

**COMMITTEE REPORT**  
**SENATE**

FURTHER:

5/7/86

Date \_\_\_\_\_

Mr. President

The Committee on FINANCE considered CSHB 15(C&RA)  
relating to advisory elections on certain annexation proposals.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for \_\_\_\_\_
- new title
- same title and recommends \_\_\_\_\_
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS

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Chairman

\_\_\_\_\_  
Chairman recommendation

COMMITTEE REPORT  
SENATE

FURTHER: FINANCE

5/1/86

Date 5-6-86

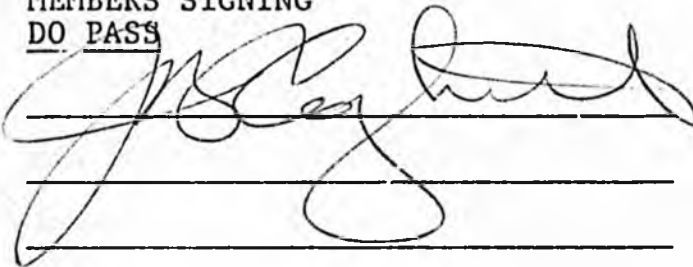
Mr. President

The Committee on C&RA considered CSHB 15(C&RA)  
relating to advisory elections on certain annexation proposals.

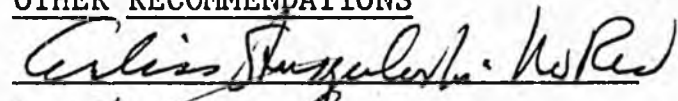
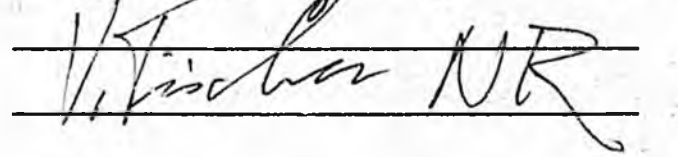
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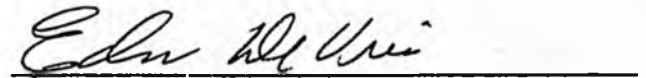
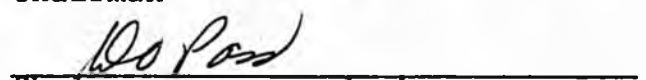
- do pass
- do pass with attached amendment(s)
- replace with/or adopt SCS for CSHB15 (SA)
- new title
- same title and recommends \_\_\_\_\_
- and attached a "LETTER OF INTENT" [ ] NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

  
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MEMBERS HAVING  
OTHER RECOMMENDATIONS

  
  
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Chairman  
  
Chairman recommendation

COMMITTEE REPORT  
SENATE

FURTHER: C&RA  
FINANCE

4/8/86

Date 4/30/86

Mr. President

The Committee on STATE AFFAIRS considered CSHB 15(C&RA)  
~~relating to~~ advisory elections on certain annexation proposals.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
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- replace with/or adopt SCS for CSHB 15 (SA)
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MEMBERS SIGNING  
DO PASS

Bill Ray

Ed McNeil

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MEMBERS HAVING  
OTHER RECOMMENDATIONS

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Chairman

Chairman recommendation

Offered: 5/1/86  
Referred: Community & Regional Affairs  
and Finance

Original sponsors: Goll and Marrou  
by request

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE  
2 SENATE CS FOR CS FOR HOUSE BILL NO. 15 (State Affairs)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to advisory elections on certain  
7 annexation proposals."

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

9 \* Section 1. AS 29.06 is amended by adding a new section to read:

10 Sec. 29.06.045. ADVISORY ELECTIONS ON ANNEXATIONS. (a) If a  
11 municipality requests an annexation proposed to be effected under  
12 AS 29.06.040(a) and (b), and if there are people residing in the area  
13 proposed for annexation, the municipality shall present the results of  
14 an advisory election on the proposal to the Local Boundary Commission  
15 at the hearing conducted under AS 44.47.581. The advisory election  
16 shall be conducted by the municipality in the area proposed for  
17 annexation in accordance with procedures for a regular or special  
18 election.

19 (b) If an annexation that is not requested by a municipality is  
20 proposed to be effected under AS 29.06.040(a) and (b), and if there  
21 are people residing in the area proposed for annexation, the director  
22 of elections shall present the results of an advisory election on the  
23 proposal to the Local Boundary Commission at the hearing conducted  
24 under AS 44.47.581. The advisory election shall be conducted by the  
25 director of elections in the area proposed for annexation in the  
26 general manner prescribed by the Alaska Election Code (AS 15). The  
27 state shall pay all election costs for elections under this  
28 subsection.

