

1 IN THE HOUSE

BY THE LOCAL GOVERNMENT
COMMITTEE BY REQUEST

2 HOUSE BILL NO. 429

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRD LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the taxing powers of
7 boroughs; and providing for an effective
8 date."

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

10 * Section 1. AS 07.15.010 is amended by adding a new subsec-
11 tion to read:

12 (12) to provide by ordinance, subject to sec.
13 07.30.080 of this title, for the levy and collection of a
14 consumer's sale and use tax not to exceed three per cent of
15 the selling price on all retail sales, rents, and services
16 made within the borough. The assembly may, however, exempt
17 any sales, rent, or services including new construction.
18 Two-thirds of the proceeds of the consumer or use tax collected
19 by the borough within an incorporated city are to be paid to
20 that city, one-third of the consumer or use tax collected by
21 the borough is to be used for school purposes, and the two-
22 thirds collected in the borough outside cities to be used for
23 borough purposes outside the cities.

24 * Sec. 2. AS 07.20.110 is amended to read:

25 Sec. 07.20.110. EMERGENCY ORDINANCES. (a) To meet a
26 public emergency affecting life, health, welfare, or proper-
27 ty, the assembly may adopt emergency ordinances; but
28 emergency ordinances may not be used [TO LEVY TAXES,] to
29 grant, renew or extend a franchise, or to regulate the rate

1 charged by any public utility for its services.

2 (b) Every emergency ordinance shall be plainly desig-
3 nated as such and shall contain, after the enacting clause,
4 a declaration stating that an emergency exists and describ-
5 ing the claimed emergency in clear and specific terms. Ex-
6 cept as thus indicated, it shall be introduced in the form
7 and manner prescribed for ordinances generally. An emergency
8 ordinance may be considered and may be adopted with or with-
9 out amendment or rejected at the meeting at which it is
10 introduced. The affirmative vote of all assembly members
11 present, or the affirmative vote of two-thirds of the total
12 membership of the assembly[THREE-FOURTHS OF THOSE ELECTED],
13 is required for the adoption of an emergency [THE] ordinance.
14 After adoption of an emergency ordinance, the assembly shall
15 cause it to be printed and published as prescribed for other
16 adopted ordinances. An emergency ordinance is effective
17 upon adoption.

18 (c) Every emergency ordinance shall continue in full
19 force and effect until amended or repealed by the assembly
20 or is repealed by a referendum election as provided for in
21 AS 29.65.020 and 29.65.040 [, INCLUDING ANY AMENDMENT MADE
22 AFTER ITS ADOPTION, IS INVALID AFTER THE 61ST DAY FOLLOWING
23 THE DATE ON WHICH IT WAS ADOPTED].

24 * Sec. 3. This Act takes effect on the day after its passage
25 and approval or on the day it becomes law without such approval.
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