

SENATE BILL NO. 149

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Introduced: 4/15/99

Referred: Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to awards of federal funds to municipalities for road projects
2 and to the statewide transportation improvement program; and providing for an
3 effective date."

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

5 * **Section 1.** AS 19.05 is amended by adding a new section to read:

6 **Sec. 19.05.043. Statewide transportation improvement program.** (a) The
7 department shall prepare a statewide transportation improvement program that allocates
8 total expenditures among transportation project categories as follows: (1) national
9 highway system, 55 percent; (2) community transportation, 36 percent; and (3) trails
10 and recreational access for Alaska, nine percent. The program shall be prepared and
11 revised as frequently as necessary for state participation in federal highway, transit, and
12 transportation programs or, in the absence of a federal requirement, as frequently as
13 the commissioner otherwise determines appropriate. Program revisions necessary to
14 comply with project funding in an appropriation bill shall be completed by the

1 commissioner and submitted for federal review within 30 days after the effective date
2 of the appropriation. The program must include a priority list of projects in each
3 transportation project category to be carried out in each of, at least, the first three years
4 of the program. The department shall evaluate and rank proposed projects in each
5 category in accordance with the process and standards established by the department
6 by regulation, except the department shall evaluate and rank proposed projects in the
7 community transportation category in accordance with (b) - (d) of this section.

8 (b) Expenditures from the community transportation category shall be further
9 allocated by the department among project subcategories as follows: (1) Anchorage
10 metropolitan area transportation study, 30 percent; (2) remote, 10 percent; (3) state
11 highway system, 15 percent; (4) gravel to pavement upgrade, 15 percent; (5)
12 reconstruction and transfer, 10 percent; (6) statewide competitive, 20 percent. The
13 department may not include a project in the community transportation category if the
14 project is eligible for evaluation under the national highway system category or the
15 trails and recreational access for Alaska category.

16 (c) The department shall rank community transportation category projects
17 proposed to be undertaken in each year of the statewide transportation improvement
18 program in accordance with the priority of the project. The department shall give
19 priority to upgrading an unimproved or hot asphaltic road if the department receives
20 a request by a municipality for the transfer of the road or a portion of the road to the
21 municipality and, after the upgrading is completed, the department shall transfer to the
22 municipality the road or the portion of it that is within the boundaries of the
23 municipality.

24 (d) If the department finds that there are not enough eligible projects within
25 the reconstruction and transfer subcategory, the department shall redistribute the excess
26 allocation to the statewide competitive subcategory. If the department finds that there
27 are not enough eligible projects within another subcategory to fully use the amount of
28 the anticipated appropriations allocated to that subcategory, the department shall
29 redistribute the excess allocation equally between the other subcategories.

30 (e) For purposes of this section,

31 (1) "Anchorage metropolitan area transportation study" means projects

1 that appear on the Anchorage metropolitan area transportation study transportation
 2 improvement program prepared by the joint state and municipal organization charged
 3 with transportation planning for the Anchorage urbanized area in compliance with
 4 federal law;

5 (2) "community transportation" means rural, urban, and remote roads
 6 that are not part of the national highway system, and includes Alaska marine highway
 7 system nonmainline terminals;

8 (3) "gravel to pavement upgrade" means providing hard surface road
 9 treatments to state owned gravel or cold asphaltic roads and providing improvements
 10 necessary to support the hard surface;

11 (4) "national highway system" means transportation facilities designated
 12 as national highways by the federal government, and includes Alaska marine highway
 13 system vessels and mainline terminals;

14 (5) "reconstruction and transfer" means upgrading a road to meet state
 15 standards and transferring ownership of the road and maintenance responsibility to a
 16 municipality;

17 (6) "remote" means roads in communities not connected by road or
 18 ferry to the contiguous continental highway network;

19 (7) "state highway system" means transportation facilities that are not
 20 part of the national highway system, that are at least 10 miles in length, and that
 21 connect at least two communities or connect a community with an important
 22 employment or recreational site;

23 (8) "trails and recreational access for Alaska" means improvements that
 24 enhance highways, roads, and the Alaska marine highway system, including trails,
 25 trailheads, boardwalks, interpretive facilities, recreational access, and scenic byways.

