

**HOUSE BILL NO. 250**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE MCCABE

Introduced: 1/16/24

Referred: Community and Regional Affairs, State Affairs

**A BILL****FOR AN ACT ENTITLED**

1 "An Act relating to municipal and school board elections; declaring Election Day a  
2 holiday; relating to terms of office for municipal mayors, municipal governing bodies,  
3 elected utility boards, and school boards; and providing for an effective date."

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

5 \* **Section 1.** AS 14.08.061(a) is amended to read:

6 (a) Members elected to a regional school board shall serve **four-year**  
7 [STAGGERED THREE-YEAR] terms. However,

8 (1) the term of office of all of the members of a regional school board  
9 elected from the same multi-member section may not expire at the same time; and

10 (2) for the first board elected, the term of office of each member shall  
11 be determined by lot, according to the following schedule:

12 (A) the members of the first five-member school board shall  
13 hold office for terms as follows: **three members** [ONE MEMBER] for a **four-**  
14 **year** [ONE-YEAR] term **and** [;] two **members** for a two-year term [AND

1 TWO FOR A THREE-YEAR TERM];

2 (B) the members of the first seven-member school board **shall**  
3 hold office for terms as follows: **four** [TWO] members for a **four-year** [ONE-  
4 YEAR] term **and three members** [; TWO] for a two-year term [AND THREE  
5 FOR A THREE-YEAR TERM];

6 (C) the members of the first nine-member school board **shall**  
7 hold office for terms as follows: **five members** [THREE] for a **four-year**  
8 [ONE-YEAR] term **and four members** [; THREE] for a two-year term [AND  
9 THREE FOR A THREE-YEAR TERM];

10 (D) the members of the first 11-member school board **shall**  
11 hold office for terms as follows: **six members** [THREE] for a **four-year**  
12 [ONE-YEAR] term **and five members** [, FOUR] for a two-year term [AND  
13 FOUR FOR A THREE-YEAR TERM].

14 \* **Sec. 2.** AS 14.08.071(b) is amended to read:

15 (b) Except for the first election of regional school board members under (a) of  
16 this section, elections shall be held [ANNUALLY] on the [FIRST] Tuesday **after the**  
17 **first Monday in November of each even-numbered year** [IN OCTOBER]. Elections  
18 shall be supervised by the director of elections in the office of the lieutenant governor,  
19 but shall be administered within second class cities as part of the regular municipal  
20 election. The lieutenant governor shall adopt regulations for the conduct of the  
21 election of regional school board members comparable, as far as practicable, to those  
22 prescribed for election of school board members under AS 14.12 and AS 29.20.300  
23 except that the majority election requirements of AS 29.26.060 do not apply to, nor  
24 may the regulations require runoff elections for, the first election of regional school  
25 board members under (a) of this section or, if a school board by resolution so requests,  
26 to subsequent elections in the regional educational attendance area served by that  
27 school board.

28 \* **Sec. 3.** AS 14.08.071(e) is amended to read:

29 (e) The lieutenant governor may provide for the election of an advisory school  
30 board established under AS 14.08.115. An election conducted under this subsection  
31 shall be held on the [FIRST] Tuesday **after the first Monday in November of each**

1 even-numbered year [IN OCTOBER]. The lieutenant governor may adopt  
2 regulations governing an election conducted under this subsection.

3 \* **Sec. 4.** AS 14.12.050(a) is amended to read:

4 (a) The term of office of a member of a borough or city school board is **four**  
5 [THREE] years and until a successor takes office. However, the members of a newly  
6 created five-member school board hold office for initial terms as follows: **three**  
7 **members** [TWO] for a term of **four** [THREE] years **and** [,] two **members** for a term  
8 of two years, [AND ONE FOR A TERM OF ONE YEAR,] the terms being assigned  
9 to the members by lot. The members of a newly created seven-member school board  
10 hold office for initial terms as follows: **four members** [THREE] for a term of **four**  
11 [THREE] years **and three members** [, TWO] for a term of two years, [AND TWO  
12 FOR A TERM OF ONE YEAR,] the terms being assigned to the members by lot.

13 \* **Sec. 5.** AS 14.12.050(b) is amended to read:

14 (b) When a transition is made from a five-member school board to a seven-  
15 member school board, the length of the terms of office for the two new members to be  
16 elected shall be determined by lot, **one member for a term of four years and one**  
17 **member for a term of two years** [SO THAT WHEN THE TERMS OF OFFICE FOR  
18 THE TWO NEW MEMBERS ARE ASSIGNED, THE TERMS OF OFFICE FOR  
19 THE ENTIRE SEVEN-MEMBER BOARD SHALL BE AS FOLLOWS: THREE  
20 MEMBERS HAVE A THREE-YEAR TERM, TWO MEMBERS HAVE A TWO-  
21 YEAR TERM, AND TWO MEMBERS HAVE A ONE-YEAR TERM. A SEVEN-  
22 MEMBER SCHOOL BOARD, THE TERMS OF OFFICE OF WHOSE MEMBERS  
23 AT THE TIME OF TRANSITION FROM A FIVE-MEMBER BOARD DID NOT  
24 RESULT IN TERMS EXPIRING IN THE MANNER PROVIDED IN THIS  
25 SECTION, MAY, BY RESOLUTION ADOPTED BY A MAJORITY OF THE  
26 MEMBERS OF THE BOARD, ADJUST THE TERMS OF OFFICE TO CONFORM  
27 TO THE SCHEDULE FOR EXPIRATION OF TERMS OF OFFICE PROVIDED IN  
28 THIS SECTION].

