

Introduced: 3/22/71
Referred: Local Government

1 IN THE HOUSE

BY GUESS AND BOWMAN

2 HOUSE BILL NO. 335

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to powers of a city or borough to
7 provide mass transportation facilities and services."

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

9 * Section 1. AS 29.10 is amended by adding a new section to read:

10 Sec. 29.10.142. MASS TRANSPORTATION. The council may purchase,
11 contract for, or otherwise acquire, and establish, maintain and operate
12 mass transportation facilities and services for the transport of
13 passengers within the city. The council may exercise the power of
14 eminent domain to acquire transportation facilities and services under
15 this section at their fair market value and may exercise the power
16 through the filing of a declaration of taking with the complaint or
17 at any time after the filing of the complaint, but before judgment.
18 The fair market value is the amount a willing buyer would pay and a
19 willing seller accept as the purchase price without threat of eminent
20 domain or other compulsion with the premise that the transportation
21 facility or service would be continued for a reasonable period of time
22 in the future. Mass transportation facilities and services provided
23 for under this section shall be regulated by the Alaska Transportation
24 Commission in the same manner as other public carriers.

25 * Sec. 2. AS 29.15 is amended by adding a new section to read:

26 Sec. 29.15.187. MASS TRANSPORTATION. The board of trustees may
27 provide for mass transportation facilities and services in the same
28 manner as prescribed for first class cities in AS 29.10.142. Mass
29 transportation facilities and services provided for under this section

1 shall be regulated by the Alaska Transportation Commission in the
2 same manner as other public carriers.

3 * Sec. 3. AS 29.25 is amended by adding a new section to read:

4 Sec. 29.25.335. MASS TRANSPORTATION. The council may provide
5 for mass transportation facilities and services in the same manner as
6 prescribed for first class cities in AS 29.10.142. Mass transportation
7 facilities and services provided for under this section shall be regu-
8 lated by the Alaska Transportation Commission in the same manner as
9 other public carriers.

10 * Sec. 4. AS 07.15 is amended by adding a new section to read:

11 Sec. 07.15.370. MASS TRANSPORTATION. The first and second class
12 borough may provide for areawide mass transportation and may do so in
13 the manner provided for first class cities. Upon adoption of an
14 ordinance to provide for areawide mass transportation, no general law
15 or home rule city within the borough may exercise the power to provide
16 mass transportation, unless the ordinance provides otherwise or the
17 borough by subsequent ordinance ceases to exercise the power. The
18 exercise of the areawide power is at the option of the borough and
19 is not subject to the restrictions on acquiring additional areawide
20 powers specified in sec. 350 of this chapter. Mass transportation
21 facilities and services provided for under this section shall be regu-
22 lated by the Alaska Transportation Commission in the same manner as
23 other public carriers.
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