

Original sponsor: Rules/Governor

Offered: 5/15/80
Referred: Rules

1 IN THE HOUSE BY THE FINANCE COMMITTEE
2 SENATE CS FOR HOUSE BILL NO. 207 am S (H.failed eff. date)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state responsibility for the high-
7 way between the Yukon River and the Arctic Ocean, and
8 to state management and control of resources affected
9 by the highway between the Yukon River and the Arctic
10 Ocean.

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

12 * Section 1. The purpose of sec. 2 of this Act is to protect wildlife
13 which, as a result of wildlife migrations, congregates in large numbers near
14 the highway between the Yukon River and the Arctic Ocean.

15 * Sec. 2. AS 16.05 is amended by adding a new section to read:

16 Sec. 16.05.785. PROHIBITION ON HUNTING ADJACENT TO HIGHWAY BETWEEN
17 YUKON RIVER AND ARCTIC OCEAN. (a) Hunting with firearms is prohibited
18 north of the Yukon River in the area within five miles on either side of
19 the highway between the Yukon River and the Arctic Ocean.

20 (b) A person who violates this section is guilty of a class A
21 misdemeanor.

22 * Sec. 3. AS 19.40 is amended by adding new sections to read:

23 ARTICLE 2. USE OF THE HIGHWAY.

24 Sec. 19.40.100. USE OF THE HIGHWAY BY INDUSTRIAL OR COMMERCIAL
25 TRAFFIC. (a) The department shall maintain the highway and keep it
26 open to industrial or commercial traffic throughout the year.

27 (b) "industrial or commercial travel" means

28 (1) travel necessary and related to resource exploration
29 and development or to support of those activities, if the individual

1 engaged in those activities has all necessary permits; or

2 (2) travel necessary and related to access by local resi-
3 dents to their property; or

4 (3) motor carriers engaged in commerce which are common
5 carriers or contract carriers regulated by the Alaska Transportation
6 Commission under AS 42.10.

7 Sec. 19.40.110. CLOSURE OF THE HIGHWAY TO TRAFFIC. The provisions
8 of AS 19.10.100 apply to the closure of the highway by the department.

9 * Sec. 4. AS 19.40 is amended by adding a new section to read:

10 Sec. 19.40.120. PUBLIC USE OF A PORTION OF THE HIGHWAY. The
11 department shall maintain the section of the highway between the Yukon
12 River and Dietrich Camp and shall keep that section of the highway open
13 to use by the public between June 1 and September 1 each year.

14 * Sec. 5. AS 19.40 is amended by adding a new section to read:

15 ARTICLE 3. LANDS ADJACENT TO THE HIGHWAY.

16 Sec. 19.40.200. PROHIBITIONS ON DISPOSAL AND USE OF LAND WITHIN
17 FIVE MILES OF THE HIGHWAY. (a) The state may not dispose of state land
18 under AS 38 which is within five miles of the right-of-way of the high-
19 way.

20 (b) Off-road vehicles are prohibited on land within five miles of
21 the right-of-way of the highway. However, this prohibition does not
22 apply to a person who holds a mining claim in the vicinity of the high-
23 way and who must use land within five miles of the right-of-way of the
24 highway to gain access to his mining claim.