



LAWS OF ALASKA

1972

Source

Chapter No.

SB 433 am H

147

AN ACT

Including municipal conflict of interest provisions within the revised municipal code and making certain technical corrections in code citations and provisions; and providing for an effective date.

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

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

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

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

(32) AS 29.23.555 (conflict of interest)

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

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

* Sec. 4. AS 29.23.290(2) is amended to read:

(2) suspend or remove by written order city employees and administrative officers, except as provided otherwise in sec. 360 of this chapter and AS 14.14.065;

* Sec. 5. AS 29.53.400 is amended to read:

Sec. 29.53.400. POWER OF LEVY. Home rule and first class cities within boroughs may levy a general property tax. A property tax, if levied, shall be levied in the manner provided for borough levies in sec. 170(a) of this chapter and is subject to secs. 10 - 25, 50 - 55 and 310 - 350 of this chapter. The council shall by June 15 of each year present to the borough assembly a statement of the city's rate of levy, unless a different date is agreed upon by the borough and city.

* Sec. 6. AS 29.68.350(b) is amended to read:

(b) The area to be unified shall be known as a borough or a city or by some other designation consistent with existing law.

* Sec. 7. AS 29.68.580 is amended to read:

Sec. 29.68.580. SUCCESSION. The government succeeding to a dissolved municipality succeeds to all its rights, powers, duties, assets, and liabilities as provided in AS 29.18.130 - 29.18.140.

* Sec. 8. AS 29.13.100(18) is repealed.

* Sec. 9. Sec. 17, ch. 118 SLA 1972 is amended to read:

Sec. 17. Secs. 10 - 16 of this Act take effect upon the condition and at the time that the Supreme Court of the State of Alaska finds that sec. 4, art. X of the Constitution of the State of Alaska as it relates to representation of cities on borough assemblies is in violation of the Constitution of the United States or an amendment to the Constitution of the State of Alaska relating to assembly representation and consistent with the provisions of secs. 10 - 16 of this Act becomes effective, whichever occurs earlier.

* Sec. 10. AS 29.28.090(b) is amended to read:

(b) If a sufficient petition for referendum is filed within 30 days after final passage of the ordinance, or before the effective date of the ordinance, the ordinance against which the petition is filed shall be suspended pending the referendum on the ordinance. During the period of suspension the assembly or council may not enact an ordinance substantially similar to the suspended ordinance but may repeal the suspended ordinance.

* Sec. 11. This Act takes effect September 10, 1972.