SENATE CS FOR CS FOR HOUSE BILL NO. 133(CRA) am S

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Amended: 4/20/00
Offered: 4/18/00

Sponsor(s): REPRESENTATIVES BUNDE, Halcro

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to municipal service areas and providing for voter approval of
2 the formation, alteration, or abolishment of certain service areas."

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

4 * Section 1. AS 29.10.200 is amended by adding a new paragraph to read:
5
6 (60) AS 29.35.450 (voter approval of alteration or abolishment of
7 service areas).

8 * Sec. 2. AS 29.35.450(a) is amended to read:
9
10 (a) A service area to provide special services in a borough or unified
11 municipality may be established, operated, altered, or abolished by ordinance, subject
12 to (c) of this section. Special services include services not provided by the unified
13 municipality or a higher or different level of services. Special services include
14 services not provided by a borough on an areawide or nonareawide basis in the
15 borough [,] or a higher or different level of services than that provided
16 on an areawide or nonareawide basis. A [THE] borough may include a city in a
service area if

(1) the city agrees by ordinance; or

(2) approval is granted by a majority of voters residing in the city, and

by a majority of voters residing inside the boundaries of the proposed service area but
outside of the city.

* Sec. 3. AS 29.35.450 is amended by adding new subsections to read:

(c) If voters reside within a service area that provides road or fire protection
services, abolishment of the service area is subject to approval by the majority of the
voters residing in the service area who vote on the question. A service area that
provides road or fire protection services in which voters reside may not be abolished
and replaced by a larger service area unless that proposal is approved, separately, by
a majority of the voters who vote on the question residing in the existing service area
and by a majority of the voters who vote on the question residing in the area proposed
to be included within the new service area but outside of the existing service area. A
service area that provides road or fire protection services in which voters reside may
not be altered or combined with another service area unless that proposal is approved,
separately, by a majority of the voters who vote on the question and who reside in
each of the service areas or in the area outside of service areas that is affected by the
proposal. This subsection does not apply to a proposed change to a service area that
provides fire protection services that would result in increasing the number of parcels
of land in the service area or successor service area if the increase is no more than six
percent.

(d) This section applies to a home rule or general law municipality, except that
(c) of this section does not apply to a second class borough with a population that is
over 50,000 and under 80,000.

* Sec. 4. AS 29.35.470 is amended by adding a new subsection to read:

(b) The assembly may by ordinance establish, alter, and abolish differential tax
zones within a service area to provide and levy property taxes for a different level of
services than that provided generally in the service area.