



# LAWS OF ALASKA

1994

**Source**  
HCS CSSB 210(FIN)

**Chapter No.**  
50

## AN ACT

Relating to disposals of state land within five miles of the right-of-way of the Dalton Highway to a licensed public utility or a licensed common carrier; relating to disposals of state land for nonresidential development in nodes of development along the Dalton Highway; requiring licensed public utilities to pay the costs of change, relocation, or removal of a utility facility due to construction of a highway project; and allowing state leases and materials sales for reconstruction and maintenance of state highways and construction or maintenance of airports.

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

THE ACT FOLLOWS ON PAGE 1

**Approved by the Governor:** May 23, 1994  
**Actual Effective Date:** August 21, 1994

AN ACT

1 Relating to disposals of state land within five miles of the right-of-way of the Dalton Highway  
2 to a licensed public utility or a licensed common carrier; relating to disposals of state land for  
3 nonresidential development in nodes of development along the Dalton Highway; requiring  
4 licensed public utilities to pay the costs of change, relocation, or removal of a utility facility  
5 due to construction of a highway project; and allowing state leases and materials sales for  
6 reconstruction and maintenance of state highways and construction or maintenance of airports.

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8 \* Section 1. AS 19.40.200(b) is amended to read:  
9 (b) The prohibition on disposal of state land under (a) of this section does not  
10 apply to a disposal

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1 (1) to a licensed public utility or a licensed common carrier under  
2 AS 38.05.810(e);

3 (2) for the reauthorization of leases that were in effect on  
4 January 1, 1994, for nonresidential purposes within the following development  
5 nodes:

6 Coldfoot:

7 Township 28 North, Range 12 West, Fairbanks Meridian

8 Sections 9 - 10

9 Sections 15 - 16

10 Yukon River Crossing:

11 Township 13 North, Range 11 West, Umiat Meridian

12 Section 26;

13 (3) for nonresidential development within the following  
14 development node:

15 Deadhorse:

16 Township 10 North, Range 14 East, Umiat Meridian

17 Sections 24 - 25

18 Township 10 North, Range 15 East, Umiat Meridian

19 Section 19

20 Section 30; or

21 (4) necessary for

22 (A) [(1)] an oil and gas lease under AS 38.05.180;

23 (B) [(2)] exploration, development, production, or transportation  
24 of oil and gas north of 68 degrees north latitude; or

25 (C) [(3)] a state lease or materials sale for

26 (i) exploration, development, production, or transportation  
27 of oil and gas; [OR]

28 (ii) reconstruction or maintenance of **state highways; or**

29 (iii) **construction or maintenance of airports** [THE

30 HIGHWAY NORTH OF 68 DEGREES NORTH LATITUDE].

31 \* Sec. 2. AS 19.40.200 is amended by adding a new subsection to read:

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1                   (d) Notwithstanding another provision of law, when the department determines  
2                   and orders that a utility facility located across, along, over, under, or within the  
3                   highway right-of-way must be changed, relocated, or removed, the licensed public  
4                   utility owning or maintaining the facility shall change, relocate, or remove it in  
5                   accordance with the order and is responsible for the cost of the change, relocation, or  
6                   removal.