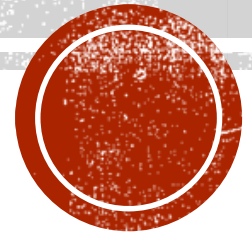


ALASKA CONSTITUTION

Article X, Local Government



- § 1. PURPOSE AND CONSTRUCTION
- § 2. LOCAL GOVERNMENT POWERS
- § 3. BOROUGHES
- § 4. ASSEMBLY



§ 5. SERVICE AREAS

- Service areas to provide special services within an organized borough may be established, altered, or abolished by the assembly, subject to the provisions of law or charter. A new service area shall not be established if, consistent with the purposes of this article, the new service can be provided by an existing service area, by incorporation as a city, or by annexation to a city. The assembly may authorize the levying of taxes, charges, or assessments within a service area to finance the special services.



§ 5. SERVICE AREAS

- Constitutional committee commentary:
- One of the local government problems in Alaska today is the inability of small communities to organize for provision of just one or a few local services. By authorizing the establishment of service areas within boroughs, the proposed article makes it possible for a small unincorporated community or a relatively isolated area to meet a specific local need. Through establishment of service areas and assumptions of administrative or advisory responsibility, the citizens of small communities or rural areas will be preparing themselves for full self-government.



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§ 5. SERVICE AREAS

- There are many “provisions of law” to be applied when the Borough Assembly considers establishing, altering, or abolishing 1) road, 2) fire, and 3) parks and recreation service areas
- Are part of the Borough, and have no separate existence North Kenai RSA v. Kenai Peninsula Borough 1993



§ 5. SERVICE AREAS

- “The assembly may authorize the levying of taxes, charges, or assessments within a service area to finance the special services.”
- § 2 “The State may delegate taxing powers to organized boroughs and cities only.”



§ 6. UNORGANIZED BOROUGHs

- The legislature shall provide for the performance of services it deems necessary or advisable in unorganized boroughs, allowing for maximum local participation and responsibility. It may exercise any power or function in an unorganized borough which the assembly may exercise in an organized borough.

