

1 IN THE HOUSE

BY COMMITTEE ON TERRITORIAL AFFAIRS

2

HOUSE BILL NO. 152

3

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4

TWENTY-THIRD SESSION

5

A BILL

6 For an Act entitled: "An Act designating the Territorial  
7 Treasurer as surplus Property Administrator;  
8 authorizing the Administrator to receive  
9 property under applicable Federal law; pro-  
10 viding for the distribution and warehousing  
11 of surplus property; authorizing an approp-  
12 riation; and setting an effective date."

13 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA;

14 Section 1. TERRITORIAL TREASURER DESIGNATED AS SURPLUS  
15 PROPERTY ADMINISTRATOR. There is hereby established in the Terri-  
16 torial Treasurer's office an activity to be known as the Alaska  
17 Surplus Property Service, for which the Treasurer shall be  
18 responsible in addition to his other duties, and in connection  
19 with which the designation "Administrator" shall be used. The  
20 Administrator's services rendered hereunder may be charged to the  
21 Surplus Property Service Special Fund in such amounts as may be  
22 determined by the Board of Administration.

23 Sec. 2. AUTHORITY AND DUTIES OF THE ALASKA SURPLUS PROPERTY  
24 SERVICE.

25 (1) The Alaska Surplus Property Service is hereby  
26 authorized and empowered (a) to acquire from the United States of  
27 America under and in conformance with the provisions of the  
28 Federal Property and Administrative Services Act of 1949, as  
29 amended and as may from time to time be further amended, herein-

1 after referred to as the "Act", (63 Stat, 377 et seq., 40 USCA  
2 471 et seq.) such property, including but not limited to equip-  
3 ment, materials, books, or other supplies under the control of  
4 any department or agency of the United States of America as may  
5 be usable and necessary for purposes of education, (including  
6 educational activities which are of special interest to the armed  
7 services) public health or civil defense, including research for  
8 any such purpose, and for such other purposes as may now or here-  
9 after be authorized by Federal law; (b) to warehouse such  
10 property; and (c) to distribute such property within the Terri-  
11 tory to tax-supported medical institutions, hospitals, clinics,  
12 health centers, school systems, schools, colleges, and uni-  
13 versities within the Territory, to other non-profit medical  
14 institutions, hospitals, clinics, health centers, schools,  
15 colleges and universities which have been held exempt from tax-  
16 tion under Section 501 (c)(3) of the United States Internal  
17 Revenue Code of 1954, including any future amendments thereto, to  
18 civil defense organizations of the Territory which are established  
19 pursuant to Territorial law, to organizations or institutions  
20 engaged in educational activities which are of special interest  
21 to the armed services, and to such other types of institutions  
22 or activities as may now be or hereafter become eligible under  
23 Federal law to acquire such property.

24 (2) The Alaska Surplus Property Service is hereby  
25 authorized to receive applications from eligible institutions  
26 above enumerated, including the Territorial Government and all  
27 political subdivisions thereof, for the acquisition of Federal  
28 surplus real property, investigate the same, obtain expression of  
29 views respecting such applications from the appropriate health or

1 educational authorities of the Territory, make recommendations  
2 regarding the need of such applicant for the property, the merits  
3 of its proposed program of utilization, the suitability of the  
4 property for such purposes, and otherwise assist in the processing  
5 of such applications for acquisition of real and related personal  
6 property of the United States under Section 203(k) of the "Act".

7 (3) For the purpose of executing its authority under  
8 this Act, the Alaska Surplus Property Service is authorized and  
9 empowered to adopt, amend, or rescind such rules and regulations  
10 and prescribe such requirements as may be deemed necessary; and  
11 take such other action as is deemed necessary and suitable, in the  
12 administration of this Act, to assure maximum utilization by and  
13 benefit to health, educational and civil defense and other eligible  
14 institutions and organizations within the Territory from property  
15 distributed under this Act.

16 (4) The Alaska Surplus Property Service is authorized  
17 and empowered to make such certifications, take such action, make  
18 such expenditures and enter into such contracts, agreements and  
19 undertakings for and in the name of the Territory (including  
20 cooperative agreements with any Federal agencies providing for  
21 utilization by and exchange between them of the property,  
22 facilities, personnel and services of each by the other), require  
23 such reports and make such investigations as may be required by  
24 law or regulation of the United States of America in connection  
25 with the disposal of real property and the receipt, warehousing  
26 and distribution of personal property received by the Alaska  
27 Surplus Property Service from the United States of America.

28 (5) The Alaska Surplus Property Service is authorized  
29 and empowered to act as clearing house of information for the

1 public and private non-profit institutions, organizations and  
2 agencies referred to in Sec. 2 (1) of this Act and other insti-  
3 tutions eligible to acquire Federal surplus real property; to  
4 locate both real and personal property available for acquisition  
5 from the United States of America, to ascertain the terms and  
6 conditions under which such property may be obtained, to receive  
7 requests from the above-mentioned institutions, organizations and  
8 agencies and to transmit to them all available information in  
9 reference to such property, and to aid and assist such insti-  
10 tutions, organizations and agencies in every way possible in the  
11 consummation of acquisitions or transactions hereunder.

