

Introduced: 2/3/69  
Referred: Local  
Government

1 IN THE SENATE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 101

3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 SIXTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing more than one unorganized borough  
7 and providing for their administration; and providing  
8 for an effective date."

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

10 \* Section 1. AS 07.05 is repealed and re-enacted to read:

11 CHAPTER 05. UNORGANIZED BOROUGHS.

12 Sec. 07.05.011. ESTABLISHMENT OF THE UNORGANIZED BOROUGHS. (a)

13 All areas in the state which are not within the boundaries of an  
14 organized borough shall be divided into six unorganized boroughs. The  
15 territory included within each unorganized borough shall be described  
16 by reference to the election districts created by art. XIV, sec. 1 of  
17 the Constitution of the State of Alaska as originally adopted. The  
18 name and description of each unorganized borough is as follows:

19 (1) Northwestern. Districts 21, 22, 23 and all of 20  
20 situate north of the crest of the Brooks Range.

21 (2) Western. Districts 16, 17 and 24.

22 (3) Interior. Districts 17, 18, 19 and all of 20 not  
23 included in the Northwestern unorganized borough.

24 (4) Southwestern. Districts 13, 14 and 15.

25 (5) Southcentral. Districts 7, 8, 9, 10, 11 and 12.

26 (6) Southeastern. Districts 1, 2, 3, 4, 5 and 6.

27 (b) The boundaries of the unorganized boroughs may be changed  
28 in accordance with the provisions of AS 44.19.180 through AS 44.19.340.  
29 The following shall be applicable to a boundary change:

1 (1) The number of unorganized boroughs shall remain at six.

2 (2) All areas of the state which are not, after the change,  
3 within the boundaries of an organized borough shall be within an  
4 unorganized borough.

5 Sec. 07.05.021. UNORGANIZED BOROUGH ADVISORY BOARDS. Advisory  
6 boards shall be elected at large within each unorganized borough.  
7 Each advisory board shall consist of five members.

8 Sec. 07.05.031. QUALIFICATIONS. A person is eligible to be a  
9 member of the board if he is a voter qualified by AS 15.05.010 and  
10 has been a resident of the unorganized borough for the year immediately  
11 preceding the date of the election for which he is a candidate. If  
12 a member of the board ceases to meet the qualifications for member-  
13 ship, he shall immediately forfeit his office.

14 Sec. 07.05.041. ELECTIONS. (a) The date and the procedures  
15 for the election of members of the board shall be in accordance with  
16 AS 15.15.

17 (b) Regulations shall, when possible, substantially follow the  
18 procedure for election of organized borough assemblies.

19 (c) An elected member of the board may be recalled as provided  
20 by AS 29.65.070 through AS 29.65.340.

21 (d) The five candidates receiving the highest number of votes  
22 at an election shall be elected.

23 (e) All residents of an unorganized borough, including residents  
24 of incorporated cities, qualified to vote at an election by AS 15.05.  
25 010 may vote for members of a board.

26 Sec. 07.05.051. TERM OF OFFICE. (a) The term of office for  
27 members of the board is four years. The term of office begins on  
28 the first Monday of the month following the month in which the  
29 election was held.

1 (b) The governor shall appoint two persons meeting the quali-  
2 fications of sec. 31 to serve as members of the board for a term to  
3 end on the first Monday of the month following the date of the first  
4 regular election of the unorganized borough. The first regular  
5 election for those positions on the board shall be the first general  
6 election following the date of the appointment. The governor shall  
7 appoint three persons meeting the qualifications of sec. 31 to serve  
8 as members of the board for a term to end on the first Monday of the  
9 month following the date of the second regular election of the  
10 unorganized borough. The first regular election for those positions  
11 on the board shall be the second general election following the date  
12 of the appointment.

