

1 IN THE HOUSE

BY MR. *Locke*

2 HOUSE BILL NO. 33

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act to empower city councils to levy
7 a general tax for school and municipal
8 purposes, and to levy sales taxes within
9 their respective municipalities; and
10 amending Subsection Ninth of Section
11 16-1-35 ACLA 1949, as amended by Chapter
12 47 Session Laws of Alaska, 1951, and
13 validating sales taxes already collected,
14 and declaring an emergency."

15 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

16 Section 1. That subsection Ninth of Sec. 16-1-35 ACLA 1949
17 is hereby amended to read as follows:

18 Ninth: (a) GENERAL TAX FOR SCHOOL AND MUNICIPAL
19 PURPOSES. To assess, levy, and collect a general tax for
20 school and municipal purposes not to exceed 3 per centum
21 of the assessed valuation upon all real and personal
22 property, and to enforce the collection of such lien by
23 foreclosure, levy, distress and sale. Provided, however,
24 that all property belonging to the municipality or the
25 Territory, and the household furniture of the head of the
26 family or a householder, not exceeding Two Hundred Dollars
27 (\$200.00) in value, as well as all property used exclusively
28 for religious, educational, charitable purposes and the
29 property of any organization, not organized for business

37 as amended

1 purposes, whose membership is composed entirely of the
2 veterans of any wars of the United States, or the property
3 of the auxiliary of any such organization and all monies
4 on deposit, shall be exempt from taxation. Provided, fur-
5 ther, that if any ^{such religious, educational, or charitable} ~~organization composed of veterans or its~~
6 ~~auxiliary~~ derives any rentals or profits from any such
7 property owned by it or them, such property shall not be
8 exempt. Provided further, that the laws excepting certain
9 property from levy and sale on execution shall not apply
10 to taxes or to the collection of the same, or to any taxes
11 levied by a municipal corporation.

12 (b) CONSUMER'S SALES TAX. To levy and collect a
13 consumer's sales tax not exceeding two percentum of the
14 sales price on all retail sales, ^{rents} and services, made within
15 the municipality; provided, that the consent of the quali-
16 fied voters of the municipality is first obtained through
17 a referendum vote at a general or special election, upon
18 ballots which clearly present the proposition as to whether
19 such sales tax shall be authorized within the municipality.
20 The ballot shall also set forth whether the tax is to be
21 levied for general revenue for the municipality or for a
22 special purpose, and, if for a special purpose, same shall
23 be specified on the ballot. If ^{a majority} ~~fifty-five percent (55%)~~
24 or more of the votes cast in said referendum are in the
25 affirmative, the council may thereafter enact such a tax
26 in the nature of a levy upon buyers but with imposition
27 upon sellers of the obligation of collecting same at the
28 time of sale or at time of collection with respect to
29 credit transactions, and transmit same to the municipality.

No such sales tax shall be levied or collected unless the council shall first determine that such tax is in the best interests of the municipality.

"The term 'municipality' means the city of [unclear] and shall include all territory within the corporate limits of the city of [unclear] and all territory within the corporate limits of the city of [unclear]."

excepting such veterans organization or auxiliary

ok filed

ok filed

1 The sole purpose of this subsection is to enable cities,
2 with the consent of the residents thereof, to impose sales
3 taxes, and that although such method of taxation be estab-
4 lished within a city, the council may, at any time abandon
5 same. It is also the intent that if consent to such tax
6 be obtained for a special purpose, the proceeds of the
7 tax may not be used for any other purpose unless with
8 consent of the voters at another referendum.

adopted 9 Section 2. All sales taxes heretofore^{and collected} levied by munici-
10 palties within the Territory of Alaska, pursuant to ordin-
11 ances which were valid at the time of their enactment, are
12 hereby ratified and confirmed.

13 Section 3. An emergency is hereby declared to exist, and
14 this Act shall be in full force and effect immediately upon
15 its passage and approval.
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