

HOUSE BILL NO. 13

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES BUNDE, Kohring

Introduced: 1/8/01

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 the**
2 **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 (60) 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,
10 **subject to (c) of this section. Special services include services not provided by the**
11 **unified municipality or a higher or different level of services.** Special services
12 include services not provided **by a borough** on an areawide or nonareawide basis in
13 the 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 that provides road or fire protection
8 services, abolishment of the service area is subject to approval by the majority of the
9 voters residing in the service area who vote on the question. A service area that
10 provides road or fire protection services in which voters reside may not be abolished
11 and 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 that provides road or fire protection services in which voters reside may
16 not be altered or combined with another service area unless that proposal is approved,
17 separately, by a majority of the voters who vote on the question and who reside in
18 each of the service areas or in the area outside of service areas that is affected by the
19 proposal. This subsection does not apply to a proposed change to a service area that
20 provides fire protection services that would result in increasing the number of parcels
21 of land in the service area or successor service area if the increase is no more than six
22 percent.

23 (d) This section applies to a home rule or general law municipality, except that
24 (c) of this section does not apply to a second class borough with a population that is
25 over 50,000 and under 80,000.

26 * **Sec. 4.** AS 29.35.470 is amended by adding a new subsection to read:

27 (b) The assembly may by ordinance establish, alter, and abolish differential
28 tax zones within a service area to provide and levy property taxes for a different level
29 of services than that provided generally in the service area.