

**LDIR#136**

**MUNICIPAL**

**CODE 1971**

1711

*Followed  
by CS HB 208  
and SCS CS HB 208*

INDEX

SENATE BILL NO. 113

TITLE 29. MUNICIPAL GOVERNMENT

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T A B L E O F C O N T E N T S

FREE CONFERENCE CS FOR SENATE CS FOR CS FOR HOUSE BILL NO. 208

\* \* \* \* \*

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# STATE OF ALASKA

## DEPARTMENT OF EDUCATION

OFFICE OF THE COMMISSIONER

WILLIAM A. EGAN, Governor

POUCH F — ALASKA OFFICE BUILDING  
JUNEAU 99801

March 5, 1971

### MEMORANDUM

TO: The Honorable John Rader, Chairman  
Senate Local Affairs Committee

The Honorable Mike Miller, Chairman  
House Local Affairs Committee

FROM: Robert P. Isaac  
Assistant to the Commissioner  
Department of Education

SUBJECT: Review of Senate Bill 113, Municipal Code

I am herewith transmitting a review of the education provisions in Senate Bill 113. In our opinion the proposed code, if modified as suggested, would meet most of the objections which have been raised.

A small committee of school administrators and school board members would like an opportunity to meet with the respective legislative local affairs committees when hearings are again scheduled to discuss Senate Bill 113 as redrafted.

R. P. I.

RPI:cjb

Attachment

155 SOUTH SEWARD ST.  
JUNEAU, ALASKA 99801

THE CITY AND BOROUGH OF JUNEAU  
CAPITAL OF ALASKA

586-3300

March 9, 1971

The Honorable Edward A. Merdes  
Alaska State Senate  
Pouch "V" State Capitol Building  
Juneau, Alaska 99801

Dear Senator Merdes:

Enclosed is my memorandum stating some of the major changes  
between the provisions of SB 113 and existing municipal law.

Very truly yours,

*Billy G. Berrier/LB*

Billy G. Berrier  
City-Borough Attorney

BGB/lb

Enclosure

155 SOUTH SEWARD ST.  
JUNEAU, ALASKA 99801

THE CITY AND BOROUGH OF JUNEAU  
CAPITAL OF ALASKA

March 10, 1971

*Manager - info  
file - Taxation  
Per  
586.3300*

*SB# 113*

*For: Ed Mendes - from John Lean*

Mr. Don King, Chairman  
Ketchikan Gateway Borough  
Ketchikan, Alaska

*Suggest amendments as on  
page 2*

*Thanks*  
Dear Don:

Since assuming the responsibility of an Alaska Municipal League board member last November, I have tried to stay abreast of developments in the Legislature regarding our proposed bills, particularly the Alaska Municipal Code. Unfortunately, I was away from the State for six weeks beginning January 15 and was not able to participate in hearings that the respective committees have held. I am happy, though, that the outlook for the passage of the Code looks good; and, coming in late now with some additional ideas may hardly seem advisable. But, the dire situation of revenues for cities may be worth some additional thought.

In the past few months I have tried to formulate some thoughts as to how this situation may be improved and always come back to the need for adjustment in our property tax, the basic source of our funds. I know that you and the board members have wrestled with various ideas for many years and I am somewhat of a neophyte, but new enough in the game to think that the property tax as such is not outmoded but can be improved.

Essentially, all over the nation, there are complaints as to malfunctioning of the property tax concept and now much of the noise relates it to a cause for urban decay. The answer as I see it stems from the fact that most people do not recognize that it actually represents two different taxes, each with its own separate impact.

One is a tax on an improvement, such as a building; the other is a tax on the value of the location. Here in Alaska we are required by our municipal code to tax land and buildings at the same rate, which appears to be the common practice everywhere and largely serves to place the heaviest burden on the improvement, usually 4 or 5 times as much as the tax collected on land.

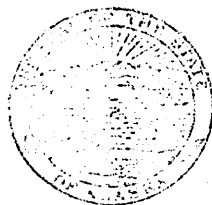
This heavy tax on improvements penalizes and discourages investment in improvements, and rewards with lower taxes those who let their properties deteriorate into slums or other obsolete structures. At the same time, our tax on locations is so small that the owner is under little pressure to put the land to better use. Saying it another way, underuse or uneconomic use of land is encouraged.

# Alaska State Legislature

SENATOR EDWARD A. MERDES

P. O. BOX 810  
FAIRBANKS, ALASKA 99701

WHILE IN JUNEAU  
POUCH V  
JUNEAU, ALASKA 99801



SENATOR DISTRICT "1" (CENTRAL ALASKA)  
COMMITTEES  
STATE AFFAIRS  
LOCAL GOVERNMENT  
MEMBER OF LEGISLATIVE COUNCIL

Senate

March 19, 1971

Mr. Donald D. Gilmer  
President  
Box 1267  
Fairbanks, Alaska 99707

Dear Don:

Thank you for yours of March 11 pointing out that proposed state legislation presently before the Legislature omits the granting of P & Z power to second and third class cities.

As you may know, the Senate and House Local Government Committees have been diligently working on producing a comprehensive municipal code. Among other things, this code eliminates third class cities, but it does grant zoning powers to second class cities which were classified previously as fourth class.

To insure that this matter will be explicitly taken care of, I am sending a copy of your letter along with a copy of my reply to Greg Machyowsky of the Legislative Affairs Agency, who is the staff member assigned to the joint House-Senate Committee.

Thank you for writing. I appreciate your obvious interest in this matter.

