

SCOMM

#23:15

Title 29. MUNICIPAL GOVERNMENT

<u>SECTIONS</u>	<u>HEADINGS</u>
Chapter 03.	The Unorganized Borough
29.03.010(S)	Establishment
29.03.020	Service areas
Chapter 08.	Classification of Municipalities
29.08.010(80)	Home rule
29.08.020	General law
29.08.030	Classes of general law
29.08.040(S)	Reclassification
29.08.050	Transition
Chapter 18.	Incorporation
Article 1.	Requirements
29.18.011(S)	Incorporation of cities
29.18.021(S)	Limitations on incorporation of cities
29.18.030	Organized boroughs
Article 2.	Procedures
29.18.050(80S)	Petition
29.18.060	Review
29.18.070(S)	Investigation
29.18.080(S)	Report and hearing
29.18.090(S)	Decision on municipal incorporation
29.18.110(S)	Incorporation election
29.18.120(S)	Election of initial officers
29.18.130	Integration of special districts and service areas
29.18.140	Transition

29.18.150	Challenge of legality
Article 3.	Transitional Assistance
29.18.180	Organization grants
Chapter 68.	Alteration of [BOUNDARIES] <u>Municipalities</u>
<u>Article New</u>	<u>Change of Municipal Name</u>
29.73.050	Change of municipal name
Article 1.	Annexation and Exclusion
29.68.010	Local boundary commission
29.68.020(S)	Annexation of military reservations
Article 2.	Merger and Consolidation
29.68.030	Methods of merger or consolidation
29.68.040	Petition
29.68.050	Review
29.68.060	Investigation
29.68.070	Report and hearing
29.68.080	Decision
29.68.090	Election
29.68.100	Assets and liabilities
29.68.110	Ordinances
Article 3.	Unification of Local Governments
29.68.240	Unification of local governments authorized
29.68.250	Unification to be proposed by petition
29.68.260	Petition requirements
29.68.270	Review of petition

29.68.280	Call for charter commission nominations
29.68.290	Nomination of charter commission candidates
29.68.300	Qualifications of charter commission candidates
29.68.310	Composition of charter commission
29.68.320	Election
29.68.330	Requirements for approval of unification and election of charter commission
29.68.340	Charter commission organization and procedure
29.68.350(80)	Charter preparation
29.68.360	Public hearings
29.68.370	Filing of proposed charter
29.68.380	Publication and posting of proposed charter
29.68.390	Election on charter
29.68.400	Effect of the charter after ratification
29.68.410	Assets and liabilities
29.68.420	Ordinances
29.68.430	Right to state and federal funds preserved
29.68.440	Powers of a unified municipality
Article 4.	Dissolution
29.68.500	Methods of dissolution
29.68.510	Petition
29.68.520	Standards
29.68.530	Review
29.68.540	Investigation
29.68.550	Report and hearing
29.68.560	Decision
29.68.570	Election
29.68.580	Succession

Chapter 13. Home Rule Municipalities,
Article 1. ^{100.} ~~Home Rule Powers~~
Charters

29.13.010(80) Municipal charter adoption

29.13.020 Nomination

29.13.030 Election

29.13.040 Preparation of charter

29.13.050 Initiative and referendum

29.13.060 Charter election

29.13.070 Charter adoption

29.13.080 Charter amendment

Chapter New Development Cities

[ARTICLE 4. DEVELOPMENT CITIES]
29.18.220 Legislative findings

29.18.230 Development cities

29.18.240 Incorporation

29.18.250 Petition for incorporation

29.18.260 Review

29.18.270 Investigation

29.18.280 Report

29.18.290 Decision on development city incorporation

29.18.300 Preliminary planning

29.18.310 Review and report

29.18.320 Limitation

29.18.330 Local hire

29.18.340 Development city council

29.18.350 Filling a vacancy

- 29.18.360 Powers and duties of council
29.18.370 Powers and duties of development city executive director
29.18.380 Procedures
29.18.390 Development city capital improvement funds
29.18.400 Transition
29.18.410 Housing powers
29.18.430 Revenue bonds
29.18.440 Shared revenue
29.18.450 Applicability of other provisions of this title
29.18.460 Definition

Chapter New Capital City

[ARTICLE 5. CAPITAL CITY INCORPORATION]

- 29.18.510(S) Incorporation
29.18.520(S) Boundaries
29.18.530(S) City council
29.18.540(S) Filling a vacancy
29.18.550(S) Appointment of city officials
29.18.570(S) Transition
29.18.580(S) Planning and zoning authority
29.18.590(S) Transfer of utilities to capital city
29.18.600(S) Definitions
29.18.610(S) Short title

Chapter 23. Municipal Officers and Employees & ENACTMENTS

~~ARTICLE~~ NEW Conflict of interests

29.23.555

29.23.580 Meetings public

Article 1. Borough Assembly

29.23.010 General power

29.23.021(80S) Assembly composition and apportionment

29.23.023(80) Composition and form of representation

29.23.025(80S) Assembly recomposition and reapportionment

29.23.027(80) Apportionment appeals

29.23.029(80) Judicial review and relief

29.23.031(80) Effective date of apportionment

29.23.033(80) Applicability of apportionment provisions

29.23.040(80) Regular term of office

29.23.050 Qualifications

29.23.060(80) Procedure

29.23.070 Departments

29.23.080 Assembly vacancies

Article 2. Borough Executive and Administrator

29.23.130(80S) Power generally

29.23.140 Powers and duties of borough administrator

29.23.150 Executive absence

29.23.160 Assembly participation

29.23.170 Veto

29.23.180 Filling a vacancy

Article 3. City Council

29.23.200(S) Composition, eligibility, election and term

29.23.210(80S) Procedure

29.23.220 Filling a vacancy

Article 4. City Executive and Administrator

29.23.240 Mayor

29.23.250(S) Election and term of mayor

29.23.255(80) Removal from office

29.23.260 Mayor's vote

29.23.270 Veto

29.23.280 Filling a vacancy

29.23.290 Powers and duties of city manager

Article 5. School Boards

29.23.310 Election

Article 6. Utility Boards

29.23.340 Utility boards

Article 7. Other Officers and Employees

29.23.360 Appointment of officers

29.23.370 Municipal attorney

29.23.380 Municipal clerk

29.23.390 Municipal treasurer

29.23.401 Appointment to municipal boards and commissions

Article 8. Adoption or Repeal of Manager Plan

29.23.410 Application

29.23.420 Petition

29.23.430 Election

29.23.440(S) Adoption

29.23.450 Appointment

29.23.460 Term

29.23.470 Appointment of temporary or new manager

29.23.480 Repeal

Article 9. Miscellaneous Provisions

29.23.500 Oaths of office

29.23.520 Bonding

29.23.530(S) Salaries of elected officers

29.23.540(S) Prohibitions

29.23.550 Personnel system

29.23.560(80S) Reports

29.23.570 Vacancies

~~Article 3~~ *Article New*

~~Article 3~~ Municipal Enactments

~~29.48.130(S)~~ Acts required to be by ordinance

29.48.140 Form of ordinances

29.48.150 Ordinance procedure

29.48.160 Emergency ordinances

29.48.170 Codes of regulation

29.48.180(S) Codification

29.48.185(S) Resolutions

29.48.200(S) Penalties

Chapter 28. Elections

Article 1. Regular and Special Elections

29.28.010 Administration

29.28.015 Nominations

29.28.020	Election dates
29.28.030	Voter qualification
29.28.040	Majority elections
29.28.050(80)	Election contest and appeal
Article 2.	Initiative and Referendum
29.28.060	Reservation of powers
29.28.062	Petition
29.28.065	Contents of petition
29.28.070	Required signatures
29.28.073	Sufficiency of petition
29.28.075	Protest
29.28.077	New petition
29.28.080	Presentation of initiative
29.28.090	Presentation of referendum
29.28.110	Effect
Article 3.	Recall
29.28.130	Recall
29.28.140	Grounds
29.28.150	Petition
29.28.160	Examination for sufficiency
29.28.170	Supplemental petition
29.28.180	New petition
29.28.190	Submission
29.28.200	Election

29.28.210 Form of recall ballots

29.28.220 Election procedure

29.28.230 Majority required

29.28.240 Effect

29.28.250 Election of successor

Chapter 48. Powers Applicable to All Municipalities

Article 1. General Powers

29.23.510

Combining offices

29.48.010(S) General powers

29.48.037(S)

Extraterritorial jurisdiction

29.73.020 Eminent domain

29.48.270

Emergency disaster powers

Article 2.