26 * **Sec. 2.** AS 19.05.043(b) is amended to read:

27 (b) Expenditures from the community transportation category shall be further
 28 allocated by the department among project subcategories as follows: (1) Anchorage
 29 metropolitan area transportation study, 30 percent; (2) remote, 10 percent; (3) state
 30 highway system, 15 percent; (4) [GRAVEL TO PAVEMENT UPGRADE, 15
 31 PERCENT; (5)] reconstruction and transfer, 10 percent; (5) [(6)] statewide competitive,

1 35 [20] percent. The department may not include a project in the community
 2 transportation category if the project is eligible for evaluation under the national
 3 highway system category or the trails and recreational access for Alaska category.

4 * **Sec. 3.** AS 19.05.043(e) is amended to read:

5 (e) For purposes of this section,

6 (1) "Anchorage metropolitan area transportation study" means projects
 7 that appear on the Anchorage metropolitan and transportation study transportation
 8 improvement program prepared by the joint state and municipal organization charged
 9 with transportation planning for the Anchorage urbanized area in compliance with
 10 federal law;

11 (2) "community transportation" means rural, urban, and remote roads
 12 that are not part of the national highway system, and includes Alaska marine highway
 13 system nonmainline terminals;

14 (3) ["GRAVEL TO PAVEMENT UPGRADE" MEANS PROVIDING
 15 HARD SURFACE ROAD TREATMENTS TO STATE OWNED GRAVEL OR COLD
 16 ASPHALTIC ROADS AND PROVIDING IMPROVEMENTS NECESSARY TO
 17 SUPPORT THE HARD SURFACE;

18 (4) "national highway system" means transportation facilities
 19 designated as national highways by the federal government, and includes Alaska
 20 marine highway system vessels and mainline terminals;

21 (4) [(5)] "reconstruction and transfer" means upgrading a road to meet
 22 state standards and transferring ownership of the road and maintenance responsibility
 23 to a municipality;

24 (5) [(6)] "remote" means roads in communities not connected by road
 25 or ferry to the contiguous continental highway network;

26 (6) [(7)] "state highway system" means transportation facilities that are
 27 not part of the national highway system, that are at least 10 miles in length, and that
 28 connect at least two communities or connect a community with an important
 29 employment or recreational site;

30 (7) [(8)] "trails and recreational access for Alaska" means
 31 improvements that enhance highways, roads, and the Alaska marine highway system,

1 including trails, trailheads, boardwalks, interpretive facilities, recreational access, and
 2 scenic byways.

3 * **Sec. 4.** AS 19.05 is amended by adding new sections to read:

4 **Article 4. Awards of Federal Funds to Municipalities for Road Projects.**

5 **Sec. 19.05.150. Municipal road projects.** (a) Each fiscal year, the
 6 department shall award federal funds to municipalities for road projects. The total
 7 amount awarded in a fiscal year may not exceed the total amount allocated for that
 8 fiscal year under AS 19.05.043(b) for the project subcategories of reconstruction and
 9 transfer and statewide competitive. Awards are subject to state appropriations of
 10 federal funds for municipal road projects.

11 (b) Appropriations for awards under this section are not one-year
 12 appropriations and do not lapse under AS 37.25.010.

13 **Sec. 19.05.155. Project applications.** A municipality with the power to
 14 construct and maintain roads may apply to the department for an award of federal
 15 money for a road project. The project application must contain all information
 16 regarding the road project that is requested by the department. The municipality must
 17 agree to provide money to match federal funds if a match is required by federal law,
 18 and the municipality must agree to comply with all other federal requirements for
 19 receipt and expenditure of the federal funds for the road project. The department may
 20 not accept an application for a road project until the department determines that the
 21 project will qualify for federal funding.

22 **Sec. 19.05.160. Priorities for road projects.** (a) The department shall set
 23 priorities for all municipal road projects for which it accepts an application under
 24 AS 19.05.155. In setting priorities for projects, the department shall assign a higher
 25 priority to road projects involving the reconstruction or rehabilitation of a state
 26 maintained road where the municipality also agrees to accept maintenance
 27 responsibility for the road upon completion of the project.

28 (b) Unless prohibited under federal law, the department shall include the
 29 municipal road projects that it accepts under AS 19.05.155 in the statewide
 30 transportation improvement program required under AS 19.05.043 in the order of
 31 priority established under (a) of this section and in a manner that ensures that

1 municipal road projects qualify for federal funding each fiscal year in approximately
2 the total amount allocated for that fiscal year under AS 19.05.043(b) for the two
3 project subcategories of reconstruction and transfer and statewide competitive.

4 * **Sec. 5.** Sections 1 and 4 of this Act take effect July 1, 1999.

5 * **Sec. 6.** Sections 2 and 3 of this Act take effect July 1, 2003.