Sincerely yours,

EDWARD A. MERDES

EAM:sb

TO WHOM IT MAY CONCERN:

The following materials were sent to the Fairbanks area at the request of Representative John Huber:

1. Cover letter from Rep. Mike Miller
2. House Local Government Committee Report re education amendments.
3. Copy of CSHB 208
4. Copy of CSSB 113 with 3 comparisons stapled inside (with comparison sheet).
5. Copy of SB 113

These materials were sent to the following persons:

City of Fairbanks

Hon. Julian Rice - Mayor  
Mr. Ernie Carter - Councilman  
Mr. Wallace F. Burnett - Councilman  
Mr. Joseph M. Jackovich - Councilman  
Mr. Thosmas Miklautsch - Councilman  
Mr. Robt. Parsons - Councilman  
  
Mr. Wallis C. Droz - City Manager  
Mr. Ben T. Delahay - City Attorney  
Miss Sally Rusnell - City Clerk  
Mr. Clifford J. Rogers Jr. - City Treasurer  
Mr. Richard Levine - City Engineer  
Mr. Robt. Wolting - Finance Director  
Mr. James A. Movius - General Manager, MUS

City of North Pole

Mr. J. Wright - Mayor

Fairbanks North Star Borough

Mr. John A. Carlson - Borough Chairman  
Mr. John O. Gustafson, - Presiding Officer  
Mr. Robt. H. Bettisworth - Assemblyman  
Mr. Lynne Carpenter - Assemblyman  
Mr. Foye L. Gentry - Assemblyman  
Mr. Tom Kouremetis - Assemblyman  
Mr. Joseph P. Lawlor - Assemblyman  
Mr. Con B. Miller - Assemblyman  
Mr. Joe Marshall - Assemblyman  
  
Mr. James Bruce - Borough Attorney  
Mr. Kenneth W. Anderson - Borough Clerk  
Mr. Earl Wyman - Borough Assessor  
Mr. Walter H. Peirce - Borough Engineer  
Mr. Donald Gilmer - Borough Planning Director  
The Chairman - Fairbanks N. Star Borough Planning & Zoning Commission

# Municipal Code Tape Summaries

3/24/11  
Side 1 Discussion of proposed amendments to SB113, Revise and Codify the law relating to cities and boroughs. These amendments were proposed by Senator John Rader and Representative Mike Miller, Chairmen of the Senate and House Local Government Committees.

- Second Class cities which reclassify to First-Class cities will receive transitional grants of \$10 per voter (grant for assuming school power).
- Elections of borough assemblies, city councils & school boards will be held every 2 years on same date as State elections.
- A borough chairman does not have the right to line item veto on school budget appropriations.
- City council members may be elected by districts as well as at-large as provided by ordinance.
- Second Class (Current 4<sup>th</sup> Class) Cities may submit an annual statement of income & expenditure to the Local Affairs Agency in place of an audit (Currently not required to make any type of statement).

1971  
(SB113, HB208)

Sen. Local Government Committee  
Sen. John Rader, Chairman

April 19, 1971 - 2:00 P.M.

Present: Senators Rader, Merdes, Miller, Groh, Gregg Machyowski, Jim Rhode,  
Bill Berrier, Don Berry.

Item for discussion - CSHB 208 - amendments thereto.

- OK #2 Page 124, line 14 - new matter added concerning regular elections for municipalities - Approved by committee.
- OK #3 Sec. 29.18.030(2) concerning borough incorporation. Matter inserted on page 9, line 9 - approved by committee.
- OK #4 Sec. 29.53.050 - Tax limitation language substitution approved by committee; Sec. 29.53.055 - No limitation on taxes to pay bonds language substitution approved by committee.
- OK #5 Sec. 29.53.010 concerning rates of taxation for property, approved by committee.
- OK #7 Sec. 29.33.290(c) concerning "dual majority", Page 55, line 4, matter stricken and that substituted approved by committee.
- OK #8 Amendment to section 38.05 concerning platting authority approved by committee.
- OK #9 Sec. 29.53.410 concerning taxing power (property) of second class cities within boroughs - amendment approved, subject to deletion of phrase "within a borough". Amendment to be revised to reflect this deletion.
- OK #10 Sec. 29.48.010(9) - substitution of material on page 59, line 20 approved by committee.

Technical amendments approved by committee:

- #1 TA Sec. 29.53.400 - deletion and substitution on Page 92, line 22;
- TA Sec. 29.53.180 - pages 8, 84, 85, 93 insertions, approved by committee;
- TA Sec. 29.33.110(b)(4) - references relating to official maps;
- TA Substitutions - page 17, lines 27, 28; page 25, line 28; page 65, line 15; page 73, line 12; page 106, line 19

**LDIR#137**

**DIFFERENT**

**VERSIONS OF**

**SB 113 1972**

**HB 202 1972**



# LAWS OF ALASKA

1972

Source

FCCS SCS CSHB 208

Chapter No.

118

## AN ACT

To revise and codify the law relating to cities and boroughs.

### BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

NOTE: The Enrollment of FCCS SCS CSHB 208 was waived under provisions of Uniform Rule 44(b). The resulting Act is a complete revision of Titles 7 (Boroughs) and 29 (Municipal Corporations), Alaska Statutes and will be published and indexed as a 1972 replacement pamphlet for the Alaska Statutes and be distributed by the publishers to subscribers. In the meantime interested persons, for a nominal handling and postage fee, may request a copy of the bill from: Commissioner, Department of Administration, Alaska Office Building, Pouch C, Juneau, Alaska, 99801.

Approved by governor: June 12, 1972  
Actual effective date: September 10, 1972

# HOUSE JOURNAL

ALASKA STATE LEGISLATURE

SEVENTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Saturday

June 17, 1972

## One Hundred and Sixtieth Day

Pursuant to adjournment, the House was called to order by Speaker Gene Guess at 12:12 a.m.

Mr. E. Miller moved and asked unanimous consent that the House revert to Introduction, First Reading and Reference of House Resolutions. There being no objection, the House reverted to

### INTRODUCTION, FIRST READING AND REFERENCE OF HOUSE RESOLUTIONS

HOUSE CONCURRENT RESOLUTION NO. 70 by the Commerce Committee

HCR  
70

Honoring Eva McGown

was read the first time.

