

3 AAC 110 is amended by adding a new section to read:

3 AAC 110.371 Reclassification of first class cities by written request (a) If a first class city has a population of fewer than 400 residents based on the most recent decennial census, the city council may submit a petition to the Local Boundary Commission to reclassify as a second class city.

(b) 3 AAC 110.340-3 AAC 110.370 shall not apply to a reclassification request submitted under AS 29.04.045. (Eff. __/__/__, Register __)

Authority:	Art. X, sec 7, Ak Const.	<u>AS 29.04.045</u>
	Art. X, sec. 12, Ak Const.	AS 44.33.812
	AS 29.04.040	

3 AAC 110.420 is amended by adding a new subsection to read:

(e) For a petition submitted under AS 29.04.045, the council for a first class city must submit a petition containing the following information and supporting documentation:

- (1) the name of the petitioner;
- (2) for the petitioner's representative and alternative representative designated under 3 AAC 110.410(e)
 - (A) the physical address of each individual's place of residence;
 - (B) each individual's mailing address; and
 - (C) each individual's telephone number, facsimile number, and electronic

mail address, if any;

(3) the name and class of the

(A) existing municipal government for which a change is proposed; and

(B) proposed municipal government;

(4) a general description of the nature of the proposed commission action;

(5) a copy of the most recent decennial census conducted by the United States

Bureau of Census;

(6) documentation demonstrating that the petitioner is authorized to file the petition under 3 AAC 110.410; and

(7) an affidavit from the petitioner's representative that, to the best of the representative's knowledge, information, and belief, formed after reasonable inquiry, the information in the petition is true and accurate. (Eff. __/__/__, Register __)

Authority: Art. X, sec. 1, Ak Const. Art. X, sec. 3, Ak Const.

Art. X, sec. 7, Ak Const. Art. X, sec. 12, Ak Const.

Art X, sec. 14, Ak Const. AS 29.06.100

AS 29.04.040 AS 29.06.450

AS 29.04.045 AS 29.06.460

AS 29.06.040 AS 44.33.020

AS 29.06.090 AS 44.33.812

3 AAC 110.420 is amended by adding a new subsection to read:

(f) For petitions submitted under AS 29.04.045, the Commission may hold its decisional meeting on the same date as its hearing and render a decision thereon. The commission shall issue a written decision explaining all major considerations leading to the decision. A copy of the written decision shall be mailed to the petitioner, respondent and any other person requesting a copy. The department shall execute and file an affidavit of mailing as a part of the public record of the proceedings. (Eff. __/__/__, Register __)

Authority:	Art. X, sec. 1, Ak Const.	Art. X, sec. 3, Ak Const.
	Art. X, sec. 7, Ak Const.	Art. X, sec. 12, Ak Const.
	Art X, sec. 14, Ak Const.	AS 29.06.100
	AS 29.04.040	AS 29.06.450
	<u>AS 29.04.045</u>	AS 29.06.460
	AS 29.06.040	AS 44.33.020
	AS 29.06.090	AS 44.33.812

3 AAC 110.440 is amended by adding a new subsection to read:

(e) If a petition to reclassify is filed under AS 29.04.045, the department shall review the petition and complete the technical review within 10 days after receiving it. If the department determines the petition is in substantial compliance with the requirements of AS 29.04.045 and 3 AAC 110.420(e) the department shall notify the petitioner that the petition has been accepted for

filing and that it will forward the petition to the commission for decision. The commission shall decide a petition under this section within 30 days of the department's receiving the petition. If the department determines the petition contains deficiencies it shall notify the petitioner and require it to correct the deficiencies within 5 days. The department shall review any corrected petition within 5 days of its receipt and if it meets the requirements of this section the department shall notify the petitioner of its acceptance and forward the petition to the commission for a decision as provided for herein. (Eff. __/__/__, Register__)

Authority:	Art. X, sec. 1, Ak Const.	<u>AS 29.04.045</u>
	Art. X, sec. 3, Ak Const.	AS 29.06.040
	Art. X, sec. 7, Ak Const.	AS 29.06.110
	Art. X, sec. 12, Ak Const.	AS 29.06.480
	Art X, sec. 14, Ak Const.	AS 44.33.020
	AS 29.04.040	AS 44.33.812

3 AAC 110.550 is amended as follows:

(a) The commission will convene one or more public hearings at convenient locations within or near the boundaries of the proposed change as required under AS 29.04, AS 29.05, AS 29.06, AS 44.33.810-44.33.828, and this chapter. If the proposed change is for legislative review borough incorporation under AS 29.05.115, the commission will convene two or more public hearings within the boundaries of the proposed change.

