



SENATOR ALBERT M. KOOKESH
ALASKA STATE LEGISLATURE SENATE DISTRICT C

State Capitol, Room 11
Juneau AK, 99801-1182
907-465-3473
888-288-3473
FAX 907-465-2827

Sponsor Statement

SB 148

SB 148 will resolve the issue of liability to the state or employees of the state when partnering with federally recognized tribes under the Indian Reservations Roads Program. With the decline in state and federal highway funds it's imperative we collaborate and work together. This bill will assist the partnering process, and ultimately benefit all Alaskans by leading to long-term improvements in the state's overall transportation infrastructure.

To take advantage of all available federal transportation dollars on state highways, Alaska DOT&PF and Indian Tribes may enter a series of inter-governmental agreements outlining respective obligations. The process of drafting such inter-governmental agreements can be time consuming and costly. Negotiations will often center on liability concerns, and sometimes months may elapse while trying to resolve the issues. This bill will lessen inter-governmental disputes or disagreements about liability concerns and will enable the tribe and the state to focus instead on the core transportation project(s).

Tribes have both the legal authority and financial capacity to assist with the improvements to the state transportation infrastructure. Congress made significant transportation dollars available under the Indian Reservation Roads (IRR) program. These IRR funds were made available upon the passage of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A legacy for users (SAFETEA-LU), Pub.L.No. 109-59 (2005). In FY **2008 the Alaska share of IRR funds is over \$45 million** and the recent **stimulus package supplemented those funds by approximately \$40 million**.

This bill has the benefit of advancing state-tribal relations, advancing the state-tribal interest in improving state transportation infrastructure (including access to Alaska native villages) and minimizing nuisance litigation which can cost the state significant moneys to defend and settle.

This bill has the support of DOT& PF and I would appreciate your prompt and favorable action on this measure.