

ALASKA LEGISLATURE COMMITTEE FILES 1985-1986 86/2

4406 STRA SB 303 - SB 374 1385

TOTAL P. 2

ALASKA RAILROAD CORPORATION



Pouch 7-2111 • Anchorage, Alaska 99510-7069

April 30, 1985

The Honorable John B. "Jack" Coghill
Alaska State Legislature
Pouch V
Juneau, AK 99811

Subject: SB 303

Dear Senator Coghill:

Thank you for inviting our response to Senate Bill 303, which proposes repeal of A.S. 42.40.355.

As you know, A.S. 42.40.355 provides that the Corporation may not apply for a right-of-way across, or exercise eminent domain in, the western unit of the Gates of the Arctic National Preserve.

Among the many powers assigned to it, the Corporation is authorized to plan for and undertake expansion of the railroad and railroad activities, including extension of the rail system. We support Senate Bill 303, because it creates a flexibility to plan for extensions in an important part of our State.

The Legislature has previously found that the Corporation must function as a viable economic entity, which will also provide a level of transportation service that best satisfies the needs of the people of the State. Although any proposed extension of the rail system calls for careful scrutiny consistent with such Legislative purposes, by promoting flexibility, SB 303 meshes well with our desire to responsibly plan for the future.


Sincerely,

F. G. Turpin
President and Chief Executive Officer

ALASKA RR RESPONSE

(c) The corporation may lease, subject to AS 42.40.285 and (d) of this section, grant easements in or permits for, or otherwise authorize use of portions of rail land. However, the corporation may not convey its entire interest in rail land except as provided in AS 42.40.285, 42.40.370(d) and 42.40.400.

(d) A lease or disposal of land approved by the legislature under AS 42.40.285 by the corporation to a party other than the state shall be made at fair market value as determined by a qualified appraiser or by competitive bid. (§ 2 ch 153 SLA 1984)

 **Sec. 42.40.355. Prohibition.** Notwithstanding any other provision in AS 42.40, the state-owned railroad as defined under 45 U.S.C. 1202(14) may not apply for a right-of-way across, or exercise eminent domain in, the western (Kobuk River) unit of the Gates of the Arctic National Preserve under 16 U.S.C. 410hh(4)(b)-(e). (§ 2 ch 153 SLA 1984)

Sec. 42.40.360. Request for land. (a) The board may nominate federal land it determines may be useful for present or future railroad purposes for selection under the Alaska Statehood Act (P.L. 85 — 508, 72 Stat. 339), as amended, and request the commissioner of natural resources to select the land for the state through the federal land selection process.

(b) The board may identify and request the commissioner of natural resources to convey land necessary or useful for present or future railroad purposes owned by or tentatively approved for transfer to the state, including land not contiguous with a railroad utility corridor or rail land. The request must include a statement of and justification for the present or future railroad use. Upon receipt of a request, the commissioner shall temporarily reserve the land identified in the request for railroad purposes and defer disposal or lease of that land under other laws to a party other than the corporation. The temporary reservation of land is subject to valid existing rights and remains in effect for 180 days. (§ 2 ch 153 SLA 1984)

Sec. 42.40.370. Conveyance of land. (a) Within 90 days after receiving a request under AS 42.40.360(b) the commissioner of natural resources shall by written decision

(1) designate the identified land for railroad purposes and, subject to valid existing rights, convey the state's interests in the land to the corporation;

(2) notify the corporation of reasons for refusal to designate the identified land for railroad purposes; or

(3) approve the request in part and deny it in part and convey as appropriate.

(b) A conveyance of land under this section may be for less than its appraised value as determined by the commissioner of natural resources.

and scenic beauty of the mountains, forelands, rivers, lakes, and other natural features; to provide continued opportunities, including reasonable access, for mountain climbing, mountaineering, and other wilderness recreational activities; and to protect habitat for and the populations of, fish and wildlife, including, but not limited to, caribou, grizzly bears, Dall sheep, moose, wolves, and raptorial birds. Subsistence uses by local residents shall be permitted in the park, where such uses are traditional, in accordance with the provisions of title VIII.

Post, p. 2422.

(b) Congress finds that there is a need for access for surface transportation purposes across the Western (Kobuk River) unit of the Gates of the Arctic National Preserve (from the Ambler Mining District to the Alaska Pipeline Haul Road) and the Secretary shall permit such access in accordance with the provisions of this subsection.

Publication in Federal Register.

(c) Upon the filing of an application pursuant to section 1104 (b), and (c) of this Act for a right-of-way across the Western (Kobuk River) unit of the preserve, including the Kobuk Wild and Scenic River, the Secretary shall give notice in the Federal Register of a thirty-day period for other applicants to apply for access.

Environmental and economic analysis.

(d) The Secretary and the Secretary of Transportation shall jointly prepare an environmental and economic analysis solely for the purpose of determining the most desirable route for the right-of-way and terms and conditions which may be required for the issuance of that right-of-way. This analysis shall be completed within one year and the draft thereof within nine months of the receipt of the application and shall be prepared in lieu of an environmental impact statement which would otherwise be required under section 102(2)(C) of the National Environmental Policy Act. Such analysis shall be deemed to satisfy all requirements of that Act and shall not be subject to judicial review. Such environmental and economic analysis shall be prepared in accordance with the procedural requirements of section 1104(e). The Secretaries in preparing the analysis shall consider the following—

42 USC 4332.

Post, p. 2459.

(i) Alternative routes including the consideration of economically feasible and prudent alternative routes across the preserve which would result in fewer or less severe adverse impacts upon the preserve.

(ii) The environmental and social and economic impact of the right-of-way including impact upon wildlife, fish, and their habitat, and rural and traditional lifestyles including subsistence activities, and measures which should be instituted to avoid or minimize negative impacts and enhance positive impacts.

(e) Within 60 days of the completion of the environmental and economic analysis, the Secretaries shall jointly agree upon a route for issuance of the right-of-way across the preserve. Such right-of-way shall be issued in accordance with the provisions of section 1107 of this Act.

(5) Kenai Fjords National Park, containing approximately five hundred and sixty-seven thousand acres of public lands, as generally depicted on map numbered KEFJ-90,007, and dated October 1978. The park shall be managed for the following purposes, among others: To maintain unimpaired the scenic and environmental integrity of the Harding Icefield, its outflowing glaciers, and coastal fjords and islands in their natural state; and

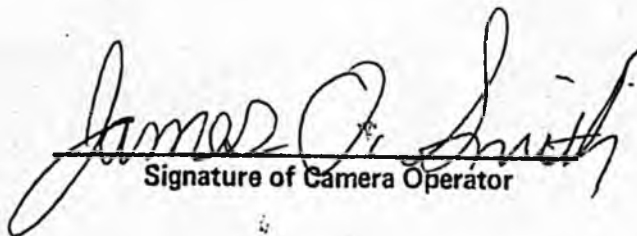
Kenai Fjords National Park.

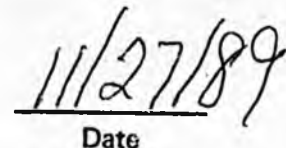


RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.


Signature of Camera Operator


Date

S B

5 0 8

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date _____

REQUEST

Bill/Resolution No: SB 308
 Title: \$350,000,000 Transportation
General Obligation Bonds
 Sponsor: Rodey
 Requestor: Senate Transportation
 Date of Request: May 6, 1985

FISCAL DETAIL

Agency Affected: State Bond Committee
 Program Category Affected: _____
 BRU, Program of Subprogram(s) Affected:
General Obligation Bond Debt Service

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES	-	-	-	-	-	-
200 TRAVEL	-	-	-	-	-	-
300 CONTRACTUAL	-	-	-	-	-	-
400 SUPPLIES	-	-	-	-	-	-
500 EQUIPMENT	-	-	-	-	-	-
600 LANDS & STRUCTURES	-	-	-	-	-	-
700 GRANTS, CLAIMS	-	-	-	-	-	-
800 MISCELLANEOUS	-	17,500	56,960	56,960	56,960	56,960
TOTAL OPERATING	-	17,500	56,960	56,960	56,960	56,960
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	17,500	56,960	56,960	56,960	56,960
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	-	17,500	56,960	56,960	56,960	56,960

POSITIONS:

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

ANALYSIS: Debt Service on \$350 million of bonds at 10% interest with 10 year maturity.
 FY 86 amount is interest only on one semi-annual payment.

Prepared By: Milt Barker *MB*
 Division: Treasury

Phone: 465-2350
 Date: May 7, 1985

Approved by Commissioner: *[Signature]*
 Agency: Department of Revenue

Date: 5/7/85

Distribution (by Agency preparing fiscal note):

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

Introduced: 5/3/85
Referred: Transportation
and Finance

1 IN THE SENATE

BY RODEY AND FERGUSON

2

SENATE BILL NO. 308

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act providing for the issuance of general obliga-
7 tion bonds in the amount of \$350,000,000 for the
8 purpose of paying the cost of transportation pro-
9 jects; calling for a special election on the ques-
10 tion; and providing for an effective date."

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

12 * Section 1. For the purpose of paying the cost of transportation
13 projects, general obligation bonds of the state in the principal amount of
14 not more than \$350,000,000 shall be issued and sold. The full faith,
15 credit, and resources of the state are pledged to the payment of the prin-
16 cipal of and interest and redemption premium, if any, on these bonds.
17 These bonds shall be issued under the provisions of AS 37.15 as those
18 provisions read at the time of issuance.

19 * Sec. 2. If the issuance of these bonds is authorized by the qualified
20 voters of the state, a special fund of the state to be known as the "1985
21 Transportation Projects Fund" shall be established, to which shall be
22 credited the proceeds of the sale of the bonds described in sec. 1 of this
23 Act except for the accrued interest and premiums.

24 * Sec. 3. (a) The amount of \$350,000,000 is appropriated from the
25 "1985 Transportation Projects Fund" to the Department of Transportation and
26 Public Facilities to be allocated in accordance with the following projects
27 and estimates:

28 (1) transportation projects within the Municipality of
29 Anchorage:

1	West Northern Lights	21,000,000
2	Eklutna Transportation Project	28,000,000
3	Lake Otis Drive	15,500,000
4	Boniface Parkway and interchanges	26,300,000
5	C St., Tudor to ARR	2,000,000
6	100th and Minnesota interchange	3,500,000
7	C St., - Klatt Road	2,600,000
8	Spenard Road	12,600,000
9	36th Avenue	3,100,000
10	Dimond Blvd	5,600,000
11	Arctic Blvd	5,600,000
12	Pedestrian improvements	1,700,000
13	Traffic circulation improvements	2,000,000
14	Anchorage road district service areas	3,500,000
15	Limited road service areas	2,000,000
16	Eagle River Hiland Road bridge	3,000,000
17	Chugiak-E.R.-Birchwood road improvements	1,400,000
18	Old and New Seward Highway Intersections	
19	improvements	5,600,000
20	Eagle River-Birchwood-Chugiak State	
21	Road improvements	5,000,000
22	Total	\$150,000,000
23	(2) transportation projects in the following house election	
24	districts, in the respective amounts:	
25	District 1	17,392,439
26	District 2	8,695,565
27	District 3	8,695,565
28	District 4	17,391,304
29	District 5	17,391,304

1	District 6	8,695,565
2	District 16	17,391,304
3	District 17	8,695,565
4	District 18	8,695,565
5	District 19	8,695,565
6	District 20	17,391,304
7	District 21	8,695,565
8	District 22	8,695,565
9	District 23	8,695,565
10	District 24	8,695,565
11	District 25	8,695,565
12	District 26	8,695,565
13	District 27	8,695,565
14	Total	\$200,000,000

15 (b) The proceeds of the bond issue may be reallocated among the
16 listed projects as provided by law.

17 * Sec. 4. If the issuance of these bonds is authorized by the qualified
18 voters of the state, the amount of \$1,225,000 or as much of that amount as
19 is found necessary is appropriated from the general fund of the state to
20 the state bond committee to carry out the provisions of this Act and to pay
21 expenses incident to the sale and issuance of the bonds authorized in this
22 Act. The amounts expended from the appropriation authorized by this sec-
23 tion shall be reimbursed to the general fund from the proceeds of the sale
24 of the bonds authorized by this Act.

25 * Sec. 5. The amount withdrawn from the public facility planning fund
26 for the purpose of advance planning for the improvements financed under
27 this Act shall be reimbursed to the fund from the proceeds of the sale of
28 bonds authorized by this Act.

29 * Sec. 6. The question whether the bonds authorized in this Act are to

o received the
tribution from
ed Properties, a
elopment firm;
mpaign, page B-7

Michael Dinneen of The Times

Onlookers grieve at the scene of the accident Wednesday in which a car struck and critically injured 9-year-old Tal Lee Biksen

Bond issue proposed in House

by Bruce Scandling
Associated Press

Juneau — Legislation to put a \$350 million bond issue before Alaska voters was introduced in the House Wednesday, but opponents said the measure is a disguised attempt to give Anchorage more money to spend on roads.

The proposal — sponsored by Reps. H.A. "Red" Boucher of Anchorage and Sam Cotten of Eagle River — would set up a special election in November.

If the bond issue was approved, Anchorage would get \$150 million for road and highway projects.

The remaining \$200 million would be portioned out by election district for transportation projects in the rest of Alaska.

"This bill might be less than perfect, but it's the first step in realizing that Mother Alaska can't do everything for everyone," Boucher said.

He said the bond vote would let Alaska's citizens — not its lawmakers — decide whether more money should be spent on roads and highways as state revenues plummet.

"At the moment, I'm not sure if I would vote yes or no in the ballot box on these projects," Boucher said.

The bond sale is backed strongly by Anchorage Mayor

Lawmakers, Knowles call for bond proposal testimony

by Larry Persily
Times Juneau Bureau

Juneau — It's become a battle of bond market and government debt experts as legislators consider a proposal to place a \$350 million statewide bond issue before the voters this fall.

Mayor Tony Knowles is in Juneau today with his national bond market experts, lobbying for support for his proposal to fund transportation and utility projects with a statewide bond issue.

The Senate Finance Committee countered with an announcement Wednesday that it has invited state and municipal debt consultants from Princeton, N.J., to come to Juneau next week to discuss the bond sale proposal with lawmakers.

Senate Finance Co-Chair Jan Faiks, R-Anchorage, said she and Co-Chair John Sackett, R-Ruby "have invited them (the consultants) to come and present firsthand their analysis of the finances of Alaska."

The Senate committee has invited representatives of Government Finance Associates, of Princeton, N.J., to address a joint

See \$350 million, page B-7

Tony Knowles and the Anchorage Assembly.

Knowles and a cadre of bond experts were expected to arrive in Juneau Wednesday, trying to rally support by lawmakers.

"Our accelerated road (construction) program is on track today, and we need to find a way to keep it on track,"

said Chip Dennerlein, a Knowles aide.

"We're suggesting a vote of the people to resolve the issue," he said. "We must have a solution to our basic transportation problems."

Boucher said Wednesday he and Cotten have support from about 25 members of the 40-member House.

Some lawmakers, however, took little time to come out against the idea.

"This is being put on the table because Anchorage wants another \$150 million in capital projects," said Rep. Mike Navarre, D-Kenai.

He said every Alaska town would like more money to spend on construction projects, but state government must cut back its spending.

Navarre said the bonding proposal promotes "fiscal irresponsibility."

With the value of North Slope crude oil on the decline, lawmakers this year have been wrestling to reduce state spending. The legislature earmarked \$1.2 billion for public construction in the current fiscal year.

By all accounts, however, the fiscal 1986 capital budget now being built will total no more than \$500 million, with half of that destined for development of hydroelectric power.

Knowles and the assembly have drafted a priority list of road and highway projects totaling \$160 million.

Rep. Steve Rieger, R-Anchorage, said the bonding proposal is a bad idea because it commits the state to pay off bond debts when economists

See Bond, page B-7

n of The Times

idents can
to pursue
yer Cook
Hardesty
und Point

ying
p of
fy
uor
Inc.

ment to
the Al-
Ave.,

ices
ctive
ry 2
iru
1, 1985

omatic
BCF-33

itch
loat-operates
of card
s oiling
el impeller

real prevents
ntering motor
gallons/hour
ischarge head

3995

loth
Duct
ape
499



session sometime next week of the House and Senate finance committees, Faiks said.

Until they meet with the consultants, Faiks said, Senate finance "will leave the option of the bond proposal open."

Legislators are divided on the bond proposal, with many supporting the issue but others opposing it as being fiscally irresponsible at a time of declining oil revenues.

Government Finance Associates specializes in advising state and local governments on bond issues, said Milt Barker, deputy commissioner for the Alaska Department of Revenue. The company has served as financial adviser to the state bond committee since last fall, Barker said.

Faiks reported the consultants will address lawmakers on:
-The possibility of selling \$350 million in state general obligation bonds, to be paid off by future general fund revenues.

-The effects the bond sale could have on state and municipal bond ratings, including any effects it might have on school district bond sales.

-The cost of "back-loading," a proposal to lower bond payments by paying only interest in the early years and then paying the principal in later years, stretching the debt over a longer period of time.

The advisers will be asked to explain how Alaska earned its high bond rating, what must be done to maintain that rating, and how much a drop in the rating could cost the state, Faiks said.

A bill authorizing a \$350 million bond issue special election this fall was introduced Wednesday in the House. The bill allocates \$150 million for priority road projects in Anchorage, with the remaining \$200 million divided between other areas of the state.

Knowles has been pushing for a statewide bond issue to fund Anchorage road projects left out of this session's state capital projects budget.

The mayor said his group of bond market experts, scheduled to come to Juneau today from Seattle, San Francisco and New York, will explain to lawmakers how the bonds can be sold without harming Alaska's financial rating and without putting unreasonable burdens on the state treasury.

Bond issue given

Continued from page B-1

aren't yet sure how low the price of oil will sink in the future.

In the wake of declining oil wealth, Rieger said, legislators this year have talked about statesmanship in tackling tough budget problems.

"And the statesmanship in the this case is not to cave in," he said.

According to the Boucher-Cotten plan, Anchorage would get \$150 million for 19 specific road and highway projects — if the bond issue was approved by voters.

Each election district outside of Anchorage would get \$8.7 million for transportation projects, according to the plan.

With 11 days to go in what's supposed to be a 120-day legislative session, the proposal will have to speed through the committee process in time to be approved by both house of the legis-

One veteran senator said Wednesday there's probably not enough time for that to happen, especially since the Boucher-Cotten bill has generated little enthusiasm in the Senate.

"There's no open support for it," said Sen. Bill Ray, D-Juneau.

"It would be the pork-barrel of all pork-barrels, when you're going to kill the pig now and be paying for it over the next 10 years with money you don't even know you're going to have," Ray said.

