

Original sponsors: Gilman and Kerttula

Offered: 5/14/81
Referred: Rules

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 368 (Finance)

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
13 federal-aid primary [OR SECONDARY] highway systems eligible for
14 federal-state matching funds.

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

16 (c) The commissioner shall also further allocate portions of the
17 sum allocated to any borough, either organized or unorganized, and to
18 any home rule or first class city within the borough in the following
19 manner:

20 (1) one-half in the ratio which the area of each home rule
21 or first class city bears to the total area of the borough excluding
22 salt water areas; and

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

26 * Sec. 3. AS 19.30.141 is amended to read:

27 Sec. 19.30.141. ACQUISITION AND CONSTRUCTION PROGRAMS. Before
28 October 1 of each fiscal year each local government eligible for
29 allocation of funds under AS 19.30.131 shall submit to the commissioner

1 for approval a five-year plan [LONG-RANGE PROGRAM] for the acquisition
2 and construction of local service roads and trails. Before December 1
3 of each fiscal year the commissioner shall submit to the governor a
4 five-year plan [LONG-RANGE PROGRAM] for the acquisition and construc-
5 tion of local service roads and trails, including the approved local
6 government programs. An organized borough shall include in its
7 five-year plan [LONG-RANGE PROGRAM] local service road acquisition and
8 construction programs for all cities other than home rule and first
9 class cities within the boundaries of the borough. The commissioner
10 shall include in his five-year plan [LONG-RANGE PROGRAM] local service
11 road and trail acquisition and construction within the unorganized
12 borough.

13 * Sec. 4. AS 19.30.151(c) is amended to read:

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

17 * Sec. 5. AS 19.30.171(b) is amended to read:

18 (b) The costs incurred by the commissioner in acquiring this land
19 or interest in land includes all costs and any fees incidental to
20 acquisition. All costs incurred in connection with the acquisition of
21 the land or interest in land for local governments that have assumed
22 local road powers shall be charged to the project allocation [PAID BY
23 THE LOCAL GOVERNMENT] for which the land or interest in land is
24 acquired. Right-of-way acquisition costs incurred by the commissioner
25 for local governments without local road powers under AS 19.30.151(a)
26 shall be charged to the project allocation for the local government for
27 which the land or interest in land is acquired.

28 * Sec. 6. AS 19.30.181 is amended to read:

29 Sec. 19.30.181. PROJECT AGREEMENTS. A local government which

1 has assumed local road powers may enter into a formal project agreement
2 with the commissioner for the acquisition and construction of a specific
3 project.

4 * Sec. 7. AS 19.30.191(c) is amended to read:

5 (c) All contracts by a local government that has not assumed
6 local road powers must have the prior concurrence of the commissioner.
7 The commissioner may delegate the power to approve contracts to a local
8 government that has assumed local road powers for the acquisition and
9 construction of local service roads and trails.

10 * Sec. 8. AS 19.30.191(d) is amended to read:

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

15 * Sec. 9. AS 19.30.201 is amended to read:

16 Sec. 19.30.201. CONSTRUCTION. Except as provided under AS 19.-
17 30.161, the [THE] construction of a local service road or trail under-
18 taken by the department or under its direct supervision under the
19 provisions of AS 19.30.111 - 19.30.241, shall be performed according to
20 approved design standards and are subject to the inspection and approval
21 of the commissioner. All construction work done and labor performed by
22 or under the direct supervision of the department shall be in accor-
23 dance with applicable state law.

24 * Sec. 10. AS 19.30.241(3) is amended to read:

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

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

29 (9) "secondary road" means a road which is not included in

1 the approved federal-aid primary highway system and is being maintained
2 by the state or local government.

3 * Sec. 12. AS 29.48.020 is amended by adding a new paragraph to read:

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

6 * Sec. 13. This Act takes effect July 1, 1981.