

Introduced: 3/1/65
Referred: Finance
and Commerce

1 IN THE SENATE

RULES COMMITTEE
BY REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 144

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act to provide public buildings for
7 the use of the State; and providing for
8 an effective date."

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

10 * Section 1. AS 18.55.010 is amended to read:

11 Sec. 18.55.010. PURPOSE OF SECS. 10 - 290 OF THIS
12 CHAPTER. The purposes of secs. 10 - 290 of this chapter
13 is to remedy the acute housing shortage that exists in
14 certain localities of the state by undertaking slum clear-
15 ance, low-cost housing projects, housing for persons and
16 their families engaged in national defense activities
17 within the state, and housing projects and housing for
18 veterans of World War II and other citizens of the state
19 and to remedy the short supply of necessary public build-
20 ings by providing for the financing, construction and
21 acquisition of public buildings for lease to the state.

22 * Sec. 2. AS 18.55.080 is amended to read:

23 Sec. 18.55.080. MEMBERS OR EMPLOYEES PROHIBITED FROM
24 ACQUIRING INTEREST IN PROJECTS. No member or employee of
25 the authority shall acquire an interest, direct or indirect
26 in a housing or public building project, or in property or
27 a contract for materials or services included or planned to
28 be included in a project. If a member or employee owns or
29 controls an interest, he shall immediately disclose the

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1 interest in writing to the authority. Failure to make dis-
2 closure constitutes misconduct in office.

3 * Sec. 3. AS 18.55.100(a)(7) is amended to read:

4 (7) to provide, subject to the applicable plan-
5 ning, zoning, sanitary and building laws, ordinances, and
6 regulations for the construction, improvement, alteration,
7 or repair of any housing or public building project or any
8 part of a housing or public building project, and also,
9 subject to the same restrictions, to provide for the con-
10 struction, improvement, alteration, repair, planning,
11 financing, and interim operation of any sewer or water
12 system, or part of such system, to foster, encourage, and
13 permit the development of housing projects by private and
14 public developers and builders;

15 * Sec. 4. AS 18.55.100(a) is amended by adding a new sub-
16 section to read:

17 (15) arrange or contract for the financing,
18 design, construction and acquisition of public buildings
19 for lease to the state in accordance with secs. 10 - 290
20 of this chapter.

21 * Sec. 5. AS 18.55.150 is amended to read:

22 Sec. 18.55.150. SECURITY FOR BONDS. The authority may
23 issue bonds including but not limited to bonds on which the
24 principal and interest are payable (1) exclusively from the
25 income and revenue of the housing project financed with the
26 proceeds of the bonds, (2) exclusively from the income and
27 revenue of designated housing projects whether or not they
28 are financed in whole or in part with the proceeds of the
29 bonds, [OR] (3) from its revenue generally, or (4) exclusively

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1 from rents collected on public buildings. Bonds may be
2 additionally secured by a pledge of a grant or contribution
3 from the federal government or from another source, or by
4 a pledge of income or revenue of the authority, or by a
5 mortgage of a housing project or other property of the
6 authority.

7 * Sec. 6. AS 18.55.180 is amended to read:

8 Sec. 18.55.180. ISSUANCE AND SALE OF BONDS. Bonds of
9 the authority are authorized by adoption of a resolution
10 prescribing the date of issuance and maturity, interest
11 rate, denomination, form, conversion privilege, rank or
12 priority, execution, terms of redemption, medium and place
13 of payment. Bonds may be sold at public or private sale at
14 not less than par. Each bond is negotiable. The signa-
15 ture of a member or an officer upon a bond or coupon is not
16 invalidated by his ceasing to hold office before the de-
17 livery of the bond. The recitation of a bond that it has
18 been issued in the financing of a housing or public building
19 project under secs. 10 - 290 of this chapter is conclusive
20 as to the issuance of the bond and the character of the
21 project in a challenge of the validity of the bond or the
22 security for it.

