

Introduced: 3/2/79
Referred: Resources and
Finance

1 IN THE SENATE

BY KERTTULA

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 180

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 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 AS 19.30.020 - 19.30.051
12 is to facilitate the commercial development of mineral resources, except
13 oil and gas, by authorizing funds to participate in construction of
14 developmental access roads into areas where mining prospects of valid
15 commercial promise are inaccessible to truck haulage. These access
16 roads are to be constructed as rudimentary truck roads and to standards
17 which can be readily improved for general public use. It is the intent
18 of the state to participate with mineral resource developers up to 50
19 per cent for the cost of construction [AND MAINTENANCE] of developmental
20 access roads under AS 19.30.020 - 19.30.051.

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 AS 19.30.020 - 19.30.040, in construction
17 and maintenance of developmental access roads to the Alaskan border for
18 the development of mineral resources which are in adjacent Canadian
19 lands if such access roads are the most feasible way of developing those
20 mineral resources, and if it is considered by the commissioners to be in
21 the interest of Alaska to construct the roads; however, the state may
22 participate up to \$100,000 [\$50,000], or up to one-third of the cost of
23 construction [AND OF THE MAINTENANCE] of these roads in Alaska, which-
24 ever 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).
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