

S

B

3

/

5

SENATE BILL 315 BY SENATOR FAIKS

SENATOR FAIKS WAS CONCERNED WITH ROADS THAT NOBODY MAINTAINS AND NOBODY HAS THE RESPONSIBILITY TO MAINTAIN. THE ONLY WAY THESE ROAD HAVE BEEN UPGRADED IN THE PAST IS BY A LEGISLATOR PUTTING IT IN THE CAPITAL PROJECTS PROCESS. SENATOR FAIKS WAS INTERESTED IN SETTING UP A PROGRAM THAT WOULD WORK STATE-WIDE TO HELP PEOPLE IF THEY WOULD ALSO HELP THEMSELVES. THIS PROGRAM WOULD DO THIS IF THE PEOPLE WOULD AGREE TO OUT UP 50% OF THE MONEY. THERE WOULD THEN BE A POOL OF MONEY THE MUNICIPALITY WOULD BET BASED ON MILEAGE AND THEY THEN COULD APPLY TO THE STATE FOR 50%.

THERE IS NOTHING IN THIS LEGISLATION THAT WOULD PROHIBIT ANY LEGISLATOR FROM PUTTING IN AN APPROPRIATION TO FIX ROADS. IT WAS NOT HER INTENTION TO SET UP A PROGRAM FOR DIRECT GRANT, THIS IS A 50-50 MATCH.

THIS MONEY CAN NOT BE USED FOR NEW CONSTRUCTION. IT MUST BE USED FOR OLD, EXISTING SUBDIVISIONS AND THE MUNICIPALITIES MUST HAVE A FIVE-YEAR PLANNING PROGRAM AND STANDARDS SET FOR THE ROADS BEFORE THE STATE WILL GIVE THE MONEY. THE 50% MATCH IS IDENTICAL TO THE WATER AND SEWER MATCH THAT DEPARTMENT OF ENVIRONMENTAL CONSERVATION DOES.

AMENDMENTS MADE BY THE HOUSE TRANSPORTATION COMMITTEE TO SB 315

PAGE 3, LINE 12 CHANGED [OCTOBER 1] TO AUGUST 1

PAGE 3, LINE 15 CHANGED [12 MONTHS] TO FISCAL YEAR

Original sponsor: Faiks

1 IN THE SENATE BY THE FINANCE COMMITTEE
2 CS FOR SENATE BILL NO. 315 (Finance) am
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 road maintenance service areas;
7 and providing for an effective date."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 19.30 is amended by adding new sections to read:
10 ARTICLE 4. ROAD MAINTENANCE SERVICE AREAS.
11 Sec. 19.30.260. PURPOSE. The purpose of AS 19.30.260 - 19.30.-
12 320 is to facilitate funding for the upgrading, reconstruction, reha-
13 bilitation, or paving of existing subdivision roads within a road
14 maintenance service area established under AS 29.63 or under a home
15 rule charter.
16 Sec. 19.30.270. ALLOCATION OF MONEY. (a) During each fiscal
17 year each municipality shall receive money from the department that
18 has been appropriated or otherwise designated for expenditure for road
19 improvements within the municipality, based on the total road mileage
20 in each road maintenance service area in the municipality. The
21 amounts that are available shall be distributed pro rata among eligi-
22 ble municipalities.
23 (b) Money allocated to a municipality under this section shall
24 be disbursed by the municipality for road maintenance service areas
25 based on a first come, first served priority of road maintenance
26 service area applications, subject to a 50 percent match by each road
27 maintenance service area.
28 (c) Money allocated under this section shall be available for
29 expenditure in the road maintenance service area for which the funds

1 are authorized for a period of five years after the end of the fiscal
2 year for which the funds are authorized. Money allocated for a road
3 maintenance service area that is unexpended and unobligated at the end
4 of the five-year period shall be used for other road maintenance
5 service areas in the same municipality in accordance with AS 19.30.-
6 260 - 19.30.320. If there are no other road maintenance service areas
7 in the municipality for which the money can be used, the municipality
8 shall remit the unexpended and unobligated money to the department and
9 it shall lapse into the general fund.

10 (d) Fifty percent of the cost of construction in a road mainte-
11 nance service area may be paid by road improvement district assess-
12 ments.

13 Sec. 19.30.280. ELIGIBILITY. (a) After establishing a road
14 maintenance service area under AS 29.63, or under a home rule charter,
15 a municipality may apply to the department for a grant as money is
16 available for road improvements, subject to regulations adopted by the
17 department to carry out the provisions of AS 19.30.260 - 19.30.320.
18 The department shall require a municipality to submit a five-year plan
19 for the upgrading, reconstructing, rehabilitating, or paving of main-
20 tenance service area roads for approval before October 1 of each
21 fiscal year.

22 (b) A municipality shall establish design standards for con-
23 struction in a road maintenance service area. An application for a
24 grant for improving an existing road under this section which is
25 constructed after the effective date of this bill may not be granted
26 by the department until the existing road meets the minimum design
27 standards of the municipality.

28 Sec. 19.30.290. ADMINISTRATION. (a), A contract entered into by
29 a municipality for road construction within a road maintenance service

1 area for which funds allocated to the municipality under AS 19.30.-
2 260 - 19.30.320 are used shall be awarded only on the basis of the
3 lowest responsible bid by a bidder meeting established criteria of
4 responsibility.

5 (b) Construction under AS 19.30.260 - 19.30.320 shall be admin-
6 istered by the municipality in which the road maintenance service area
7 is located.

8 Sec. 19.30.300. MAINTENANCE. The road maintenance service area
9 shall be responsible for maintaining roads constructed under AS 19.-
10 30.260 - 19.30.320. The road maintenance service area may contract
11 with a municipality for maintenance of the roads.

→12 Sec. 19.30.310. REPORT. No later than ~~October 1~~ ^{Aug. 1} of each year, a
13 municipality that has received money under AS 19.30.270 shall submit a
14 report to the department showing the use of the money by the munici-
→15 pality during the preceding ^{fiscal year} ~~12 months~~. No later than December 1 of
16 each year, the department shall prepare and submit to the governor a
17 report showing the use of the money allocated under AS 19.30.270
18 during the preceding ~~12 months~~.

19 Sec. 19.30.320. DEFINITIONS. In AS 19.30.260 - 19.30.320

20 (1) "construction" or "road improvement" has the meaning
21 given in AS 19.45.001 and includes utility and drainage costs but
22 excludes financial costs, right-of-way costs, and new road construc-
23 tion;

24 (2) "department" means the Department of Transportation and
25 Public Facilities;

26 (3) "municipality" means a municipality that has road
27 construction or maintenance powers;

28 (4) "subdivision" has the meaning given in AS 40.15.190(2).

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

Offered: 4/5/84
Referred: Finance

File

Original sponsor: Faiks

1 IN THE SENATE BY THE TRANSPORTATION COMMITTEE
2 HOUSE CS FOR CS FOR SENATE BILL NO. 315 (Transportation)
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 road maintenance service areas;
7 and providing for an effective date."

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

9 * Section 1. AS 19.30 is amended by adding new sections to read:

10 ARTICLE 4. ROAD MAINTENANCE SERVICE AREAS.

11 Sec. 19.30.260. PURPOSE. The purpose of AS 19.30.260 - 19.30.-
12 320 is to facilitate funding for the upgrading, reconstruction, reha-
13 bilitation, or paving of existing subdivision roads within a road
14 maintenance service area established under AS 29.63 or under a home
15 rule charter.

16 Sec. 19.30.270. ALLOCATION OF MONEY. (a) During each fiscal
17 year each municipality shall receive money from the department that
18 has been appropriated or otherwise designated for expenditure for road
19 improvements within the municipality, based on the total road mileage
20 in each road maintenance service area in the municipality. The
21 amounts that are available shall be distributed pro rata among eligi-
22 ble municipalities.

23 (b) Money allocated to a municipality under this section shall
24 be disbursed by the municipality for road maintenance service areas
25 based on a first come, first served priority of road maintenance
26 service area applications, subject to a 50 percent match by each road
27 maintenance service area.

28 (c) Money allocated under this section shall be available for
29 expenditure in the road maintenance service area for which the funds

1 are authorized for a period of five years after the end of the fiscal
2 year for which the funds are authorized. Money allocated for a road
3 maintenance service area that is unexpended and unobligated at the end
4 of the five-year period shall be used for other road maintenance
5 service areas in the same municipality in accordance with AS 19.30.-
6 260 - 19.30.320. If there are no other road maintenance service areas
7 in the municipality for which the money can be used, the municipality
8 shall remit the unexpended and unobligated money to the department and
9 it shall lapse into the general fund.

10 (d) Fifty percent of the cost of construction in a road mainte-
11 nance service area may be paid by road improvement district assess-
12 ments.

13 Sec. 19.30.280. ELIGIBILITY. (a) After establishing a road
14 maintenance service area under AS 29.63, or under a home rule charter,
15 a municipality may apply to the department for a grant as money is
16 available for road improvements, subject to regulations adopted by the
17 department to carry out the provisions of AS 19.30.260 - 19.30.320.
18 The department shall require a municipality to submit a five-year plan
19 for the upgrading, reconstructing, rehabilitating, or paving of main-
20 tenance service area roads for approval before October 1 of each
21 fiscal year.

22 (b) A municipality shall establish design standards for con-
23 struction in a road maintenance service area. An application for a
24 grant for improving an existing road under this section which is
25 constructed after the effective date of this bill may not be granted
26 by the department until the existing road meets the minimum design
27 standards of the municipality.

28 Sec. 19.30.290. ADMINISTRATION. (a) A contract entered into by
29 a municipality for road construction within a road maintenance service

1 area for which funds allocated to the municipality under AS 19.30.-
2 260 - 19.30.320 are used shall be awarded only on the basis of the
3 lowest responsible bid by a bidder meeting established criteria of
4 responsibility.

5 (b) Construction under AS 19.30.260 - 19.30.320 shall be admin-
6 istered by the municipality in which the road maintenance service area
7 is located.

8 Sec. 19.30.300. MAINTENANCE. The road maintenance service area
9 shall be responsible for maintaining roads constructed under AS 19.-
10 30.260 - 19.30.320. The road maintenance service area may contract
11 with a municipality for maintenance of the roads.

12 Sec. 19.30.310. REPORT. No later than August 1 of each year, a
13 municipality that has received money under AS 19.30.270 shall submit a
14 report to the department showing the use of the money by the munici-
15 pality during the preceding fiscal year. No later than December 1 of
16 each year, the department shall prepare and submit to the governor a
17 report showing the use of the money allocated under AS 19.30.270
18 during the preceding 12 months.

19 Sec. 19.30.320. DEFINITIONS. In AS 19.30.260 - 19.30.320

20 (1) "construction" or "road improvement" has the meaning
21 given in AS 19.45.001 and includes utility and drainage costs but
22 excludes financial costs, right-of-way costs, and new road construc-
23 tion;

24 (2) "department" means the Department of Transportation and
25 Public Facilities;

26 (3) "municipality" means a municipality that has road
27 construction or maintenance powers;

28 (4) "subdivision" has the meaning given in AS 40.15.190(2).

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

Offered: 4/11/84
Referred: Rules

Original sponsor: Faiks

1 IN THE SENATE BY THE FINANCE COMMITTEE
2 HOUSE CS FOR CS FOR SENATE BILL NO. 315 (Finance)
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 road maintenance service areas;
7 and providing for an effective date."

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

9 * Section 1. AS 19.30 is amended by adding new sections to read:

10 ARTICLE 4. ROAD MAINTENANCE SERVICE AREAS.

11 Sec. 19.30.260. PURPOSE. The purpose of AS 19.30.260 - 19.30.-
12 320 is to facilitate funding for the upgrading, reconstruction, reha-
13 bilitation, or paving of existing subdivision roads within a road
14 maintenance service area established under AS 29.63 or under a home
15 rule charter.

16 Sec. 19.30.270. ALLOCATION OF MONEY. (a) During each fiscal
17 year each municipality shall receive money from the department that
18 has been appropriated or otherwise designated for expenditure for road
19 improvements within the municipality, based on the total road mileage
20 in each road maintenance service area in the municipality. The
21 amounts that are available shall be distributed pro rata among eligi-
22 ble municipalities.

