

Introduced: 6/3/72  
Referred: Local Government

1 IN THE SENATE

BY THE RULES COMMITTEE BY REQUEST

2

SENATE BILL NO. 433

3

IN THE LEGISLATURE OF THE STATE OF ALASKA *am*

4

SEVENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act including municipal conflict of interest provisions within the revised municipal code and making certain technical corrections in code citations and provisions; and providing for an effective date."

7

8

9

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

11

\* Section 1. AS 29.23 is amended by adding a new section to read:

12

Sec. 29.23.555. CONFLICT OF INTEREST. Each home rule and general law municipality shall adopt a conflict of interest ordinance which, other provisions of this chapter notwithstanding, includes the provisions that an officer or employee shall disqualify himself from participating in any official action in which he has a direct or indirect financial interest and that, when one or more members of the assembly or council, or other voting body of the municipality, disqualifies himself from voting because of direct or indirect financial interest as required under this section, the number of votes necessary for a majority, or otherwise necessary to determine a question, shall be determined as if the membership did not include the member or members disqualified.

13

14

15

16

17

18

19

20

21

22

23

24

\* Sec. 2. AS 29.13.100 is amended by adding a new paragraph to read:

25

(32) AS 29.23.555 (conflict of interest)

26

\* Sec. 3. AS 29.23.290(1) is amended to read:

27

(1) appoint city employees and administrative officers,

28

except as provided otherwise in sec. 360 of this chapter and AS 14.14.-

29

065 [29.33.050]; he may hire necessary administrative assistants and

1 may authorize an appointive administrative officer to appoint, suspend,  
2 or remove subordinates in his department;

3 \* Sec. 4. AS 29.23.290(2) is amended to read:

4 (2) suspend or remove by written order city employees and  
5 administrative officers, except as provided otherwise in sec. 360 of  
6 this chapter and AS 14.14.065 [29.33.050];

7 \* Sec. 5. AS 29.53.400 is amended to read:

8 Sec. 29.53.400. POWER OF LEVY. Home rule and first class cities  
9 within boroughs may levy a general property tax. A property tax, if  
10 levied, is subject to secs. 50 - 55 and 310 - 350 of this chapter.  
11 The council shall by June 15 of each year present to the borough  
12 assembly a statement of the city's rate of levy, unless a different  
13 date is agreed upon by the borough and city.

14 \* Sec. 6. AS 29.68.350(b) is amended to read:

15 (b) The area to be unified shall be known as a borough or a city  
16 or by some other designation consistent with existing law [AS DETER-  
17 MINED BY A PLURALITY OF THE VOTES CAST AT THE ELECTION HELD UNDER  
18 SEC. 320 OF THIS CHAPTER].

19 \* Sec. 7. AS 29.68.580 is amended to read:

20 Sec. 29.68.580. SUCCESSION. The government succeeding to a  
21 dissolved municipality succeeds to all its rights, powers, duties,  
22 assets, and liabilities as provided in AS 29.18.130 - 29.18.140  
23 [29.18.140 - 29.18.150].

24 \* Sec. 8. AS 28.13.100(18) is repealed.

25 \* Sec. 9. Sec. 17, FCCS SCS CSHB 208 is amended to read:

26 Sec. 17. Secs. 10 - 16 of this Act take effect upon the condition  
27 and at the time that the Supreme Court of the State of Alaska finds that  
28 sec. 4, art. X of the Constitution of the State of Alaska as it relates  
29 to representation of cities on borough assemblies is in violation of the

1 Constitution of the United States or an amendment to the Constitution  
2 of the State of Alaska relating to assembly representation and consis-  
3 tent with the provisions of secs. 10 - 16 [6 - 12] of this Act becomes  
4 effective, whichever occurs earlier.

5 \* Sec. 10. This Act takes effect upon the effective date of FCCS SCS  
6 CSHB 208.

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29