

Original sponsor: Tillion

Offered: 3/24/71
Referred: Judiciary

1 IN THE HOUSE

BY THE LOCAL GOVERNMENT COMMITTEE

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CS FOR HOUSE BILL NO. 258

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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SEVENTH LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act authorizing borough assemblymen representing
7 a first class city to be elected by city voters rather
8 than being appointed by and from city councils; and
9 providing for an effective date."

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

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* Section 1. AS 07.20.020 is amended to read:

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Sec. 07.20.020. ELECTION AND APPOINTMENT. (a) Members of the

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assembly are appointed or elected according to the apportionment

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determined by the incorporation petition approved by the voters until

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the assembly is reapportioned. Members representing first class

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cities are appointed by and from the city councils, unless provided

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otherwise by city charter or ordinance approved by referendum of the

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first class city voters and providing for direct election of assemblymen

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from the city by the qualified voters of the city.

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(b) Members representing the area outside first class cities

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are elected by and from the qualified voters of the area outside first

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class cities.

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(c) The council of each first class city located within an

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organized borough already incorporated on the effective date of this

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Act shall, at a special election following the effective date of this

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Act and occurring before the next regular city election, submit to the

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qualified city voters an ordinance providing for direct election of

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assemblymen under this section. If ratified by a majority of the

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voters, the ordinance shall take effect beginning with the next regular

1 city election, except that a councilman selected by the council to
2 represent the city on the assembly and serving the term for which
3 selected on the effective date of this Act may complete that term
4 without standing for election under this section. If he vacates his
5 office before the expiration of the term, the council shall appoint a
6 successor to serve until the next regular city election, at which time
7 an assemblyman shall be elected by the qualified city voters to complete
8 the remainder of the unexpired term or serve a new term, as the case may
9 be.

10 (d) Notwithstanding provisions of AS 07.20.040, AS 07.20.050 and
11 AS 07.30.070(3), provisions of law or charter governing nominations,
12 qualifications, election dates, terms of office, removal, and filing of
13 vacancies with respect to city councilmen apply also to borough
14 assemblymen elected by city voters under this section.

15 (e) An ordinance approved by the voters under this section may not
16 be repealed or amended by the council but is subject to initiative and
17 referendum as in the case of other city ordinances. Initiative or
18 referendum results which have the effect of repealing or amending an
19 ordinance under this section become effective beginning with the next
20 regular election to the borough assembly, except that the terms of
21 elected assemblymen representing the city at the time of repeal of the
22 ordinance are not affected.

23 (f) Nothing in this section prevents a candidate from seeking
24 election or serving as both a borough assemblyman and city councilman.

25 * Sec. 2. APPLICABILITY OF ACT. This Act is intended to apply to
26 assemblymen representing general law first class cities and first class
27 cities which have adopted a home rule charter.

28 * Sec. 3. EFFECTIVE DATE. This Act takes effect at the time and upon
29 the condition that an amendment to the state constitution requiring the
CSHB 258 am

1 election of borough assemblymen to represent a first class city, rather
2 than their appointment by and from the city council, is ratified by the
3 people and becomes effective.

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