

COMMITTEE REPORT

HOUSE

2/20/81

FURTHER:

(11)

Date: _____

Mr. Speaker:

The Committee on FINANCE has had HB 145

"An Act making a special appropriation for the Hydaburg road; and providing for an effective date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

Letter of Intent
HB 145

The intent of HB145 is for the construction of a road connecting Hydaburg to the Prince of Wales road system and making a special appropriation to the Department of Transportation and Public Facilities for construction and for acquisition of right-of-way and roadway improvements in accordance with a Memorandum of Understanding dated January 27, 1981, between the Department of Transportation and Public Facilities and the Sealaska Corporation and the Haida Corporation.

The Department will adhere to the terms of the Memorandum of Understanding dated January 27, 1981, and providing that Sealaska Corporation and Haida Corporation adhere to the terms contained within this agreement, the Department will negotiate an equitable amount not to exceed \$4,409,000 to purchase the right-of-way with road improvements from Sealaska Corporation and Haida Corporation of a sufficient width to eventually operate and maintain a public secondary highway.

No funds will be advanced to either Sealaska Corporation or Haida Corporation prior to the completion of the road in accordance with the aforementioned agreement dated January 27, 1981.


Representative Bette Cato, Chairman
House Transportation Committee

FISCAL NOTE

I. REQUEST

Bill/Resolution No. H.B. 145

Title: "An Act making a special appropriation for the Hydaburg Road"

Requested by Reps. Gardiner and Freeman

Date 2-12-81

II. FISCAL DETAIL

Agency Affected Department of Transportation and Public Facilities

Program Category Affected _____

BRU, Program, or Subprogram(s) Affected _____

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES			70.0	70.0	70.0	70.0
200 TRAVEL						
300 CONTRACT, Administration			72.3	72.3	72.3	72.3
400 COMMODITIES			15.7	15.7	15.7	15.7
500 EQUIPMENT			244.5	20.0	20.0	20.0
600 LAND & STRUCTURES			158.4	691.0		
700 GRANTS		4,409.0				
TOTAL		4,409.0	560.9	869.0	178.0	178.0

FUNDING (Thousands of Dollars)

GENERAL FUND		4,409.0	560.0	869.0	178.0	178.0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME			2	2	2	2
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

A maintenance station is expected to be constructed as part of the FY 83/84 C.I.P. - the first year will provide for site acquisition and facility design, the second year will provide for actual construction of the shop. Operation of the shop and maintenance of the road will require acquisition of equipment, i.e., grader, plow, truck, loader, plus a maintenance foreman and a one man crew on a full-time basis.

Right of way for the road will be transferred to the State at no cost by Sealaska and Haida Corporation per the Memorandum of Understanding signed January 27, 1981.

IV. DATE February 19, 1981

PREPARED BY Charles Gasparek for Morten Cook
AGENCY Southeast Region Planning
PHONE 789-0841 Ext. 112

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING executed this 27 day of Jan. 1981, by and between the State of Alaska, Department of Transportation and Public Facilities hereinafter referred to as the State, and the Sealaska Corporation and the Haida Corporation; proclaims as follows:

To furnish a necessary transportation link and in order that proper and full utilization of natural resources may be realized, it is desirable that the approximately seven remaining miles of road be constructed linking the town of Hydaburg to the Klawock, Hollis Highway.

Sealaska Corporation and the Haida Corporation are desirous of having this road link constructed at the earliest possible date.

Due to the limited funding of the Forest Highway program, the State would be unable, through its normal project development procedures, to accomplish the physical construction of this road link prior to 1985.

The proposed road link will traverse portions of lands under the ownership control of Sealaska, the jurisdiction of the United States Forest Service and the ownership of Haida Corporation respectively.

It is now therefore understood between the parties herein as follows:

1. Sealaska, will construct, at its own expense, the approximate seven miles of road linking the town of Hydaburg to the Klawock, Hollis Highway. THE TERMINUS OF THE ROAD WOULD BE AT THE SALTRY POINT, HYDABURG DOCK FACILITY.
 - (a) The proposed road link will be constructed by Sealaska Corporation and Haida Corporation, as a pioneer road, to a nominal fourteen (14) foot width with proper turnouts and bridges at standard State requirements.
 - (b) The proposed road link will be constructed operated and maintained within the corridor and along the alignment now being cleared environmentally by the Federal Highway Administration.
 - (c) The proposed road link will be constructed, operated and maintained in a manner recognizing limited public access.
2. It is the intent of Sealaska to request reimbursement of construction costs from the State, prior to any transfer of the roadway. *PET MK*
3. Sealaska Corporation will request, from the United States Forest Service, a permit for right of way for the portion of road within Forest lands.
4. Sealaska Corporation and Haida Corporation will transfer all Rights of Way to the State at no cost to the State, at such time as the State assumes jurisdictional control of the road as a public highway facility.
5. Rights of Way transferred to the State will be of a sufficient width to operate and maintain a facility to be ultimately constructed to two lane secondary highway standards.
6. The State will impose no highway use load limits, on the proposed road, until such time as the road becomes a public highway facility.
7. The State will attempt ^{to upgrade the roadway} through its normal funding and project development procedures to expedite the transfer of this road to the State with State or Forest Highway funds. PREFERENCE WOULD BE TO CONSTRUCT A TWO-LANE ROAD FROM THE OUTSET OF DEVELOPMENT. *PET MK*

