

Memoograph

*James
H. ...*

IN THE Senate BY Senator Kerner, by
Senate BILL NO. 74 request

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA
TWENTY-SECOND SESSION

A BILL

For an Act entitled: "An Act to amend subsection Sixteenth of Section 16-1-35 ACLA 1949 pertaining to the powers of city councils to grant franchises; imposing certain limitations; and declaring an emergency."

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

Section 1. Subsection Sixteenth of Section 16-1-35 ACLA 1949, as amended by Chapter 91, Session Laws of Alaska, 1949, is hereby further amended to read as follows:

Sixteenth: (Franchises) To grant franchises, including exclusive franchise privileges, for the construction, operation and maintenance of electric light and power plants, water plants, bus transportation systems, telephone and other public service, and to permit the use of streets and other public places for a period of not to exceed twenty years, under such rules and regulations as may be prescribed by ordinance. Provided that any such franchise, whether exclusive or not, shall expressly prohibit the duplication of any such facilities already installed and furnishing service; and provided, further, that with respect to service furnished by non-profit organizations, the rates and charges of such organizations shall not be subject to review or approval by the council, nor shall the council exercise any supervisory or regulatory jurisdiction

Approved
P. M.
[Signature]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

over such organizations except as to the manner in which
streets and other public places are used. (Provided, how-
over.) No such franchise shall be valid until it has been
submitted to the electors of the municipality and at least
fifty-five per centum of the votes cast at any municipal
election or any election held for such purpose shall be
in favor of such franchise. Provided further, that of
such election at least thirty days' notice shall be given
in the same manner as is provided for notice of annual
municipal elections and which notice shall specify therein
the purpose of calling said election. And every ordinance
granting such franchise shall therein provide for the
submitting of the ratification thereof to the qualified
electors of the city at either such annual or special
election, and the result of the election thereon shall be
announced publicly by the council and spread upon the re-
cord of the minutes thereof and the result declared and
certified in the same manner as a general election.

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