Sen. Jan Faiks, an Anchorage Republican who co-chairs the Senate Finance Committee, has said a bond issue would be irresponsible when falling revenues leave the state's future financial picture in doubt.

Meanwhile, Senate President Don Bennett, R-Fairbanks, has called the idea "ridiculous."

State officials said Wednesday it would cost between \$800,000 and \$1 million to hold a special



Hunting Per Deadline is ne through M

Garden Center

PLANT POTS

Poly Plastic
extra thick:

8" size only 99¢

12" size only 1⁶⁶

Fishing Dept.



KING SA COMI

#1790 =
Reg.
81.90

9' Spinning Rod Has large
Guides for a far cast Ball
Bearing, High Speed Reel



WIRE FISH



Wendi K. Brown of The Times

Maria Hendrix, 7, plays with her dog while her mother, Carla, an Alaska Cab driver, takes part in an attempted citywide taxi strike on Third Avenue Tuesday.

Citywide taxi strike falls through

by Chriss Swaney
Times Business Writer

Alaska Cab drivers Tuesday were unsuccessful in a bid to foster a citywide taxi strike.

About 17 Alaska Cab drivers — far fewer than organizers expected — gathered at a vacant Third Avenue parking lot near the Holiday Inn in Anchorage Tuesday evening to debate the hotly contested cab fares. They were later joined by four Checker Cab drivers and two Yellow Cab drivers.

The drivers mingled around the parking lot for about an hour talking with other drivers and the press.

23 drivers assemble to discuss fare regulation

Peter Kautsky, an Alaska Cab driver, said he came to protest the disparity in cab fares. "I think they should all be regulated," he said. "We can't make a living out here the way it is now."

Alaska Cab driver Alex Olah, who helped organize the protest, said the meeting was organized to draft opinions from all cab drivers. "We want to know where everyone stands on the issue," Olah said.

Most of the Alaska Cab

drivers who supported the protest said they favored the \$1.50 a mile rate and a \$1.50 flag drop used by Checker Cab. At present, Alaska Cab charges \$1.20 a mile and \$1.40 for a flag drop. Yellow Cab recently cut its fares to \$1 a mile and 80 cents for a flag drop.

Yellow Cab officials said business is booming because of the lower fares. "Cab calls have jumped from 1,200 a day to 2,000 a day," said Hugh Brown, Yellow Cab manager.

"Our cabbies are busy all day.

Because Yellow Cab is monopolizing most of the business, drivers with other companies say they can't make a decent living now.

Marci Denison, a Checker Cab driver, said she also agrees with a blanket fare of \$1.50. "We need some order in this business," she said.

But John Carlson, a Yellow Cab driver, said Alaska Cab is simply experiencing the pressures of competition. "I sym-

pathize with their problems but we were hurt a bit year when Alaska Cab refused to raise its prices," he said. "They were the low fares and our business hurt; now the shoe is on the other foot."

Officials at Alaska Cab said drivers never tried to negotiate with them about their problems. "I think we can solve the problems internally without bringing the public into it," said Karen Johnson, a manager at Alaska Cab.

She said Alaska Cab owners are scheduling a meeting later this week between management and drivers.

check the ice and, right along the bank, it's starting to get a little slushy," Ekstedt said Tuesday.

See Tanana, page B-3

Panel kills pay raises

by Larry Persly
Times Juneau Bureau

Juneau — The Senate Finance Committee this morning deleted about \$39 million for state employee pay raises from the fiscal year 1986 budget, settling the table for a heated family argument with the House.

The House Finance Committee last week passed its version of the \$1.9 billion state general fund operating budget, sending the bill to the Senate with the employee pay raise money included in the total.

The Senate majority caucus met last week and pledged to delete the pay raise funding from the budget, and this morning Senate finance by unanimous vote sliced about \$39 million from the House budget.

After deletion of the pay raise funding and half a dozen other minor amendments, the finance

See Pay fight, page B-7

Lawmakers plan state \$350 million bond bill

by Larry Persly
Times Juneau Bureau

Juneau — Legislation to set a special election this fall for approval of a \$350 million statewide bond issue was to be introduced today on the House floor.

The bill, sponsored by Anchorage Democratic Reps. Red Boucher and Sam Cotten, would allocate \$150 million of the bond funds for Anchorage road projects, with the remaining \$200 million divided equally between other areas of the state.

Governor hints at low capital budget — page B-7

The \$200 million would be divided with \$8.7 million going to each of the 13 single-member House districts outside Anchorage, and \$17.4 million for each of the five two-member districts.

Boucher said he's optimistic of the bill's chances in the final two weeks of the legislative session. As of Tuesday, he said, he had "25 people (out of 40 House members) who have given me their yes vote."

He said of the \$350 million total, "It's

Chamber throws support behind bond issue

Times Business Staff

The second business group in as many days today endorsed Mayor Tony Knowles' proposal for a \$350 million statewide bond issue ballot that would include about \$150 million for 19 Anchorage projects.

The Anchorage Chamber of Commerce board of directors this morning voted 11-2, with two abstentions, in support of the ballot bond issue. The Downtown Development Corp. on Tuesday endorsed the proposal.

"It was a significant move by the chamber and shows that they are concerned about continued real growth in Anchorage," Knowles said.

In a message to legislators, chamber president-elect Elaine Atwood said

the bond issue was endorsed "if that is the only way for the Municipality of Anchorage to obtain funding for its essential transportation projects."

"After extensive discussion," she said in a telegram to lawmakers, "the chamber board voted for the bonds as a last resort to meet our critical needs. The board strongly urges the legislature to appropriate the needed monies from available revenues — but if that is not possible, a bond issue is the alternative."

Without the bond money, Knowles said, Anchorage would be unable to keep its accelerated road program on schedule because this year's state capital projects' budget is expected to fall far short of meeting the community's

\$145 million priority list. Anchorage foresees only \$50 million in state grants.

Besides road improvements, money raised through the bond issue and designated for Anchorage would be go towards the Eklutna Water Project and the Fifth Avenue and C Street parking garage.

The bond sale proposal, first advanced by the mayor a couple of weeks ago, has been endorsed by the Anchorage Assembly, the Associated General Contractors of Alaska, Anchorage Parking Authority, Fairbanks mayor Bebe Allen, Kivalina mayor Stan Thompson and Matanuska-Susitna Valley mayor Dorothy Jones and 23 community council presidents.

would be allocated on a fair basis," and he hopes for statewide support for placing the bond issue on a special election ballot this fall.

The bill, as drafted by Boucher,

would limit the bond sale to only transportation projects.

Previous discussions had listed school and utility projects for possible inclusion in the bond issue, and Boucher

said he would have no objection to adding those categories.

"There'll be no fluff in it, in other words only the basics," the legislator said, pledging to prevent the bond issue

from becoming a dumping ground for frivolous projects.

Mayor Tony Knowles, who a couple of weeks ago started the push for a state bond sale to fund community priority projects, will arrive in Juneau tonight to renew his lobbying effort for the legislation.

He plans to meet with House and Senate leaders, the governor, Department of Revenue commissioner and the Anchorage caucus during his stay in the capital, calling this week's visit, "Probably the most important trip" of his bond issue campaign.

Bond market experts from Seattle, San Francisco and New York City will join the mayor in Juneau this week to offer their opinions as to how the state can sell the bonds without harming its financial rating or causing unreasonable strains on its already tight budget.

Gov. Bill Sheffield "would prefer not to see a special election this year," said Molly McCammon, deputy press secretary. "He still believes there is adequate funding for a capital budget."

This year's capital projects budget appears likely to fall within the range of

See Bonding, page B-3

The blotter

Three paintings stolen

A Downtown art gallery lost three paintings with a total value of \$600 early Monday, when an unidentified man broke into the business' hotel lobby showroom.

Anchorage police said a white man in his 20s broke a sliding-glass door lock to enter The Art Gallery, a private art firm located in the Sheraton Anchorage Hotel, shortly after 1 a.m. Monday.

The suspect, who reportedly sported shoulder-length brown hair, grabbed a gold-framed painting of polar bears by Annette Hartzell, a metal-framed painting of swans, and a John Van Zyle painting of Mount Sitsna before fleeing the scene in a small red sedan, police said.

A hotel employee spotted the suspect fleeing, police added.

Police are still investigating the incident.

Vandal rams van

City police were seeking a 22-year-old local man today in connection with his alleged attack on an acquaintance's parked van Monday.

Police said the man allegedly steered his car into a driveway in the 3400 block of Arcturus Circle about 5:45 p.m. Monday, then spun his tires until they had carved holes in the driveway's asphalt surface.

Police said the home's 25-year-old owner told investigators the man — whom his wife had met while undergoing treatment at the Alaska Psychiatric Institute — then used the car to ram a van parked in the driveway, causing an estimated \$1,200 in damage to the vehicle.

When the owner ran out to stop the visitor, the man fled.

said. After that, guaras will remain posted on the river's banks until the ice goes out.

Ekstedt said he is keeping his eye on the still-frozen Nenana River, which runs south of town. He said the Nenana typically breaks up five days before the Tanana.

Half of the 190,644 entries in this year's contest will have been eliminated by noon Thursday, Ekstedt said. He said many people mistakenly submitted the \$2 tickets for a non-existent April 31 date.

Bonding

Continued from page B-1

\$200 million to \$250 million in state general fund money, in addition to \$250 million for the Sitsna and Bradley Lake hydro power projects.

Referring to the drop from last year's \$1.25 billion capital projects budget, Boucher said, "We jumped out of the plane without a parachute."

He supports offering the bond issue to the voters as a means of funding essential road projects that otherwise would be delayed until state funds become available.

SEARS

NOTICE

To Our Sears Customers

The Denali Sewer and Drain Company is the Sears Authorized contractor for drain cleaning and septic tank pumping.

For the convenience of our Sears customers, you will be able to have your drains cleaned and septic tanks pumped, then have the charges added to your Sears Charge Card.

Just call this number: 338-1024 for these services.

Sears Roebuck Co.

700 E. Northern Lights Blvd.
Anchorage, AK

Anchorage School District

Special Education Parent Resource Center

FAIR DAY

Saturday, May 4 • 10 a.m. - 3 p.m.
Helen S. Whaley Center



City/State / Weather / Alaska Life / Business Section **B**

Capital projects bond issue divides legislature

by Larry Persly
Times Juneau Bureau

Juneau — Mayor Tony Knowles has gathered much support in the past week for a statewide capital projects bond issue, but he has failed to convince the Senate President or House Speaker to join his side of the debate.

Knowles wants the legislature to put a \$350 million bond issue on a special election ballot this fall, with Anchorage to receive \$140 million of the money for road work and the Eklutna water project.

The remaining \$210 million in state bond funds would go for projects in other communities.

"I think it's ridiculous," said Senate President Don Bennett, R-Fairbanks, adding, "It's fiscally irresponsible."

House Speaker Ben Grussendorf, D-Sitka, said it would be premature to put together a bond issue this year.

Without the bond money, according to Knowles, Anchorage would be unable to keep its accelerated road program on schedule since this year's state capital projects budget is expected to fall far short of meeting the community's \$160 million priority list.

The mayor does have his backers, however, with one of them — Rep. Red Boucher, D-Anchorage — very close to signing up a majority of the House behind the bond issue proposal.

Boucher worked over the weekend to gather support for legislation he hopes to introduce this week. "The minute I've got 21 or 22 votes, I intend to introduce bond issue legislation," Boucher said.

Knowles battles for bond issue

Times staff

Juneau — Anchorage is taking its bond issue fight down to the wire in the last two weeks of the legislative session, and to improve his odds Mayor Tony Knowles has sent 500 telegrams to community and business leaders statewide, asking for their support.

Knowles will return to Juneau this week for more meetings with lawmakers as he tries to enlist support for a special election this fall to vote on \$350 million in statewide capital improvement bonds.

He is also taking his plea directly to the people of Anchorage. Today and later this week, Knowles is scheduled to plant himself at busy intersections, where he will hand out letters asking the people of Anchorage to rally behind the bond issue and call their legislators urging its support.

Knowles warns that without bonding, there

will not be enough money in the state's capital budget to fund the city's top priority projects.

"Our accelerated road plan and Eklutna water project are hanging in the balance. Your help will make the difference," his letter states. "Nineteen projects including West Northern Lights, Lake Otis, Boniface, Eagle River Hilland Road Bridge, Spenard Road and the Eklutna Water Project — all will only be partially funded or entirely left out unless we let our legislators and governor know that these needs are now."

"It's time for us to stand up for Anchorage. Send your message to Juneau today — or by Wednesday at the latest — expressing your support for our back-to-basics bond package to be voted on this fall. Legislative Information Office, 278-3668, will send your message free."

The telegrams ask community leaders "to join in the effort to get the bond issue," said Chip See Bond, page B-4

As of Sunday, he had 20 representatives committed in support of a bill, he said.

Boucher claims strong support in the Railbelt area, but, "In the rural areas, it's less than warm."

House Finance Committee Chairman Al Adams, D-Kotzebue, said Sunday, "I have no comment at this time until I have had a chance to look at the whole picture."

House Minority Leader Terry Martin, R-Anchorage, opposes a bond issue this year.

"I really don't believe in it," he said of the need to sell bonds. Martin said issuing loans from the Alaska Permanent Fund's undistributed income account, or from the Permanent Fund itself, would be preferable to selling bonds. The state's savings account should be invested in Alaska, the Anchorage

age Republican said.

Grussendorf said time is working against Knowles — the session is scheduled to end May 13 — though he would be inclined to support a bond issue next year.

"Small communities are not prepared to move that rapidly," the House speaker said of putting together a list of local projects in two weeks. "If we're going to go to a bond issue," he said, "It should be developed for next year," giving communities more time to select and plan their projects.

Senate Finance Committee co-chairman John Sackett, R-Ruby, is leaning toward supporting a bond issue this year.

"Generally, my feelings would be positive toward it," he said, depending on two conditions: If it's proven the additional debt would not lower the state's bond rating, and depending on what projects are proposed for bond funding.

Sen. Jan Faiks, R-Anchorage, the other co-chair of the committee, is perhaps the strongest voice in the Anchorage delegation against a bond issue. "We're in a very precarious financial position right now, with 85 percent of our income based on the price of oil," she said.

"People have accused the legislature for the past seven years of living only for today," Faiks said. "We have to look to tomorrow." She said she is convinced bonding would be irresponsible at a time of falling oil prices.

Bennett's opposition also is based on the reality of declining oil revenues. "We are in the midst of declining revenues, and to bond and to get further into debt is ridiculous."

Continued from page B-1

Dennerlein, intergovernmental affairs director for Anchorage.

Dennerlein said the mayor will join forces in Juneau this week with bond market experts from Alaska and the Lower 48, invited to the Capitol by the city, and will attempt to prove to lawmakers that the state can afford to sell more bonds without harming Alaska's bond rating or its future economy.

Rep. Red Boucher, D-Anchorage, a leading booster for a special bond issue election this fall, said he believes holding the vote in a non-election year would "raise the level of debate" above politics.

Boucher believes a vote this fall would provide legislators with an indication of public opinion on future financial management of the state.

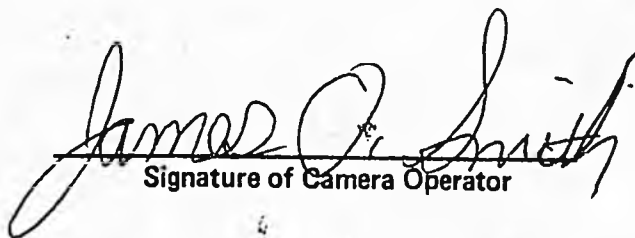
"Let those who want to break open the Permanent Fund (instead of selling bonds) bring it to the people," Boucher said.



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.


Signature of Camera Operator


Date

S B

3 7 3

Alaska State Legislature

Senate Transportation Committee



Sen. John B. (Jack) Coghill, Chairman
Sen. Paul Fischer, Vice-chairman
Sen. Mitch Abood
Sen. Jan Faik
Sen. Joe Josephson

Pouch V
Juneau, Alaska 99811

TO: All committee members

FROM: Committee staff

RE: SB 373

In today's packet you will find:

1. A sectional analysis of SB 373
2. Senator Faik's background information
3. The Department of Transportation and Public Facilities position paper

Alaska State Legislature

Senate Transportation Committee



Sen. John B. (Jack) Coghill, Chairman
Sen. Paul Fischer, Vice-chairman
Sen. Mitch Abood
Sen. Jan Faika
Sen. Joe Josephson

Pouch V
Juneau, Alaska 99811

February 12, 1986

TO: All members of the Transportation Committee
FROM: Committee Staff
RE: SB 373

This bill adds a new section to AS 19.15. This section requires that a policy committee be established for cities in the state with a population of 200,000 or more which must have a metropolitan planning organization in order to receive federal capital or operating assistance under 23 U.S.C. 134 or 49 U.S.C. 1607.

Subsection (b) outlines how many members will be on the committee and what groups will be represented. Two members shall be elected municipal officials; two members, representing the house and senate, who are members of either their respective transportation or finance committees; the commissioner of the Department of Transportation and Public Facilities; and one member of the citizen transportation advisory committee.

Subsection (c) states that the policy committee set up in (a) and (b) shall appoint a citizen transportation advisory committee. This committee shall be made up of persons residing in the urbanized area subject to the metropolitan planning organization. These members are to reflect the communities' opinion on transportation issues.

Subsection (d) states that the committee shall set internal procedures relating to public and the citizen transportation advisory committee input on all issues, policies, plans and programs addressed, prepared or endorsed by the municipal planning organization.

Alaska State Legislature



CO-CHAIRMAN
FINANCE COMMITTEE

907-465-3740


JAN FAIKS
POUCH V
CAPITOL BUILDING
JUNEAU, ALASKA 99811

Senate

February 11, 1986

MEMORANDUM

TO: Members of the Senate Transportation Committee

FROM: Senator Jan Faiks 

SUBJECT: Background on Senate Bill 373, an Act Relating to Metropolitan Planning Organizations

As a condition of receiving Federal highway funds, urban areas with populations of 200,000 or more are required to establish a metropolitan planning organization. The purpose of this organization is to ensure that highway funds are spent according to a continuing, cooperative, and comprehensive transportation planning process.

Transportation in the Anchorage area is the responsibility of the Anchorage Metropolitan Area Transportation Study, or "AMATS". The AMATS consists of a policy committee which is comprised of the Mayor, the Commissioner of the Department of Transportation and Public Services, and one Assembly member. Although there is an advisory component through a subcommittee of the Planning and Zoning Commission, it appears that its ability to effectively represent public opinion before the policy committee is limited.

