

Introduced: 2/16/73
Referred: Community and
Regional Affairs, State
Affairs and Health, Education
and Social Services

1 IN THE SENATE

BY RADER

CS
2 SENATE BILL NO. 150

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the annexation of military reser-
7 vations to cities and boroughs; and providing for an
8 effective date."

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

10 * Section 1. AS 29.68 is amended by adding a new section to read:

11 Sec. 29.68.020. ANNEXATION OF MILITARY RESERVATIONS. Notwith-
12 standing the provisions of sec. 3(d), ch. 52, SLA 1963, a military
13 reservation may be annexed to a city or borough in the same manner as
14 prescribed for any other territory under sec. 10 of this chapter. If
15 a city within an organized borough annexes a military reservation under
16 this section, the territory encompassing the military reservation
17 automatically is annexed to the borough of which the city is a part.

18 * Sec. 2. AS 29.13.100 is amended by adding new paragraphs to read:

19 (34) AS 29.33.050, AS 29.41.010(a), AS 14.12.020(a) (responsi-
20 bility for education on military reservations)

21 (35) AS 29.23.020(h) (registered voter basis for assembly
22 apportionment).

23 * Sec. 3. AS 29.23.020 is amended by adding a new subsection to read:

24 (h) If a military reservation is annexed to, or located in, a
25 city or borough, apportionment of representation on the borough assembly
26 shall be on the basis of the total number of registered voters in the
27 city or borough that are qualified to vote at the most recent general
28 election. If a military reservation is a part of a city or borough on
29 the effective date of this subsection, representation on the borough

1 assembly shall be reapportioned within 90 days of the effective date of
2 this subsection on the basis of the total number of registered voters
3 in the city or borough at the most recent general election, and the
4 first election for members of the borough assembly held more than 90
5 days following the effective date of this subsection shall be on the
6 basis of the reapportionment conducted under this section. If a mili-
7 tary reservation is annexed to a city or borough after the effective
8 date of this subsection, representation on the borough assembly shall be
9 reapportioned within 90 days of the effective date of the annexation on
10 the basis of the total number of registered voters in the city or
11 borough at the most recent general election, and the first election for
12 members of the borough assembly held more than 90 days following the
13 effective date of the annexation shall be on the basis of the reappor-
14 tionment conducted under this subsection. Notwithstanding the provisions
15 of (b)(3) and (c) of this section, the initial reapportionment ordinance
16 passed by the borough assembly because of the location of a military
17 reservation in, or as the result of the annexation of a military reser-
18 vation to, a city or borough may not be submitted to borough voters for
19 approval or rejection as provided in (c) of this section. If at the
20 end of the time period prescribed in this subsection no ordinance has
21 been approved, the Department of Community and Regional Affairs shall
22 provide for the reapportionment in accordance with the provisions of
23 this subsection.

24 * Sec. 4. AS 29.23.200 is amended by adding new subsections to read:

25 (d) If the members of a council of a first or second class city
26 are elected by or from districts and

27 (1) if a military reservation is a part of the city on the
28 effective date of this subsection, representation on the city council
29 shall be reapportioned within 90 days of the effective date of this

1 subsection on the basis of the total number of registered voters in the
2 city at the most recent general election, and the first election for
3 members of the city council held more than 90 days following the effec-
4 tive date of this subsection shall be on the basis of the reapportion-
5 ment conducted under this section; or

6 (2) if a military reservation is annexed to a city after the
7 effective date of this subsection, representation on the city council
8 shall be reapportioned within 90 days of the effective date of the
9 annexation on the basis of the total number of registered voters in the
10 city at the most recent general election, and the first election for
11 members of the city council held more than 90 days following the effec-
12 tive date of the annexation shall be on the basis of the reapportionment
13 conducted under this section.

14 (e) If at the end of the time period prescribed in (d) of this
15 section no ordinance has been approved reapportioning the representation
16 on the city council, at the next election for members of the city
17 council the members of the council shall be elected by the voters of
18 the city at large and shall continue to be elected at large until the
19 reapportionment provided for in (d) of this section is completed.

20 * Sec. 5. AS 29.33.050 is amended to read:

21 Sec. 29.33.050. EDUCATION. Each borough constitutes a borough
22 school district and establishes, maintains, and operates a system of
23 public schools on an areawide basis as provided in AS 14.14.060.
24 Unless exercise of the areawide education power is approved by the
25 Department of Education, the power to operate a system of public
26 schools may not be exercised in an area constituting a military reser-
27 vation until the military reservation status is terminated.

28 * Sec. 6. AS 29.41.010(a) is amended to read:

29 (a) A third class borough shall exercise the areawide powers of

1 education and tax assessment and collection in the manner provided for
2 second class boroughs. Provisions of law relative to first and second
3 class organized boroughs apply with respect to third class boroughs
4 only to the extent they are consistent with this chapter. Unless exer-
5 cise of the areawide education power is approved by the Department of
6 Education, the power to operate a system of public schools may not be
7 exercised in an area constituting a military reservation until the
8 military reservation status is terminated.

9 * Sec. 7. AS 14.12.020(a) is amended to read:

10 (a) Operation of the state-operated school district is under the
11 management and control of the board of the state-operated schools.

12 Under this subsection, management and control by the board of the state-
13 operated schools extends to those schools located on military reserva-
14 tions within cities or organized boroughs only (1) until the military
15 reservation status terminates and (2) if the Department of Education
16 approves.

17 * Sec. 8. AS 43.18.010 is amended by adding a new subsection to read:

18 (k) A city or borough may not receive state shared revenue based
19 on the population residing on a military reservation within a city or
20 borough except as provided in this subsection. If a military reserva-
21 tion is located within a city or borough, the city or borough is
22 limited in its entitlement to state shared revenue, based on the popu-
23 lation residing on the reservation, as follows: 75 per cent of the
24 amount paid per capita for police protection under (a)(1) of this
25 section; 25 per cent of the amount paid per capita for parks and recre-
26 ation under (a)(5) of this section; and 100 per cent of the amount paid
27 per capita for transportation facilities or services under (a)(6) of
28 this section.

29 * Sec. 9. 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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