

Introduced: 2/19/68
Referred: Local Government

1 IN THE SENATE

BY BUTROVICH, HAGGLAND, WAUGAMAN
SMITH AND LEWIS

2 SENATE BILL NO. 328

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the establishment of third class
7 boroughs; and providing for an effective date."

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

9 * Section 1. AS 07 is amended by adding a new chapter to read:

10 CHAPTER 17. THIRD CLASS BOROUGHES

11 Sec. 07.17.010. EFFECT OF CHAPTER. Third class organized
12 boroughs shall be incorporated as provided in this title. Provisions
13 of law relating to first and second class organized boroughs apply
14 with respect to third class boroughs only if and to the extent they
15 are consistent with this chapter.

16 Sec. 07.17.020. POWERS OF THIRD CLASS BOROUGH. (a) The third
17 class borough shall exercise the areawide powers of education and
18 tax assessment and collection as provided for second class boroughs
19 in this title.

20 (b) The third class borough may establish, operate, alter or
21 abolish service areas as provided for second class boroughs in this
22 title.

23 Sec. 07.17.030. ASSEMBLY TO SERVE AS SCHOOL BOARD. (a) The
24 borough assembly shall be the borough school board for third class
25 boroughs except that the assembly may provide by ordinance for an
26 advisory school board. Where applicable, weighted voting shall apply
27 to board decisions. The presiding officer of the borough assembly is
28 the president of the school board. The executive of the borough is
29 the presiding officer and is appointed from and by the assembly. The

1 presiding officer shall exercise as well the powers conferred under
2 this title upon the borough chairman, except that he shall not have
3 the veto power.

4 * Sec. 2. AS 07.35.010 is amended to read:

5 Sec. 07.35.010. CLASSIFICATION. Organized boroughs incorporated
6 under this title are either first class, [OR] second class, or third
7 class boroughs. The first class borough is a general law borough. The
8 [AND THE] second class and third class boroughs are [BOROUGH IS AN]
9 optional law boroughs [BOROUGH]. Original classification is deter-
10 mined by the petition for incorporation approved by the voters for
11 incorporation. The unorganized borough established by this title is
12 unclassified. Unless clearly not applicable, the term "borough"
13 and "organized borough," as used in this title mean [BOTH] a first
14 class, [OR] second class, or third class organized borough.

15 * Sec. 3. AS 07.35.020 is amended by adding new subsections to read:

16 (c) A third class borough may reclassify as a second class or a
17 first class borough. A second class borough may reclassify as a third
18 class or a first class borough. Voting on the question shall be area-
19 wide. The third class borough assembly shall be elected at the time of
20 voting on reclassification of the borough.

21 (d) If a borough is reclassified under this section, all assets
22 and liabilities of the reclassified borough become the assets and
23 liabilities of the new borough.

24 * Sec. 4. This Act takes effect on the day after its passage and
25 approval or on the day it becomes law without approval.

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