In the planning process, it is important that members of the planning organization represent a wide cross section of community interests. In addition, the organization should seek and be guided by public input. The planning of new road construction and improvement is too important to be delegated to a few administrators who may be insulated from the public's priorities.

Senate Bill 373 will require that the planning organization establish a policy committee and that this committee

OUT OF SESSION

appoint a local citizen's advisory group. The six member committee will be composed of two representatives of local government, two local state legislators who are members of their respective finance or transportation committees, the Commissioner of Transportation and Public Facilities, and a member of the citizen's advisory group.

Finally, the bill requires that the policy committee adopt internal procedures which will insure that it solicits and considers public opinion when making policy or planning decisions.

Simply stated, Senate Bill 373 will insure that our transportation planning process responds to the people that it serves.

Thank you.

Alaska State Legislature

Senate Transportation Committee



Douch V
Juneau, Alaska 99811

Sen. John B. (Jack) Coghill, Chairman
Sen. Paul Fischer, Vice-chairman
Sen. Mitch Abood
Sen. Jan Finks
Sen. Joe Josephson

March 11, 1986

TO: All Committee Members

FROM: Committee Staff

RE: SB 373

Today the committee will take up two committee substitutes on SB 373.

The following is an analysis that outlines the differences between the committee substitutes, labeled versions 1 and 2, and the original bill.

Sec. 1 (a) of the original bill established a metropolitan planning organization in an urbanized area having a population of 200,000 or more. Presently, Anchorage under federal census figures does not have a population of 200,000.

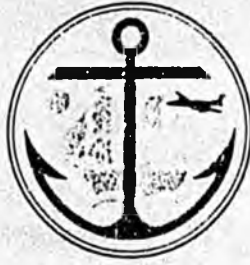
Version 1 lowers this figure to 50,000. Version 2 lowers this to 100,000.

Subsection (b) in the original bill required the policy committee to have six members, one being a member selected by the citizen transportation advisory committee.

Both Version 1 and 2 delete this provision, but do require a membership comprised of two members who are principal elected officials of municipalities, two members representing the house and senate and one member representing the Department of Transportation and Public Facilities as in the original bill.

Subsections (c) and (d) remain unchanged.

Municipality
of
Anchorage



P.O. BOX 6-650
ANCHORAGE, ALASKA 99502-0650
(907) 264-4960

TONY KNOWLES,
MAYOR

INTERGOVERNMENTAL AFFAIRS
February 20, 1986

RECEIVED FEB 25 1986

Sen. Jan Faiks
Pouch V
Juneau, Alaska 99811

Re: SB373, Metropolitan Planning Organizations

Dear Sen. Faiks:

This letter is a follow-up to our discussions regarding SB373 and my testimony on the bill in the Senate Transportation Committee. I have discussed with the Mayor the practical and policy implications of the legislation. As I said before the Committee, the legislation was reviewed from the perspective of constructive criticism, setting forth any problems perceived with the proposed approach, while recognizing that there is also benefit in the proposal. This is the spirit in which I offer the following comments:

. The need for the legislation. There are two important points here. First, I want to stress again that AMATS is working in its present form. While there is always room for improvement in any process, the proof is in the pavement. The systemwide approach which we have taken in AMATS over the past several years has resulted in an unprecedented transportation improvement program for the Anchorage area. Not only has this helped federal aid road construction. The process has helped us determine which roads should be more properly constructed with state and local dollars and where the local government should have project management authority. For the first time that I can recall, the Transportation Improvement Program for AMATS matches the Anchorage Assembly capital budget request, which also matches the Governor's proposed capital budget. This is the kind of consistency that results in effective transportation improvements and which can be understood by the public. The second point is that we do see merit in codifying metropolitan planning organizations in state law. Many other states have taken this step, and it would be appropriate for Alaska to do the same.

. Public Participation. This is one of the most important elements of the transportation planning process, and one which we have sought to improve over the past several years. Our major step in this regard has been to establish the AMATS Citizen Advisory Committee as a subcommittee of the Planning and Zoning Commission. This has proven to be a very effective step for several reasons. There is a strong relationship between transportation and land use. People

view transportation improvement in terms of where a road will take them, and how that road may affect their own neighborhood. Citizens are used to discussing land and neighborhood issues in the Planning and Zoning Commission forum, and do not relate as well to a separate citizen committee. Citizen input to AMATS through the Planning and Zoning Commission model has been a more accurate and effective reflection of neighborhood concerns. In addition, the Urban Design Commission has recently been invited to participate in the AMATS Technical Committee forum. We feel strongly that these are the proper forums for direct citizen participation. Each of the members of the Policy Committee as presently constituted is an elected official or directly accountable to an elected official. Your bill proposes legislative representation on the Policy Committee. A legislator would also be directly accountable to the public at large as an elected official. An appointed citizen member would carry equal weight in the Policy Committee decisions, but not equal accountability. This is an imbalance. A separate appointed citizen should not be a member of the Policy Committee.

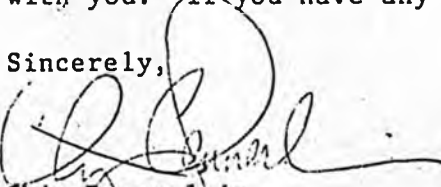
. Legislative Participation. This is a sensitive area, and there are pros and cons. Legislative participation varies among jurisdictions throughout the country. On the negative side, each of the members of the existing Policy Committee has the ability to plan and program federal funds, but does not participate in the appropriation process. The Legislature appropriates federal receipts. While this may appear awkward at times, it also represents an effective check-and-balance. If a legislator or legislators were to serve on the Policy Committee, that member or members would have the unique ability to operate in both worlds, participating in both the planning and appropriation decisions. In essence, they would have greater standing in the transportation program than other members of the Policy Committee. On the positive side, it could be helpful to have a member or members of the Legislature with detailed knowledge of the AMATS process and the decisions which led to the budgets ultimately proposed to the Legislature. This is a judgment call. While we feel AMATS works, we can accept some legislative participation. However, participation should be limited to one member of the Legislature. Membership should alternate between House and Senate. The legislator should be a member of the Transportation Committee of either the House or Senate. Under this arrangement, the Policy Committee would be constituted of four officials - one member of the local assembly, one member of the legislative delegation from the local planning area, the mayor, and the Governor's designee (Commissioner of the Department of Transportation). This would appear to represent a balance. Even numbers are not a problem. Tie votes would lose. One other point is significant. Many AMATS decisions are made in the spring while the Legislature is in session. It is essential that a legislative member of the Policy Committee be present personally, and not a substitute in the person of a staffer. Many of the major transportation decisions we face are sensitive. Rather than improving the public process in confidence, we would leave ourselves wide open for criticism if major policy votes were made in absentia.

Sen. Jan Faiks
February 20, 1986
Page Three

. Effect Upon Various Municipalities. As stated above, there is merit in codifying in state law the state/local planning process. There is legitimate debate concerning any change to the make-up of the present committees. However, it would be a serious mistake to codify the planning process in a way which separates Anchorage from the rest of the State. Any change in the make-up of local planning organization policy committees should at least apply to the major urban areas in the three transportation regions of the State (southern, central and north). On this point, we are firm. The federal government may have "cut-off numbers" which distinguish Anchorage or only Anchorage and Fairbanks as urban areas. This argument does not hold water in Alaska. As we often note, Alaska is unique. Alaska, in fact, has exemptions in federal highway law. Any legislation we craft should fit Alaska's situation, not be based on a cookie cutter from the Potomac, even though that's the source of the dough. Juneau, for example, receives FAUS funds, has a public transit system, and has an air quality plan. The State should not mandate a planning organization for its capital city differing from that mandated for other urban areas. In summary, while AMATS is working, we can support SB373 with certain amendments as recommended above.

Thank you for the opportunity to comment. I look forward to working with you. If you have any further questions, please call on me.

Sincerely,



Chip Dennerlein

cc: Mayor Tony Knowles
Assemblyman Dana Brockway, Member, AMATS
Commissioner Richard J. Knapp
Deputy Commissioner Riley Snell
Sen. Mitch Abood, Member, Senate Transportation Committee
Sen. Joe Josephson, Member, Senate Transportation Committee
Rep. Mike Szymanski, Member, House Transportation Committee

§ 134. Transportation planning in certain urban areas

It is declared to be in the national interest to encourage and promote the development of transportation systems, embracing various modes of transport in a manner that will serve the States and local communities efficiently and effectively. To accomplish this objective the Secretary shall cooperate with the States, as authorized in this title, in the development of long-range highway plans and programs which are properly coordinated with plans for improvements in other affected forms of transportation and which are formulated with due consideration to their probable effect on the future development of urban areas of more than fifty thousand population. After July 1, 1965, the Secretary shall not approve under section 105 of this title any program for projects in any urban area of more than fifty thousand population unless he finds that such projects are based on a continuing comprehensive transportation planning process carried on cooperatively by States and local communities in conformance with the objectives stated in this section. Added Pub.L. 87-866, § 9(a), Oct. 23, 1962, 76 Stat. 1148.

Library references: Highways ↪95(1); C.J.S. Highways § 157 et seq.

Historical Note

Legislative History: For legislative history and purpose of Pub.L. 87-866, see 1962 U.S.Code Cong. and Adm.News, p. 3933.

(1) In the case of transfers under paragraph (1), the total of all transfers during any fiscal year to any apportionment shall not increase the original amount of such apportionment for such fiscal year by more than 50 per centum. Not more than 50 per centum of the original amount of an apportionment for any fiscal year shall be transferred to other apportionments.

(2) In the case of transfers under paragraph (2), the total of all transfers during any fiscal year to any apportionment shall not increase the original amount of such apportionment for such fiscal year by more than 50 per centum. Not more than 50 per centum of the original amount of an apportionment for any fiscal year shall be transferred to other apportionments.

(3) No transfer shall be made from an apportionment during any fiscal year if during such fiscal year a transfer has been made to such apportionment.

(4) No transfer shall be made to an apportionment during any fiscal year if during such fiscal year a transfer has been made from such apportionment.

(e) On October 1 of each fiscal year the Secretary shall certify to each of the State highway departments the sums which he has apportioned hereunder (other than under subsection (b) (5) of this section) to each State for such fiscal year, and also the sums which he has deducted for administration and research pursuant to subsection (a) of this section. On October 1 of the year preceding the fiscal year for which authorized, the Secretary shall certify to each of the State highway departments the sums which he has apportioned under subsection (b) (5) of this section to each State for such fiscal year, and also the sums which he has deducted for administration and research pursuant to subsection (a) of this section. To permit the States to develop adequate plans for the utilization of apportioned sums, the Secretary shall advise each State of the amount that will be apportioned each year under this section not later than ninety days before the beginning of the fiscal year for which the sums to be apportioned are authorized, except that in the case of the Interstate System the Secretary shall advise each State ninety days prior to the apportionment of such funds.

(f) (1) On October 1 of each fiscal year, the Secretary, after making the deduction authorized by subsection (a) of this section, shall set aside not to exceed one-half per centum of the remaining funds authorized to be appropriated for expenditure upon the Federal-aid systems, for the purpose of carrying out the requirements of section 134 of this title, except that in the case of funds authorized for apportionment on the Interstate System, the Secretary shall set aside that portion of such funds (subject to the overall limitation of one-half of 1 per centum) on October 1 of the year next preceding the fiscal year for which such funds are authorized for such System.

(2) These funds shall be apportioned to the States in the ratio which the population in urbanized areas or parts thereof, in each State bears to the total population in such urbanized areas in all the States as shown by the latest available census, except that no State shall receive less than one-half per centum of the amount apportioned.

(3) The funds apportioned to any State under paragraph (2) of this subsection shall be made available by the State to the metropolitan planning organization designated by the State as being responsible for carrying out the provisions of section 134 of this title, except that States receiving the minimum apportionment under paragraph (2) may, in addition, subject to the approval of the Secretary, use the funds apportioned to finance transportation planning outside of urbanized areas. These funds shall be matched in accordance with section 120 of this title unless the Secretary determines that the interests of the Federal-aid highway program would be best served without such matching.

(4) The distribution within any State of the planning funds made available to agencies under paragraphs (3) of this subsection shall be in accordance with a formula developed by each State and approved by the Secretary which shall consider but not necessarily be limited to, population, status of planning, and metropolitan area transportation needs.

(g) Not more than 40 per centum of the amount apportioned in any fiscal year to each State in accordance with sections 144, 152, and 153 of this title, or section 203(d) of the Highway Safety Act of 1973, may be transferred from the apportionment under one section to the apportionment under any other of such sections if such a transfer is requested by the State highway department and is approved by the Secretary as being in the public interest. The Secretary may approve the transfer of 100 per centum of the apportionment under one such section to the apportionment

Version #1
 Utermohle
 2/28/86 ✓

Original sponsor: Faiks

1 IN THE SENATE

BY THE TRANSPORTATION COMMITTEE

2 CS FOR SENATE BILL NO. 373 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to metropolitan planning organiza-
 7 tions."

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

9 * Section 1. AS 19.15 is amended by adding a new section to read:

10 Sec. 19.15.025. METROPOLITAN TRANSPORTATION PLANNING ORGANIZA-
 11 TIONS. (a) A metropolitan planning organization established in an
 12 urbanized area with a population of 50,000 or more shall include a
 13 policy committee.

14 (b) The policy committee consists of two members who are princi-
 15 pal elected officials of municipalities in the urbanized area; a
 16 legislator representing a district within the urbanized area who is a
 17 member of the house transportation committee or house finance commit-
 18 tee appointed by the speaker of the house of representatives; a legis-
 19 lator representing a district within the urbanized area who is a
 20 member of the senate transportation committee or senate finance com-
 21 mittee appointed by the president of the senate; and the commissioner
 22 of the Department of Transportation and Public Facilities or the
 23 commissioner's designee.

24 (c) The policy committee shall appoint a citizen transportation
 25 advisory committee of persons residing in the urbanized area subject
 26 to the metropolitan planning organization. The membership of the
 27 citizen transportation advisory committee shall represent the breadth
 28 of community opinion on issues of urban transportation planning and
 29 development.

1 (d) The policy committee shall adopt internal procedures to
2 govern the conduct of business by the municipal planning organization,
3 including the procedure to solicit, receive, and consider comments
4 from the public and the citizen transportation advisory committee on
5 all issues, policies, plans, and programs addressed, prepared, or
6 endorsed by the municipal planning organization.
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

Original sponsor: Faiks

1 IN THE SENATE

BY THE TRANSPORTATION COMMITTEE

2 CS FOR SENATE BILL NO. 373 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to metropolitan planning organiza-
7 tions."

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

9 * Section 1. AS 19.15 is amended by adding a new section to read:

10 Sec. 19.15.025. METROPOLITAN TRANSPORTATION PLANNING ORGANIZA-
11 TIONS. (a) A metropolitan planning organization established in an
12 urbanized area with a population of 100,000 or more shall include a
13 policy committee.

14 (b) The policy committee consists of two members who are princi-
15 pal elected officials of municipalities in the urbanized area; a
16 legislator representing a district within the urbanized area who is a
17 member of the house transportation committee or house finance commit-
18 tee appointed by the speaker of the house of representatives; a legis-
19 lator representing a district within the urbanized area who is a
20 member of the senate transportation committee or senate finance com-
21 mittee appointed by the president of the senate; and the commissioner
22 of the Department of Transportation and Public Facilities or the
23 commissioner's designee.

24 (c) The policy committee shall appoint a citizen transportation
25 advisory committee of persons residing in the urbanized area subject
26 to the metropolitan planning organization. The membership of the
27 citizen transportation advisory committee shall represent the breadth
28 of community opinion on issues of urban transportation planning and
29 development.

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

(d) The policy committee shall adopt internal procedures to govern the conduct of business by the municipal planning organization, including the procedure to solicit, receive, and consider comments from the public and the citizen transportation advisory committee on all issues, policies, plans, and programs addressed, prepared, or endorsed by the municipal planning organization.

§ 134. Transportation planning in certain urban areas

It is declared to be in the national interest to encourage and promote the development of transportation systems, embracing various modes of transport in a manner that will serve the States and local communities efficiently and effectively. To accomplish this objective the Secretary shall cooperate with the States, as authorized in this title, in the development of long-range highway plans and programs which are properly coordinated with plans for improvements in other affected forms of transportation and which are formulated with due consideration to their probable effect on the future development of urban areas of more than fifty thousand population. After July 1, 1965, the Secretary shall not approve under section 105 of this title any program for projects in any urban area of more than fifty thousand population unless he finds that such projects are based on a continuing comprehensive transportation planning process carried on cooperatively by States and local communities in conformance with the objectives stated in this section. Added Pub.L. 87-866, § 9(a), Oct. 23, 1962, 76 Stat. 1148.

Library references: Highways \S 95(1); C.J.S. Highways \S 157 et seq.

Historical Note

Legislative History: For legislative history and purpose of Pub.L. 87-866, see 1962 U.S.Code Cong. and Adm.News, p. 3938.

(1) In the case of transfers under paragraph (1), the total of all transfers during any fiscal year to any apportionment shall not increase the original amount of such apportionment for such fiscal year by more than 50 per centum. Not more than 50 per centum of the original amount of an apportionment for any fiscal year shall be transferred to other apportionments.

(2) In the case of transfers under paragraph (2), the total of all transfers during any fiscal year to any apportionment shall not increase the original amount of such apportionment for such fiscal year by more than 50 per centum. Not more than 50 per centum of the original amount of an apportionment for any fiscal year shall be transferred to other apportionments.

(3) No transfer shall be made from an apportionment during any fiscal year if during such fiscal year a transfer has been made to such apportionment.

(4) No transfer shall be made to an apportionment during any fiscal year if during such fiscal year a transfer has been made from such apportionment.

(e) On October 1 of each fiscal year the Secretary shall certify to each of the State highway departments the sums which he has apportioned hereunder (other than under subsection (b) (5) of this section) to each State for such fiscal year, and also the sums which he has deducted for administration and research pursuant to subsection (a) of this section. On October 1 of the year preceding the fiscal year for which authorized, the Secretary shall certify to each of the State highway departments the sums which he has apportioned under subsection (b) (5) of this section to each State for such fiscal year, and also the sums which he has deducted for administration and research pursuant to subsection (a) of this section. To permit the States to develop adequate plans for the utilization of apportioned sums, the Secretary shall advise each State of the amount that will be apportioned each year under this section not later than ninety days before the beginning of the fiscal year for which the sums to be apportioned are authorized, except that in the case of the Interstate System the Secretary shall advise each State ninety days prior to the apportionment of such funds.

