

# Fiscal Note

State of Alaska  
2024 Legislative Session

Bill Version: SB 263  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: SB263-DOT-PDSP-04-24-2024  
Title: ROADS & HWYS ADV BOARD; IMPROVEMENT PRGM  
Sponsor: TRANSPORTATION  
Requester: Senate Transportation

Department: Department of Transportation and Public Facilities  
Appropriation: Administration and Support  
Allocation: Program Development and Statewide Planning  
OMB Component Number: 2762

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2025 Appropriation Requested	Included in Governor's FY2025 Request	Out-Year Cost Estimates				
			FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
<b>OPERATING EXPENDITURES</b>	<b>FY 2025</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>	<b>FY 2030</b>
Personal Services	135.8		135.8	135.8	135.8	135.8	135.8
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	<b>135.8</b>	<b>0.0</b>	<b>135.8</b>	<b>135.8</b>	<b>135.8</b>	<b>135.8</b>	<b>135.8</b>

**Fund Source (Operating Only)**

1061 CIP Rcpts (Other)	135.8		135.8	135.8	135.8	135.8	135.8
<b>Total</b>	<b>135.8</b>	<b>0.0</b>	<b>135.8</b>	<b>135.8</b>	<b>135.8</b>	<b>135.8</b>	<b>135.8</b>

**Positions**

Full-time	1.0		1.0	1.0	1.0	1.0	1.0
Part-time							
Temporary							

**Change in Revenues**

None							
<b>Total</b>	<b>0.0</b>						

**Estimated SUPPLEMENTAL (FY2024) cost:** 0.0 *(separate supplemental appropriation required)*

**Estimated CAPITAL (FY2025) cost:** 0.0 *(separate capital appropriation required)*

**Does the bill create or modify a new fund or account?** no  
*(Supplemental/Capital/New Fund - discuss reasons and fund source(s) in analysis section)*

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? **yes**  
If yes, by what date are the regulations to be adopted, amended or repealed? **07/01/25**

**Why this fiscal note differs from previous version/comments:**

Initial version, not applicable.

Prepared By:	Andy Mills, Legislative Liaison	Phone:	(907)465-3900
Division:	Commissioner's Office	Date:	04/24/2024 02:30 PM
Approved By:	Dom Pannone, Director	Date:	04/24/24
Agency:	Program and Administrative Management		

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2024 LEGISLATIVE SESSION

BILL NO. SB 263

### Analysis

SB 263 would update statutes in several areas for the Alaska Department of Transportation and Public Facilities (DOT&PF) regarding municipal planning organizations (MPO), the Statewide Transportation Improvement Program (STIP), and the Roads and Highways Advisory Board (RHAB).

For the section related to MPOs, the changes would remove statutory requirements for the policy boards charged with governance and final decision making within MPO boundaries, defaulting to federal requirements under 23 CFR 450.310(d). This change is not anticipated to result in a fiscal impact.

For the section related to state specific STIP requirements, the DOT&PF largely already facilities and/or has proposed to take similar action. While in and of themselves the articulation of these requirements would not result in anticipated fiscal impacts direct, a risk of fiscal impacts is contemplated through the creation of statutory requires that will create rights of judicial review (including delay and injunctive relief) not current available in the federal process.

Lastly, for the portion of the legislation related to codifying the Roads and Highways Advisory Board (RHAB) in statute (currently a construct of administrative order), the project review provisions could require substantial staff resourcing. To get a sense of what that staffing support would look like, DOT&PF looks at a snapshot of all projects in preconstruction phases.

#### **DOT&PF Projects Currently in Preconstruction (estimates)**

Northern Region (NR) has 47 total\*

Central Region (CR) has 104 total\*

Southcoast Region (SR) has 81 total\*

*\* due to federal STIP requirements, the total counts show parent project number which can have child projects under them and may, depending on how these are evaluated, change the total numbers reviewed/reported.*

Most projects will go over 5 years in preconstruction and therefore would require a presentation to RHAB under the existing language with detailed information about the current status, underlying challenges remaining, and a measure of "continued viability" which would need to be defined for potential board action.

The board recommendations could then result in a call for closure through federal approval. In the stewardship and oversight (S&O) agreement between the DOT&PF and Federal Highway Administration (FHWA), section VII (B) the Division and DOT&PF agree that updates to this Agreement will be considered periodically on a case-by-case basis or when:

**Significant new legislation**, Executive Orders, or other initiatives affecting the relationship or responsibilities of one or both parties to the S&O Agreement occurs;

Further, 23 CFR 172.5(a) requires that State Transportation Agencies shall develop and sustain organizational capacity and provide the resources necessary for the procurement, management, and administration of engineering and design related consultant services, reimbursed in whole or in part with Federal Aid Highway Program funding, as specified in 23 U.S.C. 302(a). Therefore, given current resources being fully dedicated to meeting federal requirements, a transportation Planner would need to be added to staff solely dedicated to coordinating with and providing information to the RHAB.

Given the anticipated workload, the requirements of this bill if enact, the department would need a Transportation Planner 1 (FY2025 Base Step A @ 12 months: \$135.8) to coordinate and support the board and DOT&PF with compliance. Travel and other setup costs would be supported by current board funds.