

1 IN THE SENATE

BY ZIEGLER BY REQUEST

2 SENATE BILL NO. 322

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act changing the title 'borough mayor' to 'borough
7 chairman'."

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

9 * Section 1. AS 29.23.070(b) is amended to read:

10 (b) Each department is administered by a department head. With
11 the consent of the assembly, the borough chairman [MAYOR] may serve as
12 the head of one or more departments or may appoint one person as the
13 head of two or more departments.

14 * Sec. 2. AS 29.23.130 is amended to read:

15 Sec. 29.23.130. POWER GENERALLY. (a) If the borough has not
16 adopted a manager plan, the borough executive and administrative power
17 is vested in an elected borough chairman [MAYOR]. If the borough has
18 adopted a manager plan, the administrative power is vested in an
19 appointed manager and the executive power in an elected borough chairman
20 [MAYOR] who has the same functions as those of the mayor of a manager-
21 plan city under sec. 240 of this chapter.

22 (b) A borough voter is eligible to be borough chairman [MAYOR].

23 (c) The borough chairman's [MAYOR'S] regular term of office is
24 three years and until a successor is elected and has qualified and
25 begins on the first Monday following his election, which is held the
26 first Tuesday of October, unless a different date of election is pro-
27 vided by ordinance. The assembly may provide by ordinance for a dif-
28 ferent term not to exceed four years, except that the current term of
29 an incumbent borough chairman [MAYOR] may not be altered.

1 (d) A borough may adopt or abandon a manager plan at any time,
2 as provided in secs. 410 - 480 of this chapter. The borough chairman
3 [MAYOR] may not veto an ordinance or resolution calling for an election
4 on this question. The manager has all the powers and duties of the
5 borough chairman [MAYOR] as chief administrative officer. If the
6 manager plan is adopted, it becomes effective following certification
7 of the results of the first regular election occurring at least six
8 months after adoption of the plan. The borough chairman [MAYOR] then
9 serves as borough executive.

10 * Sec. 3. AS 29.23.140 is amended to read:

11 Sec. 29.23.140. POWERS AND DUTIES OF BOROUGH ADMINISTRATOR. The
12 borough chairman [MAYOR] or manager as the case may be, as the chief
13 administrative officer, is responsible for the proper administration
14 of all borough affairs. The chairman [MAYOR] or manager of the borough
15 shall

16 (1) appoint borough employees and administrative officers,
17 except as provided otherwise in sec. 360 of this chapter and AS 29.33.-
18 050; he may hire necessary administrative assistants and may authorize
19 an appointive administrative officer to appoint, suspend, or remove
20 subordinates in his department;

21 (2) suspend or remove by written order borough employees
22 and administrative officers, except as provided otherwise in sec. 360
23 of this chapter and AS 29.33.050;

24 (3) supervise enforcement of borough law;

25 (4) prepare the annual budget and capital improvements
26 program for the assembly;

27 (5) execute the budget and capital improvement program as
28 adopted;

29 (6) make monthly reports to the assembly on borough finances

1 and operations;

2 (7) report to the assembly at the end of each fiscal year
3 on the finances and administrative activities of the borough;

4 (8) prepare and make available for public distribution an
5 annual report on borough affairs;

6 (9) serve as borough personnel officer unless the assembly
7 authorizes him to appoint a personnel officer;

8 (10) direct and supervise the administration of

9 (A) the functions of all borough officers and employees
10 except as provided otherwise in this title;

11 (B) the care and custody of all borough buildings and
12 of all real and personal property of the borough, except as pro-
13 vided otherwise by AS 29.33.050;

14 (C) the construction, maintenance, and operation of all
15 borough roads, bridges, drains, buildings and other public works;

16 (11) execute other powers or duties specified in this title
17 or lawfully prescribed by the assembly.

18 * Sec. 4. AS 29.23.150 is amended to read:

19 Sec. 29.23.150. EXECUTIVE ABSENCE. The borough chairman [MAYOR],
20 subject to assembly approval, shall designate a person to act as
21 chairman [MAYOR] during the chairman's [MAYOR'S] temporary absence or
22 disability. If a manager plan has been adopted, the assembly shall
23 designate by resolution a borough administrative officer to act as
24 manager during his absence or disability.

25 * Sec. 5. AS 29.23.160 is amended to read:

26 Sec. 29.23.160. ASSEMBLY PARTICIPATION. The borough chairman
27 [MAYOR] may take part in the discussion of all matters before the
28 assembly but may not vote.

29 * Sec. 6. AS 29.23.170 is amended to read:

1 Sec. 29.23.170. VETO. (a) Except as provided in (b) of this
2 section, the borough chairman [MAYOR] may veto any ordinance, resolution
3 motion or other action of the assembly and may, by veto, strike or
4 reduce items in appropriation ordinances except for school budget items.
5 He shall submit to the assembly at its next regular meeting a written
6 statement advising of his veto and giving his reasons. His veto may
7 be overridden by two-thirds of all the votes to which the assembly is
8 entitled on the question.

9 (b) The borough chairman [MAYOR] may not veto actions of the
10 assembly taken under sec. 130(d) of this chapter or actions of the
11 board of equalization and the board of adjustment.

12 * Sec. 7. AS 29.23.180 is amended to read:

13 Sec. 29.23.180. FILLING A VACANCY. A vacancy in the office of
14 the borough chairman [MAYOR] occurring within six months of a regular
15 election shall be filled by the assembly. The person designated shall
16 serve until the next regular election and until a successor is elected
17 and has qualified. If an assemblyman is chosen, he shall resign his
18 assembly seat. If a vacancy occurs more than six months before a
19 regular election, the assembly shall call a special election to fill
20 the unexpired term.
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