12 (6) The Alaska Surplus Property Service, in the  
13 administration of this Act, shall cooperate to the fullest extent  
14 with the departments or agencies of the United States of America  
15 and shall file a Territorial plan of operation, operate in  
16 accordance therewith, and take such action as may be necessary to  
17 meet the minimum standards prescribed in accordance with the "Act",  
18 and make such reports in such form and containing such informa-  
19 tion as the United States of America or any of its departments  
20 or agencies may from time to time require, and it shall comply  
21 with the laws of the United States of America and the rules and  
22 regulations of any of the departments or agencies of the United  
23 States of America governing the allocation, transfer, use or  
24 accounting for, property donable or donated to the Territory.

25 (7) In carrying out the purposes of this Section the  
26 Administrator is authorized to act as Governor's Representative  
27 in connection with any functions to be performed by the Governor  
28 as specified in the "Act".

29 (8) The Civil Defense organization, officials, and

1 contacts throughout the Territory of Alaska shall be utilized to  
2 assist in carrying out the purposes of this Act to the extent that  
3 this is feasible and can be done without adversely affecting civil  
4 defence. In addition, the Administrator may employ on a merit  
5 basis such assistants and other workers in the Surplus Property  
6 Service as may be required to carry out the purposes of this Act,  
7 within the limits of the moneys available to the Service.

8       Sec. 3. POWER OF THE ADMINISTRATOR TO DELEGATE. The  
9 Administrator may delegate to any employees of the Alaska Surplus  
10 Property Service such power and authority as he deems reasonable  
11 and proper for the effective administration of this Act. The  
12 Administrator may, in his discretion, bond any person in the  
13 employ of the Alaska Surplus Property Service handling moneys,  
14 signing checks, or receiving or distributing property from the  
15 United States under authority of this Act.

16       Sec. 4. FINANCING SURPLUS PROPERTY SERVICE.

17       (1) The Alaska Surplus Property Service shall be, to  
18 the fullest extent possible, self-supporting. Funds to pay for  
19 personnel services and all other expenses necessary to operate the  
20 Service shall be obtained from any appropriation authorized here-  
21 under and fees to be charged to all users of surplus property.  
22 The Administrator shall establish the fees to be charged. Charges  
23 may also be made to reimburse the Service for direct costs, such  
24 as packing and transportation, which may be incurred on behalf of  
25 users of surplus property.

26       (2) The charges made or fees assessed by the Alaska  
27 Surplus Property Service for the acquisition, warehousing,  
28 distribution or transfer of any property of the United States of  
29 America for educational, public health or civil defense purposes,

1 including research, and for all purposes eligible under the "Act"  
2 shall be limited to those reasonably related to the costs of care  
3 and handling in respect to its acquisition, receipt, warehousing,  
4 distribution or transfer by the Alaska Surplus Property Service  
5 and, in the case of real property, such charges and fees shall be  
6 limited to the reasonable administrative costs of the Alaska  
7 Surplus Property Service incurred in effecting transfer. A  
8 reasonable reserve may be considered as a proper cost.

9 (3) There is hereby created a special revolving fund in  
10 the Territorial Treasury into which shall be covered all fees and  
11 other monies collected from users and all receiving agencies.  
12 Administrative costs and all incidental expenses shall be paid from  
13 this special fund on vouchers signed and submitted by the Adminis-  
14 trator. All monies available as of April 1, 1957, from fees  
15 collected from users and all receiving agencies, shall be trans-  
16 ferred into the special fund created herein and used for the  
17 purposes set forth in this Section.

18 Sec. 5. AUTHORIZATION TO ACCEPT PROPERTY. Any provision  
19 of law to the contrary notwithstanding, the governing board, or in  
20 the case there be none, the executive head, of any Territorial  
21 Department, instrumentality, or agency or of any town, city,  
22 school district or other political subdivision may by order or  
23 resolution confer upon any officer or employee thereof continuing  
24 authority from time to time to secure, certify, and accept the  
25 transfer to it of property under this Act and to obligate the  
26 Territory or political subdivision and its funds to the extent  
27 necessary to comply with the terms and conditions of such trans-  
28 fers. The authority conferred upon any such officer or employee  
29 by any such order or resolution shall remain in effect unless and

1 until the order or resolution is duly revoked and written notice  
2 of such revocation shall have been received by the Alaska Surplus  
3 Property Service.

4 Sec. 6. APPROPRIATION. Funds to carry out the provisions  
5 of this Act may be appropriated in the General Appropriation Bill  
6 of the Alaska Legislature.

7 Sec. 7. EFFECTIVE DATE. This Act shall take effect on  
8 April 1, 1957.

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