(f) (1) On October 1 of each fiscal year, the Secretary, after making the deduction authorized by subsection (a) of this section, shall set aside not to exceed one-half per centum of the remaining funds authorized to be appropriated for expenditure upon the Federal-aid systems, for the purpose of carrying out the requirements of section 134 of this title, except that in the case of funds authorized for apportionment on the Interstate System, the Secretary shall set aside that portion of such funds (subject to the overall limitation of one-half of 1 per centum) on October 1 of the year next preceding the fiscal year for which such funds are authorized for such System.

(2) These funds shall be apportioned to the States in the ratio which the population in urbanized areas or parts thereof, in each State bears to the total population in such urbanized areas in all the States as shown by the latest available census, except that no State shall receive less than one-half per centum of the amount apportioned.

(3) The funds apportioned to any State under paragraph (2) of this subsection shall be made available by the State to the metropolitan planning organizations designated by the State as being responsible for carrying out the provisions of section 134 of this title, except that States receiving the minimum apportionment under paragraph (2) may, in addition, subject to the approval of the Secretary, use the funds apportioned to finance transportation planning outside of urbanized areas. These funds shall be matched in accordance with section 120 of this title unless the Secretary determines that the interests of the Federal-aid highway program would be best served without such matching.

(4) The distribution within any State of the planning funds made available to agencies under paragraphs (3) of this subsection shall be in accordance with a formula developed by each State and approved by the Secretary which shall consider but not necessarily be limited to, population, status of planning, and metropolitan area transportation needs.

(g) Not more than 40 per centum of the amount apportioned in any fiscal year to each State in accordance with sections 144, 152, and 153 of this title, or section 203(d) of the Highway Safety Act of 1973, may be transferred from the apportionment under one section to the apportionment under any other of such sections if such a transfer is requested by the State highway department and is approved by the Secretary as being in the public interest. The Secretary may approve the transfer of 100 per centum of the apportionment under one such section to the apportionment

al of federal bureau of roads. *Singletary v. Heathman*, Tex.Civ.App.1927, 300 S.W. 242.

6. Change of location of highway

To secure federal aid, highway commission could change location of highway not of higher type so as to miss towns through which statute specified highway should run. *Logan v. Matthews*, 1932, 52 S.W.2d 989, 330 Mo. 1213.

7. Removal and substitution

Former section 6 of this title did not prohibit agreement between federal and state officials to remove a highway from federal aid system, when only small segments thereof were constructed or reconstructed with federal funds, and the substitution of some other approved public improvement in lieu thereof by mutual agreement. *Bogart v. Westchester County*, 1945, 57 N.Y.S.2d 506, 185 Misc. 561, affirmed 59 N.Y.S.2d 77, 270 App.Div. 274, appeal denied 68 N.E.2d 36, 295 N.Y. 934, appeal dismissed 70 N.E.2d 531, 296 N.Y. 701.

8. Modification of contract

The approval and consent to application of appropriated federal funds to the construction of a given highway, and agreement of state, in turn, to pay maintenance costs of that highway, constitutes a contract between federal and

state governments which may be modified by mutual agreement. *Bogart v. Westchester County*, 1945, 57 N.Y.S.2d 506, 185 Misc. 561, affirmed 59 N.Y.S.2d 77, 270 App.Div. 274, appeal denied 68 N.E.2d 36, 295 N.Y. 934, appeal dismissed 70 N.E.2d 531, 296 N.Y. 701.

9. Review

Action by State Superintendent of Public Works designating site of portion of federal aid highway system was legislative in character and could not be reviewed under statute, Civil Practice Act, § 1283 et seq., authorizing review of determinations of administrative bodies. *Brown v. McMorrin*, 1903, 241 N.Y.S.2d 483, 39 Misc.2d 716.

Inasmuch as it was not asserted that petitioners seeking review of designation of site of portion of federal aid highway system had any interest not common to all residents of county or to all owners of property in portion of county through which proposed highway would pass, petitioners did not have sufficient standing to bring proceeding. *Id.*

Private citizens were not entitled to decision on constitutional questions relating to validity of designation of site of portion of federal aid highway system by State Superintendent of Public Works, in absence of special injury or damage to their personal or property rights. *Id.*

§ 104. Apportionment

(a) Whenever an apportionment is made of the sums authorized to be appropriated for expenditure upon the Federal-aid systems, the Secretary shall deduct a sum, in such amount not to exceed 3 $\frac{3}{4}$ per centum of all sums so authorized, as the Secretary may deem necessary for administering the provisions of law to be financed from appropriations for the Federal-aid systems and for carrying on the research authorized by subsections (a) and (b) of section 307 of this title. In making such determination, the Secretary shall take into account the unexpended balance of any sums deducted for such purposes in prior years. The sum so deducted shall be available for expenditure from the unexpended balance of any appropriation made at any time for expenditure upon the Federal-aid systems, until such sum has been expended.

(b) On or before January 1 next preceding the commencement of each fiscal year, except as provided in paragraphs (4) and (5) of this subsection, the Secretary, after making the deduction authorized

by subsection (a) of this section, shall apportion the remainder of the sums authorized to be appropriated for expenditure upon the Federal-aid systems for that fiscal year, among the several States in the following manner:

(1) For the Federal-aid primary system:

One-third in the ratio which the area of each State bears to the total area of all the States; one-third in the ratio which the population of each State bears to the total population of all the States as shown by the latest available Federal census; one-third in the ratio which the mileage of rural delivery routes and star routes in each State bears to the total mileage of rural delivery and star routes in all the States at the close of the next preceding calendar year, as shown by a certificate of the Postmaster General, which he is directed to make and furnish annually to the Secretary. No State shall receive less than one-half of 1 per centum of each year's apportionment.

(2) For the Federal-aid secondary system:

One-third in the ratio which the area of each State bears to the total area of all the States; one-third in the ratio which the rural population of each State bears to the total rural population of all the States as shown by the latest available Federal census; and one-third in the ratio which the mileage of rural delivery and star routes, certified as above provided, in each State bears to the total mileage of rural delivery and star routes in all the States. No State shall receive less than one-half of 1 per centum of each year's apportionment.

(3) For extensions of the Federal-aid primary and Federal-aid secondary systems within urban areas:

In the ratio which the population in municipalities and other urban places of five thousand or more in each State bears to the total population in municipalities and other urban places of five thousand or more in all the States as shown by the latest available Federal census.

(4) For the Interstate System, for the fiscal years ending June 30, 1957, June 30, 1958, and June 30, 1959:

One-half in the ratio which the population of each State bears to the total population of all the States as shown by the latest available Federal census, except that no State shall receive less than three-fourths of 1 per centum of the funds so apportioned; and one-half in the manner provided in paragraph (1) of this subsection. The sums authorized by section 108(b) of the Federal-Aid Highway Act of 1956 for the fiscal years ending June 30, 1958, and June 30, 1959, shall be apportioned on a date not

less than six months and not more than twelve months in advance of the beginning of the fiscal year for which authorized.

(5) For the Interstate System for the fiscal years 1960 through 1971:

For the fiscal years 1960 through 1966, in the ratio which the estimated cost of completing the Interstate System in such State, as determined and approved in the manner provided in this paragraph, bears to the sum of the estimated cost of completing the Interstate System in all of the States. For the fiscal years 1967 through 1971, in the ratio which the Federal share of the estimated cost of completing the Interstate System in such State, as determined and approved in the manner provided in this paragraph, bears to the sum of the estimated cost of the Federal share of completing the Interstate System in all of the States. Each apportionment herein authorized for the fiscal years 1960 through 1971, inclusive, shall be made on a date as far in advance of the beginning of the fiscal year for which authorized as practicable but in no case more than eighteen months prior to the beginning of the fiscal year for which authorized. As soon as the standards provided for in subsection (b) of section 109 of this title have been adopted, the Secretary, in cooperation with the State highway departments, shall make a detailed estimate of the cost of completing the Interstate System as then designated, after taking into account all previous apportionments made under this section, based upon such standards and in accordance with rules and regulations adopted by him and applied uniformly to all of the States. The Secretary shall transmit such estimates to the Senate and the House of Representatives within ten days subsequent to January 2, 1958. Upon approval of such estimate by the Congress by concurrent resolution, the Secretary shall use such approved estimate in making apportionments for the fiscal years ending June 30, 1960, June 30, 1961, and June 30, 1962. The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System, after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1961. Upon approval of such estimate by the Congress by concurrent resolution, the Secretary shall use such approved estimate in making apportionments for the fiscal years ending June 30, 1963, June 30, 1964, June 30, 1965, and June 30, 1966. The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System, after taking into account all previous apportionments made under this

section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1965. Upon the approval of such estimate by the Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1967; June 30, 1968; and June 30, 1969. The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1968. Upon the approval by the Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal year ending June 30, 1970. The Secretary shall make a final revised estimate of the cost of completing the then designated Interstate System after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1969. Upon the approval by the Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal year ending June 30, 1971. Whenever the Secretary, pursuant to this subsection, requests and receives estimates of cost from the State highway departments, he shall furnish copies of such estimates at the same time to the Senate and the House of Representatives.

(c) Not more than 20 per centum of the amount apportioned in any fiscal year, commencing with the apportionment of funds authorized to be appropriated under subsection (a) of section 102 of the Federal-Aid Highway Act of 1956 (70 Stat. 374), to each State in accordance with paragraphs (1), (2), or (3) of subsection (b) of this section may be transferred from the apportionment under one paragraph to the apportionment under any other of such paragraphs if such a transfer is requested by the State highway department and is approved by the Governor of such State and the Secretary as being in the public interest. The total of such transfers shall not increase the original apportionment under any of such paragraphs by more than 20 per centum. Nothing contained in this subsection shall alter or impair the authority contained in subsection (d) of this section.

(d) Any funds which are apportioned under paragraph (2) of subsection (b) of this section for the Federal-aid secondary system to a State in which all public roads and highways are under the control and supervision of the State highway department may, if the State highway department and the Secretary jointly agree that such funds

ot needed for the Federal-aid secondary system, be expended for
cts on another Federal-aid system.

On or before January 1 preceding the commencement of each
year, the Secretary shall certify to each of the State highway
tments the sums which he has apportioned hereunder to each
for such fiscal year, and also the sums which he has deducted
administration and research pursuant to subsection (a) of this
n. Pub.L. 85-767, Aug. 27, 1958, 72 Stat. 889; Pub.L. 86-70,
e) (2), June 25, 1959, 73 Stat. 146; Pub.L. 86-657, § 8(g), July
160, 74 Stat. 525; Pub.L. 87-866, § 10(a), Oct. 23, 1962, 76 Stat.
Pub.L. 88-157, §§ 2, 3, Oct. 24, 1963, 77 Stat. 276; Pub.L. 88-
4(a), Aug. 13, 1964, 78 Stat. 397.

ary references: Highways ~~9914~~; C.J.S. Highways §§ 170, 173.

Historical Note

ences in Text. Section 10S(b) of
Federal-Aid Highway Act of 1956, re-
to in subsec. (b) (4), is set out
ote under section 101 of this title.

ection (a) of section 102 of the
Federal-Aid Highway Act of 1956 (70
70), referred to in subsec. (c), is
as a note under this section.

Amendment. Subsec. (b) (5).
88-423 substituted "January 2,
r "January 2, 1962."

Amendment. Subsec. (b) (3).
88-157, § 2, eliminated provision
considered Connecticut and Ver-
owns as municipalities for the pur-
of par. (3) regardless of their in-
ted status.

e. (b) (5). Pub.L. 88-157, § 3,
ted "1971" for "1969" in the in-
ory phrase and the third sen-
inserted the phrase "For the fis-
s 1969 through 1966," and substi-
such State" for "each State" in
t sentence; inserted the second
respecting apportionment for
cars 1967 through 1971; substi-
the ninth sentence "January 2,
r "January 2, 1966, and annually
er through and including January
; substituted in the tenth sen-
pon the approval of such estimate
Congress" for "Upon approval of
h estimate by the Congress by
ent resolution" and "fiscal years
June 30, 1967; June 30, 1968; and
. 1969" for "fiscal year which be-
et following the fiscal year in
ch report is transmitted to the
nd the House of Representatives"
erted "the Federal share of" pre-

ceding "such approved estimate"; and
inserted the eleventh through fourteenth
sentences, respecting revised cost esti-
mate for completion of the Interstate
System and its submission to Congress
within ten days after Jan. 2, 1968, appor-
tionment for fiscal year ending June 30,
1970, final revised cost estimate for com-
pletion of the Interstate System and its
submission to Congress within ten days
after Jan. 2, 1969, and apportionment for
fiscal year ending June 30, 1971, respec-
tively.

1962 Amendment. Subsec. (b) (1). Pub.
L. 87-866 substituted "preceding calen-
dar year" for "preceding fiscal year."

1960 Amendment. Subsec. (b). Pub.L.
86-657 eliminated provisions from par. (5)
which required, in making the estimates
of cost for completing the Interstate
System, exclusion of the cost of complet-
ing any mileage designated from the one
thousand additional miles authorized by
section 10S(1) of the Federal-Aid High-
way Act of 1956.

1959 Amendment. Subsec. (b). Pub.L.
86-70 eliminated words "except that
only one-third of the area of Alaska
shall be included" following "total area
of all the States" in pars. (1) and (2).

Effective Date of 1962 Amendment.
Section 10(b) of Pub.L. 87-866 provided
that: "The amendment made by subsec-
tion (a) of this section [to subsec. (b) (1)
of this section] shall be applicable only
with respect to apportionments made
after the date of enactment of this Act
[Oct. 23, 1962]."

Effective Date of 1959 Amendment.
Amendment of subsec. (b) of this section

by Pub.L. 86-70 effective July 1, 1959, see note set out under section 101 of this title.

Short Title of 1963 Amendment. Section 1 of Pub.L. 88-157 provided: "That this Act [amending sections 101(b) (3), (5), 100(c), 109(b), 121(d), 131(e) and 307 (c) (1) of this title] may be cited as the 'Federal-Aid Highway Amendments Act of 1963'."

Short Title. Section 1 of Pub.L. 86-657 provided that Pub.L. 86-657, which is classified in part to this section and to sections 114, 120, 120, 132, 203, 205, 210 and 305 of this title, may be cited as the "Federal Highway Act of 1960."

Section 102(a) of the Federal-Aid Highway Act of 1956. Subsection (a) of section 102 of Act June 29, 1956, c. 462, Title I, 70 Stat. 374, provided that:

"(a) (1) For the purpose of carrying out the provisions of the Federal-Aid Road Act approved July 11, 1916, and all Acts amendatory thereof and supplementary thereto, there is authorized to be appropriated for the fiscal year ending June 30, 1957, \$125,000,000 in addition to any sums heretofore authorized for such fiscal year; the sum of \$850,000,000 for the fiscal year ending June 30, 1958; and the sum of \$875,000,000 for the fiscal year ending June 30, 1959. The sums herein authorized for each fiscal year shall be available for expenditure as follows:

"(A) 45 per centum for projects on the Federal-aid primary highway system.

"(B) 30 per centum for projects on the Federal-aid secondary highway system.

"(C) 25 per centum for projects on extensions of these systems within urban areas.

"(2) The sums authorized by this section shall be apportioned among the several States in the manner now provided by law and in accordance with the formulas set forth in section 4 of the Federal-Aid Highway Act of 1944, approved December 20, 1944: Provided, That the additional amount herein authorized for the fiscal year ending June 30, 1957, shall be apportioned immediately upon enactment of this Act [June 29, 1956]."

Approval of Estimate of Cost of Completing the Interstate System as Basis for Apportionment of Funds for Fiscal Years 1963-1966. Section 102 of Pub.L. 87-61, Title I, June 29, 1961, 75 Stat. 122, pro-

vided that: "The estimate of cost of completing the Interstate System in each State, transmitted to the Congress on January 11, 1961, by the Secretary of Commerce pursuant to the provisions of section 101(b) (5) of title 23, United States Code [subsec. (b) (5) of this section], and published as House Document Numbered 49, Eighty-seventh Congress, first session, is hereby approved as the basis for making the apportionment of the funds authorized for the Interstate System for the fiscal years ending June 30, 1963, 1964, 1965, and 1966."

Approval of Estimate of Cost of Completing the Interstate System as Basis for Apportionment of Funds for Fiscal Years 1960-1962. Section 8 of Pub.L. 85-381, Apr. 16, 1958, 72 Stat. 94, as amended by Pub.L. 85-599, § 1, Sept. 2, 1958, 72 Stat. 1725; Pub.L. 86-342, Title I, § 103, Sept. 21, 1959, 73 Stat. 611, provided that: "The estimate of cost of completing the Interstate System in each State, transmitted to the Congress on January 7, 1958, by the Secretary of Commerce pursuant to the provisions of section 108(d) of the Act approved June 29, 1956 (70 Stat. 374), and published as House Document Numbered 300, Eighty-fifth Congress, second session, is hereby approved as the basis for making the apportionment of the funds authorized for the Interstate System for the fiscal years ending June 30, 1960, 1961, and 1962."

Apportionment Factors for Expenditures on National System of Interstate and Defense Highways for Fiscal Year 1967. Pub.L. 89-139, § 2, Aug. 28, 1965, 79 Stat. 578, provided that: "The Secretary of Commerce is authorized to make the apportionment for the fiscal year ending June 30, 1967, of the sum authorized to be appropriated for such year for expenditures on the National System of Interstate and Defense Highways, using the apportionment factors contained in table 5 of House Document Numbered 42, Eighty-ninth Congress, but the Congress reserves the right to disapprove the cost estimate for completion of such National System submitted by the Secretary on January 11, 1965, and contained in such document."

Apportionments for Subsequent Years Based on Revised Estimates of Cost. Section 108(d) of Act June 29, 1956, c. 462, Title I, 70 Stat. 378, as amended by Pub.L. 85-899, § 2, Sept. 2, 1958, 72 Stat. 1725, provided that: "All sums authorized by this section to be appropriated for the fiscal years 1960 through 1969, inclusive,

shall be apportioned among the several States in the ratio which the estimated cost of completing the Interstate System in each State, as determined and approved in the manner provided in this subsection, bears to the sum of the estimated cost of completing the Interstate System in all of the States. Each apportionment herein authorized for the fiscal years 1960 through 1969, inclusive, shall be made on a date as far in advance of the beginning of the fiscal year for which authorized as practicable but in no case more than eighteen months prior to the beginning of the fiscal year for which authorized. As soon as the standards provided for in subsection (i) have been adopted, the Secretary of Commerce, in cooperation with the State highway departments, shall make a detailed estimate of the cost of completing the Interstate System as then designated, after taking into account all previous apportionments made under this section, based upon such standards and in accordance with rules and regulations adopted by him and applied uniformly to all of the States. The Secretary of Commerce shall transmit such estimate to the Senate and the House of Representatives within ten days subsequent to January 2, 1958. Upon approval of such estimate by the Congress by concurrent resolution, the Secretary of Commerce shall use such approved estimate in making apportionments for the fiscal years ending June 30, 1960, June 30, 1961, and June 30, 1962. The Secretary of Commerce shall make a revised estimate of cost of completing the then designated Interstate System, after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Repre-

sentatives within ten days subsequent to January 2, 1961. Upon approval of such estimate by the Congress by concurrent resolution, the Secretary of Commerce shall use such approved estimate in making apportionments for the fiscal years ending June 30, 1963, June 30, 1964, June 30, 1965, and June 30, 1966. The Secretary of Commerce shall make a revised estimate of the cost of completing the then designated Interstate System, after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1966, and annually thereafter through and including January 2, 1968. Upon approval of any such estimate by the Congress by concurrent resolution, the Secretary of Commerce shall use such approved estimate in making apportionments for the fiscal year which begins next following the fiscal year in which such report is transmitted to the Senate and the House of Representatives. Whenever the Secretary of Commerce, pursuant to this subsection, requests and receives estimates of cost from the State highway departments, he shall furnish copies of such estimates at the same time to the Senate and the House of Representatives."

