

ALASKA LEGISLATURE COMMITTEE FILES 1997-1998 8672

9484 HOUSE TRANSPORTATION

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1 energy audits and related technical services, to school districts and regional educational
2 attendance areas to develop and implement

3 (A) standards for the design, construction, and operation of rural
4 educational facilities; and

5 (B) energy conservation measures for rural educational facilities
6 (16) implement the safety and financial responsibility requirements for
7 air carriers under AS 02.40;

8 (17) inspect weights and measures;

9 (18) submit to the Alaska Capital Improvement Project Authority
10 for review, revision, and approval

11 (A) plans and programs prepared by the department that
12 are described under AS 44.42.120;

13 (B) proposed capital improvement project budgets to fund
14 the plans and programs approved by the Alaska Capital Improvement
15 Project Authority;

16 (19) provide assistance, information, staff, and other support
17 requested by the Alaska Capital Improvement Project Authority.

18 * Sec. 21. AS 44.42.050(a) is amended to read:

19 (a) The commissioner shall develop annually a comprehensive, intermodal,
20 long-range transportation plan for the state. In developing and revising the state plan,
21 the commissioner shall consider means and costs of improving existing modes and
22 facilities, state and federal subsidies, and the costs and benefits of new transportation
23 modes and facilities. The commissioner shall also consider the recommendation of the
24 Alaska Transportation Planning Council. The plan shall be submitted to the Alaska
25 Capital Improvement Project Authority [GOVERNOR] for review, revision, and
26 approval. The authority shall submit the approved plan to [AND SUBMITTED
27 BY] the governor and to the legislature.

28 * Sec. 22. AS 44.42.050(c) is amended to read:

29 (c) Copies of the plan and revisions of the plan, as approved by the Alaska
30 Capital Improvement Project Authority [REVISED], shall be kept on file as a
31 public document in the office of the commissioner and at each regional office of the

1 department.

2 * Sec. 23. AS 44.42.050(d) is amended to read:

3 (d) The plan must include a description of projects planned for design and
4 construction for the following two fiscal years. The description is in addition to the
5 long-range programs [PLAN] required by (a) of this section and by AS 02.15.065,
6 AS 19.10.140, and AS 35.10.085. The description must include an itemization of the
7 estimated cost for each project and the total cost of all projects. The commissioner
8 shall propose and forward to the Alaska Capital Improvement Project Authority
9 [GOVERNOR] for review, revision, and approval [AND INCLUSION,
10 AS APPROVED, IN THE CAPITAL BUDGET] a construction program that includes
11 the projects to be undertaken during the following two fiscal years, including
12 recommended project priorities. The Alaska Capital Improvement Project
13 Authority shall submit the approved construction program to the governor for
14 inclusion in the capital budget and to the legislature. Funds for transportation
15 construction projects and necessary contingencies shall be itemized as allocations
16 within the bill for the General Appropriations Act.

17 * Sec. 24. AS 44.42.055(b) is amended to read:

18 (b) In developing and biennially revising the facility procurement plan, the
19 commissioner shall

20 (1) request and receive on an annual basis from all state agencies a
21 projection of the anticipated facility needs of the agency for the next annual capital
22 improvement program;

23 (2) consult with officials and representatives of municipalities, the
24 federal government, interested corporations and other organizations concerning public
25 facility needs in the state;

26 (3) develop specific facility procurement plans for projects in each of
27 the following categories:

28 (A) sewage and other wastewater collection, treatment, and
29 disposal facilities;

30 (B) water source, treatment, and distribution facilities;

31 (C) solid waste collection and disposal facilities;

- 1 (D) hazardous and toxic waste collection and disposal facilities;
2 (E) electrical generation and distribution systems;
3 (F) health care and social services facilities;
4 (G) educational facilities;
5 (H) transportation facilities;
6 (I) public safety and justice facilities;
7 (J) recreational facilities;
8 (K) sanitation facilities; and
9 (L) cultural facilities;
- 10 (4) prepare recommendations to accommodate the various levels of
11 service identified by state agencies and other parties with respect to the services
12 described in (3) of this subsection, to include
- 13 (A) current and future facility needs;
14 (B) space standards and design guidelines for the appropriate
15 facility types;
16 (C) maintenance and operations standards for the appropriate
17 facility types;
18 (D) construction techniques and contracting methods;
19 (E) facility project budget requirements; and
20 (F) relative costs of identified alternatives (life cycle cost
21 analysis) including but not limited to the installation and operation of energy
22 systems that are not dependent on oil or gas for water heating, space heating
23 and cooling requirements, and for the generation of electrical or mechanical
24 power;
- 25 (5) identify common public facility needs among the various user
26 agencies; and
- 27 (6) submit the commissioner's [ITS] findings, plans, and
28 recommendations to the Alaska Capital Improvement Project Authority for review,
29 revision as appropriate, and approval [GOVERNOR AND TO THE APPROPRIATE
30 STATE AGENCY TO FACILITATE THE DEVELOPMENT OF AGENCY CAPITAL
31 IMPROVEMENT BUDGET REQUESTS].

1 * **Sec. 25.** AS 44.42.900 is amended by adding new paragraphs to read:

2 (4) "authority" means the Alaska Capital Improvement Project
3 Authority;

4 (5) "capital improvement project" means a project with a cost
5 exceeding \$10,000 to acquire or improve a transportation or public facility with an
6 anticipated life exceeding one year; in this paragraph, "project" includes land
7 acquisition, construction, repair, or structural improvement of a facility, engineering
8 and design for a facility, and acquisition or repair of equipment.

9 * **Sec. 26.** AS 44.47.092 is amended to read:

10 **Sec. 44.47.092. Land use planning and state facility procurement plan.**

11 The department shall make recommendations to the Department of Transportation and
12 Public Facilities, to the Alaska Capital Improvement Project Authority, and to
13 appropriate program agencies concerning the effect upon the comprehensive plan or
14 other land use plans or proposals of municipalities and unincorporated communities
15 with respect to the facility procurement plan required to be prepared in accordance
16 with AS 35.10.170 and AS 44.42.055.

17 * **Sec. 27. SAVINGS CLAUSE.** (a) Litigation, hearings, investigations, and other
18 proceedings pending under a law amended or repealed by this Act, or in connection with
19 functions transferred by this Act, continue in effect and may be continued and completed
20 notwithstanding a transfer or amendment or repeal provided for in this Act.

21 (b) The regulations adopted by the Department of Transportation and Public Facilities
22 that relate to functions transferred by this Act remain in effect and may be implemented and
23 enforced by the department until the Alaska Capital Improvement Project Authority adopts its
24 own regulations under AS 44.42 and those regulations take effect.

25 * **Sec. 28. INITIAL APPOINTMENT OF MEMBERS OF THE ALASKA CAPITAL**
26 **IMPROVEMENT PLANNING AUTHORITY.** Notwithstanding AS 44.42.110, added by
27 sec. 2 of this Act, the governor shall designate persons initially appointed to serve as members
28 of the Alaska Capital Improvement Project Authority to terms as follows: one person to a one-
29 year term, one person to a two-year term, two persons to a three-year term, one person to a
30 four-year term, and two persons to a five-year term.

31 * **Sec. 29. CONFORMANCE WITH OTHER LEGISLATION.** If a bill transferring the

1 Alaska marine highway system to a state authority is passed by the Twentieth Alaska State
2 Legislature and enacted into law, the provisions of that bill as enacted into law supersede
3 conflicting provisions of sec. 12 of this Act and other provisions of this Act relating to the
4 Alaska marine highway system.

5 * **Sec. 30.** This Act takes effect July 1, 1998.

Proposed Amendment for HB 227
By Representative Masek

Page 14, lines 13 thru 14 – change this to read, “provide information requested by the Alaska Capital Improvement Project Authority.”

0-LS0789F
Utermohle
2/27/98

CS FOR HOUSE BILL NO. 227()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTIETH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): **REPRESENTATIVES PHILLIPS, Cowdery**

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the Alaska Capital Improvement Project Authority; relating
2 to the powers and duties of the Department of Transportation and Public
3 Facilities; and providing for an effective date."

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

5 * **Section 1. FINDINGS AND INTENT.** (a) The legislature finds that

6 (1) well planned, constructed, and maintained transportation systems and public
7 facilities are essential to promoting the public health, safety, and welfare of citizens of the
8 state;

9 (2) consistent, long-term planning is necessary for efficient operation of state
10 and municipal governments and to maximize participation of the private sector in the design
11 and construction of transportation systems and public facilities;

12 (3) the public interest is best served by establishing a planning process for
13 capital improvements to transportation systems and public facilities that provides stability,
14 consistency, and continuity from the initial conception of a project to the completion of

1 construction of the project;

2 (4) the substantial investment of public funds in transportation systems and
3 public facilities requires the establishment of an entity that is responsible and accountable for
4 establishing policies for the planning of transportation systems and public facilities and that
5 is distinct from the planning staff that develops capital improvement projects for transportation
6 systems and public facilities.

7 (b) It is the intent of the legislature that the Alaska Capital Improvement Project
8 Authority

9 (1) review, revise, prioritize, and approve plans for transportation systems and
10 public facilities that are funded with state, federal, and other nonstate funds;

11 (2) determine the allocation of available funding resources among the various
12 categories and classes of transportation systems;

13 (3) maximize the use of state, federal, and other nonstate funds for the purpose
14 of improving the transportation infrastructure of the state.

15 * Sec. 2. AS 44.42 is amended by adding new sections to read:

16 **Article 2. Alaska Capital Improvement Project Authority.**

17 **Sec. 44.42.110. Alaska Capital Improvement Project Authority.** (a) There
18 is created in the Department of Transportation and Public Facilities the Alaska Capital
19 Improvement Project Authority.

20 (b) The authority consists of seven members. Members of the authority are
21 appointed by the governor and subject to confirmation by a majority of the members
22 of the legislature in joint session. The members serve for staggered five-year terms
23 and until a successor is appointed. A vacancy among the members of the authority
24 occurring other than by expiration of term shall be filled in the same manner as the
25 original appointment but only for the unexpired term and until a successor is
26 appointed. The members of the authority may be removed by the governor only for
27 cause.

28 (c) The governor shall appoint at least one member, but not more than two
29 members, of the authority from among the residents of each of the four judicial
30 districts in the state. Two members of the authority must have experience in the
31 operation, management, or use of modes of surface transportation facilities, including

1 highways, railroads, mass transportation facilities, or recreational transportation
2 facilities. Two members of the authority must have experience in the operation,
3 management, or use of modes of air transportation facilities, including airports,
4 commercial or private aviation facilities, or passenger or freight air services facilities.
5 Two members of the authority must have experience in the operation, management, or
6 use of modes of water-borne transportation facilities, including ports and harbors,
7 passenger or freight service facilities, recreational transportation facilities, or ferries.
8 One member of the authority must have experience in the operation, management, or
9 use of public buildings or public facilities other than transportation facilities.

10 (d) The members of the authority serve without compensation but are entitled
11 to per diem and travel expenses authorized for boards and commissions under
12 AS 39.20.180. The members of the authority shall comply with AS 39.50 (conflict of
13 interest).

14 (e) The members of the authority shall select a chair from among its members.
15 Four members of the authority constitute a quorum. The authority may take action
16 upon the affirmative vote of four of its members.

17 **Sec. 44.42.120. Powers and duties of the authority.** (a) The authority shall
18 review, revise as appropriate, and approve the following plans and programs prepared
19 by the department for capital improvement projects for the construction and
20 maintenance of transportation and public facilities constructed, operated, or maintained
21 by the department:

22 (1) construction and maintenance program for state-owned airports and
23 air navigation facilities under AS 02.15.065;

24 (2) construction and maintenance program for highways under
25 AS 19.10.140 and 19.10.150;

26 (3) five-year plan for local service roads and trails under AS 19.30.141;

27 (4) comprehensive plan for the Alaska marine highway system under
28 AS 19.65.011;

29 (5) construction and maintenance program for state-owned marine
30 facilities under AS 35.10.085;

31 (6) state transportation plan under AS 44.42.050;

1 (7) state public facilities plan under AS 44.42.055.

2 (b) The authority shall allocate the funding available for transportation systems
3 among the categories and classes of transportation systems and approve plans and
4 programs for transportation systems that are consistent with that allocation.

5 (c) Plans and programs approved by the authority shall be submitted to the
6 governor and legislature.

7 (d) The authority shall review, revise as appropriate, and approve the capital
8 improvement projects budget for transportation and public facilities prepared and
9 proposed by the department to implement the plans and programs approved by the
10 authority under (a) of this section and the allocations adopted under (b) of this section.
11 The department shall include in the proposed budget submitted to the authority the
12 projects to be undertaken during the following two fiscal years and a ranking of
13 priorities for the projects. The capital improvement project budget approved by the
14 authority shall be submitted to the governor for inclusion in the state capital projects
15 budget and to the legislature.

16 (e) The authority shall maximize the use of available federal funds for
17 planning, construction, and maintenance of transportation systems and public facilities
18 of the state to the extent permitted by federal law.

19 (f) The authority may submit proposals for capital improvement projects for
20 construction and maintenance of transportation and public facilities to the governor for
21 inclusion in supplemental or special appropriation bills.

22 (g) The authority may hire the minimum of staff, including a director,
23 necessary to efficiently perform the functions of the authority.

24 (h) The authority has independent fiscal, budgeting, and administrative powers
25 necessary to independently perform the functions of the authority. The authority is a
26 state agency for purposes of AS 37.07.

27 (i) The annual operating budget of the department is not subject to review or
28 approval under this section.

29 **Sec. 44.42.130. Fees; regulations.** (a) The authority shall set fees, charges,
30 tolls, and rentals for the use of toll facilities under AS 37.15.740 by regulations
31 adopted under AS 44.62 (Administrative Procedure Act).

1 (b) The authority shall establish standards for marking and posting highways,
2 for traffic control signals, and for determination of speed limits and speed zones by
3 regulations adopted under AS 44.62 (Administrative Procedure Act). The department
4 shall propose standards for consideration and adoption by the authority under this
5 subsection.

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

7 **Sec. 02.15.065. Construction and maintenance program for airports and**
8 **air navigation facilities.** (a) The department shall establish a continuing, long-range
9 planning procedure for construction and maintenance of state-owned airports and air
10 navigation facilities.

11 (b) The department shall prepare annually a capital improvement project
12 construction and maintenance program for state-owned airports and air navigation
13 facilities that, subject to appropriation by the legislature, must include the projects to
14 be undertaken by the department during the following construction season, must
15 establish project priorities, and must describe proposed capital improvement projects
16 for construction and maintenance of state-owned airports and air navigation facilities
17 for at least the next succeeding two fiscal years. The department may propose
18 increases, decreases, amendments, or revisions to the construction and maintenance
19 program from time to time as circumstances warrant. The capital improvement project
20 construction and maintenance program and changes to the program, as proposed by the
21 department, are subject to review, revision, and approval of the Alaska Capital
22 Improvement Project Authority.

23 (c) Before February 2 of each year, the department shall prepare a list of
24 capital improvement projects for construction and maintenance of airports and air
25 navigation facilities that have been either proposed by the department, approved by the
26 Alaska Capital Improvement Project Authority, or funded by an appropriation by the
27 legislature. The list must set out a general itemization of the estimated cost for each
28 project and the total estimates of all projects. The department shall send the list to the
29 Alaska Capital Improvement Project Authority.

30 (d) This section does not apply to the state-owned international airports at
31 Anchorage and Fairbanks.

1 * Sec. 4. AS 19.05.040 is amended to read:

2 **Sec. 19.05.040. Powers of department.** The department may

- 3 (1) acquire property;
- 4 (2) exercise the power of eminent domain;
- 5 (3) take immediate possession of real property, or any interest in it
- 6 under a declaration of taking or by other lawful means;
- 7 (4) acquire rights-of-way for present or future use;
- 8 (5) control access to highways;
- 9 (6) regulate roadside development;
- 10 (7) preserve and maintain the scenic beauty along state highways;
- 11 (8) dispose of property acquired for highway purposes;
- 12 (9) accept and dispose of federal funds or property available for
- 13 highway construction, maintenance, or equipment;
- 14 (10) enter into contracts or agreements relating to highways with the
- 15 federal government, municipalities, a political subdivision, or with a foreign
- 16 government, if the contract is approved by the federal government;
- 17 (11) [ESTABLISH, LEVY, AND] collect tolls, fees, charges, and
- 18 rentals for the use of state roads, highways, bridges, tunnels, crossings, and causeways;
- 19 and
- 20 (12) exercise any other power necessary to carry out the purpose of
- 21 AS 19.05 - AS 19.25.

22 * Sec. 5. AS 19.10.040 is amended to read:

23 **Sec. 19.10.040. Uniform system of marking and posting.** The department

24 shall classify, designate, and mark highways under its jurisdiction under standards

25 adopted by the Alaska Capital Improvement Project Authority. The Alaska

26 Capital Improvement Project Authority shall adopt regulations establishing

27 standards for [AND SHALL PROVIDE] a uniform system of marking and posting

28 these highways. The system of marking and posting must correlate with and, as far

29 as possible, conform to the recommendations of the Manual on Traffic Control Devices

30 as adopted by the American Association of State Highway Officials.

31 * Sec. 6. AS 19.10.050 is amended to read:

1 **Sec. 19.10.050. Traffic control signals.** The Alaska Capital Improvement
2 Project Authority [DEPARTMENT] shall prescribe types of traffic control signals to
3 regulate traffic on highways. These signals must correlate with and, as far as possible,
4 conform to the recommendations of the Manual on Uniform Traffic Control Devices
5 as adopted by the American Association of State Highway Officials. The Alaska
6 Capital Improvement Project Authority [DEPARTMENT] shall adopt uniform
7 regulations for the placing and installation of traffic control signals.

8 * **Sec. 7.** AS 19.10.070 is amended to read:

9 **Sec. 19.10.070. Speed limits and zones.** The department may conduct
10 investigations with the assistance of the Department of Public Safety and shall
11 determine safe speed limits and safe speed zones on highways and other roadways
12 under its jurisdiction in accordance with standards adopted by the Alaska Capital
13 Improvement Project Authority.

14 * **Sec. 8.** AS 19.10.072(a) is amended to read:

15 (a) In determining safe speed limits and safe speed zones, the department shall
16 comply with [CONSIDER] the standards adopted by the Alaska Capital
17 Improvement Project Authority under this section. The Alaska Capital
18 Improvement Project Authority shall adopt standards for determining safe speed
19 limits and safe speed zones. In adopting the standards, the Alaska Capital
20 Improvement Project Authority shall consider the following factors in the order of
21 priority listed:

22 (1) neighborhood safety, including the presence of children and
23 pedestrian traffic;

24 (2) the presence of schools, houses, parks, and crosswalks;

25 (3) the presence of driveways, parked vehicles, and multiple turn
26 locations;

27 (4) that speed at which safe and prudent drivers could pass through the
28 speed zone; [AND]

29 (5) the effectiveness of local enforcement of the speed zone; and

30 (6) other factors the Alaska Capital Improvement Project Authority
31 considers appropriate.

1 * Sec. 9. AS 19.10.140 is amended to read:

2 Sec. 19.10.140. Long-range program for highway construction and
3 maintenance. The [GOVERNOR SHALL REQUIRE THE] department shall [TO]
4 establish a continuing, long-range program for highway construction and maintenance.
5 Subject to review, revision, and approval by the Alaska Capital Improvement
6 Project Authority, the [THE] program must annually project proposed capital
7 improvement projects for construction and maintenance of highways for not less than
8 the next succeeding five years. A statement of the approved program shall be
9 submitted by the governor to the legislature annually, and the approved long-range
10 program shall include in detail the construction program proposed [PREPARED]
11 under AS 19.10.150. The authority may make amendments to an approved
12 program that affect projects for construction or maintenance of highways
13 approved by the Federal Highway Administration only if the amendments are
14 adopted in accordance with the program review, revision, and approval process
15 established by the authority.