29 \* **Sec. 6.** AS 29.04.040(d) is amended to read:

30 (d) The council shall, within 30 days after receiving notification from the  
31 Local Boundary Commission that a petition has been accepted, order an election on

1 the question of reclassification. The election shall be held at least 30 days after the  
 2 order and not later than either the next regular election occurring after the 30-day  
 3 period or 180 days after the 30-day period, whichever is earlier. If more than one  
 4 question is to be voted on at the election, each shall appear separately on the ballot.

5 \* **Sec. 7.** AS 29.05.120(f) is amended to read:

6 (f) The initial elected members of the governing body shall determine by lot  
 7 the length of their terms of office so that as close as possible to a proportionate  
 8 number of terms expire each even year, resulting in staggered terms of office for  
 9 members subsequently elected.

10 \* **Sec. 8.** AS 29.20.070(b) is amended to read:

11 (b) Not later than either the first regular election that occurs after adoption of  
 12 a final state redistricting plan under art. VI, sec. 10, Constitution of the State of  
 13 Alaska, or 180 days after the adoption, whichever is earlier, the assembly shall  
 14 propose and submit to the voters of the borough, at that regular election or at a special  
 15 election called for the purpose, one or more forms of assembly representation. The  
 16 forms of representation that the assembly may submit to the voters are:

17 (1) election of members of the assembly at large by the voters  
 18 throughout the borough;

19 (2) election of members of the assembly by district, including

20 (A) election at large by the voters throughout the borough, but  
 21 with a requirement that a candidate live in an election district established by  
 22 the borough for election of assembly members; or

23 (B) election from election districts established by the borough  
 24 for the election of assembly members by the voters of a district;

25 (3) election of members of the assembly both at large and by district.

26 \* **Sec. 9.** AS 29.20.150(a) is amended to read:

27 (a) A member of the governing body is elected for a four-year [THREE-  
 28 YEAR] term and until a successor qualifies [, UNLESS A DIFFERENT TERM NOT  
 29 EXCEEDING FOUR YEARS IS PRESCRIBED BY HOME RULE CHARTER OR  
 30 ORDINANCE].

31 \* **Sec. 10.** AS 29.20.230(a) is amended to read:

1 (a) The mayor of a borough or first class city is elected at large. The mayor of  
 2 a borough or first class city serves a term of **four** [THREE] years [, UNLESS BY  
 3 ORDINANCE A DIFFERENT TERM NOT TO EXCEED FOUR YEARS IS  
 4 PROVIDED. THE CURRENT TERM OF AN INCUMBENT MAYOR MAY NOT  
 5 BE ALTERED]. The regular term of a mayor of a borough or first class city begins on  
 6 the first Monday following certification of the election.

7 \* **Sec. 11.** AS 29.20.300(a) is amended to read:

8 (a) Each municipal school district has a school board. Except as provided in  
 9 (b) of this section, members of a school board are elected at the regular election for  
 10 **four-year** [THREE-YEAR] terms and until their successors take office. Members are  
 11 elected at large unless a different method of election has been approved by the voters  
 12 in a regular election.

13 \* **Sec. 12.** AS 29.20.310(b) is amended to read:

14 (b) As determined by ordinance, members of a utility board are either  
 15 appointed by the mayor and confirmed by the governing body or [ARE] elected at a  
 16 regular election. The term of a utility board member is two years and until a successor  
 17 is selected and qualifies. [HOWEVER, THE GOVERNING BODY MAY BY  
 18 ORDINANCE PROVIDE FOR A DIFFERENT TERM NOT TO EXCEED FOUR  
 19 YEARS. THE CURRENT TERM OF AN ELECTED INCUMBENT MAY NOT BE  
 20 ALTERED.]

21 \* **Sec. 13.** AS 29.26.040 is amended to read:

22 **Sec. 29.26.040. Date of regular election.** The date of a regular election is the  
 23 [FIRST] Tuesday **after the first Monday in November of each even-numbered**  
 24 **year** [OF OCTOBER ANNUALLY, UNLESS A DIFFERENT DATE OR  
 25 INTERVAL OF YEARS IS PROVIDED BY ORDINANCE].

