

COMMITTEE REPORT

HOUSE

FURTHER:

(11)

3/3/82

Date: 3-11-82

Mr. Speaker:

The Committee on FINANCE has had HB 652

"An Act authorizing the transfer to certain municipalities of responsibilities of the Department of Transportation and Public Facilities for maintenance of state highways; 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 HB 652 (11/11/81) same title
 new title
- and recommends DO PASS
- 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

Original sponsor: Transportation Committee

Offered: 3/3/82
Referred: Finance

1 IN THE HOUSE

BY THE TRANSPORTATION COMMITTEE

2 CS FOR HOUSE BILL NO. 652 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act authorizing the transfer to municipalities of
7 responsibilities of the Department of Transportation
8 and Public Facilities for maintenance of state highways
9 and airports; and providing for an effective date."

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

11 * Section 1. AS 19.10.030 is amended to read:

12 Sec. 19.10.030. RESPONSIBILITY FOR SYSTEM. The department is
13 responsible for the construction and maintenance of the state highway
14 system unless the responsibility for maintenance is transferred to a
15 municipality under AS 19.20.013.

16 * Sec 2. AS 19.20 is amended by adding a new section to read:

17 Sec. 19.20.013. LOCAL CONTROL OF STATE HIGHWAY MAINTENANCE. (a)
18 A municipality may, by resolution of its governing body, request the
19 transfer to it of the responsibility of the department for the mainten-
20 ance of state highways within the municipality.

21 (b) After receipt of a resolution under (a) of this section, the
22 commissioner may enter into an agreement with the municipal officials
23 specifying the terms and conditions by which the maintenance of state
24 highways is transferred to the municipality. The terms of the agreement
25 shall be determined by negotiations with the municipality. The commis-
26 sioner shall require terms and conditions in an agreement under this
27 subsection to assure compliance with the requirements of this title.
28 The commissioner may include other terms and conditions to protect the
29 public interest. The effective date of the agreement shall be a date

1 that is not later than five years after the date of the resolution of
2 the governing body of the municipality requesting the transfer.

3 (c) If the commissioner and a municipality enter into an agreement
4 for the transfer of state highway maintenance to the municipality, the
5 commissioner shall annually pay to the municipality, for the period
6 beginning with the effective date of the transfer, the amount the com-
7 missioner determines to be the cost to the state for maintenance of the
8 state highways transferred under the agreement during the fiscal year
9 preceding the effective date of the transfer, adjusted annually for
10 inflation.

11 (d) If an agreement to transfer responsibility for maintenance of
12 a highway is entered into under this section with a municipality that
13 does not otherwise have the power to maintain highways, that municipality
14 is granted the power to perform the agreement.

15 (e) In this section,

16 (1) "municipality" means a political subdivision of the state
17 that is a city, borough, or unified municipality, and includes a home
18 rule and a general law municipality;

19 (2) "state highway" means a highway or road located in the
20 state and officially designated by the department as a portion of the
21 state highway system under AS 19.10.020.

22 * Sec. 3. AS 02.15 is amended by adding a new section to read:

23 Sec. 02.15.062. LOCAL CONTROL OF AIRPORT MAINTENANCE. (a) A
24 municipality may, by resolution of its governing body, request the
25 transfer to it of the responsibility of the department for the mainten-
26 ance of airports within the municipality.

27 (b) After receipt of a resolution under (a) of this section, the
28 commissioner may enter into an agreement with the municipal officials
29 specifying the terms and conditions by which the maintenance of airports

1 is transferred to the municipality. The terms of the agreement shall be
2 determined by negotiations with the municipality. The commissioner
3 shall require terms and conditions in an agreement under this subsection
4 to assure compliance with the requirements of this title. The commis-
5 sioner may include other terms and conditions to protect the public
6 interest. The effective date of the agreement shall be a date that is
7 not later than five years after the date of the resolution of the govern-
8 ing body of the municipality requesting the transfer.

