



LAWS OF ALASKA

2005

Source

CSHB 121(2d RLS)

Chapter No.

AN ACT

Relating to consolidating or abolishing certain road service areas in certain second class boroughs; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to consolidating or abolishing certain road service areas in certain second class
2 boroughs; and providing for an effective date.

3 _____
4 * **Section 1.** AS 29.35.450(c) is amended to read:

5 (c) If voters reside within a service area that provides road, fire protection, or
6 parks and recreation services, abolishment of the service area is subject to approval by
7 the majority of the voters residing in the service area who vote on the question. A
8 service area that provides road, fire protection, or parks and recreation services in
9 which voters reside may not be abolished and replaced by a larger service area unless
10 that proposal is approved, separately, by a majority of the voters who vote on the
11 question residing in the existing service area and by a majority of the voters who vote
12 on the question residing in the area proposed to be included within the new service
13 area but outside of the existing service area. A service area that provides road, fire
14 protection, or parks and recreation services in which voters reside may not be altered

1 or combined with another service area unless that proposal is approved, separately, by
2 a majority of the voters who vote on the question and who reside in each of the service
3 areas or in the area outside of service areas that is affected by the proposal. This
4 subsection does not apply to a proposed change to a service area that provides fire
5 protection services that would result in increasing the number of parcels of land in the
6 service area or successor service area if the increase is not [NO] more than six percent
7 and would add not [NO] more than 1,000 residents. **This subsection does not apply**
8 **in a second class borough to abolishment of a road service area or consolidation**
9 **of two or more road service areas if**

10 **(1) taxes have not been levied in the service area for road**
11 **maintenance or construction during the last 12 months and there is no balance in**
12 **any account available to pay for these road services for the service area;**

13 **(2) during the last 12 months, the service area board has not met**
14 **with a quorum present and in accordance with law; or**

15 **(3) there are no road maintenance contracts in effect for the**
16 **service area or the existing road maintenance contracts fail to provide for**
17 **minimum road standards required by law that are necessary to protect the**
18 **borough from civil liability.**

19 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).