

Introduced: 5/9/75  
Referred: Community & Regional  
Affairs and Judiciary

1 IN THE HOUSE

BY RHODE BY REQUEST

2 HOUSE BILL NO. 493

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to initiative and referendum by  
7 residents of municipalities."

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

9 \* Section 1. AS 29.28.060 is amended to read:

10 Sec. 29.28.060. RESERVATION OF POWERS. The powers of the initia-  
11 tive and referendum are reserved to the residents of municipalities  
12 except the powers shall not be used to dedicate revenues or make or  
13 repeal appropriations, and the powers of referendum shall not be applied  
14 to laws necessary for the immediate preservation of the public peace,  
15 health, or safety [DO NOT EXTENT TO MATTERS RESTRICTED BY SEC. 7, ART.  
16 XI, OF THE STATE CONSTITUTION].

17 \* Sec. 2. AS 29.28.070(b)(1) is amended to read:

18 (1) 25 per cent, when the subject area [A CITY OR BOROUGH]  
19 has fewer than 7,500 persons, or

20 \* Sec. 3. AS 29.28.070(b)(2) is amended to read:

21 (2) 15 per cent, when the subject area [A CITY OR BOROUGH]  
22 has 7,500 persons, or more.

23 \* Sec. 4. AS 29.28.070 is amended by adding a new subsection to read:

24 (f) Each petition shall bear a certificate signed by its  
25 circulator stating that each signer was either known to the circulator  
26 or showed the circulator identification indicating the signer to be the  
27 party whose signature appears on the petition.

28 \* Sec. 5. AS 29.28.080(b) is repealed and reenacted to read:

29 (b) Unless the petition is rejected under (a) of this section, the

1 municipal attorney shall prepare an ordinance or resolution to implement  
2 the petition and shall submit it to the assembly or council at its  
3 next regular meeting. The assembly or council must either enact the  
4 ordinance or resolution as submitted or enact it after adding a provis-  
5 ion that the ordinance or resolution shall be effective only if ratified  
6 by the voters of the subject area either at the next regular election  
7 or at a special election at the option of the assembly; if the assembly  
8 refuses to act, the clerk shall submit the ordinance or resolution to the  
9 voters of the subject area at the next regular election. The ordinance  
10 or resolution shall be published in full in the notice of election but  
11 may be summarized on the ballot to indicate clearly the proposal  
12 submitted.  
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