16 * Sec. 10. AS 19.10.150 is amended to read:

17 Sec. 19.10.150. Construction program. (a) Before February 2 of each year,
18 the department shall prepare a statement showing what capital improvement projects
19 for construction of highways have been either proposed [WORK HAS BEEN
20 REQUESTED AND PROPOSED AND MAY BE UNDERTAKEN] by the department,
21 approved by the Alaska Capital Improvement Project Authority, or funded by an
22 appropriation by the legislature. The statement must set out [FORTH] a general
23 itemization of the estimated cost for each project and the total estimates of all projects.
24 The department shall send the statement to the Alaska Capital Improvement
25 Project Authority.

26 (b) The department shall prepare [ADOPT] a construction program which
27 must include the projects to be undertaken by the department [IT] during the
28 following construction season and must establish project priorities. The department
29 may propose increases, decreases, amendments, or revisions of [INCREASE.
30 DECREASE, AMEND, OR REVISE] the construction program from time to time as
31 circumstances warrant. The construction program and changes to the program are

1 subject to review, revision, and approval by the Alaska Capital Improvement
2 Project Authority.

3 * Sec. 11. AS 19.30.141 is amended to read:

4 Sec. 19.30.141. Acquisition and construction programs. Before October 1
5 of each fiscal year, each local government eligible for allocation of funds under
6 AS 19.30.131 shall submit to the commissioner [FOR APPROVAL] a five-year plan
7 for the acquisition and construction of local service roads and trails. Before
8 December 1 of each fiscal year, the commissioner shall submit to the Alaska Capital
9 Improvement Project Authority for review, revision, and approval [GOVERNOR]
10 a five-year plan for the acquisition and construction of local service roads and trails,
11 including the approved local government programs. An organized borough shall
12 include in its five-year plan local service road acquisition and construction programs
13 for all cities other than home rule cities within the boundaries of the borough. The
14 commissioner shall include in the five-year plan local service road and trail acquisition
15 and construction within the unorganized borough. The Alaska Capital Improvement
16 Project Authority shall submit the approved five-year plan to the governor and
17 the legislature.

18 * Sec. 12. AS 19.65.011 is amended to read:

19 Sec. 19.65.011. Comprehensive long-range plan. The Department of
20 Transportation and Public Facilities shall prepare a comprehensive long-range plan for
21 the development and improvement of the Alaska marine highway system and shall
22 revise and update the plan at least every five years. The department shall submit the
23 comprehensive long-range plan and revisions and updates of the plan to the Alaska
24 Capital Improvement Project Authority for review, revision, and approval. The
25 authority shall submit the approved plan to the legislature.

26 * Sec. 13. AS 30.15.010 is amended to read:

27 Sec. 30.15.010. State grants for port facilities construction. To the extent
28 funds are appropriated by the legislature, or from the proceeds from the sale of bonds,
29 the state may make grants to municipalities to finance a portion of the cost of
30 constructing local, regional, or state port facilities. The state shall participate only in
31 those projects approved by the governor on recommendation of the Alaska Capital

1 **Improvement Project Authority** [COMMISSIONER].

2 * **Sec. 14.** AS 35.10 is amended by adding a new section to article 2 to read:

3 **Sec. 35.10.085. Construction and maintenance program for marine**
4 **facilities.** (a) The department shall establish a continuing, long-range planning
5 procedure for construction and maintenance of state-owned marine facilities, including
6 harbors, docks, breakwaters, and waterways.

7 (b) The department shall prepare annually a capital improvement project
8 construction and maintenance program for state-owned marine facilities that, subject
9 to appropriation by the legislature, must include the projects to be undertaken by the
10 department during the following construction season, must establish project priorities,
11 and must describe proposed capital improvement projects for construction and
12 maintenance of state-owned marine facilities for at least the next succeeding two fiscal
13 years. The department may propose increases, decreases, amendments, or revisions to
14 the construction and maintenance program from time to time as circumstances warrant.
15 The capital improvement project construction and maintenance program and changes
16 to the program, as proposed by the department, are subject to review, revision, and
17 approval of the Alaska Capital Improvement Project Authority.

18 (c) Before February 2 of each year, the department shall prepare a list of
19 capital improvement projects for construction and maintenance of marine facilities that
20 have been either proposed by the department, approved by the Alaska Capital
21 Improvement Project Authority, or funded by an appropriation by the legislature. The
22 list must set out a general itemization of the estimated cost for each project and the
23 total estimates of all projects. The department shall send the list to the Alaska Capital
24 Improvement Project Authority.

25 * **Sec. 15.** AS 35.10.100 is amended to read:

26 **Sec. 35.10.100. Determining need and priority of projects.** The department
27 shall prepare the preliminary determination of need for each project of the type
28 described in AS 35.10.090 and its feasibility and appropriateness through
29 representations and data submitted to the department [IT] by the residents of each
30 community desiring a project, and from other information available to it. The
31 department shall submit the preliminary determination for each project to the

1 Alaska Capital Improvement Project Authority. The Alaska Capital
2 Improvement Project Authority may approve projects, and, if the authority
3 approves any projects, the authority shall determine the [AND MAKE THE
4 FINAL DETERMINATION OF THOSE PROJECTS, AND THEIR] order or priority
5 for which application is made for those projects.

6 * Sec. 16. AS 37.15.730 is amended to read:

7 Sec. 37.15.730. Review of toll facility projects. A toll facility may be
8 financed under AS 37.15.610 - 37.15.760 if the following conditions are met for that
9 toll facility:

10 (1) the department submits to the governor and the legislature a
11 feasibility study reviewed and approved by the Alaska Capital Improvement
12 Project Authority that finds that the toll facility is financially feasible and able to
13 produce revenue adequate to repay the bonds with which it is financed;

14 (2) if financing in addition to revenue bonds is required to finance the
15 toll facility, the department submits to the governor and legislature a finance plan
16 reviewed and approved by the Alaska Capital Improvement Project Authority that
17 includes an estimate of the total cost of the toll facility and a description of the sources
18 of money that will be used to finance the total cost of the toll facility; and

19 (3) the office of management and budget reviews the feasibility study
20 and the finance plan, if required, and reports its findings and recommendations to the
21 governor and legislature not later than 90 days after the study and plan are received
22 by the office.

23 * Sec. 17. AS 37.15.740 is amended to read:

24 Sec. 37.15.740. Toll facility charges. The Alaska Capital Improvement
25 Project Authority [COMMISSIONER OF TRANSPORTATION AND PUBLIC
26 FACILITIES] shall fix [AND COLLECT] the fees, charges, tolls, and rentals for the
27 use of state toll facilities. The Department of Transportation and Public Facilities
28 shall collect the fees, charges, tolls, and rentals owing to [DERIVED BY] the state
29 from the ownership, lease, use, and operation of the facilities authorized by
30 AS 37.15.720 and 37.15.730 and improvements of the facilities. The amount of fees,
31 charges, tolls, and rentals set by the authority shall [AS WILL] provide revenue

1 sufficient to comply with all of the covenants of the bond resolution.

2 * Sec. 18. AS 37.15.760(7) is amended to read:

3 (7) "toll facilities" means highways, roads, bridges, tunnels, crossings,
4 and causeways upon which tolls, charges, rentals, or other user fees are placed by the
5 Alaska Capital Improvement Project Authority [COMMISSIONER OF
6 TRANSPORTATION AND PUBLIC FACILITIES].

7 * Sec. 19. AS 39.50.200(b) is amended by adding a new paragraph to read:

8 (56) Alaska Capital Improvement Project Authority (AS 44.42.110).

9 * Sec. 20. AS 44.42.020(a) is amended to read:

10 (a) The department shall

11 (1) plan, design, construct, and maintain all state modes of
12 transportation and transportation facilities and all docks, floats, breakwaters, buildings,
13 and similar facilities;

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

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

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

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

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

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

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

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

3 (10) develop facility program plans for transportation and state
4 buildings, docks, and breakwaters required to implement the duties set out in this
5 section, including [BUT NOT LIMITED TO] functional performance criteria and
6 schedules for completion;

7 (11) supervise and maintain all state automotive and mechanical
8 equipment, aircraft, and vessels, except vessels and aircraft used by the Department of
9 Fish and Game or the Department of Public Safety; for state vehicles maintained by
10 the department, the department shall annually evaluate the cost, efficiency, and
11 commercial availability of natural gas for automotive purposes, and the purpose for
12 which the vehicles are intended to be used, and convert or purchase vehicles to use
13 [UTILIZE] natural gas whenever practicable; the department may participate in joint
14 ventures with public or private partners that will foster the availability of natural gas
15 for all automotive fuel consumers;

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

17 (13) complete and maintain a current inventory of public facilities,
18 including a projection of the serviceability of the facilities and projections of
19 replacements and additions to facilities needed to provide the level of services
20 programmed by the various user agencies, for municipalities with populations
21 of less than 12,000 and for unincorporated communities, and perform those
22 duties on a cooperative basis with larger municipalities;

23 (14) adopt energy performance standards for public facilities of the
24 state, the construction of which begins after July 1, 1980; the standards shall be based
25 on thermal and lighting energy standards established by the American Society of
26 Heating, Refrigeration and Air Conditioning Engineers as adapted for application in
27 high latitude, cold climate environs;

28 (15) provide planning assistance, including [BUT NOT LIMITED TO]
29 energy audits and related technical services, to school districts and regional educational
30 attendance areas to develop and implement

31 (A) standards for the design, construction, and operation of rural

1 educational facilities; and

2 (B) energy conservation measures for rural educational facilities

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

5 (17) inspect weights and measures;

6 (18) submit to the Alaska Capital Improvement Project Authority
7 for review, revision, and approval

8 (A) plans and programs prepared by the department that
9 are described under AS 44.42.120;

10 (B) proposed capital improvement project budgets to fund
11 the plans and programs approved by the Alaska Capital Improvement
12 Project Authority;

13 (19) provide assistance, information, staff, and other support
14 requested by the Alaska Capital Improvement Project Authority.

15 * Sec. 21. AS 44.42.050(a) is amended to read:

16 (a) The commissioner shall develop annually a comprehensive, intermodal,
17 long-range transportation plan for the state. In developing and revising the state plan,
18 the commissioner shall consider means and costs of improving existing modes and
19 facilities, state and federal subsidies, and the costs and benefits of new transportation
20 modes and facilities. The commissioner shall also consider the recommendation of the
21 Alaska Transportation Planning Council. The plan shall be submitted to the Alaska
22 Capital Improvement Project Authority [GOVERNOR] for review, revision, and
23 approval. The authority shall submit the approved plan to [AND SUBMITTED
24 BY] the governor and to the legislature.

25 * Sec. 22. AS 44.42.050(c) is amended to read:

26 (c) Copies of the plan and revisions of the plan, as approved by the Alaska
27 Capital Improvement Project Authority [REVISED], shall be kept on file as a
28 public document in the office of the commissioner and at each regional office of the
29 department.

30 * Sec. 23. AS 44.42.050(d) is amended to read:

31 (d) The plan must include a description of projects planned for design and

1 construction for the following two fiscal years. The description is in addition to the
2 long-range programs [PLAN] required by (a) of this section and by AS 02.15.065,
3 AS 19.10.140, and AS 35.10.085. The description must include an itemization of the
4 estimated cost for each project and the total cost of all projects. The commissioner
5 shall propose and forward to the Alaska Capital Improvement Project Authority
6 [GOVERNOR] for review, revision, and approval [AND INCLUSION,
7 AS APPROVED, IN THE CAPITAL BUDGET] a construction program that includes
8 the projects to be undertaken during the following two fiscal years, including
9 recommended project priorities. The Alaska Capital Improvement Project
10 Authority shall submit the approved construction program to the governor for
11 inclusion in the capital budget and to the legislature. Funds for transportation
12 construction projects and necessary contingencies shall be itemized as allocations
13 within the bill for the General Appropriations Act.

14 * Sec. 24. AS 44.42.055(b) is amended to read:

15 (b) In developing and biennially revising the facility procurement plan, the
16 commissioner shall

17 (1) request and receive on an annual basis from all state agencies a
18 projection of the anticipated facility needs of the agency for the next annual capital
19 improvement program;

20 (2) consult with officials and representatives of municipalities, the
21 federal government, interested corporations and other organizations concerning public
22 facility needs in the state;

23 (3) develop specific facility procurement plans for projects in each of
24 the following categories:

25 (A) sewage and other wastewater collection, treatment, and
26 disposal facilities;

27 (B) water source, treatment, and distribution facilities;

28 (C) solid waste collection and disposal facilities;

29 (D) hazardous and toxic waste collection and disposal facilities;

30 (E) electrical generation and distribution systems;

31 (F) health care and social services facilities;

- 1 (G) educational facilities;
2 (H) transportation facilities;
3 (I) public safety and justice facilities;
4 (J) recreational facilities;
5 (K) sanitation facilities; and
6 (L) cultural facilities;
- 7 (4) prepare recommendations to accommodate the various levels of
8 service identified by state agencies and other parties with respect to the services
9 described in (3) of this subsection, to include
- 10 (A) current and future facility needs;
11 (B) space standards and design guidelines for the appropriate
12 facility types;
13 (C) maintenance and operations standards for the appropriate
14 facility types;
15 (D) construction techniques and contracting methods;
16 (E) facility project budget requirements; and
17 (F) relative costs of identified alternatives (life cycle cost
18 analysis) including but not limited to the installation and operation of energy
19 systems that are not dependent on oil or gas for water heating, space heating
20 and cooling requirements, and for the generation of electrical or mechanical
21 power;
- 22 (5) identify common public facility needs among the various user
23 agencies; and
- 24 (6) submit its findings, plans, and recommendations to the Alaska
25 Capital Improvement Project Authority for review, revision as appropriate, and
26 approval and for submission of the findings, plans, and recommendations, as
27 approved, to the governor and to the appropriate state agency to facilitate the
28 development of agency capital improvement budget requests.
- 29 * Sec. 25. AS 44.42.900 is amended by adding new paragraphs to read:
- 30 (4) "authority" means the Alaska Capital Improvement Project
31 Authority;

1 (5) "capital improvement project" means a project with a cost
2 exceeding \$10,000 to acquire or improve a transportation or public facility with an
3 anticipated life exceeding one year; in this paragraph, "project" includes land
4 acquisition, construction, repair, or structural improvement of a facility, engineering
5 and design for a facility, and acquisition or repair of equipment.

6 * Sec. 26. AS 44.47.092 is amended to read:

7 **Sec. 44.47.092. Land use planning and state facility procurement plan.**
8 The department shall make recommendations to the Department of Transportation and
9 Public Facilities, to the Alaska Capital Improvement Project Authority, and to
10 appropriate program agencies concerning the effect upon the comprehensive plan or
11 other land use plans or proposals of municipalities and unincorporated communities
12 with respect to the facility procurement plan required to be prepared in accordance
13 with AS 35.10.170 and AS 44.42.055.

14 * Sec. 27. SAVINGS CLAUSE. (a) Litigation, hearings, investigations, and other
15 proceedings pending under a law amended or repealed by this Act, or in connection with
16 functions transferred by this Act, continue in effect and may be continued and completed
17 notwithstanding a transfer or amendment or repeal provided for in this Act.

18 (b) The regulations adopted by the Department of Transportation and Public Facilities
19 that relate to functions transferred by this Act remain in effect and may be implemented and
20 enforced by the department until the Alaska Capital Improvement Project Authority adopts its
21 own regulations under AS 44.42 and those regulations take effect.

22 * Sec. 28. INITIAL APPOINTMENT OF MEMBERS OF THE ALASKA CAPITAL
23 IMPROVEMENT PLANNING AUTHORITY. Notwithstanding AS 44.42.110, added by
24 sec. 2 of this Act, the governor shall designate persons initially appointed to serve as members
25 of the Alaska Capital Improvement Project Authority to terms as follows: one person to a one-
26 year term, one person to a two-year term, two persons to a three-year term, one person to a
27 four-year term, and two persons to a five-year term.

28 * Sec. 29. CONFORMANCE WITH OTHER LEGISLATION. If a bill transferring the
29 Alaska marine highway system to a state authority is passed by the Twentieth Alaska State
30 Legislature and enacted into law, the provisions of that bill as enacted into law supersede
31 conflicting provisions of sec. 12 of this Act and other provisions of this Act relating to the

- 1 Alaska marine highway system.
- 2 * Sec. 30. This Act takes effect July 1, 1998.

x 2029

F.2

HB 227

Page 2, Line 15 *Insert*

(4) Evaluate and prioritize projects with a method that is consistent with criteria required by the Federal Aviation Administration, the Federal Highway Administration and other funding sources.

ATTN: George

From: Pete, H. TRANS

A M E N D M E N T

OFFERED IN THE HOUSE

TO: CSHB 227(); Draft Version "F"

1 Page 4, line 1:

2 Delete "facilities"

3 Insert "facility procurement"

4 Page 16, line 24:

5 Delete "its"

6 Insert "the commissioner's [ITS]"

7 Page 16, lines 26 - 28:

8 Delete "approval and for submission of the findings, plans, and recommendations,
9 as approved. to the governor and to the appropriate state agency to facilitate the
10 development of agency capital improvement budget requests."

11 Insert "approval [GOVERNOR AND TO THE APPROPRIATE STATE AGENCY
12 TO FACILITATE THE DEVELOPMENT OF AGENCY CAPITAL IMPROVEMENT
13 BUDGET REQUESTS]."

CONTACT: Roxanne Bash, Transportation Planner 465-6982

SUMMARY OF BRU SERVICES AND RESPONSIBILITIES: This division is responsible for transportation and capital budget planning and producing the Statewide Transportation Improvement Program. The Division is responsible for the Statewide Transportation Plan and other area plans that involve more than one DOT&PF region. Our major goals are: to set transportation planning policy statewide, to assure that the State of Alaska continues to achieve the maximum funding and benefits possible from federal surface transportation funding (approximately \$200 million annually); to assure that all federal planning and data collection requirements are met to ensure continued federal funding; and to assure that needed information concerning Alaska transportation systems are available to decision makers.

This BRU provides the staff that tracks and obligates the approximately \$200 million in Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) funding that is available annually. We collect, analyze and report statistical and financial information required to continue to receive these federal funds from FHWA and FTA. The capital budget for the department is developed, analyzed and presented to department management, OMB, and the Legislature. A plan to assure that projects and authority are identified to utilize all available federal funding is prepared, monitored and revised as needed. Statewide planning activities related to highways, harbors, transit, rail, pedestrian and bike facilities and transportation enhancements are also assigned to this BRU.

SUMMARY OF BRU ISSUES: Replacement of the Intermodal Surface Transportation Efficiency Act (ISTEA) is still pending Congressional action. The next highway bill is anticipated to continue the Federal planning and data collection requirements found in ISTEA. The State must maintain a current STIP in order to use federal highway and transit funds. The STIP must be approved by the FHWA and the Federal Transit Administration (FTA). Full implementation of the planning requirements is needed prior to obligation of new money in federal fiscal year 1999. ISTEA requirements have increased planning for pedestrian and bike facilities; for funding transportation enhancements; for funding safety improvements; for greater coordination between multiple modes of transportation; and improved coordination between state and local governments. The Division continues to develop cost effective methods to improve the quality of highway program data collection and analysis.

The Division will also be completing work on three long range transportation plans for Southwest Alaska, the Yukon-Kuskokwim Delta area, and the Prince William Sound/Copper River area. These plans develop 20-year transportation investment strategies for road, ferry and air modes utilizing extensive local public involvement.

