

**ALASKA STATE LEGISLATURE
HOUSE TRANSPORTATION STANDING COMMITTEE**

April 7, 2009

1:04 p.m.

MEMBERS PRESENT

Representative Peggy Wilson, Chair
Representative Craig Johnson, Vice Chair
Representative Cathy Engstrom Munoz
Representative Mike Doogan
Representative Max Gruenberg

MEMBERS ABSENT

Representative Kyle Johansen
Representative John Harris

COMMITTEE CALENDAR

SENATE BILL NO. 142

"An Act authorizing the conveyance of certain land of the Alaska Railroad Corporation to the Department of Transportation and Public Facilities; and providing for an effective date."

- MOVED SB 142 OUT OF COMMITTEE

SENATE BILL NO. 24

"An Act naming the bridge over Hammer Slough on Nordic Drive in Petersburg the Louis Miller Bridge."

- MOVED SB 24 OUT OF COMMITTEE

HOUSE BILL NO. 171

"An Act authorizing the transfer of two parcels of land from the Alaska Railroad Corporation to the Municipality of Anchorage; and providing for an effective date."

- BILL HEARING CANCELED

PREVIOUS COMMITTEE ACTION

BILL: SB 142

SHORT TITLE: TRANSFER RAILROAD LAND TO DOTPF:FAIRBANKS

SPONSOR(S): SENATOR(S) PASKVAN

03/09/09	(S)	READ THE FIRST TIME - REFERRALS
03/09/09	(S)	TRA, L&C

03/17/09 (S) TRA AT 1:00 PM BUTROVICH 205
03/17/09 (S) Moved SB 142 Out of Committee
03/17/09 (S) MINUTE(TRA)
03/18/09 (S) TRA RPT 4DP
03/18/09 (S) DP: MENARD, DAVIS, MEYER, PASKVAN
03/26/09 (S) L&C AT 1:30 PM BELTZ 211
03/26/09 (S) Moved SB 142 Out of Committee
03/26/09 (S) MINUTE(L&C)
03/27/09 (S) L&C RPT 4DP
03/27/09 (S) DP: PASKVAN, MEYER, THOMAS, DAVIS
04/01/09 (S) TRANSMITTED TO (H)
04/01/09 (S) VERSION: SB 142
04/02/09 (H) READ THE FIRST TIME - REFERRALS
04/02/09 (H) TRA
04/07/09 (H) TRA AT 1:00 PM CAPITOL 17

BILL: SB 24

SHORT TITLE: LOUIS MILLER BRIDGE

SPONSOR(S): SENATOR(S) STEDMAN

01/21/09 (S) PREFILE RELEASED 1/9/09
01/21/09 (S) READ THE FIRST TIME - REFERRALS
01/21/09 (S) TRA, FIN
02/03/09 (S) TRA AT 1:00 PM BUTROVICH 205
02/03/09 (S) Moved SB 24 Out of Committee
02/03/09 (S) MINUTE(TRA)
02/04/09 (S) TRA RPT 4DP
02/04/09 (S) DP: KOOKESH, DAVIS, MEYER, PASKVAN
02/27/09 (S) FIN AT 9:00 AM SENATE FINANCE 532
02/27/09 (S) Heard & Held
02/27/09 (S) MINUTE(FIN)
03/27/09 (S) FIN AT 9:00 AM SENATE FINANCE 532
03/27/09 (S) Moved SB 24 Out of Committee
03/27/09 (S) MINUTE(FIN)
03/30/09 (S) FIN RPT 5DP
03/30/09 (S) DP: HOFFMAN, STEDMAN, THOMAS, ELLIS,
HUGGINS
04/01/09 (S) TRANSMITTED TO (H)
04/01/09 (S) VERSION: SB 24
04/02/09 (H) READ THE FIRST TIME - REFERRALS
04/02/09 (H) TRA, FIN
04/07/09 (H) TRA AT 1:00 PM CAPITOL 17

WITNESS REGISTER

JEFF STEPP, Staff
Senator Joe Paskvan

Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented SB 142 on behalf of the prime sponsor, Senator Joe Paskvan.

MARY SIROKY, Legislative Liaison
Office of the Commissioner
Department of Transportation & Public Facilities (DOT&PF)
Juneau, Alaska

POSITION STATEMENT: Answered questions during the discussion of SB 142.

JOHN BENNETT, Right-of-Way Chief
Northern Region
Department of Transportation & Public Facilities (DOT/PF)
Fairbanks, Alaska

POSITION STATEMENT: Answered questions during the discussion of SB 142.

DONNA GUARDINO, MPO Coordinator
Fairbanks Metropolitan Area Transportation System (FMATS)
POSITION STATEMENT: Answered questions during the discussion of SB 142.

WESTON EILER, Staff
Senator Bert Stedman
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented SB 24 on behalf of the prime sponsor, Senator Bert Stedman.

AL DWYER, Mayor
Petersburg, Alaska

POSITION STATEMENT: Testified in support of SB 24.

