

Introduced: 3/3/72
Referred: Health, Welfare &
Education and Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 719

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to facilities for safe water and
7 hygienic sewage and solid waste disposal in villages."

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

9 * Section 1. AS 46.07.010 is amended to read:

10 Sec. 46.07.010. STATEMENT OF PURPOSE. It is the purpose of this
11 chapter to establish a program designed to provide safe water and the
12 collection, transportation, storage, processing, and ultimate disposal
13 of sewage and solid wastes [HYGIENIC SEWAGE DISPOSAL FACILITIES] in
14 villages in the state in a manner which protects and enhances the public
15 health and welfare, the natural environment, and the industrial and
16 economic status of the citizens of the villages and the state. This
17 purpose will be carried out through the development of plans and pro-
18 posals, the authorization and construction of facilities, the insti-
19 tution and operation of facilities and services, and the conduct of
20 related educational and informational activities.

21 * Sec. 2. AS 46.07.020 is amended to read:

22 Sec. 46.07.020. PROVISION OF FACILITIES. The commissioner shall
23 institute and carry out a program to provide for [THE INSTALLATION OF
24 SUCH] safe water and the collection, transportation, storage, processing
25 and ultimate disposal of sewage and solid wastes [HYGIENIC SEWAGE
26 DISPOSAL FACILITIES] in villages in the state [AS ARE NECESSARY] to
27 assure that these essential facilities and services will be available
28 [THERE WILL BE AT LEAST ONE FACILITY FOR SAFE WATER AND HYGIENIC SEWAGE
29 DISPOSAL] in each village.

1 * Sec. 3. AS 46.07.030 is amended to read:

2 Sec. 46.07.030. NATURE AND LOCATION OF FACILITIES. (a) A
3 facility or service constructed or established under authority of this
4 chapter shall be constituted and operated as a public utility, shall be
5 available for use by the public, and shall be designed and instituted
6 in such a manner as to assure year-round operation and use on an
7 economically feasible basis. Facilities and services provided in
8 accordance with this chapter shall be developed and operated as an
9 integral part of facilities and services meeting the total public
10 health and welfare, environmental protection, industrial development,
11 and economic needs of the community. The facility or service shall be
12 compatible with climatic and other physical conditions prevailing at
13 the site and shall include[,] at a minimum, a source of safe [CLEAN]
14 water, such as well with pumping facilities or utilization or surface
15 water treated so it is safe and healthful for use, shower bath faci-
16 lities, an adequate means of hygienic sewage disposal, appropriate means
17 for solid waste management, and facilities for the washing of clothes.
18 The building housing the facility or service shall also contain, if the
19 commissioner determines it to be feasible and appropriate suitable
20 quarters to be used as a community health service office.

21 (b) The location of facilities and services provided [A FACILITY
22 CONSTRUCTED] under this chapter shall be determined by the commissioner
23 after consultation with appropriate public and private agencies [THE
24 GOVERNING BODY OF THE VILLAGE IN WHICH THE FACILITY IS LOCATED, AS
25 WELL AS WITH APPROPRIATE PUBLIC AGENCIES, INCLUDING BUT NOT LIMITED TO
26 THE ALASKA STATE HOUSING AUTHORITY AND THE FEDERAL FIELD COMMITTEE FOR
27 DEVELOPMENT PLANNING IN ALASKA]. The aim of the consultation is to
28 achieve maximum coordination in public development plans and activities
29 affecting the community [IN] which the facility is to serve. The

1 commissioner shall assume leadership in coordination of all resources
2 for planning, development, construction, operation, and maintenance of
3 facilities and services provided under this chapter.

4 * Sec. 4. AS 46.07.040 is repealed and re-enacted to read:

5 Sec. 46.07.040. PLANNING, FINANCING, CONSTRUCTION AND OPERATION
6 OF FACILITIES AND SERVICES. (a) The commissioner shall provide for
7 the construction of facilities and implementation of services under
8 this chapter, and is authorized to:

9 (1) enter into contracts and agreements, receive and expend
10 funds, and otherwise take such action as he considers necessary to
11 efficiently coordinate and utilize public and private funds and other
12 resources in implementation of the purposes of this chapter;

13 (2) employ personnel and enter directly into planning,
14 design, construction and operation of facilities and services or to
15 contract with an individual, group, or public or private entity to
16 accomplish the purposes of this chapter;

17 (3) finance functions, services, and facilities and program
18 administration;

19 (4) acquire, own, and transfer ownership, in the name of the
20 state, real property, machinery, vehicles, generators, incinerators,
21 heating plants, and other equipment and supplies necessary for the
22 purposes of this chapter;

23 (5) prepare specifications and standards for facilities and
24 services and to provide for maintenance and operation of the facilities
25 and services in conformity with established specifications and
26 standards;

27 (6) take whatever action is necessary to relate and integrate
28 the facilities and services for safe water, and the collection, trans-
29 portation, storage, processing and ultimate disposal of sewage and

1 solid wastes with other energy, utility, and related facilities and
2 services in a village;

3 (7) require and promote among villages and state agencies,
4 joint planning, funding, operation, support, and maintenance of
5 related energy and environmental management facilities and services in
6 the interest of achieving maximum service efficiency and economy
7 within the purposes of this chapter.

