ALASKA CONSTITUTIONAL CONVENTION

REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Hon. William A. Egan, President
Alaska Constitutional Convention

Dear President Egan:

Your Committee on Style and Drafting herewith presents its redraft of the Article on Local Government for consideration by the Convention.

Respectfully submitted,

George Sundborg, Chairman
R. Rolland Armstrong
Edward V. Davis
Victor Fischer
Mildred R. Hermann
James J. Hurley
Maurice T. Johnson
George M. McLaughlin
Katherine D. Nordale
CONSTITUTIONAL CONVENTION OF ALASKA

RESOLVED, that the following be agreed upon as part of the Alaska State Constitution.

ARTICLE X

LOCAL GOVERNMENT

| Purpose and Construction | 1. Section 1. The purpose of this article is to provide for maximum local self-government with a minimum of local government units and to prevent duplication of tax-levying jurisdictions. A liberal construction shall be given to the powers of local government units.
| Local Government Powers | 2. Section 2. All local government powers shall be vested in boroughs and cities. The State may delegate taxing powers to organized boroughs and cities only.
| Boroughs | 3. Section 3. The entire State shall be divided into boroughs, organized or unorganized. They shall be established in a manner and according to standards provided by law. The standards shall include geography, economy, transportation and other factors. Each borough shall embrace an area and population with common interests to the maximum degree possible. The legislature shall
classify boroughs and prescribe their powers and functions. Methods by which boroughs may be organized, incorporated, merged, consolidated, dissolved or reclassified shall be prescribed by law.

Section 4. The governing body of the organized borough shall be the assembly, and its composition shall be established by law or charter. Each city of the first class, and each city of any other class designated by law, shall be represented on the assembly by one or more members of its council. The other members of the assembly shall be elected from and by the qualified voters resident outside such cities.

Section 5. Service areas to provide special services within an organized borough may be established, altered or abolished by the assembly, subject to the provisions of law or charter. A new service area shall not be established if, consistent with the purposes of this article, the new service can be provided by an existing service area, by incorporation as a city, or by annexation to a city. The assembly may authorize the levying of taxes, charges or assessments within a service area to finance the special services.

Section 6. The legislature shall provide for the performance of services in unorganized boroughs, allowing for maximum local participation and responsibility.
Section 7. Cities shall be incorporated in a manner prescribed by law, and shall be a part of the borough in which they are located. Cities shall have the powers and functions conferred by law or charter. They may be merged, consolidated, classified or dissolved in the manner provided by law.

Section 8. The governing body of a city shall be the council.

Section 9. The qualified voters of any borough of the first class or city of the first class may adopt, amend or repeal a home rule charter in a manner provided by law. In the absence of such legislation, the governing body of a borough or city of the first class shall provide the procedure for the preparation and adoption or rejection of the charter. All charters, or parts or amendments of charters, shall be submitted to the qualified voters of the borough or city and shall become effective if approved by a majority of those who vote on the specific question.

Section 10. The legislature may extend home rule to other boroughs and cities.

Section 11. A home rule borough or city may exercise all legislative powers not prohibited by law or by charter.

Section 12. A local boundary commission or board
Agreements; Transfer of Powers

Local Government Agency

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.

Section 13. Agreements, including those for cooperative or joint administration of any functions or powers, may be made by any local government with any other local government, with the State or with the United States unless otherwise provided by law or charter. A city may transfer to the borough in which it is located any of its powers or functions unless prohibited by law or charter, and may in like manner revoke the transfer.

Section 14. An agency shall be established by law in the executive branch of the state government. It shall advise and assist local governments, review their activities, collect and publish local government information and perform other duties prescribed by law.
| Special Service Districts | 1 | Section 15. At the time a borough is organized, special service districts performing local functions shall be integrated with the government of the borough as provided by law. |
CONSTITUTIONAL CONVENTION OF ALASKA

COMMITTEE PROPOSAL NO. 6/a

Introduced by Committee on Local Government

LOCAL GOVERNMENT

RESOLVED, that the following be agreed upon as part of the Alaska State Constitution.

ARTICLE X

ARTICLE ON LOCAL GOVERNMENT

Purpose and Construction

1. The purpose of this article is to provide for local self-government with a minimum of local government units. and to prevent duplication of tax-levying jurisdictions. A liberal construction shall be given to the powers of local government units.

Local Government Powers

2. All local government powers shall be vested in boroughs and cities. The State may delegate taxing powers to organized boroughs and cities only.

Boroughs

3. The entire area of the State shall be divided into organized or unorganized boroughs. They shall be established in a manner and according to standards provided by law. The standards shall include geography, economy, transportation.
and other factors. Each borough shall embrace an area and population with common interests to the maximum degree possible. The legislature shall classify boroughs and provide the methods by which they may be organized, incorporated, merged, consolidated, dissolved, or reclassified.

Section 4. The powers and functions of classes of boroughs shall be prescribed by law.

Section 5. The assembly shall be the governing body of the organized borough. Each city of the first class, and other class designated by law, shall be represented in the assembly by one or more members of its council. The other members of the assembly shall be elected from and by the qualified voters resident outside such cities.

Section 5. Service areas to provide special services within an organized borough may be established, altered or abolished by the assembly, subject to the provisions of law or charter. A new service area shall not be established if, consistent with the purposes of this article, the new service can be provided by an existing service area, by incorporation as a city, or by annexation to a city. The assembly
may authorize the levying of taxes, charges or
assessments within a service area to finance the
special services.

Section 6. The legislature shall provide for the
performance of services in unorganized boroughs,
allowing for the maximum measure of local participation
and responsibility.

Section 7. Cities shall be incorporated in a manner
prescribed by law, and shall be a part of the
borough in which they are located. Cities shall have the powers and functions conferred by law or charter. They may be merged, consolidated, classified or dissolved in the manner provided by law.

Section 8. The council shall be the governing body of a city.

Section 9. The qualified voters of any borough or city of the first class may adopt, amend, or repeal a home rule charter in a manner provided by law. In the absence of such legislation, the governing body of a borough or city of the first class shall provide the procedure for adoption or rejection of the charter. All charters, or parts and amendments of charters, shall be submitted to the qualified voters of the borough or city and shall become effective.
Section 10. The legislature may extend home rule to other boroughs and cities.

Section 11. A home rule borough or city may exercise all powers and functions not prohibited by law or by charter.

Section 12. A local boundary commission or board shall be established by law in the executive branch. The commission or board may consider any proposed local government boundary change. They 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 for adjusting local government boundaries by local action.

Section 13. Agreements, including cooperative or joint administration of any functions or powers, may be made by any local government with any other local government, with the State or with the United States unless otherwise provided by law or charter. Any city may transfer to the borough in which it is located...
any of its powers or functions unless otherwise provided by law or charter, and may revoke the transfer.

Section 14. An agency shall be established by law in the executive branch. It shall advise and assist local governments, collect and publish local government information and perform other duties prescribed by law.

Section 15. At the time a borough is organized, special districts performing local functions shall be integrated with the government of the borough as provided by law.