Page 1 of 1

FY 99

Revised Date:

BRU
OVERVIEW
Revised 8/5/96

AGENCY Department of Transportation and Public Facilities

BRU Statewide Planning

1111 262

CONTACT: Roxanne Bash, Transportation Planner 465-6982

COMPONENT GOALS:

The component's goals are to assure that the State of Alaska continues to achieve the maximum funding and benefits possible from federal surface transportation funding (approximately \$200 million annually for construction); information concerning Alaska transportation systems is made available to decision makers; agency CIP budget submissions are in accord with executive policy and directives; objective data is used for the identification and prioritization of projects and operational needs for inclusion in the Statewide Transportation Improvement Program (STIP); to maximize the availability of non-general fund sources to provide for Alaska's transportation and public facility construction and maintenance needs; and to meet federal highway data collection requirements necessary to ensure the department's eligibility to receive federal highway construction funding.

	FY 97 ACTUAL	FY 98 AUTHORIZED	FY 99 GOVERNOR
EXPENDITURES:			
Personal Services	2,194.7	2,170.0	2,261.5
Other Program Costs	55.6	78.0	66.7
Total	2,250.3	2,248.0	2,328.2
FUNDING SOURCES:			
Federal Receipts			
I/A Receipts			
General Fund	114.9	149.0	138.7
Investment Loss		1.5	
IARF	18.4	17.5	17.5
CIP Receipts	2,117.0	2,080.0	2,172.0
Total	2,250.3	2,248.0	2,328.2
STAFFING:			
Permanent Full-Time	32	35	35
Permanent Part-time			
Temporary			

DESCRIPTION OF COMPONENT SERVICES:

Coordination and submission of department capital budget and multiyear capital program. Administration of Federal Transit Administration and Federal Railroad Administration Grants; Administration of Urban Planning, and Highway Planning and Research Programs. Continuing activities surrounding federally required statistical, cartographic and other technical services. Provision of key analyses to the Commissioner on critical issues regarding capital funding for Alaska's transportation and public facility needs. Development and execution of Statewide and area-specific transportation plans to guide transportation infrastructure development over the next 20 years.

DESCRIPTION OF COMPONENT CHANGES:

No changes.

**COMPONENT GOAL:
AND SERVICES**

Form CF1

Revised 8/5/88

AGENCY Department of Transportation and Public Facilities

BRU Statewide Planning

COMPONENT Planning #1951

Page 1 of 1

Revised Date:

FY
99

1111 263

CONTACT: Roxanne Bash, Transportation Planner 465-6982

OBJECTIVES AND ACCOMPLISHMENT MEASURES:

- Submit annual capital budget
- Prepare & administer the Statewide Transportation Long Range Plan (SwTP), 20 year horizon
- Prepare the Needs List
- Prepare multiyear, federally required, State Transportation Improvement Program (STIP)
- Administer Annual Work Program (AWP)
- Administer Unified Planning Work Program (UPWP)
- Administer Federal Transit Program
- Administer Pedestrian & Bike Use Program
- Coordinate Transportation Enhancement & Scenic-By-Ways Programs
- Compile and submit federally required statistics and reports to the Federal Highway Administration
- Coordinate Trails and Recreational Access for Alaska (TRAAK)
- Administer the Federal Rail Program
- Prepare specific long-term area plans
- Identify & Pursue sources of innovative financing for Alaska transportation infrastructure

STATUTORY/REGULATORY CITATIONS

AS 19.10.020; 110-160

Title 23, Sec. 420, CFR

AS 44.42

Fed. Hwy. Manual, Vol. 4

Title 23, Sec. 307c, U.S. Code

**COMPONENT
OBJECTIVES AND
ACCOMPLISHMENT
MEASURES**
Form CF2
REVISED 8/5/98

AGENCY Department of Transportation and Public Facilities

BRU Statewide Planning

COMPONENT Planning #1951

Page 1 of 1

Revised Date:

FY 99

001 264

Director
R26 PCN 26-0124

Transportation Planner III
R24 PCN 26-0126

CAPITAL IMPROVEMENT PROGRAM

Transportation Planner II
R22 PCN 26-0130

Planner III
R19 PCN 26-0128

Planner III
R19 PCN 26-0142

Planner II
R17 PCN 26-0793

Statistical Technician II
R14 PCN 26-2374

STATEWIDE PLAN AND AREA STUDIES

Planner III
R19 PCN 26-1858

Planner III
R19 PCN 26-1859

Transportation Planner I
R21 PCN 26-2744

Planner III
R19 PCN 26-0131

Planner III
R19 PCN 26-0215

HIGHWAY DATABASE MANAGEMENT

Transportation Planner II
R22 PCN 26-0177

Op. Research Analyst I
R21 PCN 26-0127

Analyst Programmer IV
R19 PCN 26-0110

Analyst Programmer IV
R19 PCN 26-0103

Research Analyst III
R18 PCN 26-0133

Op. Research Analyst I
R21 PCN 26-0141

Transportation Planner I
R21 PCN 26-0132

Research Analyst I
R13 PCN 26-0140

Research Analyst II
R18 PCN 26-3179

MAPPING

Cartographer III
R10 PCN 26-0147

Cartographer II
R15 PCN 26-0148

Cartographer II
R15 PCN 26-0150

Statistical Tech I
R12 PCN 26-0865

Statistical Tech I
R12 PCN 26-0139

Statistical Tech I
R12 PCN 26-0860

STWD FEDERAL PROGRAMS & ADMINISTRATION

Transportation Planner I
R21 PCN 26-0135

Analyst Programmer IV
R19 PCN 26-2459

Accounting Technician III
R16 PCN 26-0081

Administrative Assistant
R13 PCN 26-0142

Administrative Clerk II
R8 PCN 26-0137

Administrative Clerk I
R7 PCN 26-0129

TRANSPORTATION ENHANCEMENT

Planner III
R19 PCN 26-0216

Planner III
R19 PCN 26-0006

**STATEWIDE PLANNING
FY99 Governor's Budget**

All positions located in Juneau

12/09/97

Page 1 of 1

SENT VIA FAX: (907) 465-3793

Bruce A. Campbell
14104 Hancock Drive
Anchorage, Alaska 99515
(907) 345-3129

February 9, 1998

The Honorable Bill Williams
Chairman, House Transportation Committee
State Capitol
Juneau, Alaska 99801-1182

Dear Bill:

House Bill 227 is presently being considered by your committee. This bill would establish an authority to oversee the programming of transportation funds for Alaska.

If this Bill had been introduced 25 years ago, I would have opposed it with a vengeance. Unfortunately, the construction of transportation facilities in Alaska, especially highways, has lacked meaningful direction on a statewide basis for many years now, and it's time to do something to attempt to get the program on track.

The loss of direction all started in 1977 when Governor Hammond issued Executive Order 39 which created the Department of Transportation and Public Facilities (DOT&PF). This order also contained language that forfeited most of the governor's constitutional responsibility and authority to the legislature, by requiring individual project appropriation of all federal aid funding, as opposed to lump sum program funding as had occurred from statehood until 1978.

I have personally been involved in Alaska's surface transportation development for 45 years. In the 1950s I was employed as an engineer with the Alaska Road Commission and was involved with constructing roads and bridges statewide. In 1959, I became one of the first employees of the Department of Public Works, and later became Assistant Commissioner and acting Commissioner of the Department of Highways. I was Commissioner of Highways for Governor Egan from 1971 to 1975. In 1993, Governor Hickel asked me to take over the reins of the DOT&PF. Hence, I served as Commissioner during the latter part of his administration. This "before" and "after" hands-on experience provides a unique perspective as to what used to happen as opposed to what doesn't happen now.

Governor Egan, who was chairman of the Constitutional Convention, was well aware that the State Constitution provided that a single person, the governor, be responsible for the affairs of the State. Governor Egan accepted that responsibility and, as a result, took sole responsibility for the state transportation effort. The legislature funded the governor's program as a unit without regard to individual projects.

Since the Governor was and is elected on a statewide basis, the overall transportation plan had to meet primarily the overall state need, as opposed to the wants of an individual election district. Governor Hammond's Executive Order 39 required that each little piece of the transportation plan be funded separately by the legislature. This is akin to funding the State Welfare Program by appropriating money for each individual recipient. As a direct result of the Hammond abdication of constitutional authority and responsibility, the State transportation program became a political football with 60 legislators each trying to get the biggest piece of pie for his or her election district. The broader view of overall state transportation needs to enhance the social, economic, and safety wellbeing of the State as a whole, was diminished or even lost.

One of the saddest commentaries on human behavior is: "the only thing we learn from history is that we don't learn from history."

Twenty centuries ago, The Romans built a road system that connected their entire empire because they realized that a viable surface transportation system was essential for economic growth and social development in the Roman Empire.

The English, being confined to an island, built the greatest merchant fleet of all time and prospered economically and socially. As a direct result, half the world flew the British flag during the 19th century.

In the early days of the United States, our government realized the need for a good surface transportation system and encouraged its development by giving land to firms who were constructing railroads.

Forty years ago, the Interstate Highway System was planned and financed by the U.S. Federal Government. There is really no question that this system is today the backbone of the U.S. transportation system. The Interstate System has made it possible to move goods and people cheaply, efficiently, and easily from Maine to California and from Florida to Montana, and hence is a primary factor in the economic expansion which has occurred nationwide since its completion.

This system has not only caused economic growth, it has provided a recreational opportunity second to none as "everyday" people and their families can now afford to travel the length and breadth of the United States and visit all the different areas of our nation. Our sister 49 states (except Hawaii) have followed suit and developed state connecting systems which enhance the basic mobility created by the Interstate System. Make no mistake, autos, trucks and buses are the backbone of the U.S. transportation system, and will continue to be so, since the love affair between man and his auto is all enduring and is the epitome of American freedom.

What has happened in Alaska during the same time period; between 1956 to 1997 when the Interstate System was built? Essentially nothing to extend Alaska's surface transportation system. Endless planning with no climax, public meetings attended primarily by special interest groups, and a bloated transportation bureaucracy which thrives on non-decision making seems to have dominated our transportation efforts

In 1971, I cut the ribbon on the Anchorage-Fairbanks Highway. That road was the last state-funded road of any consequence constructed in Alaska. That was 27 years ago. In 1974, my wife cut the ribbon on the Dalton Highway to Prudhoe. That road was constructed by the oil companies, but is a part of Alaska's surface transportation system and is State owned. That addition was 24 years ago, and apparently ended the expansion of our surface transportation system in Alaska.

In the meantime, well over \$3 billion of federal highway funds have been spent in Alaska. Look around you, what do we have to show for it? Not much, a few interchanges, lots of guardrail, and some widening of existing roads. Where did the money go? A large portion was consumed by the endless planning operation which has been redirected with every change in governor over the past 25 years.

During this same period, with substantially less expenditure, our Canadian neighbors to the east constructed well over 2,000 miles of Arctic highways to connect Dawson, Inuvik, Hog River, and Yellowknife. They also added the Cassiar Highway, which is over 400 miles long.

The recent Hickel Administration attempted to commence construction of meaningful State surface transportation systems to enhance the economic and social development in Alaska. One of its efforts was the completion of the Copper River Highway, which was initially started in 1948. The environmentalists, through the State Department of Fish and Game and the U.S. Corps of Engineers stopped that project. By the time the ensuing lawsuit was settled, Governor Hickel was out of office. Governor Knowles killed any further action on this project and suggested that a trail be built instead. Nearly everyone enjoys trails, but they are recreational devices and do nothing to enhance the economic development or social wellbeing of Alaska. How are these recreational trails accessed? Usually by automobile. Trails are like apple pie—everybody likes it but you can't live off it

A new highway to the west, toward Nome, was started by the Egan Administration and dropped by succeeding governors: Hammond, Sheffield, and Cowper. Governor Hickel jump-started the project again only to have Governor Knowles kill it in favor of more trails. The next governor may well reverse the process again.

The present system is not working!

The effect of House Bill 227 would hopefully be to obtain continuity in surface transportation development in Alaska, so that the next \$3 billion of federal aid for highways is not frittered away like the last \$3 billion. Alaska receives one of the largest federal aid apportionments in the nation and does the least with it.

February 9, 1998

For this reason, I now support the creation of a transportation authority to provide consistency to a crippled program that now is subject to every legislator's whim and complete redirection with every change of governor.

Most of our sister states have fallen into the same trap in past years. They have reacted responsibly and created commissions to put rationality back into the process of creating workable transportation systems. I had hoped Alaska could learn from history and not make the same mistakes as other states. However, Alaska, like the rest of mankind, apparently really do not learn from history.

The persons comprising the authority, as proposed in House Bill 227, would be selected on a statewide basis, and hopefully would put the interests of the State as a whole ahead of purely local political interests and the goals of special interest groups, especially those who would have us back in caves with candles.

Sincerely yours,



Bruce A. Campbell

BAC/cg

**THE FOLLOWING PAGES MAY
NOT FILM LEGIBLY BECAUSE OF
THE POOR QUALITY OF THE ORIGINAL**

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

April 21, 1997

SUBJECT: Sectional Summary of HB 227: An Act relating to the Alaska Capital Improvement Project Authority; and to the powers and duties of the Department of Transportation and Public Facilities.

TO: Representative Gail Phillips
Attn: Michael Hearvole

FROM: George Lermohle *GL*
Legislative Counsel

You have requested a sectional summary of HB 227: An Act relating to the Alaska Capital Improvement Project Authority; and to the powers and duties of the Department of Transportation and Public Facilities.

As a preliminary matter, note that a sectional summary of a bill is not an authoritative interpretation of the bill. The bill itself is the best statement of its contents.

Section 1 of the bill adds a new article to AS 44.42.

Article 2. Alaska Capital Improvement Project Authority.

Sec. 44.42.110 establishes the Alaska Capital Improvement Project Authority in the Department of Transportation and Public Facilities. The authority consists of seven members appointed by the governor and confirmed by the legislature. The members of the commission serve for staggered five-year terms. Members of the authority must meet certain residence and experience qualifications. Members of the authority serve without compensation, but receive travel expenses and per diem.

Sec. 44.42.120 sets out the powers and duties of the authority. The authority is responsible for reviewing, revising as appropriate, and approving plans and programs prepared by the Department of Transportation and Public Facilities for construction and maintenance of transportation and public facilities constructed, operated, or maintained by the department. The plans reviewed by the authority are set out. The authority shall review, revise as appropriate, and approve the capital improvement projects budget prepared by the department. The capital improvement project budget approved by the authority shall be submitted to the governor and the legislature. The authority has independent fiscal.

budgeting, and administrative powers and may hire the minimum staff necessary to perform its functions.

Sec. 44.42.130 provides that the authority shall set fees for use of toll facilities and shall establish regulatory standards governing the marking and posting of highways, traffic control signals, and the determination of speed limits and speed zones.

Section 2 of the bill adds a new section to AS 02.15 requiring the Department of Transportation and Public Facilities to establish a continuing, long range planning procedure for construction and maintenance of state-owned airports and navigation facilities, other than the Anchorage and Fairbanks international airports. The department shall annually prepare a capital improvement construction and maintenance program for state-owned airports and navigation facilities. The department shall also annually prepare a list of capital improvement projects for construction and maintenance of airports and navigation facilities that have been proposed by the department, approved by the Alaska Capital Improvement Project Authority, or funded by the legislature.

Section 3 of the bill amends AS 19.05.040 to eliminate the power of the Department of Transportation and Public Facilities to establish and levy tolls and fees for use of state roads, highways, tunnels, crossings, and causeways. This power is transferred to the Alaska Capital Improvement Project Authority by this bill.

Section 4 of the bill amends AS 19.10.040 to transfer responsibility for establishing standards governing classification, designation, and marking of highways from the Department of Transportation and Public Facilities to the Alaska Capital Improvement Project Authority.

Section 5 of the bill amends AS 19.10.050 to transfer authority for prescribing the types of traffic control signals to be used along highways and to adopt uniform regulations for the placement and installation of traffic control signals to the Alaska Capital Improvement Project Authority.

Section 6 of the bill amends AS 19.10.070 to provide that the Alaska Capital Improvement Project Authority shall adopt standards for determining safe speed limits and safe speed zones.

Section 7 of the bill amends AS 19.10.072(a) to provide that the Department of Transportation and Public Facilities shall comply with standards adopted by the Alaska Capital Improvement Project Authority in determining safe speed limits and speed zones.

Section 8 of the bill amends AS 19.10.140 to provide that the Alaska Capital Improvement Project Authority shall review, revise, and approve the highway construction and maintenance program prepared by the Department of Transportation and Public Facilities.

Section 9 of the bill amends AS 19.10.150 to provide that the Department of Transportation and Public Facilities shall annually prepare a statement showing the capital improvement projects for highways that have been proposed by the department, approved by the Alaska Capital Improvement Project Authority, or funded by the legislature. The department shall prepare a construction program including the projects to be undertaken by the department in the following year and a ranking of priorities of projects. The construction program and changes to the program are subject to review, revision, and approval by the Alaska Capital Improvement Project Authority.

Section 10 of the bill amends AS 19.10.180 to make a technical change to the Department of Transportation and Public Facilities procurement procedures to conform to the changes made by sec. 9 of the bill.

Section 11 of the bill amends AS 19.30.141 to provide that the Alaska Capital Improvement Project Authority shall annually review, revise, and approve the annual five year plan for acquisition and construction of local service roads and trails that is prepared by the Department of Transportation and Public Facilities. The approved plan shall be submitted to the governor and the legislature.

Section 12 of the bill amends AS 19.55.011 to provide that the Alaska Capital Improvement Project Authority shall review, revise, and approve the comprehensive long range plan for the Alaska marine highway system.

Section 13 of the bill amends AS 30.15.010 to provide that the state may only participate in port facility grant projects approved by the commissioner of transportation and public facilities and the Alaska Capital Improvement Project Authority.

Section 14 of the bill adds a new section to AS 35.10 to provide for a continuing, long-range planning procedure for construction and maintenance of state-owned marine facilities. The department shall annually prepare a capital improvement construction and maintenance program for state-owned marine facilities. The department shall also annually prepare a list of capital improvement projects for construction and maintenance of marine facilities that have been proposed by the department, approved by the Alaska Capital Improvement Project Authority, or funded by the legislature.

Section 15 of the bill amends AS 35.10.100 to provide that the Alaska Capital Improvement Project Authority shall review preliminary determinations regarding marine facilities, and may approve proposals for marine facilities, that have prepared by the Department of Transportation and Public Facilities.

Section 16 of the bill amends AS 35.15.020 to make a technical change to the Department of Transportation and Public Facilities procurement procedures for public works.

Representative Gail Phillips

April 21, 1997

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Section 17 of the bill amends AS 37.15.730 to provide that the Alaska Capital Improvement Project Authority may review and approve feasibility studies and finance plans for proposed toll facilities.

Section 18 of the bill amends AS 37.15.740 to provide that the Alaska Capital Improvement Project Authority shall fix fees, charges, tolls, and rentals for the use of state toll facilities.

Section 19 of the bill amends AS 37.15.760(7) to make a technical conforming change to the definition of "toll facilities".

Section 20 of the bill amends AS 39.50.200(b) to add the members of the Alaska Capital Improvement Project Authority to the list of persons subject to the conflict of interest law (AS 39.50).

Section 21 of the bill amends AS 44.42.020(a) relating to the duties of the Department of Transportation and Public Facilities to provide that the department shall submit plans and programs and proposed capital improvement project budgets to the Alaska Capital Improvement Project Authority for review, revision, and approval. The department shall also provide assistance, information, staff, and other support requested by the authority.

Section 22 of the bill amends AS 44.42.050(a) to provide that the Department of Transportation and Public Facilities shall submit the annual comprehensive, intermodal long-range transportation plan to the Alaska Capital Improvement Project Authority for review, revision, and approval.

