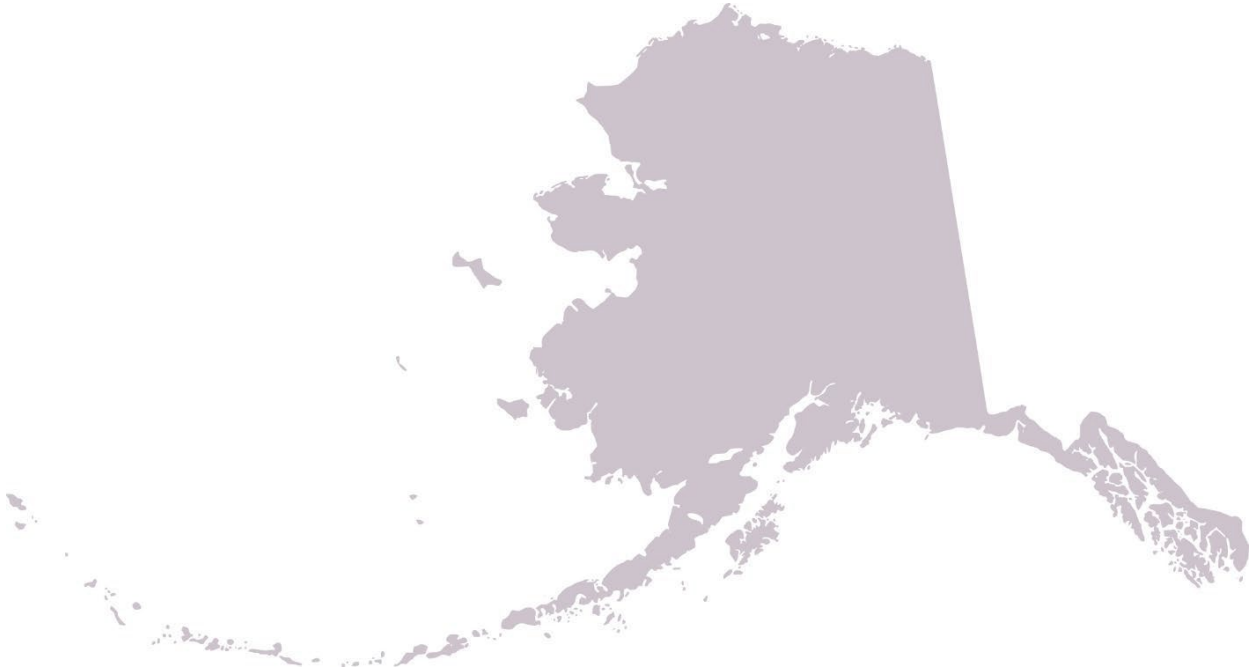


LOCAL BOUNDARY COMMISSION
2023 ANNUAL REPORT TO THE FIRST
SESSION OF THE THIRTY-THIRD ALASKA
STATE LEGISLATURE



Larry Wood, Chair
Member at Large

John Harrington, First Judicial District | Ely Cyrus, Second Judicial District
Clayton Trotter, Third Judicial District | Clay Walker, Fourth Judicial District

Local Boundary Commission | Division of Community and Regional Affairs
Department of Commerce, Community, and Economic Development
550 W. 7th Avenue, Suite 1640 | Anchorage, AK 99501 | lbc@alaska.gov
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This publication was released by the Department of Commerce, Community, and Economic Development (DCCED) in January 2024. The report is required by AS 44.33.812 and does not constitute an official position or opinion by DCCED.



LOCAL BOUNDARY COMMISSION

550 WEST 7TH AVENUE, SUITE 1640
ANCHORAGE, ALASKA 99501, 907-269-4559/4587, FAX: 907-269-4563

January 19, 2024

Members of the Alaska State Legislature,

On behalf of all members of the Local Boundary Commission (LBC or “Commission”), we are pleased to present this report of the commission to the Second Session of the Thirty-Third Alaska State Legislature. This report reviews the powers and duties of the LBC and our activities during 2023. Since our last report on January 19, 2022, one member of the LBC, Commissioner Lance Roberts, resigned and was replaced by the Governor’s appointee, Denali Borough Mayor Clay Walker. The LBC met several times in 2023. Once, in January to approve the 2022 annual report to the Legislature, and three times to discuss new regulations related to legislation affecting the reclassification of certain first class cities. In November, the LBC accepted for filing, the first borough incorporation petition in 10 years, a petition from the City of Hoonah to incorporate a non-unified home rule borough.

This report provides information about the research, analyses, and administrative work LBC staff performed for professionals and communities engaged in feasibility studies and drafting petitions.

The LBC recognizes and expresses its appreciation for the key role its staff plays in expertly and courteously providing essential information to the many Alaskans who contact the Commission with questions or interest expressed in pursuing boundary changes in their communities.

The Commission respectfully requests that the Legislature consider the activities and issues addressed in this report. Please contact us with any questions or concerns.

Cordially,

The Local Boundary Commission

Larry Wood
Chair, Member at Large

Ely Cyrus
Second Judicial District

Richard “Clayton” Trotter
Third Judicial District

John Harrington
First Judicial District

Clay Walker
Fourth Judicial District

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CHAPTER 1: BACKGROUND

LOCAL BOUNDARY COMMISSION'S CONSTITUTIONAL FOUNDATION

The Local Boundary Commission (LBC) is one of only five state boards or commissions established in the Alaska State Constitution. Article X, Section 12 created the LBC, stating:

A local boundary commission or board shall be established by law in the executive branch of the state government. The commission or board may consider any proposed local government boundary change. It may present proposed changes to the Legislature during the first ten days of any regular session. The change shall become effective forty-five days after presentation or at the end of the session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of each house. The commission or board, subject to law, may establish procedures whereby boundaries may be adjusted by local action.