23 (b) Money allocated to a municipality under this section shall
24 be disbursed by the municipality for road maintenance service areas
25 based on a first come, first served priority of road maintenance
26 service area applications, subject to a 50 percent match by each road
27 maintenance service area.

28 (c) Money allocated under this section shall be available for
29 expenditure in the road maintenance service area for which the funds

1 are authorized for a period of five years after the end of the fiscal
2 year for which the funds are authorized. Money allocated for a road
3 maintenance service area that is unexpended and unobligated at the end
4 of the five-year period shall be used for other road maintenance
5 service areas in the same municipality in accordance with AS 19.30.-
6 260 - 19.30.320. If there are no other road maintenance service areas
7 in the municipality for which the money can be used, the municipality
8 shall remit the unexpended and unobligated money to the department and
9 it shall lapse into the general fund.

10 (d) Fifty percent of the cost of construction in a road mainte-
11 nance service area shall be paid by the road maintenance service area
12 through road improvement district assessments, grants, or other
13 appropriate financing means.

14 Sec. 19.30.280. ELIGIBILITY. (a) After establishing a road
15 maintenance service area under AS 29.63, or under a home rule charter,
16 a municipality may apply to the department for a grant as money is
17 available for road improvements, subject to regulations adopted by the
18 department to carry out the provisions of AS 19.30.260 - 19.30.320.
19 The department shall require a municipality to submit a five-year plan
20 for the upgrading, reconstructing, rehabilitating, or paving of main-
21 tenance service area roads for approval before October 1 of each
22 fiscal year.

23 (b) A municipality shall establish design standards for con-
24 struction in a road maintenance service area. An application for a
25 grant for improving an existing road under this section which is
26 constructed after the effective date of this bill may not be granted
27 by the department until the existing road meets the minimum design
28 standards of the municipality.

29 Sec. 19.30.290. ADMINISTRATION. (a) A contract entered into by

1 a municipality for road construction within a road maintenance service
2 area for which funds allocated to the municipality under AS 19.30.-
3 260 - 19.30.320 are used shall be awarded only on the basis of the
4 lowest responsible bid by a bidder meeting established criteria of
5 responsibility.

6 (b) Construction under AS 19.30.260 - 19.30.320 shall be admin-
7 istered by the municipality in which the road maintenance service area
8 is located.

9 Sec. 19.30.300. MAINTENANCE. The road maintenance service area
10 shall be responsible for maintaining roads constructed under AS 19.-
11 30.260 - 19.30.320. The road maintenance service area may contract
12 with a municipality for maintenance of the roads.

13 Sec. 19.30.310. REPORT. No later than ^{transp.} August 1 of each year, a
14 municipality that has received money under AS 19.30.270 shall submit a
15 report to the department showing the use of the money by the munici-
16 pality during the preceding ^{transp.} fiscal year. No later than December 1 of
17 each year, the department shall prepare and submit to the governor a
18 report showing the use of the money allocated under AS 19.30.270
19 during the preceding ^{finance} fiscal year.

20 Sec. 19.30.320. DEFINITIONS. In AS 19.30.260 - 19.30.320

21 (1) "construction" or "road improvement" has the meaning
22 given in AS 19.45.001 and includes utility and drainage costs but
23 excludes financial costs, right-of-way costs, and new road construc-
24 tion;

25 (2) "department" means the Department of Transportation and
26 Public Facilities;

27 (3) "municipality" means a municipality that has road
28 construction or maintenance powers;

29 (4) "subdivision" has the meaning given in AS 40.15.190(2).



Dept. of Transportation & Public Facilities

Position Paper

BILL NO: CS SB 315

APPROVED: *[Signature]*

TITLE: "An Act Relating to Road Maintenance Service Areas; and Providing for an Effective Date."

DATE: April 2, 1984

The intent of this proposed legislation is to provide funds to municipalities for improvement of existing subdivision roads within newly created road service maintenance areas. Funds appropriated for this purpose would be made available subject to a 50% match by the road maintenance service areas desiring to improve their roads.

The Department supports this bill. It will provide a mechanism to upgrade a class of roads which are not eligible for such work under existing Department authority. Home owners in subdivisions that have already been built without adequate provisions for road construction and drainage will have the opportunity to upgrade them without having to bear the entire financial burden. Access to and from connecting roads on the State or local systems will be improved and this is a benefit to the general traveling public. The required five year plan for road maintenance service area roads should provide for logical orderly improvements.

In order to keep authorizations and reporting requirements under this bill on a calendar year basis or preferably a fiscal year basis, the Department would like to see the deadline dates in Section 19.30. 310 revised accordingly.

June 20, 1983

REPORT NO. 22INTRODUCTION OF BILLS (Senate)Road
Improvement
Districts

SENATE BILL NO. 315, by Senator Faiks. Provides for state grants to municipalities to "facilitate funding for the upgrading, reconstructing, rehabilitating, and paving of subdivision roads within a road improvement district established under AS 29.63 or under a charter of a home rule or unified municipality."

Each year a municipality would receive funds based on total road mileage in each road improvement district in that municipality, subject to a 50 percent match by each road improvement district. After establishing a road improvement district, a municipality could apply to the state for a grant as funds are available. The state could require a municipality to submit a yearly five-year plan for the upgrading, reconstructing, rehabilitating, and paving of improvement district roads. A municipality that receives funding would be required to make a yearly report showing the use of the money. Does not provide for an effective date (becomes law 90 days after the Governor's signature).

Introduced June 15 and referred to Transportation and Finance.

Interest
Rates

SENATE BILL NO. 316, by the Labor & Commerce Committee. Amends laws governing maximum allowable interest rates in Alaska as follows:

--Amends AS 06.40.120(c) relating to the interest charged on premium financing agreements to allow a maximum of "two percent a month on that part of the balance of premiums due as does not exceed \$10,000 and at a rate agreed by contract on the balance of premiums due exceeding \$10,000." Currently the maximum rate is "the monthly rate of 15 percent plus an additional charge of \$10 per premium finance agreement which need not be refunded upon cancellation or prepayment."

--Amends AS 09.55.440(a) relating to judgment interest to provide that a judgment include interest "at the rate of five percentage points above the annual rate charged member banks for advances by the 12th Federal Reserve District on the date of the judgment." Currently judgment interest is six percent a year.

--Amends AS 45.10.120(b) to increase maximum allowable interest charged on retail installment contracts. For balances of \$10,000 or less rate would be 1-3/4%. For balances over \$10,000, the interest rate would be agreed upon by contract (currently five-sixths of one percent on balances of \$1,000 or less, and two-thirds of one percent on balances over \$1,000).

--Amends AS 45.10.120(c) to increase maximum allowable interest

COMMITTEE REPORTS (Senate)(cont'd)

SB 311 (cont'd)

The State Affairs CS deletes: "Best known as the father of Alaska Statehood, Ernest Gruening fought to protect and wisely use Alaska's natural resources, while winning national acclaim as an ardent fighter for the rights of the individual and for efforts toward strengthening world peace." Remainder identical and would establish February 6 of each year as Ernest Gruening Day.

History: Introduced June 9, 1983 by Senator Vic Fischer and referred to State Affairs.

Road
Improvement
Districts

SENATE BILL NO. 315, (see page 941, 1983 report). Reported back to the Senate on January 18 by Transportation with the committee recommending it be replaced with a Transportation CS and a majority recommending do pass. Concurring: Moss (Chairman), Faiks and Gilman. To Finance.

The following is a summary of the bill, noting Transportation CS changes:

The original bill sought to facilitate funding for road maintenance of existing subdivision roads within a "road improvement district" established under AS 29.63 or under a local government charter. The Transportation CS changes wording to "road maintenance service area" throughout the bill to conform to terms used in AS 29.63.

Provides that each fiscal year eligible municipalities will receive state road improvement funds based on total road mileage in each "road maintenance service area" in the municipality, subject to a 50% match by each service area. CS adds: "The amounts which are available shall be distributed pro rata among eligible municipalities."

Changes provision which would have required municipalities to disburse funds based on a needs assessment. Transportation CS provides that money shall be disbursed on a first come, first service priority of applications.

Funds would be available for expenditure in a particular service area for a period of five years. After that, the money could be spent in other road maintenance service areas in the municipality, unless there are no other service areas, in which case the money would be returned to the state.

A municipality may apply to the state for road maintenance funds after it has established a road maintenance service area under AS 29.63, or under charter of home rule or unified municipality. The state may require the municipality to submit a five-year plan for the upgrading, reconstructing, rehabilitation, or paving of maintenance service area roads.

The municipality would be responsible for establishing design standards for construction in a road maintenance service area, and would administer construction of all projects. Requires that contracts entered into by a municipality for road projects funded

COMMITTEE REPORTS (Senate)(cont'd)

SB 315 (cont'd)

under this program be awarded only on the basis of the lowest responsible bid.

Maintenance of roads constructed under the program would be the responsibility of the road maintenance service area (responsibility of the municipality under the original version). A service area could contract with the state or with a local government for maintenance.

Municipalities receiving money must make an annual report to the state, by October 1, showing the use of the money during the preceding 12 months. The Dept. of Transportation and Public Facilities must, in turn report to the Governor by December 1.

Definition of "construction or road improvement" includes utility and drainage costs but excludes financial costs, right-of-way costs, and new road construction.

History: Original bill was introduced June 15, 1983 by Senator Faiks and referred to Transportation and Finance.

Pacific Time Zone
(changing statutory references)

SENATE BILL NO. 341, (see page 11). Reported back to the Senate on January 18 by State Affairs with the committee recommending it do pass. Concurring: Vic Fischer (Chairman), Ray, Rodey, Strugulewski and Kelly. To Judiciary.

Appropriation (supplemental) (operation of Legislature)

SENATE BILL NO. 348, (see page 16). Reported back to the Senate on January 19 by Finance with a majority of the committee recommending it be replaced with a CS and that it do pass. Concurring: Bennett (Co-Chmn.), Sackett, Vic Fischer, Ferguson, Faiks and Mulcahy. To Rules.

The Finance CS increases appropriation from \$250,000 to \$667,500, and lists the allocations as follows:

--Television coverage of Senate proceedings	- \$250,000
--Modular furniture for the pressroom	- 42,500
--Senate Resources Committee for a lobbying effort to influence U.S. Senate action amending the Export Administration Act to all export of a limited amount of Alaska crude oil	- 300,000
--operating expenses of the Senate Oil & Gas Committee	- 75,000

Regulation of Religious Schools

SENATE BILL NO. 354, (see page 18). The five-day hearing notice rule was waived on January 16 so the bill could be heard in Judiciary. January 17 a Health, Education & Social Services referral was added. Reported back from Judiciary on January 19 with the committee recommending it be replaced with a CS and as follows: Ray (Chairman) and Ziegler signed "no recommendation"; Pettyjohn and Eliason signed "do pass." To Health, Education & Social Services.

COMMITTEE REPORTS (Senate)(cont'd)

SB 301 (cont'd)

designed to "enhance the furbearer population, increase the productivity of furbearer habitats, initiate useful furbearer research programs, and educate trappers consistent with the goal to provide for an optimum population of furbearers." The department could adopt regulations to administer the program. Legislative intent is that the appropriations made to the fund equal at least 50% of the fees collected for resident trapping licenses. The bill increases the resident trapping license fee (in AS 16.05.340(a)(3)(B)) from \$3 to \$10. Provides that money appropriated to the Furbearer Management Fund is for capitalization of a loan fund and does not lapse. Effective July 1, 1983.

The Resources CS makes the following changes:

--Updates the effective date from July 1, 1983 to January 1, 1985.

--Instead of creating a separate "Furbearer Management Fund" in the Dept. of Fish and Game, the Resources CS amends AS 16.05.130 (relating to uses of money received from the sale of sport fishing, hunting, and trapping licenses or permit fees) by adding: "Money accruing to the state from the sale of resident trapping licenses may only be used for furbearer management." Further directs the Department of Fish & Game to maintain a Furbearer Management Account within the Fish and Game Fund to separate accounting of receipt and expenditure of money from the sale of resident trapping licenses. Stipulates that "furbearer management shall be designed to enhance the furbearer population, increase the productivity of furbearer habitats, initiate useful furbearer research, and educate trappers consistent with the goal to provide for an optimum population of furbearers."

