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517

SENATE STATE AFFAIRS COMMITTEE

BILL NUMBER SB 517

SPONSOR C:RA

BILL TITLE initiative & referendum elections
in home rule municipalities

DATE REFERRED 3.12.90

HEARING SCHEDULED

FISCAL NOTE PREPARED Linda Edgeworth ✓

SPONSOR CONTACTED

INTERESTED PARTIES CONTACTED

OTHER

SENATE COMMITTEE REPORT
FIRST COMMITTEE OF REFERRAL

DATE: 3/12/90

FURTHER: Finance

Date of 5-Day Notice: 4.19.90
(in accordance with Uniform Rule 23)

DATE TURNED
INTO OFFICE: _____

State Affairs Committee considered SB 517

Initiative and referendum elections in home rule municipalities.

and recommended:

- replace with _____ CS _____ same title
- attached amendment(s) new title
- _____ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

ATTACHES NEW FISCAL NOTE(S):

Department(s)/Date:

Department(s)/Date:

fiscal note(s) _____

zero fiscal note(s) _____

appropriation-no fiscal note

Governor's bill w/fiscal note

SIGNING DO PASS:

[Signature]

OTHER RECOMMENDATIONS:

no action - no rec

[Signature]
Chair: Signature and Recommendation



Alaska State Legislature

Senator Mike Szymanski

While in Session:
P.O. Box V
Juneau, Alaska 99811
(907) 465-4978

Interim:
3111 C Street, Suite 510
Anchorage, Alaska 99503
(907) 561-7617

or
165 E. Parks Highway
Wasilla, Alaska 99687
(907) 376-6453

March 15, 1990

MEMORANDUM

TO: Senator Pat Pourchot, Chairman
Senate State Affairs Committee

FROM: Senator Mike Szymanski *Mike*

RE: Request for Hearing

I wish to request that you schedule SB 517, an Act relating to initiatives and referendum elections in home rule municipalities, at the earliest possible date.

Thank you for your consideration.

Senate District E

Mat-Su Borough • Sitka Anchorage • Bar/Indian • Girdwood • Nikiski • Cooper Landing • Hope • Seward • Prince William Sound

SB 517, Simple majority in home rules

NOTIFIED; *indicates will testify

*Senator Szymanski

Municipal League: Scott Burgess announced to members at morning meeting
Some may come to testify. NO ANCH ASSEMBLY HERE.

Mark Begich: out of town, left message

IBEW: Tom Cashen, may testify

Kim Hutchison:

NOTES;

Begich called: bad idea. IF THIS BILL SUPERCEDES CHARTER, SHOULD BE HELD IN COMMITTEE. RATEPAYERS GET DISENFRANCHISED BY SIMPLE MAJORITY.

Anchorage Charter commission is currently reviewing this issue. LET LOCAL CITIZENS DECIDE. THIS STATE INVOLVEMENT IS UNECESSARY.

ALLOWS TO MUCH POWER TO SPECIAL INTERESTS WITH FINANCIAL ACCESS TO MEDIA.

FISCAL NOTE

REQUEST:

Revision Date: 4/20/90
Title: Relating to municipal initiative and referenda election
Sponsor: CRA Committee
Requestor: CRA Committee

Agency Affected: Office of the Governor
BRU: Elections
Components: I Elections

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

The fiscal impact for FY 90 is -0-.

Prepared by: Linda Edgeworth
Division: Division of Elections

Phone: 465-4611
Date: _____

Approved by Commissioner: [Signature]
Agency: Division of Elections

Date: 4.20.90

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

CITY OF VALDEZ

RESOLUTION NO. 9014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, SUPPORTING AMENDMENT OF THE ALASKA STATUTES BY THE ALASKA LEGISLATURE TO REQUIRE ALL INITIATIVES ON ALL STATE OR MUNICIPAL MATTERS BE PASSED ON A SIMPLE MAJORITY BASIS

WHEREAS, the City Council of the City of Valdez supports the democratic ideals of majority rule embodied in the initiative process; and

WHEREAS, the City Council of the City of Valdez recognizes that efforts to require a greater than simple majority vote in initiatives undermines that democratic ideal.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that

Section 1. The City Council of the City of Valdez supports amendment of the Alaska Statutes by the Alaska Legislature to require that all initiatives on all state or municipal matters properly addressed by initiative be passed on a simple majority basis.

Section 2. A copy of this resolution, properly certified, shall be sent to the Speaker of the Alaska State House of Representatives, the President of the Alaska State Senate, and the Governor's Office.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this 20th day of February, 1990.

