

HB

327

STATE OF ALASKA

Interim:

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Fairbanks, Alaska 99701
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Session:

State Capitol Building
Juneau, Alaska 99801
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REPRESENTATIVE JIM HOLM DISTRICT 9

SPONSOR STATEMENT FOR HB327

“An Act relating to the powers and duties of the Department of Transportation and public officials”

HB327 is being brought forward at the suggestion of the DOT and the Attorney General's office to clean up old statute which is now and always has been, obsolete.

A situation has developed in Rural Alaska where a bridge is being held up because of an oversight by state government. In the late 70's the Governor wrote executive order No. 39 § 2 (1977) creating the “Alaska Transportation Council” (among other things) directing the commissioner of DOT to consult with this council on all annual transportation projects. Projects were not supposed to move forward without the recommendation of the council being considered. Unfortunately, that governor and subsequent governors failed to populate the council and it never actually came into existence. This made it difficult to comply. Further complicating the issue was the manner in which the council became law. As an executive order, it entered statute from lack of action on the part of the legislature and was therefore, somewhat outside of the usual process.

As we in the Legislature know, good ideas come and go. What seemed very prudent at one point can seem impractical at a later date. I feel that as a matter of policy, if we have placed an unrealistic statute into law we should repair it at the first notice. This is exactly the situation that HB327 addresses, but with a more serious consequence. Because the State may have unwittingly overlooked the requirement to “consider the recommendation of the Council...” and do a cost “benefit” study for each

project in the state, it has found itself in litigation. This oversight was brought to my attention last year.

Our problem is fairly straight forward. The state is not complying with this old statute, thereby setting a basis for litigation. One person has taken advantage of this situation to get an injunction against a rural project and there is every reason to think that more will follow. To preserve our current and future projects, we must quickly repair this statute and take the further step of making it retroactive.

The other changes to the statute amount to house cleaning. The changes reflect "Powers and Duties" that have been handed to other agencies along with practices that cost more than the resulting savings. Also some changes include allowing the Commissioner to study "alternative fuels" for use in state vehicles rather than just natural gas. And finally, changing "annual" requirements to "periodic" which will allow the commissioner discretion in choosing times that are sensible. This will save the money spent on studies and let it be spent on roads.

Please help me make this crucial change as soon as practical.

Proposed
Committee Substitute

WORK DRAFT

WORK DRAFT

23-LS1135VH
Utermohle
2/17/04

CS FOR HOUSE BILL NO. 327()

**IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-THIRD LEGISLATURE - SECOND SESSION**

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVE HOLM

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the powers and duties of the Department of Transportation and**
2 **Public Facilities; and repealing a requirement that public facilities comply with energy**
3 **standards adopted by the Department of Transportation and Public Facilities; and**
4 **providing for an effective date."**

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

6 *** Section 1. AS 44.42.020(a) is amended to read:**

7 (a) The department shall

8 (1) plan, design, construct, and maintain all state modes of
9 transportation and transportation facilities and all docks, floats, breakwaters, buildings,
10 and similar facilities;

11 (2) study existing transportation modes and facilities in the state to
12 determine how they might be improved or whether they should continue to be
13 maintained;

14 (3) study alternative means of improving transportation in the state

1 with regard to the economic costs of each alternative and its environmental and social
2 effects;

3 (4) develop a comprehensive, long-range, intermodal transportation
4 plan for the state;

5 (5) study alternatives to existing modes of transportation in urban areas
6 and develop plans to improve urban transportation;

7 (6) cooperate and coordinate with and enter into agreements with
8 federal, state, and local government agencies and private organizations and persons in
9 exercising its powers and duties;

10 (7) manage, operate, and maintain state transportation facilities and all
11 docks, floats, breakwaters, and buildings, including all state highways, vessels,
12 railroads, pipelines, airports, and aviation facilities;

13 (8) study alternative means of transportation in the state, considering
14 the economic, social, and environmental effects of each alternative;

15 (9) coordinate and develop state and regional transportation systems,
16 considering deletions, additions, and the absence of alterations;

17 (10) develop facility program plans for transportation and state
18 buildings, docks, and breakwaters required to implement the duties set out in this
19 section, including but not limited to functional performance criteria and schedules for
20 completion;

