

Original sponsor(s): REP. BOYER, Swackhammer, Koponen, M.Davis, Sharp

1 IN THE HOUSE BY THE LABOR & COMMERCE COMMITTEE
2 SENATE CS FOR CS FOR HOUSE BILL NO. 499 (L&C)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - SECOND SESSION
5 A BILL
6 For an Act entitled: "An Act relating to waste collection and disposal;
7 and providing for an effective date."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 29.35.050(b) is amended to read:
10 (b) The governing body of a municipality may not prohibit a
11 person holding a valid certificate from the Alaska Public Utilities
12 Commission from continuing to collect and dispose of garbage, refuse,
13 trash, or other waste material, or provide other related services in
14 an area in the municipality if the certificate authorizes the col-
15 lection and disposal of garbage, refuse, trash, or other waste materi-
16 al and providing of other services in the area, and the certificate
17 was originally issued before the municipality provided similar service
18 Except as provided in (d) of this section, a [A] municipality may not
19 provide for a garbage, refuse, trash, or other waste material collec-
20 tion and disposal service in an area to the extent it lies in an area
21 granted to a garbage, refuse, trash, or other waste material carrier
22 by a certificate issued by the Alaska Public Utilities Commission to
23 the carrier until it has purchased the certificate, equipment and
24 facilities of the carrier, or that portion of the certificate that
25 would be affected, at fair market value. A municipality may exercise
26 the right of eminent domain to acquire the certificate, equipment, and
27 facilities of the carrier, or that portion of the certificate that
28 would be affected.
29 * Sec. 2. AS 29.35.050 is amended by adding a new subsection to read:

1 (d) A municipality may establish an intermediate transfer site
2 for the collection and disposal of garbage, refuse, trash, or other
3 waste material without purchasing the certificate, equipment, or
4 facilities of a waste material carrier certificated by the Alaska
5 Public Utilities Commission. The municipality may, without compensat-
6 ing a certificated waste carrier operating in the area, provide for or
7 contract with a certificated or noncertificated entity to provide for
8 the collection and disposal of waste material left at the intermediate
9 transfer site.

10 * Sec. 3. AS 42.05.711 is amended by adding a new subsection to read:

11 (m) The collection and disposal, under AS 29.35.050(d), by a
12 municipality of waste material deposited at an intermediate transfer
13 site is exempt from this chapter.

14 * Sec. 4. APPLICABILITY TO CERTAIN MUNICIPALITIES. The changes made in
15 this Act do not apply to a municipality with a population of less than
16 50,000 until July 1, 1991.

17 * Sec. 5. This Act takes effect immediately under AS 01.10.070(c).