

Original sponsors: Parr, Bennett,  
Brown, et al

Offered: 4/18/77  
Referred: Rules

1 IN THE HOUSE

BY THE COMMUNITY AND  
REGIONAL AFFAIRS COMMITTEE

2

CS FOR HOUSE BILL NO. 273

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to boroughs."

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

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\* Section 1. AS 29.41.010(a) and (b) are repealed and re-enacted to read:

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(a) A third class borough shall exercise the areawide powers of education and tax assessment and collection in the manner provided for second class boroughs. Areawide exercise of powers other than education and tax assessment and collection is not authorized.

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\* Sec. 2. AS 29.41.010 is amended by adding a new subsection to read:

(d) A military reservation within a third class borough is not part of the borough school district until the military mission is ter-

1 minated or until inclusion in the borough school district is approved by  
2 the Department of Education. However, operation of the military reser-  
3 vation schools by the borough school district may be required by the  
4 Department of Education under AS 14.14.110. If the military mission of  
5 a military reservation terminates or continued management and control by  
6 a regional educational attendance area is disapproved by the Department  
7 of Education, operation, management and control of schools on the  
8 military reservation transfers to the borough school district in which  
9 the military reservation is located.

10 \* Sec. 3. AS 29.08.040 is amended by adding a new subsection to read:

11 (j) The effective date of reclassification of a borough for which  
12 reclassification is approved under (h) of this section is the first day  
13 of the borough's fiscal year which begins at least six months after the  
14 date on which the reclassification proposition has been approved by the  
15 voters.

16 \* Sec. 4. AS 29.58.340 is amended by adding a new subsection to read:

17 (d) The indebtedness of a municipality reclassified under AS 29.-  
18 08.040 is not affected by reclassification. Not less than all property  
19 within a municipality which is reclassified remains subject to taxation  
20 to amortize bonded or other indebtedness affecting the municipality and  
21 authorized on the effective date of reclassification.

22 \* Sec. 5. AS 38.05.037(a) is amended to read:

23 (a) In areas of the state outside first, second or third class  
24 boroughs [UNORGANIZED BOROUGH] where there is no municipality [POLITICAL  
25 SUBDIVISION OF THE STATE] with a zoning power, the division of lands  
26 shall exercise the zoning power by adopting zoning regulations.

27 \* Sec. 6. AS 29.33.010(a) is amended to read:

28 (a) First and second class boroughs [BOROUGHS] shall exercise the  
29 powers as specified and in the manner specified in this chapter on an

1 areawide basis, both inside and outside cities within their boundaries.

2 \* Sec. 7. AS 29.33.070(a) is amended to read:

3 (a) First and second class boroughs [BOROUGH] shall provide for  
4 planning, platting and zoning on an areawide basis.

5 \* Sec. 8. AS 29.43.040 is amended to read:

6 Sec. 29.43.040. PLANNING AND ZONING. Home rule and first class  
7 cities outside first and second class boroughs shall, and second class  
8 cities outside first and second class boroughs may, provide for plan-  
9 ning, platting and zoning, as provided by AS 29.33.070 - 29.33.245 for  
10 boroughs.

11 \* Sec. 9. AS 29.43.040 is amended by adding a new subsection to read:

12 (b) Home rule and first class cities within third class boroughs  
13 shall, and second class cities within third class boroughs may, provide  
14 for planning, platting and zoning, as provided by AS 29.33.070 - 29.33.-  
15 245 for boroughs.

16 \* Sec. 10. AS 29.78.010(1) is amended to read:

17 (1) "borough" means a general law first, [OR] second or third  
18 class organized borough;

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