

1 IN THE SENATE

BY THE LABOR AND MANAGEMENT  
COMMITTEE

2 SENATE BILL NO. 588

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 70  
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) Beginning with the fiscal year of the unified municipality  
19 which follows exclusion, areawide powers exercised by the borough  
20 within the city at the time of ratification of the charter shall  
21 continue to be exercised according to a contract entered into by the  
22 city and the unified municipality and providing for prorating costs of  
23 the areawide services to the city as if it were included within the  
24 unified municipality. The city and unified municipality may by mutual  
25 agreement provide for additional services to be offered by the munic-  
26 ipality within the city. Bonded or other borough indebtedness which, at  
27 the time of charter ratification, is being amortized from revenues de-  
28 rived within the city shall continue to be amortized within the city  
29 by agreement between the city and municipality which protects rights of

1 creditors and equitably allocates the share of debt assessable within  
2 the city.

3 (h) If before exclusion a governing body has been elected for the  
4 unified municipality as constituted in the charter, the seat of a  
5 governing body member elected from a voting district which does not  
6 extend beyond the city boundaries shall be abolished and the seat  
7 reestablished by the governing body as an at large seat of the municipal-  
8 ity as constituted after exclusion of the city. The seat shall be  
9 filled at a special municipal election called for the purpose by the  
10 governing body and held at the earliest time permitted for a special  
11 election under the charter or applicable state law. The member elected  
12 to the seat shall have an initial term coterminous with that assigned  
13 to the seat abolished. If a governing body member elected prior to  
14 exclusion of the city is a resident of the city but was elected from  
15 a voting district larger in area than the area of the city, he may  
16 serve until the expiration of his term. Thereafter the seat shall be  
17 filled for the same length of term by election on an at large basis of  
18 a resident of the municipality as constituted after exclusion, unless  
19 another basis of representation from the municipality is established  
20 by charter amendment.

21 (i) The provisions of (f) - (i) of this section supersede con-  
22 flicting provisions of a charter ratified according to (c) of this  
23 section. The governing body of a unified municipality, at the first  
24 regular or special election occurring after unification, shall submit  
25 for voter approval in accordance with charter provisions appropriate  
26 amendments to the charter to accommodate exclusion of a city under the  
27 provisions of this section.

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

29 \* Sec. 3. This Act takes effect on the day after its passage and approval

1 or on the day it becomes law without approval.

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