



# LAWS OF ALASKA

1986

**Source**

SCS CSHB 380(Fin)

**Chapter No.**

107

**AN ACT**

Relating to public utility water and sewer service extensions.

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

THE ACT FOLLOWS ON PAGE 1, LINE 9

Approved by the Governor: June 7, 1986  
Actual Effective Date: September 5, 1986

AN ACT

Relating to public utility water and sewer service extensions.

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

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

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

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

(1) charges do not accrue against the property for construction of the extension;

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

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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 AS 42.05.711(b) is repealed and reenacted to read: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.  
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