

computed for a period of one year at the rate of 6 percent per annum.

**Sec. 9. Effective Date; Termination.** Applications for tax exemptions under the provisions of this Act will be received by the Board until midnight of June 30, 1967; after such date no further applications for tax exemptions as herein provided will be admitted for consideration.

**Sec. 10. Short Title.** The short title of this Act shall be "The Alaska Industrial Incentive Act of 1957."

**Sec. 11. Repealer.** Chapter 33, SLA 1953 is hereby repealed; but all exemptions granted in whole or in part, and all classifications hereto-

fore made under the provisions of Section 6, Chapter 10, SLA 1949, and Chapter 33, SLA 1953, shall remain in full force and effect upon the terms and for the periods granted, and shall be binding upon the Territory, and all cities, municipalities, school districts, public utility districts and other taxing units in which the property which is the subject of classification or exemption is situated. The exemptions so granted or classifications so made shall apply to all taxes levied and assessed by the city, municipality, school district, public utility district, Territory or other taxing units where the property is situated, as fully as though they had been granted or made under the provisions of this Act.

Approved March 29, 1957

## CHAPTER 130

### AN ACT

**Relating to the incorporation, annexation, and dissolution of public utility districts; amending Secs. 49-2-3, 49-2-5, 49-2-6, and 49-2-8, ACLA 1949; amending Sec. 49-2-13, ACLA 1949 as amended by Ch. 97, SLA 1953 and Ch. 171, SLA 1955, and declaring an emergency."**

(H. B. 202)

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

Section 1. Sec. 49-2-3, ACLA 1949 is hereby amended to read as follows:

**Sec. 49-2-3. Manner of Incorporation: Petition: Number of Signatures and Contents: Order for Election: Posting Copy of Order.** The manner of incorporation of Public Utility Districts

shall be as follows: A petition praying for such incorporation shall first be presented to the U. S. Commissioner, as ex officio justice of the peace of the Territory of Alaska, in the recording precinct in which the proposed Public Utility District is located. Such petition must be signed by at least sixty (60) citizens of the United States, over the age of twenty-one (21) years, who have

resided in the proposed Public Utility District for at least one year, and shall specify as nearly as possible the location, boundaries and number of inhabitants of the proposed District, and specify the name or number by which it is to be known. Said petition shall be accompanied by a filing fee of \$50.00, which shall be retained by the Commissioner as compensation for services rendered in accordance with this Act. The U. S. Commissioner, upon presentation and filing of such petition, shall order an election in said proposed District, for the purpose of determining whether the people of the community desire such incorporation, and shall, by said order, designate the date of such election and appoint three qualified voters in the proposed District to arrange for, supervise and appoint judges and election officers for such election. A printed or typewritten copy of said order shall be posted at three public places within the limits of the proposed District for at least thirty (30) days prior to the day of election and such posting shall be sufficient notice of such election.

Sec. 2. Sec. 49-2-5, ACLA 1949 is hereby amended to read as follows:

**Sec. 49-2-5. Oath of Election Judges: Canvass of Votes: Certificates: Disposition.** The judges of election shall, before entering upon the duties of their office, take an oath in writing to faithfully and impartially discharge the duties of their trust and they shall duly canvass and compile the votes cast and issue under their hands and seals a certificate in duplicate showing the number of votes cast in favor

of incorporation and the number of votes cast against incorporation. One of said certificates together with all ballots and oaths of the judges of election shall immediately be filed with the U. S. Commissioner, as ex officio justice of the peace of the Territory of Alaska, of the recording precinct in which the town, village and/or community proposed to be incorporated is situated. The second certificate shall be kept in possession of the Board of Directors.

Sec. 3. Sec. 49-2-6, ACLA 1949 is hereby amended to read as follows:

**Sec. 49-2-6. Order Designating Community as Public Utility District Corporation: Effect: Designation by Name or Number: Correction or Description of Boundaries.** If a majority of the votes cast at said election are in favor of incorporation, the U. S. Commissioner, as ex officio justice of the peace of the Territory of Alaska, of the recording precinct, by an order in writing entered in the records of the Court, shall adjudge and declare that the Community in which such election has been held, is a Public Utility District Corporation, and the same shall thenceforth exercise the powers hereinbefore and hereinafter designated and such other powers as may be granted by law. Such Orders shall designate the Public Utility District by name or number and may correct or more definitely describe its boundaries.