Facilities, Services and Regulation

29.48.030(S) Municipal facilities and services

29.48.033(S) Garbage and solid waste services

29.48.035(80S) Regulatory powers

29.48.040 Municipally-owned utilities

29.48.050 Franchises and permits

29.48.060(80) Public utilities rates

29.48.070 Hearing for regulation of utilities rates

29.48.080 Right to participate and compel testimony

29.48.090 Further proceedings

29.48.100 Application

ARTICLE NEW FISCAL

29.48.250 Centralized purchasing

29.48.260(S) Municipal properties

29.48.190 Budget and capital program

29.48.210 Expenditure of borough revenues

29.48.220 Post audit

Article 5. Construction of Powers

29.48.310 General construction

29.48.320 Extent of powers

29.48.330 Enumeration of powers

CHAPTER NEW BORO.

[Chapter 33.] Areawide Borough Powers and Duties

Article 1. Scope

29.33.010(S) Scope of areawide powers

Article 2. Assessment and Collection of Taxes

29.33.030 Assessment and collection

Article 3. Education

29.33.050(S) Education

Article ~~2~~ Additional Areawide Powers ^{SB} (ACQUISITION OF)

29.33.250 Additional areawide powers

29.33.260 Transfer by city

29.33.270 Petition for power

29.33.280 Investigation

29.33.290 Election

ARTICLE NEW

[Chapter 38] Borough Powers and Duties in the Area Outside Cities

29.38.010 First class borough

29.38.020(S) Second class borough

29.48.020(80) Second class borough powers outside cities

29.38.030 Additional powers

29.38.040 Investigation

29.38.050 Election

Article New

[Chapter 41] Powers of Third Class Boroughs

29.41.010(S) Powers of third class boroughs

29.41.020(80) Assembly to serve as school board

CHAPTER NEW CITIES

[Chapter 43] Powers of Cities Outside Boroughs

29.43.010 Additional powers

29.43.020 Assessment and tax collection

29.43.030 Education

29.53.405

Differential tax zones

29.43.040(S) Planning and zoning

29.43.100(S) Extension of curfews outside cities

29.43.105(S) Enforcement of curfews

29.43.110(S) Penalty for violation of curfew

CHAPTER NEW

[Article 4] Planning, Platting and Zoning

29.33.070(S) Planning, platting and zoning

29.33.080(80) Planning commission

29.33.085 Comprehensive plan

29.33.090(80S) Zoning

- 29.33.110(S) Board of adjustment
- 29.33.120 Adjustment procedure
- 29.33.130 Judicial review
- 29.33.150(S) Platting jurisdiction and power
- 29.33.160(S) Procedure
- 29.33.170/ Waiver in certain cases
- 29.33.180 Information required
- 29.33.190(S) Penalties
- 29.33.200 Alteration of replat petition
- 29.33.210 Notice of hearing
- 29.33.220 Hearing and determination
- 29.33.230 Recording
- 29.33.240 Title to vacated area
- 29.33.245/ Delegations
- Article 2. Service Areas } *
- 29.63.090(S) Service areas

Chapter 53. ~~Municipal Assessment and~~ Taxation

Article 1. Municipal Property Tax

- 29.53.010 General property tax
- 29.73.070(80) Taxpayer notice
- 29.53.020(80S) Required exemptions
- 29.73.060(80S) Property tax equivalency payments
- 29.53.025(80S) Optional exemptions and exclusions
- 29.53.030 Mining claims
- 29.53.035(S) Farm or agricultural lands
- 29.53.040 Mobile homes

29.53.045(S) Tax on oil and gas production and pipeline property
29.53.050(S) Tax limitation
29.53.055(S) No limitation on taxes to pay bonds
29.53.060(S) Full and true value
29.53.070 Returns
29.53.080 Independent investigation
29.53.090 Statement
29.53.095 Reevaluation
29.53.100(S) Assessment roll
29.53.110 Assessment notice
29.53.120 Corrections
29.53.130 Appeal
29.53.135 Board of equalization

29.53.140 Hearing
29.53.150 Supplementary assessment rolls
29.53.160 Tax adjustments on property affected by a natural disaster
29.53.170 Tax levy and rate
29.53.180 Rates of penalty and interest
Article 2. Enforcement of Tax Liens
29.53.200 Validity
29.53.210 Tax liability
29.53.220 Enforcement of personal property tax liens by distraint and sale
29.53.230 Real property tax collection

29.53.240	Foreclosure list
29.53.250	Clearing delinquencies
29.53.260	List to lienholder
29.53.270	General foreclosure
29.53.280	Answer and objection
29.53.290	Judgment
29.53.300	Transfer and appeal
29.53.310(S)	Redemption period
29.53.320	Effect
29.53.330	Additional liens
29.53.340	Possession during redemption period
29.53.350(S)	Expiration
29.53.360	Deed to borough or city
29.53.370(S)	Disposition and sale of foreclosed properties
29.53.375(S)	Repurchase by record owner
29.53.380(S)	Proceeds of tax sale
29.53.385	Payment of taxes upon public utilization
29.53.390	Refund of taxes
Article 3.	City Property Tax
29.53.400	Power of levy
29.53.410	Limited property taxing power for second class cities
Article 4.	Borough Sales and Use Taxes
29.53.415(80)	Sales and use tax

29.53.420(80) Referendum, adoption and modification

Article 5. City Sales and Use Taxes

29.53.440 Power of levy

29.53.450 Power of levy and collection

29.53.460 Combining sales tax with incorporation

Chapter 63. Special Assessments ~~and Service Areas~~

Article 1. Special Assessments

29.63.010 Assessment and proposal

29.63.015 Procedure

29.63.020 Decision and notice

29.63.025 Record owner

29.63.030 Objections and revision

29.63.040 Assessment roll

29.63.050 Hearing and settlement

29.63.060 Payment

29.63.065(S) Exemption

29.63.070 Reassessment

29.63.080 Objection and appeal

29.63.085 Special assessment bonds

Chapter 58. Municipal Debt

Article 1. Revenue Anticipation Notes

29.58.010(S) Borrowing in anticipation of revenue

29.58.020(S) Issuance of notes

29.58.040 Issuance of notes in anticipation of state, federal grants

29.58.050 Priority of repayment

29.58.060 Sale of notes

Article 2. Bond Anticipation Notes

29.58.070	Bond anticipation borrowing
29.58.080	Issuance of notes
29.58.090	Issuance of new notes
29.58.100	Repayment of notes
29.58.110	Security
29.58.120	Limitation
29.58.130	Use of proceeds
29.58.140	Sale of notes
Article 3.	General Obligation Bonds
29.58.150	General obligation bonds
29.58.160	Vote and notice of existing indebtedness required
29.58.170	Form and terms of sale
29.58.180(S)	Payment
Article 4.	Revenue Bonds
29.58.200(S)	Revenue bonds
29.58.205	No election required
29.58.210(S)	Forms and terms
29.58.220(S)	Payment
Article 5.	Refunding Bonds
29.58.240	Authorization
29.58.250	Effect of bonds
29.58.260	No election required
29.58.270	Payment of refunding bonds
29.58.280	Sale

Article 6. Miscellaneous Provisions

29.58.300 Public sale

29.58.310 Interest rate

29.58.315 Bond attorneys, bond and financial consultants

29.58.320 Redemption before maturity

29.58.340(S) Borough indebtedness

29.58.345(S) Bonded indebtedness for school construction

29.58.350(S) Bond guarantee fund

Chapter 88.(80)Municipal Tax Resource Equalization

29.88.010(80) State equalization of tax resources for local government services

29.88.015(80) Determination of population

29.88.020(80) Determination of Millage rate equivalent

29.88.025(80) Reports

29.88.030(80) Limitation on computation and use of payments

29.88.035(80) Tax equalization account

29.88.040(80) Administration

29.88.045(80) Definitions

Chapter 89.(80)State Aid for Miscellaneous Municipal Purposes

29.89.010(80) Revenue sharing payable

29.89.020(80) State aid to municipalities for roads

29.89.030(80) State aid to municipalities and other eligible recipients for health facilities and hospitals

29.89.040(80) State aid to volunteer fire departments in the unorganized borough

*Not in
Data Base*

- ~~29.89.050(80) State aid to certain native village governments~~
~~29.89.060(80) Population determination~~
~~29.89.070(80) Area cost-of-living differential~~
~~29.89.080(80) Miscellaneous services account~~
~~29.89.090(80) Regulations~~
~~29.89.100(80) Definitions~~

