

Introduced: 3/4/81  
Referred: Community & Regional  
Affairs and Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 240

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing a program of financial assistance  
7 for feasibility studies of proposed boroughs in the  
8 unorganized borough; and providing for an effective  
9 date."

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

11 \* Section 1. AS 44.47 is amended by adding a new section to read:

12 Sec. 44.47.135. FEASIBILITY STUDIES OF PROPOSED BOROUGHS IN THE  
13 UNORGANIZED BOROUGH. (a) There is established a program of financial  
14 assistance for feasibility studies of proposed boroughs within the un-  
15 organized borough. The commissioner may contract for feasibility stu-  
16 dies according to the procedures prescribed in AS 37.05.220 -- 37.05.-  
17 280, and subject to the limitations in (b) -- (e) of this section.

18 (b) A feasibility study must be initiated by a written request to  
19 the commissioner, which shall include:

20 (1) a description of the boundaries of the area to be stud-  
21 ied, and

22 (2) a showing of local interest in the proposed study as  
23 demonstrated by either:

24 (A) the signatures and addresses of five percent of the  
25 voters residing in the area based on the number who voted in the  
26 last statewide election, or

27 (B) resolutions by the governing bodies of five percent  
28 of the municipalities within the area.

29 (c) The area of a feasibility study must be as described in the

1 request from the area unless the commissioner, after a public hearing  
2 in the area to be studied, determines that other boundaries are more  
3 appropriate. In determining which geographical area is appropriate for  
4 study as a proposed borough, the commissioner shall consider:

5 (1) the standards applicable to the incorporation of bor-  
6 oughs under AS 29.18.030;

7 (2) the regional boundaries adopted by the Native regional  
8 corporations established under the Alaska Native Claims Settlement Act  
9 (43 U.S.C. 1601);

10 (3) census divisions of the state used for the 1980 census;

11 (4) boundaries of the regional educational attendance areas  
12 established under AS 14.08.031; and

13 (5) coastal resource service areas organized under AS 46.-  
14 40.110 -- 46.40.210.

15 (d) The contract amount may not exceed \$30,000 plus \$30 for each  
16 person residing within the area of the study, as shown by the latest  
17 United States census information or the latest Alaska Department of  
18 Labor annual estimate of population which is available at the date of  
19 awarding the contract, whichever number is greater.

20 (e) The commissioner shall include terms in the contract for a  
21 feasibility study under this section which provide:

22 (1) for public participation in the preparation of the  
23 feasibility study;

24 (2) for completion of the feasibility study not later than  
25 the June 30 following the third anniversary of the date the contract  
26 was awarded by the commissioner; and

27 (3) that payment for work performed under the contract is  
28 subject to legislative appropriations for that purpose;

29 (f) A feasibility study under this section must include:

1 (1) a recommendation for or against incorporation of a  
2 borough government for all or a part of the area studied;

3 (2) an evaluation of the economic development potential of  
4 the area studied;

5 (3) an evaluation of capital facility needs of the area  
6 studied;

7 (4) an evaluation of demographic, social, and environmental  
8 factors affecting the area studied;

9 (5) an evaluation of

10 (A) current relationships among the regional education-  
11 al attendance areas, the coastal resource service area, and any  
12 other regional entity responsible for services in the area stud-  
13 ied; and

14 (B) the relationships between the existing municipal  
15 governments within the area studied and regional entities listed  
16 in (A) of this paragraph; and

17 (6) specific recommendations for:

18 (A) organization of a borough government if one is rec-  
19 ommended; or

20 (B) the improvement of the delivery of service to the  
21 public by the state in the area studied.

22 \* Sec. 2. This Act takes effect July 1, 1981.  
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