

Offered: 5/11/86
Referred: Rules

Original sponsors: Szymanski, Boucher
and Collins

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 380 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to public utility water and sewer
7 service extensions."

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

9 * Section 1. AS 42.05.381 is amended by adding new subsections to read:

10 (e) A water or sewer line extension may not be constructed
11 unless the legislative body of each municipality through which the
12 extension passes has approved the extension. This subsection does not
13 apply to an extension that will not create any charges or assessments
14 against the adjacent property.

15 (f) Except as provided in (i) of this section, when utility
16 service is available to a property owner as a result of a water or
17 sewer line extension, the utility offering the service through the
18 extension shall notify the property owner, according to the procedure
19 set forth for service of process in the Alaska Rules of Civil Proce-
20 dure, of the charges and interest due the utility if the property
21 owner elects to obtain the utility service through the extension. The
22 property owner does not owe the charge for the extension until the
23 property owner connects to the extension.

24 (g) Except as provided in (i) of this section, and unless the
25 property owner connects to the extension,

26 (1) charges do not accrue against the property for con-
27 struction of the extension;

28 (2) interest does not accrue against the property for the
29 construction of the extension; and

1 (3) a lien or encumbrance may not be levied against the
2 property for the construction of the extension.

3 (h) If the costs of constructing a water or sewer line extension
4 have been paid by charges collected under this chapter, a utility may
5 not charge for connection to the extension an amount greater than the
6 actual cost of the connection.

7 (i) The provisions of (e) - (h) of this section do not apply to
8 a water or sewer line extension constructed by a municipality under
9 AS 29.46.

10 * Sec. 2. AS 42.05.711(b) is repealed and reenacted to read:

11 (b) Except as otherwise provided in this subsection, public
12 utilities owned and operated by a political subdivision of the state,
13 or electric operating entities established as the instrumentality of
14 two or more public utilities owned and operated by political subdivi-
15 sions of the state, are exempt from this chapter, other than AS 42.-
16 05.221 - 42.05.281 and 42.05.381(e) - (i). However,

17 (1) the governing body of a political subdivision may elect
18 to be subject to this chapter; and

19 (2) a utility or electric operating entity that is owned
20 and operated by a political subdivision and that directly competes
21 with another utility or electric operating entity is subject to this
22 chapter and any other utility or electric operating entity owned and
23 operated by the political subdivision is also subject to this chapter.