

Introduced: 2/1/67  
Referred: State Affairs

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 SENATE BILL NO. 49

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the relocation of utility facil-  
7 ities incident to federal-aid highway projects; and  
8 providing for an effective date."

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

10 \* Section 1. AS 19.25.020 is amended to read:

11 Sec. 19.25.020. RELOCATION OF UTILITIES INCIDENT TO FEDERAL-AID  
12 HIGHWAY PROJECTS. (a) If, incident to the construction of a highway  
13 project on a federal-aid primary or secondary system, or the interstate  
14 system including its extensions in an urban area, the department  
15 determines and orders that a utility facility located in, over, along,  
16 or under a road right-of-way must be changed, relocated, or removed,  
17 the utility owning or in charge of the facility shall change, relocate,  
18 or remove it as soon as possible in accordance with the order.

19 Failure of the utility to remove the facility within the time specified  
20 authorizes the department to accomplish the removal, the expense to  
21 be borne as specified in (b) of this section.

22 (b) The cost of change, relocation, or removal is a part of the  
23 cost of the highway construction to be paid from highway funds and the  
24 department shall, on behalf of the state, pay the costs of the change,  
25 relocation, or removal, to the extent the utility facility existed on  
26 July 1, 1960. unless the utility facility was constructed and installed  
27 under a valid agreement entered into by the state and the utility after  
28 July 1, 1960, which requires the utility to change, relocate, or re-  
29 move its facilities on demand at its own expense. A utility which

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locates, improves or modifies its facilities on a state owned right-of-way after July 1, 1960, without a permit from the department shall not be reimbursed for the cost of the change, relocation, or removal of its facilities to the extent the cost of the change, relocation or removal is attributable to construction, modification or change performed after July 1, 1960 [FACILITY].

\* Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without approval.