

**HOUSE BILL NO. 1**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**SEVENTEENTH LEGISLATURE - FIRST SESSION**

**BY REPRESENTATIVE LARSON**

**Introduced: 1/21/91**

**Referred: Community and Regional Affairs, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

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

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

4 \* **Section 1. BOUNDARY STUDY.** (a) The local boundary commission shall conduct a boundary  
5 study of the unorganized borough to determine

6 (1) which regions meet the standards set out in AS 29.05.031 for borough incorporation;  
7 and

8 (2) which areas should be annexed to existing boroughs or unified municipalities.

9 (b) In conducting the boundary study the local boundary commission shall consult with existing  
10 municipalities, regional educational attendance areas, and coastal resource service areas. The commission  
11 shall conduct at least one public hearing in each region found to have met the standards for borough  
12 incorporation and in each area the commission determines should be annexed.

13 (c) The local boundary commission may submit proposals for annexation compatible with the  
14 boundary study to the legislature under AS 44.47.567 - 44.47.583. The commission may also submit

1 proposals for incorporation of boroughs to the legislature during the first 10 days of the First Regular  
2 Session of the Eighteenth Alaska State Legislature. A proposal for borough incorporation may be  
3 disapproved by a concurrent resolution adopted by a majority of the members of each house within 45  
4 days after the proposal is submitted to the legislature. If it is not disapproved, borough incorporation  
5 becomes effective in accordance with sec. 4 of this Act.

6 \* **Sec. 2. PROVISIONAL HOME RULE CHARTERS.** (a) By January 1, 1992, the Department of  
7 Community and Regional Affairs shall prepare a provisional home rule charter for the boroughs to be  
8 incorporated under this Act. The charter shall provide that each new borough exercise only those powers  
9 a home rule borough must exercise by law.

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

15 \* **Sec. 3. ELECTIONS.** The director of elections shall hold an election of initial borough officials  
16 under AS 29.05.120 in each borough scheduled for incorporation under sec. 1(c) of this Act on or before  
17 the first Tuesday in October, 1993. Any proposed amendments to the provisional charter received by  
18 the director under sec. 2(b) of this Act shall be submitted to the voters at the election of initial borough  
19 officials.

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

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

26 \* **Sec. 5. COMMITTEE ON MUNICIPALITIES.** (a) A committee on municipalities is established  
27 in the Department of Community and Regional Affairs consisting of the commissioner of community  
28 and regional affairs or the commissioner's designee, the commissioner of revenue or the commissioner's  
29 designee, the commissioner of education or the commissioner's designee, the chair of the local boundary  
30 commission, and the following members appointed by the governor:

31 (1) a member of the senate;

- 1           (2) a member of the house of representatives;  
2           (3) an employee or official of a borough or unified municipality with a population of less  
3 than 10,000; and  
4           (4) an employee or official of a borough or unified municipality with a population of  
5 10,000 or more.
- 6           (b) Members are not entitled to receive compensation, but the members appointed under (a)(3)  
7 and (4) of this section are entitled to the same travel pay and per diem provided under AS 39.20.180 for  
8 boards and commissions.
- 9           (c) The committee shall consider means to eliminate or reduce disincentives and enhance  
10 incentives for the formation of boroughs. The committee shall also consider ways to ensure greater  
11 equity in the distribution of financial aid to all municipalities. The committee shall submit a report of  
12 its findings and recommendations to the legislature during the first 10 days of the First Regular Session  
13 of the Eighteenth Alaska State Legislature.
- 14           (d) The committee terminates upon submission of its report under (c) of this section.
- 15 \* Sec. 6. This Act takes effect immediately under AS 01.10.070(c).