

1 IN THE HOUSE BY THE LOCAL GOVERNMENT COMMITTEE

2 HOUSE BILL NO. 466

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 control of subdivisions
7 and dedications of land in an organized
8 borough; and providing for an effective
9 date."

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

11 * Section 1. AS 40.15 is amended by adding a new section to
12 read:

13 Sec. 40.15.085. TRANSFER OF FUNCTIONS TO ORGANIZED
14 BOROUGH. (a) Upon assumption by an organized borough of
15 the areawide power of planning and zoning, the borough plan-
16 ning commission supersedes the platting authority and
17 platting board designated in secs. 70 and 80 of this chapter
18 and exercises on an areawide basis the functions conferred
19 by this chapter on the platting authority and platting board.

20 (b) In an organized borough which has not assumed the
21 areawide power of planning and zoning, the platting authority
22 and platting board designated in secs. 70 and 80 of this
23 chapter continue to exercise the functions conferred on them
24 by this chapter until such time as the borough assumes the
25 areawide power of planning and zoning. However, the author-
26 ity or board, at the earliest practicable time after giving
27 its approval to a plat, replat or vacation of land, shall
28 submit it to the borough assembly for its approval by resolu-
29 tion. The assembly shall vote on the question by resolution

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and in the manner prescribed by AS 07.20.070(d).

* Sec. 2. AS 07.20.070(d) is amended to read:

(d) When the assembly votes on an ordinance or resolution in exercising one or more of the powers prescribed by AS 07.15.010(7)(A), 07.15.030(1), 07.15.060, 07.15.320, 07.15.330, 07.15.340, [OR] 07.15.350, or 40.15.085(b), the votes shall be weighted as provided in this subsection to enable the assemblymen who represent a majority of the borough's population to have a majority of the votes.

(1) If one first class city has a majority of the borough's population, the votes of the assemblymen representing that city shall be weighted in the manner prescribed by (3) of this subsection.

(2) If one first class city does not have a majority of the borough's population, but two or more first class cities do have a majority of the borough's population, the votes of the assemblymen representing all the first class cities shall be weighted in the manner prescribed by (4) of this subsection.

(3) The weight to be given to each vote cast by the assemblymen present and voting who represent a first class city which has a majority of the borough's population shall be determined by dividing the number of all other assembly seats plus one by the number of all assembly seats apportioned to the first class city which has a majority of the population.

(4) The weight to be given to each vote cast by assemblymen present and voting who represent the first class cities which have a majority of the borough's population

1 shall be determined by dividing the number of all assembly
2 seats apportioned to the area outside cities plus one by the
3 number of all assembly seats apportioned to the first class
4 cities.

5 (5) If the area outside first class cities has the
6 majority of the borough's population, no special weight may
7 be used, and the vote of each assemblyman present and voting
8 shall count as one vote.

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

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