

CHAPTER 105

AN ACT

[S. B. 36]

Amending Sec. 49-2-21 ACLA 1949, as amended by Chapter 21 Session Laws of Alaska 1951, regarding powers of Public Utility Districts.

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

Section 1. That Sec. 49-2-21 ACLA 1949, as amended, is hereby further amended to read as follows:

Powers
enumerated.

Sec. 49-2-21. ENUMERATION OF PUBLIC UTILITY DISTRICT POWERS. Each Public Utility District shall have succession in its corporate name, may sue and be sued, including the bringing of injunction proceedings, in its corporate name, may adopt and use a corporate seal, which shall be judicially noticed; make contracts to enforce or carry into effect any authority herein granted; may purchase, lease or otherwise acquire such real and personal property as it deems necessary or convenient in the transaction of its business, and may dispose of any such personal property held by it; may exercise the right of eminent domain; shall have the power to construct, maintain and operate, alter and improve and to contract for the construction, maintenance and operation, alteration and improvement of dams, reservoirs, power houses, power structures, transmission lines, water works, sewer systems, telephone systems, light plants, hospitals, wharves, docks, warehouses, garbage disposal facilities, park and recreation facilities, traffic and warning signals, street lights, facilities for controlling and preventing fires, cold storage plants and canneries for the processing and canning of fish and fish products; and to produce, distribute and sell

such services and products or otherwise convey rights to use services and products derived from any of the facilities hereinabove enumerated to create, maintain, operate, alter and improve roads, trails, walks, bridges, and drainage ditches, or contract therefor, and shall have the right to own and operate public utilities or to grant franchises for a period not to exceed twenty years with reference to all such utilities within its district, provided, that when a franchise is given to permit the use of streets and other public places for a period of not to exceed twenty years under such rules and regulations as may be prescribed by ordinance of the governing body of the district, no such franchise shall be valid until it has been submitted to the electors of the district at an election and at least a majority of the votes cast are in favor of such franchise. It is further provided that with respect to such election, at least thirty days notice shall be given in the same manner as is provided for notice of an annual municipal election in Alaska, and which notice shall specify the purpose for which such election is called. Every ordinance granting such franchise shall include appropriate provisions for submitting same to the qualified electors of the district as above required, and the result of such election shall be canvassed publicly by the Board of Directors of the district and the result thereof publicly declared and certified. The Board of Directors of the District shall also have power to appoint such officers, employees, attorneys and agents as may be necessary for the transaction of its business, fix their compensation, define their duties, require them to furnish bonds, if deemed necessary, and to remove them

Franchises may
be granted.

Notice and
election on
franchises.

Officers and
employees.

at the pleasure of the Board of Directors.

Public health
provisions.

In addition to other powers heretofore granted, the Board of Directors of the District, by resolution or ordinance, shall have the power and authority to provide for public health.

Approved March 30, 1953.

CHAPTER 106

AN ACT

[S. S. B. 40]

To amend Section 40-3-2 and Section 40-3-20 ACLA 1949, as amended by Chapter 26, Session Laws of Alaska 1951, relating to prohibited acts and penalties under the provisions of the Uniform Narcotic Drug Act; and declaring an emergency.

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

Section 1. Section 40-3-2 ACLA 1949, is hereby amended to read as follows:

Acts prohibited.

Section 40-3-2. ACTS PROHIBITED. It shall be unlawful for any person to manufacture, possess, have under his control, sell, prescribe, administer, dispense, give, barter, supply or distribute in any manner, or compound any narcotic drug, except as authorized in this Act.

Section 2. Section 40-3-20 ACLA 1949, as amended by Chapter 26, Session Laws of Alaska 1951, is hereby amended to read as follows:

Penalties for
first offense.

Section 40-3-20. PENALTIES. Whoever violates any provision of this Act shall upon conviction be fined not more than \$5,000.00 and be imprisoned not less than two nor more than five years. For a second offense, or if, in case of a first conviction of violation of any provision of this Act, the offender shall previously have been convicted of any violation of the laws of

Second offense.