

## CHAPTER 12

## AN ACT

[H. B. 44]

Pertaining to vacancies in offices of municipal magistrates and temporary absences of magistrates; and amending Sec. 16-1-69 ACLA 1949.

*Be it enacted by the Legislature of the Territory of Alaska:*

Section 1. Sec. 16-1-69 ACLA 1949 is hereby amended to read as follows:

Sec. 16-1-69 VACANCIES AND ABSENCES.  
If the office of Municipal Magistrate shall become vacant by death or otherwise prior to the expiration of the term such vacancy shall be filled by appointment by the Municipal Council. Whenever a Municipal Magistrate is about to become temporarily absent from his office for a period not exceeding 60 days, the duties of the office for the duration of such absence may be performed by some other qualified person designated by the Municipal Magistrate to take his place.

Magistrate  
vacancy filled  
by appointment.

Approved February 23, 1949.

## CHAPTER 13

## AN ACT

[H. B. 19]

To authorize the Alaska Housing Authority to establish a housing

program involving moderate cost and rental dwelling units; creating a revolving fund and making an appropriation.

*Be it enacted by the Legislature of the Territory of Alaska:*

Section 1. It is hereby declared (a) that in addition to an acute shortage of low income rental housing, there is also a serious shortage of moderate cost and rental housing for families of the Territory, endangering the health of such families and constituting a menace to the health, safety, morals, welfare and comfort of inhabitants thereof, as well as constituting a serious deterrent to the development of Alaska; and (b) that this situation constitutes an emergency calling for positive action by the Legislature.

Section 2. DEFINITIONS.

**Definitions.**

(a) "Authority" shall mean the Alaska Housing Authority.

**Veteran.**

(b) "Veteran" shall mean any person honorably separated from the military service of the United States who served in the Second World War and who at any time spent not less than one year continuously in the Territory, and shall include the spouse or widow or widower of any such veteran.

**Resident.**

(c) "Resident" shall mean any person who shall have abided in Alaska continuously for any one year.

**Moderate cost.**

(d) "Moderate cost" shall mean a cost which, as determined by the Authority, is below the level at which private enterprise is currently building a needed volume of reasonably safe and sanitary dwellings for sale in the locality involved.

**Moderate rental.**

(e) "Moderate rental" shall mean a rental rate, which, as determined by the Authority is below the level

at which such dwellings are currently being offered for rent by private persons in the locality involved.

Section 3. The Authority is hereby authorized and directed to construct, protect, operate, maintain, rent, and sell within the Territory of Alaska, at such places as the Authority may deem most appropriate moderate cost or rental housing facilities and projects for veterans as herein defined, and other residents of the Territory, and for this purpose to accept funds from whatever sources, including the Federal Government, and enter into appropriate contracts, including contracts with the Federal Government, any of its departments or agencies.

Powers of the Authority.

Section 4. Fifty percent of the dwelling units in any housing project hereunder shall be initially offered for rent or sale to veterans, as herein defined, by publication of reasonable notice in a newspaper circulated in the area in which such housing project is located. Such units shall be set aside for rental or sale to veterans for at least 30 days following first publication of such notice before being available to other residents. If, after an additional 30 days any units remain unassigned as above set forth, the Authority may rent or sell same to any person in Alaska, provided that residents as defined herein are given first preference.

Veterans preference.

Section 5. The Authority shall have control over and be responsible for the care, operation, maintenance, and rental or sale of such housing, and is hereby empowered to enter into appropriate arrangements for carrying out such responsibility and safeguarding the interest of the Territory.

Powers.

Section 6. The housing units constructed under the terms of this Act shall be available for rental to veterans or other eligible persons upon application in such form as the Authority may prescribe, at such moderate rentals as may be deemed proper by the Authority, or for sale

Rental charges.

at not less than the total cost of the construction of such housing. Funds received from the sale of housing or housing projects, and the revenue from rentals, after deducting all proper expenses of operation, shall be used by the Authority for the construction of further housing, under the terms of this Act.

