

Offered: 3/17/89
Referred: Judiciary and
Finance

6-0577H

Original sponsors: Shultz and Foster

1 IN THE HOUSE

BY THE COMMUNITY AND
REGIONAL AFFAIRS COMMITTEE

2

CS FOR HOUSE BILL NO. 131 (C&RA)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the Local Boundary Commission;

7

and providing for an effective date."

8

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

9

* Section 1. AS 29.05.090 is amended to read:

10

Sec. 29.05.090. HEARING. The Local Boundary Commission shall

11

hold at least two public hearings [ONE PUBLIC HEARING] in the area

12

proposed to be incorporated for the purpose of receiving testimony and

13

evidence on the proposal. The second hearing shall be separately

14

noticed and shall be held at least 30 days after the first hearing.

15

One of the hearings may be conducted by teleconference.

16

* Sec. 2. AS 44.47 is amended by adding a new section to read:

17

Sec. 44.47.568. PROHIBITED CHANGES. The commission may not

18

propose to the legislature the annexation to an existing municipality

19

of an area without permanent year-round residents unless the commis-

20

sion determines that

21

(1) the area to be annexed requires one or more services at

22

a level not provided by the state that the municipality would be able

23

to provide; or

24

(2) the health, welfare, or safety of the residents of the

25

municipality is endangered by conditions existing or developing in the

26

area being considered for annexation and the annexation will enable

27

the municipality to relieve the conditions.

28

* Sec. 3. AS 44.47.569 is amended to read:

29

Sec. 44.47.569. MEETINGS AND HEARINGS. The chairman of the

1 commission or the commissioner of community and regional affairs with
2 the consent of the chairman may call a meeting or hearing of the local
3 boundary commission. All meetings and hearings shall be public. The
4 commission shall adopt regulations for the conduct of the meeting of
5 the commission under AS 44.62.

6 * Sec. 4. AS 44.47.573 is amended to read:

7 Sec. 44.47.573. NOTICE OF PUBLIC HEARINGS. Public notice of
8 each [A] hearing of the local boundary commission shall be given in
9 the area in which the hearing is to be held at least 30 [15] days
10 before the date of the hearing. The notice of the hearing must
11 [SHALL] include the time, date, place, and subject of the hearing.
12 The commissioner [DIRECTOR OF LOCAL AFFAIRS] shall give notice of each
13 [THE] hearing at least three times

14 (1) by public service announcements on radio and television
15 stations in the area; and

16 (2) [IN THE PRESS,] through print [OTHER NEWS] media and [,
17 OR] by posting in a public place [, WHICHEVER IS MOST FEASIBLE].

18 * Sec. 5. AS 44.47.577 is amended to read:

19 Sec. 44.47.577. BOUNDARY CHANGE. A majority of the full mem-
20 bership of the local boundary commission must vote in favor of a
21 proposed boundary change before it may be presented to the legisla-
22 ture.

23 * Sec. 6. AS 44.47.581 is amended to read:

24 Sec. 44.47.581. HEARINGS ON BOUNDARY CHANGES. A local govern-
25 ment boundary change may not be proposed to the legislature unless at
26 least two hearings [A HEARING] on the change have [HAS] been held in
27 communities in [OR IN THE NEAR VICINITY OF] the area affected by the
28 change. If there is no community within the area affected by the
29 change, the commission shall hold the hearing in a proximately located

1 community. The second hearing shall be separately noticed and shall
2 be held at least 30 days after the first hearing. One of the hearings
3 may be conducted by teleconference.

4 * Sec. 7. Section 2 of this Act takes effect on the effective date of a
5 constitutional amendment proposed by the Sixteenth Alaska State Legislature
6 relating to the Local Boundary Commission.