

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,

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lease, or donate to and/or exchange property

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or any interest therein, used exclusively

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for school purpose; amending Section

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16-1-35 Twentieth, ACLA 1949, as amended by

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Chapter 61, SLA 1951."

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

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Section 1. That Sec. 16-1-35 Twentieth, ACLA 1949, as

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amended by Chapter 61, SLA 1951, is hereby amended to read as

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follows:

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Sec. 16-1-35 Twentieth: (Acquisition and disposition of

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property). To acquire by purchase or otherwise, and to hold

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real estate and other property, or any interest therein, and

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to sell, lease or otherwise dispose of such real estate and

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other property, or interest therein, whether now owned and

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held or hereafter acquired, including property acquired or

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held for any public use or devoted thereto, when in the judg-

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ment of the city council the same shall no longer be required

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for municipal purposes; to sell, lease or donate and/or ex-

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change with the United States, the Territory of Alaska, or

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any political subdivision thereof, and real estate or other

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property, or any interest therein, now owned and held or

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hereafter acquired, whenever in the judgment of the city

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council such action shall appear advantageous to the city;

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

29 Provided, further, the city council may by ordinance

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

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

26        This Act shall not be held to affect the provisions of  
27 Chapter 32 of the Session Laws of Alaska of 1917 (Sections  
28 16-6-1, 16-6-2 herein).  
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