(b) **Except for hearings on petitions filed under AS 29.04.045, notice of the date, time, place, and subject of the hearing must be**

(1) mailed, postage prepaid, by the department to the petitioner and to each respondent;

(2) published by the department at least three times, with the first date of publishing occurring at least 30 days before the date of the hearing, in a display ad format no less than three inches long by two columns wide, in one or more newspapers of general circulation selected by the department to reach the people within the boundaries of the proposed change; if the department determines that a newspaper of general circulation, with publication at least once a week, does not circulate within the boundaries of the proposed change, the department shall provide notice through other means designed to reach the public; and

(3) posted by the petitioner in at least three prominent locations readily accessible to the public within the boundaries of the proposed change in which the hearing is to be held, and where the petition documents are available for review, for at least 21 days preceding the date of the hearing.

(c) **Except for hearings on petitions filed under AS 29.04.045**, the department shall submit a request for a public service announcement of the hearing notice required under this section to at least one radio or television station serving within the boundaries of the proposed change and request that it be announced during the 21 days preceding the date of the hearing.

(d) The commission may postpone the time or relocate the place of the hearing by conspicuously posting notice of the postponement or relocating at the original time and location

of the public hearing. If the hearing is relocated, the new location will be within the same vicinity and will be rescheduled no more than 72 hours after the originally scheduled time.

(e) **Except for hearings on petitions filed under AS 29 04.045,** at least 14 days before the hearing, the petitioner and each respondent shall submit to the department a list of witnesses that the respective party intends to call to provide sworn testimony. The list must include the name and qualifications of each witness, the subjects about which each witness will testify, and the estimated time anticipated for the testimony of each witness. On the same date that the petitioner submits its witness list to the department, the petitioner shall provide a copy of its witness list to each respondent by hand-delivery, facsimile, electronic mail, or postage-prepaid mail. On the same date that a respondent submits its witness list to the department, the respondent shall provide a copy of its witness list to the petitioner and to all other respondents by hand-delivery, facsimile, electronic mail, or postage-prepaid mail.

(f) In conjunction with a public hearing under this section, the commission may tour the area or territory. The purpose of a tour is to enable the commission to gain first-hand perceptions regarding the characteristics of the area or territory. If a tour is conducted,

(1) the tour will be recorded; and

(2) conversations relating to the pending petition will be limited to factual questions by commission members to department staff and concise factual answers by the department staff.

(g) **Notice for hearings on petitions filed under AS 29.04.045. Notice of the date, time, place, and subject of the hearing must be**

(1) mailed, postage prepaid, by the department to the petitioner and to each respondent;

(2) published by the department at least one time occurring at least 10 days before the date of the hearing, in a display ad format no less than three inches long by two columns wide, in one or more newspapers of general circulation selected by the department to reach the people within the boundaries of the proposed change; if the department determines that a newspaper of general circulation, with publication at least once a week, does not circulate within the boundaries of the proposed change, the department shall provide notice through other means designed to reach the public; and

(3) posted by the petitioner in at least three prominent locations readily accessible to the public within the boundaries of the proposed change in which the hearing is to be held, and where the petition documents are available for review, for at least 21 days preceding the date of the hearing.

(4) the department shall submit a request for a public service announcement of the hearing notice required under this section to at least one radio or television station serving within the boundaries of the proposed change and request that it be announced during the 10 days preceding the date of the hearing. (Eff. __/__/__, Register __)

Authority: Art. X, sec. 12, Ak Const. AS 29.06.120

Art X, sec. 14, Ak Const. AS 29.06.490

AS 29.04.040 AS 44.33.020

AS 29.04.045 AS 44.33.812

Register ____, _____

COMMERCE, COMMUNITY, AND EC. DEV.

AS 29.05.090

AS 44.33.814

AS 29.06.040