

[CHAPTER 673]

AN ACT

To amend section 12 of the Bonneville Project Act, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12 (b) of the Act entitled "An Act to authorize the completion, maintenance, and operation of Bonneville project for navigation, and for other purposes", approved August 20, 1937, as amended, is amended to read as follows:

"(b) The Administrator may, in the name of the United States, under the supervision of the Attorney General, bring such suits at law or in equity as in his judgment may be necessary to carry out the purposes of this Act; and he shall be represented in the prosecution and defense of all litigation, affecting the status or operation of Bonneville project by the United States attorneys for the districts, respectively, in which such litigation may arise, or by such attorney or attorneys as the Attorney General may designate as authorized by law, in conjunction with the regularly employed attorneys of the Administrator."

Approved July 26, 1946.

July 26, 1946
[S. 1516]
[Public Law 550]

Bonneville Project
Act, amendment.

59 Stat. 548.
16 U. S. C., Supp.
V, § 832k (b).
Suits at law or in
equity.

[CHAPTER 674]

AN ACT

To authorize the city of Anchorage, Alaska, to issue bonds in a sum not to exceed \$5,000,000 for the purpose of constructing, reconstructing, improving, extending, bettering, repairing, equipping, or acquiring public works of a permanent character, and to provide for the payment thereof, and for other purposes:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the city of Anchorage, Alaska, is hereby authorized to issue and sell its bonds in an amount not to exceed \$5,000,000, for the purpose of constructing, reconstructing, improving, extending, bettering, repairing, equipping, or acquiring public works of permanent character for said city.

SEC. 2. Such public works shall include but not be limited to water facilities, sewers and sewage-disposal facilities, heating plants and distribution facilities, electric and steam power and light plants and distribution facilities, telephone plants and distribution facilities, streets and street improvements, corporation or equipment yards, city-hall additions, and school buildings.

SEC. 3. Before said bonds shall be issued, a special election shall be ordered by the common council of the city of Anchorage, Alaska, at which election the question of whether such bonds shall be issued, in an amount not exceeding the amount above specified and for the purposes hereinbefore set forth, shall be submitted to the qualified electors of said city of Anchorage, Alaska, whose names appear on the last assessment roll of said city for purposes of municipal taxation. The form of the ballot shall be such that the electors may vote for or against the issuance of bonds for the purposes herein specified up to the amount herein authorized. Not less than twenty days' notice of such election shall be given to the public by posting notices of same in three conspicuous places within the corporate limits of the city of Anchorage, Alaska, one of which shall be on a bulletin board in the public lobby of the United States post office at Anchorage, Alaska. The election notice shall specifically state the amount of bonds proposed to be issued and the purposes for which said bonds are to be issued. The registration of such election, the manner of conducting the same, and the canvass of the returns of such election shall be, as nearly as practicable, in accordance with the

July 26, 1946
[H. R. 5112]
[Public Law 551]

Anchorage, Alaska.
Bonds for public
works.

Special election.

Form of ballot.

Notice of election.

Registration, etc.

Percentage of favorable votes required.

Authorization of bonds by resolution, etc.

Signatures.

Rates of interest.

Nature of obligations.
Pledge of taxing power.

Pledge of revenues, etc.

Covenants with holders.

requirements of law for general and special elections in said municipality; and such bonds shall be issued for the purposes herein authorized only upon the condition that not less than 51 per centum of the votes cast at such election shall be in favor of the issuance of said bonds for such purposes.

SEC. 4. Said bonds shall be authorized by resolution or ordinance of the common council, and may be issued in coupon form, and may be made registrable as to principal alone or as to both principal and interest under such terms and conditions as the common council shall provide. Said bonds shall be dated and shall be in such denomination or denominations, and may mature in such amounts and at such time or times not exceeding twenty years from the date thereof, and may be payable at such place or places as the common council shall determine. The said bonds may be made redeemable, either with or without premium, in the discretion of the common council, and may be sold at public sale. Said bonds shall be signed by the mayor and clerk of the city of Anchorage, Alaska, and shall have impressed thereon the official seal of said municipality, and the coupons annexed to said bonds representing interest to be payable thereon shall be signed with the facsimile signatures of said mayor and clerk. Said bonds shall bear such rate or rates of interest as the common council shall determine, not to exceed 5 per centum per annum, payable annually or semiannually, and shall be sold for not less than the principal amount thereof and accrued interest, and with or without premium. In the event any of the officers whose signatures or counter-signatures appear on said bonds or coupons shall cease to be such officers before delivery of such bonds, said signatures or counter-signatures, whether manual or facsimile, shall nevertheless be valid and sufficient for all purposes the same as if said officers had remained in office until such delivery.

