

Introduced: 1/23/75
Referred: Community & Regional
Affairs and Finance

1 IN THE HOUSE

BY FINK

2 HOUSE BILL NO. 49

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the incorporation of new boroughs."

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

8 * Section 1. DECLARATION OF INTENT. It is the intention of the legislature
9 to provide for the incorporation of new organized boroughs to encourage the
10 development of local self-government with a minimum number of local govern-
11 ment units and tax-levying jurisdictions.

12 * Sec. 2. SECOND-CLASS BOROUGH INCORPORATION. In addition to the organized
13 boroughs incorporated before the date of this Act and the incorporation of
14 boroughs by local option as provided in AS 29.18.030 - 29.18.150, second-class
15 organized boroughs are incorporated as provided in this Act.

16 * Sec. 3. AREAS INCORPORATED. (a) If an organized borough is not
17 incorporated by local option as provided in AS 29.18.030 - 29.18.150 within
18 a district designated by (b) of this section, there shall be incorporated
19 within that district, on January 1, 1979, a second-class borough, possessing
20 all the powers, privileges and duties prescribed by AS 29.

21 (b) The 12 districts within which the new boroughs provided in this Act
22 are incorporated shall correspond to the 12 geographic areas provided in
23 sec. 7(a) of the Alaska Native Claims Settlement Act (43 U.S.C. 1606).

24 (c) The Department of Community and Regional Affairs shall propose to
25 the Local Boundary Commission the boundaries of each of the 12 organized
26 boroughs incorporated by this Act. To the maximum possible within the stan-
27 dards provided in AS 29.18.030, the borough boundaries proposed by the
28 department shall enclose a reasonably compact and contiguous area within each
29 district including all land selections made by the village and regional

1 corporations under the Alaska Native Claims Settlement Act which is not
2 included within a previously incorporated organized borough. The department
3 shall make its recommendations to the Local Boundary Commission by June 18,
4 1978.

5 (d) If the Local Boundary Commission determines that the proposed
6 borough boundaries meet the standards for incorporation, it shall accept the
7 department's recommendation. If the commission determines that alterations
8 are necessary before the proposed boundaries meet the standards, it may
9 alter the boundaries as necessary. The commission may propose adjustments
10 of the boundaries of existing boroughs to the extent necessary to secure
11 conformity of the new boroughs with the standards for borough boundaries.

12 (e) If a portion of any district designated in (b) of this section is
13 incorporated by local option before January 1, 1979, and the remaining area
14 of the district meets the standards for incorporation, the department shall
15 make a finding to that effect and that remaining area shall be treated as a
16 district under (b) of this section.

17 (f) The borough assembly may select the borough seat and the borough
18 name in the boroughs designated in this section.

19 * Sec. 4. ELECTION. (a) On October 1, 1978, the Department of Community
20 and Regional Affairs shall direct the lieutenant governor to hold combined
21 elections for the determination of borough powers in accordance with AS 29.-
22 18.110(b) - (d) and for the election of initial borough officers in accor-
23 dance with AS 29.18.120(b) - (d).

24 (b) Upon receipt of the notification, the lieutenant governor shall
25 hold elections before December 15, 1978.

26 * Sec. 5. AS 29.18.190 - 29.18.200 do not apply to boroughs incor-
27 porated by this Act.