CITY OF VALDEZ, ALASKA


Lynn Chrystal, Mayor

ATTEST:


Jeanne D. Donald, City Clerk

 FAX TRANSMITTAL MEMO
 TO: Kim
 DEPT: _____ FAX #: 586-1579
 FROM: Jeanne PHONE: 835-4313
 CO: City FAX #: 833-2992
 Post-It brand fax transmittal memo 787

NO. OF PAGES
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MEMORANDUM

TO: Don McClintock
FROM: Maxine Flounders
DATE: November 16, 1989
SUBJECT: File No. 7092, Research Re: Municipal Charters

You asked me to review copies of Municipal Charters on file at the Anchorage Law Library, regarding super-majority language. The following is what I found:

Fairbanks - Section 7.3 regarding limitation on bonded indebtedness requires, "65% of qualified voters voting at referendum thereon, vote in favor of said issue." Section 7.4, an ordinance authorizing issuance of general obligation bonds, requires ratification by "majority of qualified voters voting at an election." For purposes of this section, a qualified voter must be one whose name appears on the last tax assessment roll of the city, as well as being a 30-day resident and qualified under Article V of the Alaska Constitution. Otherwise, a qualified voter is a citizen of the U. S., 18 and over, a 30-day resident, must be registered at least 30 days prior to an election, and is qualified under Article V.

City of Valdez - Section 13.4 regarding disposal of municipal utility plants and utility property requires "3/5 of the electors."

Juneau - The charter merely requires a majority of qualified voters.

Seward - Section 13.4 regarding disposal of municipal utility plants and utility property requires "3/5 of the electors." Otherwise, the charter requires a majority of qualified electors (registered to vote).

Palmer - Section 13.4 is the same as above-referenced.

Cordova - This charter requires a majority of qualified voters voting on a question. A qualified voter is defined in Article V and is a resident of the City.

North Slope Borough - This charter refers to a "majority of the qualified voters."

PART I.

THE CHARTER.

Editor's note. --This Charter is printed herein exactly as passed on February 21, 1961; except, that a uniform system of capitalization and punctuation has been employed; and except, that historical citations which appear at the end of sections indicate the ordinances which have amended such sections since the original ordinance was adopted.

Chapter I. General Provisions.

- § 1.1. Continuation of existing corporation.
- § 1.2. Form of government.
- § 1.3. Boundaries.
- § 1.4. Powers of the city.
- § 1.5. Powers of the city.
- § 1.6. Definitions and construction.
- § 1.7. Records to be public.
- § 1.8. Quorum.
- § 1.9. Sundays and holidays.
- § 1.10. Penalties for violations.
- § 1.11. Notice to city of claim for injuries.
- § 1.12. Chapter and section headings.
- § 1.13. Severability of Charter provisions.

Chapter II. Officers.

- § 2.1. City officers.
- § 2.2. Eligibility for elective city office.
- § 2.3. Persons ineligible for city office or employment.
- § 2.4. Notice of election or appointment.
- § 2.5. Compensation of officers.
- § 2.6. Compensation of mayor and councilmen.
- § 2.7. Oath of office.
- § 2.8. Surety bonds.
- § 2.9. Giving of surety by officers and employees forbidden.
- § 2.10. Vacancies in office.
- § 2.11. Resignations.
- § 2.12. Removal from office.
- § 2.13. Recall.
- § 2.14. Filling vacancies.
- § 2.15. Delivery of office to successor.

Chapter III. The City Council.

- § 3.1. The city council.
- § 3.1.1. The city council bulletin board.
- § 3.2. Terms of office.

tion for his official duties or the duties of his employment, shall file with the city clerk a statement, under oath, setting forth the nature of such business dealings and his interest therein, not less than ten days before the date when action may be taken by the council or by any officer or agency of the city upon the matter involved. Such statement shall be sufficient for continuing transactions of a similar or like nature for one year from the date of its filing.

Chapter XIII. Public Utility Services.

Sec. 13.1. General powers respecting municipal utilities.

The city shall have all the powers not prohibited by law to acquire, own, operate, promote and regulate public utilities, either within or beyond its corporate limits, and may also sell utility services beyond its corporate limits.

Sec. 13.2. Rates.

(a) The council may provide by ordinance for the establishment of utilities and may provide for their regulation, promotion, control and the fixing of the rates to be charged, so that each utility will be financially self-sustaining, if possible.

(b) No agreements shall be made for utility services outside of the city which will return to the city less net revenues than it realizes for the same services within the city. Increased rates for utility service outside of the city may be established by the council.

(c) Transactions pertaining to the ownership and operation of each municipal utility shall be recorded in a separate group of accounts, which shall be classified in accordance with generally accepted accounting practices. An annual report shall be prepared to show the financial position of each city utility and the results of its operation. Such reports shall be available for inspection at the office of the city clerk.

Sec. 13.3. Collection of municipal utility rates and charges.

The council shall provide in the Code for the collection of rates and charges for public utility services furnished by the city. When any person fails or refuses to pay to the city any sums due on utility bills, the service upon which such delinquency exists may be discontinued and suit may be brought for the collection thereof.

Sec. 13.4. Disposal of municipal utility plants and utility property.

The council may sell, lease or otherwise dispose of a municipal utility or of property and interest in property used or useful in the operation of a utility only after a proposition to do so is approved by three-fifths of the electors of the city voting on the proposition.