--Increases fee for resident hunting and trapping licenses from \$15 to \$22 (amends AS 16.05.340(a)(3)). Increases resident trapping license fee (AS 16.05.340(a)(4)) from \$3 to \$10. Increases resident hunting, trapping, and sportfishing license fee (AS 16.05.340(a)(6)) from \$25 to \$32.

Road
Improvement
Districts

SENATE BILL NO. 315, (see page 73). Reported back to the Senate on March 16 by Finance with the committee recommending it be replaced with a Finance CS and as follows: Bennett (Co-Chairman) and Faiks signed "do pass." Mulcahy and Josephson signed "no recommendation." To Rules.

The Finance CS makes the following changes to the Transportation CS:

--Adds effective date of July 1, 1984.

--Makes basic language clean-up, rearranging paragraphs and changing wording where necessary to improve clarity.

--Changes "under a charter of a home rule or unified municipality" to "under a home rule charter" throughout. Redundant--a unified municipality operates under a home rule charter.

--Municipalities would be required to submit a five-year plan for

COMMITTEE REPORTS (Senate)(cont'd)

SB 315 (cont'd)

the upgrading, reconstructing, rehabilitating, or paving of maintenance service area roads for approval before October 1 of each fiscal year. Under previous version, the five-year plan was not mandatory, but could be required by the Department of Transportation & Public Facilities.

--Rewrites (b) under section on eligibility to read: "A municipality shall [, SUBJECT TO APPROVAL OF THE DEPARTMENT,] establish design standards for construction in a road maintenance service area. An application for a grant for improving an existing road under this section may not be granted by the department until the existing road meets the minimum design standards of the municipality." (Bracketed material deleted from Transportation CS, underlined material added.)

Agric. Loan Act
(amending)

SENATE BILL NO. 342, (see pages 11;244). Reported back to the Senate on March 13 by Finance with the committee recommending it be replaced with a Finance CS and the majority signing do pass. Concurring: Bennett (Co-Chairman), Sackett and Mulcahy. Ferguson and Vic Fischer signed "no recommendation." To Rules.

The Finance CS changes provision in Sec. 3 relating to extending the term of short term loans (see p. 245). Under Finance CS the term could only be extended for up to three years. Remainder identical to the Resources version.

Appropriation (supplemental) (Legislators' salaries)

SENATE BILL NO. 365, (see page 70). Reported back to the Senate on March 15 by Finance with the committee recommending do pass. Concurring: Bennett (Co-Chairman), Sackett, Vic Fischer, Mulcahy, Faiks and Josephson. To Rules.

Land Disposal & Management

SENATE BILL NO. 375, (see page 115). Reported back to the Senate on March 13 by Resources with the committee recommending it be replaced with a Resources CS and the majority signing "do pass." Concurring: Fahrenkamp (Chairman), Vic Fischer, Eliason and Ziegler. Mulcahy signed "no recommendation." To Finance.

The Resources CS includes several new sections. New sections 3, 17, 34, 40, 47, 65, 66, 72-75, and 77 amend various state land laws to reflect passage in 1983 of SB 41, which awarded the University of Alaska ownership and management of certain state lands. References to "university" land are deleted or appropriately amended, and provisions are added to AS 38.04 and 38.05 specifically stating that those laws do not apply to land owned by the Board of Regents of the University of Alaska.

Also contains provisions of SB 344/HB 455 relating to title defects in state lands. Those provisions would be effective immediately (rather than July 1, 1984, as is rest of bill) and are contained in Secs. 18, 34 and 41.

Further amends AS 38.05.050 to eliminate requirement that land disposals be held in a community "in which regular sessions of a

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

3/16/84

Revision Date: _____

REQUEST

Bill/Resolution No.: CSSB 315 (Fin)

Title: Act relating to road maintenance service areas

Sponsor: Faiks

Requestor: _____

Date of Request: _____

FISCAL DETAIL

Agency Affected: Trans. & Public Facilities

Program Category Affected: _____

BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		22.0				
200 TRAVEL		2.5				
300 CONTRACTUAL		.8				
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		25.3				
CAPITAL		3,000.0				
REVENUE						

FUNDING: (Thousands of Dollars)

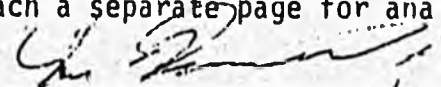
GENERAL FUND		3,025.3				
FEDERAL FUNDS						
OTHER						
TOTAL		3,025.3				

POSITIONS:

FULL-TIME		0				
PART-TIME		0				
TEMPORARY		0				

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: 

Division: Don Bennett, Co-chairman

Approved by Senate Finance Committee
Commissioner: _____

Agency: _____

Phone: 465-3753

Date: March 15, 1984

Date: _____

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

FISCAL NOTE

Revision Date: 2/6/84

REQUEST

Bill/Resolution No.: CS SB 315
 Title: "An Act relating to road maintenance service areas."
 Sponsor: Faiks
 Requestor:
 Date of Request: 1/19/84

FISCAL DETAIL

Agency Affected: Trans. & Public Facilities
 Program Category Affected:
 BRU, Program or Subprogram(s) Affected:

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES	-0-	22.0	9.4	9.4	9.4	9.4
200 TRAVEL	-0-	2.5				
300 CONTRACTUAL	-0-	.8				
400 SUPPLIES						
500 EQUIPMENT						
500 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
300 MISCELLANEOUS						
TOTAL OPERATING	-0-	25.3	9.4	9.4	9.4	9.4
CAPITAL		15,000.0	15,000.0	15,000.0	15,000.0	15,000.0
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	15,025.3	15,009.4	15,009.4	15,009.4	15,009.4
FEDERAL FUNDS						
OTHER						
TOTAL		15,025.3	15,009.4	15,009.4	15,009.4	15,009.4

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Not identified in the bill.

ANALYSIS: Attach a separate page for analysis

Prepared By: John J. Simpson Phone: 789-6261
 Division: Standards & Technical Services Division Date: 2/2/84

Approved by Commissioner: Dr. Melick Date: 2/7/84
 Agency: Acting Deputy Commissioner DOT&PF

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

ANALYSIS - CS SB 315

- I. This bill proposes to provide grant funds to municipalities for road improvements of existing subdivision roads that are within newly created road maintenance service areas. The State would provide half the funding and the road maintenance service area would provide the other half on a matching basis.

Under this bill it is assumed that the Department of Transportation and Public Facilities (DOT&PF) would be required to do the following things:

- a) Administer grants to municipalities applying for the road maintenance service area funds;
- b) Review annual submittal of a five-year plan for road improvements to these service area roads and analyze them for logic, completeness and conformance to established boundaries;
- c) Establish regulations to carry out the grant process;
- d) Review and approve design standards for service area roads;
- e) Prepare an annual report to the Governor showing how the funding for the preceding twelve months was used.

We assumed that the task of developing regulations for the grant process is a one-time effort and would occur in FY 85 only. All other tasks were assumed to be an annual cost. All costs are general fund costs.

OPERATING COSTS

- A. One-time cost of developing and implementing program guidelines, criteria and regulations:

1. Personal Services - 486 hours @ 26 dollars/hr. (Range 19)	= 12,636
2. Travel and Per Diem -	= 2,500
3. Attorney General's office time on regulations (10 hours @ \$80/hr.)	= <u>800</u>
Subtotal	15,936 °

B. Annual Costs

1. Review design standards:

Assume 20 sets of design standards @ \$26/hr., 3 hrs. each = 1,560

2. Review of grant application costs

Assume 20 applications, 8 hours each @ \$26/hr. = 4,160

3. Review of five-year programs:

Assume 20 programs, 5 hours each @ \$26/hr. = 2,600

C. Prepare annual report:

1. 40 hours @ \$26/hr. = 1,040

Subtotal \$9,360

First year costs, \$15,420
Continuing costs, 9,360/yr.

CAPITAL COSTS

A. Costs to upgrade, reconstruct, rehabilitate or pave existing eligible subdivision roads.

Estimated existing eligible mileage is 1500 miles. Estimate construction costs per mile, subdivision-type road, range from \$75,000 to \$300,000 depending on scope of work. For estimating purposes, we used \$100,000 per mile.

$$1500 \times \$100,000 = \$150,000,000 \times 50\% \text{ match} = \$75,000,000$$

Assuming 5 years for completion of initially eligible roads, capital costs per year would be 15 mill/yr.

COMMENTS ON CS SB 315

Page 1, line 14

It appears that the definition of "municipality" would preclude both the North Star Borough and the Kenai Borough from being eligible since they do not have road powers. This should be clarified.

Page 1, line 15

There is a discussion on allocation of funds. It is not clear who will be distributing the funds.

Page 1, line 19

It is suggested that the phrase "subject to a 50% match by each road service maintenance area" be deleted. If the phrase were added to section (b), line 22 it would clarify the intent.

Page 2, line 18

We believe the municipality and not DOT&PF should be responsible for approving design standards. There could be legal ramifications with DOT&PF approving standards established by the municipality if problems occur.

Page 3, line 4

It is recommended that the reference to the "department" be deleted. Even though the language is permissive, we are not in a position to perform maintenance on geographically scattered off-system subdivision roads. The department is currently attempting to get out of local road maintenance and construction as a matter of policy. We also believe it would be cumbersome and time-consuming to implement the process to receive revenue directly in the Regional maintenance budgets for services performed.

A rough estimate of the road miles eligible for funding under this bill was made. Depending on the interpretation of "municipality", the total mileage eligible under the bill as of right now could exceed 1900 miles. If a maintenance cost of \$6,000 per mile is used, the total cost to the department could be several million dollars.

MEMORANDUM

TO: All Members
Senate Finance Committee

FROM: Senator Jan Faiks

RE: CSSB 315

DATE: February 10, 1984

At the Finance Committee meeting on February 7th on SB 315 several issues were raised. This memo is in response to those questions.

1. What is the average assessment of homes in the Hillside area?

Answer The average assessment of homes in South Anchorage, as well as areawide is \$130,000.

2. What is the mil rate within the ARDSA (Anchorage Roads and Drainage Service Area)?

Answer In 1983 the mil rate was .6 in all of the ARDSA. In 1984 the mil rate is estimated to be 1.24.

3. What is the ratio of property taxes generated on homes versus taxes on businesses.

Answer Approximately 60% of property taxes come from residential dwellings and 40% from property taxes on businesses.

4. Some neighborhoods will not be able to afford even 50% of the cost of the improvements.

Answer The 50% match may be raised by an assessment on the entire service area or a mil rate levied on the houses on a particular street. The money may be accumulated over a five year period, so there would be an opportunity for a road maintenance service area to raise the money over an extended period of time.

5. What protections are in the bill to prevent new developers from applying for funding through this program?

Answer The purpose clause states that this funding is for existing subdivision roads. Also, the definition of

"construction" or "road improvement" says the funding is not for new construction.

6. How many miles of service roads are there in the various Senate districts.

Answer I have attached the pertinent pages from the FY 1983 State Revenue Sharing Entitlements for Municipalities. This will tell you how many miles of road in each borough or city received the \$2500 per mile maintenance money. Please keep in mind that these figures are from FY 83 and the mileage has increased substantially in the past year.

THE FOLLOWING DOCUMENT(S) MAY NOT FILM
LEGIBLY BECAUSE OF POOR QUALITY OF THE
ORIGINAL.