Not in Data Base

~~Chapter 90.(80) State Aid for Hospital Construction~~

- ~~29.90.010(80) State aid for hospital construction~~
~~29.90.020(80) Hospital construction assistance account~~
~~29.90.030(80) Definitions~~

~~Chapter 95.(80) Administration of Municipal Financial Assistance Programs~~

- ~~29.95.010(80) Allocation and distribution~~
~~29.95.020(80) Qualification for minimum payment~~
~~29.95.030(80) Proration of payments~~

[Article 3A.] (S) General Grant Land *CHAPTER - NEW*

- 29.18.201(S) Determination of entitlement of boroughs and unified municipalities
29.18.202(S) Determination of entitlement for cities
29.18.203(S) Determination of entitlement for newly incorporated municipalities
29.18.204(S) Status of entitlements
29.18.205(S) Fulfillment of land entitlements
29.18.206(S) School, university and mental health land
29.18.207(S) Selection and conveyance procedure
29.18.208(S) Payment for land deficiency
29.18.209(S) Authorization for land exchanges

29.18.210(S) Public purpose and expansion needs

29.18.211(S) Election of benefits

29.18.212(S) Administration

29.18.213(S) Definitions

SPECIAL
~~CHAPTER~~ *NEW -> MUNICIPAL PROGRAMS*
Article New Involvement of Young People in Local Government

29.23.395 Intent of AS 23.397 - .401

29.23.397 Commission

29.23.399 ~~Article~~ Interns

Article New Historical Districts

29.48.108(S) Creation of historical district commissions

29.48.110(S) Establishment of historical districts

~~CHAPTER NEW~~
~~MUNICIPAL PROGRAMS~~

Chapter 73. Miscellaneous Provisions

29.73.030 ~~Article~~ Adverse possession

29.73.040 Taxation of municipalities

Chapter 78. General Provisions

29.78.010(S) Definitions

Dis 3

FOR DISCUSSION ONLY

Title 29. MUNICIPAL GOVERNMENT

<u>SECTIONS</u>	<u>HEADINGS</u>
Chapter 03.	The Unorganized Borough
29.03.010(S)	Establishment
29.03.020	Service areas
Chapter 08.	Classification of Municipalities
29.08.010(80)	Home rule
29.08.020	General law
29.08.030	Classes of general law
29.08.040(S)	Reclassification
29.08.050	Transition
Chapter 18.	Incorporation
Article 1.	Requirements
29.18.011(S)	Incorporation of cities
29.18.021(S)	Limitations on incorporation of cities
29.18.030	Organized boroughs
Article 2.	Procedures
29.18.050(80S)	Petition
29.18.060	Review
29.18.070(S)	Investigation
29.18.080(S)	Report and hearing
29.18.090(S)	Decision on municipal incorporation
29.18.110(S)	Incorporation election
29.18.120(S)	Election of initial officers
29.18.130	Integration of special districts and service areas
29.18.140	Transition

29.18.150	Challenge of legality
Article 3.	Transitional Assistance
29.18.180	Organization grants
Chapter ¹² 68.	Alteration of [BOUNDARIES] <u>Municipalities</u>
Article ¹ New	<u>Change of ~~Municipal~~ Name</u>
^{12.010} 29.73.050	Change of municipal name
Article ² 1.	Annexation and Exclusion
^{12.040} 29.68.010	Local boundary commission
^{12.050} 29.68.020(S)	Annexation of military reservations
Article ³ 2.	Merger and Consolidation
^{12.080} 29.68.030	Methods of merger or consolidation
^{12.090} 29.68.040	Petition
^{12.100} 29.68.050	Review
^{12.110} 29.68.060	Investigation
^{12.120} 29.68.070	Report and hearing
^{12.130} 29.68.080	Decision
^{12.140} 29.68.090	Election
^{12.150} 29.68.100	Assets and liabilities
^{12.160} 29.68.110	Ordinances
Article ⁴ 3.	Unification of Local Governments
^{12.190} 29.68.240	Unification of local governments authorized
^{12.200} 29.68.250	Unification to be proposed by petition
^{12.210} 29.68.260	Petition requirements
^{12.220} 29.68.270	Review of petition

12 230	29.68.280	Call for charter commission nominations
12 240	29.68.290	Nomination of charter commission candidates
12 250	29.68.300	Qualifications of charter commission candidates
12 260	29.68.310	Composition of charter commission
12 270	29.68.320	Election
12 280	29.68.330	Requirements for approval of unification and election of charter commission
12 290	29.68.340	Charter commission organization and procedure
	29.68.350(80)	Charter preparation
12 310	29.68.360	Public hearings
12 320	29.68.370	Filing of proposed charter
12 330	29.68.380	Publication and posting of proposed charter
12 340	29.68.390	Election on charter
12 350	29.68.400	Effect of the charter after ratification
12 360	29.68.410	Assets and liabilities
12 370	29.68.420	Ordinances
12 380	29.68.430	Right to state and federal funds preserved
12 390	29.68.440	Powers of a unified municipality
	Article 4.	Dissolution
12 420	29.68.500	Methods of dissolution
12 430	29.68.510	Petition
12 440	29.68.520	Standards
12 450	29.68.530	Review
12 460	29.68.540	Investigation
12 470	29.68.550	Report and hearing
12 480	29.68.560	Decision
12 490	29.68.570	Election
12 500	29.68.580	Succession

¹⁵
Chapter 13. Home Rule Municipalities

Article 1. Charters

¹⁵
29.13.010(80) Municipal charter adoption

¹⁵
29.13.020 Nomination

¹⁵
29.13.030 Election

¹⁵
29.13.040 Preparation of charter

¹⁵
29.13.050 Initiative and referendum

¹⁵
29.13.060 Charter election

¹⁵
29.13.070 Charter adoption

¹⁵
29.13.080 Charter amendment

Article 2. ~~Chapter New~~ *Home Rule Limitations*

~~Chapter 18~~ *Development Cities*

^{15 110}
29.13.100(80s) limitation of
home rule powers

~~ARTICLE 4.~~ *DEVELOPMENT CITIES*

¹¹⁰
29.18.220 Legislative findings

⁰²⁰
29.18.230 Development cities

⁰⁵⁰
29.18.240 Incorporation

¹¹⁰
29.18.250 Petition for incorporation

¹¹⁰
29.18.260 Review

¹¹⁰
29.18.270 Investigation

¹¹⁰
29.18.280 Report

¹¹⁰
29.18.290 Decision on development city incorporation

¹¹⁰
29.18.300 Preliminary planning

¹¹⁰
29.18.310 Review and report

¹¹⁰
29.18.320 Limitation

¹¹⁰
29.18.330 Local hire

¹¹⁰
29.18.340 Development city council

¹¹⁰
29.18.350 Filling a vacancy

29.18.360	¹⁵⁰ Powers and duties of council
29.18.370	¹⁶⁰ Powers and duties of development city executive director
29.18.380	¹⁷⁰ Procedures
29.18.390	¹⁸⁰ Development city capital improvement funds
29.18.400	¹⁹⁰ Transition
29.18.410	²⁰⁰ Housing powers
29.18.430	²¹⁰ Revenue bonds
29.18.440	²²⁰ Shared revenue
29.18.450	²³⁰ Applicability of other provisions of this title
29.18.460	²⁴⁰ Definition

Chapter New ²¹ Capital City

~~ARTICLE 5. CAPITAL CITY INCORPORATION~~

29.18.510(S)	²¹ Incorporation
29.18.520(S)	²¹ Boundaries
29.18.530(S)	²¹ City council
29.18.540(S)	²¹ Filling a vacancy
29.18.550(S)	²¹ Appointment of city officials
29.18.570(S)	²¹ Transition
29.18.580(S)	²¹ Planning and zoning authority
29.18.590(S)	²¹ Transfer of utilities to capital city
29.18.600(S)	²¹ Definitions
29.18.610(S)	²¹ Short title

Chapter 23. ²⁴ Municipal Officers and Employees

29.23.555	²⁴ ~~Article 10. Conflict of interests~~ Conflict of interests
29.23.580	²⁴ Meetings public