21 (11) supervise and maintain all state automotive and mechanical
22 equipment, aircraft, and vessels, except vessels and aircraft used by the Department of
23 Fish and Game or the Department of Public Safety; for state vehicles maintained by
24 the department, the department shall periodically [ANNUALLY] evaluate the cost,
25 efficiency, and commercial availability of alternative fuels [NATURAL GAS] for
26 automotive purposes, and the purpose for which the vehicles are intended to be used,
27 and convert or purchase vehicles to use alternative fuels [UTILIZE NATURAL
28 GAS] whenever practicable; the department may participate in joint ventures with
29 public or private partners that will foster the availability of alternative fuels
30 [NATURAL GAS] for all automotive fuel consumers;

31 (12) supervise aeronautics inside the state, under AS 02.10;

1 (13) [COMPLETE AND MAINTAIN A CURRENT INVENTORY
2 OF PUBLIC FACILITIES, INCLUDING A PROJECTION OF THE
3 SERVICEABILITY OF THE FACILITIES AND PROJECTIONS OF
4 REPLACEMENTS AND ADDITIONS TO FACILITIES NEEDED TO PROVIDE
5 THE LEVEL OF SERVICES PROGRAMMED BY THE VARIOUS USER
6 AGENCIES, FOR MUNICIPALITIES WITH POPULATIONS OF LESS THAN
7 12,000 AND FOR UNINCORPORATED COMMUNITIES, AND PERFORM
8 THOSE DUTIES ON A COOPERATIVE BASIS WITH LARGER
9 MUNICIPALITIES;

10 (14) ADOPT ENERGY PERFORMANCE STANDARDS FOR
11 PUBLIC FACILITIES OF THE STATE, THE CONSTRUCTION OF WHICH
12 BEGINS AFTER JULY 1, 1980; THE STANDARDS SHALL BE BASED ON
13 THERMAL AND LIGHTING ENERGY STANDARDS ESTABLISHED BY THE
14 AMERICAN SOCIETY OF HEATING, REFRIGERATION AND AIR
15 CONDITIONING ENGINEERS AS ADAPTED FOR APPLICATION IN HIGH
16 LATITUDE, COLD CLIMATE ENVIRONS;

17 (15) PROVIDE PLANNING ASSISTANCE, INCLUDING BUT NOT
18 LIMITED TO ENERGY AUDITS AND RELATED TECHNICAL SERVICES, TO
19 SCHOOL DISTRICTS AND REGIONAL EDUCATIONAL ATTENDANCE
20 AREAS TO DEVELOP AND IMPLEMENT

21 (A) STANDARDS FOR THE DESIGN, CONSTRUCTION,
22 AND OPERATION OF RURAL EDUCATIONAL FACILITIES; AND

23 (B) ENERGY CONSERVATION MEASURES FOR RURAL
24 EDUCATIONAL FACILITIES;

25 (16)] implement the safety and financial responsibility requirements
26 for air carriers under AS 02.40;

27 (14) [(17)] inspect weights and measures.

28 * Sec. 2. AS 44.42.050(a) is amended to read:

29 (a) The commissioner shall develop [ANNUALLY] a comprehensive,
30 intermodal, long-range transportation plan for the state. In developing and revising
31 the state plan, the commissioner shall consider means and costs of improving existing

1 modes and facilities, state and federal subsidies, and the costs [AND BENEFITS] of
2 new transportation modes and facilities. [THE COMMISSIONER SHALL ALSO
3 CONSIDER THE RECOMMENDATION OF THE ALASKA TRANSPORTATION
4 PLANNING COUNCIL.] The plan shall be submitted to the governor for review and
5 approval and submitted by the governor to the legislature.

6 * Sec. 3. AS 46.11.900(8) is amended to read:

7 (8) "thermal and lighting energy standards" means the thermal and
8 lighting energy standards

9 (A) established by the American Society of Heating,
10 Refrigeration, and Air Conditioning Engineers as revised

11 [(i) BY THE COMMISSIONER OF
12 TRANSPORTATION AND PUBLIC FACILITIES UNDER
13 AS 44.42.020(a) FOR PUBLIC FACILITIES; OR

14 (ii)] by the Alaska Housing Finance Corporation for
15 buildings and structures that are not public facilities; or

16 (B) developed in regulations adopted

17 [(i) BY THE COMMISSIONER OF
18 TRANSPORTATION AND PUBLIC FACILITIES UNDER
19 AS 44.42.020(a) FOR PUBLIC FACILITIES; OR

20 (ii)] by the Alaska Housing Finance Corporation for
21 buildings and structures that are not public facilities.

