

Introduced: 1/17/80
Referred: State Affairs and
Judiciary

1 IN THE HOUSE

BY THE SPECIAL COMMITTEE
ON ROADS AND HIGHWAYS

2 HOUSE BILL NO. 551

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act requiring the transfer to certain municipali-
7 ties of responsibilities of the Department of Trans-
8 portation and Public Facilities for maintenance of
9 state highways; and providing for an effective date."

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

11 * Section 1. AS 19.10 is amended by adding a new section to read:

12 ARTICLE 4. MUNICIPAL MAINTENANCE OF STATE HIGHWAYS.

13 Sec. 19.10.300. LOCAL CONTROL OF STATE HIGHWAY MAINTENANCE. (a)

14 A municipality described in (e) of this section, by resolution of its
15 governing body, may request the transfer to it of the responsibility of
16 the Department of Transportation and Public Facilities for the mainte-
17 nance of state highways within the municipality.

18 (b) After receipt of a resolution requesting transfer to a municipi-
19 pality of the responsibility for state highway maintenance, the commis-
20 sioner shall negotiate and enter into an agreement with municipal
21 officials specifying the terms and conditions by which the maintenance
22 of state highways is transferred to the municipality. The commissioner
23 shall require terms and conditions in an agreement under this subsection
24 to assure compliance with the requirements of this title, and may in-
25 clude other terms and conditions he considers to be in the public in-
26 terest. The effective date of the agreement shall be a date which is
27 not later than five years after the date of the resolution of the
28 governing body of the municipality requesting the transfer.

29 (c) If the commissioner and a municipality enter into agreement

1 for the transfer of state highway maintenance to the municipality, the
2 commissioner shall annually pay to the municipality, for the period
3 beginning with the effective date of the transfer, the amount he deter-
4 mines to be the cost to the state for maintenance of the state highways
5 transferred under the agreement during the fiscal year preceding the
6 effective date of the transfer, adjusted annually for inflation.

7 (d) A request under (a) of this section may be made only by

8 (1) a unified municipality;

9 (2) a home rule or first class city with a population of more
10 than 1,000 people at the time the request is made.

11 (e) In this section, "state highway" means a highway or road
12 located in the state and officially designated by the Department of
13 Transportation and Public Facilities as a state highway in accordance
14 with AS 19.10.020.

15 * Sec. 2. This Act takes effect July 1, 1980.