Legislative History: For legislative history and purpose of Pub.L. 86-70, see 1959 U.S.Code Cong. and Adm.News, p. 1575. See, also, Pub.L. 86-657, 1960 U.S. Code Cong. and Adm.News, p. 3159; Pub. L. 87-866, 1962 U.S.Code Cong. and Adm. News, p. 3038; Pub.L. 88-157, 1963 U.S. Code Cong. and Adm.News, p. 1027; Pub. L. 88-423, 1964 U.S.Code Cong. and Adm. News, p. 2708.

§ 105. Programs


(a) As soon as practicable after the apportionments for the Federal-aid systems have been made for any fiscal year, the State highway department of any State desiring to avail itself of the benefits of this chapter shall submit to the Secretary for his approval a program or programs of proposed projects for the utilization of the funds apportioned. The Secretary shall act upon programs submitted to him as soon as practicable after the same have been submitted. The Secretary may approve a program in whole or in part, but he shall not approve any project in a proposed program which is not located upon an approved Federal-aid system.



Dept. of Transportation & Public Facilities

Position Paper

BILL NO: SB 373
HB 528
TITLE: An Act Relating to Metropolitan
Planning Organizations

APPROVED 
R. J. Knapp
Commissioner

DATE: February 11, 1986

In reviewing this bill, three key issues must be kept in mind: 1) the appropriateness of legislation to modify Policy Committee membership, 2) the desirability of including legislative and citizen representation on the committee and, 3) the technical aspects of the bill itself. This paper addresses these concerns.

Need for Legislation to Modify Committee Membership

The first issue to examine is the need for the legislation. The Code of Federal Regulation (CFR) 23 450.106(a) states "MPOs shall be made by agreement among the units of general purpose local government and the Governor." The current Governor's designation dated April 8, 1976 (copy attached) establishes a "three-person Policy Committee with two elected representatives - the Mayor and a Municipal Councilman, and the third member is the Commissioner of Highways." Based on the CFR and the language in the Governor's designation, it appears legislation is not required to amend membership in the AMATS Policy Committee. An amended Governor's designation could be used to change the policy committee composition and would provide a more flexible mechanism for future modifications than specific enacted legislation.

A question has also been raised by CFR references which indicate local governments shall agree to MPO representation. This could be interpreted to mean the local government must be agreeable to any proposed changes. However, FHWA has verbally indicated that "agreement" in this context means that the views of the local government have been considered in any decision making.

Desirability of Legislative/Citizen Representation

The second issue raised is the desirability of legislative and citizen representation. CFR 23 450.106(b) states "principal elected officials of general purpose local governments shall be represented on the MPO to the extent agreed to pursuant to paragraph (a) above". The intent of Congress when establishing MPO's was to provide local (city) governments a greater voice in the planning and programming of federal aid receipts. The addition of two legislators may be perceived by the local government as tipping the balance in the State's favor and outweighing local voices. However, proponents of legislative representation may argue legislators represent local interests as they are elected by a local constituency. The CFR only requires local government have a voice; voting control is not stipulated. Proponents may also argue state representation should be increased considering the number of state transportation facilities and the magnitude of State dollars appropriated to the Municipality. At present, only the State is authorized to construct facilities with federal aid dollars.

For further information call Susan Fleischhauer at 465-3900.

Other distinct advantages and disadvantages of legislative membership on the Policy Committee are as follows.

Advantages

1. Current regulations require both the local government and the Legislature to ultimately approve the expenditure of federal funds within the urbanized area. The local government must approve the expenditure of federal dollars, however, the Legislature must also authorize the State to receive and expend federal funds. Therefore, mutual cooperation between the local government and Legislature is necessary. Legislative representation on the Policy Committee could facilitate legislative approval of transportation capital budgets by:
 - a. inducing closer legislative/local government cooperation
 - b. increasing legislative familiarity and support of projects and their priorities.
2. The current MPO designation by the Governor is dated 1976. Since then Anchorage has grown immensely in size and complexity. Increased membership may be more representative of the complexities of the community. Legislative participation would increase the membership and provide a different community perspective.

Disadvantages

1. The Legislature has existing power to approve/disapprove the capital budget request as discussed above. Therefore, representation on the Policy Committee would be a duplication of legislative effort and involvement. Additionally, the branches of government should be kept separate to provide a check and balance system. Legislators on the Policy Committee would have the dual roles of both approving the planning document at the local level and then acting on funding decisions at the legislative level.
2. Coordination/attendance of meetings, particularly when the Legislature is in session could be difficult. The MPO is required to produce specific planning documents. Policy Committee meetings in April through June are critical to the timely submission of the annual Transportation Improvement Program (TIP) and the Unified Work Program (UWP).
3. In light of reduced funding, the expenses incurred and who pays for legislative travel to attend meetings while the Legislature is in session must be addressed. If the MPO is expected to pay travel costs and/or per diem, it will decrease monies available for planning.
4. Partisan politics may be difficult to avoid, particularly during election years. Officials currently on the Policy Committee are elected in a non-partisan manner. Given the existing political structure, legislative representation could create decision making delays.

A representative of the citizen Transportation Advisory Committee is also proposed for Policy Committee membership. This proposal varies significantly from the rest of the committee representation in that a citizen member would not be accountable to an elective body or a government agency. The existing members and the proposed legislative members by mandate represent a broad perspective. CFR 23 450.106(b) requires "principal officials of general purpose governments shall be represented on the MPO..." Elected officials are chosen by the public to represent the general citizenry and are accountable to their constituencies. The existing Policy Committee may wish to evaluate the role of public involvement in the AMATS process. However, legislation is not required to achieve this end and the existing Policy Committee could direct increased public involvement efforts. Other MPO's generally do not have citizen representatives on their policy committees.

Technical Problems with the Bill as Proposed

The last issue this paper addresses is the technical problems with the bill itself. They are as follows:

Page 1, line 12: Population of 200,000 or more - should read population of 50,000 or more which is consistent with the federal definition of an "urbanized" area. The 200,000 population is an important distinction in the distribution and reporting requirements of Urban Mass Transportation Act (UMTA) funds utilized by the Municipal Department of Transit. The population figure is determined by the decennial census.

Page 1, lines 15-26: This section establishes a six-member policy committee. Six voting members will not allow resolution of a split vote.

Page 2, lines 4, 5: Committee shall adopt internal procedures to govern the conduct of business - should read shall amend the Transportation Planning Operating Agreement which will govern the conduct of business...

Conclusions

In summary, and in consideration of the foregoing we have two overriding reservations:

1. Inclusion of State Legislators on a Municipal planning organization puts them in the positions of both proposal and disposal.
2. Inclusion of a private citizen, accountable to no particular group of organization, could be counter-productive.

However should the Legislature elect to proceed, such action could, with the approval of the Governor, be accomplished administratively.

April 8, 1976

Mr. Bruce Cannon, Chairman
Intermodal Planning Group
Department of Transportation
Federal Highway Administration
222 S. W. Morrison Street
Portland, Oregon 97204

Dear Mr. Cannon:

As a result of the unification election in September 1975 the City of Anchorage and the Greater Anchorage Area Borough combined into one governing entity, the Municipality of Anchorage. The approved boundaries of the urbanized area fall within the new boundaries. At this time, the State would like to designate the new Municipality of Anchorage as the Metropolitan Planning Organization (MPO), not only to reflect the political changes but to promote a planning process as responsive to the desires of local residents as possible.

The previous designation letter, sent to Mr. Butterfield by former Governor Egan on June 25, 1974, designated a representative membership of local government as the MPO. The designation will not affect the make-up of the bodies which establish the direction of transportation planning in the Anchorage area. The three-person Policy Committee has two elected representatives - the Mayor and a Municipal Councilman - and the third member is the Commissioner of Highways. The Technical Committee also has three voting members - the Municipal Planning Director, the Municipal Director of Transportation, and the State Department of Highways' District Engineer. As required by current regulations, this process will enable transportation planning to be carried out by the MPO in cooperation with the highway agency and the transit operator. The Highway Department has representation on both committees. Since the transit operation is a division of the Municipal Department of Transportation, it too, implicitly, has representation on these committees, though only implicitly. Also, the transit operator is an associate member of the Technical Committee.



Mr. Bruce Cannon

-2-

April 2, 1976

As Anchorage has been designated an urbanized area for only two years, its transportation planning activities are still evolving, but it is felt that transferring the responsibility to the Municipality will hasten further development and improvement.

Sincerely,

Jay S. Hammond
Governor

BCC: Gene A. Hanna, FHWA, Juneau
George Sullivan, AMATS Policy Committee
George Dickson, AMATS Policy Committee
Jack Spake, AMATS Technical Committee
William Fort, UMTA, Seattle
Department of Highways

JSH/JLU/mth



FEB 21 '86 16:21

U.S. DEPARTMENT OF TRANSPORTATION
DEPUTY COMMISSIONER-ANCH
FEDERAL HIGHWAY ADMINISTRATION

Room 412 Mohawk Building
222 S.W. Morrison Street
Portland, Oregon 97204

7 P. 007
(AMATS)

April 28, 1976

Honorable Jay S. Hammond
Governor of Alaska
Juneau, Alaska 99801

Dear Governor Hammond:

Anchorage Urban Area, Designation of
Metropolitan Planning Organization

IN REPLY TO	Div.	Office	Int.
	Division Admin.		
	Engr. Coord.	1.1	
	Asst. Engr. Coord.		
	Env. Coord.		
	Bridge Engineer		
	R.O.W. Officer		
1	Plan. & Res. 1, 2		
	Field Off. Engr.		
	Area A		
	Area B		
	Area C		
	Asst. Area Engr.		
	Audits		
	Admin. Manager	1.5	
	Fiscal		
	State		
	Off. & Clerical		

We acknowledge your April 8, 1976 designation of the Municipality of Anchorage as the Metropolitan Planning Organization (MPO) for the Anchorage urban area.

With this designation, the Municipality is the established eligible recipient of Department of Transportation planning funds for comprehensive urban transportation planning. Also the organization, together with the State, is responsible for conducting the metropolitan transportation planning program. The policy and technical committees structured by you and the Municipality are the means to fulfill this responsibility.

The U.S. Department of Transportation administrations in this region are looking forward to continuing their working relationship with the Municipality of Anchorage and the State on the Anchorage transportation/land use planning process.

Sincerely yours,

Bruce Cannon

Bruce Cannon, Chairman
Intermodal Planning Group,
Region X

5/14/76

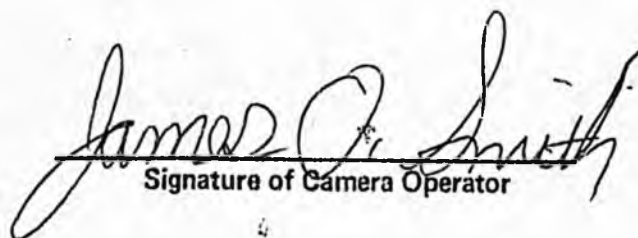
cy to
Unsub
105

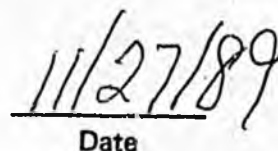
AMACH, #2



RECORDS CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.


Signature of Camera Operator


Date

S B

3 7 4

PROPOSED AMENDMENT NUMBER ONE TO SB 374

ON PAGE TWO, LINE NINE

Delete AS 37.17.730

Add AS 37.15.730

PROPOSED AMENDMENT TO NUMBER TWO TO SB 374

On Page 2, Line 12

Delete AS 37.17.760 (7)

Add AS 37.15.760 (7)

DeVries introduces bill to pave way for new tunnel to Whittier

JUNEAU (AP) — A Whittier Toll Road Authority would be created under legislation introduced in the state Senate — potentially clearing the way for a \$100-million tunnel to that Prince William Sound community.

The measure was introduced by Sen. Edna DeVries, R-Palmer, who said it would amend Alaska law giving the proposed Knik Arm Crossing in Anchorage top billing for toll road money.

Under the bill, either or both projects would be funded depending upon the communities' ability to pay and meet legal criteria.

Building a new tunnel through Mount Maynard

and paying for it with toll-road receipts would be a realistic alternative to public financing, DeVries said.

"Without such an alternative, facilities such as the Whittier road will fall victim to revenue declines," DeVries said Wednesday.

"Whittier is an ice-free port," she said. "Right now, only the Alaska Railroad tunnel provides land access to Whittier. Access is an important thing for economic development."

The resulting benefits from new tourism, transportation and fishing-related businesses would send economic ripples through the entire state, she said.