BY 1963 MUNICIPAL REVENUE SHARING ENTITLEMENT (1)
 TOTAL ENTITLEMENT = 157,721,000

AUGUST 17, 1963

KEY	COMMUNITY	ROADS	WATER	HOSPITAL	HEALTH FACILITIES	HOSPITAL
KEY	COMMUNITY	MILES	MILES	ENTITLEMENT	ENTITLEMENT	CONST. AID
BOROUGH AND SERVICE AREAS						
0010	ANCHORAGE P.A.	400.00	1.00	119,757	1,327,669	12,037,240
0020	CITY S.A.	0.00	0.00	10	10	
0030	FACTORYVILLE	15.00	0.00	10	10	
0040	CHUCKLEW	0.00	0.00	10	10	
0050	GIPPOVOD	10.00	0.00	10	10	
0070	GREEN ALPS	10.00	0.00	10	10	
0080	FIRE S.A.	0.00	0.00	10	10	
0090	ROADS & DRAINAGE	0.00	0.00	10	10	
0095	LIMITED ROAD S.A.	0.00	0.00	10	10	
0100	POLICE S.A.	0.00	0.00	10	10	
0110	PARKS & RECREATION	0.00	0.00	10	10	
0120	P.P. & UTILITIES	0.00	0.00	10	10	
0130	SOLID WASTE S.A.	0.00	0.00	10	10	
0140	CHUCKLEW/SOLID WASTE	0.00	0.00	10	10	
0150	BUILDING SAFETY	0.00	0.00	10	10	
0160	CITY SA ROADS & DRAINAGE	0.00	0.00	10	10	
0170	SERVICE AREA 10	0.00	0.00	10	10	
0175	UPPER CUMMERY	14.70	0.00	10	10	
0180	PORT OF ANCH.	0.00	0.00	10	10	
0185	ROADS (incl. mill)	18.17	0.00	10	10	
0190	AIRPORT S.A.	0.00	0.00	10	10	
0195	PUBLIC TRANSIT	0.00	1.00	10	10	
0200	SEWERAGE S.A.	0.00	0.00	10	10	
			590.11			
0210	BRISTOL BAY BOROUGH	7.00	0.00	10	10	
0230	FAIRBANKS BOROUGH	105.00	0.00	10	10	
0240	ESTER P.A.	7.00	0.00	10	10	
0250	NORTH STAR P.A.	0.00	1.00	10	10	
0260	UNIVERSITY P.A.	0.00	0.00	10	10	
0270	HAINES BOROUGH	0.00	0.00	10	10	

590.91 x 2,500 =
 1,477,275

FY 1987 MUNICIPAL REVENUE SHARING ENTITLEMENTS (RD)
 TOTAL ENTITLEMENT = \$35,721,000

AUGUST 17, 1987

KEY	COMMUNITY	PUBLIC ROAD MILES	ICE ROAD MILES	HOSPITAL ENTITLEMENT	HEALTH FACILITIES ENTITLEMENT	HOSPIT CONST. AI
0250	FIRE DISTRICT	0.00	0.00	10	10	1
0290	JUNEAU BOROUGH S.A.	0.00	0.00	\$199,335	\$145,113	\$30
0300	S.A. 1	14.24	0.00	10	10	1
0310	S.A. 2	5.03	0.00	10	10	1
0320	S.A. 3	40.17	0.00	10	10	1
0330	S.A. 4	0.10	0.00	10	10	1
0340	S.A. 5	0.00	0.00	10	10	1
0350	S.A. 6	0.00	0.00	10	10	1
0360	S.A. 7	0.00	0.00	10	10	1
0370	S.A. 8	0.00	0.00	10	10	1
0380	KENAI PENINSULA BOROUGH	643.95 \$33,110	0.00	10	10	
0385	CENTRAL PENINSULA HOSPITAL	0.00	0.00	\$214,566	10	\$541,171
0390	NIKISKI F.P.	0.00	0.00	10	10	10
0395	SOUTH PENINSULA HOSPITAL	0.00	0.00	\$214,566	10	10
0400	NORTH KENAI P.C.	0.00	0.00	10	10	10
0410	BEAR CREEK F.P.	0.00	0.00	10	10	10
0420	KETCHIKAN BOROUGH	0.00	0.00	10	10	
0430	SHORELINE S.A.	0.00	0.00	10	10	10
0440	KODIAK ISLAND BOROUGH	0.00	0.00	\$214,566	\$193,670	
0450	FIRE DISTRICT 1	0.00	0.00	10	10	10
0455	SERVICE DISTRICT	0.00	0.00	10	10	10
0460	ROAD DISTRICT	15.00	0.00	10	10	10
0470	MAT-SU BOROUGH	0.00	0.00	10	10	
0480	WASILLA F.P.	0.00	0.00	10	10	10
0490	BUTTE F.P.	0.00	0.00	10	10	10
0500	GREATER PALMER F.P.	0.00	0.00	10	10	10

AUGUST 17, 1993

BY 1-101 ORIGINAL REVENUE SHARING ENROLLMENTS (L)

TOTAL ENROLLMENT = 105,721,000

PUBLIC ROAD HOSPITAL HEALTH FACILITIES HOSPITAL

KEY COMMUNITY WILDS WILDS ENROLLMENT ENROLLMENT CONST. AT

KEY	COMMUNITY	WILDS	WILDS	ENROLLMENT	ENROLLMENT	CONST. AT
0510	BUTTON FLD	0.00	0.00	00	00	
0520	VALLEY LAKE	0.00	0.00	00	00	
0530	TALBERT FLD	0.00	0.00	00	00	
0540	SALON TERRACE	0.00	0.00	00	00	
0541	WINDY	0.00	0.00	00	00	
0550	TALBERT FLD	0.00	0.00	00	00	
0560	TALBERT FLD	0.00	0.00	00	00	
0570	TALBERT FLD	0.00	0.00	00	00	
0580	TALBERT FLD	0.00	0.00	00	00	
0590	TALBERT FLD	0.00	0.00	00	00	
0600	TALBERT FLD	0.00	0.00	00	00	
0610	TALBERT FLD	0.00	0.00	00	00	
0620	TALBERT FLD	0.00	0.00	00	00	
0630	TALBERT FLD	0.00	0.00	00	00	
0640	TALBERT FLD	0.00	0.00	00	00	
0650	TALBERT FLD	0.00	0.00	00	00	
0660	TALBERT FLD	0.00	0.00	00	00	
0670	TALBERT FLD	0.00	0.00	00	00	
0680	TALBERT FLD	0.00	0.00	00	00	
0690	TALBERT FLD	0.00	0.00	00	00	
0700	TALBERT FLD	0.00	0.00	00	00	
0710	TALBERT FLD	0.00	0.00	00	00	
0720	TALBERT FLD	0.00	0.00	00	00	
0730	TALBERT FLD	0.00	0.00	00	00	
0740	TALBERT FLD	0.00	0.00	00	00	
0750	TALBERT FLD	0.00	0.00	00	00	
0760	TALBERT FLD	0.00	0.00	00	00	
0770	TALBERT FLD	0.00	0.00	00	00	
0780	TALBERT FLD	0.00	0.00	00	00	
0790	TALBERT FLD	0.00	0.00	00	00	
0800	TALBERT FLD	0.00	0.00	00	00	
0810	TALBERT FLD	0.00	0.00	00	00	
0820	TALBERT FLD	0.00	0.00	00	00	
0830	TALBERT FLD	0.00	0.00	00	00	
0840	TALBERT FLD	0.00	0.00	00	00	
0850	TALBERT FLD	0.00	0.00	00	00	
0860	TALBERT FLD	0.00	0.00	00	00	
0870	TALBERT FLD	0.00	0.00	00	00	
0880	TALBERT FLD	0.00	0.00	00	00	
0890	TALBERT FLD	0.00	0.00	00	00	
0900	TALBERT FLD	0.00	0.00	00	00	
0910	TALBERT FLD	0.00	0.00	00	00	
0920	TALBERT FLD	0.00	0.00	00	00	
0930	TALBERT FLD	0.00	0.00	00	00	
0940	TALBERT FLD	0.00	0.00	00	00	
0950	TALBERT FLD	0.00	0.00	00	00	
0960	TALBERT FLD	0.00	0.00	00	00	
0970	TALBERT FLD	0.00	0.00	00	00	
0980	TALBERT FLD	0.00	0.00	00	00	
0990	TALBERT FLD	0.00	0.00	00	00	
1000	TALBERT FLD	0.00	0.00	00	00	
1010	TALBERT FLD	0.00	0.00	00	00	
1020	TALBERT FLD	0.00	0.00	00	00	
1030	TALBERT FLD	0.00	0.00	00	00	
1040	TALBERT FLD	0.00	0.00	00	00	
1050	TALBERT FLD	0.00	0.00	00	00	
1060	TALBERT FLD	0.00	0.00	00	00	
1070	TALBERT FLD	0.00	0.00	00	00	
1080	TALBERT FLD	0.00	0.00	00	00	
1090	TALBERT FLD	0.00	0.00	00	00	
1100	TALBERT FLD	0.00	0.00	00	00	
1110	TALBERT FLD	0.00	0.00	00	00	
1120	TALBERT FLD	0.00	0.00	00	00	
1130	TALBERT FLD	0.00	0.00	00	00	
1140	TALBERT FLD	0.00	0.00	00	00	
1150	TALBERT FLD	0.00	0.00	00	00	
1160	TALBERT FLD	0.00	0.00	00	00	
1170	TALBERT FLD	0.00	0.00	00	00	
1180	TALBERT FLD	0.00	0.00	00	00	
1190	TALBERT FLD	0.00	0.00	00	00	
1200	TALBERT FLD	0.00	0.00	00	00	
1210	TALBERT FLD	0.00	0.00	00	00	
1220	TALBERT FLD	0.00	0.00	00	00	
1230	TALBERT FLD	0.00	0.00	00	00	
1240	TALBERT FLD	0.00	0.00	00	00	
1250	TALBERT FLD	0.00	0.00	00	00	
1260	TALBERT FLD	0.00	0.00	00	00	
1270	TALBERT FLD	0.00	0.00	00	00	
1280	TALBERT FLD	0.00	0.00	00	00	
1290	TALBERT FLD	0.00	0.00	00	00	
1300	TALBERT FLD	0.00	0.00	00	00	
1310	TALBERT FLD	0.00	0.00	00	00	
1320	TALBERT FLD	0.00	0.00	00	00	
1330	TALBERT FLD	0.00	0.00	00	00	
1340	TALBERT FLD	0.00	0.00	00	00	
1350	TALBERT FLD	0.00	0.00	00	00	
1360	TALBERT FLD	0.00	0.00	00	00	
1370	TALBERT FLD	0.00	0.00	00	00	
1380	TALBERT FLD	0.00	0.00	00	00	
1390	TALBERT FLD	0.00	0.00	00	00	
1400	TALBERT FLD	0.00	0.00	00	00	
1410	TALBERT FLD	0.00	0.00	00	00	
1420	TALBERT FLD	0.00	0.00	00	00	
1430	TALBERT FLD	0.00	0.00	00	00	
1440	TALBERT FLD	0.00	0.00	00	00	
1450	TALBERT FLD	0.00	0.00	00	00	
1460	TALBERT FLD	0.00	0.00	00	00	
1470	TALBERT FLD	0.00	0.00	00	00	
1480	TALBERT FLD	0.00	0.00	00	00	
1490	TALBERT FLD	0.00	0.00	00	00	
1500	TALBERT FLD	0.00	0.00	00	00	

11,271

1,421,421

BY 1987 MUNICIPAL REVENUE SHARING ENTITLEMENTS (M) TOTAL ENTITLEMENT = 155,701,000

AUGUST 17, 1987

KEY	COMMUNITY	PUBLIC ROAD		HOSPITAL		HEALTH FACILITIES		HOSPIT
		MILE	MILES	ENTITLEMENT	ENTITLEMENT	CONST. AT		
5230	DELTA JUNCTION	10.54	0.00	10	18,584			
5240	DICKENS	0.10	0.00	10	10			
5250	ESLIE	1.49	0.00	10	10			
5260	ETA	0.07	0.00	10	10,563			
5270	EWART	0.07	0.00	10	10,253			
5280	ELIY	1.50	0.00	10	10,085			
5290	EMADAK	1.41	0.00	10	10,563			
5300	FORT YUKON	10.50	0.00	10	18,584			
5310	FORTUNA LEDGE	0.07	1.00	10	10,563			
5320	GATTELL	1.00	0.00	10	10			
5330	GOLDEN	1.10	10.00	10	10,584			
5340	GOODWIN BAY	0.75	0.00	10	10,563			
5350	GRAYLINE	0.50	0.00	10	10,584			
5360	HOLY CROSS	4.10	0.00	10	10,584			
5370	HOOVER BAY	0.00	0.00	10	10			
5380	HOUSTON	11.00	0.00	10	10			
5390	HUGHES	1.00	0.00	10	10			
5400	HUSLIA	12.00	0.00	10	10,584			
5410	KACHENAK	0.10	0.00	10	10			
5420	KANTOVIN	0.00	0.00	10	10			
5430	KALTAS	1.00	0.00	10	10,584			
5440	KASARN	0.00	0.00	10	10,573			
5450	KIAMA	1.70	0.00	10	10,584			
5470	KIVALINA	0.00	0.00	10	10			
5480	KOLUK	0.00	0.00	10	10,584			
5490	KOTLIK	0.00	0.00	10	10,563			
5500	KOTTERGE	10.50	0.00	10	10			
5510	KOYUK	1.70	0.00	10	10,584			
5520	KOYUKUK	0.00	0.00	10	10			
5530	KUPPERLOF	0.00	0.00	10	10			
5540	KWETHLUK	0.00	0.00	10	10,563			
5550	LARSEN BAY	0.00	0.00	10	10			
5555	LOWER KALSKAG	1.00	0.00	10	10,584			
5560	MANOKOTAK	0.07	0.00	10	10			
5570	MCCRATH	11.00	0.00	10	10,584			
5580	MEKORYUK	0.00	0.00	10	10,563			