Mr. E. Miller moved and asked that HOUSE CONCURRENT RESOLUTION NO. 70 be brought up as a Special Order of Business at this time. There being no objection, it was so ordered.

### SPECIAL ORDERS

#### SECOND READING OF HOUSE RESOLUTIONS

HOUSE CONCURRENT RESOLUTION NO. 70 (honoring Eva McGown) was read the second time.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 70 pass the House?" On unanimous voice vote, HOUSE CONCURRENT RESOLUTION NO. 70 passed the House and was referred to the Acting Chief Clerk for engrossment.

Roll call was taken at this time and showed all members present except Messrs. Harris, McVeigh, Moran and Tillion. Messrs. Harris, Moran and Tillion had been previously excused from a call of the House today. Mr. E. Miller moved and asked unanimous consent that the other absent member be excused on official state business. There being no objection, it was so ordered.

JOURNAL  
SUPPLEMENT

SENATE - SUPPLEMENT NO. 3

June 17, 1972

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

June 16, 1972

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

FCCS  
SCS  
CSHB  
208

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 relatively limited considering the scope of the revision and the technical revisions made. Inasmuch as the code is an entire recodification of the laws relating to cities and boroughs now

# SENATE JOURNAL

ALASKA STATE LEGISLATURE

SEVENTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Thursday

June 15, 1972

## One Hundred Fifty-eighth Day

Pursuant to adjournment, the Senate was called to order by President Hammond at 10:08 a.m.

The roll call showed all members present except Senators Christiansen, Groh, Lewis and Merdes who were excused, and Senator Young who was absent.

The following prayer was offered by the Chaplain, Rev. Mark Boesser:

"Lord, I guess we all want things "better than they are",  
so long as we have a say in what that "better is",  
which is, frankly, one of the joys and satisfactions of this job.  
In that regard I suppose we could even see ourselves as agents of change (rather than simply reactors to it) and thank you for the opportunity.  
It's the other kind  
coming ready or not  
tumbling in upon us - from only You know where  
that gives me fits.  
But then again if You are way out ahead, maybe even that might come on not completely as threat  
but even with a degree of promise.

Cat Stevens has a feel for what I'm trying to say:  
"Don't you feel a change a coming  
from another side of time,  
breaking down the walls of silence  
lifting shadows from the mind.  
Placing back the missing mirrors  
that before you couldn't find,  
filling mysteries of emptiness  
that yesterday left behind?  
And we all know it's better, -  
Yesterday has passed.  
Now let's all start the living  
For the one that's going to last."

Lord, give us the conviction that we can live joyously, hopefully, in an age of change, as we sense Your hand at work beyond our best imaginings,  
and seek to join our hands with Yours even in the work of today.

Thank You, Amen"

# HOUSE JOURNAL

ALASKA STATE LEGISLATURE

SEVENTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Wednesday

June 14, 1972

## One Hundred and Fifty-Seventh Day

Pursuant to adjournment, the House was called to order by Speaker Gene Guess at 10:20 a. m.

Roll call showed all members present.

The prayer was offered by the Chaplain, the Reverend Wayne Sawyer.

Mr. Huber requested that today's prayer be spread on the journal. There being no objection, it was so ordered; the prayer appears as follows:

"Our Father, we praise Thee this day for Thy greatness. All of our efforts are in vain without You. Man in his own strength can accomplish nothing worthwhile without You. In the difficulty of this time of the legislature, may You take over. We have tried things in our own strength and the days only get longer. Help us to depend upon You. We ask that Your will be done this day.

Amen."

The Acting Chief Clerk certified as to the correctness of the journal for the one hundred and fifty-sixth day, June 13, 1972. Mr. E. Miller moved and asked unanimous consent that the journal be approved. There being no objection, it was so ordered.

## MESSAGES FROM THE GOVERNOR

"June 13, 1972

The Honorable Eugene Guess  
Speaker of the House  
Alaska State Legislature  
Juneau, Alaska 99801

HCR  
68

Dear Mr. Speaker:

I have read the following resolution and am transmitting the enrolled and engrossed copies to the Lieutenant Governor's office for permanent filing:

" FREE CONFERENCE COMMITTEE REPORT  
ON  
SCS CSHB 208 am S AND CSHB 208 am  
(municipal code)

May 22, 1972

Mr. President  
Mr. Speaker

The Conference Committee, with powers of free conference, which has had SCS CSHB 208 am S and CSHB 208 am (municipal code) under consideration, recommends that the bills be replaced by FREE CONFERENCE CS FOR SENATE CS FOR CS FOR HOUSE BILL NO. 208. The Conference bill incorporates the Senate amendments to the House bill, integrates substantively laws pertaining to local government enacted into law in 1971 and enacted or adopted in both houses during the current legislative session. These relate to historic preservation, eminent domain proceedings by fourth class cities, i.e. second class cities under the code, required assembly membership on boards of equalization, borrowing powers of third class boroughs, involvement of young persons in local government, land subdivisions (CSHB 290), and enabling legislation for development cities (CSSB 405 (Res.)). In addition, the Conference bill makes a number of limited substantive changes in the combined legislative product represented by SCS CSHB 208 am S and CSHB 208 am. A brief summary of the changes, keyed to chapter headings of the Conference bill, follows. This report is intended to reflect legislative intent where the intent expressed and the pertinent code provisions are consistent.

**ELECTIONS.**

Election Dates. The Conference bill broadens the discretion available to municipalities on the setting of election dates. As with the bills under consideration, the first Tuesday of October is set as the date of the regular municipal election, but the Conference bill authorizes a local government to set a different regular election date by ordinance if it chooses to do so.