26 \* **Sec. 14.** AS 29.26.170(a) is amended to read:

27 (a) Unless substantially the same measure is adopted, when a petition seeks an  
 28 initiative vote, the clerk shall submit the matter to the voters at the next regular  
 29 election or, if already scheduled, special election occurring not sooner than 60 days  
 30 after certification of the petition. If no election is scheduled to occur within 75 days  
 31 after the certification of a petition and the governing body determines it is in the best

1 interest of the municipality, the governing body may by ordinance order a special  
 2 election to be held on the matter before the next election that is already scheduled, but  
 3 not sooner than 60 days after certification of the petition. **If no election is scheduled**  
 4 **to occur within 180 days after the certification of a petition, the governing body**  
 5 **shall by ordinance order a special election to be held on the matter not sooner**  
 6 **than 60 days after certification of the petition and not later than 180 days after**  
 7 **certification of the petition.**

8 \* **Sec. 15.** AS 29.26.180(a) is amended to read:

9 (a) Unless the ordinance or resolution is repealed, when a petition seeks a  
 10 referendum vote, the clerk shall submit the matter to the voters at the next regular  
 11 election or, if already scheduled, special election occurring not sooner than 60 days  
 12 after certification of the petition. If no election is scheduled to occur within 75 days  
 13 after certification of a petition and the governing body determines it is in the best  
 14 interest of the municipality, the governing body may by ordinance order a special  
 15 election to be held on the matter before the next election that is already scheduled, but  
 16 not sooner than 60 days after certification of the petition. **If no election is scheduled**  
 17 **to occur within 180 days after the certification of a petition, the governing body**  
 18 **shall by ordinance order a special election to be held on the matter not sooner**  
 19 **than 60 days after certification of the petition and not later than 180 days after**  
 20 **certification of the petition.**

21 \* **Sec. 16.** AS 29.71.800(21) is amended to read:

22 (21) "regular election" means the municipal election held on the  
 23 [FIRST] Tuesday **after the first Monday in November of each even-numbered**  
 24 **year** [OF OCTOBER ANNUALLY, OR ON A DIFFERENT DATE OR INTERVAL  
 25 OF YEARS PROVIDED BY ORDINANCE OR CHARTER];

26 \* **Sec. 17.** AS 44.12.010(a) is amended to read:

27 (a) The following days are legal holidays:

- 28 (1) the first of January, known as New Year's Day;  
 29 (2) the third Monday of January, known as Martin Luther King, Jr.'s  
 30 Birthday as provided in (b) of this section;  
 31 (3) the third Monday in February, known as Presidents' Day;

- 1 (4) the last Monday of March, known as Seward's Day;  
 2 (5) the last Monday in May, known as Memorial Day;  
 3 (6) the fourth of July, known as Independence Day;  
 4 (7) the first Monday in September, known as Labor Day;  
 5 (8) the 18th of October, known as Alaska Day;  
 6 (9) the 11th of November, known as Veterans' Day;  
 7 (10) the fourth Thursday in November, known as Thanksgiving Day;  
 8 (11) the 25th of December, known as Christmas Day;  
 9 (12) every Sunday;  
 10 (13) every day designated by public proclamation by the President of  
 11 the United States or the governor of the state as a legal holiday;

12 **(14) the Tuesday after the first Monday in November of each even-**  
 13 **numbered year, known as Election Day.**

14 \* **Sec. 18.** AS 29.20.150(b) is repealed.

15 \* **Sec. 19.** The uncodified law of the State of Alaska is amended by adding a new section to  
 16 read:

17 TRANSITION. (a) An election for each municipal mayor and each member of a  
 18 regional school board, advisory school board, borough or city school board, elected utility  
 19 board, or municipal governing body shall occur on November 3, 2026.

20 (b) The terms of office for officials elected in the November 3, 2026, election, as  
 21 required by (a) of this section, shall be determined as follows:

22 (1) for members of a regional school board, the terms shall be determined in  
 23 the same manner as for first boards under AS 14.08.061(a)(2), as amended by sec. 1 of this  
 24 Act;

25 (2) for members of a borough or city school board, the terms shall be  
 26 determined in the same manner as for newly created school boards under AS 14.12.050(a), as  
 27 amended by sec. 4 of this Act;

28 (3) for members of a municipal governing body, the terms shall be determined  
 29 in the same manner as for initial elected members under AS 29.05.120(f), as amended by sec.  
 30 7 of this Act.

31 (c) Notwithstanding a provision of AS 14, AS 29, or a municipal law to the contrary,

1 the term of office of an incumbent municipal mayor or member of a regional school board,  
2 advisory school board, borough or city school board, elected utility board, or municipal  
3 governing body elected before November 3, 2026, expires not later than the Monday  
4 following certification of the November 3, 2026, election for that office.

5 \* **Sec. 20.** Section 19 of this Act takes effect immediately under AS 01.10.070(c).

6 \* **Sec. 21.** Except as provided in sec. 20 of this Act, this Act takes effect November 3, 2026.