

**FOLDER NO.**

**203.038**

Constitutional Convention  
Committee Proposal/6/A  
Style & Drafting/Article X  
January 30, 1956

ALASKA CONSTITUTIONAL CONVENTION  
REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Hon. William A. Egan, President  
Alaska Constitutional Convention

Dear President Egan:

Your Committee on Style and Drafting herewith presents  
its redraft of the Article on Local Government for consideration  
by the Convention.

Respectfully submitted,

George Sundborg, Chairman  
R. Rolland Armstrong  
Edward V. Davis  
Victor Fischer  
Mildred R. Hermann  
James J. Hurley  
Maurice T. Johnson  
George M. McLaughlin  
Katherine D. Nordale

ALASKA CONSTITUTIONAL CONVENTION  
REPORT OF THE COMMITTEE ON STYLE AND DRAFTING  
ART. X

REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention  
Committee Proposal/6/a  
Style & Drafting/Article X  
January 30, 1956

CONSTITUTIONAL CONVENTION OF ALASKA

RESOLVED, that the following be agreed upon as  
part of the Alaska State Constitution.

ARTICLE X

LOCAL GOVERNMENT

Purpose and Construction 1 Section 1. The purpose of this article is to  
2 provide for maximum local self-government with a minimum  
3 of local government units and to prevent duplication of  
4 tax-levying jurisdictions. A liberal construction shall  
5 be given to the powers of local government units.

Local Government Powers 6 Section 2. All local government powers shall be  
7 vested in boroughs and cities. The State may delegate  
8 taxing powers to organized boroughs and cities only.

Boroughs 9 Section 3. The entire State shall be divided into  
10 boroughs, organized or unorganized. They shall be estab-  
11 lished in a manner and according to standards provided  
12 by law. The standards shall include geography, economy,  
13 transportation and other factors. Each borough shall  
14 embrace an area and population with common interests to  
15 the maximum degree possible. The legislature shall

1 classify boroughs and prescribe their powers and func-  
2 tions. Methods by which boroughs may be organized, in-  
3 corporated, merged, consolidated, dissolved or reclassi-  
4 fied shall be prescribed by law.

Assembly

5 Section 4. The governing body of the organized  
6 borough shall be the assembly, and its composition shall  
7 be established by law or charter. Each city of the first  
8 class, and each city of any other class designated by  
9 law, shall be represented on the assembly by one or more  
10 members of its council. The other members of the assem-  
11 bly shall be elected from and by the qualified voters  
12 resident outside such cities.

Service  
Areas

13 Section 5. Service areas to provide special ser-  
14 vices within an organized borough may be established,  
15 altered or abolished by the assembly, subject to the  
16 provisions of law or charter. A new service area shall  
17 not be established if, consistent with the purposes of  
18 this article, the new service can be provided by an  
19 existing service area, by incorporation as a city, or  
20 by annexation to a city. The assembly may authorize the  
21 levying of taxes, charges or assessments within a service  
22 area to finance the special services.

Unorganized  
Boroughs

23 Section 6. The legislature shall provide for the  
24 performance of services in unorganized boroughs, allow-  
25 ing for maximum local participation and responsibility.

Cities 1 Section 7. Cities shall be incorporated in a  
2 manner prescribed by law, and shall be a part of the  
3 borough in which they are located. Cities shall have  
4 the powers and functions conferred by law or charter.  
5 They may be merged, consolidated, classified or dissolved  
6 in the manner provided by law.

Council 7 Section 8. The governing body of a city shall be  
8 the council.

Charters 9 Section 9. The qualified voters of any borough of  
10 the first class or city of the first class may adopt,  
11 amend or repeal a home rule charter in a manner provided  
12 by law. In the absence of such legislation, the govern-  
13 ing body of a borough or city of the first class shall  
14 provide the procedure for the preparation and adoption  
15 or rejection of the charter. All charters, or parts or  
16 amendments of charters, shall be submitted to the qual-  
17 ified voters of the borough or city and shall become  
18 effective if approved by a majority of those who vote on  
19 the specific question.

Extended 20 Section 10. The legislature may extend home rule  
Home Rule 21 to other boroughs and cities.