29 (c) A municipality may conduct an advisory election on an  
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1 annexation proposal in which all municipal voters may participate and  
2 the municipality may present the results of the election to the Local  
3 Boundary Commission if the area of the proposed annexation is

- 4 (1) located within the municipality; or  
5 (2) proposed to be annexed to the municipality.

6 (d) Nothing in this section affects the authority of the Local  
7 Boundary Commission to present proposed boundary changes to the legis-  
8 lature under art. IX, sec. 12, Constitution of the State of Alaska.

9 (e) This section applies to home rule and general law municipal-  
10 ities.

11 \* Sec. 2. AS 29.10.200 is amended by adding a new paragraph to read:

12 (47) AS 29.06.045 (advisory elections on annexations)

Offered: 4/11/85  
Referred: State Affairs  
and Finance

*Cook*

Original sponsors: Goll and Marrou  
by request

BY THE COMMUNITY AND  
REGIONAL AFFAIRS COMMITTEE

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 15 (C&RA)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to advisory elections on certain  
7 annexation proposals."

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

9 \* Section 1. AS 29.13.100 is amended by adding a new paragraph to read:

10 (48) AS 29.68.025 (advisory elections on annexations)

11 \* Sec. 2. AS 29.68 is amended by adding a new section to Article 1 to  
12 read:

13 Sec. 29.68.025. ADVISORY ELECTIONS ON ANNEXATIONS. (a) If a  
14 municipality requests an annexation proposed to be effected under  
15 AS 29.68.010(a), the municipality shall present the results of an  
16 advisory election on the proposal to the Local Boundary Commission at  
17 the hearing conducted under AS 44.47.581. The advisory election shall  
18 be conducted by the municipality in the area proposed for annexation  
19 in accordance with procedures for a regular or special election.

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4/7 507110

# STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date: 1/31/86

**REQUEST** Page 1 of 2

Bill/Resolution No.: CS for HB 15 (C&RA)  
 Title: An Act Relating to advisory elections on annexations

Sponsor: CRA Committee  
 Requestor: House RULES  
 Date of Request: 1/29/86

**FISCAL DETAIL**

Agency Affected: Office of the Governor  
 BRU: Division of Elections

Components: Elections

**EXPENDITURES/REVENUES : (Thousands of Dollars)**

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>8.6</b>	<b>9.0</b>	<b>9.5</b>	<b>10.0</b>	<b>10.5</b>	<b>11.0</b>
<b>CAPITAL</b>						
<b>REVENUE</b>						

**FUNDING : (Thousands of Dollars)**

GENERAL FUND	8.6	9.0	9.5	10.0	10.5	11.0
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	<b>8.6</b>	<b>9.0</b>	<b>9.5</b>	<b>10.0</b>	<b>10.5</b>	<b>11.0</b>

**POSITIONS :**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** Attach a separate page if necessary

See attached page.

Prepared by: Sherry Valentine Phone: 465-4611  
 Division: Elections Date: 1/31/86

Approved by Commissioner: Sherry Valentine Date: 2/10/86  
 Agency: Elections

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

## CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CS FOR HB 15 (C&RA) page 2 of 2

This fiscal note was developed on the basis of two elections per year from areas outside municipalities wishing to be annexed. It assumes that one request would be received from a punch card precinct and the other from a handmarked precinct. The cost for a punch card precinct is \$5.8 while a handmarked precinct is \$2.8. Computer counted (punch card) precincts are generally higher due to the need for computer programming and a Data Processing Review Board to oversee the computer counting of ballots.

We have specified the costs for each type of precinct so that if there were more than two such elections administered by the State within a year, the Legislature could identify the potential costs by multiplying the precinct cost by the number of additional elections beyond two.

COMMITTEE COPY

ALASKA STATE LEGISLATURE

SECOND

FIRST

Session

14th Legislature

HOUSE ... BILL ... NO. ... 15 ...

By ... GOLL AND MARKOU ...  
BY REQUEST

"An Act requiring an advisory election before an annexation may be proposed to the legislature."

CSHB 15 (C&RA) BY C&RA

Offered: 4/11/85  
Referred: State Affairs and Finance

"An Act relating to advisory elections on certain annexation proposals."

