

Introduced: 3/22/82
Referred: Community & Regional
Affairs, Transportation and
Finance

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 SENATE BILL NO. 871

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the relocation of utility facilities
7 incident to the construction of highway projects
8 by a municipality."

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

10 * Section 1. AS 19.25.020(a) is amended to read:

11 (a) If, incident to the construction of a highway project, the
12 department or a municipality determines and orders that a utility
13 facility located across, along, over, under, or within a [STATE] right-
14 of-way within its jurisdiction must be changed, relocated or removed,
15 the utility owning or maintaining the facility shall change, relocate or
16 remove it in accordance with the order. The order shall provide a
17 reasonable time period for compliance.

18 * Sec. 2. AS 19.25.020(c) is amended to read:

19 (c) The cost of change, relocation, or removal (defined by AS 19.-
20 45.001(4)) necessitated by highway construction is a cost of highway
21 construction to be paid by the state or municipality [IN ACCORDANCE WITH
22 AS 19.45.001(4)], notwithstanding the terms or provisions of any exist-
23 ing permit, agreement, regulation or statute to the contrary.