



LAWS OF ALASKA

1988

Source

CSSB 50(Rules) am

Chapter No.

35

AN ACT

Relating to dissolution of a municipality.

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

THE ACT FOLLOWS ON PAGE 1, LINE 8

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: May 12, 1988
Actual Effective Date: August 10, 1988

AN ACT

Relating to dissolution of a municipality.

* Section 1. AS 29.06.470(a) is amended to read:

(a) Except as provided in (b) of this section, voters of a municipality may petition for dissolution when the municipality is free of debt, or, if in debt, each of its creditors is satisfied with a method of repayment and

(1) the municipality [IT] no longer meets the minimum standards prescribed for incorporation by AS 29.05, or former AS 29.-18.030 if it is a third class borough; [OR]

(2) the municipality ceases to use each of its mandatory powers; or

(3) the dissolution petition filed under AS 29.06.460 is signed by a number of voters of the municipality proposed to be dissolved greater than 50 percent of the number of votes cast in the last general election in that municipality.

* Sec. 2. AS 29.06.500(a) is amended to read:

(a) If the Local Boundary Commission determines that a municipality fails to meet the standards for dissolution, it shall reject the petition. If the commission determines that the municipality meets the standards under AS 29.06.470(a)(1) or (2), it shall accept the petition. If the commission determines that the municipality meets the standards under AS 29.06.470(a)(3) and that dissolution of the municipality is in the best interest of the state, it shall accept

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1 the petition.

2 * Sec. 3. AS 29.06.510(a) is amended to read:

3 (a) The Local Boundary Commission shall immediately notify the
4 director of elections of its acceptance of a dissolution petition.
5 Within 30 days after notification, the director of elections shall
6 order an election in the municipality to determine whether the voters
7 desire dissolution. The election must be held at least 30 and not
8 more than 90 days after the election order unless such timing would
9 cause the election to be held between May 1 and November 1. If the
10 director of elections receives notification after April 1, but before
11 October 1, the election shall be held within 60 days after November 1.
12 A person who is a voter of the municipality may vote in the dissolu-
13 tion election.

14 * Sec. 4. AS 29.06.510(c) is amended to read:

15 (c) The director of elections shall certify the election re-
16 sults. If dissolution is approved by a number of voters greater than
17 50 percent of the number of people registered to vote in the munici-
18 pality, the director of elections shall declare that the municipality
19 is dissolved effective on the date of certification.

20 * Sec. 5. AS 29.06.520 is amended to read:

21 Sec. 29.06.520. SUCCESSION. A municipality [THE GOVERNMENT]
22 succeeding to a dissolved municipality succeeds to all [ITS RIGHTS,
23 POWERS, DUTIES,] assets [,] and liabilities of the dissolved munici-
24 pality. Otherwise, the state succeeds to those assets and liabili-
25 ties. If the state succeeds to a dissolved municipality, the state
26 may enter into a contract for the performance of duties or powers in
27 the area of the dissolved municipality. However, a contract with an
28 organization for the performance of duties or powers entered into
29 under this section does not constitute recognition by the state of
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1 governmental powers of that organization.
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