2
Article 1.

Borough Assembly

- 24 050
29.23.010 General power
- 24 060
29.23.021(80S) Assembly composition and apportionment
- 24 070
29.23.023(80) Composition and form of representation
- 24 080
29.23.025(80S) Assembly recomposition and reapportionment
- 24 090
29.23.027(80) Apportionment appeals
- 24 100
29.23.029(80) Judicial review and relief
- 24 110
29.23.031(80) Effective date of apportionment
- 24 120
29.23.033(80) Applicability of apportionment provisions
- 24 130
29.23.040(80) Regular term of office
- 24 140
29.23.050 Qualifications
- 24 150
29.23.060(80) Procedure
- 24 160
29.23.070 Departments
- 24 170
29.23.080 Assembly vacancies

3
Article 2.

Borough Executive and Administrator

- 24 200
29.23.130(80S) Power generally
- 24 210
29.23.140 Powers and duties of borough administrator
- 24 220
29.23.150 Executive absence
- 24 230
29.23.160 Assembly participation
- 24 240
29.23.170 Veto
- 24 250
29.23.180 Filling a vacancy

4
Article 3.

City Council

- 24 280
29.23.200(S) Composition, eligibility, election and term
- 24 290
29.23.210(80S) Procedure
- 24 300
29.23.220 Filling a vacancy

5
Article 4. City Executive and Administrator
29.23.240 Mayor
29.23.250(S) Election and term of mayor
29.23.255(80) Removal from office
29.23.260 Mayor's vote
29.23.270 Veto
29.23.280 Filling a vacancy
29.23.290 Powers and duties of city manager

Article 5. School Boards
29.23.310 Election

Article 6. Utility Boards
29.23.340 Utility boards

Article 7. Other Officers and Employees
29.23.360 Appointment of officers
29.23.370 Municipal attorney
29.23.380 Municipal clerk
29.23.390 Municipal treasurer
29.23.401 Appointment to municipal boards and commissions

Article 8. Adoption or Repeal of Manager Plan
29.23.410 Application
29.23.420 Petition
29.23.430 Election
29.23.440(S) Adoption
29.23.450 Appointment
29.23.460 Term
29.23.470 Appointment of temporary or new manager
29.23.480 Repeal

10
Article 9. Miscellaneous Provisions

24 650
29.23.500 Oaths of office

24 660
29.23.520 Bonding

24 670
29.23.530(S) Salaries of elected officers

24 680
29.23.540(S) Prohibitions

24 690
29.23.550 Personnel system

24 700
29.23.560(80S) Reports

24 710
29.23.570 Vacancies

~~Chapter 27~~
~~Article 3.~~ Municipal Enactments

~~CHAPTER NEW~~

27 010
29.48.130(S) Acts required to be by ordinance

27 015
29.48.140 Form of ordinances

27 020
29.48.150 Ordinance procedure

27 030
29.48.160 Emergency ordinances

27 040
29.48.170 Codes of regulation

27 050
29.48.180(S) Codification

27 060
29.48.185(S) Resolutions

27 080
29.48.200(S) Penalties

20
Chapter 28. Elections

Article 1. Regular and Special Elections

20
29.28.010 Administration

20 020
29.28.015 Nominations

30 030 29.28.020	Election dates
30 040 29.28.030	Voter qualification
30 050 29.28.040	Majority elections
30 060 29.28.050(80)	Election contest and appeal
Article 2.	Initiative and Referendum
30 090 29.28.060	Reservation of powers
30 100 29.28.062	Petition
30 110 29.28.065	Contents of petition
30 120 29.28.070	Required signatures
30 130 29.28.073	Sufficiency of petition
30 140 29.28.075	Protest
30 150 29.28.077	New petition
30 160 29.28.080	Presentation of initiative
30 170 29.28.090	Presentation of referendum
30 180 29.28.110	Effect
Article 3.	Recall
30 210 29.28.130	Recall
30 220 29.28.140	Grounds
30 230 29.28.150	Petition
30 240 29.28.160	Examination for sufficiency
30 250 29.28.170	Supplemental petition
30 260 29.28.180	New petition
30 270 29.28.190	Submission
30 280 29.28.200	Election

29.28.210	Form of recall ballots
29.28.220	Election procedure
29.28.230	Majority required
29.28.240	Effect
29.28.250	Election of successor
Chapter 48.	<i>and duties</i> Powers, Applicable to <i>Home Rule and General Law</i> ~~All~~ Municipalities
Article 1.	General Powers 29.23.510 <i>33.010(1)</i> Combining offices
29.48.010(S)	General powers 29.48.037(S) <i>33.020</i> Extraterritorial jurisdiction
29.48.020	Eminent domain 29.48.270 <i>33.040</i> Emergency disaster powers
Article 2.	Facilities, Services and Regulation
29.48.030(S)	Municipal facilities and services
29.48.033(S)	Garbage and solid waste services

29.48.035(80S) Regulatory powers

29.48.040	Municipally-owned utilities
29.48.050	Franchises and permits
29.48.060(80)	Public utilities rates
29.48.070	Hearing for regulation of utilities rates
29.48.080	Right to participate and compel testimony
29.48.090	Further proceedings
29.48.100	Application

~~Article 3.~~
~~ARTICLE New~~ *3.* ~~FISCAL Powers and Duties~~

^{33.190}
29.48.250 Centralized purchasing

^{33.200}
29.48.260(S) Municipal properties

^{33.210}
29.48.190 Budget and capital program

^{33.220}
29.48.210 Expenditure of borough revenues

^{33.230}
29.48.220 Post audit

⁴
Article 5. Construction of Powers

^{33.260}
29.48.310 General construction

^{33.270}
29.48.320 Extent of powers

^{33.280}
29.48.330 Enumeration of powers

³⁶
Chapter 33. Areawide Borough Powers and Duties

Article 1. Scope

³⁶
29.33.010(S) Scope of areawide powers

Article 2. *areawide powers article*
~~Assessment and Collection of Taxes~~

^{36.030}
29.33.030 Assessment and collection of *areawide powers article*

Article 3. Education

^{36.040}
29.33.050(S) Education

Article ~~3~~ ³⁶ *Acquisition of*
29.33.250 Additional Areawide Powers *(Acquisition of)*

^{36.070}
29.33.250 Additional areawide powers

^{36.080}
29.33.260 Transfer by city

^{36.090}
29.33.270 Petition for power

^{36.100}
29.33.280 Investigation

^{36.110}
29.33.290 Election

Planning and Zoning
060 (New Sec.)

Article 4.

~~ARTICLE NEW~~

[Chapter 38]

Borough Powers and Duties in the Area Outside Cities

^{26 160}
29.38.010

First class borough

^{26 170}
29.38.020(S)

Second class borough

³⁰
29.48.020(80)

Second class borough powers outside cities

Combine into one section

^{36 180}
29.38.030

Additional powers

^{36 190}
29.38.040

Investigation

^{31 200}
29.38.050

Election

~~Article New~~ Article 5.

[Chapter 41]

Powers of Third Class Boroughs

^{31 230}
29.41.010(S)

Powers of third class boroughs

²⁴⁰
29.41.020(80)

Assembly to serve as school board

Article 5. Service Areas

29.63.070(S) Service Areas.

~~CHAPTER NEW ST.~~

[Chapter 43]

39. Powers of Cities Outside Boroughs

³⁷
29.43.010

Additional powers

³⁷
29.43.020

Assessment and tax collection

^{37 240}
29.43.030

Education

^{26 030}
29.53.405

Differential tax zones

^{37 050}
29.43.040(S)

Planning and zoning

^{37 160}
29.43.100(S)

Extension of curfews outside cities

^{37 170}
29.43.105(S)

Enforcement of curfews

^{37 080}
29.43.110(S)

Penalty for violation of curfew

Chapter 42.

Article 4.

