

Sec. 65. Administrative Procedures Act. The Administrative Procedures Act shall fully apply to this Act including all rule making and hearings and appeals.

Sec. 66. Time of Taking Effect. This Act shall take effect from and after the first day of September, 1959.

Approved May 2, 1959

CHAPTER 164

AN ACT

Repealing statutory authority for U. S. Commissioners to license, regulate, and fix the rates of ferries operating within the state; repealing Chapter 4, Title 41, ACLA 1949; and providing for an effective date.

(C.S.H.B. 214)

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

fixing on ferries operated within Alaska.

Section 1. Ferry Licenses. It is the intent of the Legislature to repeal all statutory authority granted by Territorial legislatures to U. S. Commissioners for licensing, regulating and rate

Sec. 2. Repeal. Chapter 4, Title 41, ACLA 1949, is hereby repealed.

Sec. 3. Effective Date. This Act shall take effect immediately upon its passage and approval or upon its becoming law without such approval.

Approved May 2, 1959

CHAPTER 165

AN ACT

To appropriate the sum of \$135,000 out of monies in the General Fund for transfer into the Aeronautical Revolving Fund; and providing for an effective date.

(H.B. 222)

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

otherwise appropriated, for transfer into the Aeronautical Revolving Fund.

Section 1. The sum of \$135,000 is hereby appropriated out of any monies in the General Fund of the State of Alaska not

Sec. 2. This Act shall take effect immediately upon its passage and approval or upon its becoming law without such approval.

Approved May 2, 1959

CHAPTER 166

AN ACT

Amending the uniform procedure of assessing, levying and collecting, including the foreclosure of, taxes among political subdivisions in Alaska with taxing authority; providing for the repurchase of tax foreclosed property by former record owner or his assigns; amending Secs. 42, 45, and 54 of Ch. 174, SLA 1957; and providing for an effective date.

(H.B. 60)

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

Sec. 1. Sec. 42, Ch. 174, SLA 1957 is hereby amended to read as follows:

Sec. 42. Judgment and Decree: Lien: Interest. Not less than thirty days after the filing of a petition for judgment and decree the court shall give judgment and decree for the delinquent taxes, penalty and interest appearing to be due on the several parcels of real property described in the petition; and shall decree that the several liens of such taxes be foreclosed. The judgment shall be a several judgment against and a lien on each parcel of property included therein. The several judgment shall bear interest at the rate of eight per centum (8%) on delinquent taxes only but not on penalty and interest from the date of entry thereof.

Sec. 2. Sec. 45 of Ch. 174, SLA 1957 is hereby amended to read as follows:

Sec. 45. Limitations on Proceedings Affecting Foreclosure Sale: Deposit of Judgment and Interest by Claimant. Every action, suit or proceeding, commenced for the purpose of determining the validity of a sale of real property on foreclosure for delinquent taxes, or to quiet title against such sale, or to remove the cloud thereof, or to recover possession of the property, shall be commenced within two years from the date of the judgment and decree of foreclosure and sale to the city, and not otherwise. In every such action, suit or proceeding any person claiming to be the owner of the property, as against the city, or any person holding title from the city, shall pay into court with the first pleading the amount charged against the property in the judgment and decree of foreclosure, together with interest thereon at the rate of eight per centum (8%) per year from the date of the judgment and decree to the date of filing and pleading.

Sec. 3. Sec. 54 of Ch. 174, SLA 1957 is hereby amended to read as follows:

Sec. 54. Deed to City. Upon filing proof of publication of notice of ex-

piration of redemption period as a part of the foreclosure proceedings, the properties not redeemed within the one-year period prescribed herein shall be deeded to the city by the clerk of court. All rights of redemption, with respect to the real properties therein described, shall terminate on the execution of the deed to the city. No return or confirmation of the sale or of the deed to the city is required or necessary.