Section 23 of the bill amends AS 44.42.050(c) to make a technical change to conform to sec. 22 of the bill.

Section 24 of the bill amends AS 44.42.050(d) to provide that the Department of Transportation and Public Facilities shall submit a description of planned design and construction projects for the following two years to the Alaska Capital Improvement Project Authority for review, revision, and approval. The authority shall submit the approved construction program to the governor for inclusion in the capital budget and to the legislature.

Section 25 of the bill amends AS 44.42.055(b) to provide that the Department of Transportation and Public Facilities submit its findings, plans, and recommendations for the state facility procurement plan to the Alaska Capital Improvement Project Authority for review, revision, and approval.

Section 26 of the bill amends AS 44.42.900 by adding definitions of the terms "authority" and "capital improvement project".

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Utermohle
2/24/98

CS FOR HOUSE BILL NO. 227()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTIETH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES PHILLIPS, Cowdery

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the Alaska Capital Improvement Project Authority; relating
2 to the powers and duties of the Department of Transportation and Public
3 Facilities; and providing for an effective date."

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

- 5 * Section 1. FINDINGS AND INTENT. (a) The legislature finds that
- 6 (1) well planned, constructed, and maintained transportation systems and public
- 7 facilities are essential to promoting the public health, safety, and welfare of citizens of the
- 8 state;
- 9 (2) consistent, long-term planning is necessary for efficient operation of state
- 10 and municipal governments and to maximize participation of the private sector in the design
- 11 and construction of transportation systems and public facilities;
- 12 (3) the public interest is best served by establishing a planning process for
- 13 capital improvements to transportation systems and public facilities that provides stability,
- 14 consistency, and continuity from the initial conception of a project to the completion of

1 construction of the project:

2 (4) the substantial investment of public funds in transportation systems and
3 public facilities requires the establishment of an entity that is responsible and accountable for
4 establishing policies for the planning of transportation systems and public facilities and that
5 is distinct from the planning staff that develops capital improvement projects for transportation
6 systems and public facilities.

7 (b) It is the intent of the legislature that the Alaska Capital Improvement Project
8 Authority

9 (1) review, revise, prioritize, and approve plans for transportation systems and
10 public facilities that are funded with state, federal, and other nonstate funds;

11 (2) determine the allocation of available funding resources among the various
12 categories and classes of transportation systems;

13 (3) maximize the use of state, federal, and other nonstate funds for the purpose
14 of improving the transportation infrastructure of the state.

15 * Sec. 2. AS 44.42 is amended by adding new sections to read:

16 **Article 2. Alaska Capital Improvement Project Authority.**

17 **Sec. 44.42.110. Alaska Capital Improvement Project Authority.** (a) There
18 is created in the Department of Transportation and Public Facilities the Alaska Capital
19 Improvement Project Authority.

20 (b) The authority consists of seven members. Members of the authority are
21 appointed by the governor and subject to confirmation by a majority of the members
22 of the legislature in joint session. The members serve for staggered five-year terms
23 and until a successor is appointed. A vacancy among the members of the authority
24 occurring other than by expiration of term shall be filled in the same manner as the
25 original appointment but only for the unexpired term and until a successor is
26 appointed. The members of the authority may be removed by the governor only for
27 cause.

28 (c) The governor shall appoint at least one member, but not more than two
29 members, of the authority from among the residents of each of the four judicial
30 districts in the state. Two members of the authority must have experience in the
31 operation, management, or use of modes of surface transportation facilities, including

1 highways, railroads, mass transportation facilities, or recreational transportation
2 facilities. Two members of the authority must have experience in the operation,
3 management, or use of modes of air transportation facilities, including airports,
4 commercial or private aviation facilities, or passenger or freight air services facilities.
5 Two members of the authority must have experience in the operation, management, or
6 use of modes of water-borne transportation facilities, including ports and harbors,
7 passenger or freight service facilities, recreational transportation facilities, or ferries.
8 One member of the authority must have experience in the operation, management, or
9 use of public buildings or public facilities other than transportation facilities.

10 (d) The members of the authority serve without compensation but are entitled
11 to per diem and travel expenses authorized for boards and commissions under
12 AS 39.20.180. The members of the authority shall comply with AS 39.50 (conflict of
13 interest).

14 (e) The members of the authority shall select a chair from among its members.
15 Four members of the authority constitute a quorum. The authority may take action
16 upon the affirmative vote of four of its members.

17 **Sec. 44.42.120. Powers and duties of the authority.** (a) The authority shall
18 review, revise as appropriate, and approve the following plans and programs prepared
19 by the department for capital improvement projects for the construction and
20 maintenance of transportation and public facilities constructed, operated, or maintained
21 by the department:

22 (1) construction and maintenance program for state-owned airports and
23 air navigation facilities under AS 02.15.065;

24 (2) construction and maintenance program for highways under
25 AS 19.10.140 and 19.10.150;

26 (3) five-year plan for local service roads and trails under AS 19.30.141;

27 (4) comprehensive plan for the Alaska marine highway system under
28 AS 19.65.011;

29 (5) construction and maintenance program for state-owned pipeline
30 facilities under AS 35.10.085;

31 (b) state transportation plan under AS 44.42.050;

1 (7) state public facilities plan under AS 44.42.055.

2 (b) The authority shall allocate the funding available for transportation systems
3 among the categories and classes of transportation systems and approve plans and
4 programs for transportation systems that are consistent with that allocation.

5 (c) Plans and programs approved by the authority shall be submitted to the
6 governor and legislature.

7 (d) The authority shall review, revise as appropriate, and approve the capital
8 improvement projects budget for transportation and public facilities prepared and
9 proposed by the department to implement the plans and programs approved by the
10 authority under (a) of this section and the allocations adopted under (b) of this section.
11 The department shall include in the proposed budget submitted to the authority the
12 projects to be undertaken during the following two fiscal years and a ranking of
13 priorities for the projects. The capital improvement project budget approved by the
14 authority shall be submitted to the governor for inclusion in the state capital projects
15 budget and to the legislature.

16 (e) The authority shall maximize the use of available federal funds for
17 planning, construction, and maintenance of transportation systems and public facilities
18 of the state to the extent permitted by federal law.

19 (f) The authority may submit proposals for capital improvement projects for
20 construction and maintenance of transportation and public facilities to the governor for
21 inclusion in supplemental or special appropriation bills.

22 (g) The authority may hire the minimum of staff, including a director,
23 necessary to efficiently perform the functions of the authority.

24 (h) The authority has independent fiscal, budgeting, and administrative powers
25 necessary to independently perform the functions of the authority. The authority is a
26 state agency for purposes of AS 37.07.

27 (i) The annual operating budget of the department is not subject to review or
28 approval under this section.

29 **Sec. 44.42.130. Fees; regulations.** (a) The authority shall set fees, charges,
30 tolls, and rentals for the use of toll facilities under AS 37.15.740 by regulations
31 adopted under AS 44.62 Administrative Procedure Act.

1 (b) The authority shall establish standards for marking and posting highways.
2 for traffic control signals, and for determination of speed limits and speed zones by
3 regulations adopted under AS 44.62 (Administrative Procedure Act). The department
4 shall propose standards for consideration and adoption by the authority under this
5 subsection.

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

7 **Sec. 02.15.065. Construction and maintenance program for airports and**
8 **air navigation facilities.** (a) The department shall establish a continuing, long-range
9 planning procedure for construction and maintenance of state-owned airports and air
10 navigation facilities.

11 (b) The department shall prepare annually a capital improvement project
12 construction and maintenance program for state-owned airports and air navigation
13 facilities that, subject to appropriation by the legislature, must include the projects to
14 be undertaken by the department during the following construction season, must
15 establish project priorities, and must describe proposed capital improvement projects
16 for construction and maintenance of state-owned airports and air navigation facilities
17 for at least the next succeeding two fiscal years. The department may propose
18 increases, decreases, amendments, or revisions to the construction and maintenance
19 program from time to time as circumstances warrant. The capital improvement project
20 construction and maintenance program and changes to the program, as proposed by the
21 department, are subject to review, revision, and approval of the Alaska Capital
22 Improvement Project Authority.

23 (c) Before February 2 of each year, the department shall prepare a list of
24 capital improvement projects for construction and maintenance of airports and air
25 navigation facilities that have been either proposed by the department, approved by the
26 Alaska Capital Improvement Project Authority, or funded by an appropriation by the
27 legislature. The statement must include a general itemization of the estimated cost for
28 each project and the total estimates of all projects.

29 (d) This section does not apply to the state-owned international airports at
30 Anchorage and Fairbanks.

31 * Sec. 4. AS 19.05.040 is amended to read:

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Sec. 19.05.040. Powers of department. The department may

- (1) acquire property;
- (2) exercise the power of eminent domain;
- (3) take immediate possession of real property, or any interest in it, under a declaration of taking or by other lawful means;
- (4) acquire rights-of-way for present or future use;
- (5) control access to highways;
- (6) regulate roadside development;
- (7) preserve and maintain the scenic beauty along state highways;
- (8) dispose of property acquired for highway purposes;
- (9) accept and dispose of federal funds or property available for highway construction, maintenance, or equipment;
- (10) enter into contracts or agreements relating to highways with the federal government, municipalities, a political subdivision, or with a foreign government, if the contract is approved by the federal government;
- (11) [ESTABLISH, LEVY, AND] collect tolls, fees, charges, and rentals for the use of state roads, highways, bridges, tunnels, crossings, and causeways, and
- (12) exercise any other power necessary to carry out the purpose of AS 19.05 - AS 19.25

* Sec. 5. AS 19.10.040 is amended to read:

Sec. 19.10.040. Uniform system of marking and posting. The department shall classify, designate, and mark highways under its jurisdiction under standards adopted by the Alaska Capital Improvement Project Authority. The Alaska Capital Improvement Project Authority shall adopt regulations establishing standards for [AND SHALL PROVIDE] a uniform system of marking and posting these highways. The system of marking and posting must correlate with and, as far as possible, conform to the recommendations of the Manual on Traffic Control Devices as adopted by the American Association of State Highway Officials.

* Sec. 6. AS 19.10.050 is amended to read:

Sec. 19.10.050. Traffic control signals. The Alaska Capital Improvement

1 Project Authority [DEPARTMENT] shall prescribe types of traffic control signals to
 2 regulate traffic on highways. These signals must correlate with and, as far as possible,
 3 conform to the recommendations of the Manual on Uniform Traffic Control Devices
 4 as adopted by the American Association of State Highway Officials. The Alaska
 5 Capital Improvement Project Authority [DEPARTMENT] shall adopt uniform
 6 regulations for the placing and installation of traffic control signals.

7 * Sec. 7. AS 19.10.070 is amended to read:

8 Sec. 19.10.070. Speed limits and zones. The department may conduct
 9 investigations with the assistance of the Department of Public Safety and shall
 10 determine safe speed limits and safe speed zones on highways and other roadways
 11 under its jurisdiction in accordance with standards adopted by the Alaska Capital
 12 Improvement Project Authority.

13 * Sec. 8. AS 19.10.072(a) is amended to read:

14 (a) In determining safe speed limits and safe speed zones, the department shall
 15 comply with [CONSIDER] the standards adopted by the Alaska Capital
 16 Improvement Project Authority under this section. The Alaska Capital
 17 Improvement Project Authority shall adopt standards for determining safe speed
 18 limits and safe speed zones. In adopting the standards, the Alaska Capital
 19 Improvement Project Authority shall consider the following factors in the order of
 20 priority listed:

21 1. neighborhood safety, including the presence of children and
 22 pedestrian traffic;

23 2. the presence of schools, houses, parks, and crosswalks;

24 3. the presence of driveways, parked vehicles, and multiple turn
 25 locations;

26 4. that speed at which safe and prudent drivers could pass through the
 27 speed zone; AND

28 5. the effectiveness of local enforcement of the speed zone; and

29 (6) other factors the Alaska Capital Improvement Project Authority
 30 considers appropriate.

31 * Sec. 9. AS 19.10.140 is amended to read:

1 **Sec. 19.10.140. Long-range program for highway construction and**
2 **maintenance.** The [GOVERNOR SHALL REQUIRE THE] department shall [TO]
3 establish a continuing, long-range program for highway construction and maintenance.
4 Subject to review, revision, and approval by the Alaska Capital Improvement
5 Project Authority, the [THE] program must annually project proposed capital
6 improvement projects for construction and maintenance of highways for not less than
7 the next succeeding two [FIVE] years. A statement of the approved program shall
8 be submitted by the governor to the legislature annually, and the approved long-range
9 program shall include in detail the construction program proposed [PREPARED]
10 under AS 19.10.150. The authority may make amendments to an approved
11 program that affect projects for construction or maintenance of highways
12 approved by the Federal Highway Administration only if the amendments are
13 adopted in accordance with the program review, revision, and approval process
14 established by the authority.

15 * Sec. 10. AS 19.10.150 is amended to read:

16 **Sec. 19.10.150. Construction program.** (a) Before February 2 of each year,
17 the department shall prepare a statement showing what capital improvement projects
18 for construction of highways have been either proposed [WORK HAS BEEN
19 REQUESTED AND PROPOSED AND MAY BE UNDERTAKEN] by the department,
20 approved by the Alaska Capital Improvement Project Authority, or funded by an
21 appropriation by the legislature. The statement must set out [FORTH] a general
22 itemization of the estimated cost for each project and the total estimates of all projects.

23 (b) The department shall prepare [ADOPT] a construction program which
24 must include the projects to be undertaken by the department [IT] during the
25 following construction season and must establish project priorities. The department
26 may propose increases, decreases, amendments, or revisions of [INCREASE,
27 DECREASE, AMEND OR REVISE] the construction program from time to time as
28 circumstances warrant. The construction program and changes to the program are
29 subject to review, revision, and approval by the Alaska Capital Improvement
30 Project Authority.

31 * Sec. 11. AS 19.30.141 is amended to read:

1 **Sec. 19.30.141. Acquisition and construction programs.** Before October 1
2 of each fiscal year, each local government eligible for allocation of funds under
3 AS 19.30.131 shall submit to the commissioner [FOR APPROVAL] a five-year plan
4 for the acquisition and construction of local service roads and trails. Before
5 December 1 of each fiscal year, the commissioner shall submit to the Alaska Capital
6 Improvement Project Authority for review, revision, and approval [GOVERNOR]
7 a five-year plan for the acquisition and construction of local service roads and trails,
8 including the approved local government programs. An organized borough shall
9 include in its five-year plan local service road acquisition and construction programs
10 for all cities other than home rule cities within the boundaries of the borough. The
11 commissioner shall include in the five-year plan local service road and trail acquisition
12 and construction within the unorganized borough. The five-year plan approved by
13 the Alaska Capital Improvement Project Authority shall be submitted to the
14 governor and the legislature.

15 * Sec. 12. AS 19.65.011 is amended to read:

16 **Sec. 19.65.011. Comprehensive long-range plan.** The Department of
17 Transportation and Public Facilities shall prepare a comprehensive long-range plan for
18 the development and improvement of the Alaska marine highway system and shall
19 ~~revise and update the plan at least every five years.~~ The department shall submit the
20 comprehensive long-range plan and revisions and updates of the plan to the Alaska
21 Capital Improvement Project Authority for review, revision, and approval. The
22 department shall submit the approved plan to the legislature.

23 * Sec. 13. AS 30.15.010 is amended to read:

24 **Sec. 30.15.010. State grants for port facilities construction.** To the extent
25 funds are appropriated by the legislature, or from the proceeds from the sale of bonds,
26 the state may make grants to municipalities to finance a portion of the cost of
27 constructing local, regional, or state port facilities. The state shall participate only in
28 those projects approved by the governor on recommendation of the Alaska Capital
29 Improvement Project Authority [COMMISSIONER].

30 * Sec. 14. AS 35.10 is amended by adding a new section to article 2 to read:

31 **Sec. 35.10.085. Construction and maintenance program for marine**

1 facilities. (a) The department shall establish a continuing, long-range planning
2 procedure for construction and maintenance of state-owned marine facilities, including
3 harbors, docks, breakwaters, and waterways.

4 (b) The department shall prepare annually a capital improvement project
5 construction and maintenance program for state-owned marine facilities that, subject
6 to appropriation by the legislature, must include the projects to be undertaken by the
7 department during the following construction season, must establish project priorities,
8 and must describe proposed capital improvement projects for construction and
9 maintenance of state-owned marine facilities for at least the next succeeding two fiscal
10 years. The department may propose increases, decreases, amendments, or revisions to
11 the construction and maintenance program from time to time as circumstances warrant.
12 The capital improvement project construction and maintenance program and changes
13 to the program, as proposed by the department, are subject to review, revision, and
14 approval of the Alaska Capital Improvement Project Authority.

15 (c) Before February 2 of each year, the department shall prepare a list of
16 capital improvement projects for construction and maintenance of marine facilities that
17 have been either proposed by the department, approved by the Alaska Capital
18 Improvement Project Authority, or funded by an appropriation by the legislature. The
19 department must set out a general determination of the estimated cost for each project and
20 the total estimates of all projects.

21 * Sec. 15. AS 35.10.100 is amended to read:

22 Sec. 35.10.100. **Determining need and priority of projects.** The department
23 shall prepare the preliminary determination of need for each project of the type
24 described in AS 35.10.090 and its feasibility and appropriateness through
25 representations and data submitted to it by the residents of each community desiring
26 a project, and from other information available to it. The department shall submit the
27 preliminary determination for each project to the Alaska Capital Improvement
28 Project Authority. The Alaska Capital Improvement Project Authority may
29 approve and make the final determination of those projects, and their order or priority
30 for which application is made.

31 * Sec. 16. AS 37.15.730 is amended to read:

1 **Sec. 37.15.730. Review of toll facility projects.** A toll facility may be
2 financed under AS 37.15.610 - 37.15.760 if the following conditions are met for that
3 toll facility:

4 (1) the department submits to the governor and the legislature a
5 feasibility study **reviewed and approved by the Alaska Capital Improvement**
6 **Project Authority** that finds that the toll facility is financially feasible and able to
7 produce revenue adequate to repay the bonds with which it is financed:

8 (2) if financing in addition to revenue bonds is required to finance the
9 toll facility, the department submits to the governor and legislature a finance plan
10 **reviewed and approved by the Alaska Capital Improvement Project Authority** that
11 includes an estimate of the total cost of the toll facility and a description of the sources
12 of money that will be used to finance the total cost of the toll facility; and

13 (3) the office of management and budget reviews the feasibility study
14 and the finance plan, if required, and reports its findings and recommendations to the
15 governor and legislature not later than 90 days after the study and plan are received
16 by the office.

17 * Sec. 17. AS 37.15.740 is amended to read:

18 **Sec. 37.15.740. Toll facility charges.** The **Alaska Capital Improvement**
19 **Project Authority** [COMMISSIONER OF TRANSPORTATION AND PUBLIC
20 FACILITIES] shall fix [AND COLLECT] the fees, charges, tolls, and rentals **for the**
21 **use of state toll facilities.** **The Department of Transportation and Public Facilities**
22 **shall collect the fees, charges, tolls, and rentals owing to** [DERIVED BY] the state
23 from the ownership, lease, use, and operation of the facilities authorized by
24 AS 37.15.720 and 37.15.730 and improvements of the facilities. **The amount of fees,**
25 **charges, tolls, and rentals set by the authority shall** [AS WILL] provide revenue
26 sufficient to comply with all of the covenants of the bond resolution.

27 * Sec. 18. AS 37.15.760(7) is amended to read:

28 (7) "toll facilities" means highways, roads, bridges, tunnels, crossings,
29 and causeways upon which tolls, charges, rentals, or other user fees are placed by the
30 **Alaska Capital Improvement Project Authority** [COMMISSIONER OF
31 TRANSPORTATION AND PUBLIC FACILITIES].

