

Introduced: 4/17/74
Referred: Community &
Regional Affairs

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 HOUSE BILL NO. 851

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to garbage, refuse, trash or other
7 waste material collection and disposal services;
8 and providing for an effective date."

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

10 * Section 1. AS 42.05.221(f) is amended to read:

11 (f) A certificate shall be issued by the Public Utilities
12 Commission to a public utility engaged in garbage, refuse, trash or
13 other waste material collection and disposal which was not required
14 to have one before January 1, 1973, and which is required to have one
15 after that date, if the public utility was previously operating under
16 the authority of a permanent permit granted by the Alaska Transporta-
17 tion Commission. The certificate, however, shall exclude all areas
18 within the limits of an incorporated city except a unified city/
19 borough municipality as they existed on January 1, 1973, to the extent
20 of areas which the city was actually serving on January 1, 1973 with
21 garbage and solid waste collection and disposal by municipal officials
22 and employees, even though the area was included in the permit issued
23 by the Alaska Transportation Commission. In unified city/borough
24 municipalities, the certificate shall exclude only [SUCH] areas as
25 were actually served by the municipalities, through collection and
26 disposal services performed by municipal officials and employees or
27 under contract as authorized in (a) of this section, on January 1,
28 1973. An [ANY] area annexed after January 1, 1973 [,] and shall be
29 governed by the general provisions of this section. A political

1 subdivision of the state may not provide for a garbage, refuse,
2 trash or other waste material collection and disposal service in any
3 area to the extent it lies within an area granted to a garbage or
4 refuse carrier by a certificate issued by the commission to the
5 carrier until it has purchased the certificate, equipment and facili-
6 ties of the carrier, or that portion of the certificate, facilities
7 and equipment which would be affected, at fair market value. Section
8 711(b) of this chapter notwithstanding, this subsection shall not be
9 construed to have the effect of bringing public utilities owned and
10 operated by a political subdivision of the state within the jurisdic-
11 tion of the Alaska Public Utilities Commission.

12 * Sec. 2. This Act takes effect on the day after its passage and
13 approval or on the day it becomes law without approval.
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