

1 IN THE HOUSE

BY THE COMMITTEE ON LOCAL GOVERNMENT

2 HOUSE BILL NO. 194

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the procedure for the
7 adoption of charters by cities of the first
8 class; providing procedure for amending such
9 charters; and providing for an effective date."

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

11 Section 1. CITY CHARTERS. Any city of the first class may
12 adopt a charter for its own government, subject to the Constitution
13 and not in conflict with the laws of the State; and any such city
14 having adopted a charter may amend the same or adopt a new one.
15 The charter shall be framed by a charter commission of 9 members
16 chosen by the qualified voters of such city, at any general or
17 special election, but no person shall be eligible as a candidate
18 for such commission unless he shall have been, for the three years
19 next preceding, a qualified voter of said city. An election for
20 the selection of a charter commission will be called by filing a
21 petition with the city council requesting such an election, which
22 petition shall contain not less than ten per cent of the qualified
23 voters of the city. Before the election may be called, the city
24 council must approve the petition by a majority vote of its
25 membership.

26 Sec. 2. NOMINATION TO CHARTER COMMISSION. Candidates for
27 the members of the charter commission shall be nominated by the
28 city council or may be nominated by petition signed by 25 qualified
29 voters of the city. The city council or its designated officer

1 shall prepare the ballot.

2 Sec. 3. ELECTION TO CHARTER COMMISSION. At the election for
3 the selection of members of the commission, the qualified voters
4 shall vote first on the question "Shall a charter commission be
5 elected to frame a proposed new charter?" and secondly to select
6 the members of the charter commission. If the first question
7 receives a majority of the votes of the qualified voters voting
8 thereon at such election, the 9 candidates for the charter
9 commission receiving the highest number of votes shall forthwith
10 organize as a charter commission, but if the first question re-
11 ceives less than a majority of the votes of the qualified voters
12 voting thereon at such election no charter commission shall be
13 deemed to have been elected.

14 Sec. 4. PREPARATION OF CHARTER. The charter commission shall
15 within one year after the result of the election is declared, pre-
16 pare and propose a charter for the government of such city. The
17 charter so prepared shall be signed by a majority of the charter
18 commissioners and filed in the office of the clerk of the city
19 council of said city. The city council of said city shall, within
20 15 days after such filing, cause such charter to be published once
21 in a newspaper of general circulation within such city and all the
22 editions thereof issued during the day of publication. In the
23 event there is no newspaper published in the city, the city council
24 shall post copies of the proposed charter in at least 3 conspicuous
25 places and shall otherwise have copies available for the electors
26 at the office of the city clerk.

27 Sec. 5. CHARTER ELECTION. Such charter shall be submitted
28 to the qualified voters of the city at either a special or general
29 election according to a date to be fixed by the charter commission,

1 not less than 30 days nor more than 90 days from the completion of
2 the publication of such charter as above provided.

3 Section 6. CHARTER ADOPTION. If a majority of the qualified
4 voters voting thereon at such general or special election shall
5 vote in favor of such proposed charter, it shall be deemed to be
6 ratified, and it shall become the organic law of such city. Two
7 copies of the charter so ratified and approved shall be filed with
8 the Secretary of State, one copy filed with the recorder in the
9 district in which such city is located, and one copy filed in the
10 archives of the city. Thereafter the courts shall take judicial
11 notice of the provisions of such charter.

12 Sec. 7. AMENDMENT TO CHARTER. The charter of any city shall
13 be amended in the manner provided in the charter. If a majority
14 of the qualified voters voting on any such amendment vote in favor
15 thereof, it shall be deemed ratified.

16 Sec. 8. CALCULATION OF PERCENTAGE OF VOTERS REQUIRED. The
17 percentages of the qualified voters herein required for the petition
18 to form a charter commission shall be calculated upon the total
19 vote cast in the city at the last preceding general state election.
20 The election laws of such city shall, so far as applicable, govern
21 all elections held under the authority of this Act.

22 Sec. 9. EXISTING CHARTER COMMISSIONS: VALID. Any city of
23 the first class which shall have by ordinance established a
24 charter commission, appointed its members, and the members of the
25 charter commission shall have met and organized, all prior to the
26 effective date on this Act, shall be deemed to have created a
27 charter commission in conformity with this Act, and any charter
28 prepared by said charter commission and adopted by the qualified
29 voters of the city as in this Act prescribed, shall be a valid

1 charter.

2 Sec. 10. EFFECTIVE DATE. This Act shall take effect
3 immediately upon its passage and approval or upon its becoming
4 law without such approval.

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29