



LAWS OF ALASKA

1968

Source

HB 636 am S

Chapter No.

129

AN ACT

Relating to the construction of local service roads and airstrips by the state to serve small rural, agricultural, mining and industrial areas not included in primary or secondary highway systems.

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

* Section 1. AS 19.30.020 is amended to read:

Sec. 19.30.020. PURPOSE. The purpose of secs. 10 - 50 of this chapter is to facilitate the commercial utilization of the natural resources of the state by authorizing funds to construct, relocate, or repair as many miles of pioneering access roads as is possible into areas rich in natural resources or to mining prospects of commercial promise which are inaccessible to truck haulage. These pioneering access roads are envisaged as being essentially low standard, rudimentary truck roads, not usually fit for passenger automobile use and not necessarily subject to repair, upkeep, or seasonal maintenance. In cases where road construction is not feasible and the construction of an airstrip would serve to develop the resource, such construction may be authorized. It is the intent of the state to participate with mineral resource developers on a 50 - 50 matching basis under sec. 10 - 50 of this chapter.

* Sec. 2. AS 19.30.030 is repealed and re-enacted to read:

Sec. 19.30.030. COMMISSIONER OF NATURAL RESOURCES TO APPROVE ROAD CONSTRUCTION. (a) The commissioner of natural resources shall approve the construction, relocation, or repair of pioneer access roads or airstrips under secs. 10 - 50 of this chapter.

(b) A request for construction assistance shall be submitted to the commissioner by the resource developer,

setting out the scope of the project and the resources to be developed.

(c) The commissioner will review the application and, if found feasible and participating funds are available, may enter into a contract for construction of the road or airstrip, by the applicant, on a 50 - 50 matching basis, up to a specific maximum of state participation for each project.

* Sec. 3. AS 19.30.040 is repealed and re-enacted to read:

Sec. 19.30.040. METHOD OF CONSTRUCTION. (a) Upon approval of an application and agreement as to state participation, the applicant resource developer may proceed with construction of the project in accordance with the standards necessary to develop the resource, and as approved by the commissioner.

(b) The contractor will be allowed reasonable credit for the use of his own men and equipment as his share of cost participation.

(c) If the total cost of the project is less than the original estimate, the state will match only half of the actual cost, but may assign the balance of the committed funds to maintenance of the project.

(d) If the total cost of the project is greater than the original estimate, the applicant resource developer will be responsible for all costs in excess of the agreed upon state participation.

(e) Satisfactory completion of the project is the applicant's responsibility, and the state may withhold the payment of any participating funds until the project is completed.

(f) The project will be open to public use, and the state will not be responsible for maintenance while the road or airstrip is used by the applicant resource developer.

* Sec. 4. AS 19.30.050 is repealed and re-enacted to read:

Sec. 19.30.050. REGULATIONS. The commissioner of natural resources shall promulgate rules and regulations to effectuate the purposes of secs. 10 - 50 of this chapter.

* Sec. 5. AS 19.30 is amended by adding new sections to read:

ARTICLE 3. LOCAL SERVICE ROADS.

Sec. 19.30.110. PURPOSE. It is the purpose of secs. 110 - 170 of this chapter to provide for the construction by the state of local service roads for school bus, mail delivery, local, and commercial traffic in small rural, agricultural, mining and industrial areas that cannot be included in federal-aid primary or secondary highway systems eligible for federal-state matching

funds under the Federal-aid Highway Act of 1956 as amended or supplemented by Congress.

Sec. 19.30.120. COMMISSIONER MAY PROMULGATE RULES. The commissioner may promulgate rules necessary to carry out secs. 110 - 170 of this chapter.

Sec. 19.30.130. PREREQUISITES FOR CONSTRUCTION. A local service road may be constructed by the state in a small rural, agricultural, mining or industrial area if the plan, in the opinion of the commissioner, is feasible.

Sec. 19.30.140. CONTRACTS FOR CONSTRUCTION OF ROADS. (a) The department shall contract for the construction of local service roads under AS 19.10.170 - 19.10.200 and 19.10.230 - 19.10.250.

(b) The department shall award the contract to the lowest responsible bidder, or it may reject all bids.

Sec. 19.30.150. DESIGN STANDARDS. (a) The commissioner shall determine design standards for local service roads; however, rights of way may not be less than 100 feet in width.

(b) Local service roads may be of a lower standard than primary or secondary highways but shall become part of the state highway system and shall be maintained by the state.

Sec. 19.30.160. ROUTING. The commissioner decides the routing of a local service road. In making his decision he shall consider (1) the best interests of the people to be served by the road; (2) the availability of right of way; and (3) the availability of construction material.

Sec. 19.30.170. DEFINITIONS. In secs. 110 - 170 of this chapter, "local service road" means a road which (1) does not meet the criteria for classification as a primary or secondary route under the Federal-aid Highway Acts; (2) serves a relatively small rural, agricultural, mining or industrial area; (3) has traffic that is principally local in character; and (4) has termini that are not necessarily connected to other highways or important junctions.