The commission is responsible for establishing and modifying proposed municipal government boundaries. The framers of the state constitution asserted their belief that a state commission should set municipal boundaries. The advantage of the method, in the words of the local government committee developing the state constitution, “lies in placing the process at a level where areawide or statewide needs can be taken into account. By placing authority in this third party, arguments for and against boundary change can be analyzed objectively.”¹

The Alaska Supreme Court has upheld this position, holding that the subject of expansion of municipal boundaries is of legitimate concern of the state as a whole and not just that of the local community. The Court quoted the Alaska Constitutional Convention committee on local government that “local political decisions do not usually create proper boundaries.”²

LBC DUTIES AND FUNCTIONS

The LBC acts on petitions for several different municipal (city and borough) boundary changes, including:

- Incorporating municipalities;
- Annexing territory to municipalities;
- Detaching territory from municipalities;
- Merging municipalities;
- Consolidating municipalities;
- Dissolving municipalities; and
- Reclassifying cities.

¹ Alaska Constitutional Convention, Commentary on Proposed Article on Local Government, Dec. 19, 1955 at page 6.

² Fairview Public Utility District No. 1 v. City of Anchorage, 268 P. 2d 540, 543 (Alaska 1962)

LBC MEMBERSHIP

The LBC is an independent commission with five members. The governor appoints commissioners for five-year overlapping terms. One member is appointed from each of Alaska's four judicial districts. The member at large also serves as LBC chair.³

In August, Governor Mike Dunleavy appointed commissioner Clay Walker, from the Fourth Judicial District, to fill the remainder of a term ending in January 2025. Walker has served three terms as the Mayor of the Denali Borough

State law provides that members of the LBC must be appointed "on the basis of interest in public affairs, good judgment, knowledge and ability in the field of action of the department for which appointed, and with a view to providing diversity of interest and points of view in the membership."⁴ LBC members receive no pay for their service. However, they are entitled to travel expense reimbursement and per diem authorized for members of state boards and commissions.⁵ A biographical summary of current members can be found on the LBC website: <https://www.commerce.alaska.gov/web/dcra/LocalBoundaryCommission.aspx>.

Members:



**Larry Wood, Chair,
Member At Large, Eagle River**
Terms Ends: January 31, 2028



**John Harrington,
First Judicial District, Ketchikan**
Term Ends: January 31, 2026



**Ely Cyrus,
Second Judicial District, Kiana**
Term Ends: January 31, 2024



**Richard "Clayton" Trotter,
Third Judicial District, Eagle River**
Term Ends: January 31, 2027



**Clay Walker,
Fourth Judicial District, Denali Borough**
Term Ends: January 31, 2025

³ AS 44.33.810

⁴ AS 39.05.060(b)

⁵ AS 39.20.180

CONSTITUTIONAL ORIGIN OF THE LOCAL GOVERNMENT AGENCY

The Alaska State Constitution establishes an executive branch agency to advise and assist local governments.⁶ That agency is the Division of Community and Regional Affairs (DCRA) within the Department of Commerce, Community, and Economic Development (DCCED or department).⁷ DCRA performs the local government agency's functions, including providing staff, research, and assistance to the LBC.⁸

LBC STAFF ROLE

LBC staff is required by law to investigate and analyze each boundary change proposal and make recommendations regarding each proposal to the commission.⁹ For each petition, staff will write at least one report for the commission detailing its findings. Staff recommendations to the commission are based on properly interpreting the applicable legal standards and rationally applying those standards to each petition. Due process is best served by providing the commission with a thorough, credible, and objective analysis of every local boundary change proposal. Staff's recommendations to the commission are not binding on the LBC.

Besides providing support to the commission, the LBC staff also provides information and technical assistance to municipalities, petitioners, residents of areas affected by existing or potential petitions, respondents, agencies, and the general public. Assistance provided by LBC staff includes:

- Answering public, legislative, and other governmental inquiries relating to municipal government boundary and related matters;
- Facilitating the petition and/or local boundary change process from start to finish, including explaining boundary change and petition requirements, technical reviews of petitions, publishing public notifications, accepting public comments, and much more;
- In depth analyses of petitions submitted to the LBC;
- Address technical and procedural questions raised by commissioners and coordinate legal guidance provided to commissioners by the Alaska Department of Law;
- Writing preliminary and preparing final reports on petitions for the LBC;
- Preparing draft LBC decisions;
- Traveling to communities to conduct public meetings and answer questions about proposed local boundary changes;

⁶ Article X, section 14

⁷ AS 44.33.020(a)(1) provides that DCCED "shall (1) advise and assist local governments."

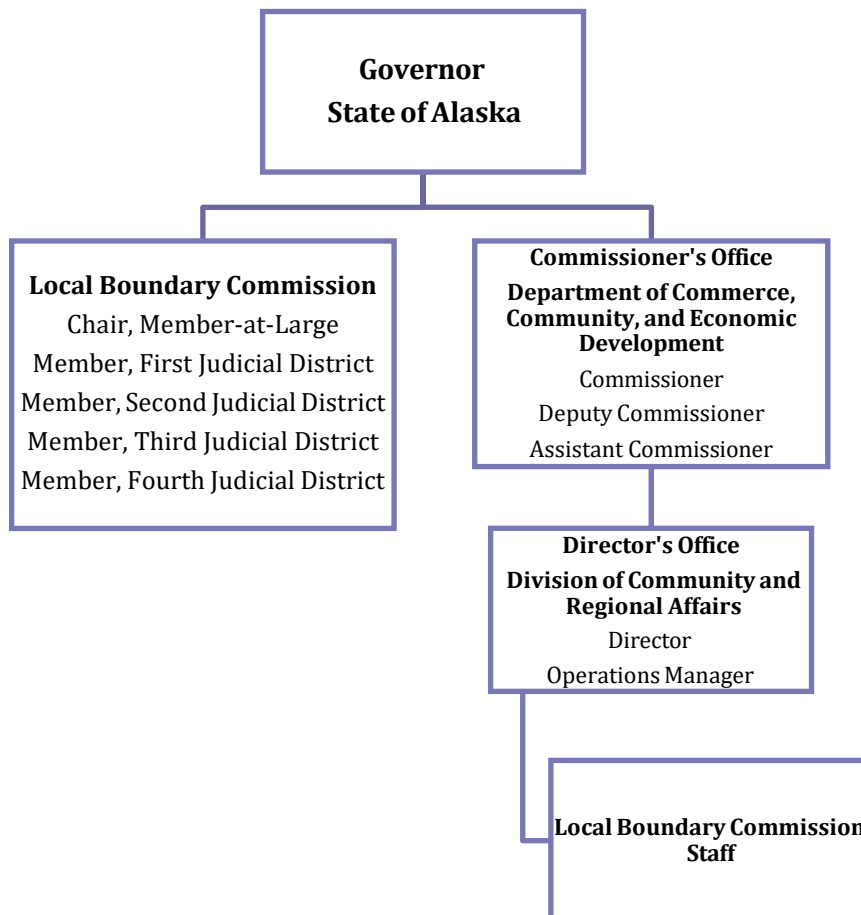
⁸ AS 44.33.020(a)(4) provides that DCCED "shall (4) serve as staff for the Local Boundary Commission."

