

HOUSE BILL NO. 174

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES FEIGE, Pruitt, Costello, Dick, Thompson, Saddler, Chenault, Johnson, Muñoz, Hawker, Tammie Wilson, Fairclough, Peggy Wilson

Introduced: 2/25/11

Referred: Resources, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the period in which a permit authorizing activities in the state**
2 **related to mineral resources, oil or gas, or transportation projects is valid when activities**
3 **authorized by the permit have been stayed by a court or administrative order."**

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

5 * **Section 1.** AS 27 is amended by adding a new chapter to read:

6 **Chapter 50. Miscellaneous Provisions.**

7 **Sec. 27.50.010. Extending the period in which a permit is effective.** (a) The
8 fixed time period in which a permit is valid shall be extended for a period equal to the
9 period in which the exploration, development, or production of mineral resources
10 subject to the permit is stayed by an order of a court or administrative agency.

11 (b) In this section,

12 (1) "court or administrative agency" means a state court, federal court,
13 state agency, or federal agency with jurisdiction over the exploration, development, or
14 production of mineral resources for which a permit is required;

(2) "permit" means a permit, certification, authorization, or approval issued by the state or a municipality that is required before a person may engage in the exploration, development, or production of mineral resources in the state.

* **Sec. 2.** AS 31.30 is amended by adding a new section to read:

Sec. 31.30.020. Extending the period in which a permit is effective. (a) The fixed time period in which a permit is valid shall be extended for a period equal to the period in which the exploration, development, or production of oil or gas subject to the permit is stayed by an order of a court or administrative agency.

(b) In this section,

(1) "court or administrative agency" means a state court, federal court, state agency, or federal agency with jurisdiction over the exploration, development, or production of oil or gas for which a permit is required;

(2) "permit" means a permit, certification, authorization, or approval issued by the state or a municipality that is required before a person may engage in the exploration, development, or production of oil or gas in the state.

* **Sec. 3.** AS 44.42 is amended by adding a new section to read:

Sec. 44.42.052. Extending the period in which a permit is effective. (a) For a project listed in the state transportation plan developed under AS 44.42.050 for which a permit is required, the fixed time period in which a permit is valid shall be extended for a period equal to the period in which the transportation project subject to the permit is stayed by an order of a court or administrative agency.

(b) In this section,

(1) "court or administrative agency" means a state court, federal court, state agency, or federal agency with jurisdiction over the exploration, development, or production of mineral resources for which a permit is required;

(2) "permit" means a permit, certification, authorization, or approval issued by the state or a municipality that is required before the department may construct a project listed in the state transportation plan.