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STATE OF ALASKA
THE LEGISLATURE

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LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 7, 1981

SUBJECT: SB 219 -- Surface Transportation Projects

TO:

FROM: John B. Chenoweth
Legislative Counsel

The genesis of this bill is the limitation of Article II, section 13 of the state constitution by which "bills for appropriations shall be confined to appropriations", and the rather unsettling habit of the last few years to clothe appropriation bills with statements of intent, letters of intent and other devices in order to pin down the purpose and use of particular appropriations. So significant are the projects which are under consideration in SB 219 and SB 220 that, rather than provide the detail for authorization of the projects only in an appropriation bill, I developed two pieces of legislation, "confining the appropriation bill to appropriations" and adding all the details concerning use of the proceeds into a companion authorization. The appropriation is dependent on the authorization by its effective date clause.

SB 219: Secs. 1 - 5 amend provisions of law relating to roads built for resource development purposes by saying that these roads may be built for assistance in agricultural development. The material in Sec. 4 is responsive to your request for provisions by which to make the state transportation department the "lead" agency, and to waive major state permits that might hold up a road project. Related to this is the repealed in Sec. 10 (payment by land credit certificates). The companion appropriation bill provides money for one specific agricultural road project in the vicinity of Nenana.

Secs. 6 and 7 add a new "intermunicipal road" program for the construction of roads between settled communities which

would not be part of the federal system. Most of the provisions describe in some specificity just what is to be done, and who has legal responsibility. "Review and comment" and "permit waiver" provisions are included, and you should note the unique provision that requires all construction contracts relating to an intermunicipal road project to be released at the same time. Sec. 11 authorizes specific intermunicipal road projects to span Knik Arm between Anchorage and the Matanuska-Susitna Borough, north from Juneau to connect with Haines and Skagway, and between the Kuskokwim river communities of Bethel and Napakiak.

Secs. 8 and 9 add a parallel program for urban roads, that is, roads built wholly within one municipality without local government support (distinguishing them from matching programs and the local service roads program). There is no requirement in the urban road program that all contracts be awarded at the same time, but these are generally less extensive projects so there is likelihood that contracts for construction would be awarded to one party anyway. In all other respects, the urban program is similar to the intermunicipal road program. In Sec. 11, two urban road projects are authorized: Ketchikan and Kenai (North Kenai area).

Sec. 12 of the bill, uncodified, directs certain work to be performed to extend the Alaska railroad west from the interior to the general proximity of Nome/Kotzebue, and the alignment of a surface transportation corridor for the upper Colville area on the north side of the Brooks Range. The companion appropriation awards money for this project.

JBC:ljb