⁹ AS 29.04.040, AS 29.05.080, AS 29.06.110, and AS 29.06.480 - 29.06.490; 3 AAC 110.530.

- Developing and updating incorporation or boundary change petition forms;
- Sending local boundary change petition forms and materials to interested persons and municipalities;
- Providing a communications link between the LBC and the public;
- Maintaining and preserving Alaska municipal incorporation and other boundary change records in accordance with Alaska’s public records laws;
- Coordinating, scheduling, and facilitating LBC public meetings and hearings;
- Developing orientation materials and providing training for new LBC members;
- Providing regular reports of its activities to LBC commissioners; and
- Preparing draft annual Legislative and other LBC reports.

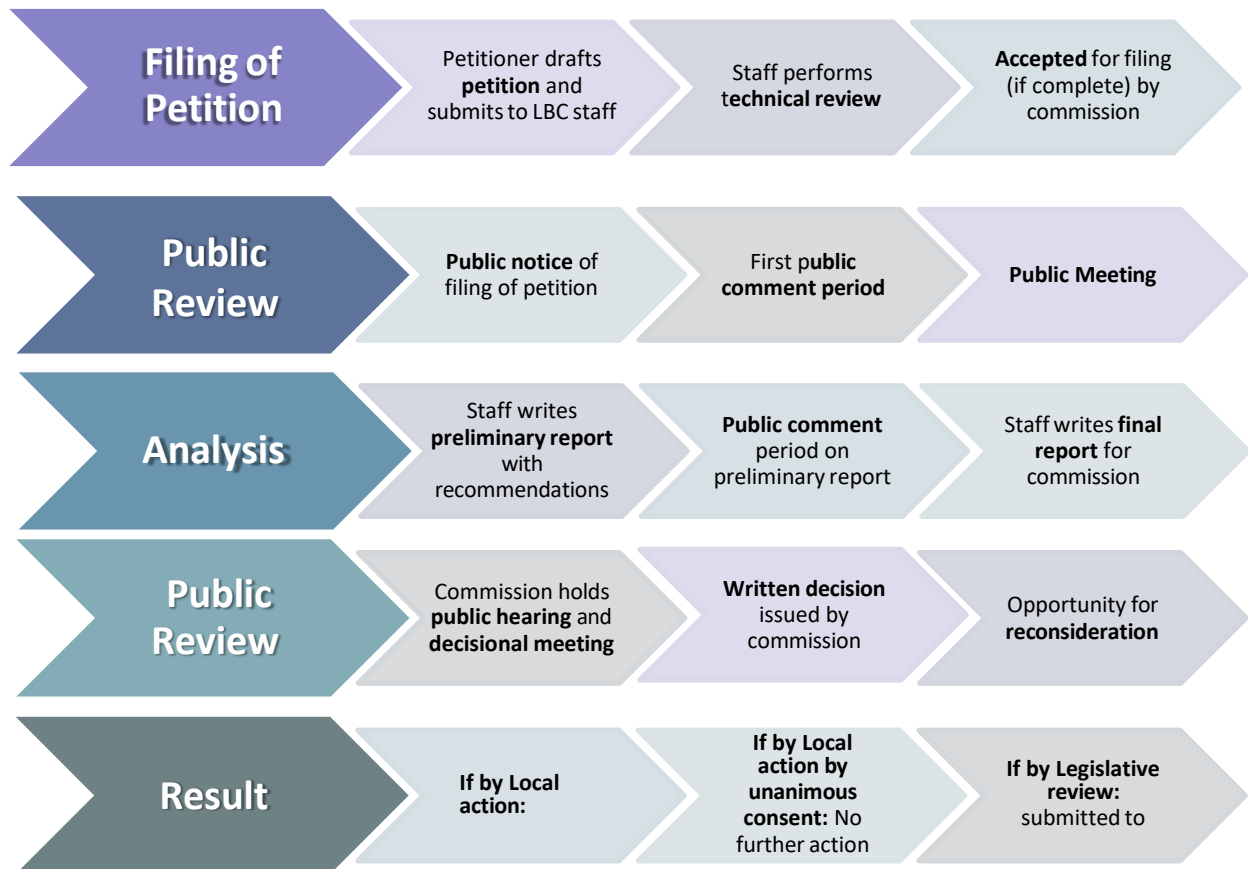
ORGANIZATIONAL CHART FOR LBC STAFF

The Local Boundary Commission is currently served by a single Local Government Specialist IV located in the Anchorage DCRA office.