(a) **Repurchase by Record Owner or Assigns.** The record owner at the time of tax foreclosure of any property acquired by a municipal corporation, independent school district, public utility district or other local governmental unit for delinquent taxes, or his assigns, may at any time prior to any sale or contract of sale of such tax foreclosed property by such local governmental unit, be entitled to repurchase such property, and such property shall be resold by such governmental unit to such former record owner or his assigns, for the full amount applicable to the property under the judgment and decree, with interest thereon at the rate of eight percent (8%) per annum from the date of entry of the judgment and decree of foreclosure to the date of repurchase; together with any delinquent taxes assessed and levied as though it had continued in private ownership.

Provided further, however, that no such right of repurchase shall attach to any property subsequent to termination of the redemption period which is held by such municipal corporation, independent school district, public utility district or other local governmental unit for and devoted to any public purpose, authorized by law, and upon which improvements have been constructed pursuant to such public purpose.

(b) **Liens and Claims Arising from Assessments for Local Improvements.** Any such property which is resold to the record owner or his assigns shall be subject to all liens and claims arising out of any assessment for a local improvement levied against such property, or any part thereof,

by any such municipal corporation, independent school district, public utility district or other local governmental unit and shall also be subject to any title or equity of such entity predicated upon or growing out of any such lien

or assessment.

Sec. 4. This Act shall take effect immediately upon its passage and approval, or upon its becoming law without such approval.

Became law without signature May 2, 1959

CHAPTER 167

AN ACT

Relating to general obligation and revenue bonds issued by municipal corporations and public utility districts for public works and capital improvements; repealing 16-5-1 through 16-5-9 ACLA 1949 and substituting 16-5-1 through 16-5-6 thereof; and providing for an effective date.

(H.C.S.S.B. 109)

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

Section 1. 16-5-1 through 16-5-9 ACLA 1949 are hereby repealed. The following sections 16-5-1 through 16-5-6 are hereby enacted in their place:

16-5-1. Municipalities: General Obligation Bonds for Public Works. Municipal corporations in the State of Alaska are hereby authorized to construct, improve, extend, better, repair, reconstruct, or acquire public works of a permanent character and to incur bonded indebtedness and issue negotiable general obligation bonds for any or all of such purposes. Such public works shall include but not be limited to streets, bridges, wharves and harbor facilities, off-street parking facilities, sewers and sewage-disposal plants, municipal buildings, schools, libraries, gymnasias and athletic fields, fire houses, and public utilities.

16-5-2. Municipalities: General Obligation Bond Election: Notice Thereof: Ratification by Majority Vote. No bonded indebtedness shall be incurred by any municipal corporation in the State of Alaska unless the proposal to incur such indebtedness be first submitted to the qualified electors of such municipal corporations at an election called for such purpose, and not less than a majority vote of those qualified to vote and voting on the question at such election shall be in favor thereof. The qualifications of voters at such

election shall be as prescribed by the Constitution of the State of Alaska, and the governing body of the municipality may prescribe additional voting qualifications at such bond issue elections. The registration for such election, the manner of conducting the same, the notice thereof, the form of ballot, and the canvass of the returns shall be prescribed by the governing body of such municipality.

16-5-3. Municipalities: General Obligation Bonds: Issuance, Form and Terms of Bonds: Interest: Sale. Bonds issued pursuant to the preceding two sections shall bear such date or dates, may be in such denominations, may mature in such amounts and at such time or times, may be payable at such place or places, may be sold at either public or private sale, may be redeemable (either with or without premium) or nonredeemable, may carry such registration privileges as to either principal and interest, or principal only, and may be executed by such officers and in such manner, as shall be prescribed by the governing body of the municipality issuing the bonds. In case any of the officers whose signatures appear on the bonds or coupons shall cease to be such officers before delivery of such bonds, such signatures, whether manual or facsimile, shall, nevertheless, be valid and sufficient for all purposes, the same as if such officers had remained in office until such delivery. The bonds