

Introduced: 1/11/82
Referred: Transportation and
Finance

1 IN THE HOUSE

BY THE TRANSPORTATION COMMITTEE

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HOUSE BILL NO. 652

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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TWELFTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act authorizing 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."

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

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* Section 1. AS 19.10.030 is amended to read:

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Sec. 19.10.030. RESPONSIBILITY FOR SYSTEM. The department is
13 responsible for the construction and maintenance of the state highway
14 system unless that responsibility is transferred to a municipality under
15 this chapter.

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

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ARTICLE 4. MUNICIPAL MAINTENANCE OF STATE HIGHWAYS.

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

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A unified municipality or a home rule or first class city with a popu-
20 lation of more than 1,000 people may, by resolution of its governing
21 body, request the transfer to it of the responsibility of the department
22 for the maintenance of state highways within the municipality.

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(b) After receipt of a resolution under (a) of this section, the
24 commissioner may enter into an agreement with the municipal officials
25 specifying the terms and conditions by which the maintenance of state
26 highways is transferred to the municipality. The terms of the agreement
27 shall be determined by negotiations with the municipality. The commis-
28 sioner shall require terms and conditions in an agreement under this
29 subsection to assure compliance with the requirements of this title.

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1 The commissioner may include other terms and conditions to protect the
2 public interest. The effective date of the agreement shall be a date
3 that is not later than five years after the date of the resolution of
4 the governing body of the municipality requesting the transfer.

5 (c) If the commissioner and a municipality enter into an agreement
6 for the transfer of state highway maintenance to the municipality, the
7 commissioner shall annually pay to the municipality, for the period
8 beginning with the effective date of the transfer, the amount the com-
9 missioner determines to be the cost to the state for maintenance of the
10 state highways transferred under the agreement during the fiscal year
11 preceding the effective date of the transfer, adjusted annually for
12 inflation.

13 (d) In this section, "state highway" means a highway or road
14 located in the state and officially designated by the department as a
15 portion of the state highway system under AS 19.10.020.

16 * Sec. 3. This Act takes effect July 1, 1982.
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