

Introduced: 1/24/79
Referred: Commerce and
Finance

1 IN THE HOUSE

BY PARR

2 HOUSE BILL NO. 17

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the James Dalton Highway."

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

8 * Section 1. AS 19.10 is amended by adding a new section to read:

9 Sec. 19.10.105. JAMES DALTON HIGHWAY. (a) The secondary highway
10 from the Yukon River to the Arctic Ocean is named the James Dalton
11 Highway.

12 (b) The James Dalton Highway is designated part of the state
13 highway system, effective on the date of transfer to the state under
14 terms of the contract between the Alyeska Pipeline Service Company and
15 the state.

16 (c) The department may not give preferential access to the James
17 Dalton Highway to any group of users. Whenever the highway is open, it
18 shall be open to the general public in the same manner as any other
19 state highway.

20 (d) The department shall maintain the highway for use by the
21 general public for 12 months each year.

22 (e) In the event of conflict between this section and other por-
23 tions of this title, the provisions of this section shall govern.

24 (f) The appropriate departments shall conduct immediately an
25 impact study to determine the need for public protection of fish and
26 game resources and the security of the trans-Alaska oil pipeline.

27 * Sec. 2. AS 38.05.035(a) is amended by adding a new paragraph to read:

28 (15) classify and make available for disposition under state
29 law land of the state along the James Dalton Highway which may, in the

1 director's judgment, be necessary to serve the traveling public; pending
2 classification, the director shall issue temporary-use permits for no
3 more than a 10-year period, with subsequent renewals for 10-year terms,
4 to applicants who agree to provide necessary services for the traveling
5 public; the director, with the approval of the commissioner, shall
6 determine the land to be made available under this paragraph and the
7 limitations, conditions, and terms of the permit; the permits shall be
8 offered at public auction to the highest bidder; after classification, a
9 permit holder has the rights granted under the permit and the right to
10 meet the highest bid offered at the first disposal of the land subject
11 to the permit after the expiration of the permit.

12 * Sec. 3. AS 44.33.020 is amended by adding a new paragraph to read:

13 (22) assist persons wishing to provide services to travelers
14 on the James Dalton Highway in obtaining the use of existing facilities
15 and the creation of new facilities.

16 * Sec. 4. AS 16.05.920 is amended by adding a new subsection to read:

17 (c) No person may operate a mechanical vehicle off the right-of-
18 way of the James Dalton Highway north of the Yukon River Bridge. No
19 person may hunt within five miles of the right-of-way of the James
20 Dalton Highway north of the Yukon River Bridge. Sport fishing from the
21 right-of-way of the James Dalton Highway may be permitted under regula-
22 tion of the Board of Fisheries.

23 * Sec. 5. AS 19.25 is amended by adding a new section to read:

24 ARTICLE 5. MAINTENANCE OF JAMES DALTON HIGHWAY.

25 Sec. 19.25.270. MAINTENANCE OF JAMES DALTON HIGHWAY. (a) It
26 shall be the general policy of the department to maintain the James
27 Dalton Highway under bid contract.

28 (b) The procedures of the department established under AS 19.10.-
29 170 - 19.10.250 shall be utilized in any maintenance of the James Dalton

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Highway.

(c) If no satisfactory bid is received, the department is responsible for maintenance for the period specified in AS 19.10.105(c).