



# LAWS OF ALASKA

1990

**Source**

SCS CSHB 499(L&C)

**Chapter No.**

176

**AN ACT**

Relating to waste collection and disposal; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 9

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: June 21, 1990  
Actual Effective Date: June 22, 1990

## AN ACT

Relating to waste collection and disposal; and providing  
for an effective date.

\* Section 1. AS 29.35.050(b) is amended to read:

(b) The governing body of a municipality may not prohibit a person holding a valid certificate from the Alaska Public Utilities Commission from continuing to collect and dispose of garbage, refuse, trash, or other waste material, or provide other related services in an area in the municipality if the certificate authorizes the collection and disposal of garbage, refuse, trash, or other waste material and providing of other services in the area, and the certificate was originally issued before the municipality provided similar services. Except as provided in (d) of this section, a [A] municipality may not provide for a garbage, refuse, trash, or other waste material collection and disposal service in an area to the extent it lies in an area granted to a garbage, refuse, trash, or other waste material carrier by a certificate issued by the Alaska Public Utilities Commission to the carrier until it has purchased the certificate, equipment and facilities of the carrier, or that portion of the certificate that would be affected, at fair market value. A municipality may exercise the right of eminent domain to acquire the certificate, equipment, and facilities of the carrier, or that portion of the certificate that would be affected.

\* Sec. 2. AS 29.35.050 is amended by adding a new subsection to read:

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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).