9 (c) If the commissioner and a municipality enter into an agreement
10 for the transfer of airport maintenance to the municipality, the commis-
11 sioner shall annually pay to the municipality, for the period beginning
12 with the effective date of the transfer, the amount the commissioner
13 determines to be the cost to the state for maintenance of the airports
14 transferred under the agreement during the fiscal year preceding the
15 effective date of the transfer, adjusted annually for inflation.

16 (d) If an agreement to transfer responsibility for maintenance of
17 an airport is entered into under this section with a municipality that
18 does not otherwise have the power to maintain airports, that municipal-
19 ity is granted the power to perform the agreement.

20 * Sec. 4. This Act takes effect July 1, 1982.
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Original sponsor: Transportation Committee

Offered: 3/3/82
Referred: Finance

1 IN THE HOUSE

BY THE TRANSPORTATION COMMITTEE

2 CS FOR HOUSE BILL NO. 652 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

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5 A BILL

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7 responsibilities of the Department of Transportation
8 and Public Facilities for maintenance of state highways
9 and airports; and providing for an effective date."

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

11 * Section 1. AS 19.10.033 is amended to read:

12 Sec. 19.10.030. RESPONSIBILITY FOR SYSTEM. The department is
13 responsible for the construction and maintenance of the state highway
14 system unless the responsibility for maintenance is transferred to a
15 municipality under AS 19.20.013.

16 * Sec 2. AS 19.20 is amended by adding a new section to read:

17 Sec. 19.20.013. LOCAL CONTROL OF STATE HIGHWAY MAINTENANCE. (a)
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19 transfer to it of the responsibility of the department for the mainten-
20 ance of state highways within the municipality.

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22 commissioner may enter into an agreement with the municipal officials
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29 public interest. The effective date of the agreement shall be a date

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8 state highways transferred under the agreement during the fiscal year
9 preceding the effective date of the transfer, adjusted annually for
10 inflation.

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12 a highway is entered into under this section with a municipality that
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17 that is a city, borough, or unified municipality, and includes a home
18 rule and a general law municipality;

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20 state and officially designated by the department as a portion of the
21 state highway system under AS 19.10.020.

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2 determined by negotiations with the municipality. The commissioner
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4 to assure compliance with the requirements of this title. The commis-
5 sioner may include other terms and conditions to protect the public
6 interest. The effective date of the agreement shall be a date that is
7 not later than five years after the date of the resolution of the govern-
8 ing body of the municipality requesting the transfer.

9 (c) If the commissioner and a municipality enter into an agreement
10 for the transfer of airport maintenance to the municipality, the commis-
11 sioner shall annually pay to the municipality, for the period beginning
12 with the effective date of the transfer, the amount the commissioner
13 determines to be the cost to the state for maintenance of the airports
14 transferred under the agreement during the fiscal year preceding the
15 effective date of the transfer, adjusted annually for inflation.

16 (d) If an agreement to transfer responsibility for maintenance of
17 an airport is entered into under this section with a municipality that
18 does not otherwise have the power to maintain airports, that municipal-
19 ity is granted the power to perform the agreement.

20 * Sec. 4. This Act takes effect July 1, 1982.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
Bill/Resolution No. CSHB 652 Transfer to municipalities responsibilities
Title for maintenance of state highways & airports
Requested by House Transportation Date 3/26/82

II. FISCAL DETAIL
Agency Affected Department of Transportation & 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 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

-0-

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME						
PART TIME						
TEMPORARY						

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

Assume cost to the state will be the same.

IV. DATE March 30, 1982 PREPARED BY *Sal*
AGENCY DOT/PF
PHONE 465-3900
Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

TESTIMONY ON CS HB 648, CS HB 649, CS HB 651,
CS HB 652 and CS HB 654

My name is Walter B. Parker. I am a resident of Anchorage, Alaska residing at 3724 Campbell Airstrip Road. I have been active in Alaskan transportation operations and planning since 1946.