LOCAL BOUNDARY COMMISSION PETITION PROCESS

When the department receives a petition, LBC staff performs a technical review to ensure that it contains all required elements. This review is not an analysis of the merits of the petition. If the petition does not include all necessary information, staff sends it back to the petitioner for completion. When a petition passes the initial technical review, it is accepted for filing. At this stage, staff works with the petitioner to ensure that the public is notified, and the petition is available for review as required by regulations. There are typically two public comment periods and two publicly available staff reports before the matter comes before the LBC in a public hearing. The reports contain recommendations for the commissioners. At the public hearing, the LBC listens to the petitioners, any responding parties, and any public comments and related information. At the decisional meeting, the commission discusses and considers testimony, public comments, and relevant information before it reaches a decision. The LBC may amend, approve, or deny a petition. If the petition is approved, the next step depends on the type of petition. If a petition is a legislative review petition, the proposed boundary change is submitted to the Legislature within the first 10 days of its regular session. The proposed boundary change takes effect after 45 days, unless the Legislature adopts a concurrent resolution disapproving it. If the petition is a local action petition, the boundary change question is placed on the ballot for approval by residents of the territory proposed for annexation and by the residents of the annexing municipality.



CHAPTER 2: LOCAL BOUNDARY CHANGES AND ACTIVITIES

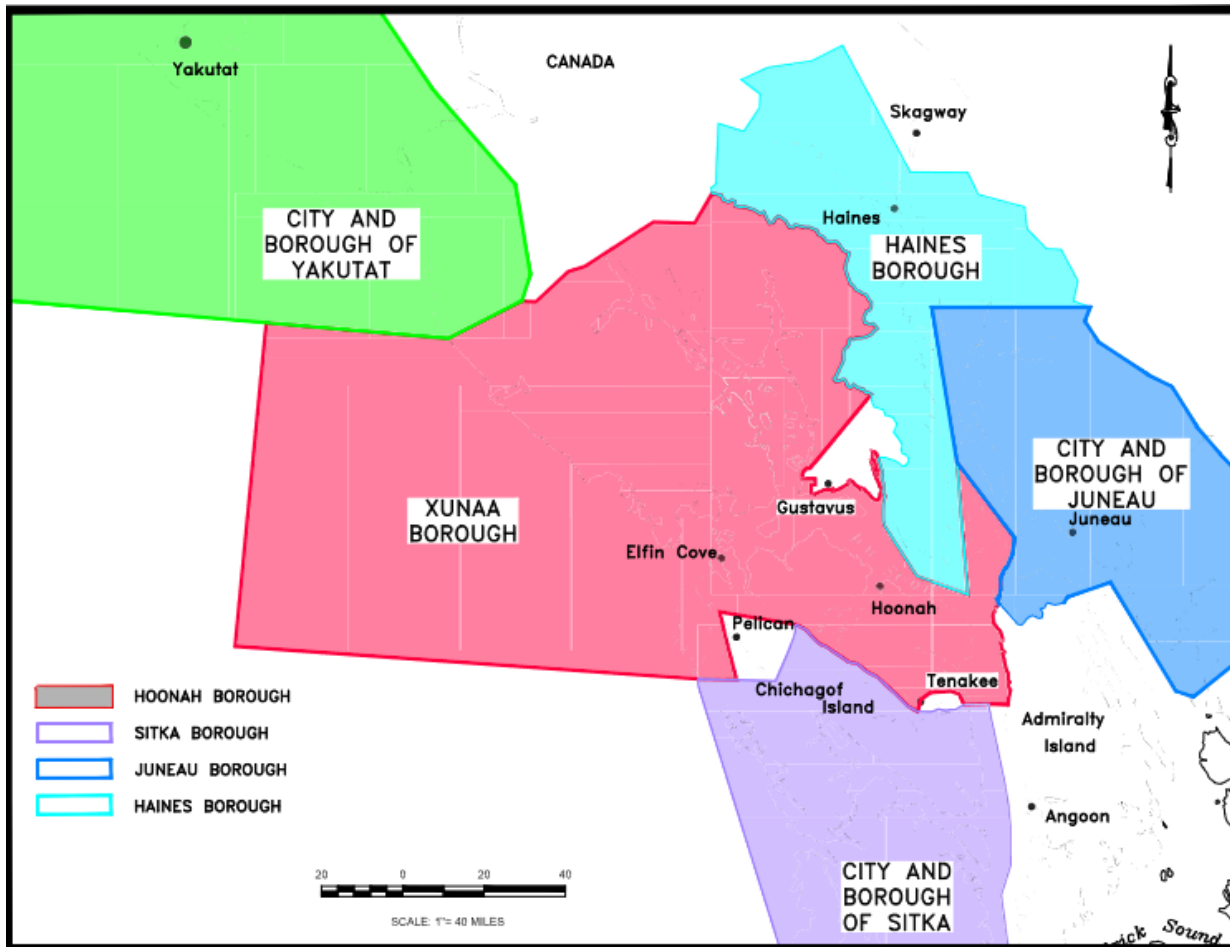
SUBMITTED PETITIONS

Two petitions were submitted for filing in 2023. The City of Hoonah submitted a petition for the incorporation of the non-unified home rule Xunaa borough, which was accepted for filing on November 27, 2023, and a petition for annexation to the City of Soldotna, which was rejected for filing because the petitioner was ineligible under 3 AAC 110.410. Inquiries related to incorporation, detachment, annexation, reclassification, and dissolution petitions and other matters are discussed in the next section of this report. All formally submitted reports and other commission documents can be found on the LBC website: <https://www.commerce.alaska.gov/web/dcra/LocalBoundaryCommission/CurrentandPastPetitions.aspx>.