Archives 11/31/86

Copies mailed to

Duane Devorak, City Clerk, Whittier 2/3/86

PHASE III INTERIM REPORT

System Alternatives &

Recommendations

Whittier Access Study

PREPARED FOR

STATE OF ALASKA

ALASKA DEPARTMENT

OF TRANSPORTATION

AND PUBLIC FACILITIES

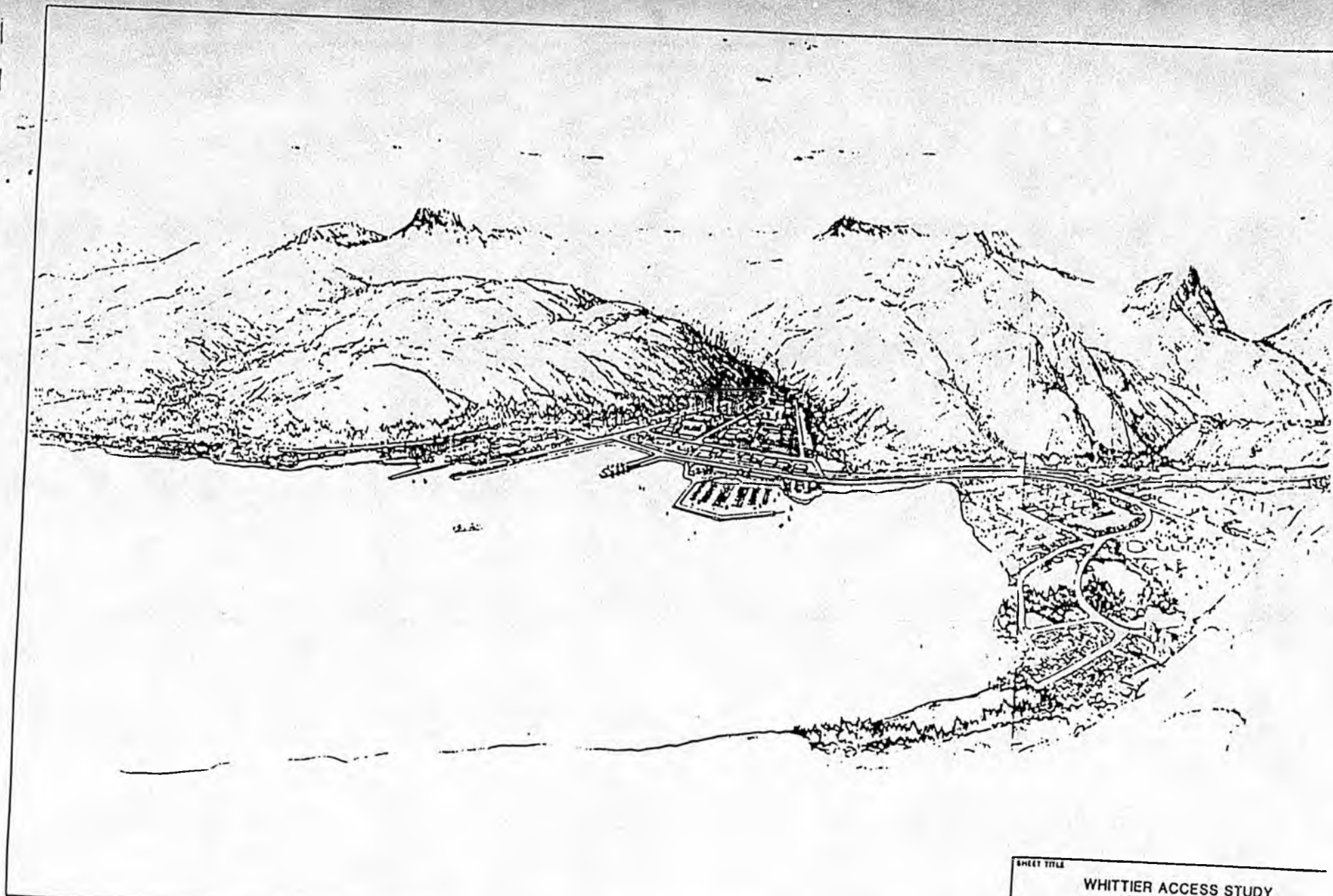
ANCHORAGE, ALASKA 99502

MAY 1, 1980

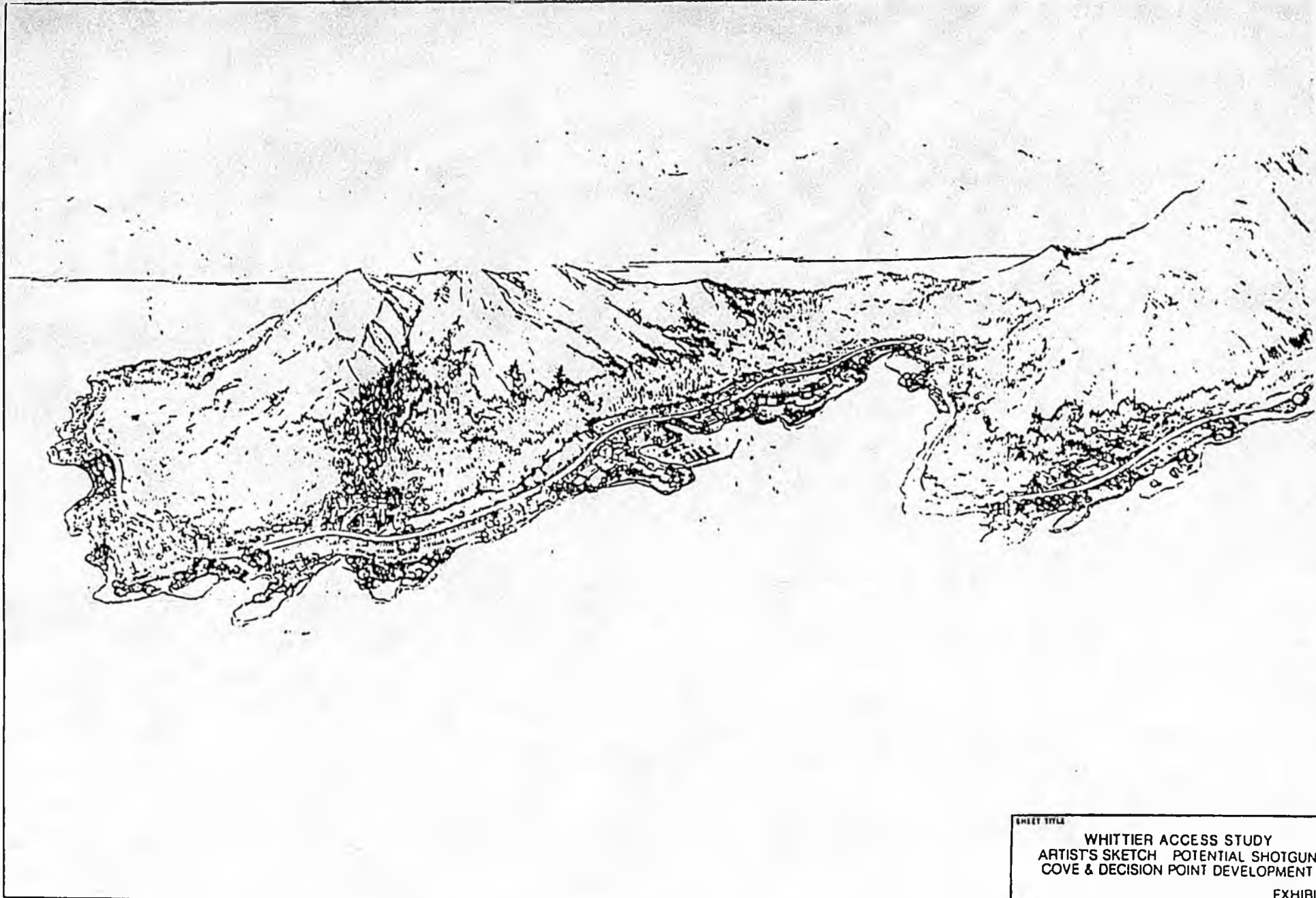
DMJM Forssen

420 L Street, Suite 406 • Anchorage, Alaska 99501 • 907/274-1554
3250 Wilshire Boulevard • Los Angeles, California 90010 • 213/381-3663

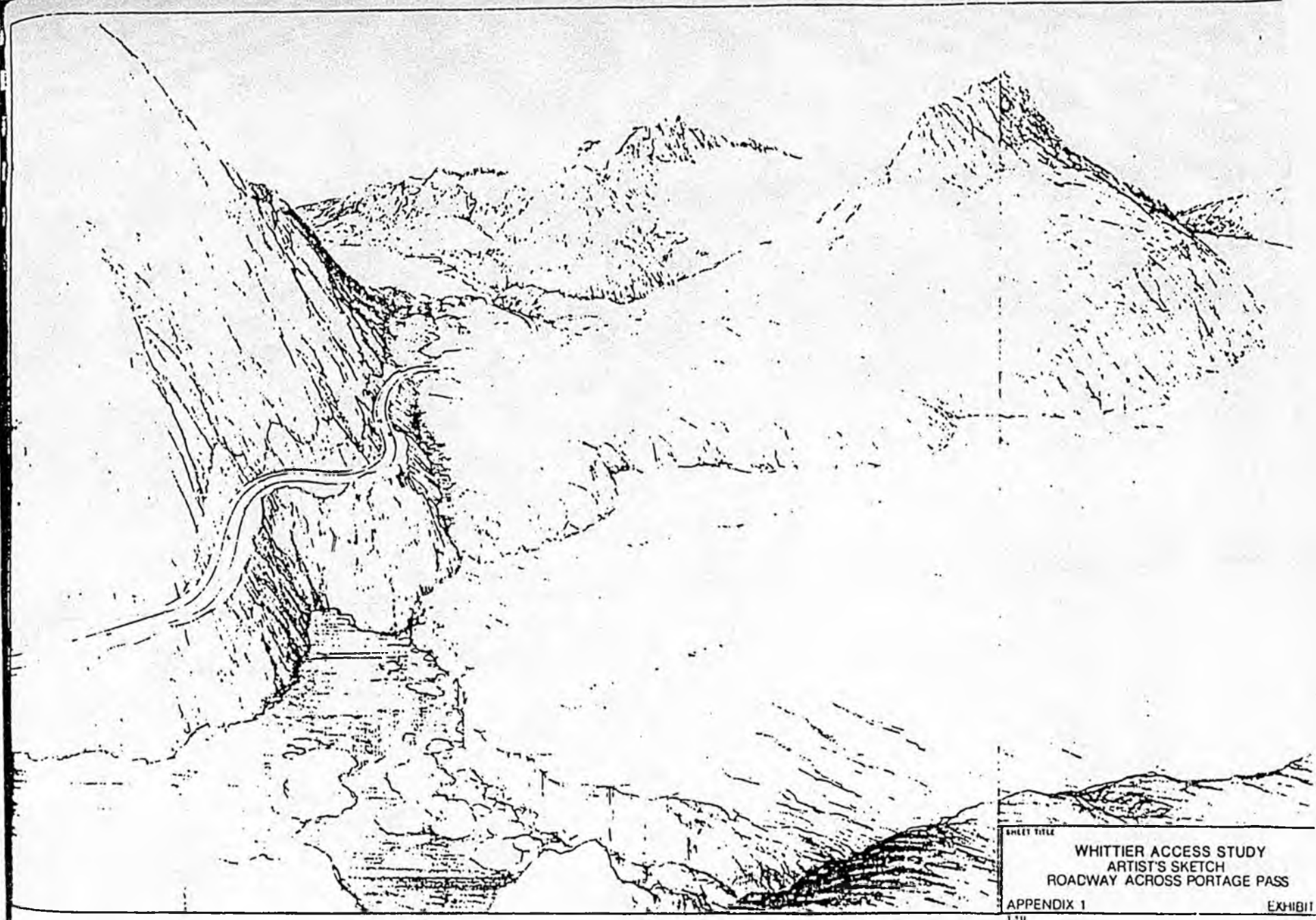
PRELIMINARY



SHEET TITLE
WHITTIER ACCESS STUDY
ARTIST'S SKETCH
POTENTIAL WHITTIER DEVELOPMENT
EXHIBIT



SHEET TITLE
WHITTIER ACCESS STUDY
ARTIST'S SKETCH POTENTIAL SHOTGUN
COVE & DECISION POINT DEVELOPMENT
EXHIBIT



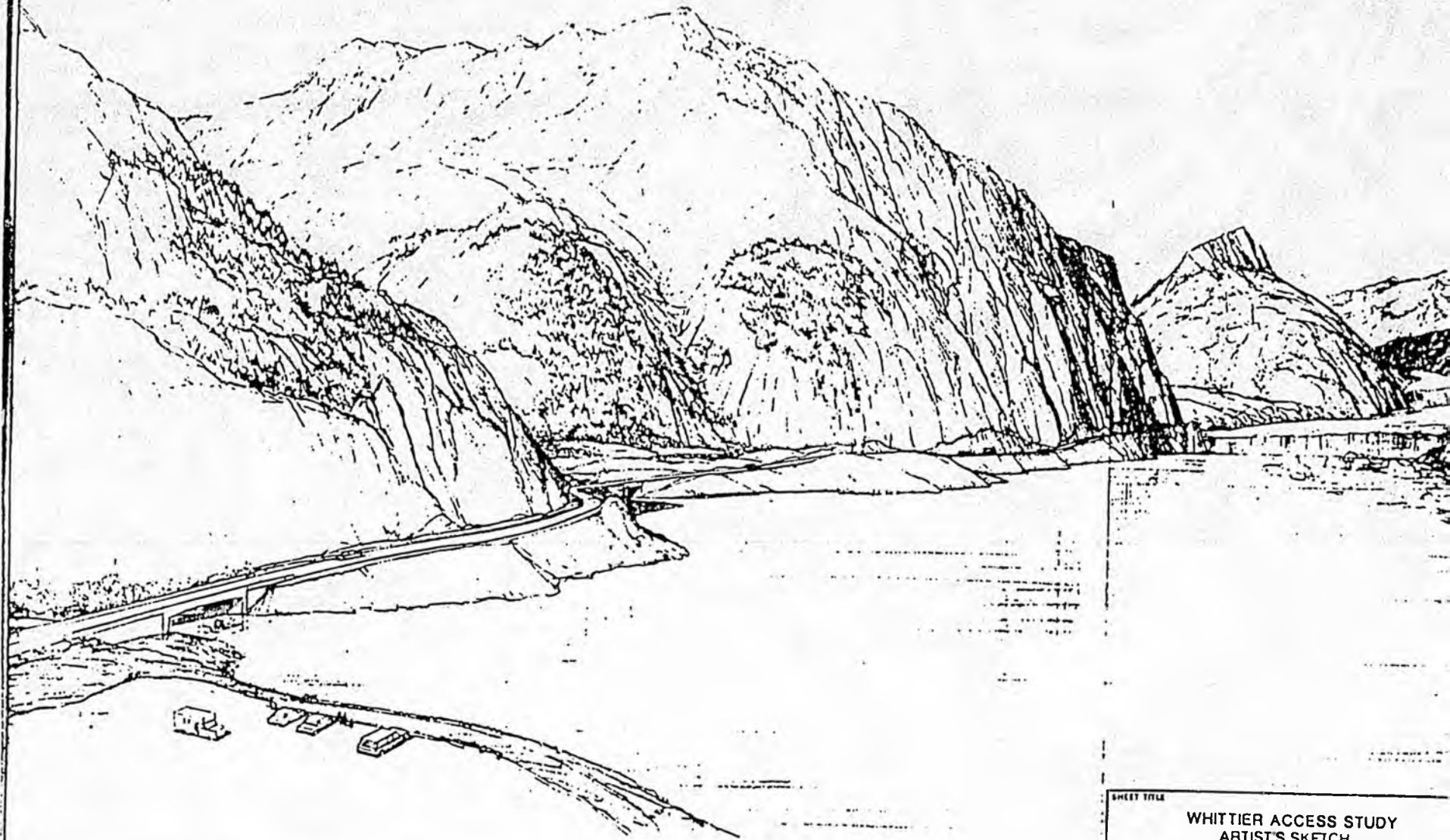
SHEET TITLE

WHITTIER ACCESS STUDY
ARTIST'S SKETCH
ROADWAY ACROSS PORTAGE PASS

APPENDIX 1

EXHIBIT

1:24



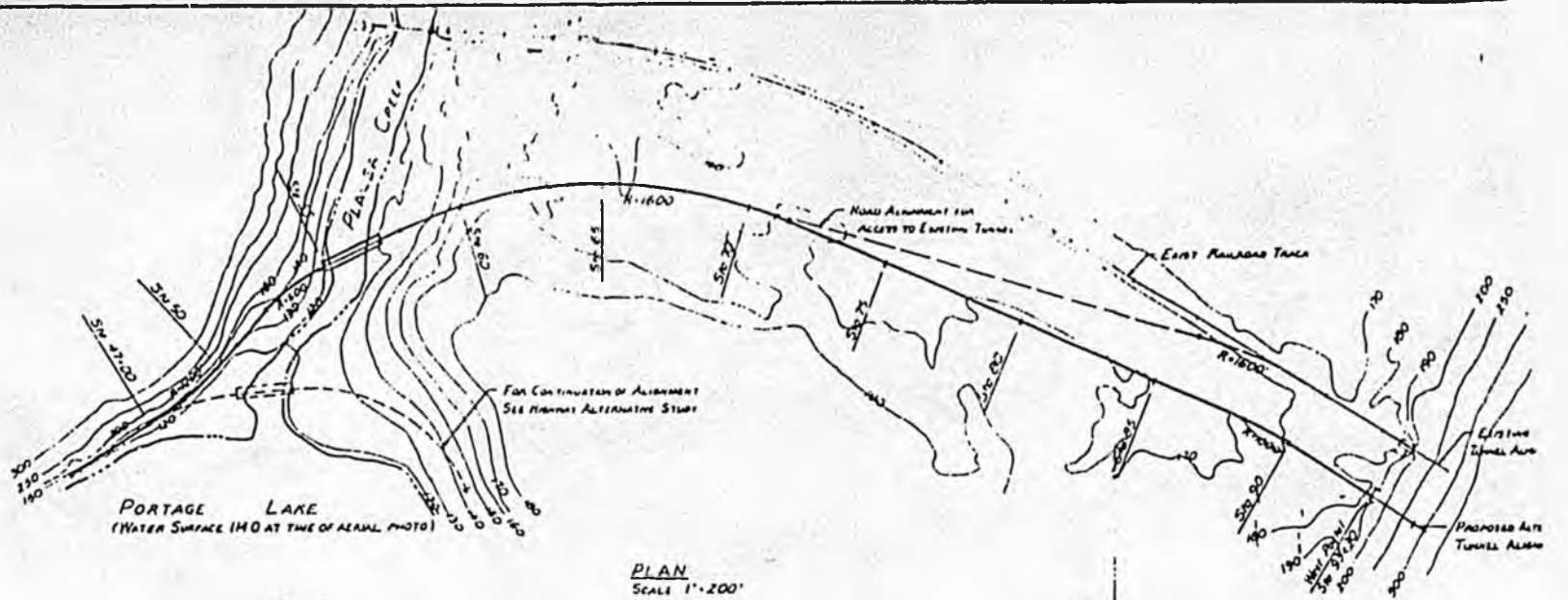
SHEET TITLE

WHITTIER ACCESS STUDY
ARTIST'S SKETCH
ROADWAY ALONG PORTAGE LAKE

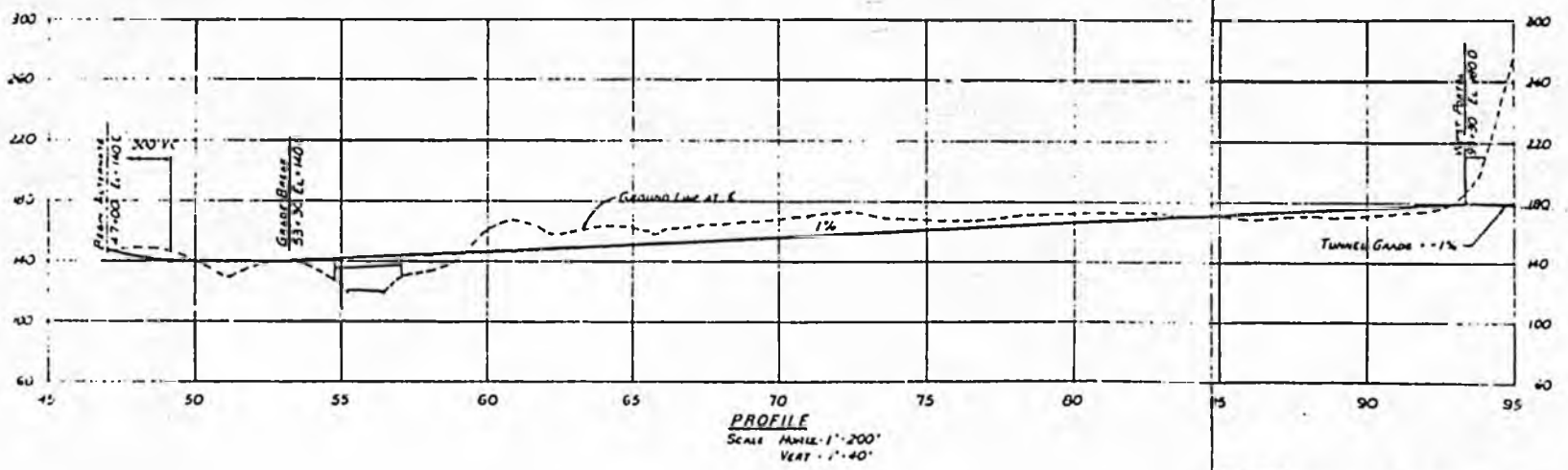
APPENDIX 1

EXHIBIT

147

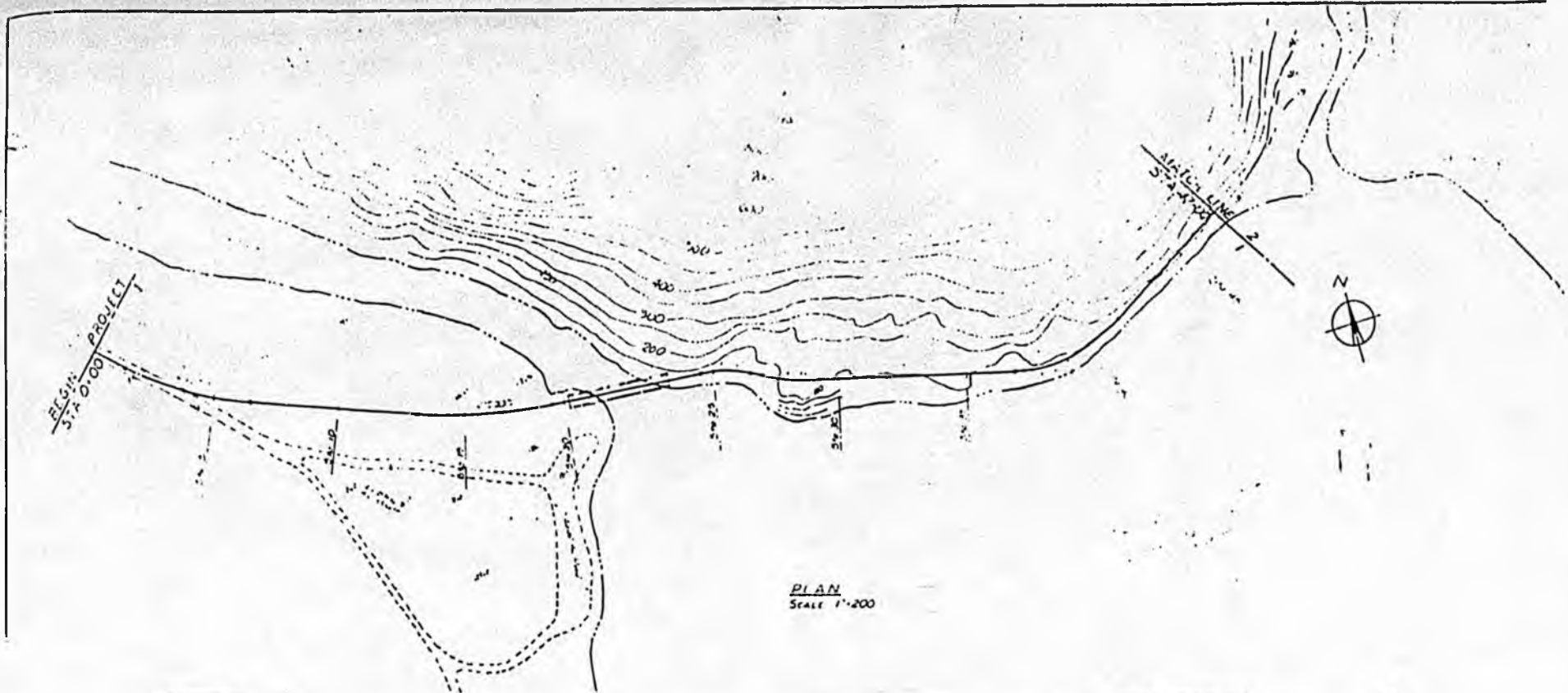


PLAN
SCALE 1" = 200'