CS HB 652

I support this bill if my assumption is correct that the necessary coordination of design, signing, lighting and signals would be achieved through the terms and conditions of the transfer. It might be wise to specify that the state highway system is a coordinated system using common design parameters to insure maximum safety. In essence, the relationship between the state and the municipality would be similar to the present federal-state highway relationship insofar as design and planning controls are concerned. The problem could also be handled by defining where maintenance ends and redesign begins.

I do not regard any of the above as problems that will not be surmounted by a reasonable good faith effort on the part of both parties concerned. What has been said about highways also applies to airports.

MAR 9 1982

City of Nondalton
General Delivery
Nondalton, Alaska 99640

March 9, 1982

Rep. Bette Cato
Pouch V
Juneau, Alaska 99811

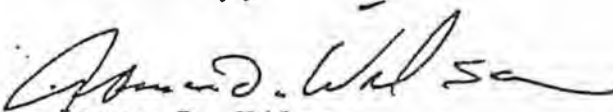
Dear Rep. Cato:

In reference to HB 652, I would like to take this opportunity to inform you of the rural area support for this bill.

If the municipalities could maintain airports and highways, the cost of state government would be less and maintenance would be from day to day instead of item by item.

Please keep us up to date on the progress of this bill and amendments if any.

Sincerely,



James D. Wilson
Mayor of Nondalton

JDW

Bill analysis by Rep. Bette Cato's office

HB 652 "An act authorizing the transfer to certain municipalities of responsibilities of the Department of Transportation and Public Facilities for maintenance of state highways; and providing for an effective date."

This act provides a municipality the option for local control for maintenance of state highways and airports within a municipality.

Sec. 1 AS. 19.10.030 amends existing law to allow the responsibility for maintenance to be transferred to a municipality.

Sec. 2. AS. 19.20.013 is a new section (This relates to Highways)

(a) A municipality may, by resolution of it's governing body, request the transfer to it the responsibility of the department for the maintenance of state highways.

(b) states how the agreement between the department and the municipality shall be made.

(c) this section was put in to allow the commissioner direction as to the amount of monies to the municipality.

(d) authorizes a municipality the power to maintain highways and to enter into an agreement for such.

Sec. 3 AS. 02.15.062 is a new section to allow for local control of airport maintenance, with similar provisions as the highways section.

Sec. 4 effective date authority, July 1, 1982

*** Fiscal impact is estimated at zero, (Fiscal note attached), should represent a savings to the state once enacted, as well as provide for better maintenance.

*** The CS added "airports"

*** Bill is supported by the Alaska Municipal League and Dept. of Community and Regional Affairs position paper included in members files.

STATE OF ALASKA

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, Governor

FEB 24 1982

POUCH B
JUNEAU, ALASKA 99811
PHONE: (907) 465-4700

February 24, 1982

The Honorable Bette M. Cato
Chairperson, House Transportation Committee
Alaska House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Representative Cato:

RE: HB 652

Enclosed please find the Department's position paper on House Bill 652. If you have any questions regarding our position on this legislation, please feel free to contact us.

Sincerely,

Lee McAnerney by RA

Lee McAnerney
Commissioner

Enclosure: Position Paper HB 652

STATE OF ALASKA

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

OFFICE OF THE COMMISSIONER

J. HAMMOND, Governor

FEB 24 1982

POUCH B
JUNEAU, ALASKA 99811
PHONE: (907) 465-4700

POSITION PAPER ON HOUSE BILL 652

House Bill 652 authorizes and establishes a method by which the state may transfer road maintenance responsibilities for state highways to municipalities.

