

Introduced: 1/21/77
Referred: Community &
Regional Affairs and
Judiciary

1 IN THE HOUSE

BY MALONE

CS
2 HOUSE BILL NO. 83

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to proposed boundary changes and
7 procedures of the Local Boundary Commission."

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

9 *Section 1. AS 29.68.010 is amended by adding a new subsection to read:

10 (d) If 10 per cent of the qualified voters of an area proposed to
11 the commission to be annexed or excluded under (a) of this section
12 petition for a vote on the question, the commission shall conduct at its
13 expense an advisory vote on the question before rendering its decision
14 on the question, under procedures for petition and election developed by
15 the commission. When presenting a proposed boundary change to the
16 legislature as provided under (a) of this section, the commission shall
17 also present the result of an advisory vote held under this subsection.

18 * Sec. 2. AS 29.18.090(a) is amended to read:

19 (a) If the Local Boundary Commission determines that a proposed
20 municipality fails to meet the standards for incorporation, it shall
21 reject the petition and within 30 days of rejection prepare and return
22 to the petitioners a written report which shall include but need not be
23 limited to the facts and conclusions upon which the majority decision of
24 the commission is based and, if the commission decision is other than
25 unanimous, a minority report of the commission. If the commission
26 determines that the proposed municipality meets the standards, it shall
27 accept the petition. If the commission determines that the proposed
28 boundaries can be altered to meet the standards, it may alter the
29 boundaries and accept the petition.

1 * Sec. 3. AS 29.68.080 is amended to read:

2 Sec. 29.68.080. DECISION. If the Local Boundary Commission deter-
3 mines that the proposed municipality fails to meet the standards for
4 incorporation, it shall reject the petition and within 30 days of
5 rejection prepare and return to the petitioners a written report which
6 shall include but need not be limited to the facts and conclusions upon
7 which the majority decision of the commission is based and, if the
8 commission decision is other than unanimous, a minority report of the
9 commission. If the commission determines that the proposed municipality
10 meets these standards, it shall accept the petition. If the commission
11 determines that the proposed boundaries or the composition and appor-
12 tionment of the assembly or council can be altered to meet the standards,
13 it may change the proposal and accept the petition. The decision may be
14 appealed under the Administrative Procedure Act (AS 44.62).

15 * Sec. 4. AS 29.68.560 is amended to read:

16 Sec. 29.68.560. DECISION. If the Local Boundary Commission
17 determines that the municipality fails to meet the standards for dis-
18 solution, it shall reject the petition and within 30 days of rejection
19 prepare and return to the petitioners a written report which shall
20 include but need not be limited to the facts and conclusions upon which
21 the majority decision of the commission is based and, if the commission
22 decision is other than unanimous, a minority report of the commission.
23 If the commission determines that the municipality meets the standards,
24 it shall accept the petition.
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