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Referred: State Affairs
and Finance

1 IN THE HOUSE

BY ANDERSON AND STEVENS

2 HOUSE BILL NO. 636

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the construction of local service
7 roads by the state to serve small rural, agricultural,
8 mining and industrial areas not included in primary or
9 secondary highway systems."

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

11 * Section 1. AS 19.30.020 is amended to read:

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

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 AS 19.30.030 is repealed and re-enacted to read:

27 Sec. 19.30.030. COMMISSIONER OF NATURAL RESOURCES TO APPROVE
28 ROAD CONSTRUCTION. (a) The commissioner of natural resources shall
29 approve the construction, relocation, or repair of pioneer access roads

1 or airstrips under secs. 10 - 50 of this chapter.

2 (b) A request for construction assistance shall be submitted to
3 the commissioner by the resource developer, setting out the scope of
4 the project and the resources to be developed.

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

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 AS 19.30.040 is repealed and re-enacted to read:

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

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

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

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

24 (e) Satisfactory completion of the project is the applicant's
25 responsibility, and the state may withhold the payment of any partici-
26 pating funds until the project is completed.

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

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

2 Sec. 19.30.050. REGULATIONS. The commissioner of natural re-
3 sources shall promulgate rules and regulations to effectuate the pur-
4 poses of secs. 10 - 50 of this chapter.

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

6 ARTICLE 3. LOCAL SERVICE ROADS.

7 Sec. 19.30.110. PURPOSE. It is the purpose of secs. 110 - 170
8 of this chapter to provide for the construction by the state of local
9 service roads for school bus, mail delivery, local, and commercial
10 traffic in small rural, agricultural, mining and industrial areas
11 that cannot be included in federal-aid primary or secondary highway
12 systems eligible for federal-state matching funds under the Federal-aid
13 Highway Act of 1956 as amended or supplemented by Congress.

14 Sec. 19.30.120. COMMISSIONER MAY PROMULGATE RULES. The commis-
15 sioner may promulgate rules necessary to carry out secs. 110 - 170 of
16 this chapter.

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

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

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

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

29 (b) Local service roads may be of a lower standard than primary

1 or secondary highways but shall become part of the state highway system
2 and shall be maintained by the state.

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

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