Planning, Platting and Zoning

^{42 010}
29.33.070(S)

Planning, platting and zoning

^{42 020}
29.33.080(80)

Planning commission

^{42 030}
29.33.085

Comprehensive plan

^{42 040}
29.33.090(80S)

Zoning

- 42 060
29.33.110(S) Board of adjustment
42 060
29.33.120 Adjustment procedure
42 070
29.33.130 Judicial review
42 060
29.33.150(S) Platting jurisdiction and power
42 070
29.33.160(S) Procedure
42 100
29.33.170 Waiver in certain cases
42 110
29.33.180 Information required

- 42 120
29.33.190(S) Penalties
42 150
29.33.200 Alteration of replat petition
42 140
29.33.210 Notice of hearing
42 150
29.33.220 Hearing and determination
42 160
29.33.230 Recording
42 170
29.33.240 Title to vacated area
42 170
29.33.245 Delegations

Article 2. Service Areas

- 29.63.090(S) Service areas

45
Chapter 53. ~~Municipal Assessment and~~ Taxation

Article 1. Municipal Property Tax

- 45 010
29.53.010 General property tax
45 020
29.73.070(80) Taxpayer notice
45 030
29.53.020(80S) Required exemptions
45 040
29.73.060(80S) Property tax equivalency payments
45 050
29.53.025(80S) Optional exemptions and exclusions
45 060
29.53.030 Mining claims
45 070
29.53.035(S) Farm or agricultural lands database
45 080
29.53.040 Mobile homes
missing (a) (c) (d) (e)

45 090 29.53.045(S)	Tax on oil and gas production and pipeline property
100 29.53.050(S)	Tax limitation
110 29.53.055(S)	No limitation on taxes to pay bonds
120 29.53.060(S)	Full and true value
130 29.53.070	Returns
140 29.53.080	Independent investigation
150 29.53.090	Statement
160 29.53.095	Reevaluation
170 29.53.100(S)	Assessment roll
180 29.53.110	Assessment notice
190 29.53.120	Corrections
200 29.53.130	Appeal
45 210 29.53.135	Board of equalization
220 29.53.140	Hearing
230 29.53.150	Supplementary assessment rolls
240 29.53.160	Tax adjustments on property affected by a natural disaster
250 29.53.170	Tax levy and rate
45 260 29.53.180	Rates of penalty and interest
Article 2.	Enforcement of Tax Liens
45 290 29.53.200	Validity
300 29.53.210	Tax liability
310 29.53.220	Enforcement of personal property tax liens by distraint and sale
320 29.53.230	Real property tax collection

45 240	29.53.240	Foreclosure list
45 250	29.53.250	Clearing delinquencies
45 260	29.53.260	List to lienholder
45 270	29.53.270	General foreclosure
45 280	29.53.280	Answer and objection
45 290	29.53.290	Judgment
45 300	29.53.300	Transfer and appeal
45 310	29.53.310(S)	Redemption period
45 320	29.53.320	Effect
45 330	29.53.330	Additional liens
45 340	29.53.340	Possession during redemption period
45 350	29.53.350(S)	Expiration
45 360	29.53.360	Deed to borough or city
45 370	29.53.370(S)	Disposition and sale of foreclosed properties
45 375	29.53.375(S)	Repurchase by record owner
45 380	29.53.380(S)	Proceeds of tax sale
45 385	29.53.385	Payment of taxes upon public utilization
45 390	29.53.390	Refund of taxes
	Article 3.	City Property Tax
45 400	29.53.400	Power of levy
45 410	29.53.410	Limited property taxing power for second class cities
	Article 4.	Borough Sales and Use Taxes
45 415	29.53.415(80)	Sales and use tax <i>NOT Amended</i>

*part of
(b) Above (a)*

570 80
29.53.420(80) Referendum, adoption and modification

NOT Amended

Article 5. ^{620 610} City Sales and Use Taxes

29.53.440 ^{630 620} Power of levy

29.53.450 ^{640 630} Power of levy and collection

29.53.460 ^{45 640 630} Combining sales tax with incorporation

Chapter 63. ⁴⁸ Special Assessments ~~and Service Areas~~

Article 1. Special Assessments

29.63.010 ⁴⁸ Assessment and proposal

29.63.015 ⁰²⁰ Procedure

29.63.020 ⁰³⁰ Decision and notice

29.63.025 ⁰⁴⁰ Record owner

29.63.030 ⁰⁵⁰ Objections and revision

29.63.040 ⁰⁶⁰ Assessment roll

29.63.050 ⁰⁷⁰ Hearing and settlement

29.63.060 ⁰⁸⁰ Payment

29.63.065(S) ⁰⁹⁰ Exemption

29.63.070 ¹⁰⁰ Reassessment

29.63.080 ¹¹⁰ Objection and appeal

29.63.085 ⁴⁴ Special assessment bonds

Chapter 58. ⁵¹ Municipal Debt

Article 1. Revenue Anticipation Notes

29.58.010(S) ⁵¹ Borrowing in anticipation of revenue

29.58.020(S) Issuance of notes

29.58.040 ⁰³⁰ Issuance of notes in anticipation of state, federal grants

29.58.050 Priority of repayment

29.58.060 ⁰⁴⁰ Sale of notes

Article 2. Bond Anticipation Notes

51 080 29.58.070	Bond anticipation borrowing
090 29.58.080	Issuance of notes
100 29.58.090	Issuance of new notes
110 29.58.100	Repayment of notes
120 29.58.110	Security
130 29.58.120	Limitation
140 29.58.130	Use of proceeds
150 29.58.140	Sale of notes
Article 3.	General Obligation Bonds
51 160 29.58.150	General obligation bonds
51 190 29.58.160	Vote and notice of existing indebtedness required
51 200 29.58.170	Form and terms of sale
51 210 29.58.180(S)	Payment
Article 4.	Revenue Bonds
51 240 29.58.200(S)	Revenue bonds
51 250 29.58.205	No election required
51 260 29.58.210(S)	Forms and terms
51 270 29.58.220(S)	Payment
Article 5.	Refunding Bonds
51 300 29.58.240	Authorization
51 310 29.58.250	Effect of bonds
51 320 29.58.260	No election required
51 330 29.58.270	Payment of refunding bonds
51 340 29.58.280	Sale

Article 6. Miscellaneous Provisions

- 51 870
29.58.300 Public sale
- 51 880
29.58.310 Interest rate
- 51 890
29.58.315 Bond attorneys, bond and financial consultants
- 51 900
29.58.320 Redemption before maturity
- 51 910
29.58.340(S) Borough indebtedness
- 51 920
29.58.345(S) Bonded indebtedness for school construction
- 51 930
29.58.350(S) Bond guarantee fund

62 ~~State Programs~~
Chapter 88. (80) Municipal Tax Resource Equalization

- Article 1.
29.88.010(80) State equalization of tax resources for local government services
- 29.88.015(80) Determination of population
- 29.88.020(80) Determination of Millage rate equivalent
- 29.88.025(80) Reports
- 29.88.030(80) Limitation on computation and use of payments
- 29.88.035(80) Tax equalization account
- 62 970
29.88.040(80) Administration
- 29.88.045(80) Definitions

Article 2.
Chapter 89. (80) State Aid for Miscellaneous Municipal Purposes

- 12 110
29.89.010(80) Revenue sharing payable
- 12 120
29.89.020(80) State aid to municipalities for roads
- 3
29.89.030(80) State aid to municipalities and other eligible recipients for health facilities and hospitals
- 4
29.89.040(80) State aid to volunteer fire departments in the unorganized borough

¹⁵⁰
29.89.050(80) State aid to certain native village governments

¹⁶⁰
29.89.060(80) Population determination

¹⁷⁰
29.89.070(80) Area cost-of-living differential

¹⁸⁰
29.89.080(80) Miscellaneous services account

¹⁹⁰
29.89.090(80) Regulations

²⁰⁰
29.89.100(80) Definitions

Article 3

~~Chapter 90.~~(80) State Aid for Hospital Construction

²³⁰
29.90.010(80) State aid for hospital construction

²⁴⁰
29.90.020(80) Hospital construction assistance account

²⁵⁰
29.90.030(80) Definitions

Article 4.

~~Chapter 95.~~(80) Administration of Municipal Financial Assistance Programs

²⁸⁰
29.95.010(80) Allocation and distribution

²⁹⁰
29.95.020(80) Qualification for minimum payment

³⁰⁰
29.95.030(80) Proration of payments

Chapter 65.

