

Introduced: 3/8/63
Referred: State Affairs

1 IN THE SENATE

RULES COMMITTEE
BY REQUEST OF THE GOVERNOR

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SENATE BILL NO. 158

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRD LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act creating a Department of Highways;
and providing for an effective date."

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

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* Section 1. AS 44.15.010 is amended to read:

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Sec. 44.15.010. OFFICES AND DEPARTMENTS. There are in

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the state government the following principal offices and
departments:

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(1) Office of the Governor

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(2) Department of Administration

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(3) Department of Law

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(4) Department of Revenue

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(5) Department of Education

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(6) Department of Health and Welfare

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(7) Department of Labor

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(8) Department of Commerce

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(9) Department of Military Affairs

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(10) Department of Natural Resources

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(11) Department of Fish and Game

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(12) Department of Public Safety

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(13) Department of Public Works

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(14) Department of Economic Development and Planning

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(15) Department of Highways

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* Sec. 2. AS 44 is amended by adding a new chapter to read:

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CHAPTER 44. DEPARTMENT OF HIGHWAYS

SB #158 as am

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1 Sec. 44.44.010. COMMISSIONER OF HIGHWAYS. The
2 principal executive officer of the Department of Highways
3 is the commissioner of highways.

4 Sec. 44.44.020. GENERAL POWERS AND DUTIES OF DEPARTMENT
5 The Department of Highways is charged with (1) the duties
6 involved in the construction, maintenance, and operation of
7 state highways, roads, bridges, traffic signs and signals,
8 and other like facilities; and (2) the supervision and main-
9 tenance of all state automotive and mechanical equipment
10 excluding aircraft and vessels.

11 Sec. 44.44.030. CONTRACTS FOR DESIGN AND ENGINEERING
12 SERVICES. If it is not feasible for the staff of the Depart-
13 ment of Highways to perform design and engineering services
14 or surveys, the commissioner may contract with a private
15 engineering firm for design and engineering services or
16 surveys on a negotiated basis after reasonable public notice
17 is given. The prices submitted or negotiated shall be avail-
18 able for public inspection upon request.

19 * Sec. 3. AS 44.43.020 is amended to read:

20 Sec. 44.43.020. GENERAL POWERS AND DUTIES OF DEPARTMENT.
21 The Department of Public Works is charged with (1) the duties
22 involved in the construction, maintenance, and operation of
23 state [HIGHWAYS,] ferries, [ROADS, BRIDGES, TRAFFIC SIGNS AND
24 SIGNALS,] airports, docks, floats, breakwaters, buildings,
25 and similar facilities; and (2) the supervision and main-
26 tenance of all state [EQUIPMENT, INCLUDING] aircraft and [,]
27 vessels [, AND AUTOMOTIVE AND MECHANICAL EQUIPMENT] except
28 vessels used by the Department of Fish and Game.

29 * Sec. 4. AS 19.05.130(1) is amended to read:

1 (1) "commissioner" means the commissioner of
2 highways [PUBLIC WORKS];

3 * Sec. 5. AS 19.05.130(5) is amended to read:

4 (5) "department" means the Department of Highways
5 [PUBLIC WORKS];

6 * Sec. 6. AS 28.05.010 is amended to read:

7 Sec. 28.05.010. POWERS AND DUTIES OF COMMISSIONER OF
8 HIGHWAYS [PUBLIC WORKS]. The commissioner of highways
9 [PUBLIC WORKS] has the following powers and duties:

10 (1) to adopt and designate a uniform standard for
11 the manufacture, display, erection, and location of all signs,
12 signals, signboards, guideposts, and other traffic devices
13 necessary to the safe and orderly guidance of traffic;

14 (2) to erect and maintain upon the public highways
15 such signs and other devices he considers necessary;

16 (3) to designate main-traveled roads and highways
17 as arterial highways as appears to him necessary;

18 (4) to order a public road or highway, or portion
19 of it, closed entirely or closed as to certain classes of
20 vehicles when for any reason the use or continued use of it
21 would cause damage or be dangerous to traffic, or when it is
22 being constructed, altered, repaired, or maintained in such
23 a manner as to require restriction of traffic; whenever
24 practicable, reasonable notice of an order closing or re-
25 stricting a road or highway shall be given to the traveling
26 public before the order becomes effective.

