

Original sponsor: Resources Committee

Offered: 5/17/78  
Referred: Finance

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 521

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state participation in the costs of  
7 construction of developmental access roads; and pro-  
8 viding for an effective date."

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

10 \* Section 1. AS 19.30.020 is amended to read:

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

21 \* Sec. 2. AS 19.30.030(c) is amended to read:

22 (c) The commissioner of natural resources shall review the appli-  
23 cation and, if found feasible and participating funds are available, may  
24 enter into a contract in which the state will participate with the  
25 applicant in the cost of construction of the road, up to \$100,000  
26 [\$50,000] or up to 50 per cent of the cost, whichever is lower; however,  
27 the applicant shall pay for all right-of-way acquisition.

28 \* Sec. 3. AS 19.30.040 is amended by adding new subsections to read:

29 Sec. 19.30.040. CONSTRUCTION [AND MAINTENANCE].

1 (f) The road, in addition to use by the applicant, will also be  
2 open to use by the state, its agents and contractors. The applicant  
3 shall indemnify the state and hold it harmless from any claims, demands,  
4 loss, liability or expense for injury or death of persons and damage to  
5 or loss of property arising out of this restricted use.

6 (g) The state reserves the option to open the road for general use  
7 should it be considered in the state's best interest to do so and the  
8 use does not interfere materially with the applicant's use. If the  
9 option to open the road for general use is exercised, the state shall  
10 assume its fair share of maintenance costs and liability for any re-  
11 sultant personal injury or property damage.

12 \* Sec. 4. AS 19.30.045 is amended to read:

13 Sec. 19.30.045. CANADIAN MINERALS. The state may elect, at the  
14 joint discretion of the commissioners of transportation and public faci-  
15 lities and natural resources, to authorize participation in a similar  
16 manner, to that authorized in secs. 20 - 40 of this chapter, in con-  
17 struction and maintenance of developmental access roads to the Alaskan  
18 border for the development of mineral resources which are in adjacent  
19 Canadian lands if such access roads are the most feasible way of devel-  
20 oping those mineral resources, and if it is considered by the commis-  
21 sioners to be in the interest of Alaska to construct the roads; however,  
22 the state may participate up to \$100,000 [\$50,000], or up to one-third  
23 of the cost of construction [AND OF THE MAINTENANCE] of these roads in  
24 Alaska, whichever is lower.

25 \* Sec. 5. AS 19.30.040(e) is repealed.

26 \* Sec. 6. This Act takes effect immediately in accordance with AS 01.10.-  
27 070(c).