

Introduced: 5/16/70  
Referred: State Affairs and  
Local Government

1 IN THE HOUSE

BY THE LOCAL GOVERNMENT  
COMMITTEE BY REQUEST

2 HOUSE BILL NO. 869

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to unification elections held under  
7 AS 29.85; and providing for an effective date."

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

9 \* Section 1. AS 29.85.160 is amended by adding new subsections to read:

10 (f) The provisions of (c) of this section notwithstanding, if 60  
11 per cent of the qualified voters residing within a home rule city of  
12 the borough vote against ratification of the proposed charter, the city  
13 shall not be required to unite with other cities and the borough as  
14 provided in this chapter but may, before the city is dissolved under  
15 provisions of the approved charter, exclude itself from the unified  
16 municipality upon adoption of a resolution for that purpose by the  
17 governing body of the city and subject to (g) - (i) of this section.

18 (g) Upon exclusion, areawide powers exercised by the borough  
19 within the city at the time of ratification of the charter shall at  
20 the option of the city continue to be exercised according to a contract  
21 entered into by the city and the unified municipality and providing for  
22 prorating costs of the areawide services to the city as if it were  
23 included within the unified municipality. The city and unified municipi-  
24 pality may by mutual agreement provide for additional services to be  
25 offered by the municipality within the city. Bonded or other borough  
26 indebtedness for which the city is liable shall continue to be assessed  
27 and collected from the city as if it were included in the unified  
28 municipality.

29 (h) If before exclusion a governing body has been elected for the

1 unified municipality constituted in the charter, the seat of a governing  
2 body member who is required to be a resident of the city shall be  
3 vacated and the seat filled by the governing body of the municipality  
4 on an at large basis until the next regular municipal election, at  
5 which time the seat shall be filled by the voters on an at large basis,  
6 unless another basis of representation has been established by charter  
7 amendment.

8 (1) The provisions of (f) - (i) of this section supersede con-  
9 flicting provisions of a charter ratified according to (c) of this  
10 section. The governing body of a unified municipality, at the first  
11 regular or special election occurring after unification, shall submit  
12 for voter approval in accordance with charter provisions appropriate  
13 amendments to the charter to accommodate exclusion of a city under the  
14 provisions of this section.

15 \* Sec. 2. This Act is retroactive to May 1, 1969.

16 \* Sec. 3. This Act takes effect on the day after its passage and approval  
17 or on the day it becomes law without approval.