22 * Sec. 4. AS 46.11.010 is repealed.

23 * Sec. 5. The uncodified law of the State of Alaska is amended by adding a new section to
24 read:

25 RETROSPECTIVITY. Section 2 of this Act is retrospective to July 1, 1977.

26 * Sec. 6. This Act takes effect immediately under AS 01.10.070(c).

Alaska State Legislature

Representative Jim Holm

District 9

Session

Capitol Building, Room 110

Juneau, AK 99801

Phone: (907) 465-3466

Fax: (907) 465-2937



Interim

119 N. Cushman St.

Fairbanks, AK 99701

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HB327

Sectional Analysis

Section 1:

Changes the statutory requirement on the commissioner of DOT. In subparagraph (11) the requirement to “annually” study the costs of switching state vehicles to natural gas is lessened to “periodically” at the discretion of the Commissioner.

In the same subparagraph, the scope of such a study is expanded to include all “alternative fuels”.

Subparagraph (13) is deleted at the request of DOT and is deemed counter productive.

Subparagraph (14) is deleted at the request of DOT. Standard practice accounts for some of the stated goals, and resources expended to comply would likely exceed savings.

Subparagraph (15) and (15) (a), (b) are deleted at the request of DOT. School districts have taken over this function for the most part.

Section 2:

Deletes the word “annually” from the comprehensive plan language because the plan is ongoing. An annual requirement would be costly and impractical. Also a DOT request.

Deletes “and benefits” from the design requirements as “benefits” of a project are best determined by the legislature. Also, at the request of DOT.

Deletes the reference to the "Alaska Transportation Planning Council", which is currently not in physical existence.

Section 3:

Deletes commissioner duties that have been given to AHFC or municipalities.

Section 4:

Deletes specific lighting standards set forth in AS 46.11.010.

Section 5:

Retroactivity clause.

Section 6:

Effective date.

THE
FOLLOWING
DOCUMENT(S)
ARE
POOR
ORIGINAL
COPIES

STATE OF ALASKA

FRANK H. MURKOWSKI, GOVERNOR

DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES
OFFICE OF THE COMMISSIONER

3132 CHANNEL DRIVE
JUNEAU, ALASKA 99801-7098

TEXT: (907) 465-3652
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PHONE: (907) 465-3900

February 13, 2004

The Honorable Jim Holm
Co-Chair, House Transportation
Alaska State Legislature
State Capitol, Room 110
Juneau AK 99801

Dear Representative Holm:

Through the cooperative efforts of our respective staffs, let me first thank you for taking lead on this important piece of legislation (HB 327). As you know, the department's transportation planning statutes are nearly three decades old, and have not been updated to reflect modern practice nor the influence of the federal-aid requirements that we must routinely adjust to. This legislation would bring these statutes into compliance with the external requirements, and simplify the planning process to ensure we deliver projects and not paper studies with our scarce funds.

The legislation also accomplishes some important housekeeping tasks, such as bringing our departmental powers and duties in line with changes that have occurred over time. To this end, I would offer these comments:

Section 1. Pertaining to AS 44.42.020 (a)

- Paragraph (11) is modified to minimize the frequency and hence the costs of alternative fuels evaluations for use in state vehicles. It also is modified to reflect the emergence of new alternatives fuels in addition to natural gas. We support this modification.
- Paragraph (13) is deleted to reflect that our agency has not been funded to perform this duty for more than a decade. Whether the public facilities responsibility remains at DOT&PF is still an open question, but regardless of that outcome, we support this modification.
- Paragraph (14) is deleted to reflect that our agency has not been funded to perform this duty for more than a decade. We believe there are many other standard setting bodies for energy performance standards and do not think this a valid responsibility for a state agency regardless of whether the public facilities responsibility remains at DOT&PF. We support this modification.
- Paragraph (15) is deleted to reflect the transfer of school construction responsibility to local school districts several years ago. We support this modification.

Representative Holm

Page 2

February 13, 2004

Section 2. Pertaining to AS 44.42.050 (a):

- This section would modify the transportation planning statute to better reflect modern practice and clarify the technical requirements and timing of updates to the state transportation plans. We support this section and have made some specific suggestions directly to your staff to further improve this section.

