



LAWS OF ALASKA

2004

Source

HCS CSSB 260(TRA)

Chapter No.

AN ACT

Relating to metropolitan planning organizations and to the policy board of the metropolitan planning organization for the Anchorage metropolitan area; relating to transportation planning in federally recognized metropolitan planning areas; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to metropolitan planning organizations and to the policy board of the metropolitan
2 planning organization for the Anchorage metropolitan area; relating to transportation planning
3 in federally recognized metropolitan planning areas; and providing for an effective date.

4
5 * **Section 1.** AS 19.10.160(b) is amended to read:

6 (b) **Design** [AFTER DECEMBER 31, 2002, DESIGN] for proposed major
7 upgrade and new construction projects for highways in federally recognized
8 metropolitan planning areas must be conducive to safety, durability, and economy of
9 maintenance and provide for capacity that will adequately serve planned future traffic
10 as set out in this subsection. This subsection does not apply to designs for highway
11 maintenance projects. Proposed major upgrade and new construction projects that are
12 estimated to cost

13 (1) less than \$5,000,000 must be designed to adequately serve planned

1 future traffic for at least the next 10 years [AFTER CONSTRUCTION OF THE
2 PROJECT];

3 (2) **\$5,000,000 or more** [BETWEEN \$5,000,000 AND \$10,000,000,
4 INCLUSIVE,] must be designed to adequately serve planned future traffic for at least
5 the next 20 years [AFTER CONSTRUCTION OF THE PROJECT];

6 (3) MORE THAN \$10,000,000 MUST BE DESIGNED TO
7 ADEQUATELY SERVE PLANNED FUTURE TRAFFIC FOR AT LEAST THE
8 NEXT 25 YEARS AFTER CONSTRUCTION OF THE PROJECT].

9 * **Sec. 2.** AS 19.20 is amended by adding new sections to read:

10 **Article 2. Metropolitan Planning Organizations.**

11 **Sec. 19.20.200. Establishment of metropolitan planning organizations.** In
12 order to coordinate transportation planning in urbanized areas and achieve the
13 transportation planning goals of 23 U.S.C. 134 and 49 U.S.C. 5303 - 5306, a
14 metropolitan planning organization shall be established for each metropolitan area of
15 the state when required for participation in a federal transportation program. A
16 metropolitan area is an urbanized area with a population of more than 50,000 persons.

17 **Sec. 19.20.210. Membership of the policy boards of metropolitan planning**
18 **organizations.** (a) The policy board of a metropolitan planning organization
19 established under AS 19.20.200 for a metropolitan area with a population greater than
20 200,000 persons shall consist of at least seven voting members. A quorum of the
21 policy board is a majority of the voting members of the board. Four voting members
22 of the board shall be designated by the municipalities that are located partially or
23 wholly within the metropolitan area. Three voting members shall be appointed by the
24 governor. At least one member designated by the municipalities and at least one
25 member appointed by the governor shall be public members who reside within the
26 metropolitan area and who are not elected public officials. The public members shall
27 serve for three-year terms.

28 (b) Two nonvoting members of the policy board of a metropolitan planning
29 organization that is subject to (a) of this section shall be designated as follows:

30 (1) one member of the senate who is elected from a district, of which
31 more than 50 percent is located within the metropolitan area, and who is designated by

1 the president of the senate; a person who is designated to serve as a member of the
2 policy board of a metropolitan planning organization under this paragraph may not
3 receive compensation for service on the metropolitan planning organization; and

4 (2) one member of the house of representatives who is elected from a
5 district, of which more than 50 percent is located within the metropolitan area, and
6 who is designated by the speaker of the house of representatives; a person who is
7 designated to serve as a member of the policy board of a metropolitan planning
8 organization under this paragraph may not receive compensation for service on the
9 metropolitan planning organization.

10 (c) The governor may appoint an additional voting member to the policy board
11 of a metropolitan planning organization that is subject to (a) of this section to
12 represent a private entity that administers or operates a major mode of transportation
13 within the metropolitan area.

14 (d) The governor may appoint additional nonvoting members to the policy
15 board of a metropolitan planning organization that is subject to (a) of this section, if
16 the additional nonvoting members are authorized in the agreement between the
17 governor and the participating local governments that designates the metropolitan
18 planning organization.

19 **Sec. 19.20.220. Approval of local transportation improvement plan.** The
20 governor may approve a transportation improvement plan or an amendment to a
21 transportation improvement plan prepared by a metropolitan planning organization if
22 the plan is consistent with applicable federal law and regulation and the policy board
23 of the metropolitan planning organization is organized in accordance with applicable
24 provisions of AS 19.20.210.

25 * **Sec. 3.** The uncoded law of the State of Alaska is amended by adding a new section to
26 read:

27 **POLICY BOARD OF THE METROPOLITAN PLANNING ORGANIZATION FOR**
28 **THE ANCHORAGE METROPOLITAN AREA.** (a) The governor shall enter into an
29 agreement with the Municipality of Anchorage to restructure the policy board of the
30 metropolitan planning organization for the Anchorage metropolitan area in conformance with
31 AS 19.20.210, added by sec. 2 of this Act, and with applicable federal law and regulation.

1 (b) It is the intent of the legislature that the membership of the policy board of the
2 current metropolitan planning organization for the Anchorage metropolitan area (known as
3 AMATS) be restructured in accordance with this Act in a manner that does not constitute a
4 redesignation of the metropolitan planning organization under federal law.

5 * **Sec. 4.** Section 1 of this Act takes effect immediately under AS 01.10.070(c).

6 * **Sec. 5.** Section 2 of this Act takes effect July 1, 2005.