

Offered: 3/22/74  
Referred: Community and  
Regional Affairs

1 IN THE SENATE

BY PALMER

2 2d SPONSOR SUBSTITUTE FOR SENATE BILL NO. 345

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to borough service areas; and providing  
7 for an effective date."

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

9 \*Section 1. A borough service area formed before September 10, 1972  
10 under the provisions of AS 07.15.050 (sec 3.05 ch. 146 SLA 1961; am sec. 7  
11 ch.110 SLA 1962; repealed sec. 1 ch. 118 SLA 1972) which was approved by a  
12 majority of the qualified voters voting on the question who resided in the  
13 service area is a valid service area even though the service area may contain  
14 within its boundaries one or more incorporated cities.

15 \* Sec. 2. AS 29.63.090 is amended by adding a new subsection to read:

16 (f) In an election to approve the establishment by a second class  
17 borough of a service area which encompasses part or all of a home rule  
18 or general law city, or the exercise of additional powers in a second  
19 class borough service area which encompasses part or all of a home rule  
20 or general law city, the votes shall be tabulated in two separate classi-  
21 fications. One classification shall consist of all votes cast in the  
22 city area within the service area. The other classification shall consist  
23 of all votes cast in the remaining area of the borough within the service  
24 area. In order for the establishment of the service area, or the  
25 exercise of additional powers by an established service area, to be  
26 approved, it is necessary that a majority of the votes in each classi-  
27 fication favor establishment of the service area or the exercise of the  
28 additional powers.

29 \* Sec. 3. AS 29.63.090(e) is amended to read:

1 (e) The assembly may exercise or delegate to a service area any  
2 powers which may be exercised by a first class borough in the area  
3 outside cities. In a second class borough, each exercised or delegated  
4 power must be approved by a majority vote at a regular or special  
5 election held within the service area; the votes in a second class  
6 borough service area which encompasses part or all of a home rule or  
7 general law city shall be tabulated and the result determined in the  
8 manner provided in (f) of this section. The rate of taxation and the  
9 issuance of bonds are subject to assembly approval.

10 \* Sec. 4. AS 29.63.090(a) is amended to read:

11 (a) Service areas to provide special services within a borough  
12 may be established, operated, altered or abolished by the assembly by  
13 ordinance. Special services include services not provided on an area-  
14 wide basis within the borough or the borough area outside cities or a  
15 higher or different level of service than that provided on an areawide  
16 basis or in the borough area outside cities. In a first class borough  
17 the assembly may exercise within a service area any power granted a  
18 first class city by general law. In [; IN] a second class borough  
19 the establishment of a service area and an exercise of the powers must  
20 be approved by a majority of the qualified voters residing within the  
21 service area and voting on the question at a regular or special election.  
22 Before establishing and exercising a power in a service area which  
23 encompasses part or all of a home rule or general law city, the borough  
24 shall seek to have the identical power transferred from the city within  
25 the service area or propose joint borough-city exercise of the power.

26 \* Sec. 5. This Act takes effect on the day after its passage and approval  
27 or on the day it becomes law without approval.  
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