27 * Sec. 7. AS 28.05.020 is amended to read:

28 Sec. 28.05.020. AUTHORITY OF COMMISSIONER OF HIGHWAYS
29 [PUBLIC WORKS] TO ADOPT RULES AND REGULATIONS. The

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commissioner of highways [PUBLIC WORKS] may adopt rules and regulations

(1) preventing the restriction, obstruction, or stoppage of normal traffic upon any road or highway;

(2) prohibiting a person from committing a wilful or careless act causing injury or damage to a road, highway, trail, or bridge [OR FERRY];

(3) governing the size, weight, and load limits of all vehicles operating upon [THE] public roads, [AND] highways, or [USING THE] bridges, [AND FERRIES,] including the issuance or withholding of special permits for excessive sizes, weights, and loads; limiting or prescribing conditions of operation of vehicles when necessary to assure against undue damage to the road foundations, surfaces, or structures; and prescribing fees for special permits.

* Sec. 8. AS 28.05.050 is amended to read:

Sec. 28.05.050. DEPARTMENT OF PUBLIC SAFETY TO PUBLISH RULES AND REGULATIONS AND LAWS RELATING TO VEHICLES. The Department of Public Safety shall publish in pamphlet form the rules and regulations adopted under authority of secs. 10 - 50 of this chapter, traffic laws governing the operation of motor vehicles, driver's licensing and motor vehicle licensing and dealer laws, and accident reporting and safety responsibility statutes. These rules, regulations, and laws shall be distributed free of charge to the motoring public through officers or agencies designated for the purpose. The cost of producing the pamphlets shall be jointly shared by the Department of Highways [PUBLIC WORKS], the Department of Revenue, and the Department of Public Safety.

1 * Sec. 9. AS 28.30.010 is amended to read:

2 Sec. 28.30.010. DUTY OF PEACE OFFICERS TO REPORT AND
3 DELIVER ABANDONED VEHICLES. A peace officer finding an
4 abandoned vehicle anywhere in the state shall report it to
5 the Department of Highways [PUBLIC WORKS]. He shall deliver
6 it into the custody of the officer in charge of the state
7 police in the judicial district where it is found.

8 * Sec. 10. AS 09.55.250(1) is amended to read:

9 (1) a fee simple, when taken for public buildings
10 or grounds, or for permanent buildings, for reservoirs and
11 dams and permanent flooding occasioned by them, or for an
12 outlet for a flow, or a place for the deposit of debris or
13 tailings of a mine, or when, in the judgment of the Depart-
14 ment of Public Works or the Department of Highways, a fee
15 simple is necessary for any of the purposes for which the
16 department, on behalf of the state, is authorized by law to
17 acquire real property by condemnation;

18 * Sec. 11. AS 44.19.360 is amended to read:

19 Sec. 44.19.360. COMPOSITION. The State Geographic
20 Board consists of the director of the Local Affairs Agency,
21 the curator of the state museum, the state historical
22 librarian, the commissioner of the Department of Highways
23 [PUBLIC WORKS], the commissioner of the Department of Natural
24 Resources, the commissioner of the Department of Education,
25 the director of the division of lands, [THE DIRECTOR OF THE
26 DIVISION OF HIGHWAYS,] and one other person appointed by the
27 governor.

28 * Sec. 12. AS 44.19.410(4) is amended to read:

29 (4) the commissioner of highways [PUBLIC WORKS];

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* Sec. 13. AS 44.74.010 is amended to read:

Sec. 44.74.010. WORKING CAPITAL FUND. A working capital fund is established in the state treasury for the use of the Department of Highways [PUBLIC WORKS].

* Sec. 14. AS 44.74.040 is amended to read:

Sec. 44.74.040. RECORDS OF WORKING CAPITAL FUND. The Department of Highways [PUBLIC WORKS] shall maintain cost accounting records showing the income and expenses of the fund. The department shall submit a report on the operation of the fund to the governor and the legislature at the time of submission of the departmental budget.

* Sec. 15. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.