CITY OF HOONAH BOROUGH INCORPORATION PETITION

On June 30, the City of Hoonah, a first class city in the unincorporated borough, submitted a petition to incorporate as a non-unified home rule *Xunaa* borough. LBC staff performed a technical review and found the petition did not contain signatures from registered voters as required per AS 29.05.060. The City had communicated with previous LBC staff, who advised that 3 AAC 110.410, which allows for a petition to be filed by a political subdivision of the state, would not require signatures from registered voters. LBC chair Larry Wood extended the 45-day technical review deadline allowing the petitioner to collect and submit signatures from registered voters both within the City, and from registered voters outside of the City of Hoonah but inside the area proposed for incorporation. The petition was accepted for filing on November 27, and a 90-day public comment period began on December 1.

The City of Hoonah's petition proposes to incorporate 4,246 square miles of land and 6,157 square miles of water, for a total of 10,403 square miles. The proposed borough does not include the first class city of Pelican, and the second-class cities of Gustavus and Tenakee Springs, but the proposal does include the unincorporated community of Elfin Cove. The proposal also includes the community of Funter Bay, which had previously been considered for annexation by the City and Borough of Juneau in 2019. However, that annexation petition was never accepted for filing.



Gustavus, Pelican, and Tenakee Springs were all included with Hoonah in the Glacier Bay Model Borough Boundary, which is identified in a larger, statewide study the LBC commissioned in 1989 funded by the Alaska Legislature. The study, prompted by a proliferation of annexations by boroughs in the 1980s, was an attempt to identify common interests in the unincorporated borough, while also recognizing that the formation of new boroughs and the expansion of existing boroughs are matters of statewide importance and concern. The Commission embarked on a massive effort to collect public testimony from the entire state, and adopt 'model borough boundaries' throughout the unorganized borough to provide a frame of reference for its evaluation of future petitions.

The Model Borough Boundary Study was finalized in 1992, updated in 1997, and was adopted in regulations of the Local Boundary Commission. These regulations observe that model borough boundaries are not rigid or unchangeable. Petitioners for borough incorporation or borough boundary changes may propose different boundaries if they make a specific and persuasive showing that other boundaries are more appropriate.¹

The public comment period for the Hoonah petition will run through February 29, 2024. 3 AAC 110.460 requires all municipalities within 20 miles of the proposed boundary be notified of the filing of the petition.

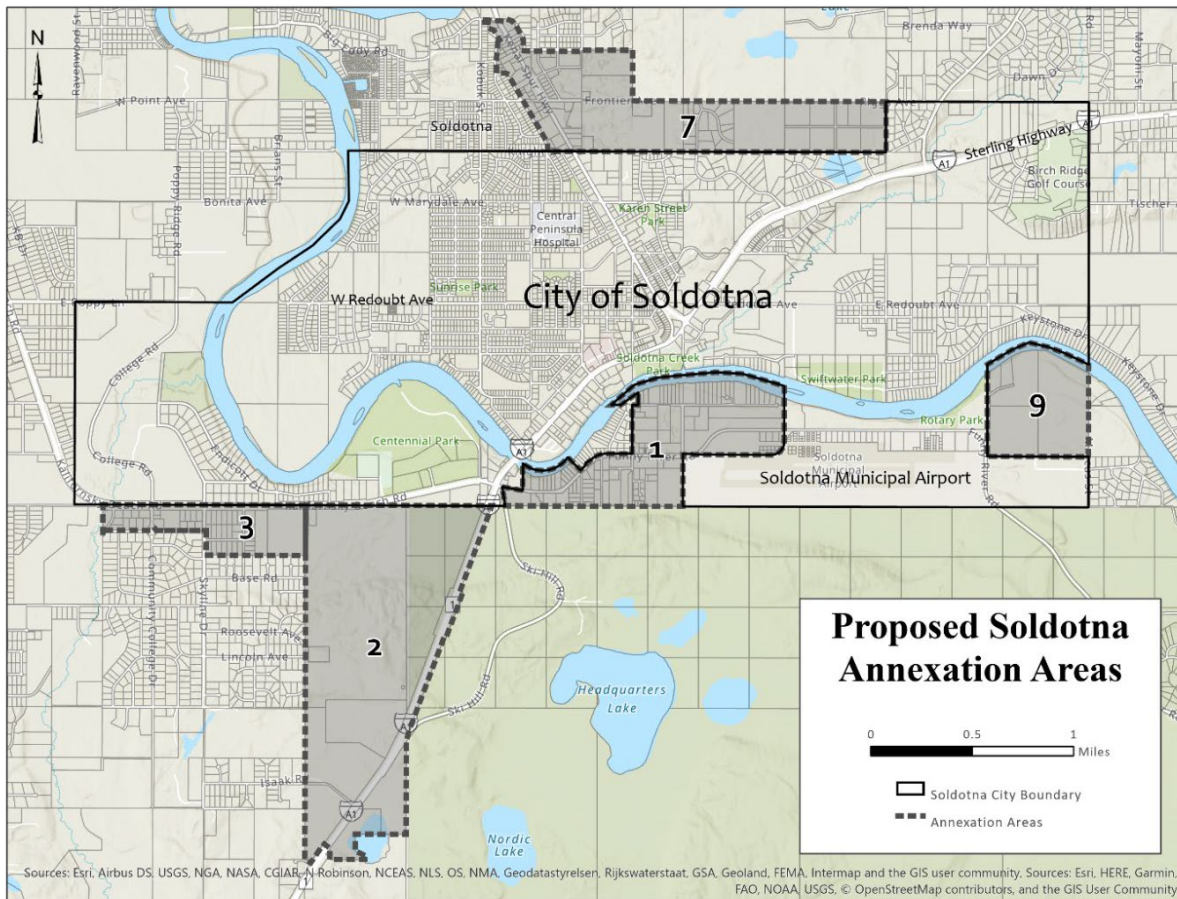
¹ State of Alaska Model Borough Boundaries Report, 1997. P. 3

At the conclusion of the public comment period, department staff will draft a preliminary report with recommendations to the Local Boundary Commission. A second public comment period on the preliminary report will be followed by staff's preparation of its final report. The LBC will hold a public hearing in Hoonah in the late summer of 2024, and will render a decision within 90 days thereafter. If approved, the local action petition will require the approval of area voters. The Xunaa Borough petition is the first borough incorporation petition the LBC has accepted for filing since the Petersburg borough petition was submitted in 2011 and became effective on January 3, 2013.