23 * Sec. 7. AS 18.55.200(4) is amended to read:

24 (4) covenant with respect to limitations on its
25 right to sell, lease or otherwise dispose of a housing or
26 public building project or a part of a housing or public
27 building project;

28 * Sec. 8. AS 18.55.200(10) is amended to read:

29 (10) covenant subject to the limitations contained
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1 in secs. 10 - 290 of this chapter as to the rents and fees
2 to be charged in the operation of a housing or public
3 building project, the amount to be raised each year or
4 other period of time by rents, fees and other revenues, and
5 as to the use and disposition of these revenues;

6 * Sec. 9. AS 18.55.200(15) is amended to read:

7 (15) vest in one or more trustees the right, in
8 the event of a default by the authority, to take possession
9 of a housing or public building project or a part of the
10 project, and so long as the authority continues in default
11 to retain possession and to use, operate and manage the
12 project, and to collect the rents and revenues from the
13 project, and to dispose of the money according to the agree-
14 ment between the authority and the trustees;

15 * Sec. 10. AS 18.55.220(1) is amended to read:

16 (1) to have possession of a housing or public
17 building project or part of one surrendered to the obligee,
18 with possession retained by the obligee as long as the
19 authority continues in default;

20 * Sec. 11. AS 18.55.220(2) is amended to read:

21 (2) to obtain the appointment of a receiver of
22 a housing or public building project or part of one and its
23 rents and profits, who may enter, take possession and for
24 the duration of the default operate and maintain it, col-
25 lect and receive all fees, rents, revenues or other charges
26 thereafter arising, and keep the money in a separate account
27 or accounts to be applied in accordance with the obliga-
28 tions of the authority as the court directs;

29 * Sec. 12. AS 18.55.240 is amended to read:
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1 Sec. 18.55.240. POWER OF AUTHORITY TO OBTAIN FEDERAL
2 AID AND COOPERATION. The authority may borrow, accept con-
3 tributions, grants or other financial assistance from the
4 federal government in aid of any housing or public building
5 project and for this purpose may comply with conditions
6 and enter into the mortgages, trust indentures, leases or
7 agreements that are necessary, convenient or desirable in
8 order to obtain financial aid or cooperation from the federal
9 government in the undertaking, construction, maintenance,
10 or operation of a housing or public building project.

11 * Sec. 13. AS 18.55.250 is amended to read:

12 Sec. 18.55.250. EXEMPTION FROM TAXES AND ASSESSMENTS.

13 The property of the authority is public property used for
14 essential public and governmental purposes and this property
15 and the authority are exempt from all taxes and special
16 assessments of a municipality, the state or a political
17 subdivision of the state. However, instead of taxes, the
18 authority may make payments to the municipality or politi-
19 cal subdivision for improvements, services and facilities
20 furnished by it for the benefit of a housing or public
21 building project.

22 * Sec. 14. AS 18.55 is amended by adding a new section to
23 read:

24 Sec. 18.55.288. DEFINITIONS. In secs. 10 - 290 of
25 this chapter:

26 (1) "authority" means the Alaska State Housing
27 Authority;

28 (2) "public buildings" means any publicly owned
29 structure leased to the state for government or public use;

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(3) "project site" means area devoted for a housing project.

* Sec. 15. AS 35.05.040 is amended by adding a new paragraph to read:

(9) lease or grant land or any interest therein to the Alaska State Housing Authority on terms and conditions prescribed by the department.

* Sec. 16. AS 37.05.280 is amended to read:

Sec. 37.05.280. LEASES. The department shall lease necessary space, and contract for the lease of space for the use of the state or an agency of the state, wherever it is necessary and feasible, subject to compliance with the requirements of secs. 220 - 280 of this chapter. No lease or contract for a lease may provide for a period of occupancy greater than 40 [25] years. An agency of the state requiring office, warehouse or other space shall lease the space through the department. No contract or lease executed after January 1, 1966, which provides for a payment or payments by the state in excess of \$12,000 annually is valid unless the use of the space to be provided for by such contract or lease has been expressly approved by the legislature by concurrent resolution.

* Sec. 17. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

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