



LAWS OF ALASKA

1970

Source

HB 505

Chapter No.

186

AN ACT

Establishing the Village Safe Water Act.

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

* Section 1. AS 46 is amended by adding a new chapter to read:

CHAPTER 07. VILLAGE SAFE WATER ACT.

Sec. 46.07.010. STATEMENT OF PURPOSE. It is the purpose of this chapter to establish a program designed to provide safe water and hygienic sewage disposal facilities in villages in the state.

Sec. 46.07.020. PROVISION OF FACILITIES. The commissioner shall institute and carry out a program to provide for the installation of such safe water and hygienic sewage disposal facilities in villages in the state as are necessary to assure that there will be at least one facility for safe water and hygienic sewage disposal in each village.

Sec. 46.07.030. NATURE AND LOCATION OF FACILITIES.
(a) A facility constructed under authority of this chapter shall be available for use by the public and shall be designed to assure year-round use. The facility shall include, at a minimum, a source of clean water, such as a well with pumping facilities or utilization of surface water treated so it is safe and healthful for use, shower bath facilities, an adequate means of hygienic sewage disposal, and facilities for the washing of clothes. The building housing the facility shall also contain, if the commissioner determines it to be feasible and appropriate, suitable quarters to be used as a community health service office.

(b) The location of a facility constructed under this chapter shall be determined by the commissioner after consultation with the governing body of the village in which the facility is located, as well as with appropriate public agencies, including but not limited to the Alaska State Housing Authority and the Federal Field Committee for Development Planning in Alaska. The aim of the consultation is to achieve maximum coordination in public development plans and activities affecting the community in which the facility is to serve.

Sec. 46.07.040. CONSTRUCTION OF FACILITIES. (a) The commissioner shall provide for the construction of facilities under this chapter, and is authorized to provide for the construction by contract or through grants to public agencies or private nonprofit organizations, or otherwise. No contribution toward the cost of the construction of a facility may be required from its users.

(b) In the construction of a facility under this chapter, workmen from the village in which the facility is being constructed shall be utilized to the maximum extent feasible.

Sec. 46.07.050. OPERATION OF FACILITIES. (a) It is the responsibility of the village governing body to maintain and operate the safe water and hygienic sewage disposal facility, and upon completion of the facility the commissioner shall execute the necessary transfers of title to vest complete ownership of the facility in the governing body. The commissioner may not construct a facility unless he first receives satisfactory assurances from the village governing body that it will, upon completion of a facility, accept ownership and responsibility for the operation and maintenance of the facility.

(b) Whenever the commissioner determines that the village governing body does not have sufficient financial resources to operate and maintain the facility, the commissioner may make grants to the governing body in amounts which, when combined with other financial assistance available to it, will enable the governing body to operate and maintain the facility.

(c) When necessary, the commissioner may require the creation of a nonprofit corporation in the village and shall contract with this corporation in order to carry out the purpose of this chapter. The contract shall provide that when an unincorporated community, which for purposes of this chapter is under contract to the state, subsequently is incorporated, then the contract terminates at the time of incorporation and the governing body of the newly incorporated city assumes the powers and duties set forth in this chapter for the governing bodies of other incorporated cities.

Sec. 46.07.060. EDUCATIONAL AND INFORMATIONAL PROGRAM. The commissioner shall conduct, in each village where there is located a safe water and hygienic sewage disposal facility, an appropriate educational and informational program designed to familiarize the residents of the village as to the health advantages to be achieved by the utilization of the facility.

Sec. 46.07.070. ECONOMY OF ADMINISTRATION. In order to prevent duplication of effort and to promote economy of administration, the commissioner shall to the maximum

extent feasible utilize the facilities of appropriate public agencies in the administration of the provisions of this chapter.

Sec. 46.07.080. DEFINITIONS. In this chapter

(1) "commissioner" means the commissioner of health and welfare;

(2) "village" means an unincorporated community which has between 25 and 600 people residing within a two-mile radius, or a fourth class city.