

Sponsor Statement for SJR 16

Constitutional Amendment on Municipal Annexations

This legislation amends the constitution for procedures of annexation by the LBC. The legislation requires a vote of the affected population when the proposed annexation is greater than 10% in population or 10% in land area of the municipality proposing the annexation.

Alaskans want the ability to roam and range freely with our watercraft, our snow machines and other off road vehicles. But when someone or something is intruding into our boundary lines, we want some legal protection.

In Alaska, our state constitution provides us protection of our personal liberties in many areas. But ironically, that same constitution limits our protection on governmental encroachment by municipal boundaries. Our constitution establishes a local boundary commission that is charged with the responsibility for making boundaries of the local governments.

Article X, Section 12, establishes two methods of boundary changes: (1) by direction of the Local Boundary Commission (LBC) subject to legislative disapproval (known as the Legislative Review process and does not include a public vote) and (2) by "local action".

In both methods, the involvement of the LBC is mandatory. The Legislature can request that certain procedures are applied but they can not dictate those procedures by legislation. That process is placed in the Constitution of the State of Alaska and can only be amended by the voters of the entire state at the ballot box.

While I can understand some concerns of the municipalities about contiguous areas and certain City services, I don't believe that the current annexation process is proper or appropriate. Good public policy must carefully review the rights of all parties.

In my opinion, the current annexation process of the Legislative Review does not provide for that and SJR 16 is a step forward to a better process. It may be that the 10% bar is too low, and others might argue it should be even lower. That debate will take place as the bill progresses through the legislature.