Article 3A.(S) General Grant Land *CHAPTER - NEW*

³¹⁰
29.18.201(S) Determination of entitlement of boroughs and unified municipalities

³²⁰
29.18.202(S) Determination of entitlement for cities

³³⁰
29.18.203(S) Determination of entitlement for newly incorporated municipalities

³⁴⁰
29.18.204(S) Status of entitlements

³⁵⁰
29.18.205(S) Fulfillment of land entitlements

³⁶⁰
29.18.206(S) School, university and mental health land

³⁷⁰
29.18.207(S) Selection and conveyance procedure

³⁸⁰
29.18.208(S) Payment for land deficiency

³⁹⁰
29.18.209(S) Authorization for land exchanges

^{65 100}
29.18.210(S) Public purpose and expansion needs

¹¹⁰
29.18.211(S) Election of benefits

¹²⁰
29.18.212(S) Administration

¹³⁰
29.18.213(S) Definitions

~~Chapter 68.~~

Municipal

Programs

~~CHAPTER~~
~~Article New~~

~~NEW - MUNICIPAL PROGRAMS~~
Involvement of Young People in Local Government

^{68 010}
29.23.395 Intent of AS 23.397 - .401

⁰²⁰
29.23.397 Commission

^{68 030}
29.23.399 Interns

²
Article New Historical Districts

⁰⁶⁰
29.48.108(S) Creation of historical district commissions

^{68 070}
29.48.110(S) Establishment of historical districts

~~Chapter 73.~~
~~Municipal Programs~~

⁷¹
Chapter 73. ^{General} ~~Miscellaneous~~ Provisions

^{71 010}
29.73.030 Adverse possession

^{71 020}
29.73.040 Taxation of municipalities

~~Chapter 78.~~ General Provisions

^{71 030}
29.78.010(S) Definitions

**TITLE 29 REVISION COMMISSION
Policy Advisory Group Meeting**

Minutes of November 10 & 11, 1980

The third meeting of the Policy Advisory Group - Title 29 Revision Commission was held November 10 and 11, 1980 in the East Gold Room of the Traveler's Inn, Fairbanks, Alaska. The meeting was called to order by Senator Arliss Sturgulewski, Chairman, at 10:45 a.m.

Present as members of the Policy Advisory Group were: Senator Arliss Sturgulewski, Senator Bob Mulcahy, Senator-elect Charles Parr, Representative Margaret Branson, Ted Berns, Terry Cook, Marilyn Dimmick, Ronald Larson, Gene Moore, Donna Sherby, and Russell Walker. Present as Ex-Officio Members were Palmer McCarter, and Bonnie Hedley from RuralCAP substituting for Phil Smith. The Technical Committee was represented by Ted Berns and Russell Walker as members of both groups, and by Allan Tesche. Present from the staff of Legal Services were Billy G. Berrier, Director and Tamara Brandt Cook, Legislative Counsel.

Guests and members of the public attending were: Stephanie Scott, Haines Borough; Cris Fowler, AOGA; Bob Walker, Exxon; Mike Walleri, Tanana Chiefs; John Arney, Haines Borough; Bob Juettner, City of McGrath; Michael Tavoliero, City of Saxman; Marie Matsuno, Department of Community and Regional Affairs; Ivan Widom, City of Nome; Lisa Buskirk, Tanana Chiefs; John Halliwill, City of Haines; Tommy Nebel, Ketchikan Borough; Kathy Carssow, Ketchikan Borough; Marvin Yoder, Ketchikan Borough; Tom Blanton, Haines Borough; Jerry Clifton, Haines Borough Assembly; Dan Ogt, Kodiak Island Borough; Shirley Collins, Haines; Jack Carpenter, Sitsnasuak Native Corporation; Edward A. Stahla, City of Wrangell; Richard Careaga, City of Unalaska; Robert Flint, Wohlforth & Flint; Jack P. Van Leuven, RainierBank.

There were no presentations by guests or members of the public.

Under Old Business, Palmer McCarter reported on ways of getting materials and information to the public. He said the Department of Community and Regional Affairs was planning newsletter inserts and coordinating with the University of Alaska for a special issue of their newsletter to include an insert concerning the revision of Title 29. Chairman Sturgulewski directed Bonnie Hedley to coordinate information activities with Mr. McCarter and Tamara Cook.

Bonnie Hedley gave a report from RuralCAP on special problems of rural communities. She stated that rural communities have little "hook-up" with state agencies and therefore have little access to programs and money. The legislature never meets as the assembly for the Unorganized Borough. It is felt that there are not enough people in small communities to perform all

Minutes of Meeting
Policy Advisory Group
10 & 11 Nov 80

the required municipal functions as well as the functions of existing forms of government, such as IRA councils. RuralCAP recommends the recognition of IRA councils. Chairman Sturgulewski directed staff to prepare a memo on these issues.

Mike Walleri presented a new draft of his report entitled "Tribal-State Relations, A New Paradigm for Local Government in Alaska". The chair directed staff to review it.

Chairman Sturgulewski reported attending a meeting of the AVCP in Bethel, and said they were getting funds to do a regional government study. She also reported on attending the AFN convention in Anchorage. The people she talked to questioned parallel governments and duplication of functions in the communities where there were municipal governments as well as traditional governments.

Ginny Chitwood of the Municipal League was stranded in Juneau due to weather and her report was postponed.

Billy Berrier reported what the Commission had done to date. Ted Berns said the Technical Committee planned to present final recommendations to the Policy Group by the 15th of December, 1980.

The Technical Committee presented their proposed drafts for consideration to the Policy Group. Representative Branson moved that the Policy Group accept all recommended changes except those requiring more discussion. The motion was seconded and carried. The following sections were accepted. (Note: There were wording changes in some in the following) Sec. 29.06.010, Sec. 29.06.050, Sec. 29.12.260, 29.15.020, 29.15.050, 29.15.110, 29.65.050, 29.30.010, 29.30.020, 29.30.030, 29.30.050, 29.30.095, 29.30.110, 29.30.120, 29.30.130, 29.30.140, 29.30.150, 29.30.160, 29.30.170, 29.30.180. Sections 29.09.180 and 29.30.040 were sent to subcommittees for study.

The meeting was recessed until 9:00 a.m. 11 November 1980.

At 9:00 a.m. 11 November 1980 the meeting was again called to order in the East Gold Room of the Traveler's Inn, Fairbanks, Alaska. All members of the Policy Advisory Group were in attendance. Members of the public and guests who attended the day before were present and the following people attended as well: Ginny Chitwood, Ex-Officio Member; Gerald Lee Sharp, Title 29 Technical Committee; Richard Garnett, III, Title 29 Technical Committee; David Dye, Department of Community and Regional Affairs; Leo Rasmussen, City of Nome; L.C. Farnen, City of Homer; Kathy Herold, City of Homer; Carol Maser, Anchorage Assembly; Jenny Files, Fort Yukon; and former Mayor Bill Wood, Fairbanks.

Mayor Wood gave the first presentation. He spoke on the need for municipalities to have developmental authority in order

Minutes of Meeting
Policy Advisory Group
10 & 11 Nov 80

to encourage investments within the cities and boroughs. He submitted a letter from the City of Fairbanks regarding tax incentive programs and referred to Fairbanks ordinance 3906. The Technical Committee was directed to review AS 29.53.025.

John Halliwill, Mayor of Haines spoke in favor of the elimination of Third Class Boroughs.

Bob Juettener, City Manager of McGrath spoke on the problems of communities with small populations supporting the large number of organizations making up municipal government. He recommended an evaluation of second class cities and abolishing those that are not functioning. He suggests that the group providing the best service delivery be chosen as the governing body of a community. He feels the different classifications of cities should be abolished and provisions made for local options concerning the assumption of powers and form of government. He sees a need in the bush for a means of dealing with the executive branch of government, perhaps a regional or sub-regional elected body in the Unorganized Borough.

Ivan Widom, City Manager of Nome said there was a need to regionalize concepts in order to see what is happening in specific areas. He recommends giving communities mechanisms for reaching the state in order to benefit from services offered. Mr. Widom also recommended giving communities the option of choosing their own form of government, such as home rule.

Michael Tavoleiro, City Manager of Saxman spoke next, saying there was no definition of local government, i.e., no expressed definition of eligibility characteristics. He feels that second class cities within an organized borough are disenfranchised from planning powers. He stated also that second class cities should have direct access to federal and state programs instead of being required to go through the borough. Mr. Tavoliero cited the Historical Districts program as an example. He feels that local communities should be allowed more self-sufficiency.

Larry Farnen, City Manager of Homer spoke in reference to 29.48.260. He recommended raising the dollar amount in that section from \$25,000 to \$250,000. He wants cities to have the authority to lease land to beneficial new industry. In reference to planning and zoning powers, Mr. Farnen recommended the statutory language be changed to allow boroughs to assume planning and zoning powers if the cities are not willing to exercise them.

Dan Ogt, Mayor of the Kodiak Island Borough cited AS 29.30.160 saying there was no provision for special elections, and recommended special elections be mandated in the statutes.