8 (b) No contribution toward the cost of the construction of a
9 facility constructed under provisions of this chapter may be required
10 from its users but a reasonable charge shall be made for use of
11 facilities and services to assure continued maintenance and operation.

12 (c) In the construction of a facility or establishment of a
13 service under this chapter, workmen from the village in which the
14 facility is being constructed or the service is being operated shall
15 be utilized to the maximum extent feasible.

16 * Sec. 5. AS 46.07.050(a) is amended to read:

17 Sec. 46.07.050. RESPONSIBILITY OF THE LOCAL GOVERNING BODY
18 [OPERATION OF FACILITIES]. (a) It is the responsibility of a recipient
19 [THE] village, borough, service area, community or city governing body
20 to maintain and operate the facilities and services in accordance with
21 established standards and specifications. Upon [SAFE WATER AND HYGIENIC
22 SEWAGE DISPOSAL FACILITY, AND UPON] completion of the facility and upon
23 community demonstration of ability to operate and maintain the
24 facilities and services, the commissioner shall execute the necessary
25 transfers of title to vest complete ownership of the facility in the
26 appropriate local governing body. The commissioner may not construct a
27 facility unless he first receives satisfactory assurances from the local
28 [VILLAGE] governing body that it will, upon completion of a facility,
29 accept ownership and responsibility for the operation and maintenance of

1 the facility.

2 * Sec. 6. AS 46.07.050(b) is amended to read:

3 (b) Whenever the commissioner determines that the local [VILLAGE]
4 governing body does not have sufficient financial resources to operate
5 and maintain necessary facilities and services, [THE FACILITY,] the
6 commissioner may make grants to the local governing body from funds
7 appropriated specifically for this purpose in amounts which, when
8 combined with other financial assistance available to it, will enable
9 the local governing body to operate and maintain the facility.

10 * Sec. 7. AS 46.07.050(c) is repealed and re-enacted to read:

11 (c) When necessary, the commissioner may require the creation of
12 a nonprofit corporation in a village and may contract with that cor-
13 poration in order to carry out the purposes of this chapter. The
14 contract shall provide that if the contracting entity or part of it is
15 subsequently incorporated as a city the contract shall terminate when
16 the succeeding city or cities can satisfactorily provide the utility
17 functions and services provided under this chapter.

18 * Sec. 8. AS 46.07.060 is amended to read:

19 Sec. 46.07.060. EDUCATIONAL AND INFORMATIONAL PROGRAM. The
20 commissioner shall conduct, or arrange to have conducted, in each
21 village where there is located a facility or service provided pursuant
22 to the provisions of this chapter, [SAFE WATER AND HYGIENIC SEWAGE
23 DISPOSAL FACILITY,] an appropriate educational and informational program
24 designed to familiarize the users of the facility or service of
25 [RESIDENTS OF THE VILLAGE AS TO] the health and other advantages to be
26 achieved by the utilization of the facility or service.

27 * Sec. 9. AS 46.07.070 is amended to read:

28 Sec. 46.07.070. ECONOMY OF ADMINISTRATION. In order to prevent
29 duplication of effort and to promote economy of administration, the

1 commissioner shall, to the maximum extent feasible, utilize existing
2 governmental [THE] facilities and services [OF APPROPRIATE PUBLIC]
3 or private agencies, and may encourage cooperative action among
4 villages to form entities or organizations, in the administration of
5 the provisions of this chapter.

6 * Sec. 10. AS 46.07.080 is amended to read:

7 Sec. 46.07.080. DEFINITIONS. In this chapter

8 (1) "commissioner" means the commissioner of environmental
9 conservation [HEALTH AND SOCIAL SERVICES];

10 (2) "village" means an incorporated or unincorporated
11 community which has between 25 and 600 people residing within a three-
12 mile [TWO-MILE] radius [, OR A FOURTH CLASS CITY];

13 (3) "safe water facilities" means facilities and services
14 which supply water which complies with the Alaska Water Quality
15 criteria for drinking and includes the plant, equipment, and services
16 necessary for the procurement, treatment, storage, and distribution of
17 the water.