

1 IN THE HOUSE

BY SPECIAL COMMITTEE ON  
PIONEER ACCESS ROADS

2 HOUSE BILL NO. 366

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the construction or  
7 repair of pioneering access roads by the  
8 Department of Public Works; amending Secs.  
9 1, 2, 3, and 4, Ch. 47, SLA 1959; and  
10 providing for an effective date."

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

12 Section 1. Sec. 1, Ch. 47, SLA 1959 is amended to read as  
13 follows:

14 Section 1. FINDINGS AND DECLARATION OF PURPOSE. The  
15 legislature hereby finds that many of the areas within the  
16 state [MOST] rich in natural [MINERAL] resources are inacces-  
17 sible because of the lack of roads therein; that this  
18 inaccessibility [INACCESIBILITY] of areas of great potential  
19 [MINERAL] value prohibits the successful use [EXTRACTION] of  
20 such natural resources [MINERALS]; that the construction,  
21 relocation, or repair of roads into such areas will increase  
22 resource development [MINERAL PROSPECTING], thereby bringing  
23 even more natural resources [MINERALS] into commercial use  
24 [PRODUCTION]; that the relatively high cost of constructing,  
25 relocating, or repairing such roads prevents private interest  
26 from undertaking the development of such areas; that the  
27 cost to the state of constructing, relocating or repairing  
28 such roads would many times over be repaid by the increased  
29 revenues arising out of the resulting development and use

1 of the natural resources [MINING INDUSTRY]; that the failure  
2 to so develop the many inaccessible areas within the state  
3 that are rich in natural [MINERAL] resources is detrimental  
4 to the welfare and well-being of the people of Alaska by  
5 depriving them of the benefits to the economy of the state to  
6 be derived from the commercial utilization of vast quantities  
7 of minerals, agricultural lands, forests, waters, and recrea-  
8 tion sites which cannot be utilized [EXTRACTED] because of  
9 the lack of access roads thereto.

10 It is hereby declared to be the purpose of this Act to  
11 facilitate the commercial utilization of the natural resources  
12 of this state by authorizing the expenditure of funds to con-  
13 struct, relocate, or repair as many miles of pioneering access  
14 roads as is possible into and within areas rich in natural  
15 [MINERAL] resources or to mining prospects of commercial  
16 promise which are [PRESENTLY] inaccessible to truck haulage.  
17 The pioneering access roads authorized by this Act are envis-  
18 aged as being essentially low standard, rudimentary truck  
19 roads, not usually fit for passenger automobile use and not  
20 necessarily subject to repair, upkeep, or seasonal maintenance

21 Sec. 2. Sec. 2, Ch. 47, SLA 1959 is amended to read as

22 follows:

23 Sec. 2. APPROPRIATION AUTHORIZED. There is hereby  
24 authorized an annual appropriation to the Department of Public  
25 Works [HIGHWAY AND PUBLIC WORKS DEPARTMENT], or its successor,  
26 for the purposes of this Act [CONSTRUCTING ROADS INTO AND  
27 WITHIN AREAS OF THE STATE RICH IN MINERAL RESOURCES].

28 Sec. 3. Sec. 3, Ch. 47, SLA 1959 is amended to read as

29 follows:

HB #366 as amended

1           Sec. 3. COMMISSIONER OF NATURAL RESOURCES [MINES]:  
2 APPROVAL OF ROAD CONSTRUCTION. No pioneering access roads  
3 may [SHALL] be constructed, relocated, or repaired under the  
4 provisions of this Act except those to areas [AND ALONG  
5 ROUTES] approved by the commissioner of natural resources  
6 [COMMISSIONER OF MINES], or his successor. Requests for the  
7 construction, relocation, or repair of pioneering access  
8 roads shall be directed to the commissioner of public works  
9 and may be initiated by the commissioner of natural resources.  
10 Each request shall be reviewed by the commissioner of public  
11 works for general feasibility. The commissioner of public  
12 works shall refer it to the commissioner of natural resources  
13 for a determination of its priority. After establishing  
14 priorities the commissioner of natural resources shall return  
15 requests to the commissioner of public works for action.  
16 [THE COMMISSIONER SHALL GIVE FIRST PRIORITY FOR SUCH ROADS  
17 TO THOSE AREAS REASONABLY BELIEVED TO CONTAIN MINERAL  
18 RESOURCES OF COMMERCIAL IMPORTANCE.]

19           Sec. 4. Sec. 4, Ch. 47, SLA 1959 is amended to read as  
20 follows:

21           Sec. 4. TYPE OF ROAD CONSTRUCTION: CAPITAL STRUCTURES  
22 FORBIDDEN. The Department of Public Works [HIGHWAY AND  
23 PUBLIC WORKS DEPARTMENT], or its successor, in carrying  
24 out the road work [CONSTRUCTION] authorized by this Act,  
25 shall (a) furnish all necessary engineering and surveying  
26 service at minimum cost, absorbing such cost whenever  
27 possible in its regular appropriation, (b) utilize the  
28 cheapest methods of construction consistent with the pur-  
29 pose of this Act, [AND] (c) construct low standard roads

1 not necessarily suitable for all weather use, (d) build  
2 no roads to benefit a single area, individual or operation  
3 if private funds for such construction are reasonably  
4 available in whole or in part, (e) provide wherever possible  
5 for participation in construction expense by the person  
6 or operation benefited, (f) require the use of local privately  
7 owned road building equipment whenever available and near the  
8 improvement without profit to its owners or persons who will  
9 directly benefit by the road, and (g) enter into contracts  
10 in order to carry out the above objectives. The state shall  
11 not be obligated to maintain pioneering access roads. In  
12 such road work [CONSTRUCTION], the Department shall not  
13 construct any permanent capital structures other than the  
14 pioneering access roads themselves, except such structures  
15 as are, in the opinion of the Department, essential to  
16 providing road access to natural resource [MINERAL] areas  
17 [; NOR SHALL ANY MONEYS APPROPRIATED AS AUTHORIZED HEREIN  
18 BE EXPENDED FOR CAPITAL EQUIPMENT].

19 Sec. 5. This Act takes effect on the day after its passage  
20 and approval or on the day it becomes law without such approval.  
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