Annexation/Advisory election

Introduced in the House 1/14, 1985

HISTORY IN THE HOUSE

19 85	Jan 14	Read first time and referred to Committee on C&RA, STATE AFFAIRS AND FINANCE
	apr 11	Reported back with recommendation that C&RA - CS/C&RA - 4dp, 37R To State Affairs
	apr 25	State Affairs - CS/EB/RA - 4dp, 37R - To Finance
	may 9	Finance - CS/C&RA - 3dp, 77R
	apr 7	Read second time and CS/C&RA adopted
	apr 7	Read third time and
	apr 7	PASS ed Effective Date Yeas 39 Nays 1 Absent 0 Excused 0
		Reconsideration PASS Effective Date Yeas Nays Absent Excused
	4 7	Reported correctly engrossed
	4 7	Signed by Speaker
	4 7	Sent to Senate
		<i>Ernest Carter</i> CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19 86	4 8	Read first time and referred to Committee on SA C&RA Fin
	5 1	Reported back with S.A. recommendation that replaced w/SCS, 3 do pass, 1 do recd to C&RA
	5 7	C&RA: 2 do pass 57 Aff. CS, 2 more, to Finance
		Read second time and
		Read third time and
		PASS Effective Date Yeas Nays Absent Excused
		Reconsideration PASS Effective Date Yeas Nays Absent Excused
		Reported correctly engrossed
		Signed by President
		Returned to House
		SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19		Received from Senate
		Concurred in Senate amendment thus adopting: VOTE
		Failed to concur in Senate amendment; asked Senate to recede VOTE
		Senate receded from amendment VOTE
		Senate failed to recede from amendment VOTE
		CC appointed by House
		CC appointed by Senate
		CC adopted by House VOTE
		CC adopted by Senate VOTE
		To enrolling Reported correctly enrolled Sent to Governor ..... by Governor
		Filed with Lt. Governor
		Chapter No. ....

STATE OF ALASKA 1986 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: 1/31/86

**REQUEST** Page 1 of 2

Bill/Resolution No.: CS for HB 15 (C&RA)  
 Title: An Act Relating to advisory elections on annexations

Sponsor: CRA Committee  
 Requestor: House RULES  
 Date of Request: 1/29/86

**FISCAL DETAIL**

Agency Affected: Office of the Governor  
 BRU: Division of Elections

Components: Elections

**EXPENDITURES/REVENUES : (Thousands of Dollars)**

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CAPITAL						
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REVENUE						
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OTHER						
<b>TOTAL</b>	<b>8.6</b>	<b>9.0</b>	<b>9.5</b>	<b>10.0</b>	<b>10.5</b>	<b>11.0</b>

**POSITIONS :**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** Attach a separate page if necessary

See attached page.

Prepared by: Sherry Valentine Phone: 465-4611  
 Division: Elections Date: 1/31/86

Approved by Commissioner: Sherry Valentine Date: 2/10/86  
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Distribution (by Agency preparing fiscal note):

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## CONTINUATION of FISCAL NOTE ANALYSIS

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We have specified the costs for each type of precinct so that if there were more than two such elections administered by the State within a year, the Legislature could identify the potential costs by multiplying the precinct cost by the number of additional elections beyond two.



ALASKA STATE LEGISLATURE  
HOUSE OF REPRESENTATIVES  
RESEARCH AGENCY

Pouch Y, State Capitol  
Juneau, Alaska 99811  
(907) 465-3991

March 27, 1985

MEMORANDUM

TO: Representative Peter Goll  
ATTN: Bob Berry  
FROM: Rob Waldman *RW*  
Legislative Analyst  
RE: Historical Background of the Local Boundary Commission  
Research Request 85-262

You asked that we provide historical background on the formation of the Local Boundary Commission. Historical information was obtained through interview with Senators Victor Fischer and Jack Coghill and through review of the minutes of the Alaska Constitutional Convention; the text of the State Constitution and Statehood Committee reports.<sup>1</sup>

According to Senator Coghill, the concept of the Local Boundary Commission resulted from the constitutional convention's attempt to resolve jurisdictional conflicts between the different types of governmental entities that functioned under territorial law.<sup>2</sup> Its function was to review local government structure and adjudicate conflicts between jurisdictions. Prior to statehood, all jurisdictional disputes and boundary modifications were adjudicated by federal district courts. The members of the convention felt that the function of settling these issues should not be delegated to the court system; they felt that the executive branch should adjudicate boundary disputes and modifications.