ACTION NARRATIVE

[1:04:36 PM](#)

CHAIR PEGGY WILSON called the House Transportation Standing Committee meeting to order at 1:04 p.m. Representatives Doogan, Munoz, Johnson, and Wilson were present at the call to order. Representative Gruenberg arrived as the meeting was in progress.

SB 142-TRANSFER RAILROAD LAND TO DOTPF:FAIRBANKS

[1:05:14 PM](#)

CHAIR WILSON announced that the first order of business would be SENATE BILL NO. 142, "An Act authorizing the conveyance of certain land of the Alaska Railroad Corporation to the Department of Transportation and Public Facilities; and providing for an effective date."

[1:05:41 PM](#)

JEFF STEPP, Staff, Senator Joe Paskvan, Alaska State Legislature, on behalf of the prime sponsor, Senator Joe Paskvan, stated that the Department of Transportation & Public Facilities (DOT&PF) is planning on reconstructing Illinois Street, which provides primary access to downtown Fairbanks from the north. Additionally other streets intersect Illinois and Barnette Streets, which add to the travel demands and safety concerns along this corridor.

MR. STEPP referred to a map in members' packets. In order to complete this project the DOT&PF needs to acquire full interest of approximately five acres of property. The Alaska Railroad Corporation requires legislative approval for this action to proceed. This bill would provide authority for the DOT&PF to use cash, land of equal value or a combination of both to the ARRC. There is no additional fiscal impact since DOT&PF costs are part of the construction cost of this project. The DOT&PF and the ARC support the bill. Additionally, the Downtown Association of Fairbanks and the Fairbanks Visitor and Convention Center support the project.

[1:08:16 PM](#)

MR. STEPP, in response to Chair Wilson answered that he is not aware of any opposition. He related that the project has been fully vetted publically in Fairbanks.

[1:08:42 PM](#)

MR. STEPP, in response to Representative Johnson, explained that the five acres of land do not form a perfect rectangle, but wrap around the project area. He related that the boundaries encompass the area.

MARY SIROKY, Legislative Liaison, Office of the Commissioner, Department of Transportation & Public Facilities (DOT&PF), referred members to some maps in their packets. She explained

that the highlighted area represent parcels that DOT&PF would receive from the Alaska Railroad Corporation (ARRC).

[1:10:35 PM](#)

REPRESENTATIVE JOHNSON inquired whether any buildings are on the property that is designated to be conveyed to DOT&PF.

JOHN BENNETT, Right-of-Way Chief, Northern Region, Department of Transportation & Public Facilities (DOT/PF), answered that there are not any buildings on the land that will be conveyed to the DOT&PF.

MR. BENNETT, in response to Representative Johnson, explained that the investigation for hazardous waste is currently ongoing. He further explained that the department has identified some HAZMAT [hazardous materials] that will need to be dealt with and that a consultant is also checking for any soil contamination.

[1:12:26 PM](#)

CHAIR WILSON asked whether the HAZMAT [hazardous materials] will be taken care of prior to the transfer.

MR. BENNETT answered that passage of SB 142 would grant the ARRC the authority to convey the land to the state. However, he indicated that the DOT&PF would still need to proceed through the acquisition process, including appraisals, negotiations, and document preparation. Thus, the DOT&PF will have information on any soils contamination prior to the land transfer.

REPRESENTATIVE JOHNSON stated that he would like to go on the record that he does not want to transfer land that creates an environmental cleanup situation. He opined that the DOT&PF and the ARRC would lose his support for the land transfer if that environmental situation occurs.

[1:13:38 PM](#)

MS. SIROKY, in response to Chair Wilson, explained that DOT&PF will use the land for the roadway, the right-of-way, and for sidewalks. She stated that all of the land is important for the structure and construction of the road.

[1:14:20 PM](#)

DONNA GUARDINO, MPO Coordinator, Fairbanks Metropolitan Transportation System (FMATS), stated that FMATS is funding the Illinois construction project from its transportation improvement program. She related that the project has been included in their program since 1985, and is currently in the right-of-way acquisition phase. This bill will enable the DOT&PF to acquire the land from the ARRC that is necessary to reconstruct the Illinois Street. She pointed out that is a top priority project for the FMATS policy committee. The initial stage of the project, the Barnette Street Bridge, is planned to be built this winter. The FMATS hopes the remainder of the project will begin construction in late 2010 or early 2011. She highlighted that the critical path for the project is successful acquisition of right-of-way to construct the project as planned. Given that it is necessary for the legislature to convey the land, and the ARRC has approved the land transfer and FMATS encourages the committee to support SB 142.

[1:15:48 PM](#)

REPRESENTATIVE JOHNSON asked who will be the ultimate owner, whether it will be a state road or if the land will be transferred to the City of Fairbanks.

MS. SIROKY offered her belief that the road will remain on the state inventory.

MS. GUARDINO responded that portions of the land will be maintained by the City of Fairbanks and some will be maintained by the Fairbanks North Star Borough (FNSB).