The Department supports this bill as it adds an additional option in the area of road maintenance which in many cases may be a less costly alternative than continued state maintenance. The present situation often creates redundancy with the state and municipalities each having to provide staff and equipment to maintain their respective roads. The Department notes that the bill excludes boroughs (the majority of which exercise road powers on a service area basis only). The Department believes that the Legislature should consider including boroughs under this bill on the condition that the borough accepts the transfer of responsibilities on a comprehensive (i.e. areawide) basis.

The Department supports the idea of granting local governments with as many responsibilities as they are capable or desirous of managing. Resources to administer these services should also be provided. This philosophy is reflected in existing State programs which provide financial aid to local governments and is even more clearly exemplified in SB 716/HB 746, the Governor's proposed revenue sharing reform bill.

Introduced: 1/11/82
Referred: Transportation and
Finance

1 IN THE HOUSE

BY THE TRANSPORTATION COMMITTEE

2

HOUSE BILL NO. 652

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act authorizing the transfer to certain municipali-
7 ties of responsibilities of the Department of Trans-
8 portation and Public Facilities for maintenance of
9 state highways; and providing for an effective date."

10

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

11

* Section 1. AS 19.10.030 is amended to read:

12

Sec. 19.10.030. RESPONSIBILITY FOR SYSTEM. The department is
13 responsible for the construction and maintenance of the state highway
14 system unless that responsibility is transferred to a municipality under
15 this chapter.

16

* Sec 2. AS 19.10 is amended by adding a new section to read:

17

ARTICLE 4. MUNICIPAL MAINTENANCE OF STATE HIGHWAYS.

18

Sec. 19.10.300. LOCAL CONTROL OF STATE HIGHWAY MAINTENANCE. (a)

19

A unified municipality or a home rule or first class city with a popu-
20 lation of more than 1,000 people may, by resolution of its governing
21 body, request the transfer to it of the responsibility of the department
22 for the maintenance of state highways within the municipality.

23

(b) After receipt of a resolution under (a) of this section, the
24 commissioner may enter into an agreement with the municipal officials
25 specifying the terms and conditions by which the maintenance of state
26 highways is transferred to the municipality. The terms of the agreement
27 shall be determined by negotiations with the municipality. The commis-
28 sioner shall require terms and conditions in an agreement under this
29 subsection to assure compliance with the requirements of this title.

1 The commissioner may include other terms and conditions to protect the
2 public interest. The effective date of the agreement shall be a date
3 that is not later than five years after the date of the resolution of
4 the governing body of the municipality requesting the transfer.

5 (c) If the commissioner and a municipality enter into an agreement
6 for the transfer of state highway maintenance to the municipality, the
7 commissioner shall annually pay to the municipality, for the period
8 beginning with the effective date of the transfer, the amount the com-
9 missioner determines to be the cost to the state for maintenance of the
10 state highways transferred under the agreement during the fiscal year
11 preceding the effective date of the transfer, adjusted annually for
12 inflation.

13 (d) In this section, "state highway" means a highway or road
14 located in the state and officially designated by the department as a
15 portion of the state highway system under AS 19.10.020.

16 * Sec. 3. This Act takes effect July 1, 1982.
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THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CSHB 652 Transfer to municipalities responsibilities
 Title for maintenance of state highways & airports
 Requested by House Transportation Date 3/26/82

II. FISCAL DETAIL
 Agency Affected Department of Transportation & 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 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

-0-

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

Assume cost to the state will be the same.

IV. DATE March 30, 1982 PREPARED BY *Pat*
 AGENCY DOT/PF
 Original: Legislative Finance PHONE 465-3900
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CSHB 649 Relating to regions in DOTPF and prescribing
 Title duties of directors
 Requested by House Transportation Committee Date March 26, 1982

II. FISCAL DETAIL
 Agency Affected _____
 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 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	up to 9720.0					

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	up to	9720.0				
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)
 The operating costs to duplicate the regional organizations for the Design and Construction Unit and the Planning and Programming Unit in two additional regions would approximate \$9.7 million in general funds. This estimate does not attempt to cover any costs which would be required for space and other capital costs.

