

CHAPTER 119

AN ACT

To permit consolidation of adjoining cities.

(C. S. for H. B. 18)

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

Section 1. Consolidation of cities. Whenever any two incorporated cities have any contiguous boundary or boundaries, the governing bodies thereof, after public hearings, may provide by ordinance for an election for the consolidation of such cities and the name of such consolidated city. The boundaries of any two cities shall be considered as contiguous unless said boundaries are completely separated by land, and where the boundaries are separated only by a river, stream, slough, channel, inlet, bay, or other narrow body of water, the boundaries are contiguous for the purposes of this Act.

Section 2. Separate elections. The governing body of each city may by ordinance call a special election, or may submit the question at any general election; provided, that elections so held shall be held in each city on the same day, further provided that the qualifications of electors shall be the same as provided by law in municipal elections on the question of the issuance of general obligation bonds.

Section 3. Judges of election. The judges of election in each city shall duly canvass and compile the vote cast and issue under their hands a certificate showing the number of votes cast in favor of consolidation and the number of votes cast against consolidation and the name of said city as chosen by the voters at said election. The certificates, together with all the ballots cast, shall immediately be filed with the clerk of the district court in the division in which the cities are situated. The form of the question shall include the proposed name of the consolidated city.

Section 4. Order adjudging consolidation. If it shall appear from the certificates of election filed with the clerk of the district court that 55 percent or more of the votes cast at the election in each city were in favor of the consolidation, and that the provisions of this Act have been substantially complied with, then the district judge shall by an order in writing entered in the records of the court, adjudge and declare that the two cities are consolidated into one city, and that said city shall on a day certain, but within six months,

call an election for members of the Council of the consolidated city, and, after the results have been certified, that the two cities shall be deemed to be a single municipal corporation. The order declaring the consolidation and calling an election shall describe the boundaries and give the name of the corporation, and one certified copy thereof shall be filed in the office of the Secretary of Alaska and another in the office of the Commissioner of the district in which the corporation is situated. On the date of consolidation stated in the order of the court, the governing bodies of each separate city shall assemble, together with the newly elected governing body of the consolidated city, and effect a transfer of all property, equipment, funds, and obligations; and the consolidated city shall from thenceforth be deemed a municipal corporation possessed of all powers and privileges conferred by law upon first class cities.

Section 5. Protection to creditors. When either or both municipalities have any outstanding general obligation indebtedness, the order consolidating the cities shall provide for an annual levy of taxes, within the boundaries of the territory of each city having such indebtedness, in an amount sufficient to pay the principal, interest and charges on

all such indebtedness; provided, that this shall not prevent the cities from making other arrangements for the satisfaction of the debts of each and both of them in any manner that may be agreed to by the bond holders and creditors of such cities.

Section 6. Ward system; election. At any election for consolidation as provided in this Act, the two governing bodies may by ordinance submit the further question of division of the proposed consolidated city into two or more wards for the election of one or more councilmen from each such ward, or may submit the question of providing for one or more councilmen at large and the remainder from such wards, in the discretion of the governing bodies of each city by agreement between such bodies. The ordinance shall state the proposed terms of the members of the council to be elected from each such ward not to exceed the terms provided for councilmen by law. The question on adoption of such ward system shall be separately stated on the ballot. If a majority of votes cast in each city shall favor the adoption of a ward system, and the vote has also favored consolidation of such cities, the court shall include such ward designation in the order declaring the incorporation.

Approved March 28, 1955