Sections 3 and 4. Pertaining to AS 46.11.900(8) and AS 46.11.010:

- Our comments above on paragraph (14) of AS 44.42.020 (a) in Section 1 of bill apply here too. We support this modification.

We understand that this bill will need our support and background information to ensure it is supported by the Legislature. To this end we are committed to meeting in any venue so scheduled and offering testimony as requested. I thank your for your dedication to this effort and important contribution to the state's transportation future.

Sincerely,


Mike Barton
Commissioner

cc: Rebecca L Hultberg, Special Staff Assistant, Office of the Governor
John MacKinnon, Deputy Commissioner of Highways & Public Facilities, DOT&PF
Jeff Otlesen, Director, Division of Program Development, DOT&PF
Nona Wilson, Legislative Liaison, DOT&PF

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB327-DPS-ASTD-2-24-04
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Public Safety
 Title "An Act relating to the powers and duties of the RDU Alaska State Troopers
Department of Transportation and Public Facilities . . ." Component AST Detachments
 Sponsor Representative Holm
 Requester House Transportation Committee Component No. 2325

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill changes certain requirements of the Department of Transportation and Public Facilities relating to the evaluation of alternative fuel for vehicles under its supervision, and changes certain duties of the department relating to public facilities.

Passage of this legislation is not anticipated to have a fiscal impact on the Department of Public Safety.

Prepared by: Joan M. Kasson, Program Budget Analyst Phone 907-465-2640
 Division: Administrative Services Date/Time 2/24/04 9:03 AM
 Approved by: Commissioner William Tandeske Date 2/24/2004
 Agency: Department of Public Safety

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB327-DOT-CO-2-13-04
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: DOT&PF
 Title Powers and Duties of DOT&PF RDU Administration & Support
 Component Commissioner's Office
 Sponsor Holm
 Requester H Transportation Committee Component No. 530

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

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TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Nona Wilson Phone 465-6973
 Division: Legislative Liaison Date/Time 2/16/04 12:43 PM
 Approved by: John MacKinnon Date 2/16/2004
 Agency: Deputy Commissioner

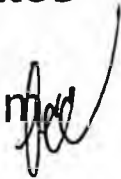
STATE OF ALASKA
HOUSE OF REPRESENTATIVES
Representative Jim Holm



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MEMO

DATE: February 26, 2004
TO: Transportation Committee
FROM: Representative Jim Holm 
RE: HB 327, Powers/Duties DOTPF

Attached are:

1. New proposed CS, VERSION I
2. Additional zero fiscal note.

23-LS1135V
Utermohle
2/24/04

CS FOR HOUSE BILL NO. 327()

**IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-THIRD LEGISLATURE - SECOND SESSION**

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES HOLM, Ogg

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the powers and duties of the Department of Transportation and**
2 **Public Facilities; relating to a long-range program for highway construction and**
3 **maintenance; repealing a requirement that public facilities comply with energy**
4 **standards adopted by the Department of Transportation and Public Facilities; and**
5 **providing for an effective date."**

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

7 *** Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
8 to read:

9 **PURPOSE AND INTENT OF SECTION 4 OF THIS ACT.** (a) The purpose of the
10 amendment of AS 44.42.050(a) by sec. 4 of this Act is to validate and affirm the long-
11 standing practice of the state with regard to the procedures used by the state for the planning
12 of transportation projects and to ensure the validity of all existing administrative regulations
13 of the Department of Transportation and Public Facilities.

1 (b) It is the intent of the legislature in amending of AS 44.42.050(a) to expressly
2 overrule the decision of the Alaska Superior Court in Trout Unlimited v. State, 3AN-02-
3 09363 Civil, and to affirm the validity of the state transportation planning process.

4 * Sec. 2. AS 19.10.140 is amended to read:

5 **Sec. 19.10.140. Long-range program for highway construction and**
6 **maintenance.** The [GOVERNOR SHALL REQUIRE THE] department may [TO]
7 establish a continuing, long-range program for highway construction and maintenance.
8 The program must periodically [ANNUALLY] project proposed construction and
9 maintenance of highways for not less than the next succeeding 20 [FIVE] years. The
10 program shall become part of the state transportation plan developed under
11 AS 44.42.050 [A STATEMENT OF THE PROGRAM SHALL BE SUBMITTED
12 BY THE GOVERNOR TO THE LEGISLATURE ANNUALLY, AND THE LONG-
13 RANGE PROGRAM SHALL INCLUDE IN DETAIL THE PROGRAM PREPARED
14 UNDER AS 19.10.150].