Home Rule 22 Section 11. A home rule borough or city may exer-  
Powers 23 cise all legislative powers not prohibited by law or by  
24 charter.

Boundaries 25 Section 12. A local boundary commission or board

Final Drafting Work Files - Art. X

1 shall be established by law in the executive branch of  
2 the state government. The commission or board may con-  
3 sider any proposed local government boundary change.  
4 It may present proposed changes to the legislature dur-  
5 ing the first ten days of any regular session. The  
6 change shall become effective forty-five days after pre-  
7 sentation or at the end of the session, whichever is  
8 earlier, unless disapproved by a resolution concurred in  
9 by a majority of the members of each house. The comm-  
10 ission or board, subject to law, may establish procedures  
11 whereby boundaries may be adjusted by local action.

Agreements;  
Transfer of  
Powers

12 Section 13. Agreements, including those for coop-  
13 erative or joint administration of any functions or  
14 powers, may be made by any local government with any  
15 other local government, with the State or with the United  
16 States unless otherwise provided by law or charter. A  
17 city may transfer to the borough in which it is located  
18 any of its powers or functions unless prohibited by law  
19 or charter, and may in like manner revoke the transfer.

Local  
Government  
Agency

20 Section 14. An agency shall be established by law  
21 in the executive branch of the state government. It  
22 shall advise and assist local governments, review their  
23 activities, collect and publish local government infor-  
24 mation and perform other duties prescribed by law.

Special  
Service  
Districts

1 Section 15. At the time a borough is organized,  
2 special service districts performing local functions  
3 shall be integrated with the government of the borough  
4 as provided by law.

*Mr. Lundberg*

REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

~~FIRST ENROLLED COPY~~

~~SD/A/1 X~~

Constitutional Convention  
Committee Proposal/6/a/~~Enrolled~~  
January 28, 1956  
30

CONSTITUTIONAL CONVENTION OF ALASKA

~~COMMITTEE PROPOSAL NO. 6/a~~

~~Introduced by Committee on Local Government~~

LOCAL GOVERNMENT

RESOLVED, that the following be agreed upon as part of  
the Alaska State Constitution.

ARTICLE X

~~ARTICLE ON~~ LOCAL GOVERNMENT

Purpose and  
Construction

1 Section 1. The purpose of this article is to  
2 provide for <sup>maximum</sup> local self-government with <sup>a</sup> ~~the~~ minimum  
3 of local government units, and to prevent duplica-  
4 tion of tax-levying jurisdictions. A liberal con-  
5 struction shall be given to the powers of local  
6 government ~~the~~ units.

Local  
Government  
Powers

7 Section 2. All local government powers  
8 shall be vested in boroughs and cities. The  
9 State may delegate taxing powers to organized  
10 boroughs and cities only.

Boroughs

11 Section 3. The entire ~~area of the~~ State shall  
12 be divided into <sup>boroughs</sup> organized or unorganized, ~~boroughs,~~  
13 ~~which~~ <sup>They</sup> shall be established in a manner and according  
14 to standards provided by law. The standards shall  
15 <sup>include</sup> ~~be based on~~ geography, economy, transportation



1 and other factors. Each borough shall embrace  
2 an area and population with common interests to  
3 the maximum degree possible. The legislature  
4 shall classify boroughs and <sup>prescribe their powers and functions.</sup> ~~provide the~~ Methods  
5 by which <sup>boroughs</sup> ~~they~~ may be organized, incorporated,  
6 merged, consolidated, dissolved, or reclassified.

~~Powers of  
Boroughs~~

7 ~~Section 4. The powers and functions of classes~~  
8 ~~of boroughs shall be prescribed by law.~~

Assembly

9 Section 4. <sup>shall be</sup> The assembly, ~~shall be~~ The governing  
10 body of the organized borough, <sup>and its</sup> ~~its~~ composition ~~of~~  
11 ~~the assembly~~ shall be established by law or charter.  
12 <sup>Each</sup> A city of the first class, and <sup>each city of any</sup> ~~of~~ other class  
13 designated by law, shall be represented <sup>on</sup> ~~in~~ the  
14 assembly by one or more members of its council. The  
15 other members of the assembly shall be elected from  
16 and by the qualified voters resident outside such  
17 cities.

