

Original sponsor: Rudd

Offered: 3/7/77  
Referred: Rules

1 IN THE HOUSE

BY THE COMMUNITY AND REGIONAL  
AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 147

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;

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; or

27 (3) the Department of Highways has entered into agreement  
28 with the municipality for the planning of transportation corridors under  
29 AS 19.10.280, and the plans for the project are completed in accordance

1 with the provisions of that agreement.

2 Sec. 35.30.020. COMPLIANCE WITH MUNICIPAL ORDINANCES. A depart-  
3 ment shall comply with local planning and zoning ordinances and other  
4 regulations in the same manner and to the same extent as other land-  
5 owners.

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

9 Sec. 35.30.040. DEFINITIONS. In this chapter

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

12 (2) "public project" means a public building or other struc-  
13 ture, public work, or other facility, highway, or local service road  
14 constructed or maintained by a department; the term includes the acqui-  
15 sition by purchase or agreement of land and rights in land for materials  
16 and the extraction or removal of materials necessary for completion of a  
17 highway under AS 19.05.080 - 19.05.120.

18 \* Sec. 2. AS 35.10.020 is repealed.