15 * Sec. 3. AS 44.42.020(a) is amended to read:

16 (a) The department shall

17 (1) plan, design, construct, and maintain all state modes of
18 transportation and transportation facilities and all docks, floats, breakwaters, buildings,
19 and similar facilities;

20 (2) study existing transportation modes and facilities in the state to
21 determine how they might be improved or whether they should continue to be
22 maintained;

23 (3) study alternative means of improving transportation in the state
24 with regard to the economic costs of each alternative and its environmental and social
25 effects;

26 (4) develop a comprehensive, long-range, intermodal transportation
27 plan for the state;

28 (5) study alternatives to existing modes of transportation in urban areas
29 and develop plans to improve urban transportation;

30 (6) cooperate and coordinate with and enter into agreements with
31 federal, state, and local government agencies and private organizations and persons in

1 exercising its powers and duties;

2 (7) manage, operate, and maintain state transportation facilities and all
3 docks, floats, breakwaters, and buildings, including all state highways, vessels,
4 railroads, pipelines, airports, and aviation facilities;

5 (8) study alternative means of transportation in the state, considering
6 the economic, social, and environmental effects of each alternative;

7 (9) coordinate and develop state and regional transportation systems,
8 considering deletions, additions, and the absence of alterations;

9 (10) develop facility program plans for transportation and state
10 buildings, docks, and breakwaters required to implement the duties set out in this
11 section, including but not limited to functional performance criteria and schedules for
12 completion;

13 (11) supervise and maintain all state automotive and mechanical
14 equipment, aircraft, and vessels, except vessels and aircraft used by the Department of
15 Fish and Game or the Department of Public Safety; for state vehicles maintained by
16 the department, the department shall periodically [ANNUALLY] evaluate the cost,
17 efficiency, and commercial availability of alternative fuels [NATURAL GAS] for
18 automotive purposes, and the purpose for which the vehicles are intended to be used,
19 and convert or purchase vehicles to use alternative fuels [UTILIZE NATURAL
20 GAS] whenever practicable; the department may participate in joint ventures with
21 public or private partners that will foster the availability of alternative fuels
22 [NATURAL GAS] for all automotive fuel consumers;

23 (12) supervise aeronautics inside the state, under AS 02.10;

24 (13) [COMPLETE AND MAINTAIN A CURRENT INVENTORY
25 OF PUBLIC FACILITIES, INCLUDING A PROJECTION OF THE
26 SERVICEABILITY OF THE FACILITIES AND PROJECTIONS OF
27 REPLACEMENTS AND ADDITION TO FACILITIES NEEDED TO PROVIDE
28 THE LEVEL OF SERVICES PROGRAMMED BY THE VARIOUS USER
29 AGENCIES, FOR MUNICIPALITIES WITH POPULATIONS OF LESS THAN
30 12,000 AND FOR UNINCORPORATED COMMUNITIES, AND PERFORM
31 THOSE DUTIES ON A COOPERATIVE BASIS WITH LARGER

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MUNICIPALITIES;

(14) ADOPT ENERGY PERFORMANCE STANDARDS FOR PUBLIC FACILITIES OF THE STATE, THE CONSTRUCTION OF WHICH BEGINS AFTER JULY 1, 1980; THE STANDARDS SHALL BE BASED ON THERMAL AND LIGHTING ENERGY STANDARDS ESTABLISHED BY THE AMERICAN SOCIETY OF HEATING, REFRIGERATION AND AIR CONDITIONING ENGINEERS AS ADAPTED FOR APPLICATION IN HIGH LATITUDE, COLD CLIMATE ENVIRONS;

(15) PROVIDE PLANNING ASSISTANCE, INCLUDING BUT NOT LIMITED TO ENERGY AUDITS AND RELATED TECHNICAL SERVICES, TO SCHOOL DISTRICTS AND REGIONAL EDUCATIONAL ATTENDANCE AREAS TO DEVELOP AND IMPLEMENT

(A) STANDARDS FOR THE DESIGN, CONSTRUCTION, AND OPERATION OF RURAL EDUCATIONAL FACILITIES; AND

(B) ENERGY CONSERVATION MEASURES FOR RURAL EDUCATIONAL FACILITIES;

(16) implement the safety and financial responsibility requirements for air carriers under AS 02.40;

(14) [(17)] inspect weights and measures.