Similarly, an annual regular election is set, with the option left to local governments to choose a different interval of years for holding regular elections. In the bills under consideration the same option is made available but an election every two years on the first Tuesday of October is prescribed unless different provision is made by ordinance.

Terms of Elected Officials. Terms of assemblymen, councilmen, and city and borough mayors are set at three years, rather than two years as provided in the bills under consideration; different terms not exceeding four years may be set by ordinance. (Under present law terms of assemblymen and borough chairmen are the same as those of city councilmen and mayor, respectively, of the largest first class city within the borough, or otherwise three years; different terms not exceeding three years may also be set by ordinance. City council and mayoralty terms in general law cities may vary from one to three years at local option.)

Set 2  
(partial)

# HOUSE JOURNAL

ALASKA STATE LEGISLATURE

SEVENTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Monday

May 22, 1972

One Hundred and Thirty-Fourth Day

Pursuant to adjournment, the House was called to order by Speaker Gene Guess at 11:11 a.m.

Roll call showed all members present except Messrs. Harris, Haugen, Moran, Reed, Tillion and Wright. Messrs. Reed and Tillion had been previously excused from a call of the House today. Mr. E. Miller moved and asked unanimous consent that Mr. Haugen be excused from a call of the House today, May 22, 1972. There being no objection, it was so ordered. Mr. E. Miller moved and asked unanimous consent that all other absent members be excused on official state business. There being no objection, it was so ordered.

The prayer was offered by the Chaplain, the Reverend Leo McCaffrey.

The Chief Clerk certified as to the correctness of the journals for the one hundred and thirty-second day and one hundred and thirty-third day, May 20 and 21, 1972. Mr. E. Miller moved and asked unanimous consent that the journals be approved. There being no objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

"May 22, 1972

The Honorable Eugene Guess  
Speaker of the House  
Alaska State Legislature  
Juneau, Alaska 99801

HJR  
126  
am  
S

HJR  
137

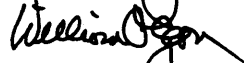
Dear Mr. Speaker:

I have signed the following resolutions and am transmitting the enrolled and engrossed copies to the Lieutenant Governor's office for permanent filing:

HOUSE JOINT RESOLUTION NO. 126 am S

HOUSE JOINT RESOLUTION NO. 137

Sincerely,



William A. Egan  
Governor"

1311

# SENATE JOURNAL

ALASKA STATE LEGISLATURE

SEVENTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Monday

May 22, 1972

## One Hundred Thirty-fourth Day

Pursuant to adjournment, the Senate was called to order by President Hammond at 10:03 a.m.

The roll call showed all members present except Senators Groh, Rettig and Rader who were excused.

The Lord's Prayer was repeated in unison by the body.

The Secretary certified as to the correctness of the journals for the one hundred thirty-second and one hundred thirty-third legislatures, May 20 and 21, 1972, in accordance with the rules. Senator Miller moved and asked unanimous consent that the journals be approved as submitted. Without objection, it was so ordered.

## MESSAGES FROM THE GOVERNOR

"May 22, 1972

The Honorable Jay Hammond  
President of the Senate  
Alaska State Legislature  
Juneau, Alaska 99801

FCCS  
HCS  
CSSB  
294

Dear Mr. President:

I have signed the following bill and am transmitting the enrolled and engrossed copies to the Lieutenant Governor's office for permanent filing:

FREE CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE  
COMMITTEE SUBSTITUTE FOR COMMITTEE SUBSTITUTE  
FOR SENATE BILL 294 (lease of rights-of-way for  
transportation of oil and gas)  
(CHAPTER 72, SLA 1972)

Sincerely,

s/William A. Egan  
Governor"

# SENATE JOURNAL

ALASKA STATE LEGISLATURE

SEVENTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Monday

May 22, 1972

## One Hundred Thirty-fourth Day

Pursuant to adjournment, the Senate was called to order by President Hammond at 10:03 a.m.

The roll call showed all members present except Senators Groh, Rettig and Rader who were excused.

The Lord's Prayer was repeated in unison by the body.

The Secretary certified as to the correctness of the journals for the one hundred thirty-second and one hundred thirty-third legislatures days, May 20 and 21, 1972, in accordance with the rules. Senator Miller moved and asked unanimous consent that the journals be approved as submitted. Without objection, it was so ordered.

## MESSAGES FROM THE GOVERNOR

"May 22, 1972

The Honorable Jay Hammond  
President of the Senate  
Alaska State Legislature  
Juneau, Alaska 99801

FCCS  
HCS  
CSSB  
294

Dear Mr. President:

I have signed the following bill and am transmitting the enrolled and engrossed copies to the Lieutenant Governor's office for permanent filing:

FREE CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE  
COMMITTEE SUBSTITUTE FOR COMMITTEE SUBSTITUTE  
FOR SENATE BILL 294 (lease of rights-of-way for  
transportation of oil and gas)  
(CHAPTER 72, SLA 1972)

Sincerely,

s/William A. Egan  
Governor"



# LAWS OF ALASKA

1972

Source

FCCS SCS CSHB 208

Chapter No.

118

## AN ACT

To revise and codify the law relating to cities and boroughs.

### BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

NOTE: The Enrollment of FCCS SCS CSHB 208 was waived under provisions of Uniform Rule 44(b). The resulting Act is a complete revision of Titles 7 (Boroughs) and 29 (Municipal Corporations), Alaska Statutes and will be published and indexed as a 1972 replacement pamphlet for the Alaska Statutes and be distributed by the publishers to subscribers. In the meantime interested persons, for a nominal handling and postage fee, may request a copy of the bill from: Commissioner, Department of Administration, Alaska Office Building, Pouch C, Juneau, Alaska, 99801.

Approved by governor: June 12, 1972  
Actual effective date: September 10, 1972

See p. 1647 et seq.

