

the land or in the fish in the water.

Sec. 3. **Effective Date.** This Act

takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 20, 1963

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## CHAPTER 94

### AN ACT

**Relating to benefits for World War II veterans; preferences for Alaska veterans; and providing for an effective date.**

(H.B. 224)

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

Section 1. AS 26.15.130(a)(1) is amended to read:

(1) persons who served in the armed forces of the United States for 90 days or more, or whose service was for less than 90 days because of injury or disability incurred in line of duty, between September 16, 1940, and July 25, 1947, who were separated from the armed forces with an honorable discharge or honorable separation, and (A) who, at the time of induction into the service, were residents of the territory, who had been residents for not less than one year immediately before their induction, and who returned to the territory or state after discharge as residents with the in-

tention of remaining in the territory or state; or (B) who, not being bona fide residents of the territory before their entry into the service, have lived in the territory or state for at least 10 years following their release from active military service;

Sec. 2. Any loans made between July 18, 1960, and the effective date of this Act to World War II veterans who, not being bona fide residents of the territory before their entry into the service, have lived in the territory or state for at least 10 years following their release from active military service are valid loans.

Sec. 3. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 20, 1963

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## CHAPTER 95

### AN ACT

**Relating to the regulation of public utilities.**

(H.B. 228)

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

Section 1. AS 42.05 is amended by adding new sections to read:

Sec. 42.05.193. **Certificates of Convenience and Necessity.** No public utility shall operate after January 1, 1964, without first having obtained from the commission under the provisions of this chapter a certificate declaring that public convenience and necessity require

or will require the operation and delineating the area where service is to be provided.

Sec. 42.05.194. **Certificates Granted to Existing Utilities.** A certificate shall be granted if it appears to the commission that the public utility was actually operating in good faith on October 15, 1962, within the confines of the requested area, or that the public utility was installing the facilities necessary to furnish service

under a franchise as of that date.

**Sec. 42.05.195. Transfer of Certificate.** A certificate may be sold, assigned, leased, transferred, or inherited subject to approval of the commission.

**Sec. 42.05.196. Power of Commission to Grant Certificate.** The commission shall have the power after hearing, upon reasonable notice to interested parties, to grant a certificate to provide service in an area already served by a certificate holder only when the existing public utility or utilities serving the area are not providing and will not provide service to the satisfaction of the commission. In all other cases, the commission with or without hearing may issue a certificate as requested or for good cause shown deny the same in whole or part.

Sec. 2. AS 42.05.640(2) is amended to read:

(2) "public utility" or "utility" includes every corporation, whether pub-

lic, cooperative, or otherwise, company, individual, or association of individuals, their lessees, trustees, or receivers appointed by a court, that owns, operates, manages, or controls any plant or system for the generation, transmission, or distribution of electric energy and power, for the furnishing of telephone or telegraph communications, for the transmission or distribution of heat, natural or manufactured gas, oil or other petroleum products, or water, or for the furnishing of community sewer services, and the plant and facilities used for any of the foregoing purposes; this chapter does not apply to a person who furnishes water or oil or other petroleum products by tank, wagon, or similar conveyance, nor to a municipally owned and operated utility; this chapter does not apply to a pipeline, plant, system, or equipment used primarily for gathering, collecting, transporting, or shipping crude oil, natural gas, condensate, or other petroleum substance or product produced by or belonging to the owner, operator, or manager of the plant, system, or equipment;

Approved April 20, 1963

## CHAPTER 96

### AN ACT

**Exempting fishermen from payment of certain license fees.**

(H.B. 21)

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

Section 1. AS 16.05 is amended by adding a new section to read:

**Sec. 16.05.660. License Exemption.** A person may, by complying with the 25-cent license requirement of sec. 340 of this chapter, take not more than 2,000 pounds each of tom cod, blue cod, smelt, pickerel, white fish, and spider crab a year from waters of the state.

Sec. 2. AS 16.05.680 is amended to read:

**Sec. 16.05.680. Unlawful Purchases.** It is unlawful for a person, his agent, or his representative (1) to have in his employ a fisherman who is not licensed under sec. 480 of this chapter, or (2) to purchase fish from a fisherman who is not so licensed if the fisherman is not exempt under sec. 660 of this chapter from the license requirement of sec. 480 with regard to the employment or purchase.

Became law without signature  
April 26, 1963

## CHAPTER 97

**Relating to the Alaska Centennial; creating a Centennial Commission and prescribing**