* Sec. 4. AS 44.42.050(a) is amended to read:

(a) The commissioner shall develop [ANNUALLY] a comprehensive, intermodal, long-range transportation plan for the state. The plan may be developed in separate documents and divided into logical components, including geographic areas, modes of transportation, transportation corridors, systems, and other distinct subjects. In developing and revising the state plan, the commissioner may [SHALL] consider the requirements of 23 U.S.C. 135, as amended. Upon approval of the plan by the commissioner, the commissioner may transmit the plan to the governor and [MEANS AND COSTS OF IMPROVING EXISTING MODES AND FACILITIES, STATE AND FEDERAL SUBSIDIES, AND THE COSTS AND BENEFITS OF NEW TRANSPORTATION MODES AND FACILITIES. THE COMMISSIONER SHALL ALSO CONSIDER THE

1 RECOMMENDATION OF THE ALASKA TRANSPORTATION PLANNING
2 COUNCIL. THE PLAN SHALL BE SUBMITTED TO THE GOVERNOR FOR
3 REVIEW AND APPROVAL AND SUBMITTED BY THE GOVERNOR TO] the
4 legislature.

5 * Sec. 5. AS 44.42.050(d) is amended to read:

6 (d) The commissioner shall periodically develop a program [PLAN MUST
7 INCLUDE A DESCRIPTION] of projects planned for design and construction for a
8 period of not less than [THE FOLLOWING] two years that implement the plan
9 developed under (a) of this section. In developing the program of projects, the
10 commissioner may consider the requirements of 23 U.S.C. 135, as amended. The
11 program [DESCRIPTION] is in addition to the long-range plan required by (a) of this
12 section [AND BY AS 19.10.140]. The program [DESCRIPTION] must include an
13 estimate of federal, state, and other funds anticipated to be received and a
14 description, location, and itemization of the estimated cost for each project and the
15 total cost of all projects. The commissioner shall propose and forward to the governor
16 for review and approval [AND INCLUSION, AS APPROVED, IN THE CAPITAL
17 BUDGET] a construction program that includes the projects to be undertaken during
18 the following year [TWO YEARS], including recommended project priorities.
19 [FUNDS FOR TRANSPORTATION CONSTRUCTION PROJECTS AND
20 NECESSARY CONTINGENCIES SHALL BE ITEMIZED AS ALLOCATIONS
21 WITHIN THE BILL FOR THE GENERAL APPROPRIATIONS ACT.]

22 * Sec. 6. AS 46.11.900(8) is amended to read:

23 (8) "thermal and lighting energy standards" means the thermal and
24 lighting energy standards

25 (A) established by the American Society of Heating,
26 Refrigeration, and Air Conditioning Engineers as revised

27 [(i) BY THE COMMISSIONER OF
28 TRANSPORTATION AND PUBLIC FACILITIES UNDER
29 AS 44.42.020(a) FOR PUBLIC FACILITIES; OR

30 (ii)] by the Alaska Housing Finance Corporation for
31 buildings and structures that are not public facilities, or

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(B) developed in regulations adopted
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AS 44.42.020(a) FOR PUBLIC FACILITIES; OR
(ii)] by the Alaska Housing Finance Corporation for
buildings and structures that are not public facilities.

* Sec. 7. AS 46.11.010 is repealed.

* Sec. 8. The uncodified law of the State of Alaska is amended by adding a new section to
read:

RETROSPECTIVITY. Section 4 of this Act is retrospective to July 1, 1977.

* Sec. 9. This Act takes effect immediately under AS 01.10.070(c).

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB327-DPS-ASTD-2-24-04
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Public Safety
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 Department of Transportation and Public Facilities . . ." Component AST Detachments
 Sponsor Representative Holm
 Requester House Transportation Committee Component No. 2325

Expenditures/Revenues (Thousands of Dollars)

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Personal Services						
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Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill changes certain requirements of the Department of Transportation and Public Facilities relating to the evaluation of alternative fuel for vehicles under its supervision, and changes certain duties of the department relating to public facilities.

Passage of this legislation is not anticipated to have a fiscal impact on the Department of Public Safety.

Prepared by: Joan M. Kasson, Program Budget Analyst Phone 907-465-2640
 Division Administrative Services Date/Time 2/24/04 3:03 AM
 Approved by: Commissioner William Tandeske Date 2/24/2004
 Agency Department of Public Safety