

Introduced: 3/7/78
Referred: Community & Regional
Affairs and Finance

BY THE COMMUNITY AND REGIONAL
AFFAIRS COMMITTEE

1 IN THE HOUSE

2 HOUSE BILL NO. 874

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to a study of provision of local
7 government services in the unorganized borough."

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

9 * Section 1. FINDINGS. (a) Article X of the Constitution of the State
10 of Alaska provides for local government in the state. It states: "The
11 purpose of this article is to provide for maximum local government with a
12 minimum of local government units, and to prevent duplication of tax-levying
13 jurisdictions." It also establishes a local boundary commission and requires
14 establishment in the executive branch of the state government of an agency to
15 advise and assist local government.

16 (b) The constitution became operative on January 3, 1959. Although
17 boroughs have been established in certain areas of the state and cities exist
18 in the unorganized borough, the purpose of the local government article has
19 not otherwise been implemented, leaving large areas of the state without
20 functioning local governments. As a result of the need for services and
21 desirability for local control of provision of these services, single purpose
22 agencies funded entirely by the state have been created to fill the vacuum.
23 These agencies sometimes have overlapping boundaries thereby diluting
24 responsiveness to the public.

25 (c) The factual basis for more fully implementing the constitutional
26 mandate is not available. A study by the Local Boundary Commission, aided by
27 the Department of Community and Regional Affairs and an advisory committee
28 with public participation, would provide needed data.

29 * Sec. 2. STUDY. The Local Boundary Commission shall conduct a study on

1 provision of local government services in the unorganized borough. The study
2 shall consider

3 (1) whether there are areas which should be incorporated as local
4 government units;

5 (2) whether there are areas that should be annexed to existing
6 local government unit

7 (3) whether there are areas which should be established by the
8 legislature as service areas, and, if so, what services should be provided to
9 each area;

10 (4) whether the legislature should consider establishing new
11 classes of local government in the state, or should make changes in existing
12 forms;

13 (5) methods of financing newly created local government units from
14 both state and local finances;

15 (6) other matters the commission considers relevant.

16 * Sec. 3. STAFF SUPPORT. The Department of Community and Regional
17 Affairs shall provide staff services to the Local Boundary Commission for
18 performance of the study, but the commission may, within appropriations
19 available for the purpose, contract with other persons for development of
20 data or recommendations on specific matters.

21 * Sec. 4. ADVISORY COMMITTEE. An advisory committee to the Local Bound-
22 ary Commission for the study is established. The committee is composed of
23 the chairmen of the senate and house community and regional affairs commit-
24 tees, three members who reside in the unorganized borough outside cities, two
25 members representing municipalities in the unorganized borough, one member
26 representing school boards in borough or city school districts in the unor-
27 ganized borough, and one member representing school boards in regional edu-
28 cational attendance areas. The committee shall elect its own chairman. The
29 committee shall review recommendations proposed by the commission, comment to

1 the commission on each proposed recommendation, and perform other duties as
2 assigned by the Local Boundary Commission.

3 * Sec. 5. PUBLIC HEARING. The Local Boundary Commission in conjunction
4 with the advisory committee shall hold public hearings within the unorganized
5 borough. At least one hearing shall be held in each judicial district of the
6 state and other hearings may be held at the discretion of the commission.

7 * Sec. 6. REPORT. The Local Boundary Commission shall prepare a final
8 report with findings and recommendations and submit the report and recommen-
9 dations to the governor and, through the Legislative Council, to the legis-
10 lature on or before September 1, 1979.

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