



LAWS OF ALASKA

1980

Source

FCCSHB 585

Chapter No.

127

AN ACT

Relating to municipalities: amending AS 29 to provide for the incorporation of home rule boroughs; increasing the limit on the rate of sales tax which may be levied by municipalities, and amending requirements relating to adjustments of the rate of sales tax.

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

THE ACT FOLLOWS ON PAGE 1, LINE 12

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: June 30, 1980
Actual Effective Date: September 28, 1980

AN ACT

Relating to municipalities: amending AS 29 to provide for the incorporation of home rule boroughs; increasing the limit on the rate of sales tax which may be levied by municipalities, and amending requirements relating to adjustments of the rate of sales tax.

* Section 1. AS 29.08.010 is amended to read:

Sec. 29.08.010. HOME RULE. A home rule municipality is a municipal corporation and political subdivision and is a [BOROUGH OF THE FIRST CLASS OR] city of the first class or an organized borough which has adopted a home rule charter. It has all legislative powers not prohibited by law or charter.

* Sec. 2. AS 29.13.010 is amended to read:

Sec. 29.13.010. MUNICIPAL CHARTER ADOPTION. A first class municipality or second class borough may adopt a charter for its own government. A home rule municipality may amend its charter or adopt a new one. A charter is framed by a charter commission of seven members chosen by the municipal voters at a regular or special election. A candidate for the commission shall [MUST] be a qualified voter of the municipality and a resident of the municipality for three years immediately preceding the election. A charter commission election is called by filing a petition with the borough assembly or the city council, or by resolution of the borough assembly or city council. The petition shall [MUST] be signed by a number of municipal voters equal to 15 [10]

Chapter 127

1 percent of the votes cast in the last regular election of the municipi-
2 pality.

3 * Sec. 3. AS 29.53.415(a) is amended to read:

4 (a) A borough may levy and collect a sales tax not exceeding six
5 [THREE] percent on sales or rents, and on services made within the
6 borough. The sales tax may apply to any or all of these sources.
7 Exemptions may be granted by ordinance.

8 * Sec. 4. AS 29.53.420 is amended to read:

9 Sec. 29.53.420. REFERENDUM, ADOPTION AND MODIFICATION. (a) The
10 assembly shall hold a referendum vote on the question of enacting a
11 sales tax or increasing the rate of levy of sales taxes. Borough sales
12 tax propositions may be presented only once in any 12-month period.
13 A sales tax proposition may be submitted to the voters at a regular
14 or special election or at a general election of the state.

15 (b) If the proposition receives a majority of the votes cast, the
16 assembly may enact the sales tax or increase the rate of the sales tax
17 as a levy upon buyers, sellers, or both. The sales tax is collected at
18 the time of sale or at the time of payment in credit transactions and
19 transmitted to the borough.