

Offered: 3/4/83
Referred: Community and
Regional Affairs

Original sponsor: Labor and Commerce
Committee

BY THE LABOR AND
COMMERCE COMMITTEE

1 IN THE SENATE

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CS FOR SENATE BILL NO. 67 (L&C) am

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IN THE LEGISLATURE OF THE STATE OF ALASKA -

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THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act relating to the relocation of utility facilities incident to the construction of highway projects by a municipality; and providing for an effective date."

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

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

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

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* Sec. 3. AS 19.25.020(c) is amended to read:

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(c) The cost of change, relocation, or removal, as defined in AS 19.45.001(4), necessitated by highway construction, is a cost of highway construction to be paid by the state or municipality [IN

1 ACCORDANCE WITH AS 19.45.001(4)], notwithstanding the terms or pro-
2 visions of any existing permit, agreement, regulation or statute to
3 the contrary, except that a municipality is not obligated to pay the
4 cost of relocation of utility facilities that are not located in a
5 municipal right-of-way under the conditions of a valid easement or
6 permit.

7 * Sec. 4. AS 19.25.240 is amended to read:

8 Sec. 19.25.240. SUMMARY REMOVAL. The department or a municipal-
9 ity may at any time remove from a [STATE] highway or road under its
10 jurisdiction an encroachment that [WHICH] obstructs or prevents the
11 use of the highway or road by the public.

12 * Sec. 5. AS 19.45.001(4) is amended to read:

13 (4) "cost of change, relocation, or removal" means the
14 entire cost incurred by the utility properly attributed to the change,
15 relocation, or removal of a facility, less any costs for improvements
16 or upgrading over and above the cost of a functionally equal facility;
17 if a facility is to be relocated and replaced with new equipment,
18 there shall also be subtracted from the entire cost any salvage value
19 derived from the old facility; if a facility's service life is extende
20 by the work done to change or relocate it, a percentage equal to the
21 percentage of extension of the facility's service life shall be sub-
22 tracted from the cost;

23 * Sec. 6. A municipality is not obligated for utility facility reloca-
24 tion costs associated with a highway project for which general obligation
25 bonds have been approved or for which state general fund appropriations
26 have been received before the effective date of this Act.

27 * Sec. 7. This Act takes effect July 1, 1983.