

**HOUSE BILL NO. 365**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE BUNDE

Introduced: 1/28/98

Referred: Community and Regional Affairs

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to municipal service areas and providing for voter approval of  
2 the formation, alteration, or abolishment of certain service areas."

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

4 \* **Section 1.** AS 29.10.200 is amended by adding a new paragraph to read:

5 (54) AS 29.35.450 (voter approval of alteration or abolishment of  
6 service areas).

7 \* **Sec. 2.** AS 29.35.450(a) is amended to read:

8 (a) A service area to provide special services in a borough **or unified**  
9 **municipality** may be established, operated, altered, or abolished by ordinance, **subject**  
10 **to (c) of this section. Special services include services not provided by the unified**  
11 **municipality or a higher or different level of services.** Special services include  
12 services not provided **by a borough** on an areawide or nonareawide basis in the  
13 borough [,] or a higher or different level of **services** [SERVICE] than that provided  
14 on an areawide or nonareawide basis. **A** [THE] borough may include a city in a

1 service area if

2 (1) the city agrees by ordinance; or

3 (2) approval is granted by a majority of voters residing in the city, and  
4 by a majority of voters residing inside the boundaries of the proposed service area but  
5 outside of the city.

6 \* **Sec. 3.** AS 29.35.450 is amended by adding new subsections to read:

7 (c) If voters reside within a service area, abolishment of the service area is  
8 subject to approval by the majority of the voters residing in the service area who vote  
9 on the question. A service area in which voters reside may not be abolished and  
10 replaced by a larger service area unless that proposal is approved, separately, by a  
11 majority of the voters who vote on the question residing in the existing service area  
12 and by a majority of the voters who vote on the question residing in the area proposed  
13 to be included within the new service area but outside of the existing service area. A  
14 service area in which voters reside may not be altered or combined with another  
15 service area unless that proposal is approved, separately, by a majority of the voters  
16 who vote on the question and who reside in each of the service areas or in a proposed  
17 service area affected by the proposal.

18 (d) This section applies to home rule and general law municipalities.