13 Sec. 07.05.061. DUTIES OF BOARDS. The purpose of a board is  
14 to aid in the promotion of orderly and efficient development of the  
15 physical, social and economic resources of its unorganized borough  
16 by planning and to allow maximum local participation and responsi-  
17 bility in decisions and programs affecting its unorganized borough.  
18 To further this objective a board shall

19 (1) make recommendations to the Local Affairs Agency  
20 regarding local planning and proposals for projects in its  
21 unorganized borough;

22 (2) make studies within its unorganized borough as to  
23 the need for service areas and shall make recommendations to the  
24 Local Affairs Agency regarding the formation of necessary service  
25 areas within its unorganized borough;

26 (3) make recommendations to the Local Affairs Agency  
27 regarding necessary legislation for its unorganized borough;

28 (4) prepare studies of its unorganized borough's resources  
29 with respect to existing and emerging problems of transportation,

1 housing, public services, and any other matters which are relevant  
2 to planning within its unorganized borough;

3 (5) prepare a suggested budget for service areas located  
4 within its unorganized borough;

5 (6) make recommendations to the Department of Education  
6 as to educational needs within its unorganized borough.

7 Sec. 07.05.071. POWERS OF BOARDS. A board may

8 (1) apply for and accept advances, loans, grants, contri-  
9 butions and any other form of assistance from the federal government,  
10 the state, or other public body, or from any sources, public or  
11 private, and to make and enter into all contracts or agreements  
12 necessary or incidental to the power granted within this subparagraph;  
13 and to operate and supervise all programs and projects financed by  
14 monies received from such sources;

15 (2) sue and be sued only in respect to the power granted  
16 in subparagraph (1);

17 (3) adopt bylaws and make rules for the conduct of its  
18 meetings.

19 Sec. 07.05.081. COMPENSATION AND EXPENSES. Members of the  
20 board shall receive no salary, but are entitled to per diem and  
21 travel expenses authorized by law for other boards.

22 Sec. 07.05.091. GOVERNING BODY. The legislature shall be the  
23 governing body of each unorganized borough and may levy taxes  
24 necessary to finance services provided within each unorganized borough.

25 Sec. 07.05.101. EXECUTIVE POWER. The executive power of each  
26 unorganized borough is vested in the Local Affairs Agency.

27 Sec. 07.05.111. DUTIES OF LOCAL AFFAIRS AGENCY WITHIN THE  
28 UNORGANIZED BOROUGHES. The Local Affairs Agency shall

29 (1) be represented when possible at meetings of each board;

1 (2) provide, when possible, that each board meet at  
2 regular intervals. The agency, with the consent of the board, may  
3 determine the frequency of meetings;

4 (3) call special meetings of the boards;

5 (4) aid the boards in all matters upon which they may act  
6 or recommend;

7 (5) administer service areas with the advice of the boards  
8 of the unorganized borough in which the service area is located;

9 (6) prepare and submit to the legislature a final budget  
10 for each unorganized borough;

11 (7) supervise the levy and collection of taxes imposed  
12 by the legislature within an unorganized borough;

13 (8) administer laws and ordinances enacted by the legis-  
14 lature for an unorganized borough.

15 Sec. 07.05.121. POWER OF LOCAL AFFAIRS AGENCY WITHIN THE  
16 UNORGANIZED BOROUGH. The Local Affairs Agency may

17 (1) recommend that the legislature create service areas  
18 within an unorganized borough;

19 (2) make regulations in accordance with AS 44.62 con-  
20 cerning the administration of unorganized boroughs.

21 Sec. 07.05.131. ZONING IN AN UNORGANIZED BOROUGH. (a) In  
22 areas of an unorganized borough where there is no political sub-  
23 division of the state with a zoning power, the division of lands,  
24 Department of Natural Resources, may exercise the zoning power by  
25 adopting zoning regulations.

26 (b) The division of lands, Department of Natural Resources,  
27 shall exercise its zoning power within federal lands in an unorganized  
28 borough, only at the time and in the areas it is requested to do so  
29 by the Secretary of the Interior to facilitate sales of federal lands

1 within an unorganized borough under Public Law 88-608, 78 Stat. 988.

2 (c) Any zoning done by the Division of Lands, Department of  
3 Natural Resources, under (b) of this section, is final unless dis-  
4 approved by concurrent resolution at the next regular session of  
5 the legislature.

6 Sec. 07.05.141. DEFINITIONS. In this chapter "board" means  
7 an unorganized borough assembly board.

8 \* Sec. 2. This Act takes effect July 1, 1969.

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29