# HOUSE JOURNAL

ALASKA STATE LEGISLATURE

SEVENTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Wednesday

June 14, 1972

## One Hundred and Fifty-Seventh Day

Pursuant to adjournment, the House was called to order by Speaker Gene Guess at 10:20 a. m.

Roll call showed all members present.

The prayer was offered by the Chaplain, the Reverend Wayne Sawyer.

Mr. Huber requested that today's prayer be spread on the journal. There being no objection, it was so ordered; the prayer appears as follows:

"Our Father, we praise Thee this day for Thy greatness. All of our efforts are in vain without You. Man in his own strength can accomplish nothing worthwhile without You. In the difficulty of this time of the legislature, may You take over. We have tried things in our own strength and the days only get longer. Help us to depend upon You. We ask that Your will be done this day.

Amen."

The Acting Chief Clerk certified as to the correctness of the journal for the one hundred and fifty-sixth day, June 13, 1972. Mr. E. Miller moved and asked unanimous consent that the journal be approved. There being no objection, it was so ordered.

## MESSAGES FROM THE GOVERNOR

"June 13, 1972

The Honorable Eugene Guess  
Speaker of the House  
Alaska State Legislature  
Juneau, Alaska 99801

HCR  
68

Dear Mr. Speaker:

I have read the following resolution and am transmitting the enrolled and engrossed copies to the Lieutenant Governor's office for permanent filing:

# HOUSE JOURNAL

ALASKA STATE LEGISLATURE

SEVENTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Saturday

June 17, 1972

## One Hundred and Sixtieth Day

Pursuant to adjournment, the House was called to order by Speaker Gene Guess at 12:12 a.m.

Mr. E. Miller moved and asked unanimous consent that the House revert to Introduction, First Reading and Reference of House Resolutions. There being no objection, the House reverted to

### INTRODUCTION, FIRST READING AND REFERENCE OF HOUSE RESOLUTIONS

HOUSE CONCURRENT RESOLUTION NO. 70 by the Commerce Committee

HCR  
70

Honoring Eva McGown

was read the first time.

Mr. E. Miller moved and asked that HOUSE CONCURRENT RESOLUTION NO. 70 be brought up as a Special Order of Business at this time. There being no objection, it was so ordered.

### SPECIAL ORDERS

#### SECOND READING OF HOUSE RESOLUTIONS

HOUSE CONCURRENT RESOLUTION NO. 70 (honoring Eva McGown) was read the second time.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 70 pass the House?" On unanimous voice vote, HOUSE CONCURRENT RESOLUTION NO. 70 passed the House and was referred to the Acting Chief Clerk for engrossment.

Roll call was taken at this time and showed all members present except Messrs. Harris, McVeigh, Moran and Tillion. Messrs. Harris, Moran and Tillion had been previously excused from a call of the House today. Mr. E. Miller moved and asked unanimous consent that the other absent member be excused on official state business. There being no objection, it was so ordered.

JOURNAL  
SUPPLEMENT

SENATE - SUPPLEMENT NO. 3

June 17, 1972

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

June 16, 1972

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

FCCS  
SCS  
CSHB  
208

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 relatively limited considering the scope of the revision and the technical revisions made. Inasmuch as the code is an entire recodification of the laws relating to cities and boroughs now

# SENATE JOURNAL

ALASKA STATE LEGISLATURE

SEVENTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Thursday

June 15, 1972

One Hundred Fifty-eighth Day

Pursuant to adjournment, the Senate was called to order by President Hammond at 10:08 a.m.

The roll call showed all members present except Senators Christiansen, Groh, Lewis and Merdes who were excused, and Senator Young who was absent.

The following prayer was offered by the Chaplain, Rev. Mark Boesser:

"Lord, I guess we all want things "better than they are",  
so long as we have a say in what that "better is",  
which is, frankly, one of the joys and satisfactions of this job.  
In that regard I suppose we could even see ourselves as agents of change (rather than simply reactors to it) and thank you for the opportunity.  
It's the other kind  
coming ready or not  
tumbling in upon us - from only You know where  
that gives me fits.  
But then again if You are way out ahead, maybe even that might come on not completely as threat  
but even with a degree of promise.

Cat Stevens has a feel for what I'm trying to say:  
"Don't you feel a change a coming  
from another side of time,  
breaking down the walls of silence  
lifting shadows from the mind.  
Placing back the missing mirrors  
that before you couldn't find,  
filling mysteries of emptiness  
that yesterday left behind?  
And we all know it's better, -  
Yesterday has passed.  
Now let's all start the living  
For the one that's going to last."

Lord, give us the conviction that we can live joyously, hopefully, in an age of change, as we sense Your hand at work beyond our best imaginings, and seek to join our hands with Yours even in the work of today.

Thank You, Amen"

Act 3  
(partial)

# HOUSE JOURNAL

ALASKA STATE LEGISLATURE

SEVENTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Monday

May 22, 1972

One Hundred and Thirty-Fourth Day

Pursuant to adjournment, the House was called to order by Speaker Gene Guess at 11:11 a.m.

Roll call showed all members present except Messrs. Harris, Haugen, Moran, Reed, Tillion and Wright. Messrs. Reed and Tillion had been previously excused from a call of the House today. Mr. E. Miller moved and asked unanimous consent that Mr. Haugen be excused from a call of the House today, May 22, 1972. There being no objection, it was so ordered. Mr. E. Miller moved and asked unanimous consent that all other absent members be excused on official state business. There being no objection, it was so ordered.

The prayer was offered by the Chaplain, the Reverend Leo McCaffrey.

