

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 [INACCESSIBILITY] 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 interests
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
by the Senate

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, provided, however,
28 that Federal Aid Primary System survey, design and right-of-
29 way program shall be utilized wherever possible, (b) utilize

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

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