FOLDER NO.
420.10
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

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.

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.

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.
Cities
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.

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

Charters
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.
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.
AMENDMENT TO (COMMITTEE) PROPOSAL No. 6/a (Article X)

MR. PRESIDENT:

I move that (Committee) Proposal No. 6/a (X) be amended as follows:

Following to be inserted in the Committee Report:

"At the end of Section 6, add the following sentence: "It may exercise any powers or functions in an unorganized borough which the assembly may exercise in an organized borough".

On page 3, line 5, insert ", reclassified, " after "classified".

Section 15, strike "At the time a borough is organized," and "performing local functions", and insert in lieu of the last phrase "existing at the time a borough is organized," , and change "s" to "S" in "special".

Correct the spelling of "borough" in section 7.

Section 3, line 12 of page 1, add the word "population," at the end of the line.

........ on line 9, page 4, the hyphen be placed after the first "m".

Line 21 of Section 14, strike the period and word "it", and on line 22, strike the word "shall" and insert the word "to" after "government".

Strike the comma after "governments" and insert a period and insert after the period the words "It shall".

Then the words "it deems necessary or advisable" from the enrolled copy be restored to the report on Style and Drafting.

........ sentence beginning on line 5 of page 4 beginning "The change shall become effective forty-five days etc." be adopted.

Section 15, strike "At the time a borough is organized," , change "s" to "S" in "special", and strike "performing local functions" and insert therefor "existing at the time a borough is organized,".
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Boroughs

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Service Areas

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Extended Home Rule

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

Home Rule Powers

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Boundaries

Section 12. A local boundary commission or board
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.

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