REPRESENTATIVE JOHNSON inquired as to whether ownership will also belong to the City of Fairbanks and the FNSB. He offered his preference to have the land conveyed to the either the City of Fairbanks or the FNSB.

MS. SIROKY explained that Illinois Street is a state road. While some maintenance agreements may be in place, she was not aware of any intention by DOT&PF to transfer the land to the City of Fairbanks or the FNSB.

[1:18:26 PM](#)

REPRESENTATIVE JOHNSON inquired as to whether anything would prevent the road transfer.

MS. SIROKY offered to provide that information later.

REPRESENTATIVE JOHNSON reiterated his belief that the land should be transferred. He added that in his district he also advocates that upgrades be made and then transferred to the city.

[1:19:42 PM](#)

CHAIR WILSON noted that the bill has one more committee of referral to the House Labor and Commerce Standing Committee.

MS. GUARDINO offered that she reviewed the maintenance agreement for this project. She detailed that the DOT&PF has agreed to accept ownership and maintenance responsibilities for all signal, illumination, and bridge features. The City of Fairbanks has agreed to accept ownership and maintenance responsibilities for all new roadway, sidewalks, signage, and drainage facilities including seasonal surface maintenance for Illinois, Barnette, and Cushman Street bridges. And the FNSB has agreed to assume the responsibility to maintain the landscaping, she related.

MR. BENNETT related his experience has been that even when the state transfers maintenance responsibilities to a city, that the DOT&PF typically retains the title of the land. He opined part of the reason is due to the federal obligations in using federal funds, since the federal agency has specific requirements for management and disposition of the right-of-way. He further opined that adhering to the policy is more easily managed when the state retains the title to the land.

[1:21:45 PM](#)

CHAIR WILSON, after first determining no one else wished to testify, closed public testimony on SB 142.

[1:22:13 PM](#)

REPRESENTATIVE MUNOZ moved to report SB 142 out of committee with individual recommendations and the accompanying fiscal note. There being no objection, SB 142 was reported from the House Transportation Standing Committee.

SB 24-LOUIS MILLER BRIDGE

[1:22:48 PM](#)

CHAIR WILSON announced that the final order of business would be SENATE BILL NO. 24, "An Act naming the bridge over Hammer Slough on Nordic Drive in Petersburg the Louis Miller Bridge."

[1:22:57 PM](#)

WESTON EILER, Staff, Senator Bert Stedman, Alaska State Legislature, on behalf of the prime sponsor, Senator Bert Stedman, stated that SB 24 would name a bridge in Petersburg in honor of Louis Miller. Mr. Miller was an early Alaskan pioneer who contributed much to the community of Petersburg. He explained that Mr. Miller came to Alaska as part of the Klondike Gold Rush and arrived in Petersburg in 1901. He worked as a carpenter for town funder Peter Buschmann. Mr. Miller is credited with constructing some of the first homes along the Hammer Slough area. He served as foreman for the construction of the community Sons of Norway Hall. Mr. Miller also operated a moorage and a warehouse at the site of the Hammer Slough Bridge. The bill would recognize his memory and contribution by naming the bridge over Hammer Slough in his honor. This bill is supported by the City of Petersburg, and a resolution of support is in members' packets.

[1:24:36 PM](#)

REPRESENTATIVE JOHNSON referred to the fiscal note for \$4,000. He recalled that the committee passed a bill naming the Joseph C. Williams, Sr. Coastal Trail with a zero fiscal note. He inquired as to whether the DOT&PF could also zero out this fiscal note.

[1:25:16 PM](#)

MS. SIROKY recalled the fiscal note for the Joseph C. Williams, Sr. Coastal Trail, and reminded members that in that instance an existing sign was moved. Thus, the department absorbed the cost. However, she explained that new signs represent an expense and if the department absorbs the cost the funding, it would be taken from the DOT&PF's maintenance budget. She pointed out that the DOT&PF performs ongoing maintenance and replacement of its signs. She concluded that since this sign is for an initial installation, that the cost should be reflected in the bill.

[1:26:30 PM](#)

CHAIR WILSON also recalled that the Joseph C. Williams, Sr. Coastal Trail required moving an existing sign to one end of the trail.

[1:26:40 PM](#)

AL DWYER stated that the Petersburg City Council reviewed the bill and issued a resolution in support of designating the bridge across Hammer Slough on the Mitkof Highway as the Louis Miller Memorial Bridge. He said, "We're all for it and we're hoping that it gets through the process and we rename the bridge." In response to Chair Wilson, Mr. Dwyer indicated that currently the bridge is currently called the "bridge".

CHAIR WILSON, after first determining no one else wished to testify, closed public testimony on SB 24.

[1:27:53 PM](#)

REPRESENTATIVE MUNOZ moved to report SB 24 out of committee with individual recommendations and the accompanying fiscal note. There being no objection, SB 24 was reported from the House Transportation Standing Committee.

[1:29:08 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Transportation Standing Committee meeting was adjourned at 1:29 p.m.