



LAWS OF ALASKA

1981

Source

CSSB 368 (Fin)

Chapter No.

38

AN ACT

Relating to local service roads and trails; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 9

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: June 24, 1981
Actual Effective Date: July 1, 1981

AN ACT

Relating to local service roads and trails; and providing for an effective date.

* Section 1. AS 19.30.111 is amended to read:

Sec. 19.30.111. PURPOSE. It is the purpose of AS 19.30.111 - 19.30.251 to provide for the acquisition and construction of local service roads and trails which are not included in the approved federal-aid primary [OR SECONDARY] highway systems eligible for federal-state matching funds.

* Sec. 2. AS 19.30.131(c) is amended to read:

(c) The commissioner shall also further allocate portions of the sum allocated to any borough, either organized or unorganized, and to any home rule or first class city within the borough in the following manner:

(1) one-half in the ratio which the area of each home rule or first class city bears to the total area of the borough excluding salt water areas; and

(2) one-half in the ratio which the population of each home rule or first class city bears to the total population of the borough as shown by the latest available federal census.

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

Sec. 19.30.141. ACQUISITION AND CONSTRUCTION PROGRAMS. Before October 1 of each fiscal year each local government eligible for allocation of funds under AS 19.30.131 shall submit to the commissioner

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1 for approval a five-year plan [LONG-RANGE PROGRAM] for the acquisition
2 and construction of local service roads and trails. Before December 1
3 of each fiscal year the commissioner shall submit to the governor a
4 five-year plan [LONG-RANGE PROGRAM] for the acquisition and construc-
5 tion of local service roads and trails, including the approved local
6 government programs. An organized borough shall include in its
7 five-year plan [LONG-RANGE PROGRAM] local service road acquisition and
8 construction programs for all cities other than home rule and first
9 class cities within the boundaries of the borough. The commissioner
10 shall include in his five-year plan [LONG-RANGE PROGRAM] local service
11 road and trail acquisition and construction within the unorganized
12 borough.

13 * Sec. 4. AS 19.30.151(c) is amended to read:

14 (c) Nothing in AS 19.30.111 - 19.30.241 prohibits a local govern-
15 ment from participating financially in the acquisition and construction
16 of a local service road or trail.

17 * Sec. 5. AS 19.30.171(b) is amended to read:

18 (b) The costs incurred by the commissioner in acquiring this land
19 or interest in land includes all costs and any fees incidental to
20 acquisition. All costs incurred in connection with the acquisition of
21 the land or interest in land for local governments that have assumed
22 local road powers shall be charged to the project allocation [PAID BY
23 THE LOCAL GOVERNMENT] for which the land or interest in land is
24 acquired. Right-of-way acquisition costs incurred by the commissioner
25 for local governments without local road powers under AS 19.30.151(a)
26 shall be charged to the project allocation for the local government for
27 which the land or interest in land is acquired.

28 * Sec. 6. AS 19.30.181 is amended to read:

29 Sec. 19.30.181. PROJECT AGREEMENTS. A local government which

has assumed local road powers may enter into a formal project agreement with the commissioner for the acquisition and construction of a specific project.

* Sec. 7. AS 19.30.191(c) is amended to read:

(c) All contracts by a local government that has not assumed local road powers must have the prior concurrence of the commissioner. The commissioner may delegate the power to approve contracts to a local government that has assumed local road powers for the acquisition and construction of local service roads and trails.

* Sec. 8. AS 19.30.191(d) is amended to read:

(d) Except as provided in (b) and (c) of this section and in AS 44.33.300, construction of each project shall be administered by the department in accordance with guidelines established by the commissioner by regulation.

* Sec. 9. AS 19.30.201 is amended to read:

Sec. 19.30.201. CONSTRUCTION. Except as provided under AS 19.-30.161, the [THE] construction of a local service road or trail undertaken by the department or under its direct supervision under the provisions of AS 19.30.111 - 19.30.241, shall be performed according to approved design standards and are subject to the inspection and approval of the commissioner. All construction work done and labor performed by or under the direct supervision of the department shall be in accordance with applicable state law.

* Sec. 10. AS 19.30.241(3) is amended to read:

(3) "local government" means an organized borough of any class, a unified municipality organized under AS 29.68.240 - 29.68.440, [OR] a home rule city, or a city of the first class;

* Sec. 11. AS 19.30.241 is amended by adding a new paragraph to read:

(9) "secondary road" means a road that is not included in

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1 the approved federal-aid primary highway system and is being maintained
2 by the state or local government.

3 * Sec. 12. AS 29.48.020 is amended by adding a new paragraph to read:

4 (8) provide for the acquisition and construction of local
5 service roads and trails under AS 19.30.111 - 19.30.251.

6 * Sec. 13. This Act takes effect July 1, 1981.
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