



LAWS OF ALASKA

1968

Source

SB 328 am FCC

Chapter No.

156

AN ACT

Relating to the establishment of third class boroughs; and providing for an effective date.

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

* Section 1. AS 07 is amended by adding a new chapter to read:

CHAPTER 17. THIRD CLASS BOROUGHS.

Sec. 07.17.010. EFFECT OF CHAPTER. Third class organized boroughs shall be incorporated as provided in this title. Provisions of law relating to first and second class organized boroughs apply with respect to third class boroughs only if and to the extent they are consistent with this chapter.

Sec. 07.17.020. POWERS OF THIRD CLASS BOROUGH. (a) The third class borough shall exercise the areawide powers of education and tax assessment and collection as provided for second class boroughs in this title.

(b) The third class borough may establish, operate, alter or abolish service areas as provided for second class boroughs in this title.

Sec. 07.17.030. ASSEMBLY TO SERVE AS SCHOOL BOARD. (a) The borough assembly shall be the borough school board for third class boroughs. Where applicable, weighted voting shall apply to board decisions. The presiding officer of the borough assembly is the president of the school board. The executive of the borough is the presiding officer and is appointed from and by the assembly. The presiding officer shall exercise as well the powers conferred under this title upon the borough chairman, except that he does not have the veto power.

* Sec. 2. AS 07.35.010 is amended to read:

Sec. 07.35.010. CLASSIFICATION. Organized boroughs incorporated under this title are either first class, second class, or third class boroughs. The first class borough is a general law borough. The second class and third class boroughs are optional law boroughs. Original classification is determined by the petition for incorporation approved by the voters for incorporation. The unorganized borough established by this title is unclassified. Unless clearly not applicable, the term "borough" and "organized borough," as used in this title mean a first class, second class, or third class organized borough.

* Sec. 3. AS 07.35.020 is amended by adding new subsections to read:

(c) A third class borough may reclassify as a second class or a first class borough. A second class borough may reclassify as a third class or a first class borough. Voting on the question shall be areawide. The third class borough assembly shall be elected at the time of voting on reclassification of the borough.

(d) If a borough is reclassified under this section, all assets and liabilities of the reclassified borough become the assets and liabilities of the new borough.

* Sec. 4. This Act takes effect on the day after its passage and approval or on the day it becomes law without approval.