The Chief Clerk certified as to the correctness of the journals for the one hundred and thirty-second day and one hundred and thirty-third day, May 20 and 21, 1972. Mr. E. Miller moved and asked unanimous consent that the journals be approved. There being no objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

"May 22, 1972

The Honorable Eugene Guess  
Speaker of the House  
Alaska State Legislature  
Juneau, Alaska 99801

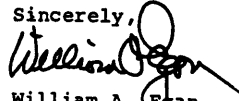
HJR  
126  
am  
S  
  
HJR  
137

Dear Mr. Speaker:

I have signed the following resolutions and am transmitting the enrolled and engrossed copies to the Lieutenant Governor's office for permanent filing:

HOUSE JOINT RESOLUTION NO. 126 am S

HOUSE JOINT RESOLUTION NO. 137

Sincerely,  


William A. Egan  
Governor"

1311

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

June 16, 1972

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 relatively limited considering the scope of the revision and the technical revisions made. Inasmuch as the code is an entire recodification of the laws relating to cities and boroughs now

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" FREE CONFERENCE COMMITTEE REPORT  
ON  
SCS CSHB 208 am S AND CSHB 208 am  
(municipal code)

May 22, 1972

Mr. President  
Mr. Speaker

The Conference Committee, with powers of free conference, which has had SCS CSHB 208 am S and CSHB 208 am (municipal code) under consideration, recommends that the bills be replaced by FREE CONFERENCE CS FOR SENATE CS FOR CS FOR HOUSE BILL NO. 208. The Conference bill incorporates the Senate amendments to the House bill, integrates substantively laws pertaining to local government enacted into law in 1971 and enacted or adopted in both houses during the current legislative session. These relate to historic preservation, eminent domain proceedings by fourth class cities, i.e. second class cities under the code, required assembly membership on boards of equalization, borrowing powers of third class boroughs, involvement of young persons in local government, land subdivisions (CSHB 290), and enabling legislation for development cities (CSSB 405 (Res.)). In addition, the Conference bill makes a number of limited substantive changes in the combined legislative product represented by SCS CSHB 208 am S and CSHB 208 am. A brief summary of the changes, keyed to chapter headings of the Conference bill, follows. This report is intended to reflect legislative intent where the intent expressed and the pertinent code provisions are consistent.

ELECTIONS.

Election Dates. The Conference bill broadens the discretion available to municipalities on the setting of election dates. As with the bills under consideration, the first Tuesday of October is set as the date of the regular municipal election, but the Conference bill authorizes a local government to set a different regular election date by ordinance if it chooses to do so.

Similarly, an annual regular election is set, with the option left to local governments to choose a different interval of years for holding regular elections. In the bills under consideration the same option is made available but an election every two years on the first Tuesday of October is prescribed unless different provision is made by ordinance.

Terms of Elected Officials. Terms of assemblymen, councilmen, and city and borough mayors are set at three years, rather than two years as provided in the bills under consideration; different terms not exceeding four years may be set by ordinance. (Under present law terms of assemblymen and borough chairmen are the same as those of city councilmen and mayor, respectively, of the largest first class city within the borough, or otherwise three years; different terms not exceeding three years may also be set by ordinance. City council and mayoralty terms in general law cities may vary from one to three years at local option.)

"FREE CONFERENCE COMMITTEE REPORT  
ON  
SCS CSHB 208 am S AND CSHB 208 am  
(municipal code)

May 22, 1972

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Mr. Speaker

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See p. 777 et seq. (Complete)

# HOUSE JOURNAL

ALASKA STATE LEGISLATURE  
SEVENTH LEGISLATURE - FIRST SESSION

---

Juneau, Alaska                      Monday                      April 12, 1971

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Ninety-Second Day

Pursuant to adjournment, the House was called to order by Speaker Gene Guess at 10:12 a.m.

Roll call showed all members present except Mr. Orbeck. Mr. E. Miller moved and asked unanimous consent that Mr. Orbeck be excused on official state business. There being no objection, it was so ordered.

The prayer was offered by the Chaplain, the Reverend Willard Leisy.

The Chief Clerk certified as to the correctness of the journals for the eighty-ninth, ninetieth and ninety-first days, April 9, 10 and 11, 1971. Mr. E. Miller moved and asked unanimous consent that the journals be approved. There being no objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

April 9, 1971

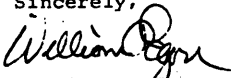
The Honorable Gene Guess  
Speaker of the House  
Alaska State Legislature  
Juneau, Alaska 99801

Dear Mr. Speaker:

Conforming with past practice, this is to inform you that all legislators have been granted a 60-day extension on filing their State income tax returns.

I would like to point out, however, that when you do file your State income tax return you should note that this extension has been granted.

With respect to extensions of time for filing Federal income tax returns which are due on April 15, 1971, applications will have to be made on an individual basis. I am informed that a supply of Federal applications for extension of time to file Federal income tax returns has been distributed to each chamber of the Legislature.

Sincerely,  
  
William A. Egan  
Governor"

# SENATE JOURNAL

ALASKA STATE LEGISLATURE

SEVENTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Monday

May 22, 1972

## One Hundred Thirty-fourth Day

Pursuant to adjournment, the Senate was called to order by President Hammond at 10:03 a.m.

The roll call showed all members present except Senators Groh, Rettig and Rader who were excused.

The Lord's Prayer was repeated in unison by the body.

The Secretary certified as to the correctness of the journals for the one hundred thirty-second and one hundred thirty-third legislatures days, May 20 and 21, 1972, in accordance with the rules. Senator Miller moved and asked unanimous consent that the journals be approved as submitted. Without objection, it was so ordered.

## MESSAGES FROM THE GOVERNOR

"May 22, 1972

The Honorable Jay Hammond  
President of the Senate  
Alaska State Legislature  
Juneau, Alaska 99801

FCCS  
HCS  
CSSB  
294

Dear Mr. President:

I have signed the following bill and am transmitting the enrolled and engrossed copies to the Lieutenant Governor's office for permanent filing:

FREE CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE  
COMMITTEE SUBSTITUTE FOR COMMITTEE SUBSTITUTE  
FOR SENATE BILL 294 (lease of rights-of-way for  
transportation of oil and gas)  
(CHAPTER 72, SLA 1972)

Sincerely,

s/William A. Egan  
Governor"

# HOUSE JOURNAL

ALASKA STATE LEGISLATURE

SEVENTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Monday

May 22, 1972

## One Hundred and Thirty-Fourth Day

Pursuant to adjournment, the House was called to order by Speaker Gene Guess at 11:11 a.m.