The actual costs would vary greatly based upon the level of autonomy desired in the regions and the refinement of possible reduction in the existing regions. Reductions for duplication of effort would be minimal compared to the total cost.

Reductions to the existing regions have been limited to those now used for the Nome and Valdez Residencies and the three existing director positions which would be deleted.

IV. DATE March 30, 1982 PREPARED BY Ronald Lind
 AGENCY DOT/PF
 Original: Legislative Finance PHONE 465-3900
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

The cost estimates are based upon the assumptions that only the Design and Construction and Planning and Programming Units would be expanded into the two additional regions. No specific estimates have been made for costs of increased administrative services required in the regions.

The costs were calculated as follows:

For the Design and Construction activities, the lower general fund amount in the Southeast or Central Division in the 1983 budget for each component was used. The general fund costs for the two residencies were then deleted. The estimate for the Planning and Programming activities is based upon costs for the Transportation and Facility components for the Interior Region. The direct costs for capital projects were not included because it is assumed that they would be transfers.

Attachment

Attachment for Fiscal Note -
CSHB 649

		<u>General Fund</u>	
		<u>Operating</u>	<u>Indirect</u>
Central Region - Director's Office		450.0	105.0
" " Technical Services		260.0	200.0
" " Buildings & Harbors		395.0	175.0
Southeast Region - Right of Way		310.0	20.0
" " Highway and Aviation		570.0	95.0
Subtotal:		<u>\$1,985.0</u>	<u>595.0</u>
Southcentral Residency		[30.0]	-
Western Residency		[40.0]	-
		<u>\$1,915.0</u>	<u>595.0</u>
Estimated COLA	20%	380.0	120.0
		<u>\$2,295.0</u>	<u>715.0</u>
Interior Transportation Planning		\$1,450.0	-0-
" Facility Planning		500.0	-0-
		<u>\$1,950.0</u>	-0-
Estimated COLA	10%	200.0	-0-
		<u>\$2,150.0</u>	
Subtotal D & C and P & P		\$4,445.0	715.0
Less estimate of 3 Directors which exist in current region		[300.0]	-0-
		<u>\$4,145.0</u>	<u>715.0</u>
Two additional regions		x 2	x 2
		<u>\$8,290.0</u>	<u>\$1430.0</u>
TOTAL			<u>\$9,720.0</u>

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

HB 652

I. REQUEST
 Bill/Resolution No. HB 652
 Title maintenance of state highways
 Requested by House Transportation Committee Date 1/21/82

II. FISCAL DETAIL
 Agency Affected Department of Transportation & Public Facilities
 Program Category Affected Transportation
 BRU, Program, Or Subprogram(s) Affected M&O, Highways Components, Statewide
 (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 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME						
PART TIME						
TEMPORARY						

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

Based upon our interpretation of H.B. 652 it is assumed that should a municipality request to assume road maintenance the amount of money transferred to the municipality will be reflected as a deduction to the M&O Budget with a net effect of -0-.

IV. DATE 2/3/82 PREPARED BY [Signature]
 AGENCY DOT/PE
 PHONE 211-1443
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

281

Original sponsor: Transportation Committee

Offered: 3/3/82
Referred: Finance

1 IN THE HOUSE

BY THE TRANSPORTATION COMMITTEE

2 CS FOR HOUSE BILL NO. 652 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

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2 the governing body of the municipality requesting the transfer.

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14 is granted the power to perform the agreement.

15 (e) In this section,

16 (1) "municipality" means a political subdivision of the state
17 that is a city, borough, or unified municipality, and includes a home
18 rule and a general law municipality;

19 (2) "state highway" means a highway or road located in the
20 state and officially designated by the department as a portion of the
21 state highway system under AS 19.10.020.

