

Introduced: 3/7/63
Referred: Resources,
State Affairs and
Local Government

1 IN THE HOUSE

BY MR. LEONARD

2 HOUSE BILL NO. 167

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRD LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to regulation of waters
7 of the state by local units of government;
8 and providing for an effective date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 46 is amended by adding a new chapter to read:

11 CHAPTER 30.

12 Sec. 46.30.010. LOCAL REGULATION OF WATER. (a) Any
13 incorporated unit of local government which borders on waters
14 of the state, or contains water courses carrying waters of
15 the state through them, or is dependent upon nearby waters of
16 the state for municipal purposes, has the following powers
17 of regulation of waters of the state within a distance of 50
18 miles of its incorporated limits:

19 (1) the power to establish standards of quality;

20 (2) the power to regulate discharge of waste
21 material into the waters;

22 (3) the power to regulate the flow of the waters.

23 (b) The incorporated unit of local government shall
24 exercise these powers in conjunction with the areawide health
25 jurisdiction.

26 (c) In case of conflicting interest among incorporated
27 units of local government the areawide health jurisdiction
28 shall make a final determination.

29 (d) All determinations made, and measures of regulation

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taken, under this chapter are subject to domestic use requirements and the general reservation of fish and wildlife.

Sec. 46.30.020. DEFINITIONS. In this chapter

(1) "areawide health jurisdiction" means that unit of the next largest incorporated unit of local government or the state government, as the case may be, which is empowered to regulate public health in an area which embraces the applicable incorporated unit or units of local government;

(2) "incorporated unit of local government" means an incorporated borough or city of any class.

* Sec. 2. This Act takes effect July 1, 1963.