

1 IN THE HOUSE

BY RAY

2 HOUSE BILL NO. 418

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the use of the declara-
7 tion of taking for off-street parking
8 facilities; and providing for an effective
9 date."

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

11 * Section 1. AS 29.55.030 is amended to read:

12 Sec. 29.55.030. ACQUISITION OF PROPERTY. A city may
13 acquire real or personal property and property rights, above,
14 at or below the surface of the earth, necessary or desirable
15 for off-street automobile parking facilities, by purchase,
16 condemnation including but not limited to use of a declara-
17 tion of taking, gift, lease, bequest, devise, or grant, in
18 the same manner as it may acquire property or property rights
19 in connection with streets within the city.

20 * Sec. 2. AS 09.55.420 is amended to read:

21 Sec. 09.55.420. DECLARATION OF TAKING BY STATE OR [,]
22 FIRST CLASS CITY [, PUBLIC UTILITY DISTRICT, OR SCHOOL
23 DISTRICT]. Where a proceeding is instituted under secs.
24 240 - 460 of this chapter by the state, [PUBLIC UTILITY
25 DISTRICT, OR SCHOOL DISTRICT,] it may file a declaration of
26 taking with the complaint or at any time after the filing of
27 the complaint, but before judgment. Where a proceeding is
28 instituted under secs. 240 - 460 of this chapter by a first
29 class city in the exercise of eminent domain for street or

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

highway, off-street automobile parking facilities, school, sewer, water, telephone, electric, other utility, and slum clearance purposes or use granted to cities of the first class, the governing body of the first class city may exercise the power through the filing of a declaration of taking with the complaint or at any time after the filing of the complaint, but before judgment. The declaration of taking procedure may not be used with relation to the property of rural electrification or telephone cooperatives or nonprofit associations receiving financial assistance from the federal government under the Rural Electrification Act.

* Sec. 3. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.