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IN THE HOUSE

BY THE JUDICIARY AND
FINANCE COMMITTEES

CS FOR HOUSE BILL NO. 448

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRD LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to powers of the Alaska State Housing Authority; and providing for an effective date."

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

* Section 1. AS 18.55.100 is amended to read:

Sec. 18.55.100 POWERS OF AUTHORITY. (a) The authority has all powers necessary to carry out the purposes of secs. 10 - 290 of this chapter including but not limited to the following:

- (1) sue and be sued;
- (2) adopt a seal;
- (3) have perpetual succession;
- (4) adopt, amend and repeal bylaws, rules and regulations;
- (5) make and execute contracts and other instruments;

(6) in its own name, own, exchange, transfer, lease, rent, convey, or acquire by eminent domain under AS 09.55.240 - 09.55.460, or otherwise, real and personal property; provided that no project site or part of a project site may be acquired by eminent domain until the authority has secured, through negotiation, options for the purchase of at least 50 per cent of the properties included in the site, except in disaster areas;

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(7) provide, subject to the applicable planning, zoning, sanitary and building laws, ordinances and regulations for the construction, improvement, alteration or repair of any housing project or any part of a housing project;

(8) operate those housing projects and to act as agent or lessee in developing or administering housing projects undertaken by the federal government;

(9) arrange or contract for services, privileges, works or facilities for or in connection with a housing project or the occupants of a housing project and notwithstanding anything to the contrary contained in secs. [10 - 290] 10 - 470 of this chapter [ON] or in any other provision of law, include in any such contract stipulations that the contractor and subcontractors comply with requirements as to minimum wages and maximum hours of labor, with any conditions which the federal government may have attached to its financial aid of the project, and with any pertinent state law;

(10) establish and revise rent schedules;

(11) insure any real or personal property or operations of the authority against any risk or hazards;

(12) invest in property or securities in which banks or trust companies may legally invest any funds held in reserves or sinking funds or any funds not required for immediate disbursement;

(13) purchase its bonds at a price not more than the principal amount thereof and accrued interest, all bonds so purchased to be cancelled;

1 (14) investigate and study living and housing
2 conditions and the clearing and reconstructing of slum
3 areas.

4 (b) notwithstanding any other provisions in secs.
5 10 - 470 of this chapter.

6 (1) where the local governing body certifies
7 that an area is in need of a housing project under any of
8 the provisions or powers within secs. 10 - 470 of this
9 chapter as a result of the earthquakes of 1964 and all
10 results and after effects respecting which the governor
11 of the state has certified the need for disaster assist-
12 ance, the authority may plan, undertake, and carry out
13 such project in the disaster area;

14 (2) with the approval of the local governing
15 body, and immediately after such approval, the authority
16 may acquire real property for the purposes of secs.
17 10 -470, and to demolish and remove any structure on
18 the property, and it may pay all costs related to the
19 acquisition, demolition, or removal, including any ad-
20 ministrative or relocation expenses, unless payment of such
21 costs are contrary to applicable federal law or regulation;

22 (3) for the purposes of this subsection, the
23 authority shall have, in addition to its other powers, the
24 power to file and utilize a declaration of taking and
25 acquire real property as provided in AS 09.55.420 - 09.
26 55.460;

27 (4) for the purposes of this subsection, secs.
28 130 and 330 of this chapter do not apply.

29 * Sec. 2. AS 18.55.520 is amended by adding a new subsection

1 to read:

2 (11) with the approval of the local governing body

3 (A) before approval of an urban renewal or
4 redevelopment plan, or approval of any modifications of
5 the plan, to acquire real property in an urban renewal
6 or redevelopment area, demolish and remove any struc-
7 tures on the property, and pay all costs related to the
8 acquisition, demolition, or removal, including any admin-
9 istrative or relocation expenses and

10 (B) to assume the responsibility to bear any
11 loss that may arise as the result of the exercise of
12 authority under this subsection in the event that the
13 real property is not made part of the urban renewal or
14 redevelopment project.

15 * Sec. 3. AS 18.55.530(a) is amended to read:

16 (a) The authority may not acquire real property for a
17 redevelopment project unless the governing body of the muni-
18 cipality has approved the redevelopment plan, as prescribed
19 in (1) of this section, except as provided in sec. 520(11) of
20 this chapter.

21 * Sec. 4. AS 18.55.530 is amended by adding a new subsection
22 to read:

23 (k) notwithstanding any other provision of this chapter
24 where the local governing body certifies that an area is in
25 need of redevelopment or rehabilitation as a result of flood,
26 fire, hurricane, earthquake, storm, or other catastrophe,
27 respecting which the governor has certified the need for dis-
28 aster assistance under public law 875, 81st Congress, or
29 other federal law, the local governing body may approve an

1 urban renewal or redevelopment plan and an urban renewal or
2 redevelopment project with respect to the area without regard
3 to the provisions relating to relocation, conformance of the
4 urban renewal or redevelopment plan with the general plan,
5 and the provisions of this chapter requiring a general plan
6 for the municipality and a public hearing on the urban re-
7 newal or redevelopment project or plan.

8 * Sec. 5. AS 18.55 is amended by adding new sections to read:

9 Sec. 18.55.932. URBAN REDEVELOPMENT OR URBAN RENEWAL IN
10 A DISASTER AREA. (a) Notwithstanding any other provisions
11 in secs. 480 - 960 of this chapter, where the legal governing
12 body certifies that an area is in need of redevelopment or
13 urban renewal as a result of the earthquakes of 1964 and all
14 results and aftereffects respecting which the governor has
15 certified the need for disaster assistance, the
16 authority may plan, undertake, and carry out a redevelopment
17 project or an urban renewal project in the disaster area and
18 the area shall constitute a slum or blighted area.

19 (b) In connection with the carrying out of a project
20 under this section, the authority may, with the approval of
21 the local governing body and before the approval of the
22 redevelopment plan or urban renewal plan, acquire real prop-
23 erty in the project area, demolish and remove any structure
24 on the property, and pay all costs related to the acquisi-
25 tion, demolition, or removal, including administrative or
26 relocation expenses.

27 (c) The governing body, where the authority acquires
28 land under (b) of this section may assume the responsibility
29 to bear any loss that may result from the acquisition in the

1 event that the real property is not made part of the project.

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

6 (e) The authority, in carrying out a project under this
7 section, may recommend to the local governing body a redevelop-
8 opment plan or an urban renewal plan without regard to the
9 requirement in sec. 530(c) of this chapter that a general
10 plan for the physical development of the municipality has
11 been prepared before the recommendation, and the governing
12 body may approve the plan without regard to the requirement
13 in sec. 530(i) of this chapter that the plan conform with the
14 general plan for the physical development of the area.

15 (f) For the purpose of this section, the authority may
16 file and use a declaration of taking and acquire real prop-
17 erty as provided in AS 09.55.420 - 09.55.460.

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

26 T (b) The governor may expend money from the natural
27 E disaster recovery fund of 1964 for state grants-in-aid pro-
28 R vided for in (a) of this section.

29 * Sec. 6. This Act takes effect on the day after its passage

1 and approval or on the day it becomes law without such approval.

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