

Introduced: 1/31/84  
Referred: Labor and Commerce,  
Transportation and  
Finance

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

1 IN THE SENATE

2 SENATE BILL NO. 396

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to relocation of utilities incident  
7 to highway projects; and providing for an effective  
8 date."

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

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

11 (c) The cost of change, relocation, or removal necessitated by  
12 highway construction is [A COST OF HIGHWAY CONSTRUCTION] to be paid  
13 [BY THE STATE] in accordance with AS 19.45.001(4) as follows:

14 (1) by the department as a cost of highway construction if  
15 the facility was installed before July 1, 1960, regardless of whether  
16 the facility is authorized by a permit at the time the change, relo-  
17 cation, or removal of the facility is required;

18 (2) by either the department as a cost of highway con-  
19 struction or by the utility, depending on the terms of the utility  
20 permit if the facility was installed or authorized under the authority  
21 of a utility permit issued after July 1, 1960;

22 (3) by the utility if the facility was installed after July  
23 1, 1960, and there is no utility permit for the facility;

24 (4) by the utility if the facility is not installed in the  
25 location provided for in the utility permit, regardless of whether the  
26 utility permit requires payment by the department [, NOTWITHSTANDING  
27 THE TERMS OR PROVISIONS OF ANY EXISTING PERMIT, AGREEMENT, REGULATION  
28 OR STATUTE TO THE CONTRARY].

29 \* Sec. 2. This Act takes effect July 1, 1984.