

Introduced: 4/2/80  
Referred: Community &  
Regional Affairs

BY THE FINANCE COMMITTEE  
BY REQUEST

1 IN THE HOUSE

2 HOUSE BILL NO. 986

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing regional transportation districts  
7 in the unorganized borough; and providing for an effective  
8 date."

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

10 \* Section 1. PURPOSE. (a) It is the purpose of this Act to provide for  
11 transportation facilities in the unorganized borough.

12 (b) This Act does not prohibit an organized borough, city, village,  
13 community, or settlement in an unorganized area of the state from becoming  
14 part of or being formed into an organized municipality under AS 29.

15 \* Sec. 2. AS 29.03 is amended by adding a new section to read:

16 Sec. 29.03.030. REGIONAL TRANSPORTATION DISTRICTS. The regional  
17 transportation districts established under AS 35.31 constitute service  
18 areas of the unorganized borough for the providing of transportation  
19 facilities as defined in AS 35.31.100.

20 \* Sec. 3. AS 35 is amended by adding a new chapter to read:

21 CHAPTER 31. REGIONAL TRANSPORTATION DISTRICTS.

22 Sec. 35.31.010. AUTHORITY. The legislature delegates to the  
23 transportation board of each regional transportation district the authority  
24 to build, or otherwise acquire, and operate transportation facilities  
25 in that district in accordance with the provisions of this chapter.

26 Sec. 35.31.015. DISTRICTS. (a) Except as provided in (b) of this  
27 section, each regional educational attendance area established under  
28 AS 14.08.031 shall be organized as a district constituting a service  
29 area in the unorganized borough.

1 (b) The commissioner may, after public hearings held in the area  
2 affected, consolidate two or more regional educational attendance areas  
3 as a single district constituting a service area in the unorganized  
4 borough if, after giving due consideration to the standards applicable  
5 to incorporation of borough governments and the likelihood that a  
6 borough will be incorporated within the area, the commissioner deter-  
7 mines that the functions to be performed under this chapter could be  
8 undertaken more efficiently through the combination of two or more  
9 regional educational attendance areas as a single district.

10 (c) A determination under (b) of this section shall be made before  
11 the organization of the district.

12 (d) A city located within a district has exclusive authority to  
13 provide transportation facilities within its boundaries. A city located  
14 within a district may relinquish to the district its exclusive authority  
15 to provide transportation facilities by submitting to the board and the  
16 commissioner copies of a resolution approved by the assembly or council  
17 providing for the relinquishment.

18 Sec. 35.31.020. REGIONAL TRANSPORTATION BOARDS. (a) A district  
19 shall be operated on an areawide basis under the management of a re-  
20 gional transportation board.

21 (b) Each board shall be composed of five members appointed by the  
22 governor from a list of the names of not more than three persons  
23 nominated by the city council or village council of each community in  
24 the district, and confirmed by the legislature in joint session. The  
25 governor shall designate one member of each board as president, one  
26 member as secretary, and one member as treasurer. Except for the  
27 initial members of a board, the term of office of a board member is  
28 three years. The initial members of a board shall have terms of office  
29 as follows: two shall serve for three years, two shall serve for two

1 years, and one shall serve for one year, the terms being assigned to  
2 members by lot.

3 (c) To be eligible to be a member of a board a person must be a  
4 registered voter in a precinct located within the district.

5 (d) Board members receive \$100 for each meeting they attend and  
6 are entitled to the same payments for transportation and per diem ex-  
7 penses as members of boards under AS 39.20.180.

8 (e) The treasurer of each board shall execute a bond of \$50,000  
9 with the commissioner.

10 Sec. 35.31.025. POWERS. A regional transportation board may

11 (1) sue and be sued;

12 (2) contract with the department, or any other agency or  
13 board for the providing of services, facilities, or supplies;

14 (3) determine, with the approval of the commissioner, its own  
15 fiscal procedures;

16 (4) adopt regulations in accordance with the Administrative  
17 Procedure Act (AS 44.62) governing its organization, policies, and  
18 procedures for the operation of transportation facilities;

19 (5) plan, construct, maintain, operate, and discontinue  
20 operation of transportation facilities;

21 (6) exercise any other function that may be necessary for the  
22 proper performance of its responsibilities.

23 Sec. 35.31.030. RELATIONSHIP WITH THE DEPARTMENT OF TRANSPORTATION  
24 AND PUBLIC FACILITIES. The department shall use its existing staff, to  
25 the extent practicable, to provide planning and administrative assis-  
26 tance to each district. The staff assigned to assist a district need  
27 not reside within the district to which assigned.

28 Sec. 35.31.035. REGIONAL TRANSPORTATION DISTRICT ACCOUNT. (a)  
29 The regional transportation district account is established. The

1 account consists of appropriations for distribution to districts under  
2 this chapter.

3 (b) The money of the account may be used only for district operat-  
4 ing costs and to provide transportation facilities within the districts.

5 (c) The legislature shall allocate appropriations to the account  
6 among the various districts.

7 Sec. 35.31.040. BUDGETS, APPROPRIATIONS, AND RECORDS. (a) The  
8 department shall assist each district with the preparation of a budget,  
9 including capital improvement projects for transportation facilities,  
10 for each fiscal year. The budget for each district shall be included in  
11 the department's financial plan required to be submitted under AS 37.-  
12 07.050.

13 (b) Money appropriated for a district shall be disbursed by the  
14 department and received, held, and expended by the district subject to  
15 the provisions of this chapter and regulations adopted by the depart-  
16 ment.

17 (c) Each district shall maintain financial records of the receipt  
18 and expenditure of appropriations made to it. The records must be in  
19 the form required by the commissioner and are subject to audit by him at  
20 any time.

21 Sec. 35.31.045. REGULATIONS. The department shall adopt regula-  
22 tions in accordance with the Administrative Procedure Act (AS 44.62) to  
23 implement this chapter.

24 Sec. 35.31.050. OWNERSHIP OF LAND AND FACILITIES. A board may  
25 request, and the commissioner shall convey title to land and transpor-  
26 tation facilities under the jurisdiction of the board. If the state  
27 holds less than fee title to the land, the commissioner of the depart-  
28 ment having responsibility shall convey the interest of the state in the  
29 land or facilities to the board.

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Sec. 35.31.100. DEFINITIONS. In this chapter

(1) "board" means a regional transportation board;

(2) "commissioner" means the commissioner of transportation and public facilities;

(3) "department" means the Department of Transportation and Public Facilities;

(4) "district" means a regional transportation district;

(5) "transportation facilities" means airports and aviation facilities.

\* Sec. 4. This Act takes effect July 1, 1980.