22 * Sec. 3. AS 02.15 is amended by adding a new section to read:

23 Sec. 02.15.062. LOCAL CONTROL OF AIRPORT MAINTENANCE. (a) A
24 municipality may, by resolution of its governing body, request the
25 transfer to it of the responsibility of the department for the mainten-
26 ance of airports within the municipality.

27 (b) After receipt of a resolution under (a) of this section, the
28 commissioner may enter into an agreement with the municipal officials
29 specifying the terms and conditions by which the maintenance of airports

1 is transferred to the municipality. The terms of the agreement shall be
2 determined by negotiations with the municipality. The commissioner
3 shall require terms and conditions in an agreement under this subsection
4 to assure compliance with the requirements of this title. The commis-
5 sioner may include other terms and conditions to protect the public
6 interest. The effective date of the agreement shall be a date that is
7 not later than five years after the date of the resolution of the govern-
8 ing body of the municipality requesting the transfer.

9 (c) If the commissioner and a municipality enter into an agreement
10 for the transfer of airport maintenance to the municipality, the commis-
11 sioner shall annually pay to the municipality, for the period beginning
12 with the effective date of the transfer, the amount the commissioner
13 determines to be the cost to the state for maintenance of the airports
14 transferred under the agreement during the fiscal year preceding the
15 effective date of the transfer, adjusted annually for inflation.

16 (d) If an agreement to transfer responsibility for maintenance of
17 an airport is entered into under this section with a municipality that
18 does not otherwise have the power to maintain airports, that municipal-
19 ity is granted the power to perform the agreement.

20 * Sec. 4. This Act takes effect July 1, 1982.

Introduced: 1/11/82
Referred: Transportation and
Finance

1 IN THE HOUSE

BY THE TRANSPORTATION COMMITTEE

2

HOUSE BILL NO. 652

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act authorizing the transfer to certain municipali-
7 ties of responsibilities of the Department of Trans-
8 portation and Public Facilities for maintenance of
9 state highways; and providing for an effective date."

10

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

11

* Section 1. AS 19.10.030 is amended to read:

12

Sec. 19.10.030. RESPONSIBILITY FOR SYSTEM. The department is
13 responsible for the construction and maintenance of the state highway
14 system unless that responsibility is transferred to a municipality under
15 this chapter.

16

* Sec 2. AS 19.10 is amended by adding a new section to read:

17

ARTICLE 4. MUNICIPAL MAINTENANCE OF STATE HIGHWAYS.

18

Sec. 19.10.300. LOCAL CONTROL OF STATE HIGHWAY MAINTENANCE. (a)

19

A unified municipality or a home rule or first class city with a popu-
20 lation of more than 1,000 people may, by resolution of its governing
21 body, request the transfer to it of the responsibility of the department
22 for the maintenance of state highways within the municipality.

23

(b) After receipt of a resolution under (a) of this section, the
24 commissioner may enter into an agreement with the municipal officials
25 specifying the terms and conditions by which the maintenance of state
26 highways is transferred to the municipality. The terms of the agreement
27 shall be determined by negotiatio. with the municipality. The commis-
28 sioner shall require terms and conditions in an agreement under this
29 subsection to assure compliance with the requirements of this title.

1 The commissioner may include other terms and conditions to protect the
2 public interest. The effective date of the agreement shall be a date
3 that is not later than five years after the date of the resolution of
4 the governing body of the municipality requesting the transfer.

5 (c) If the commissioner and a municipality enter into an agreement
6 for the transfer of state highway maintenance to the municipality, the
7 commissioner shall annually pay to the municipality, for the period
8 beginning with the effective date of the transfer, the amount the com-
9 missioner determines to be the cost to the state for maintenance of the
10 state highways transferred under the agreement during the fiscal year
11 preceding the effective date of the transfer, adjusted annually for
12 inflation.

13 (d) In this section, "state highway" means a highway or road
14 located in the state and officially designated by the department as a
15 portion of the state highway system under AS 19.10.020.

16 * Sec. 3. This Act takes effect July 1, 1982.