

LEGISLATIVE COUNCIL

1 IN THE HOUSE

BY MESSRS. FAGERSTROM AND
GREUEL

2 HOUSE BILL NO. 15

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act to provide ^{an} additional method by
7 which territory may be annexed to municipi-
8 palities; amending Section 16-1-24, ACLA,
9 1949, as amended; and setting an effective
10 date."

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

12 Section 1. Power of Council. The governing body of any
13 incorporated municipality (herein called the Council) may
14 initiate an annexation election by following the procedure
15 stipulated in this Act.

16 Sec. 2. Resolution. If the council determines that annexa-
17 tion of unincorporated territory contiguous to the municipality
18 will serve the best interest of the entire area affected, in-
19 cluding the municipality and the territory to be annexed, the
20 council shall file in the District Court a resolution of the
21 council requesting that an election be ordered by the Court to
22 be held in the area to be annexed. The resolution shall be ac-
23 companied by such area description, maps or plats, as are re-
24 quired to be filed with a petition submitted pursuant to Sec-
25 tion 16-1-22, Alaska Compiled Laws Annotated, 1949, as amended.

26 Sec. 3. Hearing; order of election; election; declaration
27 of annexation; exclusion of territory. The resolution may be
28 presented in open court or to the judge of said court in
29 chambers and the judge shall fix a time and place of hearing on

p. 1, line 6: insert "an" after word "provide" and strike "s" on word "methods"

p. 1: delete sections 1, 2, 3 and 4 and renumber

1 the resolution and shall proceed in all respects in the same
2 manner and by the same procedure as required to be followed with
3 respect to a petition of annexation by Sections 16-1-22 through
4 16-1-28, Alaska Compiled Laws Annotated, 1949, as amended; except
5 that the election shall be held only in the territory to be an-
6 nexed, and if a majority of the votes cast in the election in
7 the territory to be annexed were in favor of the annexation the
8 court shall by order adjudge and declare such annexation and the
9 said territory shall be a part of the city at such time, not
10 later than 12 months after the order of the court, as the council
11 shall provide by ordinance; Provided, that upon the request of
12 the council the judge shall order an election to be held both in
13 the city and in the territory to be annexed, in which case the
14 annexation proceedings on the resolution shall proceed in all
15 respects as provided for a petition by the aforesaid sections
16 16-1-22 through 16-1-28, as amended.

17 Sec. 4. No election required; when. When an annexation
18 petition has been filed in accordance with the procedures set
19 forth in sections 16-1-22 through 16-1-28, Alaska Compiled Laws
20 Annotated, 1949, as amended, and the petition contains the sig-
21 natures of a majority of the persons qualified to sign such
22 petition, and the Court so finds, the requirement for an election
23 on annexation, both within the city and in the territory to be
24 annexed, is hereby waived and the court shall enter an order of
25 annexation; unless the council has by resolution requested the
26 court to order an election within the city. The order of an-
27 nexation shall be effective at such time, not longer than 12
28 months after its entry, as the council shall provide by ordi-
29 nance.

1 Sec. ¹/₅. Annexation of city-owned property. The council
2 may annex by ordinance any property owned by the city and
3 situated adjacent to the boundary or boundaries of the city;
4 Provided, that the council may submit the question of annexation
5 of such municipally-owned and adjacent property to the qualified
6 electors of the city at any special or general election held by
7 the city.

8 Sec. ²/₆. Section 16-1-24, Alaska Compiled Laws Annotated,
9 1949, as amended, is hereby amended so as to read as follows:

10 Sec. 16-1-24. Declaration of annexation. If it shall
11 appear to the district court or the judge thereof from the
12 certificate of election filed with the district court as
13 aforesaid, that a majority of the votes cast at said elec-
14 tion in the territory sought to be annexed were in favor of
15 annexation and that a majority of the votes cast in the
16 city were also in favor of the annexation, and that the
17 provisions of law relating to annexation have been sub-
18 stantially complied with, then the district judge shall
19 by an order in writing entered in the records of the court
20 duly adjudge and declare such annexation and the said ter-
21 ritory shall be a part of the city at such time, not later
22 than 12 months after the order of the court, as the council
23 shall provide by ordinance. FROM THENCEFORTH, BE A PART OF
24 THE CITY Such order shall describe the boundaries of the
25 territory annexed and give the name of the city to which it
26 is annexed.

27 Sec. ³/₇. Effective date. This Act shall take effect and be
28 in force from and after its passage and approval, or upon its
29 becoming law without such approval, and it is so enacted.