CITY OF SOLDOTNA ANNEXATION PETITION

Nearly four years after the City of Soldotna submitted its petition to annex 2.63 square miles through the legislative review method, an assistant attorney general representing the Local Boundary Commission presented oral arguments in September 2023 to the Alaska Supreme Court in favor of upholding the LBC's decision to convert Soldotna's proposed annexation of 2.63 square miles from the legislative review method to the local action method. Two of the three commissioners who voted to convert the petition are no longer on the LBC. A decision is expected sometime in the first half of 2024.

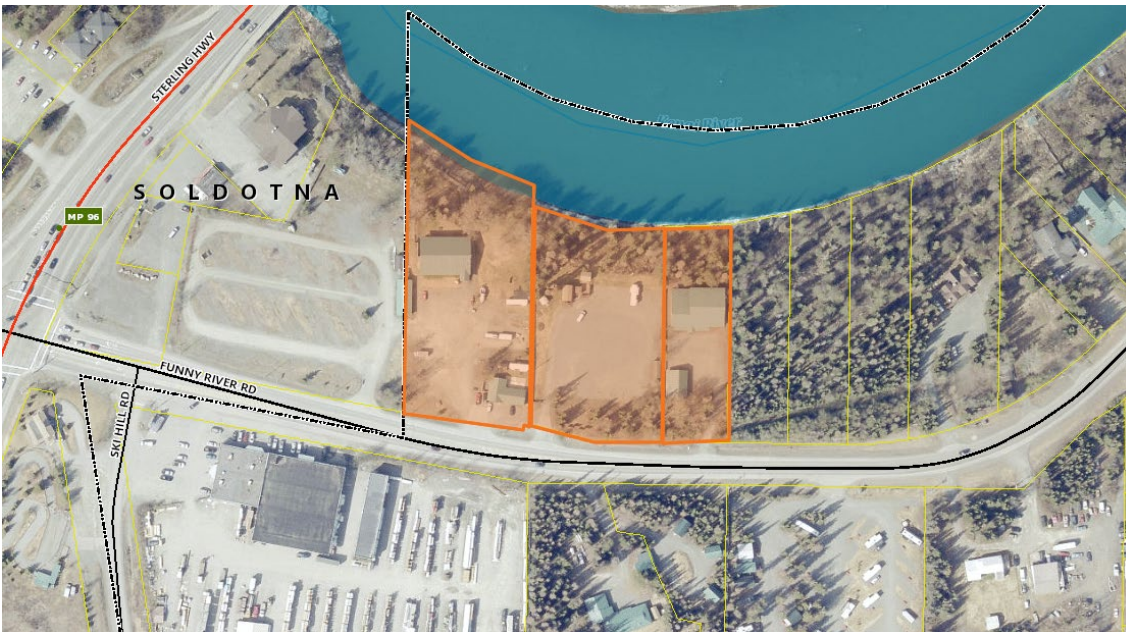
The City of Soldotna filed its boundary change petition in December 2019. In December 2020, following public and decisional hearings, the Local Boundary Commission approved the petition, but converted it from approval by the legislative review method to the local action method. The City of Soldotna appealed the decision to the Alaska Superior Court, arguing the LBC had no basis for converting the petition and engaged in arbitrary rule making without due process. The commission's decision was upheld by the Superior Court in September, 2022, and the City of Soldotna filed an appeal in Alaska Supreme Court.



On April 12, 2023, LBC staff received a petition from three parcel owners adjacent to the City of Soldotna's boundaries requesting that their parcels be annexed inside the city using the

“unanimous consent” method. A local action method of annexation, this procedure bypasses many of the steps in the boundary change process, but requires the consent of all property owners and voters, and the city. Soldotna has completed three such annexations in the past 30 years. In its 2020 decision to convert Soldotna’s petition from the legislative review method to the local action method, the LBC cited the previous unanimous consent annexations (filed under 3 AAC 110.590) as evidence of previously successful local action annexations. The three parcels proposed for annexation by the petitioners were inside the territory the city had already attempted to annex through its annexation petition currently under appeal with the Supreme Court.

The 2023 petition failed staff’s technical review and was not accepted for filing because it relied on AS 29.06.040(c)(4) which requires the property owners and voters to first petition the City of Soldotna. The city advised that it was not willing to pursue a concurrent annexation until the existing annexation appeal to the Supreme Court was resolved. LBC staff also rejected the petition because, even without support from the City of Soldotna, the petitioners were not eligible under 3 AAC 110.410 because they were not registered voters in the territory proposed for annexation. LBC staff sent a letter to the petitioner citing the statute and regulations with which the petition must comply.



CHAPTER 3: ADDITIONAL 2023 ACTIVITIES

DELTA JUNCTION

A resident of the Deltana region contacted LBC staff for information on a fuel tax that was proposed during a borough incorporation petition in 2007. The community member was drafting an ordinance for a new fuel tax to present to the Delta City Council. LBC staff responded with the information requested, which was contained in the 2007 petitioner's brief and available on the Local Boundary Commission website.

EAGLE RIVER

In October, LBC staff completed an informal technical review of a draft detachment and borough incorporation petition from community members in Eagle River who represent the Eaglexit organization. Department staff perform informal technical reviews periodically as time and workload allow.

Eaglexit's draft petition proposed to detach much of Assembly District 2 from the Municipality of Anchorage (MOA), and include it within a new non-unified home rule municipality also comprised of much of the western portion of Prince William Sound and the City of Whittier. The proposed municipality would be called the Chugach Regional Borough. The Chugach Regional Borough would be home to approximately 47,500 residents and cover a total area of more than 4,000 square miles, leaving the remaining MOA with approximately 238,000 residents and approximately 700 square miles, primarily in the Anchorage Bowl and the area extending south along the Seward Highway.

