c) When an ordinance establishing a service area is  
23 introduced and not rejected at the meeting during which it  
24 is introduced, each city located within 10 miles of the  
25 boundaries of the proposed service area shall be notified in  
26 writing immediately and furnished copies of the proposed  
27 ordinance. Within 30 days of such notification, a city so  
28 located may file a protest with the Local Boundary Commission;  
29 a copy must be sent to the borough assembly. The assembly

1 may take no further action on establishing the proposed  
2 service area, until the expiration of the 30-day period. If  
3 a city does file a written protest with the Local Boundary  
4 Commission, the commission shall determine the question of  
5 whether a service area should be formed or whether the ser-  
6 vice can be provided by an existing service area or by  
7 incorporation as a city, or by annexation to a city. The  
8 commission shall hold at least one public hearing for that  
9 purpose in a place within 10 miles of the boundaries of the  
10 proposed service area. The determination of the commission  
11 shall be de novo and controlling. A person aggrieved by a  
12 commission determination may appeal to the superior court;  
13 the appeal shall be heard and decided in the manner  
14 prescribed by AS 44.62.560 - 44.62.570. The filing of a  
15 protest to the commission or of an appeal to the court stays  
16 further action to establish the service area.