

Introduced: 4/1/81  
Referred: Transportation and  
Finance

1 IN THE SENATE

BY GILMAN AND KERTTULA

2 SENATE BILL NO. 368

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to local service roads and trails;  
7 and providing for an effective date."

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

9 \* Section 1. AS 19.30.111 is amended to read:

10 Sec. 19.30.111. PURPOSE. It is the purpose of AS 19.30.111 -  
11 19.30.251 to provide for the acquisition and construction of local  
12 service roads and trails which are not included in the approved federal-  
13 aid primary [OR SECONDARY] highway systems eligible for federal-state  
14 matching funds.

15 \* Sec. 2. AS 19.30.131(b) is amended to read:

16 (b) The commissioner shall also further allocate the sums in each  
17 allocation district to the boroughs within each allocation district in  
18 the following manner:

19 (1) one-half in the ratio which the number of miles of  
20 secondary roads [AREA] of each organized borough [(EXCLUDING SALT WATER  
21 AREAS)] within that district bears to the total number of miles of  
22 secondary roads [AREA] of the allocation district; and

23 (2) one-half in the ratio which the population of each  
24 organized borough area within that district bears to the total popula-  
25 tion of the allocation district as shown by the latest available federal  
26 census.

27 \* Sec. 3. AS 19.30.131(c) is amended to read:

28 (c) The commissioner shall also further allocate portions of the  
29 sum allocated to any borough, either organized or unorganized, and to

1 any home rule or first class city within the borough in the following  
2 manner:

3 (1) one-half in the ratio which the number of miles of sec-  
4 ondary roads [AREA] of each home rule city bears to the total number of  
5 miles of secondary roads [AREA] of the borough, [(EXCLUDING SALT WATER  
6 AREAS)] and

7 (2) one-half in the ratio which the population of each home  
8 rule or first class city bears to the total population of the borough  
9 as shown by the latest available federal census.

10 \* Sec. 4. AS 19.30.141 is amended to read:

11 Sec. 19.30.141. ACQUISITION AND CONSTRUCTION PROGRAMS. Before  
12 October 1 of each fiscal year each local government eligible for alloca-  
13 tion of funds under AS 19.30.131 shall submit to the commissioner for  
14 approval a five-year plan [LONG-RANGE PROGRAM] for the acquisition and  
15 construction of local service roads and trails. Before December 1 of  
16 each fiscal year the commissioner shall submit to the governor a five-  
17 year plan [LONG-RANGE PROGRAM] for the acquisition and construction of  
18 local service roads and trails, including the approved local government  
19 programs. An organized borough shall include in its five-year plan  
20 [LONG-RANGE PROGRAM] local service road acquisition and construction  
21 programs for all cities other than home rule and first class cities  
22 within the boundaries of the borough. The commissioner shall include  
23 in his five-year plan [LONG-RANGE PROGRAM] local service road and trail  
24 acquisition and construction within the unorganized borough.

25 \* Sec. 5. AS 19.30.151(c) is amended to read:

26 (c) Nothing in AS 19.30.111 - 19.30.241 prohibits a local govern-  
27 ment from participating financially in the acquisition and construction  
28 of a local service road or trail.

29 \* Sec. 6. AS 19.30.171(b) is amended to read:

1 (b) The costs incurred by the commissioner in acquiring this land  
2 or interest in land includes all costs and any fees incidental to  
3 acquisition. All costs incurred in connection with the acquisition of  
4 the land or interest in land for local governments that have assumed  
5 local road powers shall be charged to the project allocation [PAID BY  
6 THE LOCAL GOVERNMENT] for which the land or interest in land is  
7 acquired. Right-of-way acquisition costs incurred by the commissioner  
8 for local governments without local road powers under AS 19.30.151(a)  
9 shall be charged to the project allocation for the local government for  
10 which the land or interest in land is acquired.

11 \* Sec. 7. AS 19.30.181 is amended to read:

12 Sec. 19.30.181. PROJECT AGREEMENTS. A local government which  
13 has assumed local road powers may enter into a formal project agreement  
14 with the commissioner for the acquisition and construction of a specific  
15 project.

16 \* Sec. 8. AS 19.30.191(c) is amended to read:

17 (c) All contracts by a local government that has not assumed  
18 local road powers must have the prior concurrence of the commissioner.  
19 The commissioner may delegate the power to approve contracts to a local  
20 government that has assumed local road powers for the acquisition and  
21 construction of local service roads and trails.

22 \* Sec. 9. AS 19.30.191(d) is amended to read:

23 (d) Except as provided in (b) and (c) of this section and in  
24 AS 44.33.300, construction of each project shall be administered by the  
25 department in accordance with guidelines established by the commis-  
26 sioner by regulation.

27 \* Sec. 10. AS 19.30.201 is amended to read:

28 Sec. 19.30.201. CONSTRUCTION. Except as provided under AS 19.-  
29 30.161, the [THE] construction of a local service road or trail under-

1 taken by the department or under its direct supervision under the  
2 provisions of AS 19.30.111 - 19.30.241, shall be performed according to  
3 approved design standards and are subject to the inspection and approval  
4 of the commissioner. All construction work done and labor performed by  
5 or under the direct supervision of the department shall be in accordance  
6 with applicable state law.

7 \* Sec. 11. AS 19.30.241(3) is amended to read:

8 (3) "local government" means an organized borough of any  
9 class, a unified municipality organized under AS 29.68.240 - 29.68.440,  
10 [OR] a home rule city, or a city of the first class;

11 \* Sec. 12. AS 19.30.241 is amended by adding a new paragraph to read:

12 (9) "secondary road" means a road which is not included in  
13 the approved federal-aid primary highway system and is being maintained  
14 by the state or local government.

15 \* Sec. 13. AS 29.48.020 is amended by adding a new paragraph to read:

16 (8) provide for the acquisition and construction of local  
17 service roads and trails under AS 19.30.111 - 19.30.251.

18 \* Sec. 14. This Act takes effect July 1, 1981.  
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