Though substantial in volume, the petition lacked several essential elements that would ensure that it is accepted for filing. For example, the petition contained very little information on the transition process and how affected Municipality of Anchorage assets and liabilities would be transferred to the proposed borough. Moreover, the draft petition contained no inventory of MOA real property or equipment. Both the Anchorage Landfill and Eklutna Lake, Anchorage Water and Wastewater Utility's primary source of fresh water, are in the area proposed for incorporation. Yet, the petition does not reflect any meetings with municipal officials (aside from a single meeting with a representative from the Anchorage Mayor's office) to discuss potential support for and feasibility of such transfers. However, the draft notes that "a comprehensive Transition Plan will require [the MOA's] cooperation and facilitation for final drafting."

Further, the petition proposed to include the City of Whittier, a second class city in the unincorporated borough currently served by the Chugach School District, a Regional Education Attendance Area.

It appears Eaglexit representatives are eager to move forward with the petition and volunteers contacted LBC staff on numerous occasions regarding signature gathering. LBC staff advised the organization's volunteers that they should refrain from collecting signatures

on the petition draft in its current form as it would likely not be accepted for filing, and any revisions would require collecting the signatures anew.

AS 29.05.060 requires signatures from 15 percent of voters in the area of the proposed borough incorporation. However, 3 AAC 110.410 sets the signature threshold for a detachment petition at 25 percent of persons registered to vote in the area proposed for borough detachment.

Prior to LBC staff receiving the draft of the Chugach Regional Borough petition, LBC staff met with two Girdwood residents who were interested in learning more about the borough detachment and incorporation process. In 2018, the Girdwood residents advised they had met with residents of Chenega, Tatitlek, Cordova and Whittier to discuss a Prince William Sound Borough. After further discussions, they dropped their proposal. However, recent land use discussions in Girdwood centered on housing have apparently revived interest in the community for potential detachment from the MOA and incorporation into a new borough with the City of Whittier. LBC staff provided the detachment informational packet to the residents.

LBC staff believes that two detachment efforts are operating independently, and there is no indication that either entity has consulted with the City of Whittier. If two petitions are submitted during a similar timeframe, the Commission may consolidate the detachment and borough formation processes under 3 AAC 110.430 and would be able to consider relevant information from concurrent or conflicting petitions during the process of rendering its decisions.

HOLLIS

A member of the Hollis Community Association contacted LBC staff to ask about incorporation as a city. Community members had considered incorporation approximately 10 years ago. The community member said there was interest in incorporating because some members thought it would "protect" against being annexed into a borough. LBC staff advised that incorporating as a second class city in the unincorporated borough wouldn't necessarily prevent the community from being annexed by either the Ketchikan Gateway Borough or included in a speculated Prince of Wales Borough. LBC staff encouraged the community member to discuss with members of the Hollis community what services they would like from a municipal government that are currently not being provided by the non-profit community association. In early November, LBC staff attended a meeting of the community association virtually, and presented information on the process of municipal incorporation, as well as some benefits and responsibilities of municipal government. Community members had questions about the Community Aid and Assistance Payment program, and the types of services a small municipal government could potentially provide. Several members were skeptical and oppose the idea of a property tax. LBC staff provided contact information and offered to assist the community in the future if members decide to pursue incorporation.

HARDING LAKE

The president of the Harding Lake Association contacted LBC staff to ask about the borough detachment process. The association president said several members, who own "second homes" along the lakefront of Harding Lake are interested in detaching from the Fairbanks North Star Borough (FSNB) because they receive no services from the borough. He also said residents of Salcha are interested in detaching because they do not see a benefit of FSNB services, and pointed to the many communities in the unorganized borough that do not pay property tax. LBC staff provided an informational packet on the detachment process, as well as a timeline and the relevant statutes and regulations.

WASILLA

LBC staff received a question from a liaison with Governor Mike Dunleavy's office, regarding the municipal annexation process. The liaison forwarded the question on behalf of the City of Wasilla's deputy administrator. LBC staff provided resources on the annexation process, and included direct contact information for further assistance.

GOODNEWS BAY

An attorney working with the Native Village of Goodnews Bay contacted LBC staff with questions about the dissolution of cities process. The attorney said there were members of the tribal organization in the community interested in dissolving the City of Goodnews Bay. He acknowledged there is also some resistance within the community. LBC staff described the petition process, explained that it requires 25 percent of the voters in the last regular election to sign onto a petition, and that there is no guaranteed outcome of success once the petition has been submitted to the LBC.

SEWARD

An attorney representing a private property owner contacted LBC staff to inquire about the process for detaching from a city. The property owner holds two parcels, each partially, but not completely, outside of the City of Seward. The attorney said the city has recently begun enforcing municipal code on the portions of the property outside of the city limits and the owner wishes to detach his parcels from the City of Seward. LBC staff provided the attorney with the informational packet that includes all relevant statutes and regulations for a detachment petition, and will continue to assist as requested.

TANANA/HB69

During the first half of the of the 33rd legislative session, Rep. Mike Cronk introduced House Bill 69, a bill that would allow certain first class cities with populations of fewer than 400 residents to apply for reclassification as second class cities under a less rigorous method than the typical reclassification petition process required by the LBC. There are five cities in Alaska

that would be eligible for reclassification under the bill, which was drafted after lawmakers read last year's LBC report regarding the City of Tanana's inquiry into the process.

Tanana, a first class city in the unorganized borough, is required by law to establish its own school district, as well as submit a financial audit every year. Since the City of Tanana incorporated in 1961, it has struggled to maintain more than 400 residents (the threshold for establishing a first class city) and hasn't met that threshold since at least 1990. Last year, the Department of Education and Early Development reached an agreement with Tanana to bring current its required local contribution for school district support, an obligation the city has also struggled in recent years to fulfill.