Service  
Areas

18 Section 5. Service areas to provide special  
19 services within an organized borough may be established,  
20 altered or abolished by the assembly, subject to the  
21 provisions of law or charter. A new service area  
22 shall not be established if, consistent with the  
23 purposes of this article, the new service can be  
24 provided by an existing service area, by incorporation  
25 as a city, or by annexation to a city. The assembly

1 may authorize the levying of taxes, charges or  
2 assessments within a service area to finance the  
3 special services.

Unorganized  
Boroughs

4 Section ~~6~~<sup>6</sup>. The legislature shall provide for  
5 the performance of services in unorganized boroughs,  
6 ~~preserving the~~<sup>allowing for</sup> maximum ~~measure of~~ local participation  
7 and responsibility.

Cities

8 Section ~~7~~<sup>7</sup>. Cities shall be incorporated in a  
9 manner prescribed by law, and shall be a part of  
10 the borough in which they are located. Cities shall  
11 have the powers and functions conferred by law or  
12 charter. They may be merged, consolidated, classified  
13 or dissolved in the manner provided by law.

~~City~~  
Council

14 Section ~~8~~<sup>8</sup>. ~~the~~ council ~~shall be~~ The governing  
15 body of a city shall be ~~the~~<sup>the</sup>

Charters

16 Section ~~9~~<sup>9</sup>. The qualified voters of any borough <sup>of the</sup>  
17 <sup>first class</sup> or city of the first class may adopt, amend <sup>or</sup>  
18 repeal a home rule charter in a manner provided by  
19 law. In the absence of such legislation, the  
20 governing body of a borough or city of the first class  
21 shall provide the procedure for ~~following in~~ the  
22 preparation, ~~approval~~<sup>and</sup>, adoption or rejection of the  
23 charter. All charters, or parts <sup>or</sup> and amendments of  
24 charters, shall be submitted to the qualified voters  
25 of the borough or city and shall ~~not~~ become effective

*If*  
1 ~~unless~~ approved by a majority of ~~the qualified voters~~  
2 who vote on the specific question.

Extended  
Home Rule

3 Section 10. The legislature may extend home  
4 rule to other boroughs and cities.

Home Rule  
Powers

5 Section 11. A home rule borough or city may  
6 exercise all <sup>legislative</sup> powers ~~and functions~~ not prohibited  
7 by law or by charter.

Boundaries

8 Section 12. A local boundary commission or board  
9 shall be established by law <sup>of the state government.</sup> in the executive branch.  
10 The commission or board may <sup>consider</sup> ~~submit~~ any proposed local  
11 government boundary change. <sup>or</sup> ~~They~~ may present proposed  
12 changes to the legislature during the first ten days  
13 of any regular session. The change shall become  
14 effective ~~at~~ forty-five days after presentation or at the  
15 end of the session, whichever is earlier, ~~if~~ unless  
16 disapproved by a resolution concurred in by a majority  
17 of ~~the~~ the members of each house. The commission or  
18 board, subject to law, may establish procedures <sup>whereby</sup> ~~for~~  
19 ~~adjusting local government~~ <sup>may be adjusted</sup> boundaries by local action.

~~Intergovernmental~~  
~~Agreements~~  
Agreements;  
Transfer  
of Powers

20 Section 13. Agreements, <sup>those for</sup> including cooperative  
21 joint administration of any functions or powers, may be  
22 made by any local government with any other local  
23 government, with the State ~~or~~ with the United States  
24 unless otherwise provided by law or charter. <sup>a</sup> ~~any~~ city  
25 may transfer to the borough in which it is located

1 any of its powers or functions unless ~~otherwise~~  
2 ~~provided~~ bylaw or charter, and may ~~revoke~~ the  
3 transfer.

*prohibited*

*in like manner*

~~Advice and Review~~

*Local Government Agency*

4 Section 14. An agency shall be established  
5 by law in the executive branch *of the state government.* It shall advise  
6 and assist local governments *review their activities,* collect and publish  
7 local government information and perform other  
8 duties prescribed bylaw.

Special Districts

*Service*

9 Section 15. At the time a borough is organized,  
10 special *service* districts performing local functions shall  
11 be integrated with the government of the boroughes  
*provided by law.*