

Introduced: 2/1/77
Referred: Community &
Regional Affairs

1 IN THE HOUSE

2 SCS C)

HOUSE BILL NO. 147

BY RUDD
am (St. Aff.) (P.M.)
24(CRA)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the construction of public projects
7 by state agencies."

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

9 * Section 1. AS 35 is amended by adding a new chapter to read:

10 CHAPTER 30. CONSISTENCY WITH LOCAL GOVERNMENT

11 PLANS AND ORDINANCES.

12 Sec. 35.30.010. REVIEW AND APPROVAL BY LOCAL PLANNING AUTHORITIES.

13 (a) Except as provided in (b) of this section, before commencing con-
14 struction of a public project in a municipality, a department shall
15 submit the plans for the project to the planning commission of the muni-
16 cipality for review and approval.

17 (b) Prior approval by a municipal planning commission may not be
18 required before the commencement of construction of a highway or local
19 service road if

20 (1) the Department of Highways and the municipality have
21 entered into agreement for the planning of the project under AS 19.20.-
22 060 or 19.20.070 and the plans for the project are completed in accor-
23 dance with the terms of that agreement; or

24 (2) the municipality has adopted a municipal master highway
25 plan under AS 19.20.080 and the highway or local service road is con-
26 sistent with the plan adopted.

27 Sec. 35.30.020. COMPLIANCE WITH MUNICIPAL ORDINANCES. A depart-
28 ment shall comply with local planning and zoning ordinances and other
29 regulations in the same manner and to the same extent as other land-

SCS C)

am (St. Aff.) (P.M.)
(CRA)

1 owners.

2 Sec. 35.30.030. WAIVER. If a department clearly demonstrates an
3 overriding state interest, waiver of local planning authority approval
4 and the compliance requirement may be granted by the governor.

5 Sec. 35.30.040. DEFINITIONS. In this chapter

6 (1) "department" means the Department of Public Works, the
7 Department of Highways, and the University of Alaska;

8 (2) "public project" means a public building or other struc-
9 ture, public work, or other facility, highway, or local service road
10 constructed or maintained by a department.

11 * Sec. 2. AS 35.10.020 is repealed.
12