Richard Careaga, Planning Director for the City of Unalaska wants more definition/clarification of mandatory powers and duties.

Minutes of Meeting
Policy Advisory Group
10 & 11 Nov 80

Leo Rasmussen, Mayor of Nome said small government feels that it has lost control of its own destiny. Planning is being taken over by REAAs and SRAAs. He said Nome feels threatened by the possible organization of the Unorganized Borough and he asked for more local autonomy.

Returning to Old Business, the Policy Group continued its review of the recommended drafting changes submitted by the Technical Committee. Sec. 29.30.210 was reviewed. James Kohler moved to not accept the drafted change but to retain the current language. Charles Parr amended the motion, and it carried. The chair directed staff to clarify the wording of the current statute and resubmit it at the next meeting of the Policy Group. Secs. 29.30.220, 29.30.225, 29.30.230, 29.30.240, 29.30.250, 29.30.260, 29.30.270, 29.30.280, 29.30.290, 29.30.300, 29.30.310, 29.30.320, were accepted with no changes or some wording changes. 29.30.330 was sent back to the Technical Committee for redrafting.

Two subcommittees were formed and are to give reports at the next meeting on AS 29.09.180 Organization Grants (Chair-McCarter) and AS 29.30.040 Voter Qualifications (Chair-Dimmick).

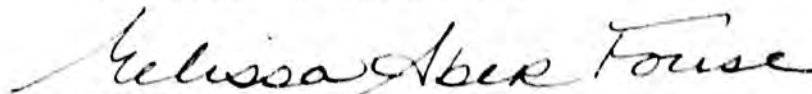
Two sections of Title 29 considered obsolete were discussed. The Policy Group will recommend the repeal of the sections on Involvement of Young People in Local Government and the repeal of the sections on Development Cities.

The dates of the next meeting of the Policy Advisory Group were set for 15, 16, and 17 December, 1980 in Anchorage.

Staff is to review the definition of "petitioner".

The meeting was adjourned at 4:30 p.m.

Respectfully submitted,



Melissa Aber Fouse
Secretary, Title 29 Commission

TITLE 29 REVISION COMMISSION
Policy Advisory Group Meeting

Minutes of September 29 & 30, 1980

The second meeting of the Policy Advisory Group of the Title 29 Revision Commission was held September 29, 1980 in Courtroom K of the Alaska Court System Building, 303 K Street, Anchorage, Alaska. The meeting was called to order by Senator Arliss Sturgulewski, Chairman, at 9:00 a.m.

Present as members of the Policy Group were: Senator Arliss Sturgulewski, Representative Charles H. Parr, Ronald Larson, Russell W. Walker, Marilyn Dimmick, Donna Sherby, Jonathan Solomon, James Kohler, Ted Berns, and Dennis Sheldon representing Terry Cook. Ex-Officio members present were Ginny Chitwood and Phil Smith. Richard Garnett, III was there as a member of the Technical Committee. Ted Berns and Russell Walker are members of both the Policy Group and the Technical Group. Present from the staff of Legal Services were Jack Chenowith and Tamara Cook.

There to make presentations to the Policy Group were C. Demming Cowles, Deputy Commissioner of the Department of Environmental Conservation; David Dye, Planner for the Department of Community and Regional Affairs; Dr. Fred McGinnis, Deputy Commissioner of the Department of Health and Social Services; Stephanie Scott, representing the Haines Borough Assembly; and Mike Walleri representing Tanana Chiefs, Inc.

Guests and members of the public attending were: Stuart Bowdoin, Bristol Bay Borough; Gary Bradford, Bristol Bay Borough, Glen Svendsen, Administrative Assistant, Senate Community and Regional Affairs Committee; Cris Fowler, AOGA Regulatory Reform Committee; Ray Menninger from Haines; Jim Bennett, researcher for AVCP (Calista Corporation); Ellen Greenburg, and Emily Larson.

After the meeting was called to order and guests introduced themselves, Commissioner Cowles began the presentations. He spoke regarding the functions of the Department of Environmental Conservation which could be locally done and raised policy questions about whether state or local government should be in charge of the following functions:

1. Water system and sewage disposal inspections.
2. Subdivision review of on-site sanitation capabilities.
3. Basic sanitation inspections of restaurants, hotels, etc.

Minutes of Meeting
Policy Group-Title 29 Revision Commission
29 and 30 September 1980

4. Clean up of small oil spills.
5. The issuing of oily waste burn permits and surface oiling permits.
6. Litter control.
7. Vehicular emissions control.

Changes to Title 29 would have to be made to allow for delegation of these powers. Commissioner Cowles suggested that the statutes could make it optional for small communities to assume these powers and provide for state reimbursement, because money for communities to perform these services is a problem.

Stephanie Scott representing the Haines Borough Assembly spoke next. The borough of Haines would like a clarification of the powers of third class boroughs. She reported that the Borough Chairman had the following recommendations to make:

1. Rewrite 29.48.260(e) to relieve procedural requirements under Libby vs. Dillingham.
2. Include inventories as optional exemptions from personal property taxation.

Ms. Scott stated there would be teleconference facilities available in Haines December 1, and there was a great deal of local interest in participating in a teleconference with the Policy Group.

David Dye, Planner III for the Department of Community and Regional Affairs made these recommendations from his division:

1. The law should be amended to allow municipal land exchanges with individuals. Municipal expansion land in some cases is located too far from the community to be used for municipal expansion. The definition of "municipal purpose" should be clarified.
2. Subsection (c) of 29.48.260 sets out two procedural requirements for land disposal. Mr. Dye recommends that lottery be added as an equitable way of disposing of land which is not based on wealth.
3. The provision for voter ratification of disposal of land valued at more than \$25,000.00 should be changed to reflect current land values. A more realistic figure would be 50,000.00 to 100,000.00 dollars.

Minutes of Meeting
Policy Group-Title 29 Revision Commission
29 and 30 September 1980

4. Subsection (d) of 29.48.260 exempts lands derived from the state from procedural requirements. C&RA suggests that exemption turn on the purpose of disposal, not the source of the land.

5. Under ANCSA, people who have occupied land after December 18, 1971 do not receive title to that land. C&RA would like a preference right for occupiers of land after that date to allow them to purchase land without having to bid.

6. Mr. Dye would like a definition of "official map".

7. The wording of AS 29.23.090 should be changed to substitute "land use regulation" for "zoning".

8. C&RA suggests that rather than a platting waiver provision, the section include a "short plat" provision to allow for additional platting requirements if the land were subsequently re-subdivided.

9. AS 29.33.070(b)(2) allows boroughs to delegate planning and zoning to cities. The Department of Community and Regional Affairs believes in consistent area-wide planning and wants only the delegation of enforcement and administration of planning.

10. The sections regarding Development Cities should be deleted.

Mike Walleri of Tanana Chiefs, Inc. spoke regarding municipal lands disposal and the need for preference to occupiers of land regarding purchasing rights. This should, however, be subject to the municipality's sanction of the use of the land. Mr. Walleri recommends a waiver of the requirements for land payments to the municipality, or that the state assist buyers in paying for the land. Tanana Chiefs would support a lottery system if the preference rights and waiver of payments to municipalities were included. Mr. Walleri spoke in favor of integrating traditional native governments into the municipal system, possibly through recognition by the state of the status of native governments as local state governments.

Dr. Fred McGinnis of the Department of Health and Social services told us that his department recommends the delegation of health powers to municipalities. If municipalities were to take over the providing of services, the DHSS would still receive federal funding, would disburse the funds, would audit programs, supervise, and be responsible to the federal government for the administration of the programs. He emphasized that these powers should be optional rather than mandatory, and that in the absence of local government being able to take over the function of health services, a local contractor could provide them.

**Minutes of Meeting
Policy Group-Title 29 Revision Commission
29 and 30 September 1980**

After the presentations, the committee considered Old Business. Phil Smith gave a report on the conclusions of the Information Dissemination Committee. Their recommendations are: take advantage of scheduled meetings and conventions being held by interested groups; put inserts in newsletters; buy space in newspapers; and use the teleconference network. Mr. Smith reported that the Alaska Federation of Natives Convention will be making a room available for us at the Sheraton. Chairman Sturgulewski said a member of each group should be available to attend the AFN Convention. She also directed the Department of Community and Regional Affairs to prepare an article on the Title 29 revision project for newsletters.

Ted Berns gave a report from the Technical Committee. He explained the draft index of Title 29, saying the reorganization had been done by subject matter. Mr. Berns told the Policy Group that the Technical Group was now ready to start drafting and the group had broken up into smaller groups to work on specific changes.