SEC. 5. The bonds herein authorized shall be general obligations of the city of Anchorage, Alaska, and the mayor and common council of the city of Anchorage are hereby authorized and directed, in the resolution or ordinance authorizing the issuance of said bonds, to pledge to the payment of the principal and interest thereof the full faith and credit of the city of Anchorage and to obligate the city, if necessary, to levy taxes upon all the taxable property within said city for the payment of the principal and interest of said bonds as and when the same become due and payable, without limitations as to rate or amount.

SEC. 6. In addition to the pledge of the taxing power contained in section 5 hereof, the mayor and common council are hereby authorized in the resolution or ordinance authorizing said bonds, to pledge to the payment of said bonds and the interest thereon the revenues, income, receipts, and profits derived by the city of Anchorage from the ownership, management, and operation by said city of the electric light, power, water, and telephone properties and all additions and betterments to and extensions thereof remaining after the payment of the expenses of operation and maintenance of said properties and reserve for depreciation and prior pledges of such revenues. In the resolution or ordinance authorizing the issuance of said bonds the common council of the city of Anchorage is authorized to covenant with the holders from time to time of the bonds issued hereunder as follows:

(a) That the city will maintain and operate the public-utility properties of the city hereinbefore mentioned in an efficient and economical manner;

(b) That the city will fix, establish, and collect rates, tolls, rents, and other charges for all commodities, services, or facilities sold, furnished, or supplied by the city through said public-utility properties

adequate to provide revenues, income, receipts, and profits sufficient to pay the expenses of operation and maintenance of said properties and to provide reasonable reserves for depreciation and for the payment of the principal of and interest on all bonds payable from such revenues and all other charges and expenses whatsoever which may be or become a charge on such revenues;

(c) That the city will keep all the revenues, income, receipts, and profits arising from the ownership, management, and operations of the public-utility properties by the city in a fund separate and apart from all other funds of the city to be collected, held, and disbursed in such manner as the city may provide in the resolution or ordinance authorizing the issuance of bonds hereunder;

(d) That the city will not thereafter issue any bonds, notes, or other evidences of indebtedness payable from such revenues, except within such limitations as may be prescribed in such resolution or ordinance;

(e) That the city will not thereafter issue any bonds, notes, or other evidences of indebtedness payable from such revenues which would be a prior lien or charge upon said revenues over the bonds issued pursuant to such resolution or ordinance;

(f) That the city will provide a special fund for renewals and replacements to the public-utility properties into which fund the city shall pay sums from the revenues of said properties in such amounts as may be specified in said resolution or ordinance;

(g) That the city will not sell, lease, or otherwise dispose of any or all of said public-utility properties without then or theretofore making provision for the payment of the bonds authorized by this Act;

(h) That the city will keep books and accounts with respect to the operation of said public-utility properties in such manner as prescribed by the Federal Power Commission governing municipal licenses and provide for the periodic audit of such books by certified public accountants who shall report on such operations;

(i) That the city will provide for periodic examinations of the public-utility properties of the city by an engineer or firm of engineers who shall report thereon at such times as shall be prescribed in said resolution or ordinance; and

(j) That the city will do and perform such other acts and take such other proceedings as may be necessary to more fully secure the payment of the bonds authorized by said resolution or ordinance as shall be deemed advisable by the common council.

