

FOLDER NO.

420.10

revised ✓

Constitutional Convention
Committee Proposal/6/A
Style & Drafting/Article X
January 30, 1955

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

*adopted
mail call*

REPORT OF THE COMMITTEE ON STYLE AND DRAFTING

Constitutional Convention
Committee Proposal/6/a
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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

population

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, ^{it does necessary or committee} in unorganized boroughs, allow-
25 ing for maximum local participation and responsibility.

*It may exercise any powers or functions
in an unorganized borough which the assembly*

may exercise in an organized borough.

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, ^{reclassified,} 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
Home Rule

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

Home Rule
Powers

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

Boundaries

25 Section 12. A local boundary commission or board

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 commi-
10 mission 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, ^{to} ~~it~~
22 ~~shall~~ advise and assist local governments, ^{It shall} 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,~~ *is reorganized,*
2 ~~Special service districts performing local functions~~ *existing at the time the borough*
3 shall be integrated with the government of the borough
4 as provided by law.

Amendment No. _____

Constitutional Convention

By Committee on Style and Drafting

Date January 30, 1956

AMENDMENT TO (COMMITTEE) PROPOSAL NO. 6/a (Article X)

MR. PRESIDENT:

I move that (Committee) Proposal No. 6/a (X) be amended

as follows:

Following to be inserted in the Committee Report:

"At the end of Section 6, add the following sentence: "It may exercise any powers or functions in an unorganized borough which the assembly may exercise in an organized borough".

On page 3, line 5, insert ",reclassified, " after "classified".

Section 15, strike "At the time a borough is organized," and "performing local functions", and insert in lieu of the last phrase "existing at the time a borough is organized,", and change "s" to "S" in "special".

Correct the spelling of "borough" in section 7.

Section 3, line 12 of page 1, add the word "population," at the end of the line.

.....on line 9, page 4, the hyphen be placed after the first "m".

Line 21 of Section 14, strike the period and word "it", and on line 22, strike the word "shall" and insert the word "to" after "government".

Strike the comma after "governments" and insert a period and insert after the period the words "It shall".

Then the words "it deems necessary or advisable" from the enrolled copy be restored to the report on Style and Drafting.

..... sentence beginning on line 5 of page 4 beginning "The change shall become effective forty-five days etc." be adopted.

Section 15, strike "At the time a borough is organized,", change "s" to "S" in "special", and strike "performing local functions" and insert therefor "existing at the time a borough is organized,".

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Committee Proposal/6/A
Style & Drafting/Article X
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| Local Government Powers | 6 | Section 2. All local government powers shall be |
| | 7 | vested in boroughs and cities. The State may delegate |
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11 bly shall be elected from and by the qualified voters
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