**Fund created.**

Section 7. There is hereby created the Alaska Housing Authority Revolving Fund, hereinafter referred to as the "Fund", to be composed of the money hereinafter appropriated and any other money made available to the Housing Authority under the purview of this Act, including money allotted to the Authority by the Federal Government under the scope of this Act. Said Fund shall be continuous until otherwise provided by law. The Fund shall be used to carry out the operations and meet the expenses authorized by this Act. Withdrawals from the Fund for the account of the Authority shall be made on requisitions signed by the Director or his authorized representative, addressed to the Auditor and Treasurer quarterly, or otherwise as the Board of Commissioners of the Authority may direct, it being the intent and purpose that money so requisitioned to meet periodical financial requirements shall be deposited under suitable banking arrangements for appropriate disbursement, and subject to audit under Territorial law or regulation of the Commissioners.

**Withdrawals.**

**Loans.**

Section 8. Any of the funds appropriated under this Act may be used by the Authority to make loans for such projects or housing to public agencies, or private non-profit or limited dividend corporations, or private corporations which are regulated or restricted by the Authority (until the termination of all loan obligations to it) as to rents or sales, charges, capital structure, rate of return, and methods of operation to such an extent and in such manner as to provide reasonable rentals to tenants and a reasonable return on the investment, and any powers of the Authority, including but not limited

to the powers of eminent domain and issuance of bonds and obligations, may be invoked with respect to projects undertaken pursuant to the authorization provided in this section; Provided, however, that the authorization provided in this section shall be limited to projects where adequate financing on reasonable terms is not otherwise available or entrepreneurial sponsorship is lacking.

Limitation.

Section 9. The Authority is authorized to expend such portion of the funds appropriated hereunder as it may deem advisable, either directly or in cooperation with educational institutions or government agencies, to develop, through study, research and analysis, information regarding low cost building supplies, materials and methods of construction, and to disseminate such information.

Surveys.

Section 10. The Authority may at any time sell, transfer or otherwise dispose of any housing project hereunder to the Federal Government, or any of its agencies; Provided, the Authority shall be completely relieved of any and all obligations assumed or guaranteed by it in connection with such housing projects. Thereafter the provisions of this Act shall no longer apply to any such housing project, but be subject to Federal control.

Disposal to Federal Government.

Section 11. The Authority is empowered to make and enforce reasonable rules and regulations to effectuate the purposes of this Act and to determine the allocation of dwelling units and projects to be constructed in any municipality on the basis of the current population of the municipality or the demand or potential demand for such dwelling units therein. The Authority shall submit to the Legislature a biennial report including a financial statement covering its activities hereunder.

Rule making Authority.

Section 12. For the purpose of carrying out this Act, the Authority is authorized to acquire by purchase, lease, condemnation, or otherwise, such lands and appurtenances

Acquisition of land.

thereto as may be necessary or desirable for the establishment, construction and operation of said housing. The Authority is further empowered to acquire by purchase, lease, condemnation, or otherwise, rights-of-way or easements for roads, streets, trails, utilities, power lines, and other similar facilities necessary and desirable for the proper establishment, operation and maintenance of the housing or housing projects.

**Transfers to  
Authority.**

Section 13. The Authority is authorized to accept any lands, building, property or equipment which may be available from any executive department, independent establishment or agency of the Federal Government or the Territory of Alaska, or any municipality, for the purpose of carrying out this Act.

**Local materials.**

Section 14. In the planning, designing and construction of projects hereunder, use shall be made of Alaskan professional and contractors' services so far as practicable. Likewise use of local building materials shall be encouraged.

**Appropriation.**

Section 15. There is hereby appropriated out of any money in the Territorial Treasury not otherwise appropriated the sum of \$250,000.00 to carry out the purposes of this Act.

Approved February 23, 1949.

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CHAPTER 14

AN ACT

[S. B. 1]

Granting municipalities power to enter upon and carry out programs for establishment, operation, maintenance and disposal of muni-