Sec. 4. Sec. 49-2-8, ACLA 1949 is hereby amended to read as follows:

**Sec. 49-2-8. Qualifications and Oath of Directors: Filing Oath.** The Board of Directors chosen at

said election, as well as those chosen at any subsequent election, shall be qualified voters in the Public Utility District. Before entering upon the duties of office, each such officer shall take an oath in writing to faithfully discharge the duties of his office, which oath shall be filed with the U. S. Commissioner, as ex officio justice of the peace of the Territory of Alaska, of the recording precinct in which the incorporated district is situated.

Sec. 5. Sec. 49-2-13, ACLA 1949 as amended by Ch. 97, SLA 1953 and Ch. 171, SLA 1955 is hereby amended to read as follows:

Sec. 49-2-13. **Dissolution.** First: Any duly incorporated Public Utility District may be dissolved in like manner as provided for the dissolution of municipal corporations as set forth in Section 16-1-5; provided, however, that in Sec. 16-1-5 for the purposes of this Act, "U.S. Commissioner, as ex officio justice of the peace of the Territory of Alaska, in the recording precinct", shall be substituted for "district court in the division" and "U. S. Commissioner, as justice of the peace," shall be substituted for "court" and "clerk of the court" in said section. A petition for dissolution may be filed whenever (a) the population of a district falls below two hundred, (b) the whole or the integral part of a district becomes annexed to an incorporated city, (c) the government of such district has failed to exercise any of its powers or functions for more than two successive years, or, (d) other good and sufficient reasons for dissolution appear and are stated in the petition. No order of dissolution shall be made until all in-

debtedness owing by the district shall have been paid or secured to the bondholders and creditors of such district in a manner found satisfactory by the court.

Second. Any money belonging or owing to a public utility district and any and all property owned by such district dissolved as herein provided shall become the property of the Territory of Alaska in the same manner as property of a dissolved city; except that where a public utility district is dissolved because of annexation of the whole or the integral part of such district to an incorporated city, such money or property shall be used, first, to pay any outstanding indebtedness of the district, second, any money or property left thereafter shall become the property of the city, but insofar as practicable shall be used for the purpose of making public improvements in the area so annexed, Provided that, in cases where a part of the district is annexed containing district assets, the U. S. Commissioner, as ex officio justice of the peace for the Territory of Alaska, in the recording precinct in which the city is situated, shall fairly apportion the assets or proceeds thereof between the part annexed and the remaining portion of the district.

Third: Any portion of a district may be excluded in like manner as provided for the exclusion of territory from incorporated cities in Section 16-1-25, ACLA, 1949, or in the alternative, the Board of Directors of any such district may provide by ordinance or resolution for the exclusion of any such portion upon such reasonable terms and conditions as such ordinance or resolution may

prescribe, except that such exclusion ordinance shall not become effective until approved by a majority of the qualified electors in the area to be excluded, as well as by a majority of the qualified electors in the remaining portion of such public utility district at a special election held in like manner as is provided for franchise elections, in Section 49-2-21, ACLA, 1949, as amended; Provided, that when any portion of a public utility district is thus dissolved, all property located in the excluded area shall remain liable for and subject to the lien of any outstanding bonded indebtedness, accrued assessments or taxes of such district and all property in such excluded area owned by such district shall be and remain the property of the district; Provided, that the excluded territory shall not be liable for any taxes levied after

the date of exclusion, except for payment of any liability for the principal, interest and charges on bonded indebtedness subject to lien as aforesaid.

Fourth: When any territory of a public utility district is annexed to a city, that territory is automatically excluded from the public utility district from and after the date that the annexation order or ordinance shall take effect; Provided, that no order of annexation shall be made until all indebtedness owing by the district shall have been paid or secured to the bondholders and creditors of such district in a manner found satisfactory by the Commissioner.

Sec. 6. An emergency is hereby declared to exist and this Act shall be in full force and effect from and after the date of its passage and approval.

Approved March 29, 1957

## CHAPTER 131

### AN ACT

For licensure and regulation of the intoxicating liquor industry, providing for the Board of Liquor Control; a Beverage License Advisory Board; and providing penalties; providing for appeals; re-enacting and amending Sections 35-4-1 through 35-4-6 inclusive ACLA 1949, as repealed by Chapter 43, SLA 1953, and amending Sections 35-4-11 through 23 inclusive ACLA 1949, as amended by Chapters 83 and 99 SLA 1949, and as amended by Chapters 16 and 54 SLA 1951, and as amended by Chapters 36, 114, 116 and 131 SLA 1953, and as amended by Chapters 115 and 131 SLA 1955; adding new subsections and declaring an emergency.

(J. C. S. for C. S. for H. B. 49)

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

Section 1. Sections 35-4-1 through 35-4-6 inclusive, ACLA 1949, as re-