1 * Sec. 19. AS 39.50.200(b) is amended by adding a new paragraph to read:

2 (56) Alaska Capital Improvement Project Authority (AS 44.42.110).

3 * Sec. 20. AS 44.42.020(a) is amended to read:

4 (a) The department shall

5 (1) plan, design, construct, and maintain all state modes of
6 transportation and transportation facilities and all docks, floats, breakwaters, buildings,
7 and similar facilities;

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

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

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

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

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

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

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

26 (9) coordinate and develop state and regional transportation systems,
27 considering deliveries, additions, and the absence of alternatives;

28 (10) develop long-range program plans for transportation and state
29 buildings, docks, and breakwaters required to implement the duties set out in this
30 section, including (BUT NOT LIMITED TO) functional performance criteria and
31 schedules for completion.

1 (11) supervise and maintain all state automotive and mechanical
2 equipment, aircraft, and vessels, except vessels and aircraft used by the Department of
3 Fish and Game or the Department of Public Safety; for state vehicles maintained by
4 the department, the department shall annually evaluate the cost, efficiency, and
5 commercial availability of natural gas for automotive purposes, and the purpose for
6 which the vehicles are intended to be used, and convert or purchase vehicles to use
7 [UTILIZE] natural gas whenever practicable; the department may participate in joint
8 ventures with public or private partners that will foster the availability of natural gas
9 for all automotive fuel consumers;

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

11 (13) complete and maintain a current inventory of public facilities,
12 including a projection of the serviceability of the facilities and projections of
13 replacements and additions to facilities needed to provide the level of services
14 programmed by the various user agencies, for municipalities with populations
15 of less than 12,000 and for unincorporated communities, and perform those
16 duties on a cooperative basis with larger municipalities;

17 (14) adopt energy performance standards for public facilities of the
18 state, the construction of which begins after July 1, 1980; the standards shall be based
19 on thermal and lighting energy standards established by the American Society of
20 Heating, Refrigeration and Air Conditioning Engineers as adapted for application in
21 high latitude, cold climate environs;

22 (15) provide planning assistance, including [BUT NOT LIMITED TO]
23 energy audits and related technical services, to school districts and regional educational
24 attendance areas to develop and implement

25 (A) standards for the design, construction, and operation of rural
26 educational facilities; and

27 (B) energy conservation measures for rural educational facilities

28 (16) implement the safety and financial responsibility requirements for
29 air carriers under AS 01.40;

30 (17) inspect weights and measures;

31 (18) submit to the Alaska Capital Improvement Project Authority

1 for review, revision, and approval

2 (A) plans and programs prepared by the department that
3 are described under AS 44.42.120;

4 (B) proposed capital improvement project budgets to fund
5 the plans and programs approved by the Alaska Capital Improvement
6 Project Authority;

7 (19) provide assistance, information, staff, and other support
8 requested by the Alaska Capital Improvement Project Authority.

9 * Sec. 21. AS 44.42.050(a) is amended to read:

10 (a) The commissioner shall develop annually a comprehensive, intermodal,
11 long-range transportation plan for the state. In developing and revising the state plan,
12 the commissioner shall consider means and costs of improving existing modes and
13 facilities, state and federal subsidies, and the costs and benefits of new transportation
14 modes and facilities. The commissioner shall also consider the recommendation of the
15 Alaska Transportation Planning Council. The plan shall be submitted to the Alaska
16 Capital Improvement Project Authority [GOVERNOR] for review, revision, and
17 approval. The department shall submit the approved plan to [AND SUBMITTED
18 BY] the governor and to the legislature.

19 * Sec. 22. AS 44.42.050(b) is amended to read:

20 (b) Copies of the plan and revisions of the plan, as approved by the Alaska
21 Capital Improvement Project Authority [REVISED], shall be kept on file as a
22 public document in the office of the commissioner and at each regional office of the
23 department.

24 * Sec. 23. AS 44.42.050(d) is amended to read:

25 (d) The plan must include a description of projects planned for design and
26 construction for the following two fiscal years. The description is in addition to the
27 long-range programs [PLAN] required by a of this section and by AS 02.15.065,
28 AS 19.10.140, and AS 35.10.085. The description must include an itemization of the
29 estimated cost for each project and the total cost of all projects. The commissioner
30 shall propose and forward to the Alaska Capital Improvement Project Authority
31 [GOVERNOR] for review, revision, and approval [AND INCLUSION].

1 AS APPROVED. IN THE CAPITAL BUDGET] a construction program that includes
2 the projects to be undertaken during the following two fiscal years, including
3 recommended project priorities. The Alaska Capital Improvement Project
4 Authority shall submit the approved construction program to the governor for
5 inclusion in the capital budget and to the legislature. Funds for transportation
6 construction projects and necessary contingencies shall be itemized as allocations
7 within the bill for the General Appropriations Act.

8 * Sec. 24. AS 44.42.055(b) is amended to read:

9 (b) In developing and biennially revising the facility procurement plan, the
10 commissioner shall

11 (1) request and receive on an annual basis from all state agencies a
12 projection of the anticipated facility needs of the agency for the next annual capital
13 improvement program;

14 (2) consult with officials and representatives of municipalities, the
15 federal government, interested corporations and other organizations concerning public
16 facility needs in the state;

17 (3) develop specific facility procurement plans for projects in each of
18 the following categories:

19 (A) sewage and other wastewater collection, treatment, and
20 disposal facilities;

21 (B) water source, treatment, and distribution facilities;

22 (C) solid waste collection and disposal facilities;

23 (D) hazardous and toxic waste collection and disposal facilities;

24 (E) electrical generation and distribution systems;

25 (F) health care and social services facilities;

26 (G) educational facilities;

27 (H) transportation facilities;

28 (I) public safety and justice facilities;

29 (J) recreational facilities;

30 (K) sanitation facilities; and

31 (L) cultural facilities;

1 (4) prepare recommendations to accommodate the various levels of
2 service identified by state agencies and other parties with respect to the services
3 described in (3) of this subsection, to include

4 (A) current and future facility needs;

5 (B) space standards and design guidelines for the appropriate
6 facility types;

7 (C) maintenance and operations standards for the appropriate
8 facility types;

9 (D) construction techniques and contracting methods;

10 (E) facility project budget requirements; and

11 (F) relative costs of identified alternatives (life cycle cost
12 analysis) including but not limited to the installation and operation of energy
13 systems that are not dependent on oil or gas for water heating, space heating
14 and cooling requirements, and for the generation of electrical or mechanical
15 power;

16 (5) identify common public facility needs among the various user
17 agencies; [AND]

18 (6) submit its findings, plans, and recommendations to the Alaska
19 Capital Improvement Project Authority for review, revision as appropriate, and
20 approval; and

21 (7) submit the approved findings, plans, and recommendations to
22 the governor and to the appropriate state agency to facilitate the development of
23 agency capital improvement budget requests.

24 * Sec. 25. AS 44.42.900 is amended by adding new paragraphs to read:

25 (4) "authority" means the Alaska Capital Improvement Project
26 Authority;

27 (5) "capital improvement project" means a project with a cost
28 exceeding \$10,000 to acquire or improve a transportation or public facility with an
29 anticipated life exceeding one year; in this paragraph, "project" includes land
30 acquisition, construction, repair, or structural improvement of a facility, engineering
31 and design for a facility, and acquisition or repair of equipment;

1 * Sec. 26. AS 44.47.092 is amended to read:

2 **Sec. 44.47.092. Land use planning and state facility procurement plan.**

3 The department shall make recommendations to the Department of Transportation and
4 Public Facilities, to the Alaska Capital Improvement Project Authority, and to
5 appropriate program agencies concerning the effect upon the comprehensive plan or
6 other land use plans or proposals of municipalities and unincorporated communities
7 with respect to the facility procurement plan required to be prepared in accordance
8 with AS 35.10.170 and AS 44.42.055.

9 * Sec. 27. SAVINGS CLAUSE. (a) Litigation, hearings, investigations, and other
10 proceedings pending under a law amended or repealed by this Act, or in connection with
11 functions transferred by this Act, continue in effect and may be continued and completed
12 notwithstanding a transfer or amendment or repeal provided for in this Act.

13 (b) The regulations adopted by the Department of Transportation and Public Facilities
14 that relate to functions transferred by this Act remain in effect and may be implemented and
15 enforced by the department until the Alaska Capital Improvement Project Authority adopts its
16 own regulations under AS 44.42 and those regulations take effect.

17 * Sec. 28. INITIAL APPOINTMENT OF MEMBERS OF THE ALASKA CAPITAL
18 IMPROVEMENT PLANNING AUTHORITY. Notwithstanding AS 44.42.100, added by
19 sec. 2 of this Act, the governor shall designate persons initially appointed to serve as members
20 of the Alaska Capital Improvement Project Authority to terms as follows: one person to a one-
21 year term, one person to a two-year term, two persons to a three-year term, one person to a
22 four-year term, and two persons to a five-year term.

23 * Sec. 29. CONFORMANCE WITH OTHER LEGISLATION. If a bill transferring the
24 Alaska marine highway system to a state authority is passed by the Twentieth Alaska State
25 Legislature and enacted into law, the provisions of that bill as enacted into law supersede
26 conflicting provisions of sec. 12 of this Act and other provisions of this Act relating to the
27 Alaska marine highway system.

28 * Sec. 30. This Act takes effect July 1, 1993.

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ORGANIZATION CHARTS
OF
AASHTO MEMBER DEPARTMENTS
1996



March 1997

Produced by Washington State Department
of Transportation for
American Association of State Highway
and Transportation Officials
444 North Capitol Street, N.W., Suite 249
Washington, D.C. 20001

FOREWORD

For over twenty years, departments of transportation have been experiencing a variety of social, economic, and technical influences directly impacting the definition and delivery of their transportation programs. These influences have often mandated program adjustments causing those departments to modify their organizational structure.

Beginning in 1988, the Administrative Subcommittee on Personnel and Human Resources assumed responsibility for publishing a biennial compilation of AASHTO member agency Organization Charts. As agency priorities shift and new program emphases become necessary, AASHTO members will continue to find these publications to be very useful in observing how other departments have organized to meet similar program challenges.

In developing the data for this 1996 Report, all member agencies were asked to participate. Information was received from all but six member states and the majority of associate member agencies. As may be expected, the original organization charts ranged from being quite brief to the extreme of setting forth multiple levels of the organization. In republishing those charts, the Subcommittee has attempted to limit them to the first three functional executive levels within each agency. Should additional organizational information be desired, member departments should be contacted directly.

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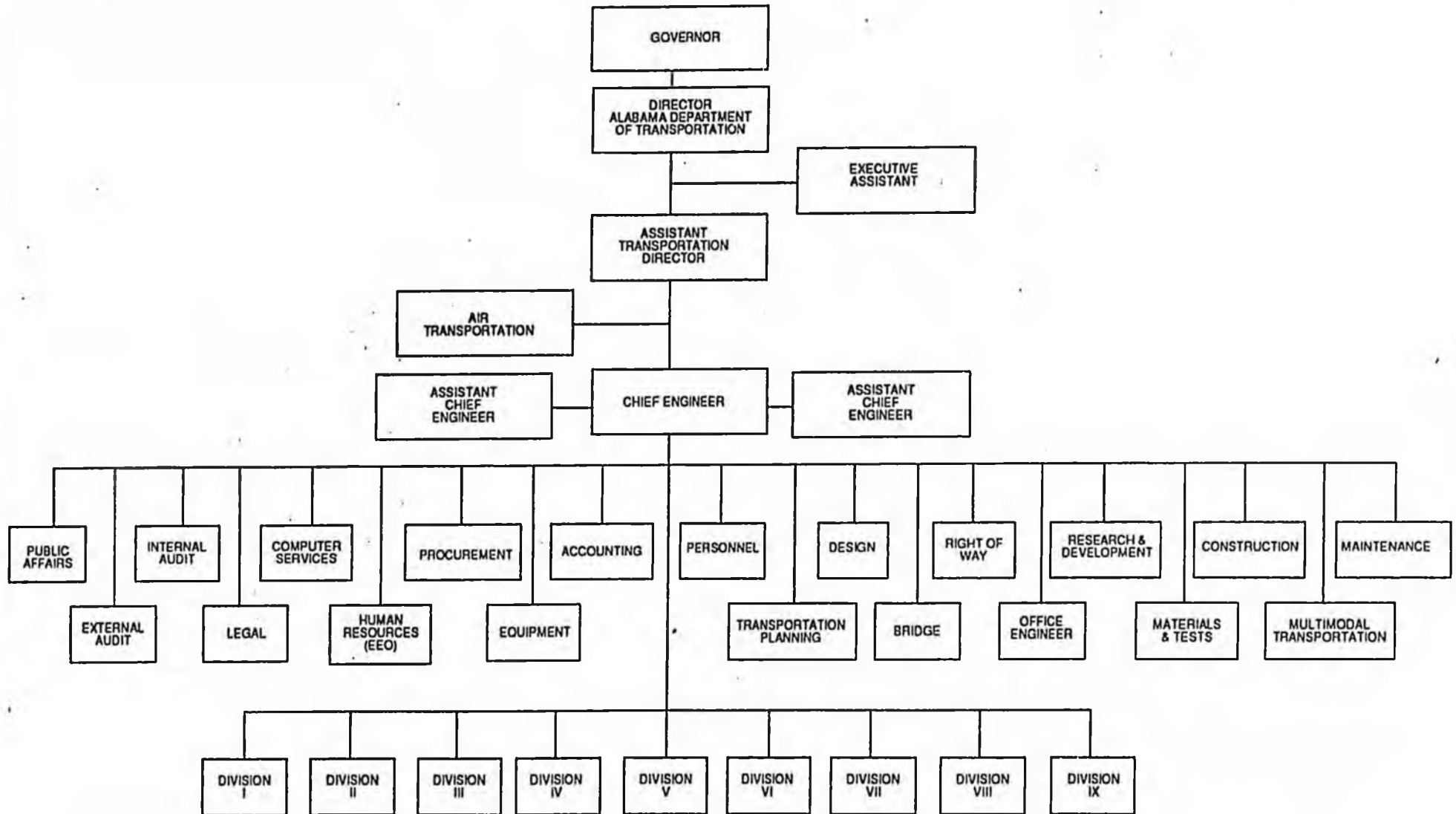
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AASHTO AFFILIATE MEMBERS

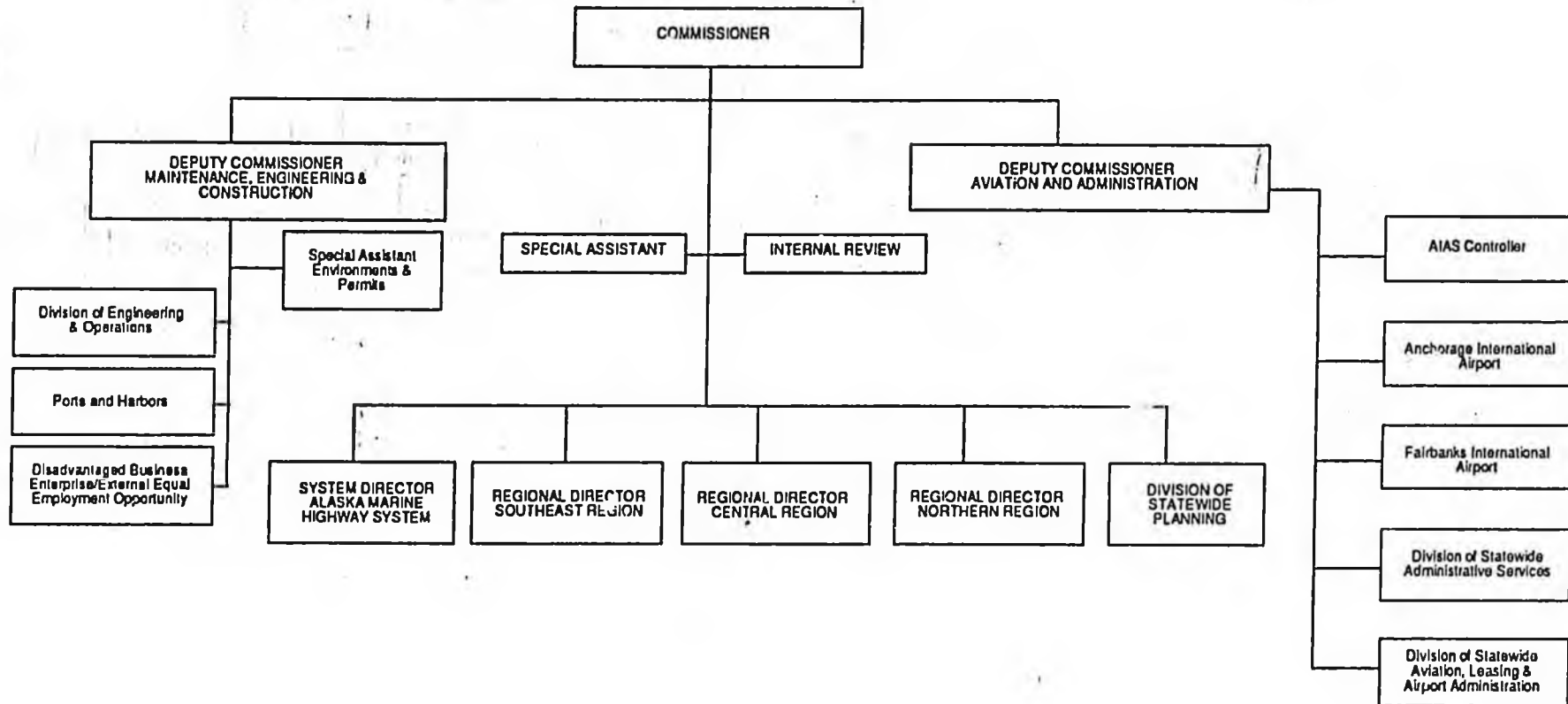
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ALABAMA DEPARTMENT OF TRANSPORTATION



This Organization Chart is a representation of the Executive Management Levels for the state of Alabama in effect on October 1, 1990.

