

HOUSE BILL NO. 133

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES BUNDE, Halcro

Introduced: 3/11/99

Referred: Community and Regional Affairs, Finance

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; and providing
3 for an effective date."

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

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

6 (59) AS 29.35.450 (voter approval of alteration or abolishment of
7 service areas).

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

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

1 on an areawide or nonareawide basis. A [THE] borough may include a city in a
2 service area if

3 (1) the city agrees by ordinance; or

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

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

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

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

21 * **Sec. 4.** This Act takes effect July 1, 1999.