

1 IN THE SENATE

BY GROH AND MILLER

2 SENATE BILL NO. 338

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the establishment of footpaths  
7 and trails along highways and streets; and providing  
8 for an effective date."

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

10 \* Section 1. AS 19 is amended by adding a new chapter to read:

11 CHAPTER 16. FOOTPATHS AND TRAILS.

12 Sec. 19.16.010. FOOTPATHS AND TRAILS. (a) The commissioner of  
13 highways shall develop and administer a statewide program providing for  
14 the establishment and maintenance of footpaths and trails along certain  
15 designated existing highways, or when a highway, road or street is  
16 being constructed, reconstructed or relocated after the effective date  
17 of this chapter.

18 (b) No footpath or trail may be established under (a) of this  
19 section if

20 (1) the establishment of footpaths and trails is contrary to  
21 public safety;

22 (2) the cost of establishing footpaths or trails is exces-  
23 sively disproportionate to the need or probable use;

24 (3) sparsity of population, other available ways, or other  
25 factors indicate an absence of a need for footpaths or trails.

26 (c) Trails established under this section may be used for more  
27 than one type of nonmotorized transportation, as determined by the  
28 commissioner of highways. When appropriate, the commissioner may pro-  
29 vide for trails for snowmobiles and other off-the-road motorized vehicles.

1 A uniform system of marking footpaths and trails shall be established  
2 by the Department of Highways.

3 Sec. 19.16.020. LOCAL PARTICIPATION. (a) A city of any class or  
4 a borough having and exercising powers to build and maintain roads is  
5 entitled to state grants-in-aid for the establishment and maintenance  
6 of footpaths and trails.

7 (b) Before a grant is awarded under this section, application  
8 shall be submitted to the commissioner of highways, accompanied by a  
9 comprehensive plan for the establishment of footpaths and trails.

10 (c) Upon approval of the plan, funds shall be disbursed to cities  
11 and boroughs according to regulations established by the commissioner  
12 of highways.

13 Sec. 19.16.030. AMOUNT TO BE APPROPRIATED. (a) An amount equal  
14 to one per cent of the total yearly state and federal matching sum  
15 combined, under the federal-aid highways program (23 U.S.C., sec. 101-  
16 511), shall be appropriated annually from the general fund for purposes  
17 of developing the program specified in sec. 10 of this chapter, or  
18 for purposes of grants-in-aid under sec. 20 of this chapter.

19 (b) Except as provided in (c) of this section, the sums appropri-  
20 ated under this section shall continue to be available for expenditure  
21 by the Department of Highways or by eligible cities and boroughs for a  
22 period of five years after the close of the fiscal year for which the  
23 sums are authorized. Amounts so obligated remaining unexpended at  
24 the end of that period shall lapse.

25 (c) The amount expended by a city or borough under secs. 20 - 30  
26 of this chapter shall never in any one fiscal year be less than 10 per  
27 cent of the total amount of the funds it receives in that year for the  
28 purposes authorized in sec. 10 of this chapter.

29 (d) Funds appropriated under this section but not expended may,

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within the five-year period, be credited to a financial reserve or special fund established by the Department of Highways or by the participating local government, as the case may be.

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