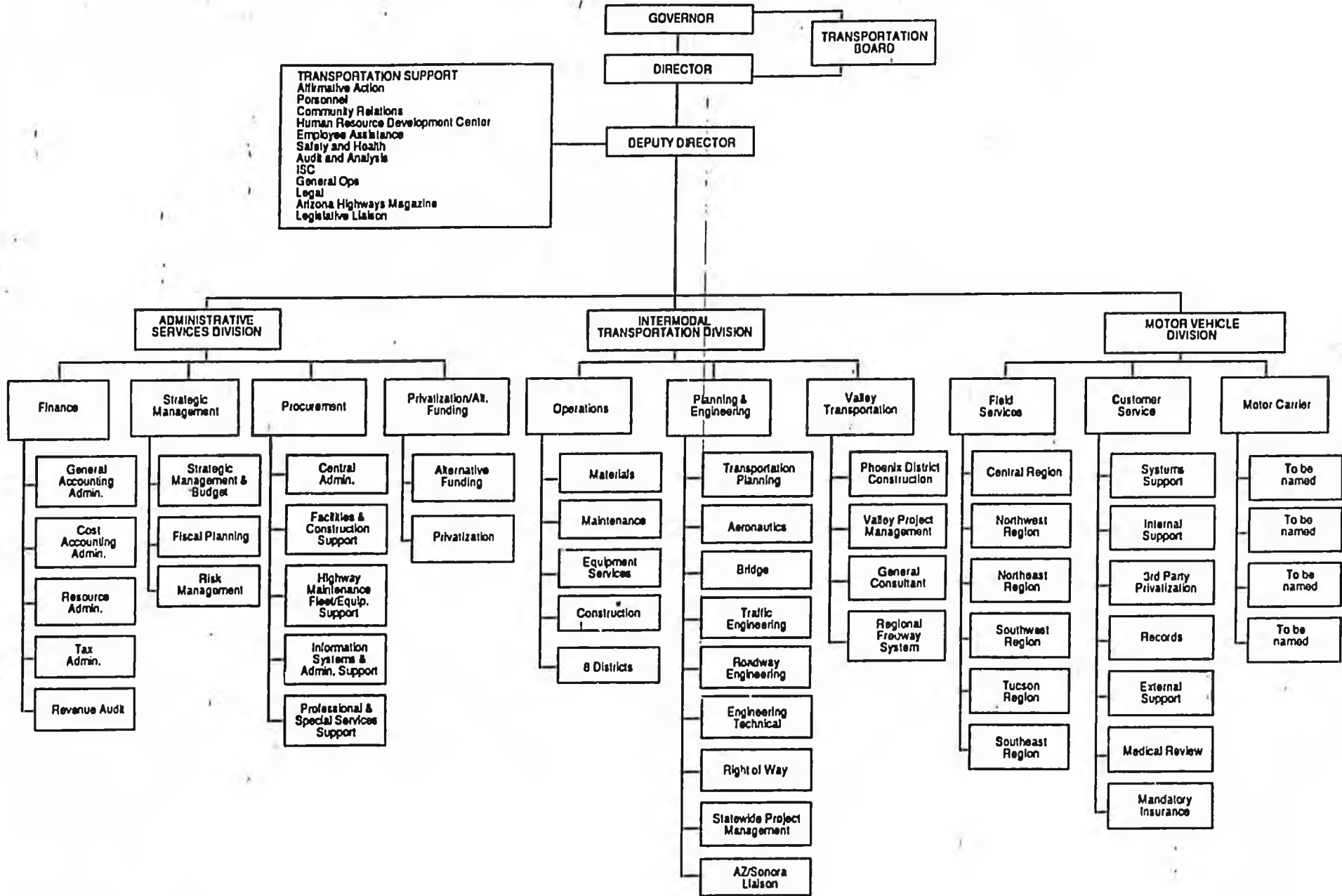
ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES



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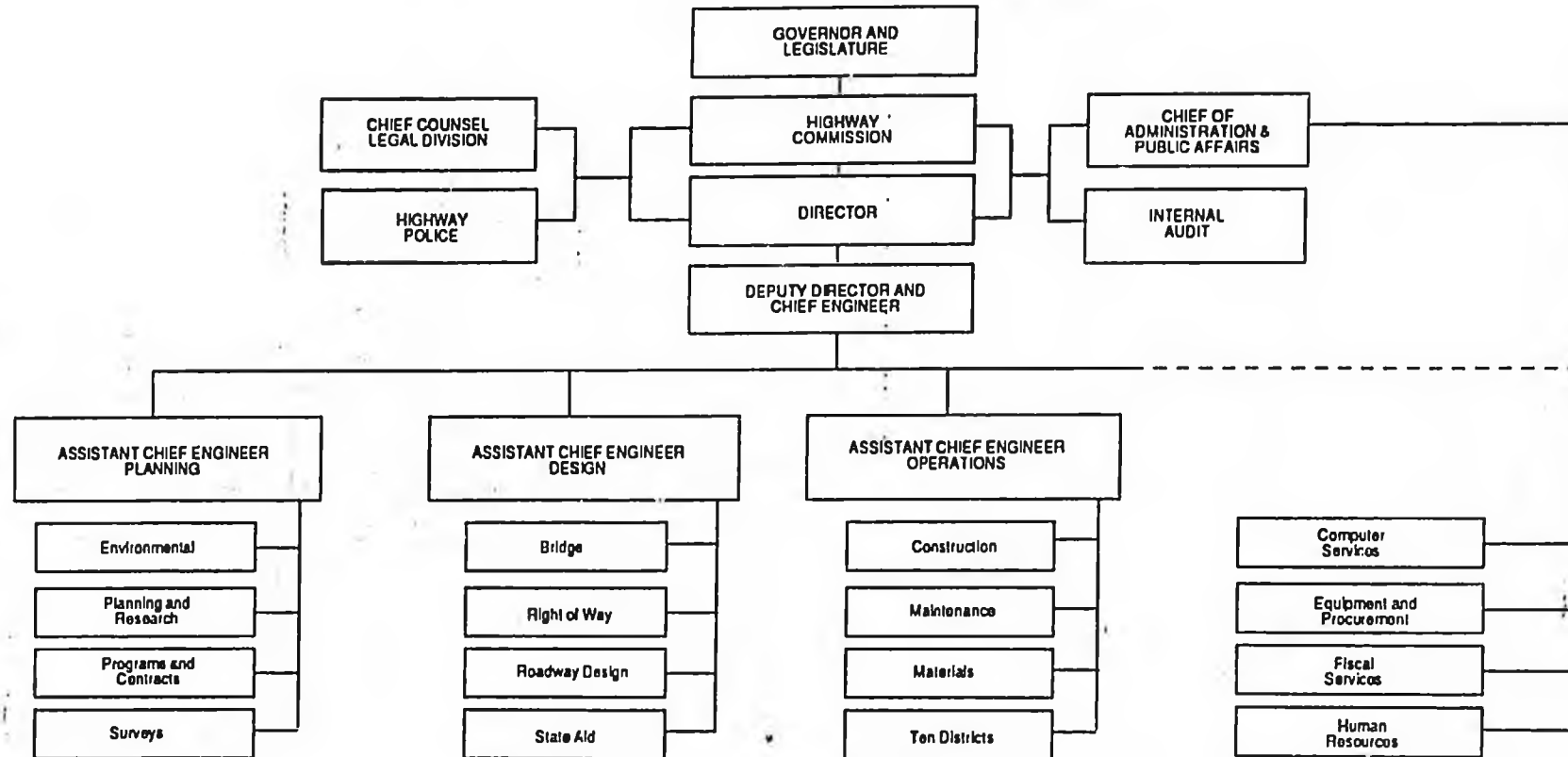
This Organization Chart is a representation of the Executive Management Levels for the state of Alaska in effect on September 19, 1995.

ARIZONA DEPARTMENT OF TRANSPORTATION



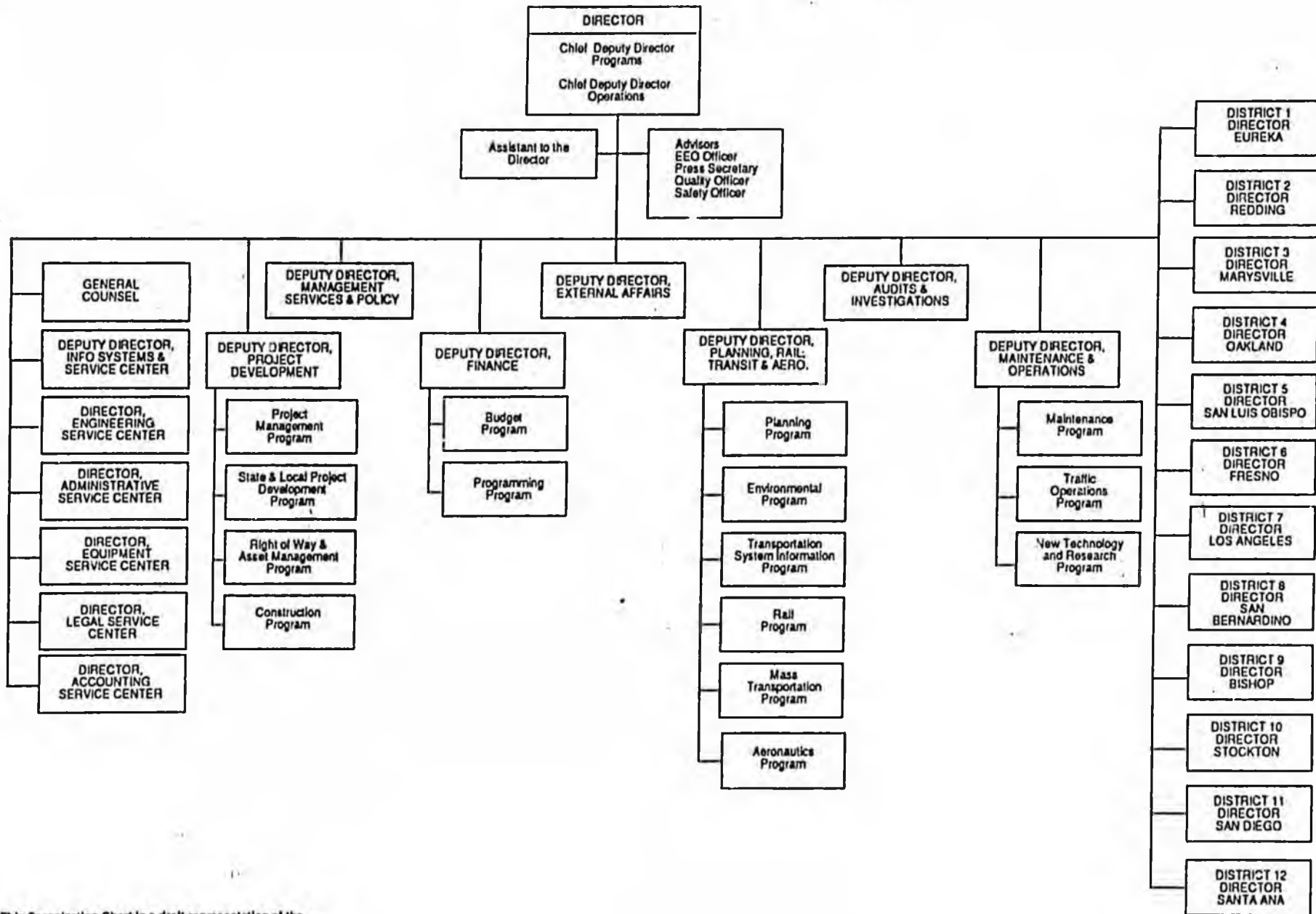
This Organization Chart is a representation of the Executive Management Levels for the state of Arizona in effect on June 26, 1995.

ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT



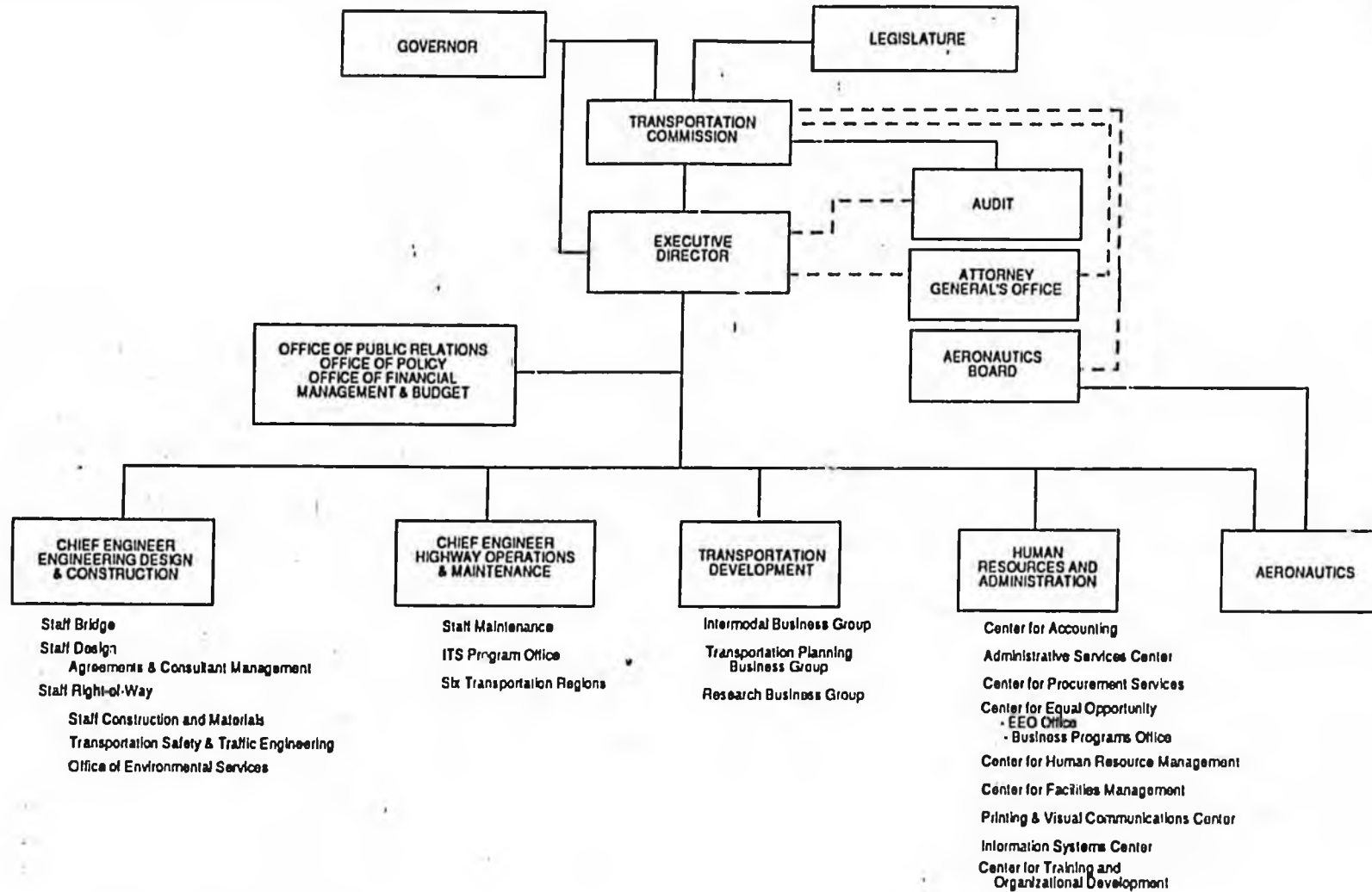
This Organization Chart is a representation of the Executive Management Levels for the state of Arkansas in effect on May 16, 1994

CALIFORNIA DEPARTMENT OF TRANSPORTATION



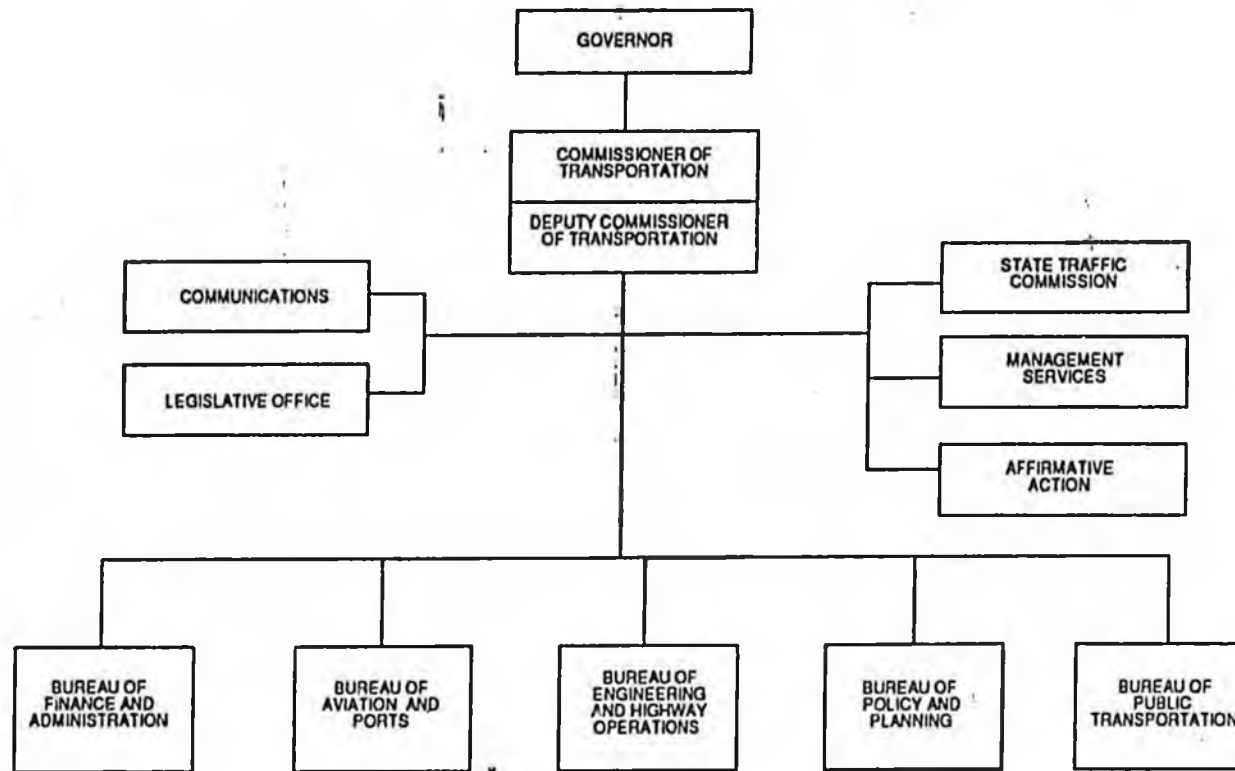
This Organization Chart is a draft representation of the Executive Management Levels for the state of California in effect March, 1994. A major reorganization is scheduled for January, 1995.

