

**SB**

**156**

TONY KNOWLES, GOVERNOR

**LOCAL BOUNDARY COMMISSION**

333 W. 4TH AVE., SUITE 220  
ANCHORAGE, ALASKA 99501-2341  
(907) 269-4500

April 20, 1999

The Honorable Tim Kelly, Chairman  
Senate Community and Regional Affairs Committee  
State Capitol  
Juneau, AK 99801

RE: Senate Bill No. 156 – "An Act relating to municipal incorporation, to reclassification of cities, to municipal boundary changes, and to dissolution of municipalities."

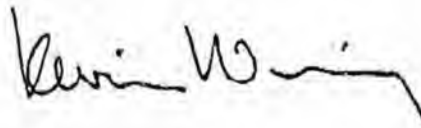
On behalf of the Local Boundary Commission, I thank you and the other members of the Senate Community and Regional Affairs Committee for introducing Senate Bill No. 156. The bill serves the best interests of the State of Alaska and existing and prospective municipal governments in Alaska. Senate Bill No. 156 carries no cost to the State. In fact, by eliminating ambiguities in existing law that needlessly invite litigation, the legislation may reduce future legal costs to the State.

The need for this legislation was identified as part of the Commission's ongoing efforts to refine its regulations. The goal is to eliminate unduly burdensome or confusing provisions and resolve ambiguities that might invite legal challenges. The Local Boundary Commission follows a rigorous decision-making process, in part, to minimize procedural grounds for challenging the Commission's actions. Still, given the contentious nature of the issues before the Commission and our litigious society, legal challenges occasionally occur.\*

The current statutory provisions that authorize the Commission to act on petitions for reclassification, incorporation, boundary changes (annexation, detachment, merger, and consolidation), and dissolution contain differences in wording and are open to varying interpretation. The changes proposed by Senate Bill No. 156 establish a clear and consistent procedure for the Commission to follow on all petitions.

I urge you to give favorable consideration to Senate Bill No. 156. Please notify me when the Senate Community and Regional Affairs Committee plans to hold hearings on Senate Bill No. 156. I would welcome the opportunity to testify by teleconference in support of the measure.

Cordially,



Kevin Waring  
Chairman

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\* Although other more recent challenges have been initiated, the last action taken by the Commission which was resolved in court involved an unsuccessful challenge of a 1992 annexation.



217 Second Street, Suite 200 ■ Juneau, Alaska 99801 ■ Tel (907)586-1325. Fax (907)-463-5480

Wednesday, April 14, 1999

The Honorable Tim Kelly, Chair  
Senate Community and Regional Affairs Committee  
State Capitol  
Juneau, AK 99801

Re: "An Act relating to municipal incorporation..."

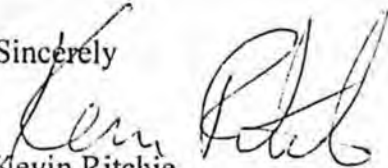
Dear Senator Kelly,

Thank you for the opportunity to comment on this bill.

The AML supports adoption of this bill as recommended by the Local Boundary Commission. The AML supports the position of the LBC on this technical amendment to clarify the LBC's power to amend petitions for incorporation, reclassification, or boundary changes. This technical clarification appears to be consistent with the original intent of the statute and is consistent with AML Policy encouraging the development of local government.

We will be happy to answer any other questions.

Sincerely

  
Kevin Ritchie  
Executive Director

TONY KNOWLES, GOVERNOR

**LOCAL BOUNDARY COMMISSION**

333 W. 4TH AVE., SUITE 220  
ANCHORAGE, ALASKA 99501-2341  
(907) 269-4500

March 24, 1999

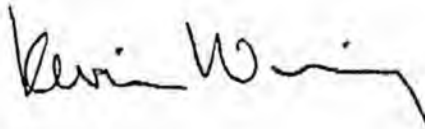
The Honorable Tim Kelly  
Chairman  
Senate Community and Regional Affairs Committee  
State Capitol  
Juneau, AK 99801

**Attention Doug Salik**

I have reviewed version "1-LS0519\G" of draft legislation dealing with concerns raised by the Local Boundary Commission. This latest version addresses the issues raised in my letter of March 22.

I compliment you and Ms. Cook for your cooperation in this matter. I look forward to the introduction and consideration of this legislation.

Cordially,



Kevin Waring  
Chairman

cc: Representative Halcro, Co-Chair, House C&RA Committee  
Representative Harris, Co-Chair, House C&RA Committee  
Local Boundary Commission

# FISCAL NOTE

Revision Date: \_\_\_\_\_ Dept. Affected: Community & Regional Affairs  
 Title: An Act relating to municipal BRU: none  
incorporation, to reclassification ... Component none  
 Sponsor: Senate CRA Committee by Request  
 Requestor: Senate C&RA Committee COMPONENT SERIAL NO. \_\_\_\_\_

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 00	FY 01	FY 02	FY 03	FY 04	FY 05
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING:</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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<b>REVENUE FUND SOURCE:</b>						
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

Estimate of current (FY99) impact \$ none

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

This legislation would have no fiscal impact on the department.

Prepared by: Yvonne Chase, Acting Director *Yvonne Chase* Phone: 465-4708  
 Division: Division of Administrative Services Date: 4/21/99  
 Approved by Commissioner: *[Signature]* Date: 4/21/99  
 Agency: Community & Regional Affairs

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