

1 IN THE SENATE

BY PALMER, SACKETT, THOMAS,
HENSLEY AND CROFT

2 SENATE BILL NO. 369

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the construction of state
7 highways."

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

9 * Section 1. INTENT. It is the intent of this Act to provide for
10 public input and expression in the planning and construction of highways
11 in the state, in cases where highway construction is likely to have a major
12 impact on the lives and well-being of those concerned.

13 * Sec. 2. AS 19.10 is amended by adding a new section to read:

14 ARTICLE 4. PUBLIC HEARINGS AND APPROVAL.

15 Sec. 19.10.270. PUBLIC HEARING AND APPROVAL REQUIRED. (a) Before
16 the commencement of the construction of a highway in the state the
17 commissioner of highways or his designee, in conjunction with the
18 commissioners of fish and game and environmental conservation, or their
19 designees, shall hold a public hearing in each community located within
20 50 miles of either side of the center line of the proposed highway.
21 The hearing shall afford interested persons the right to be heard,
22 and be conducted according to standard hearing procedures consistent
23 with due process of law. At least 15 days before the hearing,
24 reasonable notice of the hearing shall be posted in a public place
25 within each community affected.

26 (b) No later than 30 days after the hearings conducted under (a)
27 of this section, the local governing body of each community within
28 the area to be affected shall notify the Department of Highways of its
29 approval or disapproval of the project. Based on the number of citizens

1 residing in each respective community, if the vote shows that a
2 majority of citizens within the area to be affected disapprove of the
3 highway, the project shall not be undertaken unless authorized by the
4 legislature by the passage and approval of a concurrent resolution at
5 the next regular session after the vote. For purposes of this section,
6 "highway" means any highway which is part of a federal-aid primary,
7 secondary or interstate system.
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