

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 64

3

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4

TWENTY-THIRD SESSION

5

A BILL

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For an Act entitled: "An Act relating to the power of public

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utility districts, to dispose of real

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and personal property; amending Sec. 49-2-21,

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ACLA 1949, as amended by Ch. 75, SLA 1949,

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Ch. 21, SLA 1951, and CH. 105, SLA 1953."

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

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Section 1. Sec. 49-2-21, ACLA 1949, as amended by CH. 75,

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SLA 1949, Ch. 21, SLA 1951, and Ch. 105, SLA 1953, is hereby

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amended to read as follows:

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Sec. 49-2-21. ENUMERATION OF PUBLIC UTILITY DISTRICT

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POWERS. Each Public Utility District shall have succession

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in its corporate name, may sue and be sued, including the

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bringing of injunction proceedings, in its corporate name,

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may adopt and use a corporate seal, which shall be judicially

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noticed; make contracts to enforce or carry into effect any

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authority herein granted; may purchase, lease or otherwise

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acquire such real and personal property as it deems necessary

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or convenient in the transaction of its business, and may

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dispose of any SUCH PERSONAL property held by it, provided,

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that real property shall be disposed of in the manner pre-

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scribed for disposal of real property by municipalities in

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Sec. 16-1-31 Twentieth, ACLA 1949, as amended; may exercise

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the right of eminent domain; shall have the power to construct,

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maintain and operate, alter and improve and to contract for

CS for SB #64

1 the construction, maintenance and operation, alteration and
2 improvement of dams, reservoirs, power houses, power struc-
3 tures, transmission lines, water works, sewer systems, tele-
4 phone systems, light plants, hospitals, wharves, docks, ware-
5 houses, garbage disposal facilities, park and recreation
6 facilities, traffic and warning signals, street lights, fa-
7 cilities for controlling and preventing fires, cold storage
8 plants and canneries for the processing and canning of fish
9 and fish products; and to produce, distribute and sell such
10 services and products or otherwise convey rights to use
11 services and products derive from any of the facilities
12 hereinabove enumerated to create, maintain, operate, alter
13 and improve roads, trails, walks, bridges, and drainage
14 ditches, or contract therefor, and shall have the right to
15 own and operate public utilities or to grant franchises for
16 a period not to exceed twenty years with reference to all
17 such utilities within its district, provided, that when a
18 franchise is given to permit the use of streets and other
19 public places for a period of not to exceed twenty years
20 under such rules and regulations as may be prescribed by
21 ordinance of the governing body of the district, no such
22 franchise shall be valid until it has been submitted to the
23 electors of the district at an election and at least a ma-
24 jority of the votes cast are in favor of such franchise. It
25 is further provided that with respect to such election, at
26 least thirty days notice shall be given in the same manner
27 as is provided for notice of an annual municipal election in
28 Alaska, and which notice shall specify the purpose for which
29 such election is called. Every ordinance granting such

1 franchise shall include appropriate provisions for submitting
2 same to the qualified electors of the district as above re-
3 quired, and the result of such election shall be canvassed
4 publicly by the Board of Directors of the district and the
5 result thereof publicly declared and certified. The Board
6 of Directors of the District shall also have power to ap-
7 point such officers, employees, attorneys and agents as may
8 be necessary for the transaction of its business, fix their
9 compensation, define their duties, require them to furnish
10 bonds, if deemed necessary, and to remove them at the plea-
11 sure of the Board of Directors.

12 In addition to other powers heretofore granted, the
13 Board of Directors of the District, by resolution or ordi-
14 nance, shall have the power and authority to provide for
15 public health.
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