

1 IN THE SENATE BY SENATOR OWEN

2 SENATE BILL NO. 23

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act to amend subsection Fourth of
7 Section 16-1-35 ACLA 1949, as amended by
8 Chapter 92, Session Laws of Alaska, 1949,
9 pertaining to municipal utility services;
10 prohibiting duplication of existing
11 services; and declaring an emergency."

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

13 Section 1. Subsection Fourth of Section 16-1-35 ACLA 1949,
14 as amended by Chapter 92, Session Laws of Alaska, 1949, is here-
15 by further amended to read as follows:

16 Fourth: (PUBLIC UTILITIES.) To purchase, construct,
17 or otherwise acquire, establish and operate public wharves,
18 public cold storage plants, telephone systems and plants
19 for the use, sale and distribution of light, water, power,
20 heat and telephone service to the residents of the city
21 and the public. Provided, that any municipality which
22 owns and/or operates plants for the use, sale or dis-
23 tribution of light, power, heat, water or telephone service
24 to the residents of the city may also sell and distribute
25 such light, power, heat, water or telephone service to
26 the residents of contiguous and adjacent districts out-
27 side the limits of the city at rates and charges and under
28 conditions which shall be fair and just to such non-resi-
29 dents and compensatory to the municipality, and for that

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purpose may construct, purchase or otherwise acquire, own, maintain and operate extensions, pole lines, mains, pipe lines and other necessary apparatus and equipment therefor, together with the real property necessary for the same, outside the limits of the city. And provided, further, that no municipality shall offer or furnish any such service to any premises wheresoever located which are already receiving such service from another supplier without the consent in writing of such supplier; nor shall the municipality impose as a condition of service a requirement that any other service offered by the municipality be taken and used. Provided, however, such public utilities as are provided for in this subsection shall not be operated or maintained by funds raised by taxation but from the revenue collected for service rendered by such plants or utilities from the customers or users thereof.

Section 2. An emergency is hereby declared to exist and this Act shall take effect immediately upon its passage and approval.