

**SENATE BILL NO. 121**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY SENATOR LEMAN

Introduced: 2/27/01

Referred: Resources, Finance

**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; or**

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

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

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

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

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

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

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

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