Chairman Sturgulewski said the Policy Group would like justification of all drafted changes in the form of memos pointing out the pluses and minuses of each change.

Ted Berns suggested that the Policy Group go through the index section by section and determine policy questions.

The Policy Group reviewed the index until recessing at 4:30.

The meeting was called to order 30 September 1980 at 9:00 a.m. by Chairman Sturgulewski. With the exception of Bob Lohr sitting in for Phil Smith, the same members were present. Guests were: Bob Walker of Exxon; Cris Fowler of the AOGA Regulatory Reform Committee; David Dye from the Department of Community and Regional Affairs; Stephanie Scott, Ray Menninger, and Vivian Menninger from the Haines Borough; Glen Svendsen, Administrative Assistant to the Senate Community and Regional Affairs Committee; and Mike Walleri, Tanana Chiefs, Inc.

The Policy Group continued their review of the Title 29 index and the Technical Group was directed to make recommendations regarding the following:

1. AS 29.13.100. Review and make recommendations as to the limitations of home rule powers.
2. Edit the whole of Title 29 so that definitions are consistent.
3. List those procedures which can be handled by ordinances.

**Minutes of Meeting
Policy Group-Title 29 Revision Commission
29 and 30 September 1980**

4. Prepare drafts to change prohibitions on powers.
5. Draft changes to the statute regarding initiative and referendum.
6. Draft provisions for emergency situations arising from the lack of a quorum.
7. Redraft statute enabling budget actions to take place other than by ordinance. Enable an individual municipality to set it's own limits.
8. Make recommendations regarding whether first class boroughs should be eliminated and consider the impact of this step.
9. Find out whether second class boroughs would still be able to implement a similar program if the statute about the Involvement of Young People in Local Government were to be deleted.

Chairman Sturgulewski directed that the Local Boundary Commission and Alan Tesche be invited to make a presentation in defense of retaining the statutes regarding Development Cities.

Ron Larson moved the Policy Group retain the 3-year residency requirement for candidates for municipal office. The motion was seconded, Jim Kohler raised a point of order. The motion carried.

Marilyn Dimmick moved that the wording of the grounds for recall be deleted. The motion was seconded. Ron Larson moved to table the motion. Larson's motion failed. Ted Berns moved to postpone the motion until the next meeting. The motion for postponement passed.

Bob Lohr of RuralCAP was directed to come back with specific recommendations for the Technical Group regarding small communities and their problems.

The meeting was adjourned at 4:00 p.m.

Respectfully submitted,


Melissa Aber Fouse
Secretary

TITLE 29 REVISION COMMITTEE
Policy Advisory Group Meeting

Minutes of August 27 & 28 1980

The first meeting of the Policy Advisory Group of the Title 29 Revision Committee was held August 27, 1980 in the Conference Room of the Legislative Information Office, 1024 6th Avenue, Anchorage, Alaska. The meeting was called to order by Billy G. Berrier, Director of the Division of Legal Services at 9:00 am.

Present were: Ted Berns, Terry Cook, Marilyn Dimmick, James Kohler, Gene Moore, Donna Sherby, Jonathan Solomon, Russell W. Walker, Ronald Larson, Senator Arliss Sturgulewski, Senator Bob Mulcahy, Representative Margaret Branson, Representative Charles H. Parr as members of the Policy Group. Also present were Phil Smith and Mr. Palmer McCarter, Ex Officio Members of the Policy Advisory Group. Allan E. Tesche attended representing the Technical Committee. Ted Berns and Russell Walker are also members of the Technical Committee. Mike Walleri of the Tanana Chiefs Conference, Inc., and Glen Svendsen, Administrative Assistant to the Senate Community and Regional Affairs Committee were present. Billy Berrier and Tamara Cook were present representing the Division of Legal Services, Legislative Affairs. Tam Cook explained that Ginny Chitwood from the Alaska Municipal League could not be present but would attend future meetings as an Ex Officio member.

The first order of business was the selection of a chairman for the committee. Nominations were opened and Senator Sturgulewski was nominated by Representative Parr. The nomination was seconded and Senator Sturgulewski was elected Chairman by acclamation.

Mr. Berrier spoke on the role of the Technical Revision Committee and asked for an appointment of a group. A motion to set up a Technical Revision Group was made by Representative Branson. The motion was seconded and carried. The Technical Revision Committee members will be Ted Berns, Richard Garnett, III; John Messenger, Jim Nordale, JoAnne Shanley, Gerald Lee Sharp, Allan Tesche, and Russell Walker.

The Ex Officio members were introduced and there was discussion as to their role. It was agreed that they should sit at the table and take part in the discussion. Palmer McCarter spoke about the role of Community and Regional Affairs. He said that there would be a representative of C&RA at every meeting, either he or Patrick Poland would attend. Mr. McCarter also presented a letter from the Local Boundary commission requesting the statutes regarding Development cities be left in Title 29 but improved. Phil Smith spoke on the concerns of RuralCAP regarding the impact of government on villages and rural areas.

Representative Parr suggested directions for the Policy Committee: 1). greater self determination and latitude for local governments; and 2.) that elected officials should be able to understand Title 29 without the help of attorneys. Senator Sturgulewski agreed that Title 29 needed clarification.

The members present of the Technical Committee met briefly and Ted Berns, as spokesman, gave a report regarding the ideas they discussed. The group recommended that Title 29 be broken down into three sections.

1. The first section to be general provisions applying to all local government.
2. The second section to be delineation of procedures and additional limits on specific forms of government.
3. The third section to be directory provisions to be used unless the local government adopts ordinances of their own.

It was decided that the Technical Committee should attempt to reorganize Title 29 along these lines and present a draft at the next meeting.

Mike Walleri, Village Government Specialist, Tanana Chiefs Conference, Inc., spoke, saying he would like a simplification of government.

A list of items pertaining to Title 29 included in the preliminary draft of the Alaska Municipal League 1981 policy statement was handed out.

Future meeting dates and places were discussed. None were decided upon.

The kinds of things applicable to all municipalities were discussed, such as incorporation, dissolution, boundary changes, classification of government, extraterritorial powers, merger/consolidation, revenue, taxation, bonding, and intergovernmental relations.

Protection of people in service areas who are not represented by local government, such as persons living outside city limits, was discussed.

The meeting recessed at 4:00 pm.

The meeting was called to order the second day at 9:00 am., Chairman Sturgulewski presiding. In addition to the persons present at the first day's meeting, Chris Johnson of House Research and Nels Franklin from near Dillingham were present, and introduced by Chairman Sturgulewski.

Ted Berns gave a recap of the first days meeting.

Terry Cook was appointed repository of ridiculous laws.

Senator Mulcahy spoke on the problem of getting information, drafts, and policy issues to all municipalities within the time constraints. Phil Smith suggested a teleconference and said that he would be presenting material at the Alaska Federation of Natives Convention (23-25 October 1980, in Anchorage). It was decided that the problem of getting materials and information to the public would be an agenda item at the next meeting. Palmer McCarter, Phil Smith, and Ginny Chitwood of the Alaska Municipal League were appointed to a committee to research this problem and make recommendations.

Melissa Fouse was introduced as the new secretary to the Title 29 Revision Committee.

As part of the reorganization of Title 29, there was discussion as to which statutes belonged in which category.

Representative Parr wants a uniform provision on executive session. There was discussion on executive sessions.

The question of retaining present categories of government was raised and discussed. Ted Berns suggested only two classes of boroughs and home rule, pointing out that there are no first class boroughs.

The question of development cities was raised and discussed. Should we retain, restructure, or eliminate development cities?

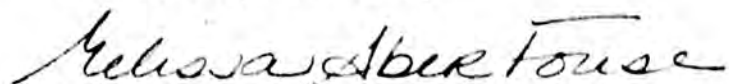
There was discussion on the third category. If a municipality chooses to follow procedures, should they be required to follow all of them?

Senator Mulcahy's legislation regarding the recognition of village governments was discussed. Copies of HB 192 are to be mailed to committee members.

There was discussion of persons representing committee members being allowed to vote. Mr. Berrier had reservations based on the appointment of the members of the commission according to resolution. It was decided that persons filling in for committee members be allowed to take part in the discussion, but would not be allowed to vote.

The meeting was adjourned at 12:00 pm.

Respectfully submitted,


Melissa Aber Fouse