

LDIR#130
MUNICIPAL
CODE WORKING
PAPERS

Supplemental Report
to
Free Conference Committee Report
on
SCS CSHB 208 am S and CSHB 208 am
(Revised Municipal Code)

COMPARISON OF THE REVISED MUNICIPAL CODE
(FCCS SCS CSHB 208) AND EXISTING LAW

The Free Conference Committee Report on SCS CSHB 208 am S and CSHB 208 am (revised municipal code) submitted to the legislature on May 22, 1972 notes the substantive changes which the Conference bill (FCCS SCS CSHB 208) makes in provisions of the bills referred to the committee. Most of the changes noted are changes of existing law as well as the bills referred. This supplemental report notes mainly additional changes of existing law represented overall by the Conference bill. In addition to serving as a useful comparison of existing law and the revised code, the report is offered to reflect legislative intent where the intent expressed and the pertinent code provisions are consistent.

Foreword

The need for revision of the local government laws of the state, many of them in the case of cities dating back to territorial days, has long been recognized by the legislature. By concurrent resolution adopted in 1963, the Third Legislature characterized the bulk of state law relating to cities as "disjointed" and not serving the best interest of the state. After a two-year revision effort conducted by the Local Affairs Agency, the Department of Law, and the Legislative Affairs Agency, a proposed revised code was introduced into the First Session of the Fourth Legislature and since then has been continually before the legislature in various modified forms of the original bill. Its adoption in the current session of the legislature follows some seven years of review and subsequent revision by committees of the legislature as well as by the Alaska Municipal League, the public through hearings, municipal and school officials, staffs of the legislative and executive branches of the government, and many other interested parties.

The final form of the code derives largely from a draft prepared and submitted in 1971 by a committee of the Alaska Municipal League comprised of municipal attorneys and administrators. The League draft in turn is based on earlier versions of the code but reflects extensive updating and adjustment of provisions to emphasize a technical revision rather than large-scale substantive changes in existing areas of law.

Like any overall revision of titles of the Alaska Statutes, of course, the code incorporates changes from existing law both in form and in substance, albeit the substantive changes are