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IN THE House

TOR M. Neely
BY Request

House BILL NO. 131

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

TWENTY-SECOND SESSION

A BILL

FOR AN Act entitled: "An Act to amend Section 16-1-1, ACIA 1949,
pertaining to the incorporation of com-
munities as first class cities, and
~~declaring an emergency.~~"

AS ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

Section 1. Section 16-1-1, Alaska Compiled Laws Annotated,
1949 is hereby amended to read as follows:

Section 16-1-1. COMMUNITIES ENTITLED TO INCORPORATE:
PROCEDURES FOR INCORPORATION: PETITION, NOTICE, HEARING;
ORDERS FOR ELECTION. Any community having four hundred or
more permanent inhabitants may form a municipal corporation,
termed a city, in the manner hereinafter provided.

A petition praying for such incorporation shall first
be presented to the judge of the district court presiding
in the judicial division in which the community seeking
incorporation is located, which petition shall be signed
by at least one hundred adult bona fide residents of such
community, who are citizens of the United States, and shall
specify the boundaries and give the number of inhabitants
of the proposed corporation, as well as state the name by
which it is to be known (SUCH PETITION SHALL ALSO STATE OTHER
FACTS AS MAY TEND TO SHOW GOOD GROUNDS FOR SUCH INCORPORATION).
The judge shall thereupon, by order, fix the time and place
for considering said petition, which time shall not be less

Strike emergency clause where it appears.

1 thirty days after the date of such order. A printed
2 or typewritten copy of said order shall be posted in three
3 of the most public places within the limits of the territory
4 proposed to be incorporated at least thirty days prior to the
5 time fixed for considering said petition. At the time and
6 place fixed for considering said petition, the judge shall
7 give a fair hearing to those who are in favor of and to
8 those who are opposed to the ^[SAME] proposed boundaries; and if
9 he be satisfied that (IT IS FOR THE BEST INTEREST AND WELFARE
10 OF THE COMMUNITY TO INCORPORATE AS A CITY) the proposed
11 boundaries are reasonable and that the number of inhabitants
12 and properties included in the proposed corporation is
13 sufficient to support the cost of operating a municipal
14 government, he shall (.BY) order (, SO ADJUDGE,) an election;
15 but if he be not so satisfied, (AND) he (MAY) shall, by the
16 order, so change or modify the proposed boundaries (,) as to
17 enable for a sufficient number of inhabitants and properties
18 within the proposed corporation to support the cost of
19 operating the municipal government thereof; provided, however
20 that no territory shall be included, except with the written
21 consent of the owner thereof, which is primarily devoted to
22 or suitable for agricultural uses. He shall also, by order,
23 designate the name and the boundaries of the corporation
24 and the time and place when and where an election shall be
25 held to determine whether the people of the community desire
26 to be incorporated; and he shall also, by said order, appoint
27 three qualified voters to act as judges of said election. A
28 printed or typewritten copy of said order shall be posted at
29 three of the most public places within the limits of the

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proposed corporations at least thirty days prior to the day
of the election, and such posting shall be deemed a suffi-
cient notice of such election^{ment}.

Section 2. An emergency is hereby declared to exist and
this act shall take effect immediately upon its passage and
approval.

P. 5, line 5: after the word "elected" insert the words "; and, Provided, further, that if the proposed city lies within the boundaries of any public utility district having any outstanding indebtedness or liabilities that no order of election shall be made unless provision has been made to satisfy such debts and liabilities in a manner satisfactory to the court, the incorporators and the public utility district"