

Introduced: 4/12/64  
Referred: Judiciary and  
Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE  
BY REQUEST

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HOUSE BILL NO. 448

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRD LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act relating to urban renewal or re-  
development projects in disaster areas;  
7 providing for acquisition of property;  
8 providing for state aid; and providing for  
9 an effective date."  
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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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\* Section 1. AS 18.55.520 is amended by adding a new subsection  
13 to read:

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(11) with the approval of the local governing body

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(A) before approval of an urban renewal or

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redevelopment plan, or approval of any modifications

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of the plan, to acquire real property in an urban renewal

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or redevelopment area, demolish and remove any structures

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on the property, and pay all costs related to the ac-

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quisition, demolition, or removal, including any adminis-

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trative or relocation expenses and

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(B) to assume the responsibility to bear any

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loss that may arise as the result of the exercise of

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authority under this subsection in the event that the

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real property is not made part of the urban renewal or

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redevelopment project.

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\* Sec. 2. AS 18.55.530(a) is amended to read:

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(a) The authority may not acquire real property for a

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redevelopment project unless the governing body of the municipi-

1           pality has approved the redevelopment plan, as prescribed in  
2           (1) of this section, except as provided in sec. 520(11) of  
3           this chapter.

4           \* Sec. 3. AS 18.55.530 is amended by adding a new subsection  
5           to read:

6                   (k) notwithstanding any other provision of this chapter,  
7           where the local governing body certifies that an area is in  
8           need of redevelopment or rehabilitation as a result of flood,  
9           fire, hurricane, earthquake, storm, or other catastrophe  
10          respecting which the governor has certified the need for dis-  
11          aster assistance under public law 875, 81st Congress, or  
12          other federal law, the local governing body may approve an  
13          urban renewal or redevelopment plan and an urban renewal or  
14          redevelopment project with respect to the area without regard  
15          to the provisions relating to relocation, conformance of the  
16          urban renewal or redevelopment plan with the general plan,  
17          and the provisions of this chapter requiring a general plan  
18          for the municipality and a public hearing on the urban re-  
19          newal or redevelopment project or plan.

20          \* Sec. 4. AS 18.55 is amended by adding new sections to read:

21                   Sec. 18.55.932. URBAN REDEVELOPMENT OR URBAN RENEWAL IN  
22          A DISASTER AREA. (a) Notwithstanding any other provisions  
23          in secs. 480 - 960 of this chapter, where the legal governing  
24          body certifies that an area is in need of redevelopment or  
25          urban renewal as a result of a major flood, fire, hurricane,  
26          earthquake, storm, or other catastrophe respecting which the  
27          governor has certified the need for disaster assistance, the  
28          authority may plan, undertake, and carry out a redevelopment  
29          project or an urban renewal project in the disaster area and

1 the area shall constitute a slum or blighted area.

2 (b) In connection with the carrying out of a project  
3 under this section, the authority may, with the approval of  
4 the local governing body and before the approval of the  
5 redevelopment plan or urban renewal plan, acquire real pro-  
6 perty in the project area, demolish and remove any structure  
7 on the property, and pay all costs related to the acquisition,  
8 demolition, or removal, including administrative or relocation  
9 expenses.

10 (c) The governing body, where the authority acquires  
11 land under (b) of this section may assume the responsibility  
12 to bear any loss that may result from the acquisition in the  
13 event that the real property is not made part of the project.

14 (d) Real property acquired under this section which is  
15 not made a part of the project may be disposed of without  
16 regard to sec. 540 of this chapter if the local governing  
17 body has consented to the disposal.

18 (e) The authority, in carrying out a project under this  
19 section, may recommend to the local governing body a re-  
20 development plan or an urban renewal plan without regard to  
21 the requirement in sec. 530(c) of this chapter that a general  
22 plan for the physical development of the municipality has  
23 been prepared before the recommendation, and the governing  
24 body may approve the plan without regard to the requirement  
25 in sec. 530(1) of this chapter that the plan conform with  
26 the general plan for the physical development of the area.

27 (f) For the purpose of this section, the authority  
28 may file and use a declaration of taking and acquire real  
29 property as provided in AS 09.55.420 - 09.55.460.

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Sec. 18.55.934. STATE AID FOR AN URBAN REDEVELOPMENT OR URBAN RENEWAL PROJECT IN A DISASTER AREA. (a) In connection with any project carried out under sec. 932 of this chapter, the commissioner of commerce may contract with the authority, under terms approved by the governor to provide a state grant-in-aid equal to one-half the excess of the cost of the project, as determined by the commissioner, over the federal grant-in-aid.

(b) The governor may expend money from the natural disaster recovery fund of 1964 for state grants-in-aid provided for in (a) of this section.

\* Sec. 5. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.