

Introduced: 6/3/72
Referred: Local Government

1 IN THE SENATE

BY THE RULES COMMITTEE BY REQUEST

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SENATE BILL NO. 433

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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SEVENTH LEGISLATURE - SECOND SESSION

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A BILL

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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."

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

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

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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. In the event any home rule or general law municipality fails to adopt said conflict of interest ordinance within 90 days from the effective date of this Act, the conflict of interest provision of this section shall automatically be applicable to and binding upon said municipalities.

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

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(32) AS 29.23.555 (conflict of interest)

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

1 (1) appoint city employees and administrative officers, except
2 as provided otherwise in sec. 360 of this chapter and AS 14.14.065 [29.-
3 33.050]; he may hire necessary administrative assistants and may authorize
4 an appointive administrative officer to appoint, suspend, or remove sub-
5 ordinates in his department;

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

7 (2) suspend or remove by written order city employees and ad-
8 ministrative officers, except as provided otherwise in sec. 360 of this
9 chapter and AS 14.14.065 [29.33.050];

10 * Sec. 5. AS 29.53.400 is amended to read:

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

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

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

22 * Sec. 7. AS 29.68.580 is amended to read:

23 Sec. 29.69.580. SUCCESSION. The government succeeding to a dissolv-
24 ed municipality succeeds to all its rights, powers, duties, assets, and
25 liabilities as provided in AS 29.18.130 - 29.18.140 [29.18.140 - 29.18.150].

26 * Sec. 8. AS 28.13.100(18) is repealed.

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

28 Sec. 17. Secs. 10-16 of this Act take effect upon the condition and
29 at the time that the Supreme Court of the State of Alaska finds that sec.

1 4, art. X of the Constitution of the State of Alaska as it realtes to
2 representation of cities on borough assemblies is in violation of the
3 Constitution of the United States or an amendment to the Constitution
4 of the State of Alaska relating to assembly representation and consistent
5 with the provisions of secs. 10 - 16 [6 - 12] of this Act becomes
6 effective, whichever occurs earlier.

7 * Sec. 10. This Act takes effect upon the effective date of FCCS SCS
8 CSHB 208.

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