FY 1967 MUNICIPAL REVENUE SHARING ENTITLEMENTS (1-2)
 TOTAL ENTITLEMENT = \$50,701,000

AUGUST 17, 1966

KEY	COMMUNITY	PUBLIC ROAD		HOSPITAL		HEALTH FACILITIES		HOSPIT
		MILES	MILES	ENTITLEMENT	ENTITLEMENT	CONST. AT		
5590	MOUNTAIN VILLAGE	21.00	0.00	10	18,563			10
5600	NAPAKTAK	0.47	0.00	10	10			10
5610	NARADYIA	0.30	0.00	10	18,563			10
5620	NEWHALEY	0.30	0.00	10	18,253			10
5630	NEW STUYAHOK	0.00	0.00	10	10			10
5640	NEWTON	0.00	0.00	10	18,563			10
5650	NIGHTMUTE	0.00	0.00	10	18,563			10
5660	NIKOLAI	1.30	0.00	10	10			10
5670	NONDALTON	1.00	0.00	10	18,253			10
5680	NOORVIA	2.47	0.00	10	18,894			10
5690	NULATO	6.30	0.00	10	18,894			10
5700	NUISLUK	0.00	0.00	10	10			10
5710	OLD BARROW	4.45	0.00	10	10			10
5720	QUTYAKIF	3.10	0.00	10	10			10
5730	PILOT STATION	2.00	0.00	10	10			10
5740	PLATINUM	1.00	0.00	10	10			10
5750	POINT BARRE	0.00	0.00	10	10			10
5760	PORT ALEXANDER	0.00	0.00	10	10			10
5770	PORT HEIDEN	15.60	0.00	10	18,253			10
5780	PORT LIONS	3.37	0.00	10	10			10
5790	QUINHAGAK	1.00	0.00	10	18,563			10
5800	RUBY	0.00	0.00	10	10			10
5810	RUSSIAN MISSION	0.00	0.00	10	10			10
5820	SAINTE MICHAEL	0.00	0.00	10	18,894			10
5830	SAINT PAUL	77.80	0.00	10	10			10
5840	SAVOONGA	0.00	0.00	10	10			10
5850	SAXMAN	3.30	0.00	10	10			10
5860	SCAYMON BAY	1.25	0.00	10	18,563			10
5870	SELAWIK	0.00	0.00	10	10			10
5880	SHAGELUK	2.54	0.00	10	10			10
5890	SHAKTOOLIK	3.30	12.00	10	18,894			10
5900	SHELDON POINT	0.00	0.00	10	10			10
5910	SHISHMARUF	1.90	0.00	10	10			10
5920	SHUNGNAK	1.50	0.00	10	18,894			10
5930	STERSBINS	0.00	0.00	10	18,894			10
5950	TELLER	2.00	0.00	10	18,894			10

FY 1983 MUNICIPAL REVENUE SHARING ENTITLEMENTS (A2)
 TOTAL ENTITLEMENT = \$58,731,000

AUGUST 17, 1983

KEY	COMMUNITY	PUBLIC ROAD MILES	HOSPITAL ENTITLEMENT	HEALTH FACILITIES ENTITLEMENT	HOSPIT CONST. AD
5980	BEAVER CREEK	1.00	10	18,258	10
5990	BOZEMAN	1.00	10	18,258	10
6000	BOZEMAN	1.00	10	18,258	10
6010	BOZEMAN	1.00	10	18,258	10
6015	BOZEMAN	1.00	10	18,258	10
6020	BOZEMAN	1.00	10	18,258	10
6030	BOZEMAN	1.00	10	18,258	10
6040	BOZEMAN	1.00	10	18,258	10
6050	BOZEMAN	1.00	10	18,258	10
6060	BOZEMAN	1.00	10	18,258	10
6070	BOZEMAN	1.00	10	18,258	10
6080	BOZEMAN	1.00	10	18,258	10
6090	BOZEMAN	1.00	10	18,258	10
6100	BOZEMAN	1.00	10	18,258	10
		TOTAL	13,242,753	22,475,577	14,043,037

FY 83 amount → $2,905.58 \times 2,500 \times 1.15 (\text{MVA}) = 8,353,543$

FY 84 projection → FY 84 - project Statewide public road mileage of between 3,200 to 3,300 miles

Call if you have question. Druff

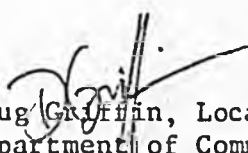
MEMORANDUM

TO: Sandy Stone
Senator Jan Faiks' Office

DATE January 11, 1984

FILE NO.

TELEPHONE NO.

FROM:  Doug Griffin, Local Gov't Specialist
Department of Community and
Regional Affairs
Division of Municipal and Regional Assistance

SUBJECT Road Service Areas

Here is the information you requested on behalf of Senator Faiks regarding the number of road service areas within the State. This information assumes that the data provided to this Department by the municipalities is accurate.

Road Service Areas within Boroughs

Municipality of Anchorage	16
Bristol Bay Borough	1
Fairbanks North Star Borough	25
City and Borough of Juneau	8
Kenai Peninsula Borough	6
Ketchikan Gateway Borough	1
Kodiak Island Borough	2
Mat-Su Borough	9
North Slope Borough	0
City and Borough of Sitka	<u>1</u>
TOTAL	69

Road service Areas within
Cities in the unorganized
Borough 24

Road Service Areas Statewide 93

[Handwritten notes and scribbles]

SENATE
JOURNAL SUPPLEMENT

3/16/84

No. 61

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

CSSB
315

REQUEST Bill/Resolution No.: <u>CSSB 315 (Fin)</u> Title: <u>Act relating to road maintenance service areas</u> Sponsor: <u>Faika</u> Requestor: _____ Date of Request: _____	FISCAL DETAIL Agency Affected: <u>Trans. & Public Facil</u> Program Category Affected: _____ BRU, Program or Subprogram(s) Affected: _____
---	--

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		22.0				
200 TRAVEL		2.5				
300 CONTRACTUAL		.8				
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		25.3				
CAPITAL		3,000.0				
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		3,025.3			
FEDERAL FUNDS					
OTHER					
TOTAL		3,025.3			

POSITIONS:

FULL-TIME		0			
PART-TIME		0			
TEMPORARY		0			

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis:

Prepared By: *Don Bennett* Phone: 465-3753
 Division: Don Bennett, Co-chairman Date: March 15, 1984
 Senate Finance Committee

No. 2 be adopted?" The
It:

l, Gilman,
Pettyjohn, Ziegler

Fahrenkamp,
Vic, Josephson,
loss, Ray, Sackett,

consent that CS FOR
red engrossed, advanced
assage. Without objec-

s read the third time.

ATE BILL NO. 78 (HESS)
agreements; efd) pass
the following result:

Fahrenkamp,
Paul, Fischer Vic,
Josephson, Kelly,
Pettyjohn, Ray,

Sackett, Ziegler

am passed the Senate.

consent that the roll
sidered the roll call
objection, it was so

SB 7S cont'd

CS FOR SENATE BILL NO. 78 (HESS) am was engrossed, signed by
the President and Secretary and transmitted to the House for
consideration.

SB 446

SENATE BILL NO. 446 (personal safety curriculum in public
schools) was read the second time.

Senator Faiks moved and asked unanimous consent for the adop-
tion of the Rules Committee Substitute offered on page 2472.
Without objection, CS FOR SENATE BILL NO. 446 (RLS) was
adopted.

CS FOR SENATE BILL NO. 446 (RLS) was read the second time.

Senator Ray moved and asked unanimous consent that CS FOR
SENATE BILL NO. 446 (RLS) be considered engrossed, advanced
to third reading and placed on final passage. Without objec-
tion, it was so ordered.

CS FOR SENATE BILL NO. 446 (RLS) was read the third time.

Senator Ray moved and asked unanimous consent that CS FOR
SENATE BILL NO. 446 (RLS) be moved to the bottom of the
calendar. Without objection, it was so ordered.

SENATE BILLS IN SECOND READING

SB 315

CS FOR SENATE BILL NO. 315 (FIN) (road maintenance service
areas; efd) which was held from March 26 was before the Senate
in second reading.

March 27, 1984

SB 315 cont'd

Senator Faiks offered the following Amendment No. 1:

Page 2, line 24: After "section" insert
"which was constructed after the effective
date of this bill"

Senator Faiks moved and asked unanimous consent for the adoption of Amendment No. 1. Senator Gilman objected for the purpose of a technical amendment to change "was" to "is". Senator Gilman withdrew his objection. There being no further objection, Amendment No. 1 with the technical amendment was adopted.

Senator Ray moved and asked unanimous consent that CS FOR SENATE BILL NO. 315 (FIN) be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 315 (FIN) am was read the third time

The question being: "Shall CS FOR SENATE BILL NO. 315 (FIN) am (road maintenance service areas; efd) pass the Senate?" The roll was taken with the following result:

CSSB 315 FIN AM 3RD

Yeas:	17	Bernelt, Elisson, Fahrenkamp, Faiks, Ferguson, Fischer Paul, Fischer Vic, Gilman, Halford, Josephson, Kelly, Kerttula, Moss, Mulcahy, Pettyjohn, Sturpalewski, Ziegler
Nays:	1	Ray
Excused:	1	Rodey
Absent:	1	Sackett

and so, CS FOR SENATE BILL NO. 315 (FIN) am passed the Senate.

Senator Ray moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. Without objection, it was so ordered.

March 27, 1984

SB 315 cont'd

CS FOR SENATE BILL NO. the President and Secret consideration.

SB 500

CS FOR SENATE BILL NO. 5 recovery of materials at held from March 26 was

Senator Vic Fischer off

Page 4, line 3: Do insert January 1, 1

Senator Vic Fischer mov the adoption of Amendment No. 1 was adopted.

Senator Ray moved and a SENATE BILL NO. 500 (SA) to third reading and plation, it was so ordered.

CS FOR SENATE BILL NO.

The question being: "Sh (reduction of litter and from litter; efd) pass t the following result:

CSSB 500 SA AM 3RD

Yeas:	18	Ben Fall Fis Jos Mul Stu
Nays:	0	
Excused:	1	Rod
Absent:	1	Sac

and so, CS FOR SENATE BIL

March 27, 1984

March 27, 1984

2479

Amendment No. 1:

1" insert
effective

us consent for the adon-
Gilman objected for the
change "was" to "is".
There being no further
technical amendment was

us consent that CS FOR
tered engrossed, advanced
passage. Without objec-

as read the third time.

SENATE BILL NO. 315 (FIN)
did) pass the Senate?"
result:

Fahrenkamp,
Fischer Paul,
Halford,
Kerttula, Moss,
Sturgulewski.

3) am passed the Senate.

us consent that the roll
considered the roll call
at objection, it was so

SB 315 cont.'d

CS FOR SENATE BILL NO. 315 (FIN) am was engrossed, signed by
the President and Secretary and transmitted to the House for
consideration.

SB 500

CS FOR SENATE BILL NO. 500 (SA) (reduction of litter and the
recovery of materials and energy from litter; efd) which was
held from March 26 was before the Senate in second reading.

Senator Vic Fischer offered the following Amendment No. 1:

Page 4, line 3: Delete July 1, 1984 and
insert January 1, 1985

Senator Vic Fischer moved and asked unanimous consent for
the adoption of Amendment No. 1. Without objection, Amendment
No. 1 was adopted.

Senator Ray moved and asked unanimous consent that CS FOR
SENATE BILL NO. 500 (SA) am be considered engrossed, advanced
to third reading and placed on final passage. Without objec-
tion, it was so ordered.