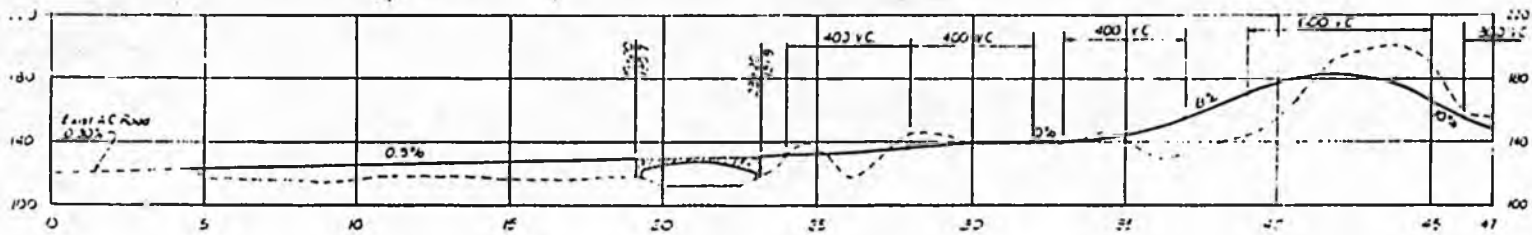


PROFILE
SCALE HORIZ. 1" = 200'
VERT. 1" = 40'

SHEET TITLE
WHITTIER ACCESS STUDY
PLAN & PROFILE
BEAR VALLEY AND TUNNEL ALIGNMENT
APPENDIX 2 EXHIBIT A

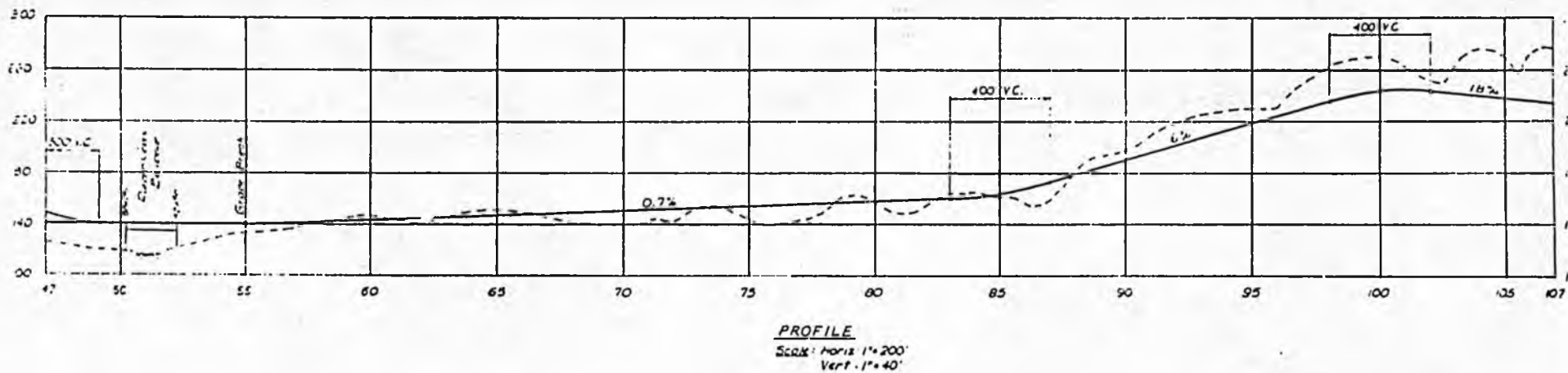
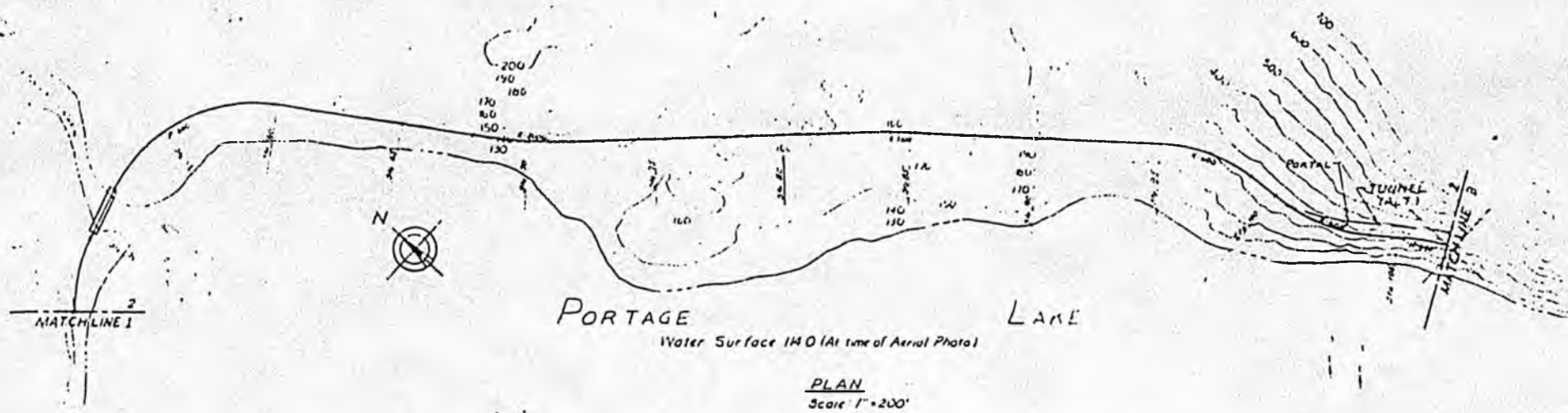


PLAN
Scale 1"=200'

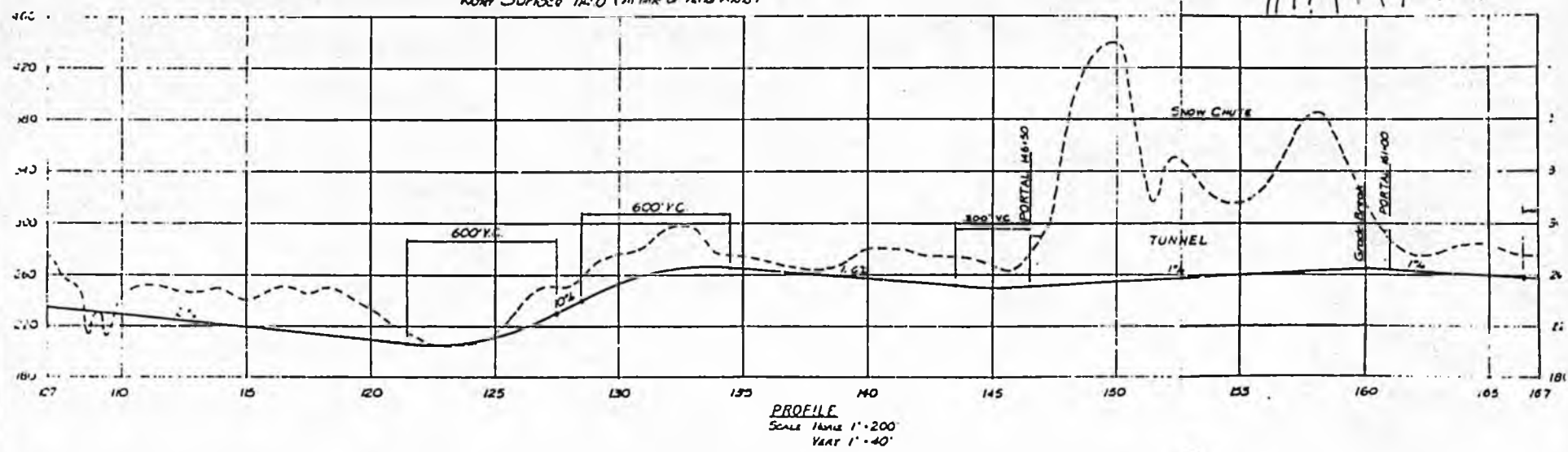
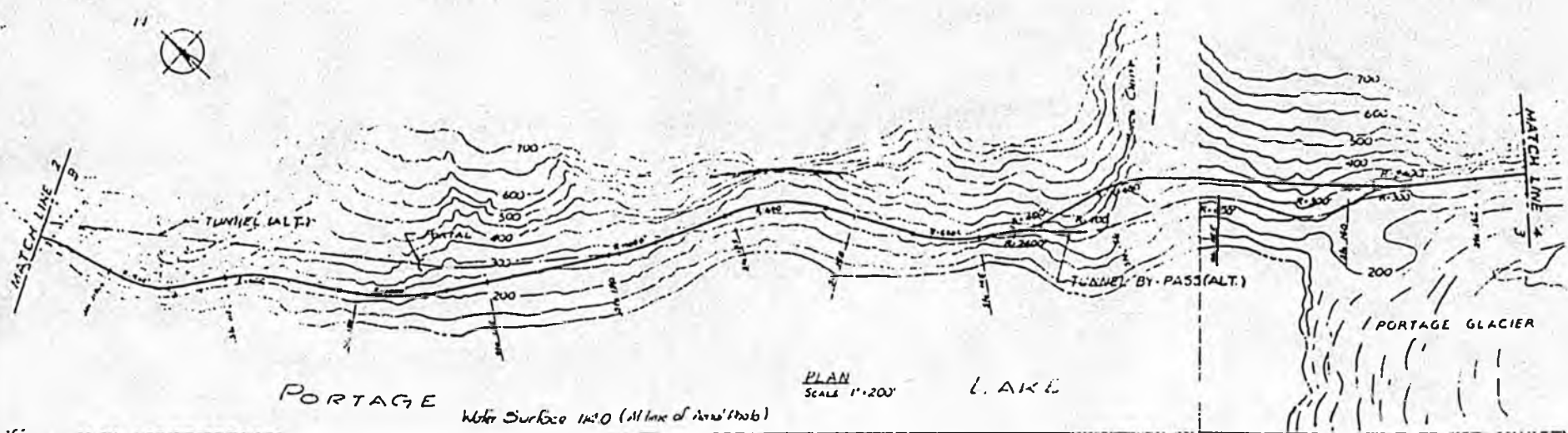


PROFILE
SCALE HORIZONTAL 1"=100'
VERTICAL 1"=20'

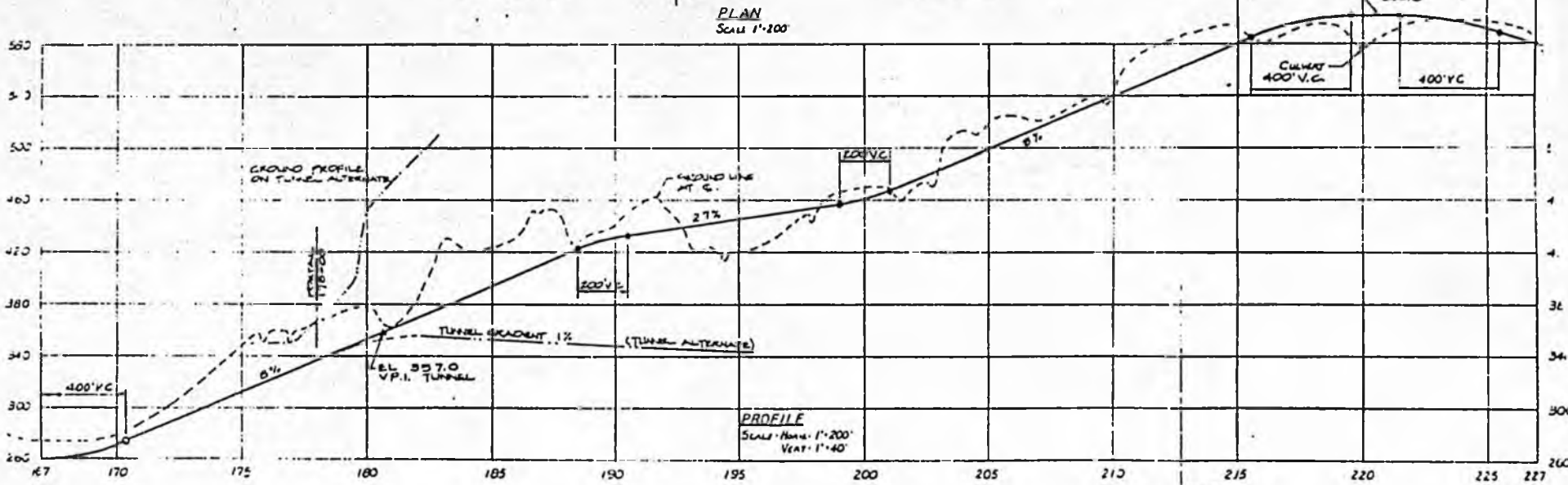
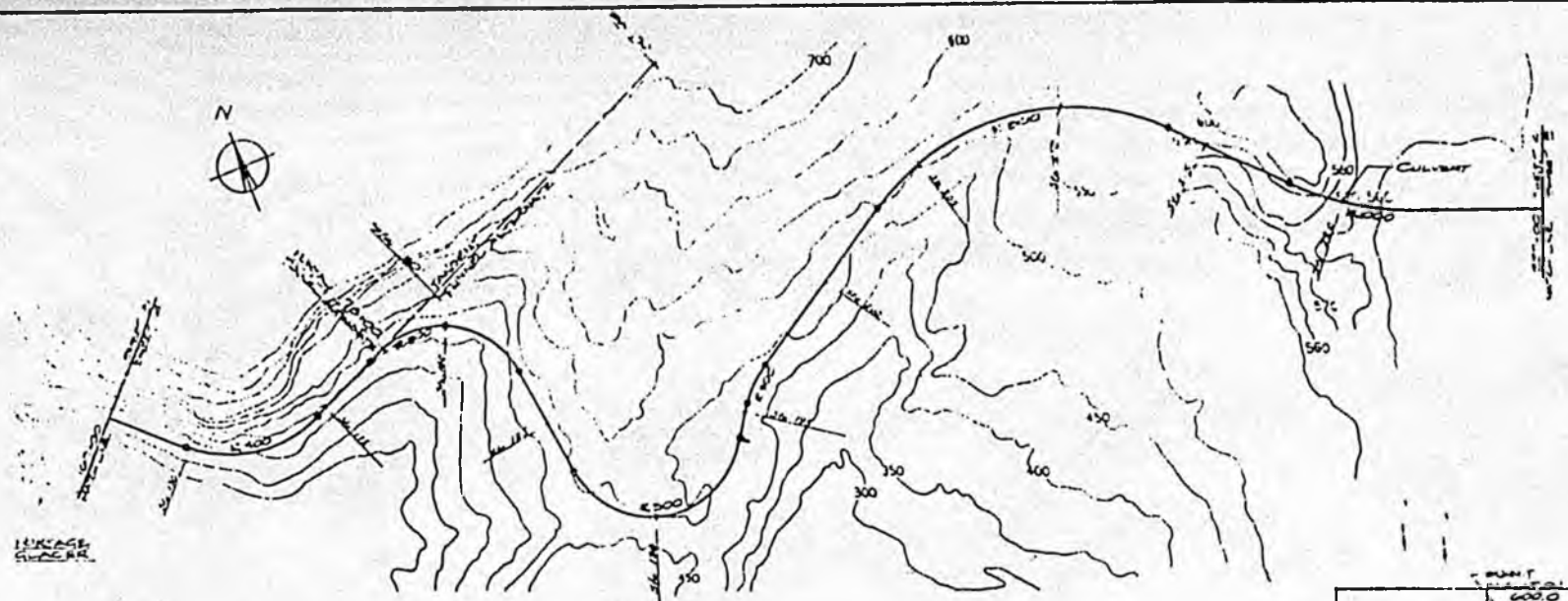
SHEET TITLE
WHITTIER ACCESS STUDY
PLAN & PROFILE STATIONS 0+47
BRIDGE AT PORTAGE CREEK
 APPENDIX 1 EXHIBIT E



