

1 IN THE SENATE BY COMMITTEE ON LOCAL GOVERNMENT

2 SENATE BILL NO. 90

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act to provide for reservation of the
7 powers of the initiative and referendum to
8 the people of every political subdivision of
9 the State with reference to all legislative
10 authority and amendments to charters for its
11 own government; and establishing procedures
12 for exercising said powers."

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

14 Section 1. RESERVATION OF POWERS. The powers of the initia-
15 tive and referendum reserved by the Constitution to the people of
16 the State, are hereby reserved to the people of every political
17 subdivision now existing or which shall hereafter be created
18 within this State, with reference to all legislative authority
19 which it may exercise, and amendments to charters for its own
20 government.

21 Sec. 2. PETITION-SIGNATURES-FILING. Every petition for
22 either the initiative or referendum in the government of a
23 political subdivision shall be signed by a number of qualified
24 electors residing within the territorial limits of such political
25 subdivision equal to twenty-five per centum of the total number of
26 votes cast at the next preceding election, and every such petition
27 shall be filed with the chief executive officer of such political
28 subdivision.

29 Sec. 3. PRESENTATION OF PETITION TO LEGISLATIVE BODY-

1 SUBMISSION TO VOTERS. When such petition demands the enactment
2 of an ordinance or other legal act other than (a) the grant,
3 extension or renewal of a franchise or (b) the hiring, retention
4 or firing of an employee, or (c) a subject restricted by Section
5 7 of Article XI of the Alaska Constitution, the chief executive
6 officer shall present the same to the legislative body of such
7 political subdivision at its next meeting, and unless the said
8 petition shall be granted more than thirty days before the next
9 election at which any political subdivision officers are to be
10 elected, the chief executive shall submit the said ordinance or
11 act so petitioned for, to the qualified electors at said election;
12 and if a majority of said electors voting thereon shall vote for
13 the same, it shall thereupon become in full force and effect.

14 Sec. 4. SUBMISSION TO REFERENDUM VOTE. When such petition
15 demands a referendum vote upon any ordinance or any other legal
16 act other than (a) the grant, extension or renewal of a franchise
17 or (b) the hiring, retention or firing of an employee, the chief
18 executive officer shall submit said ordinance or act to the
19 qualified electors of said corporation at the next succeeding
20 general municipal election, and if, at said election, a majority
21 of the electors voting thereon shall not vote for the same, it
22 shall thereupon stand repealed.

23 Sec. 5. SUBMISSION OF AMENDMENT TO CHARTER. When such
24 petition demands an amendment to a charter, the chief executive
25 officer, shall submit such amendment to the qualified electors
26 of said municipal corporation at the next election of any officers
27 of said corporation; and if, at said election, a majority of said
28 electors voting thereon shall vote for such amendment, the same
29 shall thereupon become an amendment to and a part of said charter.

1 when approved and filed in the same manner, and form as an
2 original charter is required to be approved and filed.

3 Sec. 6. INITIATIVE AND REFERENDUM IN HOME RULE CHARTER
4 CITIES AND BOROUGHES. The provisions of this Act shall not apply
5 to Home Rule Charter Cities and Boroughs except as hereafter
6 provided:

7 (a) The initiative and referendum shall be provided
8 for in the Charter of Home Rule Charter Cities and Boroughs sub-
9 ject to the restrictions of Section 7, Article XI of the Alaska
10 Constitution.

11 (b) The Charter provisions shall not require a number
12 of signatures more than one-third of the total votes cast at the
13 immediately preceding election in the city or borough concerned,
14 on the initiative or referendum petition.
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