CS FOR SENATE BILL NO. 500 (SA) am was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 500 (SA) am
(reduction of litter and the recovery of materials and energy
from litter; efd) pass the Senate?" The roll was taken with
the following result:

CSSB 500 SA AM 3RD

Yeas: 18 Bennett, Eliason, Fahrenkamp,
Faiks, Ferguson, Fischer Paul,
Fischer Vic, Gilman, Halford,
Josephson, Kelly, Kerttula, Moss,
Mulcahy, Pettyjohn, Ray,
Sturgulewski, Ziegler

Nays: 0

Excused: 1 Rodey

Absent: 1 Sackett

and so, CS FOR SENATE BILL NO. 500 (SA) am passed the Senate.

Alaska State Legislature



Speaker of the House of Representatives

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-3720

Official Business

March 28, 1984

To: Rep. Bette Cato
Chairman
House Transportation Committee

From: Rep. Joe Hayes
Speaker of the House *JHA*

Re; SB 315...road maintenance districts

Today I have referred SB 315 relating to road maintenance districts to your committee. This piece of legislation is extremely important specifically to Anchorage and my district which is experiencing tremendous growth and residential development.

The legislation will assist homeowners to improve subdivision roads which are in poor condition, especially in my district and the Eagle River area.

I would appreciate expeditious handling of this legislation. If possible, I would like to see it considered on the committee calendar in the next week.

Thanks for your consideration.

COMMITTEE REPORT

4/5

HOUSE

(9)

FURTHER:

FINANCE

3/28/84

Date: 3-28-84

The Committee on TRANSPORTATION has had CSSE 315 (Fin) am

"An Act relating to road maintenance service areas; and providing for an effective date."

under consideration and recommends:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for CS SB 315 (transportation) same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

M.W. Miller

R.B. Stewart

W.H. ...

Joe ...

Mike ...

Del ...

...

...

...

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

Changes to S. Trans CS

Original sponsor: Faiks

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

IN THE SENATE BY THE FINANCE COMMITTEE

HOUSE CS FOR CS FOR SENATE BILL NO. 315 (Finance)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTEENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to road maintenance service areas; and providing for an effective date."

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

* Section 1. AS 19.30 is amended by adding new sections to read:

ARTICLE 4. ROAD MAINTENANCE SERVICE AREAS.

Sec. 19.30.260. PURPOSE. The purpose of AS 19.30.260 - 19.30.-320 is to facilitate funding for the upgrading, reconstruction, rehabilitation, or paving of existing subdivision roads within a road maintenance service area established under AS 29.63 or under a home rule charter. *or unified municipality*

Sec. 19.30.270. ALLOCATION OF MONEY. (a) During each fiscal year each municipality shall receive money from the department that has been appropriated or otherwise designated for expenditure for road improvements within the municipality, based on the total road mileage in each road maintenance service area in the municipality. The amounts that are available shall be distributed pro rata among eligible municipalities.

(b) Money allocated to a municipality under this section shall be disbursed by the municipality for road maintenance service areas based on a first come, first served priority of road maintenance service area applications, subject to a 50 percent match by each road maintenance service area.

(c) Money allocated under this section shall be available for expenditure in the road maintenance service area for which the funds

1 are authorized for a period of five years after the end of the fiscal
2 year for which the funds are authorized. Money allocated for a road
3 maintenance service area that is unexpended and unobligated at the end
4 of the five-year period shall be used for other road maintenance
5 service areas in the same municipality in accordance with AS 19.30.-
6 260 - 19.30.320. If there are no other road maintenance service areas
7 in the municipality for which the money can be used, the municipality
8 shall remit the unexpended and unobligated money to the department and
9 it shall lapse into the general fund.

10 (d) Fifty percent of the cost of construction in a road mainte-
11 nance service area shall be paid by the road maintenance service area
12 through road improvement ^(may) district assessments, grants, or other
13 appropriate financing means.

14 Sec. 19.30.280. ELIGIBILITY. (a) After establishing a road
15 maintenance service area under AS 29.63, or under a home rule charter,
16 ^{unified municipality} a municipality may apply to the department for a grant as money is
17 available for road improvements, subject to regulations adopted by the
18 department to carry out the provisions of AS 19.30.260 - 19.30.320.
19 The department shall require a municipality to submit a five-year plan
20 for the upgrading, reconstructing, rehabilitating, or paving of main-
21 tenance service area roads for approval before October 1 of each
22 fiscal year.

23 (b) A municipality shall establish design standards ^{50% to 75% of Dept.} for con-
24 struction in a road maintenance service area. An application for a
25 grant for improving an existing road under this section which is
26 constructed after the effective date of this bill shall not be granted
27 by the department until the existing road meets the minimum design
28 standards of the municipality.

29 Sec. 19.30.290. ADMINISTRATION. (a) A contract entered into by

1 a municipality for road construction within a road maintenance service
2 area for which funds allocated to the municipality under AS 19.30.-
3 260 - 19.30.320 are used shall be awarded only on the basis of the
4 lowest responsible bid by a bidder meeting established criteria of
5 responsibility.

6 (b) Construction under AS 19.30.260 - 19.30.320 shall be admin-
7 istered by the municipality in which the road maintenance service area
8 is located.

9 Sec. 19.30.300. MAINTENANCE. The road maintenance service area
10 shall be responsible for maintaining roads constructed under AS 19.-
11 30.260 - 19.30.320. The road maintenance service area may contract
12 with a municipality for maintenance of the roads.

13 Sec. 19.30.310. REPORT. No later than ^{oct 1} August 1 of each year, a
14 municipality that has received money under AS 19.30.270 shall submit a
15 report to the department showing the use of the money by the munici-
16 pality during the preceding ^{12 months} fiscal year. No later than December 1 of
17 each year, the department shall prepare and submit to the governor a
18 report showing the use of the money allocated under AS 19.30.270
19 during the preceding ^{12 months} fiscal year.

20 Sec. 19.30.320. DEFINITIONS. In AS 19.30.260 - 19.30.320

21 (1) "construction" or "road improvement" has the meaning
22 given in AS 19.45.001 and includes utility and drainage costs but
23 excludes financial costs, right-of-way costs, and new road construc-
24 tion;

25 (2) "department" means the Department of Transportation and
26 Public Facilities;

27 (3) "municipality" means a municipality that has road
28 construction or maintenance powers;

29 (4) "subdivision" has the meaning given in AS 40.15.190(2).

1 * Sec. 2. This Act takes effect July 1, 1986.
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

COMMITTEE REPORT

SENATE

6/15/83

FURTHER: Finance

Date: July 11, 1983

Mr. President:

The Committee on Transportation has had SB 315
Relating to road improvement districts.

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:

Poppy Har
Jan [unclear]
A. [unclear]

CHAIRMAN

Alaska State Legislature

H PAPPY MOSS, CHAIRMAN
BETTYE FAHRENKAMP, VICE CHAIRMAN
JAN FAIKS
DON GILMAN
JALMAR KERTTULA



STATE CAPITOL
POUCH V
JUNEAU, ALASKA
99811
(907) 465-4797
(907) 465-4921

Senate Committee on Transportation

MEMORANDUM

Date: January 10, 1984

Subject: Senate Transportation Committee Meeting

To: All Committee Members
Senate Transportation Committee

From: Senator H. Pappy Moss, Chairman *moss for sen.*
Senate Transportation Committee

Attached please find information provided to us concerning SB 315, "An Act relating to road improvement districts," scheduled for a hearing at 1:30 p.m. on January 12, 1984.

In addition to the legislation being considered, a task force from DOT/PF will be present to outline the Department's plans for correcting the problems already discussed in committee and outlined in the Capital Project Assumptive Audit conducted by the Arthur Young Company. Copies of the audit were forwarded to all committee members by the Department under a cover letter dated January 5, 1984. The review of DOT/PF's plans concerning the audit is scheduled as the first item on the agenda.

SENATE BILL 315
AN ACT RELATING TO ROAD IMPROVEMENT DISTRICTS

SB 315 establishes a mechanism through which municipalities may receive state funds to improve subdivision roads within established Road Improvement Districts. Funds will be available on a 50/50 match basis with one-half the funds being state dollars, and the other half matched by assessments from the Road Improvement District.

Under the legislation, a municipality would be allocated funds based on the total road mileage in each Road Improvement District. Each participating municipality will prepare a Needs Assessment for expenditure of the funds. The municipality will be responsible for maintenance of the roads.

The bill was introduced June 15, 1983 by Senator Jan Faiks and is pending in the Senate Transportation Committee with a further referral to Finance.

SENATE BILL 315
AN ACT RELATING TO ROAD IMPROVEMENT DISTRICTS

Sectional Analysis

Section 1. Adds a new Article, Road Improvement Districts, under the existing Local Service Roads and Trails chapter.

PURPOSE

To facilitate funding for improving subdivision roads within a road improvement district established with municipalities or under AS 29.63 (Special Assessments and Service Areas).

ALLOCATION OF FUNDS

(a) Each fiscal year a municipality shall receive funds based on the total road mileage in each road improvement district, subject to a 50% match by each road improvement district.

(b) A municipality shall disburse the funds based on a needs assessment (which shall include the level of use, quality of road surface and sub-surface, amount of traffic per day, and maintenance costs).

(c) Funds allocated to a specific road improvement district under this chapter shall be available for use for five years. Should the monies not be spent or obligated, they become available for use in other road improvement districts within that municipality. Should there not be other eligible road improvements within that municipality, the funds shall be remitted back to the state and shall lapse into the general fund.

(d) 50% of the construction costs shall be covered through assessments within the road improvement district.

ELIGIBILITY

After establishing a road improvement district, a municipality may apply for funds. DOT/PF may require the municipality to submit a five-year plan for road improvement districts by October 1.

ADMINISTRATION

(a) A municipality shall establish road design and construction standards which will be approved by DOT/PF.

(b) Construction contracts shall be awarded to the lowest bidder who meets an established criteria of responsibility.

(c) Construction projects shall be administered by the municipality.

MAINTENANCE

A municipality will be responsible for the maintenance of roads improved under this program either through a road maintenance service area or on a contractual basis with DOT/PF or the municipality.

REPORT

By October 1 of each year, a participating municipality shall submit a report to DOT/PF showing how the money was used in the preceding 12 months. By the following December 1, the department shall submit a report to the Governor showing the allocation of funds.

DEFINITIONS

Includes the following:

(1) "construction" or "road improvement" is the same as that defined in AS 14.007 (construction, reconstruction, alteration, improvement or major repair) and includes utility and drainage costs, but excludes financial and right-of-way costs; and

(4) "road improvement district" means a special assessment area established under AS 29.63 for road improvements (AS 29.63 provides for the establishment Special Assessments and Service Areas);

(5) "road maintenance service area" means a service area established under AS 29.63 for road maintenance (AS 29.63 enables a municipality to establish service areas to provide special services and levy assessments or taxes to finance the special services);

(6) "subdivision" is defined in AS 50.15.190(2) and means, in part, (A) "the division of a tract or parcel of land into two or more lots, sites, or other divisions for the purpose, whether immediate or future, of sale or building development" and (B) does not include cadastral plats, cadastral control plats, open-to-entry plats, or remote parcel plats created by or on behalf of the state.

Article 3. Vacation and Change of Plats and Streets.

[Repealed]

40.15.140 — 40.15.180.

Repealed by § 1 ch 118 SLA 1972.

Editor's notes. — The repealed article §§ 3, 4, ch. 128, SLA 1970; § 3, ch. 112, SLA 1971; §§ 1 — 5, (ch. III), ch. 115, SLA 1971; §§ 70, 71, ch. 69, SLA 1970;

Article 4. General Provisions.

Definitions

Application to state and political subdivisions

Sec. 40.15.190. Definitions. In this chapter

(1) "street" includes streets, avenues, boulevards, roads, lanes, ways, and other ways;

(2) "subdivision"

(A) means the division of a tract or parcel of land into two or more sites, or other divisions for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or areas subdivided;

(B) does not include cadastral plats, cadastral control plats, open-to-entry plats, or remote parcel plats created by or on behalf of the state regardless of whether these plats include easements or other public dedications. (§ 7 (ch II) ch 115 SLA 1953; am § 3 ch 95 SLA 1965; ar. § 41 ch 113 SLA 1981)

Effect of amendments. — The 1981 amendment, designated the language beginning "means the division" and ending with "areas subdivided" as subparagraph (A) and added subparagraph (B) in paragraph (2).