The superintendent of the Yukon Koyukuk/Tanana City School District contacted LBC staff to inquire about the City of Tanana's potential reclassification to a second class city in June, after Governor Mike Dunleavy signed HB 69 into law. The Department of Law determined that the new law would require new regulations to establish an LBC process for reclassification. The LBC approved a regulations project at its August 10, 2023 meeting. LBC staff worked with an assistant attorney general in drafting the new regulations, which were posted for public comment for 42 days. The Department received no comments on the regulations, and the LBC adopted them on November 29. The new regulations were signed by the Lieutenant Governor's office on December 6 and will become effective on January 4, 2024. If the City of Tanana submits a petition under the new regulations, and the LBC approves it, reclassification would become effective on July 1, 2024, and the Tanana City School District would officially become part of the Yukon-Koyukuk Regional Education Attendance Area.

OTHER LBC ACTIVITY

The Local Boundary Commission met five times in 2023. The first meeting was held telephonically on January 19, when the LBC approved its annual report to the legislature. No other business was conducted during the meeting. The Commission also met once telephonically during the legislative session to discuss House Bill 69, a bill affecting the reclassification of certain first class cities. The Commission met again in September to discuss drafting regulations to implement HB 69, and again in November to adopt the regulations. LBC staff performed two informal technical reviews of draft petitions, one formal technical review, and responded to requests for technical assistance from 21 different communities in 2023. LBC staff also served on National Petroleum Reserve-Alaska's Impact Mitigation Grant Program as a reviewer, ultimately approving the awards of 18 projects totaling more than \$18 million.

IN MEMORIUM

Vic Fischer (1924-2023)



Archives, University of Alaska, Fairbanks

In October, Alaska lost its last surviving signer of the Alaska State Constitution. Vic Fischer died at his home in Anchorage on October 22 at the age of 99. Fischer was instrumental in envisioning, developing, and advocating for local government in Alaska.

Fischer was born on May 4, 1924, in Berlin, Germany, though he was of Russian descent. He spent much of his childhood dodging the authoritarian regimes of both Stalin and Hitler. He moved to the United States in 1939 and attended high school in New York City, and college at the University of Wisconsin in Madison before enlisting in the U.S. Army to fight in World War II. When he returned from the European theater, he earned his masters degree in community planning from the Massachusetts Institute of Technology, where he saw a bulletin board notice posted for a job as a community planner in Alaska for the Bureau of Land Management.

Fischer arrived in Alaska in 1950 and eventually became Anchorage's first planning director. He quickly became active in a grassroots statehood movement and in 1955, at the age of 31, he was elected as a delegate to the Alaska Constitutional Convention in 1955, where he served on the Local Government Committee. It was on this committee that Fischer and several of his fellow committee members toured the country researching models for local government, eventually developing Alaska's two municipal government models, cities and regional "boroughs."

Later, from 1966-1976, he was the director of the University of Alaska's Institute of Social and Economic Research, helping to acquire funding for the Alaska Federation of Natives, and assisted in the drafting of the Environmental Impact Statement for the trans-Alaska pipeline.

It is difficult to overstate his contribution to Alaska's history, and particularly his contribution to local government. A staunch proponent of local self-determination and self-governance, Fischer provided a strong voice during the Convention, and contributed volumes of public policy work and testified on numerous occasions before the Local Boundary Commission after statehood. In 1975 he published a book on Alaska's Constitutional Convention that continues to be cited equally for its historical account and for its prescience and relevance almost 65 years after the passage of the Statehood Act.

In February, 1959, Fischer wrote a letter to Tom Stewart, whom had been the secretary of the Constitutional Convention and was serving in the Alaska Senate during its first legislative session. Alaska was in the very early stages of establishing services, including the local government agency mentioned specifically in the Constitution that would eventually be charged with assisting local governments. Fischer said in the letter:

"In establishing the local government units and preparing the local government article, the constitutional convention committee made a thorough analyses of functions performed by the state, functions performed by the localities, and functions performed by the state on the local level. It was the general consensus that in order to practice true democracy, the people of each area should have maximum say in the handling of their own affairs. This can be brought about best through the establishment of self-government units."

Since Statehood, Alaska has seen the formation of 19 boroughs, some compelled by the legislature, and others voluntarily incorporated. Not all have necessarily achieved the ideal of a "regional government" and not all were supported by Fischer in their originally proposed form.

Alaska continues to be challenged with providing services to both organized municipalities and the unorganized borough, a system that continues to slowly evolve. Fischer knew it would take time. As he wrote in the letter to Stewart:

"The transition from unorganized to organized boroughs will be one of long duration and will require material assistance. However, unless the transition is made in all possible cases, the state will be saddled forever with the performance of local functions throughout the bulk of Alaska."

To fully implement our Constitutional framers' vision for development of sound local government throughout Alaska much work lies ahead. The Local Boundary Commission will effectively and fairly do its part.

CHAPTER 4: CONCLUSION

The Local Boundary Commission staff focused most of its time in 2023 reviewing draft and final petitions and responding to various community requests for information on the boundary change process. In 2024, LBC staff and the Commission will be deeply engaged in the Xunaa petition, ensuring access to information and maximum public engagement.

Now that the new regulations have been adopted providing standards and a process for the reclassification of small first class cities, LBC staff is anticipating at least one new petition from the five municipalities eligible under the new law.

LBC staff will continue to provide municipalities, communities, and members of the public with technical assistance as they consider and prepare petitions or present questions related to the municipal boundary change process.

LBC staff is dedicated to ensuring that communities understand the boundary change process and guiding them through that comprehensive process. Ultimately, those efforts may culminate in a presentation of sufficient information to the LBC to support its constitutional mandate to consider and act on proposed boundary changes.

The LBC is pleased to serve the people of the State of Alaska by fairly and fully exercising its constitutional and statutory authority to consider and to act on proposed local boundary changes.

