

CS FOR SENATE BILL NO. 121(RES) am H
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY THE SENATE RESOURCES COMMITTEE

Amended: 4/25/01

Offered: 4/3/01

Sponsor(s): SENATOR LEMAN

A BILL
FOR AN ACT ENTITLED

1 **"An Act adding, for purposes of the Alaska Right-of-Way Leasing Act, a definition of**
2 **'substantial change' as applied to an amended right-of-way lease application; and**
3 **providing for an effective date."**

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

5 * **Section 1.** AS 38.35.050(c) is amended to read:

6 (c) Any amendment to an application filed under this section that [WHICH]
7 constitutes a substantial change in the application is subject to all provisions of this
8 chapter applying to an original application. **For purposes of this subsection,**

9 **(1) an amendment constitutes a substantial change in the**
10 **application only if the amendment proposes**

11 **(A) a net increase in the amount of state acreage to be**
12 **leased for the right-of-way that exceeds by at least 10 percent the amount**
13 **of the acreage in the applicant's original application;**

14 **(B) a change in the design of the pipeline that would use less**

effective environmental or safety mitigation measures or less advanced technology than proposed in the original application; or

(C) a fundamental change in the general route, which would include the origin or terminus, as set out in the original application;

(2) in calculating the percentage increase in acreage under (1)(A) of this subsection, each of the following must be excluded:

(A) the acreage attributable to an amendment of a right-of-way originally issued by the federal government, whether administered by the state or the federal government; and

(B) land subject to an existing federal right-of-way grant held by the applicant that is transferred to the state for its administration.

* **Sec. 2.** AS 38.35.080(b) is amended to read:

(b) Upon completion of the analysis but not less than 30 days before the date set for hearing an application or an amendment to an application that, under AS 38.35.050(c), constitutes a substantial change in the [AMENDMENT TO AN] application, the commissioner shall publish notice, and make copies available as provided in AS 38.35.070.

* **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).