Sec. 40.15.200. Application to state and political subdivisions.

All subdivisions of land made by the state, its agencies, instrumentalities and political subdivisions are subject to the provisions of this chapter and AS 29.33.150 — 29.33.240, or home rule ordinances or regulations governing subdivisions, and shall comply with ordinances and other local regulations adopted under this chapter and AS 29.33.150 — 29.33.240, or under home rule authority, in the same manner and to the same extent as subdivisions made by other landowners. (§ 2 ch 89 SLA 1972; am § 4 ch 118 SLA 1972; am § 2 ch 63 SLA 1974)

Chapter 45. Miscellaneous Provisions.

Section

01. Definitions

02. Penalties

15. Highway construction near airports

Sec. 19.45.001. Definitions. In AS 19.05 — 19.40

(1) "commissioner" means the commissioner of transportation and public facilities;

(2) "construction" or any derivation means construction, reconstruction, alteration, improvement or major repair;

(3) "controlled-access facility" means a highway especially designed for through traffic, and over, from, or to which owners or occupants of abutting land or other persons have either no right or easement or only a controlled right or easement of access, light, air, or view;

(4) "cost of change, relocation, or removal" means the entire cost incurred by the utility properly attributed to the change, relocation, or removal of a facility, less any costs for improvements or upgrading over and above the cost of a functionally equal facility; if a facility is to be relocated and replaced with new equipment, there shall also be subtracted from the entire cost any salvage value derived from the old facility;

(5) "department" means the Department of Transportation and Public Facilities;

(6) "excess lands" means land acquired by the state in excess of land required for a highway, when the remaining portion of a parcel of land so acquired is left in such shape or condition as to be of little or no value to its owner, or to give rise to claims or litigation concerning severance or other damage;

(7) "federal-aid primary, federal aid secondary, and interstate system" include any highway which is a part of the federal-aid systems as provided in the Federal-Aid Highway Act of 1956, and any laws amending or supplementing it;

(8) "highway" includes a highway (whether included in primary or secondary systems), road, street, trail, walk, bridge, tunnel, drainage structure and other similar or related structure or facility, and right-of-way thereof, and further includes a ferry system, whether operated solely inside the state or to connect with a Canadian highway, and any such related facility;

(9) "maintenance" means the preservation of each type of highway, roadside structure and facility as nearly as possible in its original condition as constructed, or as subsequently improved, and the operation of highway facilities and services to provide satisfactory and safe highways;

(10) "municipality" means an incorporated city or political subdivision which has jurisdiction over highways in its incorporated area;

(2) "subdivision" means the division of a tract or parcel of land into two or more lots, sites, or other divisions for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or areas subdivided. (§ 7 (ch II) ch 115 SLA 1953; am § 3 ch 95 SLA 1955)

Quoted in *Tullinen v. Gielarowski*, 2 Alas. L.J. No. 11, p. 169 (Dec., 1964).

Chapter 18. Preservation of Public Records.

Section
10 — 30. [Repealed]

Secs. 40.18.010 — 40.18.030.
Repealed by § 3 ch 191 SLA 1970.

Editor's note. — The repealed chapter derived from § 1, ch. 10, SLA 1968, and § 9, ch. 40, SLA 1969.

Chapter 20. Disposal of Public Records.

Section
10 — 30. [Repealed]

Secs. 40.20.010 — 40.20.030.
Repealed by § 3 ch 191 SLA 1970.

Editor's note. — The repealed chapter derived from ch. 147, SLA 1957.

Chapter 21. Management and Preservation of Public Records.

Article
1. Public Records (§§ 40.21.010 — 40.21.140)
2. General Provisions (§ 40.21.150)

Article 1. Public Records.

Section	Section
10. Purpose	90. Transfer of public records of political subdivision to department
20. Archival and records management program creation and administration	100. Assistance to legislative and judicial branches
30. Duties of the state archivist	110. Care of records
40. Gifts, bequests or endowments of money	120. Standards of clarity, accuracy, and permanency of copies or reproductions of public records
50. Regulations	130. Alteration and replacement of public records
60. Duties of chief executive officers of state agencies	140. Use of copies and replacements as evidence
70. Records management for local records	
80. Disposal of public records by political subdivision	

Sec. 40.21.010. Purpose. The purpose of this chapter is to provide for

Chapter 63, Special Assessments and Service Areas

Article 1, Special Assessments

Section 1, Assessment and proposal

- 10. If charge and payment
11. Payment
12. Payment and notice
13. Payment
14. Payment and appeal
15. Special assessment bond

City of Anchorage, 17 Alaska Stat. 29-63-010

It is not essential that the benefits be direct or immediate, although it is essential that they be based on more than mere speculation or conjecture. ...

Except in the case of payment in equity amounting to contribution... The general liability established... that only when an assessment is not made in carrying out the purpose of such ordinance...

Special assessments are usually distinguished from general taxation... Special assessments which benefit particular individuals or property and are levied with reference to and in proportion to the special benefit conferred...

Assessment may be made if property will benefit. The fact of special benefit to the property owner is the controlling consideration... Whether it is in the nature of a special benefit or a general benefit...

Assessment is not a burden if it is a benefit. Assessment is not a burden if it is a benefit. Assessment is not a burden if it is a benefit. Assessment is not a burden if it is a benefit.

The assembly or council may provide by ordinance the complete special assessment procedure... The procedure for doing business...

Section 2, Assessment and proposal

Assessment may be made if property will benefit. The fact of special benefit to the property owner is the controlling consideration... Whether it is in the nature of a special benefit or a general benefit...

Assessment is not a burden if it is a benefit. Assessment is not a burden if it is a benefit. Assessment is not a burden if it is a benefit. Assessment is not a burden if it is a benefit.

The procedure for doing business... The assembly or council may provide by ordinance the complete special assessment procedure...

- (2) a survey and report by the borough or city executive concerning the need for, desirable extent of, and estimated cost of each proposed local improvement;
 - (3) a public hearing on the necessity for the local improvement;
 - (4) a resolution of the assembly or council determining to proceed or not to proceed with the proposed local improvement;
 - (5) a public hearing by the assembly or council on the special assessment roll for the local improvement;
 - (6) published notice of each public hearing required by this section and mailing notice to each legal owner of record of real property within the special assessment district;
 - (7) a resolution confirming the special assessment roll for the local improvement;
 - (8) if protests as to the necessity of a local improvement are made by owners of property which will bear 50 per cent or more of the estimated cost of the improvement, the assembly or council may not proceed with the improvement until the objections have been reduced to less than 50 per cent, except upon approval of not fewer than three-fourths of the assembly or council.
- (b) If the assembly or council does not prescribe a procedure for special assessments as permitted by this section, the assembly or council shall comply with the special assessment procedures set out in §§ 20--70 of this chapter. (§ 2 ch 118 SLA 1972)

Sec. 29.63.020. Decision and notice. (a) When an improvement proposal has been filed with the municipal clerk and presented to the assembly or council, the assembly or council shall find by resolution whether (1) the improvement request is necessary and should be made, and (2) the request has sufficient and proper petitioners. The findings of the assembly or council are conclusive.

(b) If the assembly or council passes a resolution approving an improvement proposal with the necessary findings, it shall develop a proposed improvement plan including the cost estimate and the percentage of the improvement plan cost to be assessed against the property benefited. This plan is to be filed with the municipal clerk.

(c) The assembly or council shall set a time for public hearing on the improvement plan. The assembly or council shall publish a notice at least once a week for four consecutive weeks in a newspaper of general circulation if distributed within the municipality and shall send notice by mail to every record owner of property within the special assessment district. (§ 2 ch 118 SLA 1972)

Section is mandatory.—As the provisions of this section are mandatory, full compliance with due process otherwise is not sufficient. *Ashley v. City of Anchorage*, 13 Alaska 168, 95

F. Supp. 189 (D. Alas. 1951).
 And steps must be taken in order.—The steps to be taken by the council must be followed in the order provided in this section without substantial

tial deviation, and one council is not permitted by ratification to validate the acts of a previous council. *Ashley v. City of Anchorage*, 13 Alaska 168, 95 F. Supp. 189 (D. Alas. 1951).

Levy of assessment must be made when petition heard.—See *In re Kotlikan Delinquent Tax Roll*, 293 F. 577 (9th Cir. 1924); *Ashley v. City of Anchorage*, 13 Alaska 168, 95 F. Supp. 189 (D. Alas. 1951).

And assessment may not be made by another council.—Most assuredly one city council cannot make an improvement, and some other city council, at some later day, exercise the discretion to impose a part of the burden upon abutting property owners. *Ashley v. City of Anchorage*, 13 Alaska 168, 95 F. Supp. 189 (D. Alas. 1951).

When defect in proceedings prior to assessment may be raised.—Where no opportunity was afforded objectors prior to the assessment to protest against the work, no notice was given them that their property would be assessed for any part of the cost of the improvement, there was no showing by the city to the testimony

that they had knowledge that the city contemplated assessing the cost of the improvement, and there was no showing that they had any knowledge of the defect in the proceedings, they had the right to object and insist upon any defect in the proceedings anterior to the assessment. *In re Kotlikan Delinquent Tax Roll*, 6 Alaska 654 (1921).

Am. Jur., A.L.R. and C.J.S. references.—18 Am. Jur., Special or Local Assessments, § 37 (1954).

Denying right of property owners to defeat street improvement by protest, 62 A.L.R. 861.

Lump sum assessment for improvements against property owned in undivided shares, 80 A.L.R. 862.

Sufficiency of statutory provisions for hearing, 81 A.L.R. 1029.

Petition of property owner for local improvement, 95 A.L.R. 116.

Withdrawal of signer of petition, 126 A.L.R. 1001.

Classification of streets as repair source of payment for improvements, 127 A.L.R. 1090.

61 C.J.S. Municipal Corporation, § 1097.

Sec. 29.63.025. Record owner. The person in whose name property is listed on the municipal property tax roll as owner is conclusively presumed to be the legal owner of record. If the owner is unknown, the assessment may be made against "an unknown owner." (§ 2 ch 118 SLA 1972)

Sec. 29.63.030. Objections and revision. (a) Objections to the improvement plan may be filed not less than 30 nor more than 60 days after publication of notice on a date specified by the assembly or council. The assembly or council may by resolution approve the plan and proceed with the improvement if the owners of one-half in value of the property to be benefited do not object in writing.

(b) If objections are made by the owners of property bearing one-half of the estimated cost of the improvement, the assembly or council may not proceed with the improvement unless it revises the plan to meet the objections and the objections are reduced to less than 50 per cent. A revised plan shall be approved and adopted as an original plan. (§ 2 ch 118 SLA 1972)

Sec. 29.63.040. Assessment roll. (a) At any time after project approval, the assembly or council shall assess the authorized percentage of the cost against tracts in proportion to benefit received. Assessments may not exceed actual costs.

(b) The special assessment roll contains property descriptions, names of owners of record and assessment amounts.

4

(c) The assembly or council shall fix a time to hear objections to the roll. The municipal clerk shall send an assessment and hearing notice by mail to each record owner of an assessed tract not less than 15 days before the hearing. (§ 2 ch 118 S.L.A. 1972)

Right to object may be waived. - A party may be held to have waived all right to a remedy by a course of conduct which renders it unjust and inequitable to others that he should be allowed to complain of the illegality. In re Ketchikan Delinquent Tax Roll, 6 Alaska 653 (1922).

Am. Jur. and ALR references - 18 Am. Jur., Special or Local Assessments, § 57 et seq.

Assessment by front foot rule, 56 ALR 941

Classification of streets as regards source of payment for improvements, 127 ALR 1690

Sec. 29.63.050. Hearing and settlement. After the public hearing, the assembly or council shall correct errors and any inequalities in the roll. When the roll is corrected, the clerk shall so certify. (§ 2 ch 118 S.L.A. 1972)

Sec. 29.63.060. Payment. (a) The assembly or council may fix times of payment, rate of interest on unpaid installment delinquency of assessments. Payment may not be required more than 60 days after assessment. Payment may be in one sum or by installments, but a sum or installment may not exceed 25 per cent of the assessed value of the property affected. Penalty and interest are the same as for real property taxes.

(b) Within 30 days after fixing the time of payment, the municipal clerk shall mail a statement to the owner of record of each property assessed. The statement designates the property, the assessment amount, the time of delinquency, and penalties.