COLORADO DEPARTMENT OF TRANSPORTATION



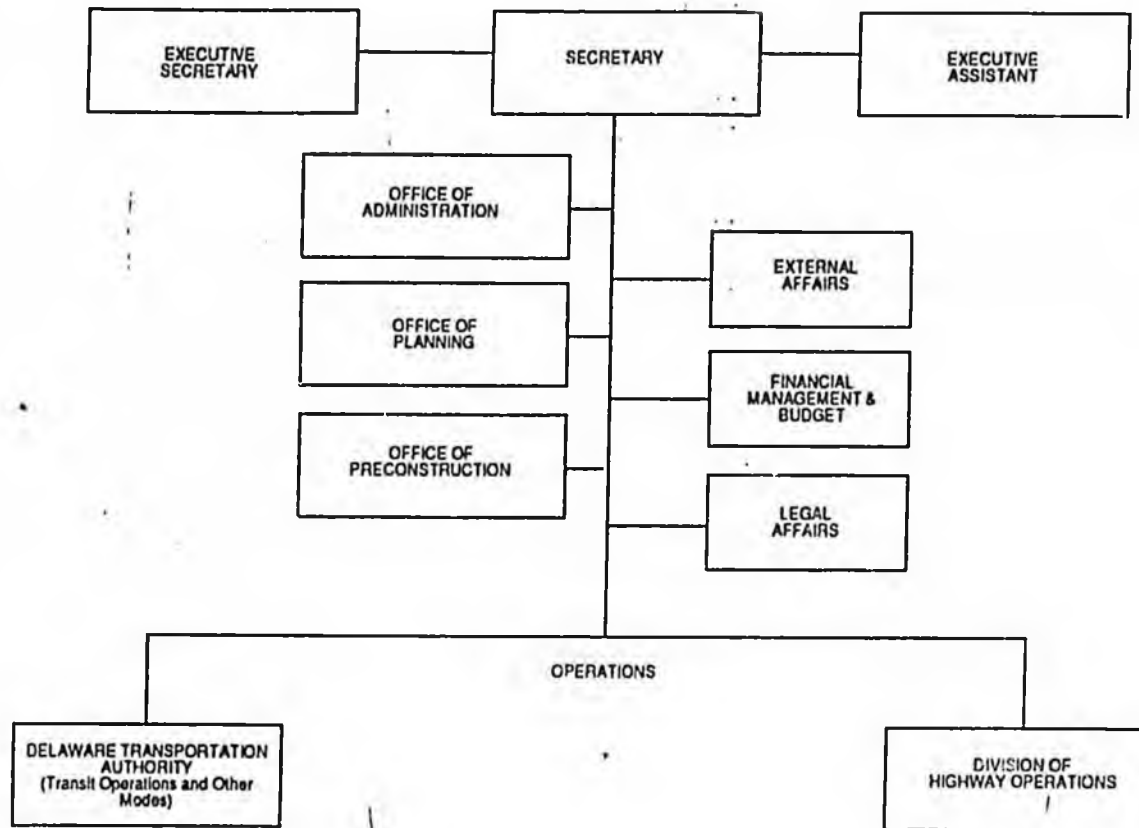
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CONNECTICUT DEPARTMENT OF TRANSPORTATION



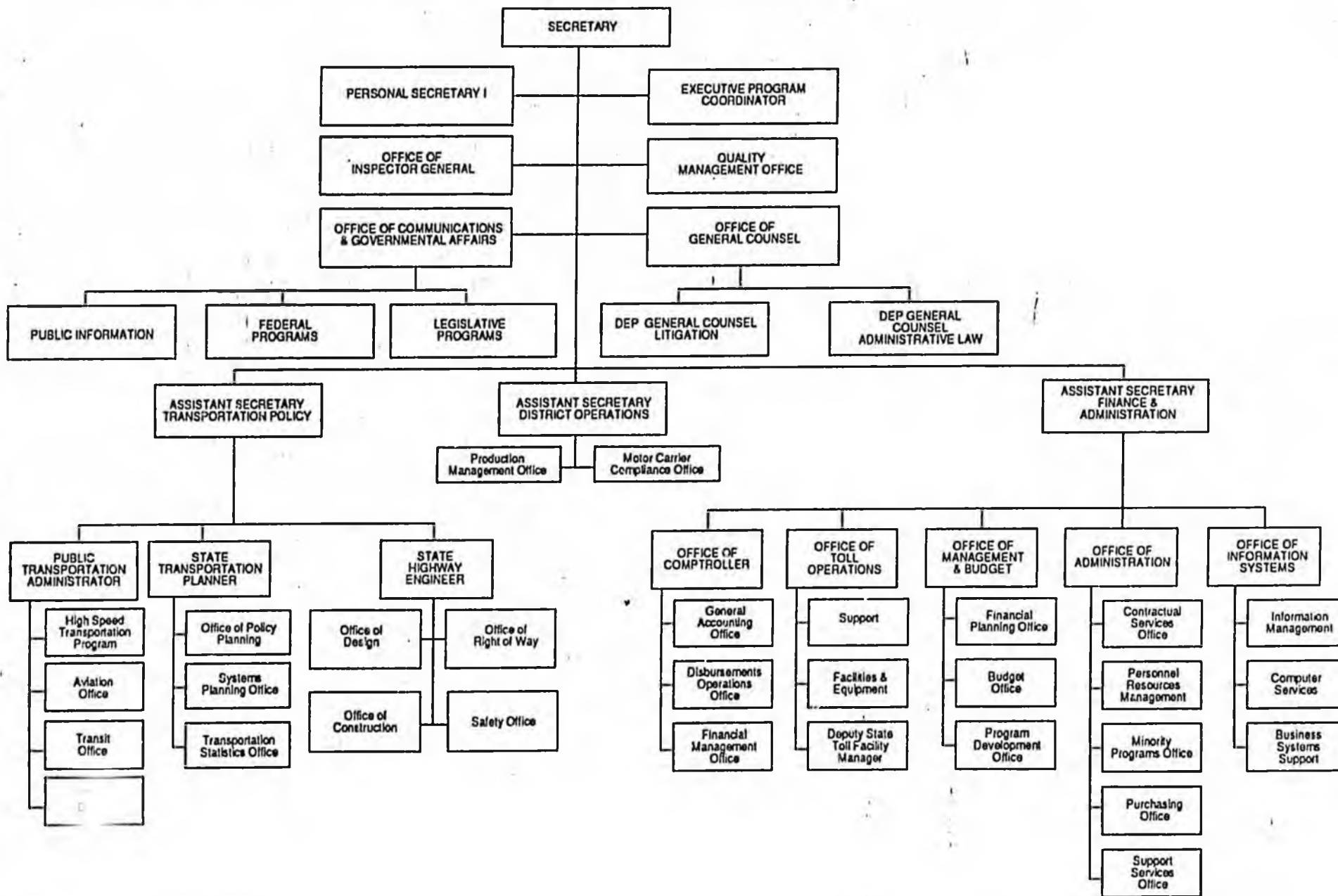
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DELAWARE DEPARTMENT OF TRANSPORTATION



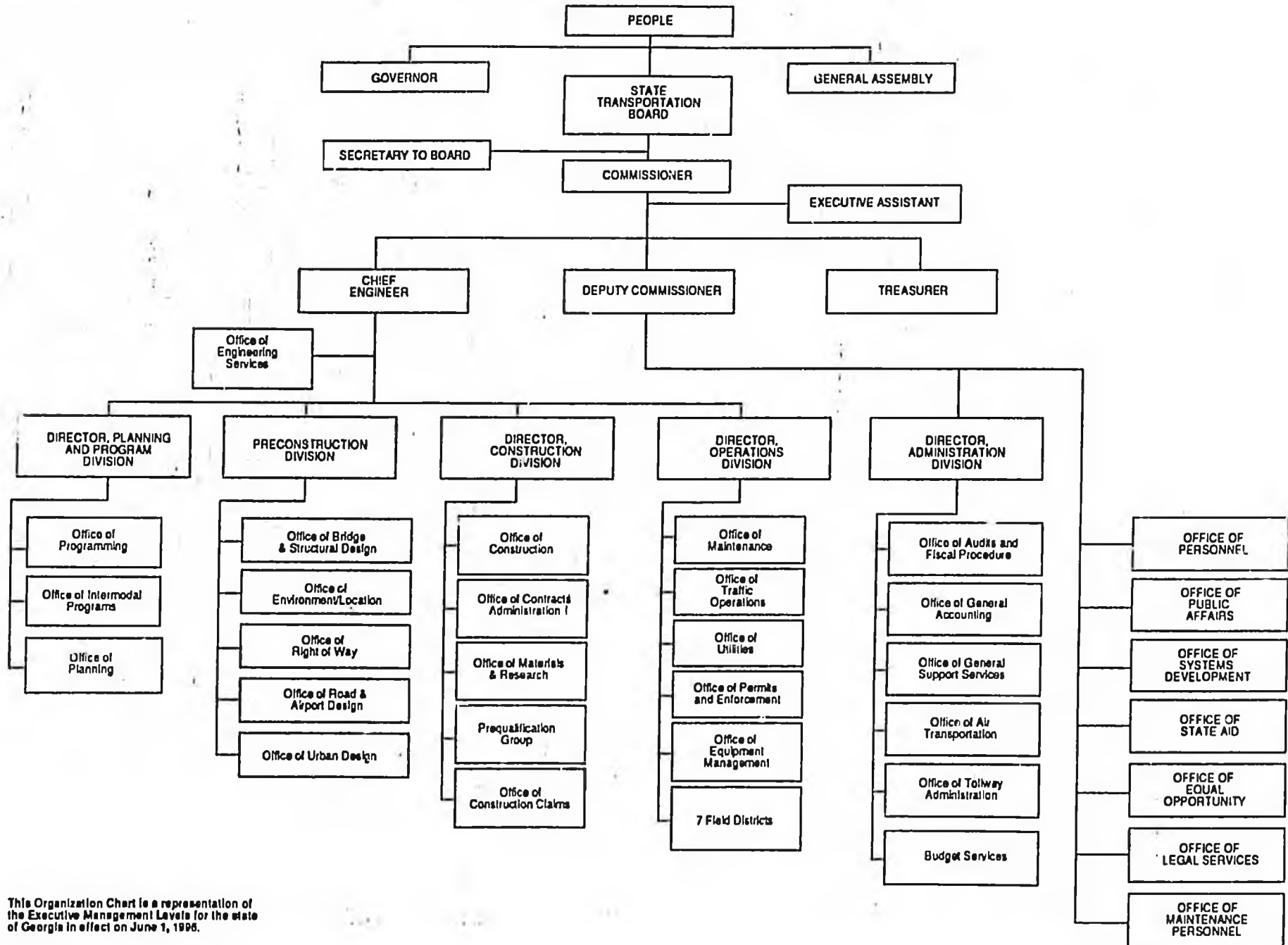
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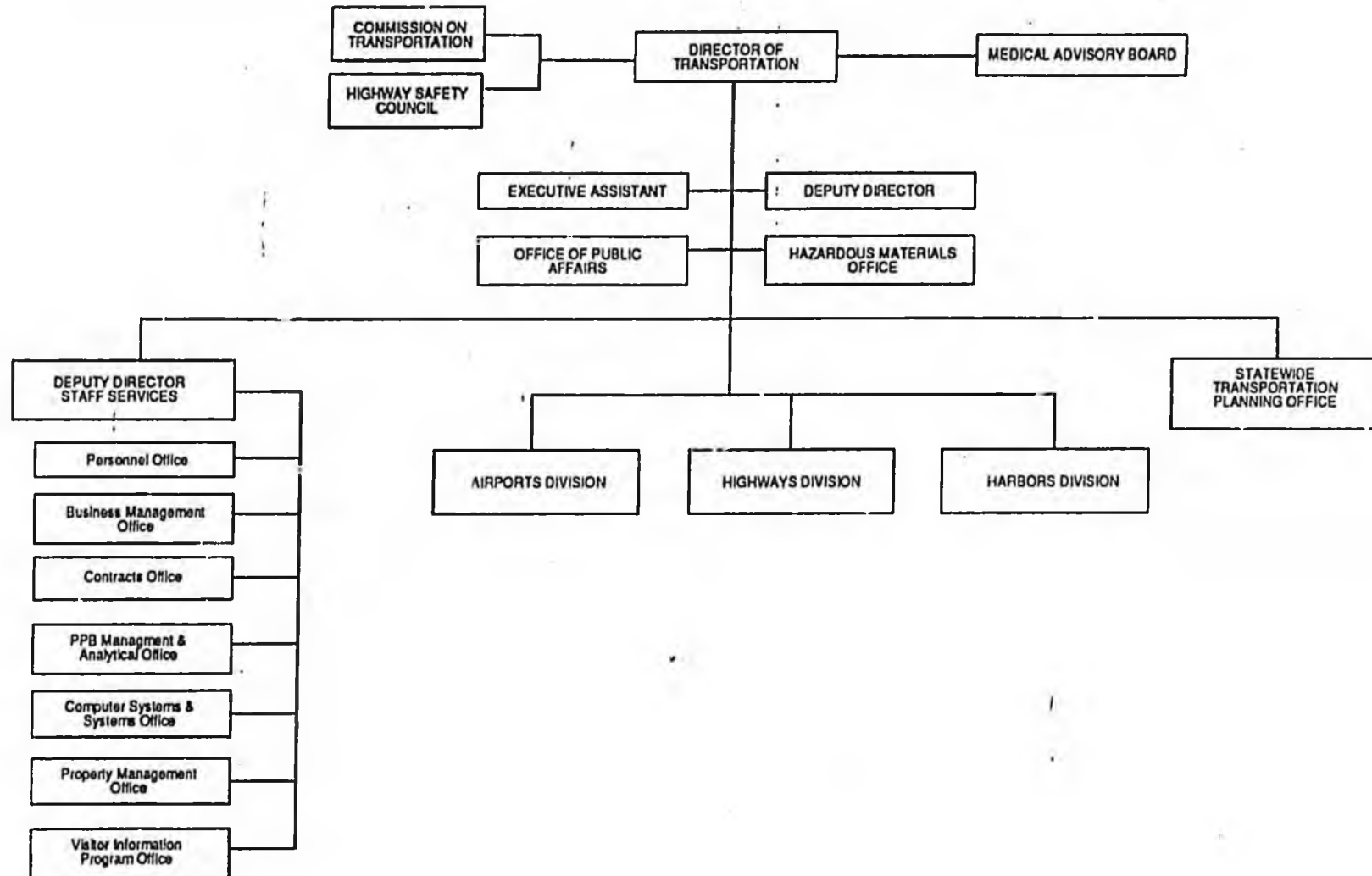
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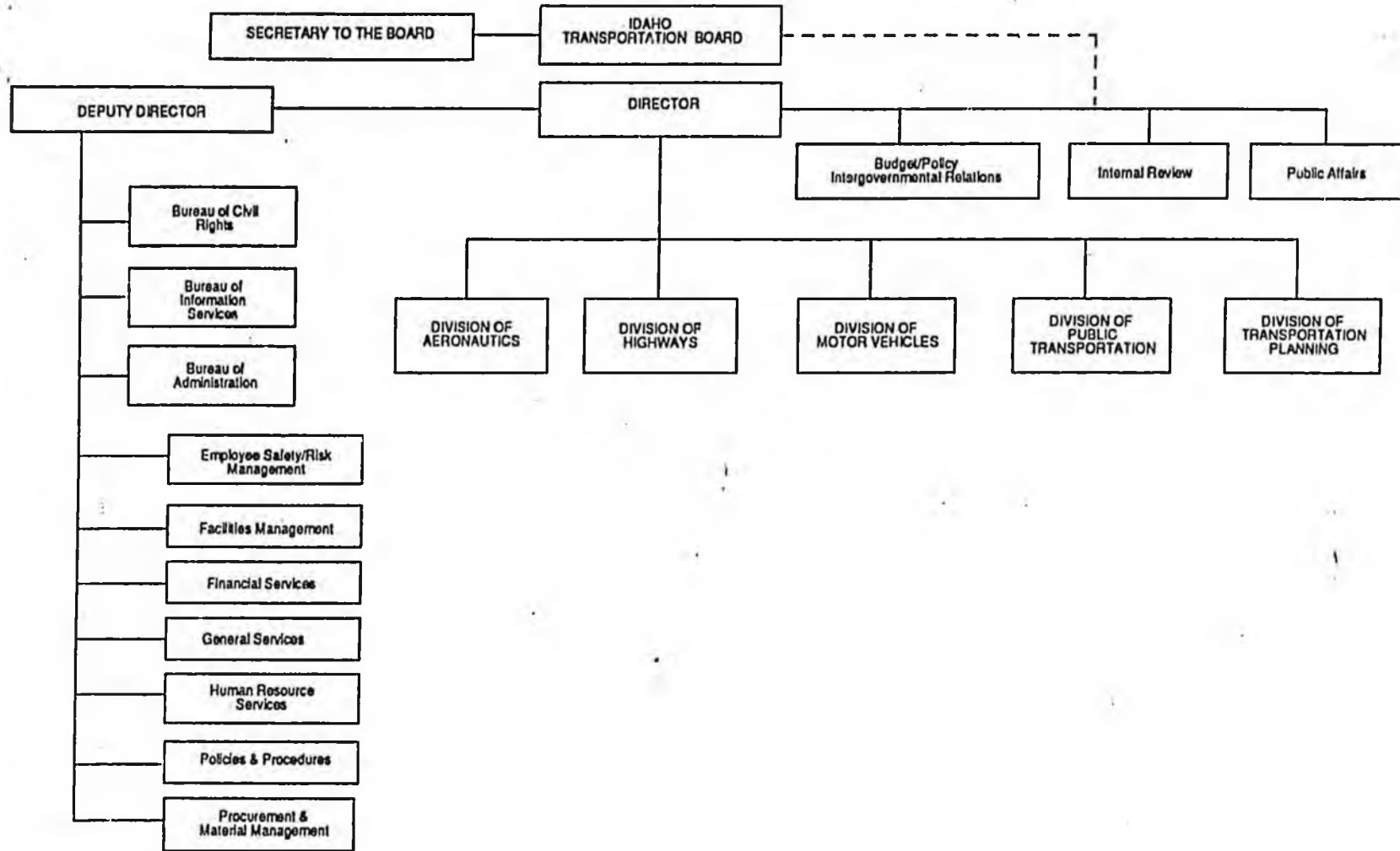
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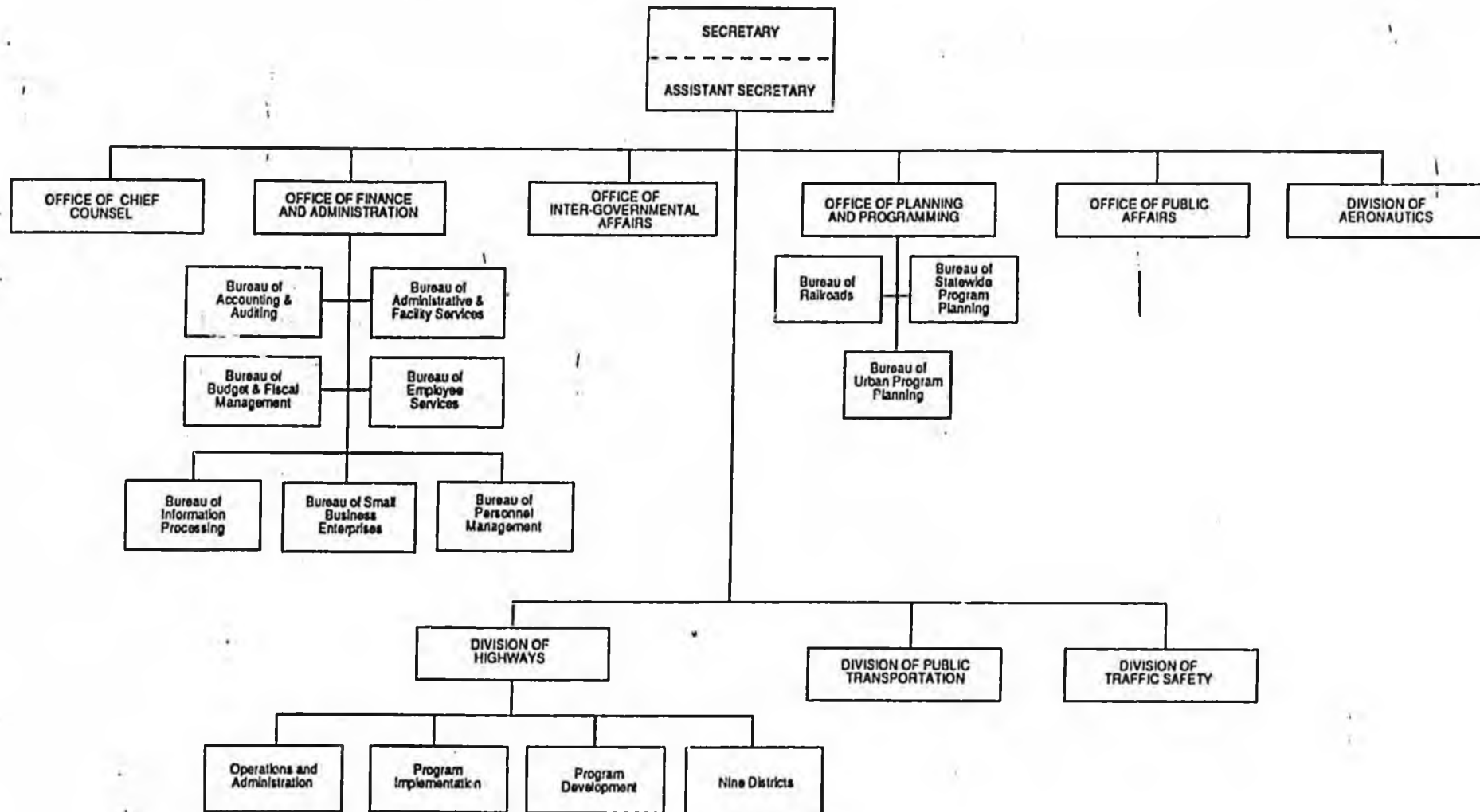
IDAHO TRANSPORTATION DEPARTMENT