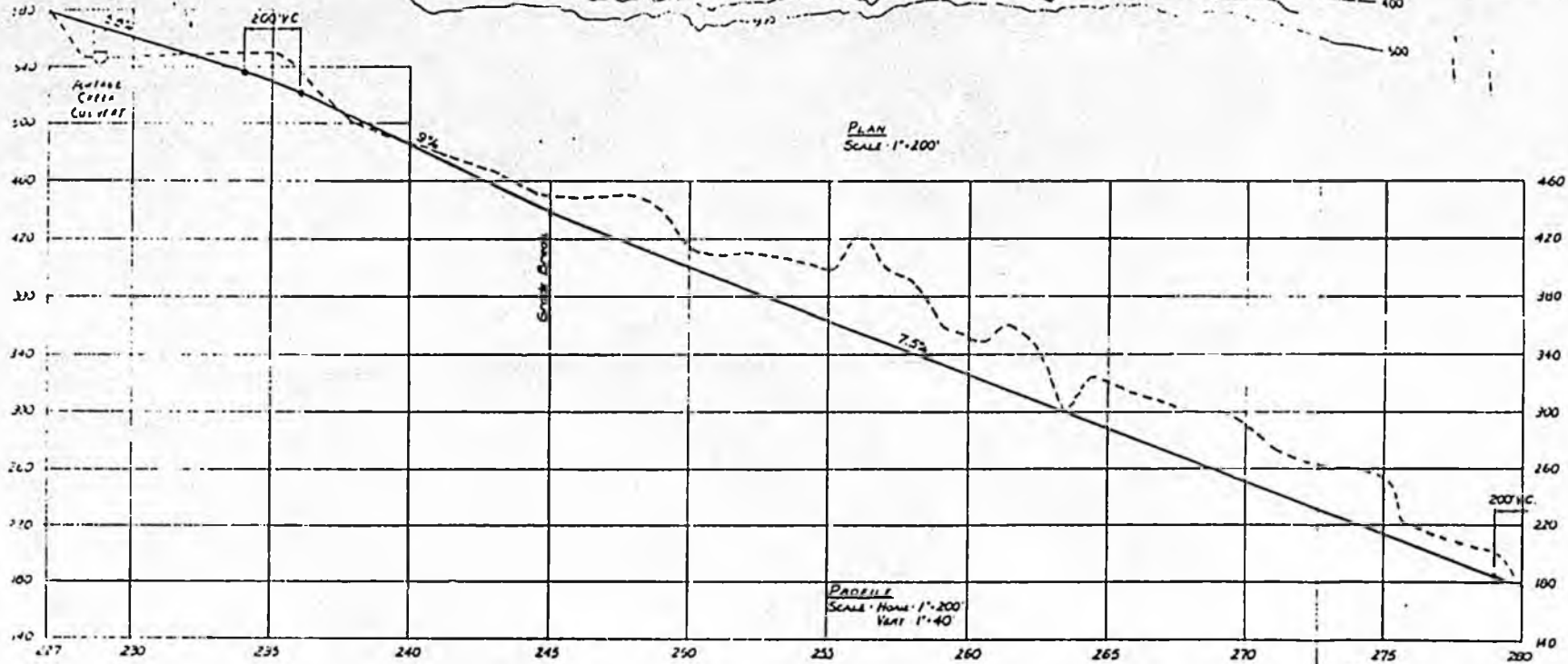
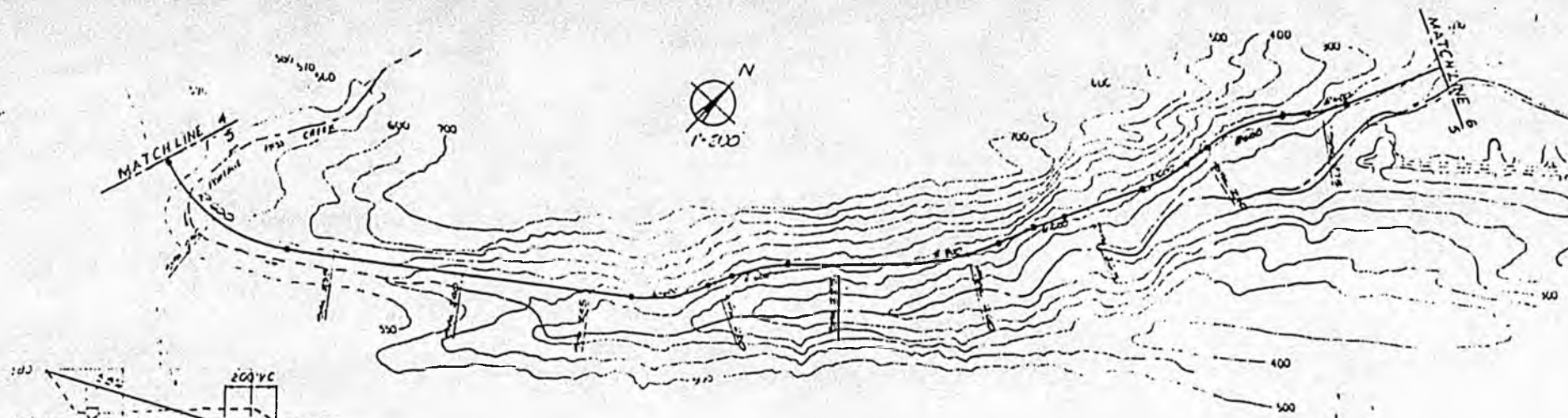
SHEET TITLE
WHITTIER ACCESS STUDY
PLAN & PROFILE STATIONS 47-107
PLACER CREEK BRIDGE TO PORTAGE LAKE
APPENDIX 1 EXHIBIT 1



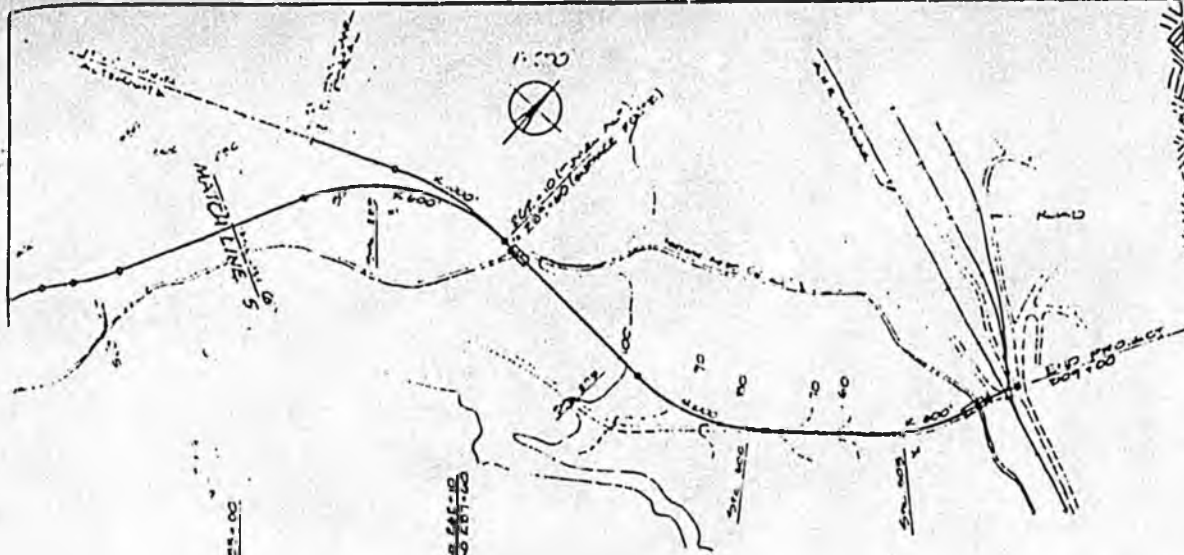
Sheet 11 TITLE
WHITTIER ACCESS STUDY
 PLAN & PROFILE STATIONS 107-167
 PORTAGE LAKE TO PORTAGE GLACIER
 APPENDIX 1 EXHIBIT C



SHEET TITLE
WHITTIER ACCESS STUDY
 PLAN & PROFILE STATIONS 167-227
 PORTAGE GLACIER TO PASS LAKE
 APPENDIX 1 EXHIBIT H1
 144

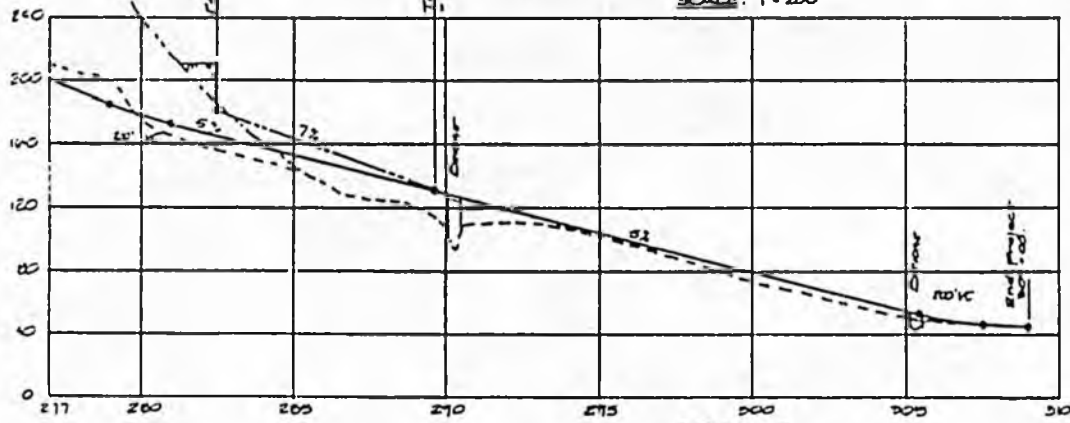


SHEET TITLE
WHITTIER ACCESS STUDY
PLAN & PROFILE STATIONS 227-277
PORTAGE PASS CREEK DRAW
 APPENDIX 1 EXHIB
 145

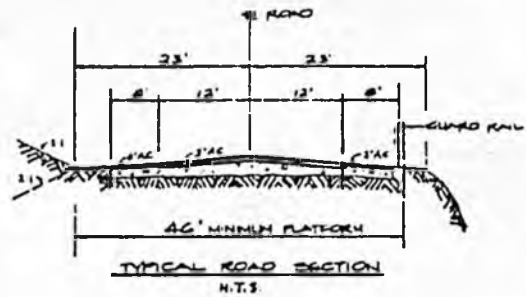
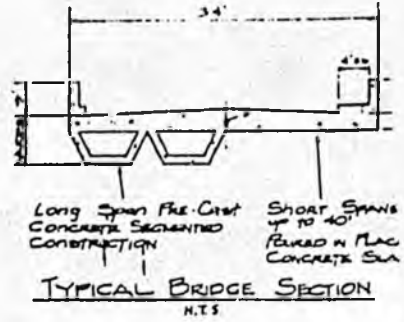
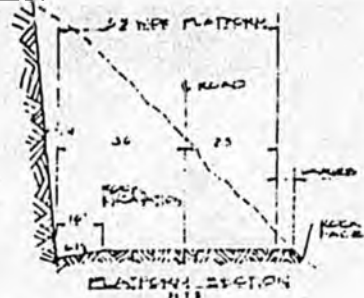


TUNNEL ALTERNATE: West Portal VPI 280.0 Station 200+00
 East Portal EL. 100.0 Station 230+00
 Tunnel Gradient 1.91%

PLAN
 SCALE: 1" = 200'



PROFILE
 SCALE: Horizontal: 1" = 200'
 Vertical: 1" = 40'



SHEET TITLE
 WHITTIER ACCESS STUDY
 PLAN & PROFILE STATIONS 277-310
 PORTAGE PASS CREEK BRIDGE
 APPENDIX 1 EXHIBIT
 146

Alaska State Legislature

Senate Transportation Committee



Sen. John B. (Jack) Coghill, Chairman
Sen. Paul Fischer, Vice-chairman
Sen. Mitch Alboord
Sen. Jan Faiks
Sen. Joe Josephson

Douch V
Juneau, Alaska 99811

MEMORANDUM

TO: Committee Members

From: Committee Staff *BL*

Re: SB 374

The Senate Transportation Committee will be hearing SB 374 today, February 12. The purpose of the bill is to allow the Department of Transportation to set up toll facilities as part of its duties, to amend the Alaska Statutes dealing with toll facilities to include tunnels, and to amend the Statute dealing with the Knik Arm Crossing to include the Whittier Toll Road.

The City of Whittier contends that they are waiting for passage of this legislation before they can go ahead with plans to sell bonds to finance the Whittier Toll Road.

Section 1 of the bill amends the Powers of the Department Section of the Title 19 by adding the word "tunnels" to subsection 11, dealing with toll facilities.

Section 2 amends Title 37 (Public Finance) by adding the word "tunnel" to 37.15.720. This Subsection was added to allow for financing of the Knik Arm Crossing.

Section 3 amends Title 37 by including the Whittier Toll Road in the Section dealing with the order in which state toll facilities would be constructed. 37.15.730 currently states that the Knik Arm Crossing will be the first toll facility to be constructed by the Department of Transportation. SB 374 amends this Section by allowing the Whittier Toll Road to be one of the first two toll facilities.

Section 4 adds a new Subsection, the intent of the Subsection is to allow for one of the facilities to be built without the concurrence of the other project. The Section is mis-numbered in relation to the Statute and proposed amendment #1 is in your packet.

Page 2

Staff Memo to Committee on SB 374

Section 5 is similar to Section 1, in that it adds the word tunnel to a Statute dealing with toll facilities. This Section is also mis-numbered and you will find proposed amendment #2 deals with that problem.



THE CITY OF WHITTIER

TELECOPIER COVER LETTER

DATE: 1-28-86

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: Edna De Vries 4989

FIRM: U.S. Senate

CITY: Tuneau Ak

TELEPHONE NO: _____ TELECOPY NO. 465-3700

FROM: City of Whittier

DESCRIPTION OF MATERIAL: Information letter
in support of Highway Std Authority

TOTAL NUMBER OF PAGES (INCLUDING COVER LETTER): 9

If you do not receive all the pages, please call back as soon as possible.

Phone: 472-2327 or 472-2337

Operator: Duane Dvorak

We are transmitting from a CANON FAX520

Telecopier No. 472-2404





Unique — even in Alaska!

THE CITY OF WHITTIER

TELECOPIER COVER LETTER

DATE: 1-29-86

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: Margaret; Senator De Vries Office

FIRM: Alaska Senate

CITY: Juneau

TELEPHONE NO: _____ TELECOPY NO. 465 3700

FROM: City of Whittier

DESCRIPTION OF MATERIAL: Typed Issues - Arroyo
maps from DOT Study - Arroyo

TOTAL NUMBER OF PAGES (INCLUDING COVER LETTER): 11

If you do not receive all the pages, please call back as soon as possible.

Phone: 472-2327 or 472-2337

Operator: _____

We are transmitting from a CANON FAX520

Telecopier No. 472-2404

There was not enough time to get
more info off of you today.

Have to go to Waltham today on the
train. If you can't get the information

from other sources I will try to get it
together next week if it is not too late.

(add we please have a membership list

of the committee that you mentioned on the
phone the other day

Thank You,

PRESS RELEASE (January 29, 1986):

SB 374

Senator Edna DeVries (R-District E) today submitted legislation that would amend Alaska State Statutes to allow for the establishing of the Whittier Toll Road authority and the construction of a new tunnel through Mt. Maynard. At this time, only the Alaska Railroad tunnel provides land access to Whittier.

The Statutes presently give the Knik Arm Crossing priority as the first State Toll Facility to be funded. DeVries' amendment stipulates that either or both project(s) may be funded depending upon the communities' abilities to meet the legal criteria for a comprehensive feasibility study and a financial plan for repaying the bonds with which the facility is funded.

DeVries feels that the Toll Authority may represent an alternative to direct funding of capital projects. Without such an alternative, she said, facilities such as the Whittier Road will fall victim to the revenue decline. DeVries urged that proposals such as this one be seriously entertained by the Legislature.

This project, according to DeVries, is the essential key to the development of Prince William Sound infrastructure. She feels that the resulting tourism, recreation opportunity, transportation and commercial fishing industries would not only provide a strong financial base for the Whittier-Prince William Sound area but would benefit the rest of the State as well.

A very strong statement of support for the project has come from various professional and administrative groups and individuals that serve the Chugach area, State of Alaska and interstate commerce as well as the local residents. DeVries received a petition signed by 108 of the 338 residents of Whittier asking that she sponsor this legislation.



WINGREN ENTERPRISES

(907) 225-4365
P.O. BOX 5197
KETCHIKAN, ALASKA 99901

1 February, 1986

Senator Robert H. Ziegler Sr.
Alaska State Senate
Pouch V
Juneau, Alaska 99811

Dear Bob

I have read with interest about the introduction of SB 374, by Senator DeVries, to create a Toll Road Authority for a tunnel to Whittier.

I have long been an advocate, along with others, of the creation of a Toll Road Authority to build bridges to Pennock and Cravina Islands, to connect Ketchikan with our Cravina Island airport. Unfortunately, in the past, our local legislative delegations have never shown much enthusiasm for such a project. I would hope that now you might be able, with the support of our newer House members, to stimulate to work for such interest, and either amend SB 374 to include our bridges, or introduce a similar bill for the same purpose.

Sincerely

Paul J. Wingren
Paul J. Wingren

- cc: Rep. John Sund
- Rep. Robin Taylor
- Sen. Edna DeVries
- Mayor Ted Ferry, City of Ketchikan
- Mayor Palph Gregory, Ketchikan Gateway Borough
- James Raabe, Chairman, Greater Ketchikan Chamber of Commerce Econ. Dev.
- Paula Easley, Resource Development Council
- Lew Williams, Publisher, Ketchikan Daily News
- Gary Larson, Alaska Airlines



FEB 7 - RECD

IRELAND TRANSFER & STORAGE CO.

615 Stedman Street
Ketchikan, Alaska 99901-6696
Phone (907) 225-2121

February 5, 1986

The Honorable Robert H. Ziegler, Senator
Alaska State Senate
Pouch V
Juneau, AK 99811

Dear Senator Ziegler:

With reference to the letter from Paul Wingren relating Senator DeVries proposal for a Toll Road Authority for a Whittier tunnel to our need for a hard link to Ketchikan Int'l Airport, he may be right in assuming that there is no other way to finance those construction costs.

I have been against a toll as I have been assuming that the annual employee costs would eat up the income until such a time as Pennock and Gravina are developed by residential and commercial growth. My feelings have been that the state has provided highway connections to all other state airports, and that we should expect that our hard link would also be provided. With the state income going down, it is probable that I would not live long enough to see construction of the project in the time I have left, especially if the state funds are mostly routed to the Susitna project each year.

I have attached the past two years passenger and vehicle totals for our airport ferry operation that could help in any discussions that you may have on this proposal. You are aware that the figures shown are only for airport travel, and that the vehicle number would increase substantially if they could be driven to the airport, whereas most people today do not take their cars across to the airport.

The lack of a hard link is a leading cause of our failure to attract the air tour industry as they can't load tour buses at the airport for delivery to hotels or for visitor tours. This in turn, keeps us from being able to support the hotel industry and contributes to our failure to be able to handle the convention circuit. Any of our industrial or commercial proposals at the airport also fail as the first question we get is how do we get our trucks or employees back and forth.

Our future residential growth would probably be on Pennock and Gravina Islands if the hard link is ever constructed. As you know, we have approximately 4,000 acres of Borough land on those islands, and it is of little value if future owners have no wheeled access.

Thanks for keeping this project active.

Sincerely,

Ralph M. Bartholomew

cc: Sen. DeVries, Rep. Sund & Taylor

KETCHIKAN INTERNATIONAL AIRPORT
TOTAL PASSENGERS CARRIED BY AIRPORT FERRY
 1985 VS. 1984