<sup>1</sup>Minutes to the Proceeding of the Alaska Constitutional Convention, 1955-56, pages 2665-2666, 2745-2753, and 2759-2760.

A Citizens's Guide to the Constitution of the State of Alaska, Gordon Harrison, 1982; Alaska's Constitutional Convention, Victor Fischer 1975.

Proposed Organization of the Executive Branch, State of Alaska, A Survey Report, 1958; Local Government Under the Alaska Constitution, A Survey Report, 1959, Public Administration Service.

<sup>2</sup>Under Territorial law, jurisdiction conflicts could arise between school districts, utility districts, cities, road districts, etc.

Representative Goll  
March 26, 1985  
Page Two

In Alaska prior to 1959, all annexation was conducted by local governments.<sup>3</sup> At times, annexation issues became very controversial. Senator Fischer states that the commission was seen as a mechanism that circumvented local turmoil, brought the issues beyond "vested local interests" and prejudices, and permitted implementation of the "broad public intent". He believes that there was a need to ensure that municipal boundaries could be altered to adjust for changes in population and in the demand for local services. If the municipalities retained control over boundaries and annexation, there could be difficulty in altering boundaries once local interests became vested. Article X, Section 12 of the State Constitution which established the Local Boundary Commission was designed to overcome those type of roadblocks.

The convention committee on local government recommended that the boundary commission be modeled after the "Canadian system" (provincial governments exercise considerable control over local governments). It was felt that boundary and annexation issues affect all incorporated and unincorporated areas and not just the specific communities involved. Therefore, it was recommended that adjudication be at the State level.

In addition, the intent of the convention was for the commission to have the authority to regulate boundary changes without prior requests from the communities involved. Communities could request that referenda, polls, and surveys be considered by the commission when developing its recommendations. However, according to Senator Fischer, the convention was very specific in its position that these types of community input are not a requirement.

During the committee sessions, there was considerable discussion of the relation between the commission and the legislature. Some members wanted total control in the hands of the legislature, and recommended that all boundary changes and rules related to boundary changes be addressed by statute because the commission was within the executive branch and requiring legislative approval would violate the "separation of powers" concept. The amendment supporting this concept was defeated.

The majority of the members felt that legislative involvement in the process was useful and necessary at times but not required for all boundary changes. Their intent was to allow legislative participation as long as it did not become prohibitive for all proposed boundary

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<sup>3</sup>For annexation, local elections had to be held concurrently in the city and area to be annexed, and majority votes were necessary.

Representative Goll  
March 26, 1985  
Page Three

changes.<sup>4</sup> A compromise was adopted which permitted legislative intrusion into the administrative function of the executive branch only by resolution concurred in by a majority of the members of both houses. In addition, it was recommended that proposed changes become effective if the legislature is "inactive" in its function. As was described within the minutes, the legislature opted for the "negative approach to enactment of legislation," which means that the legislature must act only to reject the proposal and may grant "approval without any action at all by the body that should act on it."<sup>5</sup>

In 1958, the Alaska Statehood Commission was given the following recommendations for implementation of the commission:

The Local Boundary Commission should operate so far as possible in the manner of a quasi-judicial body. Its determinations should be based upon a careful assembling and weighing of relevant geographic, demographic, fiscal, and governmental facts, not disregarding expressions of judgement and sentiment by the public officials and citizens most directly concerned. So far as possible, decisions should be made in the light of a realistic projection of probable future demographic and economic trends."<sup>6</sup>

I hope that this information is useful to you. If you have any questions, please contact us.

RW

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<sup>4</sup>It was felt that "in the press of business" the legislature may not get around to considering minor boundary changes, and major boundary changes could require considerable legislative time.

<sup>5</sup>Minutes to the Proceeding of the Alaska Constitutional Convention, page 2752.

<sup>6</sup>Proposed Organization of the Executive Branch State of Alaska: A Survey Report, 1958, page 147.

Offered: 5/1/86  
Referred: Community & Regional Affairs  
and Finance

Original sponsors: Goll and Marrou  
by request

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE  
2 SENATE CS FOR CS FOR HOUSE BILL NO. 15 (State Affairs)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
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Referred: State Affairs  
and Finance

Original sponsors: Goll and Marrou  
by request

1 IN THE HOUSE

BY THE COMMUNITY AND  
REGIONAL AFFAIRS COMMITTEE

2

CS FOR HOUSE BILL NO. 15 (C&RA)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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