

CORRECTION

Re: SENATE BILL NO. 350

March 31, 1981

CORRECTION

Please discard SENATE BILL NO. 350 and replace with this corrected version.

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Introduced: 3/31/81
Referred: Community & Regional
Affairs and Finance

1 IN THE SENATE

BY FERGUSON

2 SENATE BILL NO. 350

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing Regional Service Authorities; and
7 providing for an effective date."

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

9 * Section 1. FINDINGS AND PURPOSE. The Legislature finds that a reason-
10 able means of accomplishing the purpose of providing for adequate, safe and
11 reliable regional services is the creation of regional quasi-governmental
12 authorities which are not local governments. It is the intent and purpose
13 of the Legislature to provide a means whereby public corporations may be
14 formed to serve as regional service authorities in the absence of borough
15 governments.

16 * Sec. 2. AS 18 is amended by adding a new chapter to read:

17 CHAPTER 53. REGIONAL SERVICE AUTHORITIES

18 Sec. 18.53.010. CREATION OF AUTHORITIES. (a) An association
19 authorized by AS 18.55.996(a) to form a regional authority is given the
20 authority to form a regional services authority. There is created with
21 respect to each of the associations named in AS 18.55.966(a) a public
22 body corporate and politic as a political subdivision of the state in
23 the operating areas of the individual associations. Each authority may
24 exercise all powers conferred by this chapter.

25 (b) A regional services authority may not transact business or
26 exercise powers granted to it until the governing body of the associa-
27 tion has, by resolution, declared there is a need for the authority to
28 function, given it the authority to function and appointed persons to
29 serve as the board of commissioners of the authority. The number of

1 commissioners, their terms of office and the filling of vacancies in
2 office shall be determined by resolution of the governing body of the
3 association.

4 (c) The regional services authority has jurisdiction to operate
5 in all or in part of the operating area of the individual association
6 as determined by resolution of the governing body of the association.
7 The governing body of the association may, by resolution, add to or
8 subtract from the area served. The authority may operate within the
9 corporate limits of the municipality only with consent, by resolution,
10 of the governing body of the municipality or cooperative; however, if
11 an authority is operating within an area which becomes part of a munic-
12 ipality no consent is necessary.

13 (d) A municipality or other provider of governmental services
14 may transfer all or part of its services including, without limitation,
15 lands and rights in land, equipment to a regional governmental author-
16 ity by resolution of the governing board upon terms agreed upon with
17 the authority; however, approval by resolution, of the board of com-
18 missioners of the authority shall be obtained. Unless otherwise
19 provided by law no other approvals to transfer are required.

20 Sec. 18.53.020. TAX EXEMPTION. (a) The regional services au-
21 thority is exempt from payment of taxes or assessments on property
22 owned by the authority which is used to provide services.

23 (b) All obligations issued under this chapter are issued by a
24 body corporate and public which is a political subdivision of the state
25 for an essential public and governmental purpose, and the obligations,
26 and the interest income on and from obligations, and all fees, charges,
27 funds, revenues, income and other money pledged or available to pay or
28 secure the payment of obligations or interest are exempt from taxation
29 except from transfer, inheritance and estate taxes.

1 (c) All obligations or liabilities of a regional governmental
2 authority remain its own and are not obligations or liabilities of the
3 state.

4 Sec. 18.53.030. POWERS OF THE AUTHORITY. A regional services
5 authority has the general power to

6 (1) adopt, alter and use a corporate seal;

7 (2) prescribe, adopt, amend and repeal bylaws;

8 (3) sue and be sued in its own name;

9 (4) appoint officers, agents and employees and vest them
10 with powers and duties and to fix, change and pay compensation for
11 their services as the authority may determine;

12 (5) make and execute agreements, contracts and other in-
13 struments necessary or convenient in the exercise of its powers and
14 functions, including contracts with any person, firm corporation, gov-
15 ernment agency or other entity;

16 (6) receive, administer and comply with the conditions and
17 requirements of an appropriation, gift, grant or donation of property
18 or money;

19 (7) invest or reinvest money or funds held by the authority
20 in obligations or other securities or investments in which banks or
21 trust companies in the state may legally invest funds held in reserves
22 or sinking funds or funds not required for immediate disbursement, and
23 in certificates of deposit or time deposits;

24 (8) acquire, hold, use lease, sell or otherwise dispose of
25 property of any kind, real, personal or mixed in any interest in it;

26 (9) determine, fix, alter, charge, and collect rates, fees,
27 rentals and other charges for the use of facilities of the authority or
28 for services sold, rendered, or furnished by it;

29 (10) plan, design, construct, reconstruct, extend or improve

1 any facility necessary or convenient in connection with its activities;

2 (11) enter on any land, water or premise for the purpose
3 of making surveys, soundings, or examinations;

4 (12) exercise the powers of eminent domain in accordance
5 with AS 09.55.250 - 09.55.460;

6 (13) provide streets and sidewalks;

7 (14) provide sewers and sewage treatment plants;

8 (15) provide harbors, wharves, and other marine facilities

9 (16) provide watercourse and flood control facilities;

10 (17) provide health services and hospital facilities;

11 (18) provide cold storage plants;

12 (19) provide telephone systems;

13 (20) provide light, power and heat;

14 (21) provide water;

15 (22) provide transportation systems;

16 (23) provide community centers;

17 (24) provide libraries;

18 (25) provide recreation facilities;

19 (26) provide airport and aviation facilities;

20 (27) provide garbage and solid waste collection and dis-
21 posal service and facilities subject to AS 29.48.033.

22 (28) provide parking and parking facilities;

23 (29) provide housing and urban renewal, rehabilitation and
24 development;

25 (30) preservation, maintenance and protection of historic
26 sites, buildings and monuments.

27 * Sec. 3. Sections 1-2 of this Act take effect immediately in accordance
28 with AS 01.10.070(c).