SEC. 7. Upon the sale of any bonds authorized by this Act, the city of Anchorage shall provide for the payment of the proceeds thereof into a special fund which shall be used for no other purpose except as specified in this Act, and said bonds may be sold all at once or from time to time, and with such rate of interest not exceeding 5 per centum per annum, as the common council of the city of Anchorage shall direct.

SEC. 8. The city of Anchorage is hereby authorized to enter into contracts with the United States of America or any agency or instrumentality thereof to obtain a grant or loan of money funds to aid in the construction of water facilities, sewers and sewage-disposal facilities, heating plants and distribution facilities, electric and steam power and light plants and distribution facilities, telephone plants and distribution facilities, stadia, gymnasias, auditoria and athletic fields, streets and street improvements, corporation or equipment yards, city-hall additions, and school buildings.

SEC. 9. The provisions of this Act and of any resolution or ordinance authorizing the issuance of bonds hereunder shall constitute a contract with the holders of such bonds from time to time, and the provisions thereof and hereof shall be enforceable by any owner or holder

Special fund.

Sale of bonds.

Maximum rate of interest.

Grant, etc., of money for construction.

Suits at law or in equity.

of said bonds by mandamus or by any other appropriate suit, action, or proceeding at law or in equity in any court of competent jurisdiction.

Authority for issuance of bonds.

SEC. 10. This Act shall be complete authority for the issuance of the bonds herein authorized, and shall be liberally construed to accomplish its purposes. Any restrictions, limitations, or regulations relative to the issuance of bonds by the city of Anchorage, Alaska, contained in any other Act shall not apply to bonds issued under this Act, and any Act inconsistent herewith shall be deemed modified to conform with the provisions of this Act for the purposes of this Act only.

Approved July 26, 1946.

[CHAPTER 675]

AN ACT

July 26, 1946
[H. R. 5640]
[Public Law 552]

To reestablish the status of funds of the midshipmen's store, barber shop, cobbler shop, and tailor shop at the United States Naval Academy, and for other purposes.

U. S. Naval Academy.

59 Stat. 590, 660.
34 U. S. C., Supp.
V, §§ 1108-1110.

Funds from operations of midshipmen's store, etc.

Accounting.

59 Stat. 590.
34 U. S. C., Supp.
V, §§ 1108, 1108a.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of Public Law 238, Seventy-ninth Congress, approved December 3, 1945; section 1 of Public Law 273, Seventy-ninth Congress, approved December 28, 1945; and section 1 of Public Law 274, Seventy-ninth Congress, approved December 28, 1945, are hereby repealed.

SEC. 2. All funds collected from the operations of the midshipmen's store, including the Naval Academy dairy, barber shop, cobbler shop, and tailor shop at the United States Naval Academy, shall continue to be deposited in the Treasury of the United States as heretofore, and shall be available for such expenditures as the superintendent of the United States Naval Academy shall deem necessary in the interest, health, comfort, and education of midshipmen and for all expenses of the operations of the midshipmen's store, including the Naval Academy dairy, barber shop, cobbler shop, and tailor shop: *Provided*, That the superintendent of the United States Naval Academy shall make an accounting to the Bureau of Supplies and Accounts quarterly for all receipts and expenditures of moneys collected and expended in accordance with this authority: *And provided further*, That nothing contained in the Act approved December 3, 1945 (Public Law 238, Seventy-ninth Congress), shall apply to employees of the Naval Academy dairy.

SEC. 3. This Act shall be effective from December 3, 1945.

Approved July 26, 1946.

[CHAPTER 676]

AN ACT

July 26, 1946
[H. R. 5840]
[Public Law 553]

To authorize an exchange of land in Eagle County, Colorado.

Eagle County, Colo.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, upon recommendation of the Secretary of Agriculture, is hereby authorized to accept on behalf of the United States title to the hereinafter-described lands, to wit: Beginning at corner numbered 3 of tract 45, which is also corner numbered 4 of tract 46D of section 5, township 5 south, range 84 west, sixth principal meridian; thence north eighty-seven degrees forty-one minutes east a distance of two and one one-hundredths chains; thence north one degree forty-eight minutes east a distance of four and sixty-one one-hundredths chains; thence east a distance of one and sixty-six one-hundredths chains;