

1 IN THE SENATE

BY SENATOR ROBISON

2 SENATE BILL NO. 36

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act amending Sec. 49-2-21 ACLA 1949,  
7 as amended by Chapter 21 Session Laws of  
8 Alaska 1951, regarding powers of Public  
9 Utility Districts."

10 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

11 Section 1. That Sec. 49-2-21 ACLA 1949, as amended, is  
12 hereby further amended to read as follows:

13 Sec. 49-2-21. ENUMERATION OF PUBLIC UTILITY DISTRICT  
14 POWERS. Each Public Utility District shall have succession  
15 in its corporate name, may sue and be sued, including the  
16 bringing of injunction proceedings, in its corporate name,  
17 may adopt and use a corporate seal, which shall be judicially  
18 noticed; make contracts to enforce or carry into effect any  
19 authority herein granted; may purchase, lease or otherwise  
20 acquire such real and personal property as it deems necessary  
21 or convenient in the transaction of its business, and may  
22 dispose of any such personal property held by it; may exer-  
23 cise the right of eminent domain; shall have the power to  
24 construct, maintain and operate, alter and improve and to  
25 contract for the construction, maintenance and operation,  
26 alteration and improvement of dams, reservoirs, power houses,  
27 power structures, transmission lines, water works, sewer  
28 systems, telephone systems, light plants, hospitals, wharves,  
29 docks, warehouses, garbage disposal facilities, park and

1 recreation facilities, traffic and warning signals, street  
2 lights, facilities for controlling and preventing fires,  
3 cold storage plants and canneries for the processing and  
4 canning of fish and fish products; and to produce, distrib-  
5 ute and sell such services and products or otherwise convey  
6 rights to use services and products derived from any of the  
7 facilities hereinabove enumerated to create, maintain,  
8 operate, alter and improve roads, trails, walks, bridges,  
9 and drainage ditches, or contract therefor, and shall have  
10 the right to own and operate (SUCH) public utilities or to  
11 grant franchises <sup>For a period not to exceed 20 years</sup> with reference (THERETO) to all such  
12 utilities within its district, provided, that when a fran-  
13 chise is given to permit the use of streets and other public  
14 places for a period (OF NOT TO EXCEED TWENTY YEARS) ~~in excess~~  
15 ~~of five consecutive years,~~ under such rules and regulations  
16 as may be prescribed by ordinance of the governing body of  
17 the district, no such franchise shall be valid until it has  
18 been submitted to the electors of the district at an election  
19 and at least (55%) a majority of the votes <sup>cast</sup> are in favor of  
20 such franchise. It is further provided that with respect  
21 to such election, at least thirty days notice shall be given  
22 in the same manner as is provided for notice of an annual  
23 municipal election in Alaska, and which notice shall specify  
24 the purpose for which such election is called. Every  
25 ordinance granting such franchise shall include appropriate  
26 provisions for submitting same to the qualified electors  
27 of the district as above required, and the result of such  
28 election shall be canvassed publicly by the Board of Dir-  
29 ectors of the district and the result thereof publicly



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declared and certified. The Board of Directors of the District shall also have power to appoint such officers, employees, attorneys and agents as may be necessary for the transaction of its business, fix their compensation, define their duties, require them to furnish bonds, if deemed necessary, and to remove them at the pleasure of the Board of Directors.

Page 3 Line 8 insert the following new paragraph  
"In addition to other powers heretofore granted, the Board of  
Directors of the District, by resolution or ordinance, shall  
have the following power and authority:  
(a) To provide for ~~the~~ public health."