It is further understood that time is of the essence in the execution of this instrument.

ACCEPTED:

By *[Signature]*
Commissioner
Department of Transportation
and Public Facilities

By *[Signature]*

By *[Signature]*

The intent of HB145 is for the construction of a road connecting Hydaburg to the Prince of Wales road system and making a special appropriation to the Department of Transportation and Public Facilities for construction and for acquisition of right-of-way and roadway improvements in accordance with a Memorandum of Understanding dated January 27, 1981, between the Department of Transportation and Public Facilities and the Sealaska Corporation and the Haida Corporation.

The Department will adhere to the terms of the Memorandum of Understanding dated January 27, 1981, and providing that Sealaska Corporation and Haida Corporation adhere to the terms contained within this agreement, the Department will negotiate an equitable amount not to exceed \$4,409,000 to purchase the right-of-way with road improvements from Sealaska Corporation and Haida Corporation of a sufficient width to eventually operate and maintain a public secondary highway.

No funds will be advanced to either Sealaska Corporation or Haida Corporation prior to the completion of the road in accordance with the aforementioned agreement dated January 27, 1981.

Pegues
12-0635
Letter of Intent

Funding Information	
General Fund	\$4,409,000
Other Funds	-0-
	<u>\$4,409,000</u>

Introduced: 2/12/81
Referred: Transportation and
Finance

1 IN THE HOUSE

BY GARDINER AND FREEMAN

2 HOUSE BILL NO. 145

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation for the Hydaburg
7 road; and providing for an effective date."

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

9 * Section 1. The sum of \$4,409,000 is appropriated from the general fund
10 to the Department of Transportation and Public Facilities for construction
11 in cooperation with Sealaska Corporation and the Waida Corporation, of the
12 road between the City of Hydaburg and the Hollis highway, ending at the head
13 of Natzuhini Bay.

14 * Sec. 2. The appropriation made by this Act is for a capital project
15 and is subject to AS 37.25.020.

16 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
17 070(c).

Letter of Intent

HB 145

The intent of HB145 is for the construction of a road connecting Hydaburg to the Prince of Wales road system and making a special appropriation to the Department of Transportation and Public Facilities for construction and for acquisition of right-of-way and roadway improvements in accordance with a Memorandum of Understanding dated January 27, 1981, between the Department of Transportation and Public Facilities and the Sealaska Corporation and the Haida Corporation.

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Bette Cato

Representative Bette Cato, Chairman
House Transportation Committee

ALASKA STATE LEGISLATURE

TWELFTH Legislature FIRST... Session

HOUSE BILL..... NO. 145

By GARDINER AND FREEMAN.....

"An Act making a special appropriation for the Hydaburg road; and providing for an effective date."

Spec. appro, Hydaburg road

Introduced in the House ..2/12... 19..81

HISTORY IN THE HOUSE

19 81	Read first time and referred to Committee on										
Feb. 12	Transportation and Finance Reported back with recommendation that										
	Read second time and										
	Read third time and										
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	Reported correctly engrossed										
	Signed by Speaker										
	Sent to Senate										
	CHIEF CLERK OF THE HOUSE										

HISTORY IN THE SENATE

19	Read first time and referred to Committee on										
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	Reported correctly engrossed										
	Signed by President										
	Returned to House										
	SECRETARY OF THE SENATE										

HISTORY IN THE HOUSE

19	Received from Senate
	Concurred in Senate amendment thus adopting: VOTE
	Failed to concur in Senate amendment; asked Senate to recede VOTE
	Senate receded from amendment VOTE
	Senate failed to recede from amendment VOTE
	CC appointed by House
	CC appointed by Senate
	CC adopted by House VOTE
	CC adopted by Senate VOTE
	To enrolling Reported correctly enrolled Sent to Governor by Governor
	Filed with Lt. Governor
	Chapter No.

Funding Information
General Fund \$4,409,000
Other Funds -0-
\$4,409,000

Introduced: 2/12/81
Referred: Transportation and
Finance

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