

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

4 SEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

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

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
13 law municipality shall adopt a conflict of interest ordinance which,
14 other provisions of this chapter notwithstanding, includes the provi-
15 sions that an officer or employee shall disqualify himself from partici-
16 pating in any official action in which he has a substantial financial
17 interest. In the event any home rule or general law municipality fails
18 to adopt said conflict of interest ordinance within 90 days from the
19 effective date of this Act, the conflict of interest provision of this
20 section shall automatically be applicable to and binding upon said
21 municipalities.

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

23 (32) AS 29.23.555 (conflict of interest)

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

25 (1) appoint city employees and administrative officers, except
26 as provided otherwise in sec. 360 of this chapter and AS 14.14.065
27 [29.33.050]; he may hire necessary administrative assistants and may
28 authorize an appointive administrative officer to appoint, suspend, or
29 remove subordinates in his department;

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

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

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

6 Sec. 29.52.400. POWER OF LEVY. Home rule and first class cities
7 within boroughs may levy a general property tax. A property tax, if
8 levied, shall be levied in the manner provided for borough levies in
9 sec. 170(a) of this chapter and is subject to secs. 10 - 25, 50 - 55
10 and 310 - 350 of this chapter. The council shall by June 15 of each
11 year present to the borough assembly a statement of the city's rate of
12 levy, unless a different date is agreed upon by the borough and city.

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

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

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

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

22 * Sec. 8. AS 29.13.100(18) is repealed.

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

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

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with the provisions of secs. 10 - 16 [6 - 12] of this Act becomes effective, whichever occurs earlier.

* Sec. 10. AS 29.28.090(b) is amended to read:

(b) If a sufficient petition for referendum is filed within 30 eays after final passage of the ordinance, or before the effective date of the ordinance, the ordinance against which the petition is filed shall be suspended pending the referendum on the ordinance. During the period of suspension the assembly or council may not enact an ordinance substantially similar to the suspended ordinance but may repeal the suspended ordinance.

* Sec. 11. This Act takes effect upon the effective date of FCCS SCS CSHB 208.