

curred by such utility properly attributable to such change, relocation, or removal after deducting therefrom any increase in the value of the new facility and any salvage value derived from the old facility.

d. "federal-aid primary, federal-aid secondary, and Interstate System" include any highway which now or hereafter shall be a part of the federal-aid systems as provided and defined in the Federal Aid Highway Act of 1956, and any acts supplemental thereto or amendatory thereof.

Sec. 2. Whenever the commissioner shall determine and order, incident to the construction of a highway project on the federal-aid primary or secondary systems, or on the Interstate System, including extensions thereof within urban areas, that any utility facility which now is, or hereafter may be, located in, over, along, or under a road right-of-way shall be changed, relocated, or removed, the utility owning or in charge of such facility shall change, relocate, or remove the same as soon as possible in accordance with such order,

and the commissioner shall, on behalf of the state, pay the costs of such change, relocation or removal unless the facility affected had been constructed and installed in, over, along, or under the road right-of-way pursuant to a valid agreement entered into by the state and utility after July 1, 1960, which requires the utility to change, relocate, or remove its facilities on demand at its own expense. Any utility having located its facilities on state owned right-of-way after July 1, 1960 without having obtained a permit from the Department of Public Works to do so shall not be reimbursed for the cost of any change, relocation or removal of its facilities.

Sec. 3. The costs of "change, relocation or removal" as set out in Sec. 1 c. are declared to be part of the cost of highway construction and to be paid from highway funds.

Sec. 4. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 8, 1961

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## CHAPTER 58

### AN ACT

**Repealing Ch. 180, SLA 1959, and providing for an effective date.**

(H.B. 199)

**Be it enacted by the Legislature of the State of Alaska:**

Section 1. Ch. 180, SLA 1959 is hereby

in all respects repealed.

Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 8, 1961

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## CHAPTER 59

### AN ACT

**Appropriating \$10,945.00 from the general fund to the Secretary of State for the fiscal year ending June 30, 1962; setting an expiration date; and providing for an effective date.**

(H.B. 202)

**Be it enacted by the Legislature of the State of Alaska:**

Section 1. The sum of \$10,945.00 is hereby appropriated from the general fund of

the state to the Office of Secretary of State for per diem, travel, secretarial expenses, contractual expenses and other expenses necessary for conducting a survey and holding hearings to determine necessary