Roll call showed all members present except Messrs. Harris, Haugen, Moran, Reed, Tillion and Wright. Messrs. Reed and Tillion had been previously excused from a call of the House today. Mr. E. Miller moved and asked unanimous consent that Mr. Haugen be excused from a call of the House today, May 22, 1972. There being no objection, it was so ordered. Mr. E. Miller moved and asked unanimous consent that all other absent members be excused on official state business. There being no objection, it was so ordered.

The prayer was offered by the Chaplain, the Reverend Leo McCaffrey.

The Chief Clerk certified as to the correctness of the journals for the one hundred and thirty-second day and one hundred and thirty-third day, May 20 and 21, 1972. Mr. E. Miller moved and asked unanimous consent that the journals be approved. There being no objection, it was so ordered.

### MESSAGES FROM THE GOVERNOR

"May 22, 1972

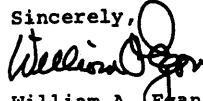
The Honorable Eugene Guess  
Speaker of the House  
Alaska State Legislature  
Juneau, Alaska 99801

Dear Mr. Speaker:

I have signed the following resolutions and am transmitting the enrolled and engrossed copies to the Lieutenant Governor's office for permanent filing:

HOUSE JOINT RESOLUTION NO. 126 am S

HOUSE JOINT RESOLUTION NO. 137

Sincerely,  
  
William A. Egan  
Governor"

1311

HJR  
126  
am  
S

HJR  
137

"FREE CONFERENCE COMMITTEE REPORT  
ON  
SCS CSHB 208 am S AND CSHB 208 am  
(municipal code)

May 22, 1972

Mr. President  
Mr. Speaker

The Conference Committee, with powers of free conference, which has had SCS CSHB 208 am S and CSHB 208 am (municipal code) under consideration, recommends that the bills be replaced by FREE CONFERENCE CS FOR SENATE CS FOR HOUSE BILL NO. 208. The Conference bill incorporates the Senate amendments to the House bill, integrates substantively laws pertaining to local government enacted into law in 1971 and enacted or adopted in both houses during the current legislative session. These relate to historic preservation, eminent domain proceedings by fourth class cities, i.e. second class cities under the code, required assembly membership on boards of equalization, borrowing powers of third class boroughs, involvement of young persons in local government, land subdivisions (CSHB 290), and enabling legislation for development cities (CSSB 405 (Res.)). In addition, the Conference bill makes a number of limited substantive changes in the combined legislative product represented by SCS CSHB 208 am S and CSHB 208 am. A brief summary of the changes, keyed to chapter headings of the Conference bill, follows. This report is intended to reflect legislative intent where the intent expressed and the pertinent code provisions are consistent.

**ELECTIONS.**

Election Dates. The Conference bill broadens the discretion available to municipalities on the setting of election dates. As with the bills under consideration, the first Tuesday of October is set as the date of the regular municipal election, but the Conference bill authorizes a local government to set a different regular election date by ordinance if it chooses to do so.

Similarly, an annual regular election is set, with the option left to local governments to choose a different interval of years for holding regular elections. In the bills under consideration the same option is made available but an election every two years on the first Tuesday of October is prescribed unless different provision is made by ordinance.

Terms of Elected Officials. Terms of assemblymen, councilmen, and city and borough mayors are set at three years, rather than two years as provided in the bills under consideration; different terms not exceeding four years may be set by ordinance. (Under present law terms of assemblymen and borough chairmen are the same as those of city councilmen and mayor, respectively, of the largest first class city within the borough, or otherwise three years; different terms not exceeding three years may also be set by ordinance. City council and mayoralty terms in general law cities may vary from one to three years at local option.)

# HOUSE JOURNAL

ALASKA STATE LEGISLATURE

SEVENTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Wednesday

June 14, 1972

## One Hundred and Fifty-Seventh Day

Pursuant to adjournment, the House was called to order by Speaker Gene Guess at 10:20 a. m.

Roll call showed all members present.

The prayer was offered by the Chaplain, the Reverend Wayne Sawyer.

Mr. Huber requested that today's prayer be spread on the journal. There being no objection, it was so ordered; the prayer appears as follows:

"Our Father, we praise Thee this day for Thy greatness. All of our efforts are in vain without You. Man in his own strength can accomplish nothing worthwhile without You. In the difficulty of this time of the legislature, may You take over. We have tried things in our own strength and the days only get longer. Help us to depend upon You. We ask that Your will be done this day.

Amen."

The Acting Chief Clerk certified as to the correctness of the journal for the one hundred and fifty-sixth day, June 13, 1972. Mr. E. Miller moved and asked unanimous consent that the journal be approved. There being no objection, it was so ordered.

## MESSAGES FROM THE GOVERNOR

"June 13, 1972

The Honorable Eugene Guess  
Speaker of the House  
Alaska State Legislature  
Juneau, Alaska 99801

HCR  
68

Dear Mr. Speaker:

I have read the following resolution and am transmitting the enrolled and engrossed copies to the Lieutenant Governor's office for permanent filing:

# SENATE JOURNAL

ALASKA STATE LEGISLATURE

SEVENTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Thursday

June 15, 1972

## One Hundred Fifty-eighth Day

Pursuant to adjournment, the Senate was called to order by President Hammond at 10:08 a.m.

The roll call showed all members present except Senators Christiansen, Groh, Lewis and Merdes who were excused, and Senator Young who was absent.

