

CHAPTER 7.

AN ACT

[H. B. 10]

To enable cities to adopt the "City Manager Plan" of government, and declaring an emergency.

Be it enacted by the Legislature of the Territory of Alaska:

Section 1. Any city incorporated under the Laws of the Territory may adopt the City Manager Plan of government in the manner hereinafter provided.

City Manager Plan of Government.

Section 2. A petition praying for the adoption of such plan shall first be presented to the common council of such city which petition shall be signed by not less than twenty-five per cent of the registered voters of such city at the last municipal election. Such petition may also state such additional facts as may tend to show good grounds for the adoption of the plan.

Petitioners.

Section 3. Upon the presentation of such petition, the common council shall, by ordinance or resolution, provide for the submission of the question to the qualified electors of the city to determine whether the people of the city desire to adopt such plan of government, either at the next ensuing general election or at a special election called for that purpose. A printed or typewritten copy of such ordinance or resolution shall be posted at three public places within the boundaries of said municipality at least thirty days prior to the day of election and due proof of such posting shall be filed in the office of the municipal clerk of the city. Said election shall be by printed or typewritten ballot in the following form:

Submission to electors.

Posting, and Proof.

"For the City Manager Plan.....

Form of Ballot.

Against the City Manager Plan"

and shall be conducted in conformity with existing law and ordinances and resolves of the common council of the city concerned.

Election results.

Section 4. If it shall appear from the certificate of election that a majority of the votes cast at said election were in favor of the adoption of the City Manager Plan the common council shall, by ordinance or resolution declare such plan to be duly adopted and the business and affairs of the city shall thereafter be conducted in accordance with the provisions of this Act and the ordinances of the common council made in pursuance hereof.

Plan discontinued, How.

Section 5. Any city after adopting the City Manager Plan may discontinue the same by a majority vote of its electors. Said election may be called upon the filing with the common council of a petition therefor executed by not less than twenty-five per cent of the qualified electors of said city and the common council shall by ordinance or resolution provide for the submission of such question to the electors of the city at the ensuing general election or a special election called for that purpose, notice of which shall be given as provided in Section 3 hereof.

Ordinance required

Section 6. If a majority of the electors of the city declare against continuance of the plan such city shall cease to be governed by the provisions of this Act and at its first meeting the common council shall, by ordinance or resolution provide for the discontinuance thereof and the business and affairs of the city shall thereafter be conducted as provided by law other than the provisions of this Act.

Manager—How chosen, etc.

Section 7. The common council of any city which has adopted the City Manager Plan shall appoint by a majority vote of all its members a manager who shall be the executive and administrative officer of the city.

He shall receive such compensation as the council shall determine. He shall be chosen solely on the basis of his executive and administrative qualifications.

Section 8. The manager shall hold office at the pleasure of the common council and may be removed for cause by a vote of a majority of all the members of the council.

Term of Office.

Section 9. The manager shall:

Duties of
Manager.

(a) Prepare and recommend to the council an annual budget;

(b) Execute and enforce all ordinances and resolves of the community and carry out all contracts entered into by it;

(c) Appoint and remove the heads of departments, boards, and bureaus and all other officers and employees of the city, except the City Treasurer and the City Attorney, who shall be appointed by the Common Council under existing law.

(d) Make such recommendations to the council as he may deem expedient or necessary and once a year present a detailed statement of what he has done during the year covered by the report, and,

(e) Perform such other duties as may be assigned to him by the Common Council.

(f) Before assuming office take and subscribe an oath to faithfully discharge the duties of his office and shall furnish a bond in such sum and with such sureties as the council by resolution may require, conditioned upon the faithful performance of his duties as such City Manager.

Oath and Bond.

Vacancies.

Section 10. In case of absence or disability of the manager the common council may appoint a qualified person to perform the duties of the manager temporarily. If the office of Manager becomes vacant it shall appoint without delay either a new manager or an acting manager to fill the office until a new manager is chosen.

Officers, Term of office, etc.

Section 11. All officers appointed by the manager shall hold office for an indefinite term and may be removed by the manager at pleasure. Their compensation shall be fixed by ordinance and may be changed at any time.

Saving clause.

Section 12. It is the intention of the Legislature that if this Act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the Act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein.

How cited.

Section 13. This Act may be known and cited as the "City Manager Act."

Emergency.

Section 14. An emergency is hereby declared to exist and this Act shall be effective from and after its approval.

Approved March 4, 1943.

CHAPTER 8.

AN ACT

[Sub. H. B. 1]

Establishing a Juvenile Code; repealing Sections 1911 to 1921, both inclusive, Compiled Laws of Alaska, 1933, Chapter 31, Session Laws, 1935; Chapters 6 and 12, Extraordinary Session Laws,