

CHAPTER 163

AN ACT

Providing an additional method for the formation of consolidated health districts consisting of local government units or districts, defining their powers and duties and providing for their organization and authorizing them to levy a property tax within certain limitations, if necessary.

(H. B. 90)

Be it Enacted by the Legislature of the Territory of Alaska:

Section 1. The residents and inhabitants of any two or more local governments in Alaska may consolidate to form a single health district to have and exercise all powers relating to public health over the entire area of such consolidated health district. As used in this Act, "local government" means any city, school district, public utility district or other local government unit or district that receives any revenue from taxation.

Section 2. The people of two or more local governments may establish a consolidated health district for the regulation of public health, instead of having each of the local governments separately perform any health functions; and they may declare that the regulation of public health is for the general welfare of the people of Alaska. The territory within any such consolidated local government may become a health district and shall legally be described as "The _____ Health District".

Section 3. Each health district formed pursuant to this Act shall be a body politic and corporate. It may sue and be sued, purchase, own, hold and lease real and personal property reasonably adapted for use in performing its functions. In addition to all powers expressly herein conferred, such district shall possess such additional powers as may be reasonably necessary for it to perform efficiently and economically the purposes for which it has been created.

Section 4. Within any area in Alaska where two or more local governments have adjacent, abutting or overlapping boundaries the majority of such local governments may, by similar resolution, submit to the voters within their respective corporate limits the question of consolidation to form a single health district at any general or special election; provided, if the corporate limits of one such resolving body embrace the corporate limits of other governing bodies to be affected by this Act, a single election within the corporate limit of such resolving body shall, if all af-

ected resolving bodies agree there-
to, be sufficient to establish wheth-
er a health district shall be formed.

Section 5. Upon the canvass of
the election returns, the election of-
ficials shall certify the returns to
the Clerk of the District Court in
the division within which such dis-
trict shall lie. If the majority of the
votes cast in each local govern-
ment shall have been in favor of
establishing the consolidated dis-
trict, the District Court shall issue
an order declaring that the health
district has been established and
shall contain a description of the
territory included within the dis-
trict.

Section 6. The business of the
health district shall be conducted
by a board of qualified electors,
who are residents and inhabitants
of the district, appointed by the
governing bodies of the local gov-
ernments forming the district. The
resolution of the governing bodies
provided for in Section 4 of this
Act shall establish the number and
qualifications of the members to be
appointed by the governing body
of each local government in the
district and shall provide for the
term or terms of such members.

Section 7. Each local government
forming the district shall transfer
to the district all real and personal
property in its possession and own-
ership and devoted to health pur-
poses; said property shall be ap-
praised or valued at a price to be
determined by the joint resolution
of the participating local govern-

ments creating the district. Each
local government so transferring
property shall be credited with said
valuation which shall be credited
to its share of the district health
budget over a period equal to the
composite estimated life of the
property in equal installments.

Section 8. The board of health
shall arrange for a permanent meet-
ing place and hold at least one
regular meeting each month. The
board shall elect a chairman, and
vice chairman, annually and may
elect from outside its membership,
a secretary and such other officers
and employees as it deems neces-
sary for the administration of the
affairs of the district. The members
of the board shall serve without
compensation; but shall be reim-
bursed for their necessary expense
in performing their duties.

Section 9. The board of each
health district organized pursuant
to the provisions of this Act shall
annually budget the amount of
money necessary to conduct the
affairs of the district during its
next fiscal year, which said fiscal
year shall be set forth in the res-
olutions of the local governments
creating the district, which amount
shall not exceed 1/20th of 1% of
the aggregate value of the real and
personal property located in the
health district based upon the cur-
rent valuations of the local govern-
ments comprising the district. The
budget shall be adopted only after
public hearing with reasonable no-
tice thereof; subject to such con-
trols as may be adopted by the local

governmental units participating in the formation thereof and as set out in the joint resolutions creating the district.

The share of each local government unit comprising the district shall be the proportion of the total value of the real and personal property therein to the total value of the real and personal property in the entire district.

The share of each local government unit may be raised by a tax on real and personal property within said unit levied during the fiscal year next ensuing, or it may be raised from other sources; if raised by property tax, the governing bodies are authorized to levy and collect the necessary number of mills, not in excess of the number of mills herein authorized which may be in excess of present limitations on mill rates, required to meet the share of the health district budget in the same manner as other property taxes are assessed, levied and collected, particularly as provided by law for Independent School Districts in Art. 4, Chapt. 3, Title 37, ACLA, 1949 as amended, and the said tax revenue shall be turned over on collection to the health district board; if payments are made from sources other than the property tax herein authorized, payment shall be made quarterly on the first day of the fiscal year and the first day of each quarter thereafter. Where two or more units exercise jurisdiction in the same geographical area, one of such units may be required by the

board to assess the property and levy the tax herein provided for, in the area of concurrent jurisdiction.

