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Referred: Community & Regional
Affairs, Health, Education &
Social Services and Finance

5-0166N

1 IN THE HOUSE

BY LARSON, MENARD
AND DONLEY

2 2d SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 1

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the incorporation or annexation
7 of all areas in the unorganized borough; and provid-
8 ing for an effective date.

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

10 * Section 1. BOUNDARY PROPOSAL. (a) The local boundary commission
11 shall study the unorganized borough to determine how the entire area should
12 be organized into new home rule boroughs or annexed to existing boroughs
13 and unified municipalities. Based upon the standards set out in
14 AS 29.05.031, by December 31, 1989, the commission shall deliver to the
15 governor and the legislature a preliminary boundary proposal for the unor-
16 ganized borough. The proposal must include

17 (1) a designation of areas proposed for annexation to existing
18 boroughs or unified municipalities; and

19 (2) proposed boundaries for new boroughs to be formed in the
20 unorganized borough.

21 (b) In preparing the preliminary boundary proposal the commission
22 shall consult with existing municipalities within or bordering the unor-
23 ganized borough, regional educational attendance areas, and coastal re-
24 source service areas. The commission shall conduct at least one public
25 hearing in the area of each proposed new borough.

26 (c) The commission may submit any proposed annexation compatible with
27 the preliminary boundary proposal to the legislature under
28 AS 44.47.567 - 44.47.583.

29 (d) The commission shall, by March 31, 1990, submit to the governor

1 and the legislature its final boundary proposal. The proposal must provide
2 for the entire area of the unorganized borough, excluding areas annexed
3 under (c) of this section, to be included within new home rule boroughs.

4 * Sec. 2. PROVISIONAL HOME RULE CHARTERS. (a) By March 31, 1990, the
5 Department of Community and Regional Affairs shall deliver to the governor
6 and the legislature a provisional home rule charter for the new boroughs
7 designated in the final boundary proposal. In preparing the charter the
8 department shall conduct at least one public hearing in the area of each
9 new borough. The charter shall provide that each new borough exercise
10 only those powers a home rule borough must exercise by law.

11 (b) The voters of an area designated as a new borough in the final
12 boundary proposal may petition the department for an amendment to the
13 provisional charter for that new borough. If the department determines
14 that at least 15 percent of the number of voters who voted in the last
15 general election in the area have signed the petition, the department shall
16 submit the proposed amendment to the director of elections.

17 * Sec. 3. ELECTIONS. The director of elections shall schedule an
18 election of initial borough officials to be held under AS 29.05.120 in each
19 new borough designated in the final boundary proposal during or before the
20 general election held in 1990. Any proposed amendments to the provisional
21 charter of a new borough received by the director under sec. 2(b) of this
22 Act shall be submitted to the voters at the election of initial borough
23 officials.

24 * Sec. 4. INCORPORATION OF NEW BOROUGHES. (a) A new borough designated
25 in the final boundary proposal is incorporated as a home rule borough on
26 the first Monday following certification of the election held under sec. 3
27 of this Act. The provisional home rule charter prepared by the Department
28 of Community and Regional Affairs under sec. 2 of this Act, together with
29 any charter amendments approved by the voters, operates as the charter for

1 the new borough.

2 (b) AS 29.05.140 and 29.05.190 - 29.05.210 apply to boroughs incor-
3 porated under this section.

4 * Sec. 5. The division of legal services of the Legislative Affairs
5 Agency shall prepare a bill conforming the Alaska Statutes to the changes
6 made by this Act. The bill shall be presented to the House and Senate
7 Rules Committees for introduction on the first day of Second Session of the
8 Sixteenth Legislature.

9 * Sec. 6. This Act takes effect immediately under AS 01.10.070(c).