The following prayer was offered by the Chaplain, Rev. Mark Boesser:

"Lord, I guess we all want things "better than they are",  
so long as we have a say in what that "better is",  
which is, frankly, one of the joys and satisfactions of this job.  
In that regard I suppose we could even see ourselves as agents of change (rather than simply reactors to it) and thank you for the opportunity.  
It's the other kind  
coming ready or not  
tumbling in upon us - from only You know where that gives me fits.  
But then again if You are way out ahead, maybe even that might come on not completely as threat but even with a degree of promise.

Cat Stevens has a feel for what I'm trying to say:  
"Don't you feel a change a coming  
from another side of time,  
breaking down the walls of silence  
lifting shadows from the mind.  
Placing back the missing mirrors  
that before you couldn't find,  
filling mysteries of emptiness  
that yesterday left behind?  
And we all know it's better, -  
Yesterday has passed.  
Now let's all start the living  
For the one that's going to last."

Lord, give us the conviction that we can live joyously, hopefully, in an age of change, as we sense Your hand at work beyond our best imaginings, and seek to join our hands with Yours even in the work of today.

Thank You, Amen"

(FCC report on  
municipal codes)  
incorporated  
in Senate  
Journal  
Supplement  
Content of same as Head  
June 17, 1972 report

JOURNAL  
SUPPLEMENT

SENATE - SUPPLEMENT NO. 3

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

June 16, 1972

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

FCCS  
SCS  
CSHB  
208

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

June 16, 1972

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 relatively limited considering the scope of the revision and the technical revisions made. Inasmuch as the code is an entire recodification of the laws relating to cities and boroughs now

(FCC report on municipal  
code incorporated  
p. 1717 et seq)

# HOUSE JOURNAL

ALASKA STATE LEGISLATURE

SEVENTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Saturday

June 17, 1972

One Hundred and Sixtieth Day

Pursuant to adjournment, the House was called to order by Speaker Gene Guess at 12:12 a.m.

Mr. E. Miller moved and asked unanimous consent that the House revert to Introduction, First Reading and Reference of House Resolutions. There being no objection, the House reverted to

INTRODUCTION, FIRST READING AND REFERENCE  
OF HOUSE RESOLUTIONS

HOUSE CONCURRENT RESOLUTION NO. 70 by the Commerce Committee

HCR  
70

Honoring Eva McGown was read the first time. Mr. E. Miller moved and asked that HOUSE CONCURRENT RESOLUTION NO. 70 be brought up as a Special Order of Business at this time. There being no objection, it was so ordered.

SPECIAL ORDERS

SECOND READING OF HOUSE RESOLUTIONS

HOUSE CONCURRENT RESOLUTION NO. 70 (honoring Eva McGown) was read the second time.

The question being: "Shall HOUSE CONCURRENT RESOLUTION NO. 70 pass the House?" On unanimous voice vote, HOUSE CONCURRENT RESOLUTION NO. 70 passed the House and was referred to the Acting Chief Clerk for engrossment.

Roll call was taken at this time and showed all members present except Messrs. Harris, McVeigh, Moran and Tillion. Messrs. Harris, Moran and Tillion had been previously excused from a call of the House today. Mr. E. Miller moved and asked unanimous consent that the other absent member be excused on official state business. There being no objection, it was so ordered.



# LAWS OF ALASKA

1972

Source

FCCS SCS CSHB 208

Chapter No.

118

## AN ACT

To revise and codify the law relating to cities and boroughs.

### BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

NOTE: The Enrollment of FCCS SCS CSHB 208 was waived under provisions of Uniform Rule 44(b). The resulting Act is a complete revision of Titles 7 (Boroughs) and 29 (Municipal Corporations), Alaska Statutes and will be published and indexed as a 1972 replacement pamphlet for the Alaska Statutes and be distributed by the publishers to subscribers. In the meantime interested persons, for a nominal handling and postage fee, may request a copy of the bill from: Commissioner, Department of Administration, Alaska Office Building, Pouch C, Juneau, Alaska, 99801.

Approved by governor: June 12, 1972  
Actual effective date: September 10, 1972

T A B L E O F C O N T E N T S

FREE CONFERENCE CS FOR SENATE CS FOR CS FOR HOUSE BILL NO. 208

\* \* \* \* \*

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29.18.130 Integration of Special Districts and Service Areas	

Introduced: 6/3/72  
Referred: Local Government

1 IN THE SENATE

BY THE RULES COMMITTEE BY REQUEST

2 SENATE BILL NO. 433

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act including municipal conflict of interest pro-  
7 visions within the revised municipal code and making  
8 certain technical corrections in code citations and  
9 provisions; and providing for an effective date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 \* Section 1. AS 29.23 is amended by adding a new section to read:

12 Sec. 29.23.555. CONFLICT OF INTEREST. Each home rule and general  
13 law municipality shall adopt a conflict of interest ordinance which,  
14 other provisions of this chapter notwithstanding, includes the provi-  
15 sions that an officer or employee shall disqualify himself from partici-  
16 pating in any official action in which he has a substantial financial  
17 interest. In the event any home rule or general law municipality fails  
18 to adopt said conflict of interest ordinance within 90 days from the  
19 effective date of this Act, the conflict of interest provision of this  
20 section shall automatically be applicable to and binding upon said  
21 municipalities.

22 \* Sec. 2. AS 29.13.100 is amended by adding a new paragraph to read:

23 (32) AS 29.23.555 (conflict of interest)

24 \* Sec. 3. AS 29.23.290(1) is amended to read:

25 (1) appoint city employees and administrative officers, except  
26 as provided otherwise in sec. 360 of this chapter and AS 14.14.065  
27 [29.33.050]; he may hire necessary administrative assistants and may  
28 authorize an appointive administrative officer to appoint, suspend, or  
29 remove subordinates in his department;