Section 10. The board of health shall have and exercise, subject to applicable statutes, the executive power and authority and shall assume the responsibility concerning public health now or hereafter vested by statutes or regulations in each and every local government within the health district, and shall have the title, control and management of the property owned by such local governments and used exclusively for health activities. The health district shall have the power and it shall be its duty to adopt measures for the control and eradication of preventable or communicable diseases, the inculcation of modern scientific methods of hygiene and sanitation, and the education of the public in matters relating to public health.

Section 11. Every act prohibited hereby or by any lawful rule or regulation made by the district health board under the authority hereof is hereby declared unlawful and a misdemeanor and every person convicted of a violation of any provision hereof or of any rule or regulation set forth or issued in pursuance hereof shall be punished by a fine of not more than Three Hundred Dollars (\$300). Each act or violation and every day upon which any such violation shall occur shall constitute a separate offense.

In addition to the above penalty,

violators shall upon a conviction of a second violation have their right to do business suspended until compliance with this Act or any lawful rule and regulation made pursuant hereto be had and during said period no persons whose right to do business has been suspended or revoked shall open for business to the public for any purpose whatsoever until he has brought his place of business to conform with the standards hereof or lawful rules and regulations made pursuant hereto and the health director so certifies, in which case the suspension shall be revoked and any permit that might have been suspended, reinstated. All public places violating the provisions of this Act or any lawful rule and regulation issued pursuant to the provisions hereof shall be deemed public nuisances.

Section 12. In the event any local government within the health district desires special health services not given by the health district to all inhabitants of the district, it shall be the duty of the health district to furnish such service, and the local government shall pay the health district for the cost of such special service or services.

Section 13. The district board of health shall have power to make and publish rules and regulations for the protection of the public health and such rules shall conform at least to the minimum requirements, rules and regulations of the Department of Health and the principles of public health and sanita-

tion recognized by the medical profession.

Section 14. All measures that have been enacted by any local government to effect any of the functions conferred upon a health district by this Act shall remain in full force and effect until a measure covering the same subject matter shall have been adopted by the board of the health district. Upon the adoption of such a measure, pre-existing regulations shall become and be inoperative.

Section 15. Health districts may provide for the inspection of all places subject to the provisions of this Act or any lawful measure, ordinance, rule or regulation adopted pursuant hereto; fees may be imposed to cover the cost of said inspections.

Section 16. The district board of health: (a) may make an agreement or contract with the Department of Health of the Territory of Alaska relative to the expenditure of local, Territorial, federal or other funds available for public health; (b) shall establish and maintain an approved local full-time public health service established and operating in accordance with rules and regulations of the Department of Health; (c) shall select a health director qualified in accordance with the merit system regulations of the Territory and approved by the Department of Health; (d) shall enforce and observe the rules and regulations of the Department of Health and all laws of the Terri-

tory of Alaska pertaining to the preservation of health; (e) shall distribute free, as the local needs may require, all vaccines, drugs, serums and other preparations obtained from the Department of Health, or purchased for public health purposes by the district board.

Section 17. The health director shall have the power and the duty to: (a) be the executive officer of the district board of health; (b) appoint a staff of such other personnel as may be necessary whose qualifications shall conform to the Alaska Merit System; (c) subject to the supervision of the district board, do all acts and things necessary to carry out the functions of the health district; (d) deposit in the General Fund of the District

and disburse the monies of the district in accordance with the budget adopted by the district board of health.

Section 18. The health district shall make application for financial assistance from the Department of Health; and under rules and regulations of the Territorial Board of Health shall be entitled to receive such Territorial and federal funds as may be available. The Territorial Board of Health shall establish by regulation for distribution of funds taking into account, whenever possible, but not by way of limitation: (a) population; (b) per capita income; and (c) special health needs of the district; such funds to serve as matching funds for the development of local health services.

Approved March 29, 1955

CHAPTER 164

AN ACT

Relating to higher education, ratifying a compact between this and other territories or states; providing for commissioners; and authorizing an appropriation.

(H. B. 98)

Be it Enacted by the Legislature of the Territory of Alaska:

Section 1. The Western Regional Higher Education Compact, recom-