

1 IN THE HOUSE

BY LARSON

2

HOUSE BILL NO. 1

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act relating to the incorporation of boroughs, to  
annexation of certain areas, and to the committee on  
municipalities; and providing for an effective date."

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

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\* Section 1. BOUNDARY STUDY. (a) The local boundary commission shall

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conduct a boundary study of the unorganized borough to determine

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(1) which regions meet the standards set out in AS 29.05.031 for

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borough incorporation; and

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(2) which areas should be annexed to existing boroughs or uni-

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fied municipalities.

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(b) In conducting the boundary study the local boundary commission

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shall consult with existing municipalities, regional educational attendance

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areas, and coastal resource service areas. The commission shall conduct at

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least one public hearing in each region found to have met the standards for

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borough incorporation and in each area the commission determines should be

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annexed.

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(c) The local boundary commission may submit proposals for annexation

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compatible with the boundary study to the legislature under AS 44.47.567 -

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44.47.583. The commission may also submit proposals for incorporation of

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boroughs to the legislature during the first 10 days of the First Regular

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Session of the Seventeenth Alaska State Legislature. A proposal for bor-

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ough incorporation may be disapproved by a concurrent resolution adopted by

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a majority of the members of each house within 45 days after the proposal

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is submitted to the legislature. If it is not disapproved, borough

1 incorporation becomes effective in accordance with sec. 4 of this Act.

2 \* Sec. 2. PROVISIONAL HOME RULE CHARTERS. (a) By January 1, 1990, the  
3 Department of Community and Regional Affairs shall prepare a provisional  
4 home rule charter for the boroughs to be incorporated under this Act. The  
5 charter shall provide that each new borough exercise only those powers a  
6 home rule borough must exercise by law.

7 (b) The voters of a region scheduled for incorporation under sec.  
8 1(c) of this Act may petition the department for an amendment to the provi-  
9 sional charter for that new borough. If the department determines that at  
10 least 15 percent of the number of voters who voted in the last general  
11 election in the region have signed the petition, the department shall  
12 submit the proposed amendment to the director of elections.

13 \* Sec. 3. ELECTIONS. The director of elections shall hold an election  
14 of initial borough officials under AS 29.05.120 in each borough scheduled  
15 for incorporation under sec. 1(c) of this Act on or before the first Tues-  
16 day in October, 1991. Any proposed amendments to the provisional charter  
17 received by the director under sec. 2(b) of this Act shall be submitted to  
18 the voters at the election of initial borough officials.

19 \* Sec. 4. INCORPORATION OF NEW BOROUGHES. (a) A region is incorporated  
20 as a home rule borough on the first Monday following certification of the  
21 election held under sec. 3 of this Act. The provisional home rule charter  
22 prepared by the Department of Community and Regional Affairs under sec. 2  
23 of this Act, together with any charter amendments approved by the voters,  
24 operates as the charter for the new borough.

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

27 \* Sec. 5. COMMITTEE ON MUNICIPALITIES. (a) A committee on municipal-  
28 ities is established in the Department of Community and Regional Affairs  
29 consisting of the commissioner of community and regional affairs or the

1 commissioner's designee, the commissioner of revenue or the commissioner's  
2 designee, the commissioner of education or the commissioner's designee, the  
3 chair of the local boundary commission, and the following members appointed  
4 by the governor:

5 (1) a member of the senate;

6 (2) a member of the house of representatives;

7 (3) an employee or official of a borough or unified municipality  
8 with a population of less than 10,000; and

9 (4) an employee or official of a borough or unified municipality  
10 with a population of 10,000 or more.

11 (b) Members are not entitled to receive compensation, but the members  
12 appointed under (a)(3) and (4) of this section are entitled to the same  
13 travel pay and per diem provided under AS 39.20.180 for boards and commis-  
14 sions.

15 (c) The committee shall consider means to eliminate or reduce disin-  
16 centives and enhance incentives for the formation of boroughs. The commit-  
17 tee shall also consider ways to ensure greater equity in the distribution  
18 of financial aid to all municipalities. The committee shall submit a  
19 report of its findings and recommendations to the legislature during the  
20 first 10 days of the First Regular Session of the Seventeenth Alaska State  
21 Legislature.

22 (d) The committee terminates upon submission of its report under (c)  
23 of this section.

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