

1 IN THE HOUSE

BY MR. HOPE

2

HOUSE BILL NO. 173

3

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4

TWENTY-THIRD SESSION

5

A BILL

6 For an Act entitled: "An Act authorizing city councils to sell,
7 lease, or donate and/or exchange property
8 or any interest therein, used exclusively
9 for school purposes; amending Section
10 16-1-35 Twentieth, ACLA 1949, as amended by
11 Chapter 61, SLA 1951."

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

13 Section 1. That Sec. 16-1-35 Twentieth, ACLA 1949, is here-
14 by amended to read as follows:

15 Sec. 16-1-35 Twentieth: (Acquisition and disposition
16 of property). To acquire by purchase or otherwise, and to
17 hold real estate and other property, or any interest therein,
18 and to sell, lease or otherwise dispose of such real estate
19 and other property, or interest therein, whether now owned
20 and held or hereafter acquired, including property acquired
21 or held for any public use or devoted thereto, when in the
22 judgment of the city council the same shall no longer be
23 required for municipal purposes; to sell, lease or donate
24 and/or exchange with the United States, the Territory of
25 Alaska, or any political subdivision thereof, and real
26 estate or other property, or any interest therein, now
27 owned and held or hereafter acquired, whenever in the judg-
28 ment of the city council such action shall appear advan-
29 tageous to the city; provided that in the sale or other

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1 disposition of real property or any interest therein now
2 held or hereafter acquired by any city valued at more than
3 \$5,000.00, the city council shall by ordinance fix and pre-
4 scribe the terms of said sale, lease or other disposition of
5 such property, and the consideration accepted by the city
6 therefor when so fixed by the city by ordinance shall be
7 deemed adequate and final; and provided further, that no
8 ordinance for the sale, lease, exchange or other disposition
9 of any real property or any interest therein valued at more
10 than \$5,000.00 shall be valid unless ratified by a majority
11 of the qualified voters voting at a special or other election
12 at which the question of the ratification of such ordinance
13 is submitted. Thirty days prior notice shall be given of
14 any such election and during said period the city council
15 shall cause to be published at least once each week in some
16 newspaper published in the city a notice stating the time of
17 such election, the place of voting, describing the property
18 so to be sold, leased, exchanged or otherwise disposed of,
19 giving a succinct statement of the terms and conditions of
20 the sale and the consideration thereof, if any, and stating
21 the title and date of passage of the ordinance for the sale,
22 lease, exchange or other disposition of said property. If
23 no newspaper be published in the city, notice of said election
24 and the purposes thereof in the manner and form hereinabove
25 stated shall be given by posting such notice or copies there-
26 of in at least six public places in the city at least thirty
27 days prior to any such election.

28 Provided, further, the city council may by ordinance
29 sell, lease or donate and/or exchange with any local

1 independent school district, any real estate or other pro-
2 perty, or any interest therein, now owned and held or here-
3 after acquired, and used exclusively for school purposes,
4 whenever in the judgment of the city council such action
5 shall appear advantageous to the city and such sale, lease,
6 donation and/or exchange shall not be subject to those pro-
7 visions herein requiring ratification by the voters at a
8 special or other election.

9 Provided further that the common council, in order to
10 make available sites for the installation and operation
11 thereon of new industries which will benefit the civic wel-
12 fare of the municipality, may likewise acquire, own and hold
13 such sites, including real property, either within or with-
14 out the corporate limits and may sell, lease or dispose
15 thereof upon such terms or conditions as may be deemed ad-
16 vantageous to the civic welfare of the municipality, to such
17 persons, association, co-partnerships or corporations as
18 will agree to install, maintain and operate thereupon such
19 new industry or industries, and such sites, as well as any
20 right, equity, claim or title now or hereafter acquired by
21 the municipality in and to real property sold to it for de-
22 linquent taxes, shall not be deemed to be "properly acquired,
23 owned or held for any public use or devoted thereto" as used
24 herein.

25 This Act shall not be held to effect the provisions of
26 Chapter 32 of the Session Laws of Alaska of 1917 (Sections
27 16-6-1, 16-6-2 herein).