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Introduced: 2/6/70
Referred: Resources and
Finance

1 IN THE HOUSE

BY ANDERSON AND KERTTJLA

2 HOUSE BILL NO. 614

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to roads to areas rich in mineral
7 resources."

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

9 * Section 1. AS 19.30.020 is repealed and re-enacted to read:

10 Sec. 19.30.020. PURPOSE. The purpose of secs. 20 - 51 of this
11 chapter is to facilitate the commercial development of mineral re-
12 sources by authorizing funds to participate in construction of develop-
13 mental access roads into areas where mining prospects of valid com-
14 mercial promise are inaccessible to truck haulage. These access roads
15 are to be constructed as rudimentary truck roads and to standards
16 which can be readily improved for general public use. It is the intent
17 of the state to participate with mineral resource developers up to 50
18 per cent for the cost of construction and maintenance of developmental
19 access roads under secs. 20 - 51 of this chapter.

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 AS 19.30.030 is repealed and re-enacted to read:

21 Sec. 19.30.030. COMMISSIONER OF NATURAL RESOURCES TO APPROVE
22 APPLICATION FOR ROAD CONSTRUCTION. (a) The commissioner of natural
23 resources shall approve applications for construction of developmental
24 access roads under secs. 20 - 51 of this chapter.

25 (b) A request for construction assistance shall be submitted
26 to the commissioner of natural resources by the resource developer,
27 setting out the scope of the development and the resources to be
28 developed.

29 (c) The commissioner of natural resources shall review the

1 application and, if found feasible and participating funds are avail-
2 able, may enter into a contract in which the state will participate
3 up to 50 per cent in the cost of construction of the road with the
4 applicant; however, the applicant shall pay for all right-of-way
5 acquisition.

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 AS 19.30.040 is repealed and re-enacted to read:

7 Sec. 19.30.040 CONSTRUCTION AND MAINTENANCE. (a) Upon approval
8 of an application and agreement as to state participation, the appli-
9 cant resource developer shall submit road plans and specifications
10 for the standard of construction he believes to be necessary to
11 develop the resource, and upon approval by the commissioner of high-
12 ways and the commissioner of natural resources, he may proceed with
13 construction.

14 (b) The applicant will be allowed credit for the use of his own
15 men and equipment or those of his contractor as his share of cost
16 participation. The applicant must submit documentation satisfactory
17 to the commissioner of highways to support his participation for this
18 credit.

19 (c) If the total cost of the road is less than the original
20 estimate, the state will match only half of the actual cost.

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

24 (e) The road becomes the property of the state, and, so long as
25 the road is used by the applicant resource developer, is open to public
26 use, and the applicant shall bear one-half the cost of maintenance.

27 * Sec. 4. AS 19.30 is amended by adding a new section to read:

28 Sec. 19.30.045. CANADIAN MINERALS. The state may elect, at the
29 joint discretion of the commissioners of highways and natural resources,

1 to authorize participation in a similar manner, to that authorized in
2 secs. 20 - 40 of this chapter, in construction and maintenance of
3 developmental access roads to the Alaskan border for the development
4 of mineral resources which are in adjacent Canadian lands if such
5 access roads are the most feasible way of developing those mineral
6 resources, and if it is considered by the commissioners to be in the
7 interest of the State of Alaska to construct the roads; however,
8 the state may participate only to the extent of up to one-third of
9 the cost of construction and of the maintenance of these roads in
10 Alaska.

11 * Sec. 5. AS 19.30.051 is amended to read:

12 Sec. 19.30.051. REGULATIONS. The commissioner of natural
13 resources and the commissioner of highways shall promulgate rules and
14 regulations to effectuate the purposes of secs. 20 - 51 [10 - 51] of
15 this chapter.

16 * Sec. 6. AS 19.30.010 is repealed.
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