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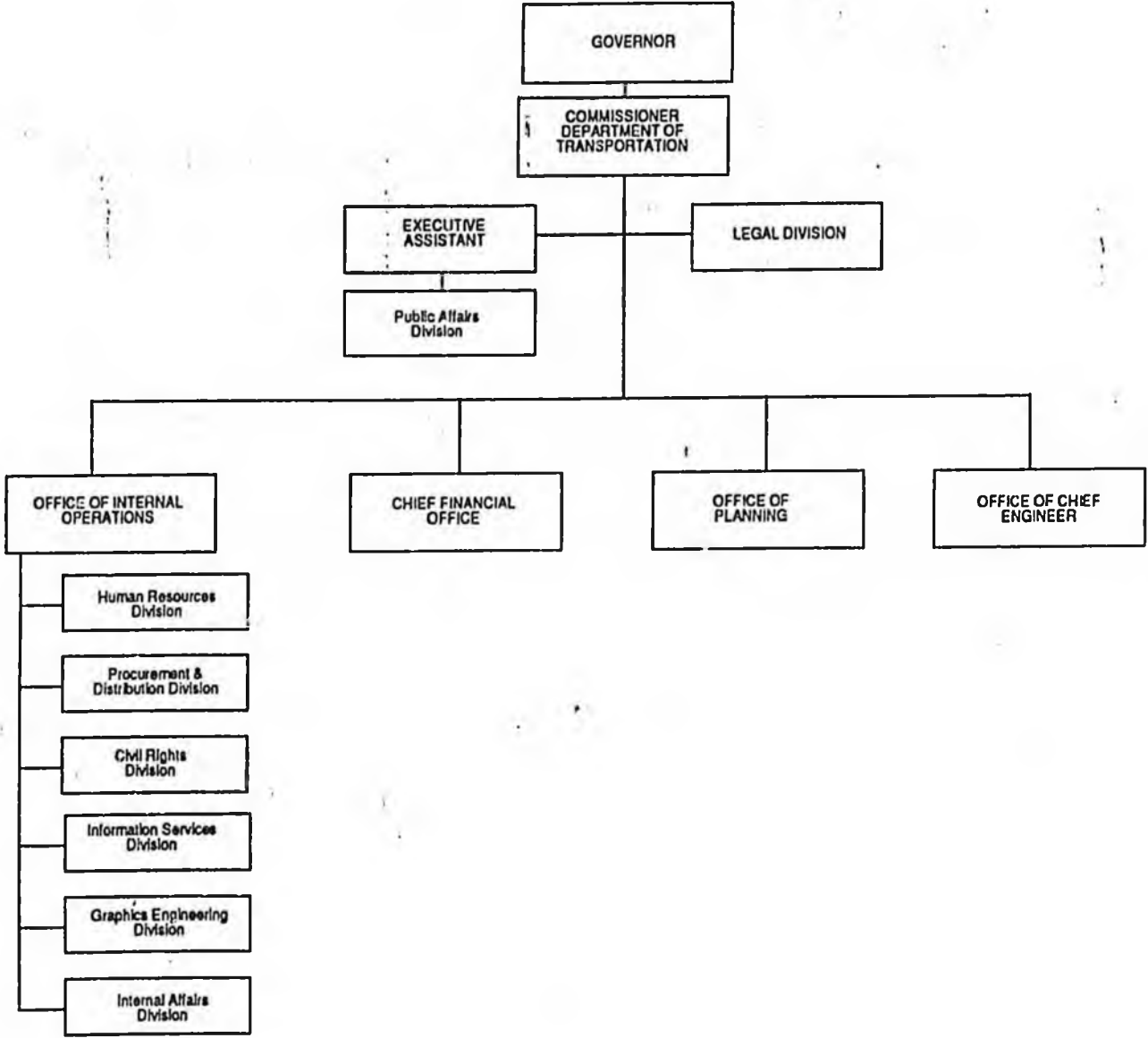
ILLINOIS DEPARTMENT OF TRANSPORTATION



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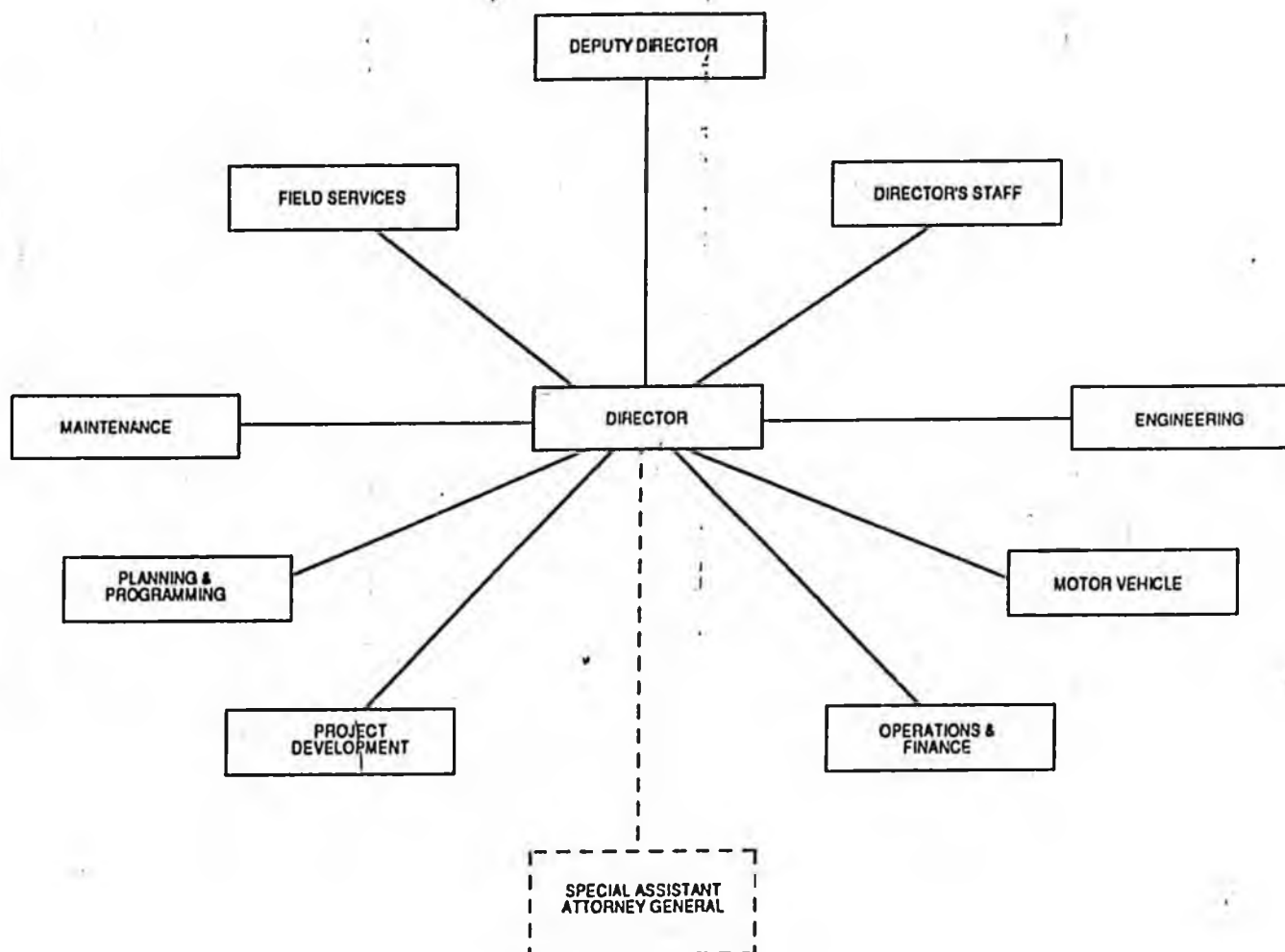
**INDIANA
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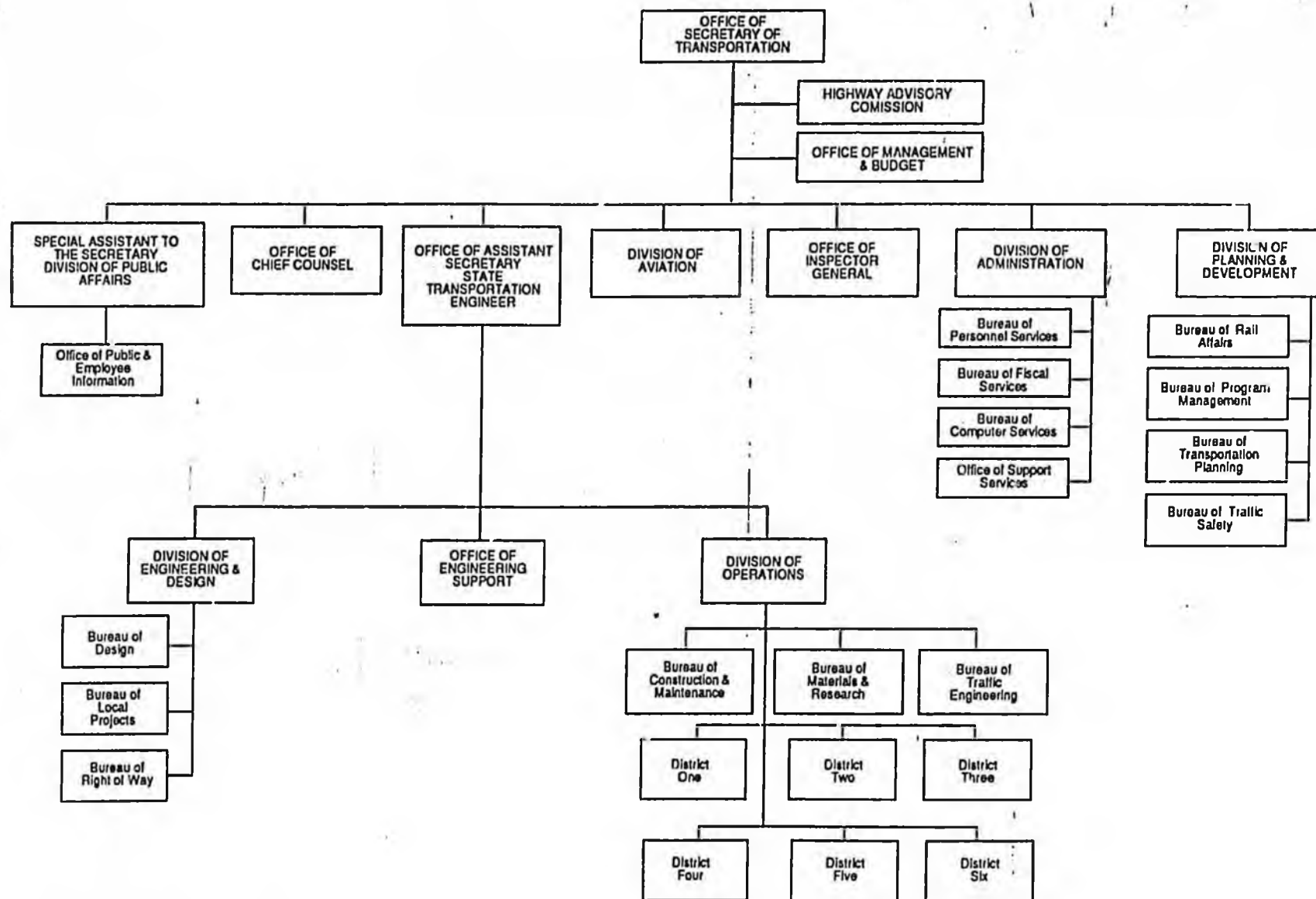
IOWA DEPARTMENT OF TRANSPORTATION



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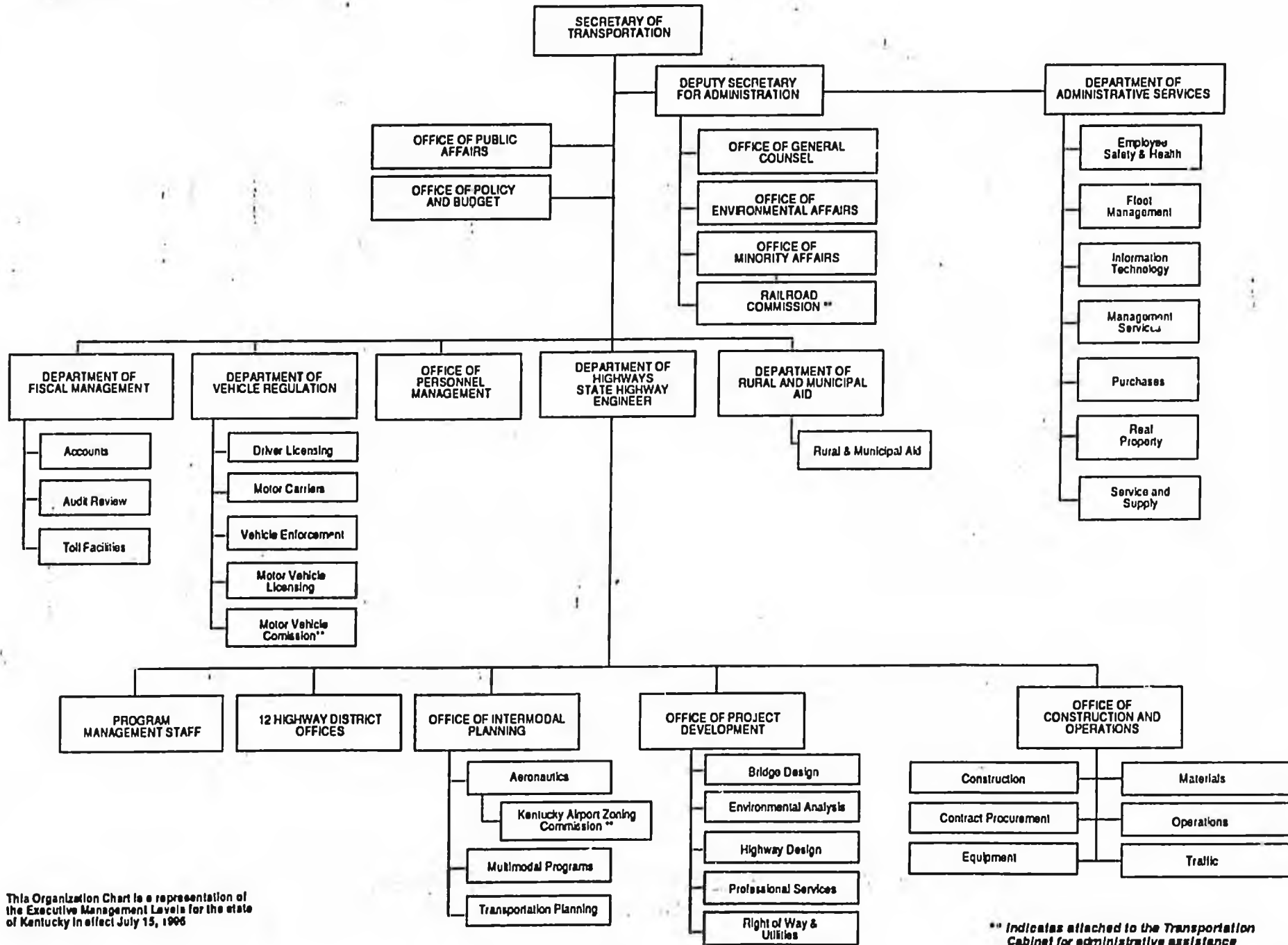
KANSAS DEPARTMENT OF TRANSPORTATION



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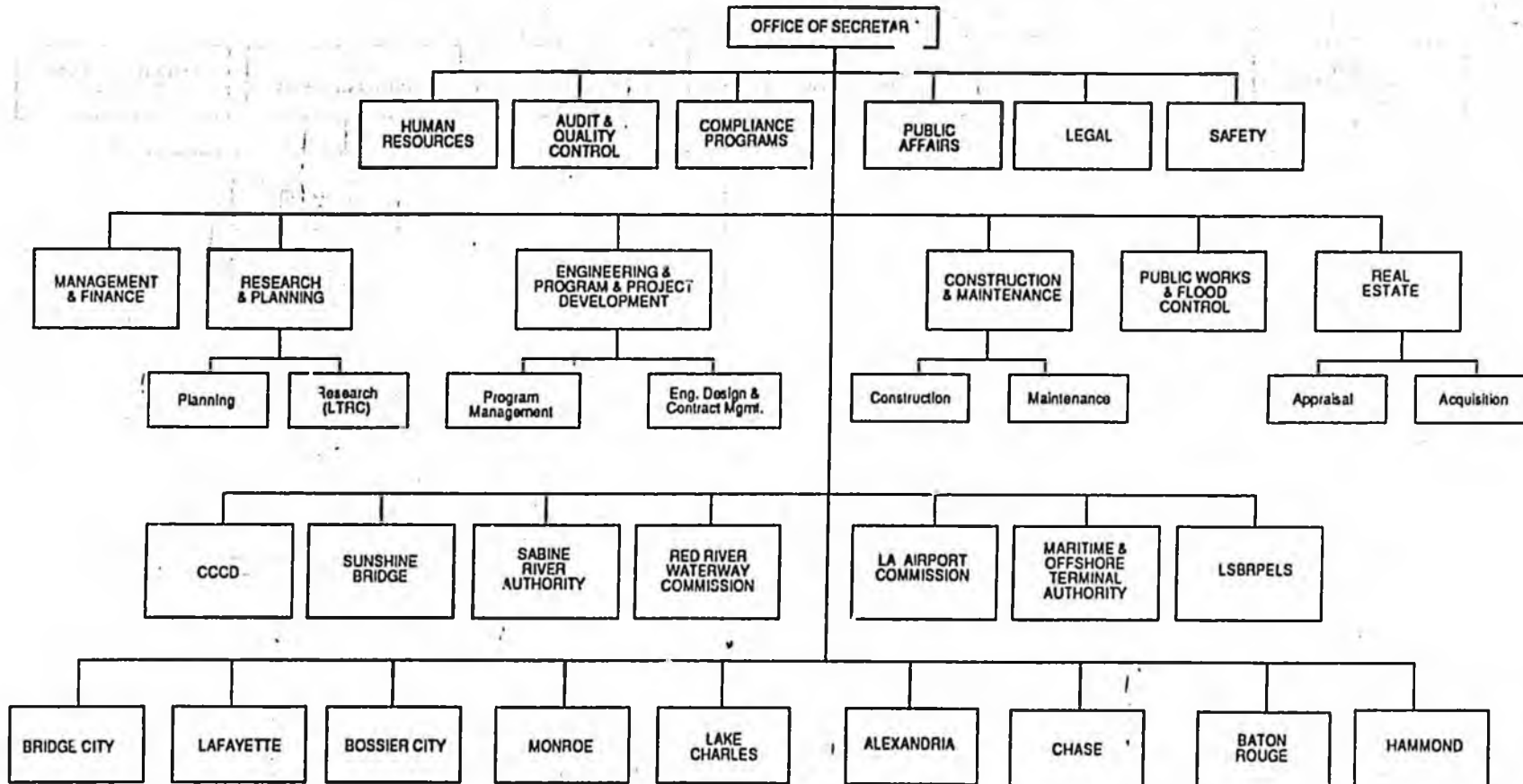
KENTUCKY TRANSPORTATION CABINET



This Organization Chart is a representation of the Executive Management Levels for the state of Kentucky in effect July 15, 1996

** Indicates attached to the Transportation Cabinet for administrative assistance

LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT



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This Organization Chart is a representation of the Executive Management Levels for the state of Louisiana in effect on September 3, 1986.