(c) Within five days after the statements are mailed, the clerk shall publish notice that the statements have been mailed.

(d) Assessments are liens upon the property assessed and are prior and paramount to all liens except municipal tax liens. They may be enforced as provided in AS 29.53.266 - 29.53.390 for enforcement of property tax liens. (§ 2 ch 118 S.L.A. 1972)

Property must be described with certainty. To create a lien on real estate, the property must be described with reasonable certainty, sufficient for identification. In re Ketchikan Delinquent Tax Roll, 6 Alaska 653 (1922).

Am. Jur., ALR and C.J.S. references - 29 Am. Jur., Notice and Notices, § 27; 18 Am. Jur., Special or Local Assessments, § 191 et seq.

Priority as between lien for public improvement, 5 ALR 1491, 39 ALR 1176.

Transfer of a lienment of lien, 55 ALR 667

Priority of lien for improvement and preexisting contractual lien, 75 ALR 543.

Duration of lien, 111 ALR 79; 63 C.J.S. Municipal Corporation, § 1501 et seq.

Sec. 29.63.070. Reassessment. (a) The assembly or council shall within one year correct any deficiency in a special assessment found by a court.

(b) Notice and hearing must conform to the initial assessment procedures.

(c) Payments on the initial assessment are credited to the property upon reassessment.

(d) The reassessment becomes a charge upon the property notwithstanding failure to comply with any provision of the assessment procedure. (§ 2 ch 118 S.L.A. 1972)

C.J.S. reference - 63 C.J.S. Municipal Corporation, § 1501 et seq.

Sec. 29.63.080. Objection and appeal. (a) The regularity or validity of an assessment may not be contested by a person who did not file with the municipal clerk a written objection to the assessment roll before its confirmation.

(b) The decision of the assembly or council upon an objection may be appealed to the superior court within 30 days of the date of confirmation of the assessment roll.

(c) If no objection is filed or an appeal taken within the time provided in this section, the assessment procedure shall be considered regular and valid in all respects. (§ 2 ch 118 S.L.A. 1972)

Sec. 29.63.085. Special assessment bonds. (a) The assembly or council may by ordinance authorize the issuance and sale of special assessment bonds to pay all or part of the cost of an improvement in a special assessment district. The principal and interest on bonds issued shall be payable solely from the levy of special assessments against the property to be benefited. The assessments shall constitute a sinking fund for the payment of principal and interest on the bonds. The property benefited may be pledged by the assembly or council to secure a payment.

(b) Upon default in a payment due on a special assessment bond a bondholder may enforce payment of principal and interest and costs of collection in a civil action in the same manner and with the same effect as actions for the foreclosure of mortgages on real property. Foreclosure shall be against all property on which assessments are in default. The period for redemption shall be the same as in the case of a mortgage foreclosure on real property.

(c) Before the assembly or council may issue special assessment bonds, it shall establish a guarantee fund and appropriate to the fund annually a sum adequate to cover any deficiency in meeting payments of principal and interest of bonds issued by reason of nonpayment of assessments when due. Money received from actions taken against property for nonpayment of assessments shall be credited to the guarantee fund. Interest on the guarantee fund shall be a cost of the improvement district. (§ 2 ch 118 S.L.A. 1972)

Article 2. Service Areas.

Section

29. Service areas

Sec. 29.61.090. Service Areas. (a) Service areas to provide special services within a borough may be established, operated, altered or abolished by the assembly by ordinance. Special services include services not provided on an areawide basis within the borough or the borough area outside cities or a higher or different level of service than that provided on an areawide basis or in the borough area outside cities. In a first class borough the assembly may exercise within a service area any power granted a first class city by general law; in a second class borough an exercise of the powers must be approved by a majority of the qualified voters residing within the service area and voting on the question at a regular or special election.

(b) The assembly may levy or authorize the levying of taxes, charges, or assessments in service areas to finance the special services.

(c) The assembly may provide for appointed or elected boards to supervise the furnishing of special services in service areas.

(d) A new service area may not be established if, consistent with the purposes of art. X of the state constitution, the new service can be provided by an existing service area, by annexation to a city, or by incorporation as a city.

(e) The assembly may exercise or delegate to a service area any powers which may be exercised by a first class borough in the area outside cities. In a second class borough, each exercised or delegated power must be approved by a majority vote at a regular or special election held within the service area. The rate of taxation and the issuance of bonds are subject to assembly approval. (§ 2 ch 118 SLA 1972)

Chapter 68. Alteration of Boundaries.

Article

- 1. Annexation and Exclusion (§§ 29.68.010)
- 2. Merger and Consolidation (§§ 29.68.020 - 29.68.110)
- 3. Partition of Local Governments (§§ 29.68.210 - 29.68.410)
- 4. Dissolution (§§ 29.68.500 - 29.68.590)

Article 1. Annexation and Exclusion.

Section

10. Local boundary commission

Sec. 29.68.010. Local boundary commission. (a) The Local Boundary Commission may consider any proposed local government boundary change. It may present proposed changes to the

legislature during the first 10 days of any regular session. The change shall become effective 15 days after presentation or at the end of the session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of each house.

(b) In addition to the regulations governing annexation by local action adopted under AS 44.19.260, the Local Boundary Commission shall, within 90 days of September 10, 1972, establish procedures for annexation and exclusion of territory by cities and boroughs by local action. The procedures established under this subsection shall include:

(1) a provision requiring that a proposed annexation and exclusion must be approved by a majority of the voters voting on the question residing within the area proposed to be annexed or excluded;

(2) provisions that municipally-owned property adjoining the municipality may be annexed by ordinance without voter approval; and

(3) provisions that an area adjoining the municipality may be annexed by ordinance without an election if all property owners and voters within the area petition the assembly or council.

(c) A boundary change effected under (a) of this section prevails over a boundary change initiated by local action, without regard to priority in time. (§ 2 ch 118 SLA 1972)

Defining boundaries is a legislative function. The creation of municipalities and the defining of the extent of the boundaries thereof, involve the exercise of legislative, not judicial, power. Town of Fairbanks v. Barak, 282 P. 417 (9th Cir. 1924); In re Annexation to City of Anchorage, 16 Alaska 349, 116 P. Supp. 98 (10 Alaska 1956).

Expansion of municipal boundaries is a matter of statewide concern. There are no other or own property in the area to be annexed have no vested right to insist that annexation take place only with their consent. The object of expansion of municipal boundaries is legitimized by the consent of the state as a whole, and not just that of the local community. Fairview Pub. Util. Dist. No. 1 v. City of Anchorage, Sup. Ct. Op. 61 (1961), No. 69, 511, 568 P.2d 440 (1964).

Annexation procedure may be changed. The date may period is not a local commission to determine the status question at an election but when the election has been done, the date is not retroactively changed.

added to that arrangement. If the citizens of the state, in addition to the constitution, decide that it is in the public interest to establish another election procedure, there is no constitutional obstacle to that course of action. Fairview Pub. Util. Dist. No. 1 v. City of Anchorage, Sup. Ct. Op. 61 (1961), No. 69, 511, 568 P.2d 440 (1964).

The procedure for annexing unincorporated tracts is set forth in AS 44.19.260.

Areas in public utility district may be annexed. The Local Boundary Commission may consider any proposed local government boundary change. It may present proposed changes to the legislature during the first 10 days of any regular session. The change shall become effective 15 days after presentation or at the end of the session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of each house.

Consent of voters in district required if annexation proceeds under this article. The provisions of AS 44.19.260 provide for the disincorporation of a public utility district with the consent of the voters when "the effect of the municipal part of a proposed boundary

SENATE BILL 315
AN ACT RELATING TO ROAD IMPROVEMENT DISTRICTS

SB 315 establishes a mechanism through which municipalities may receive state funds to improve subdivision roads within established Road Improvement Districts. Funds will be available on a 50/50 match basis with one-half the funds being state dollars, and the other half matched by assessments from the Road Improvement District.

Under the legislation, a municipality would be allocated funds based on the total road mileage in each Road Improvement District. Each participating municipality will prepare a Needs Assessment for expenditure of the funds. The municipality will be responsible for maintenance of the roads.

The bill was introduced June 15, 1983 by Senator Jan Faiks and is pending in the Senate Transportation Committee with a further referral to Finance.

SENATE BILL 315
AN ACT RELATING TO ROAD IMPROVEMENT DISTRICTS

Sectional Analysis

Section 1. Adds a new Article, Road Improvement Districts, under the existing Local Service Roads and Trails chapter.

PURPOSE

To facilitate funding for improving subdivision roads within a road improvement district established with municipal ties or under AS 29.63 (Special Assessments and Service Areas).

ALLOCATION OF FUNDS

(a) Each fiscal year a municipality shall receive funds based on the total road mileage in each road improvement district, subject to a 50% match by each road improvement district.

(b) A municipality shall disburse the funds based on a needs assessment (which shall include the level of use, quality of road surface and sub-surface, amount of traffic per day, and maintenance costs).

(c) Funds allocated to a specific road improvement district under this chapter shall be available for use for five years. Should the monies not be spent or obligated, they become available for use in other road improvement districts within that municipality. Should there not be other eligible road improvements within that municipality, the funds shall be remitted back to the state and shall lapse into the general fund.

(d) 50% of the construction costs shall be covered through assessments within the road improvement district.

ELIGIBILITY

After establishing a road improvement district, a municipality may apply for funds. DOT/PF may require the municipality to submit a five-year plan for road improvement districts by October 1.

ADMINISTRATION

(a) A municipality shall establish road design and construction standards which will be approved by DOT/PF.

(b) Construction contracts shall be awarded to the lowest bidder who meets an established criteria of responsibility.

(c) Construction projects shall be administered by the municipality.

MAINTENANCE

A municipality will be responsible for the maintenance of roads improved under this program either through a road maintenance service area or on a contractual basis with DOT/PF or the municipality.

REPORT

By October 1 of each year, a participating municipality shall submit a report to DOT/PF showing how the money was used in the preceding 12 months. By the following December 1, the department shall submit a report to the Governor showing the allocation of funds.

DEFINITIONS

Includes the following:

(1) "construction" or "road improvement" is the same as that defined in AS 14.001 (construction, reconstruction, alteration, improvement or major repair) and includes utility and drainage costs, but excludes financial and right-of-way costs; and

(4) "road improvement district" means a special assessment area established under AS 29.63 for road improvements (AS 29.63 provides for the establishment Special Assessments and Service Areas);

(5) "road maintenance service area" means a service area established under AS 29.63 for road maintenance (AS 29.63 enables a municipality to establish service areas to provide special services and levy assessments or taxes to finance the special services);

(6) "subdivision" is defined in AS 50.15.190(2) and means, in part, (A) "the division of a tract or parcel of land into two or more lots, sites, or other divisions for the purpose, whether immediate or future, of sale or building development" and (B) does not include cadastral plats, cadastral control plats, open-to-entry plats, or remote parcel plats created by or on behalf of the state.

CHAIRMAN
SENATE TRANSPORTATION
COMMITTEE
SENATE SPECIAL AGRICULTURE
COMMITTEE

MEMBER
HEALTH, EDUCATION AND
SOCIAL SERVICES
COMMITTEE
LEGISLATIVE COUNCIL
REAA BUDGET OVERSIGHT
COMMITTEE

Alaska State Legislature



State Senate

SENATOR
H. PAPPY MOSS
P.O. BOX 182
DELTA JUNCTION, ALASKA 99737
(907) 895-4384

JUNEAU OFFICE:
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4921

February 1, 1984

John P. Coghill
Municipality of Nenana
Nenana, Alaska 99760

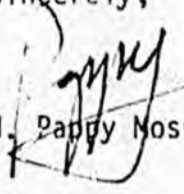
Dear Jack:

I am enclosing a copy of the amended version of SB 315, which is on its way through the system. This could aid in correcting part of the problem we have with the low allocations due to population factors.

We are trying to put a larger sum in the Local Service Roads and Trails Program. As you know, the Department of Transportation and Public Facilities had attempted in the past to completely eliminate the program. Last session we were successful in passing a \$10 million appropriation through the Legislature. This brought the program back to life. Unfortunately, the Governor cut 30%, leaving us a total of only \$7 million for the entire State.

We are asking for more funds this year, and can use whatever support you can give us.

Sincerely,


H. Pappy Moss

cc: Clyde Stoltzfus