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1 IN THE SENATE

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2 SENATE BILL NO. 94

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act adopting a mineral policy for the state."

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

8 * Section 1. AS 44.99 is amended by adding a new section to read:

9 Sec. 44.99.110. DECLARATION OF STATE MINERAL POLICY; CIVIL
10 ACTION. (a) The legislature, acting under art. VIII, sec. 1 of the
11 Constitution of the State of Alaska, in an effort to further the
12 economic development of the state, to maintain a sound economy, stable
13 employment, and the encouragement of responsible economic development
14 within the state for the benefit of present and future generations
15 through the purposeful development of the abundant mineral resources
16 within the state, including metals, industrial minerals, and coal,
17 declares as the mineral policy of the state that

18 (1) state land be available for mineral exploration and
19 development through multiple use practices that may not subordinate
20 mineral resource development;

21 (2) mineral development not be encumbered by excessive,
22 unattainable, or uneconomical legislative or administrative stipu-
23 lations;

24 (3) a comprehensive transportation infrastructure be devel-
25 oped in the state to facilitate the entry into the market place of
26 mineral products; and

27 (4) the general and public functions of the state that
28 promote mineral development, inform and educate the public, and ad-
29 vance the knowledge and technology of the mineral industry receive the
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1 support of the state.

2 (b) A person may file a civil action against a person or entity,
3 including the state, an instrumentality of the state, or an officer or
4 employee of the state acting in an official capacity, for failing to
5 carry out a policy established under this section. A court, in issu-
6 ing a final order in an action brought under this subsection, may
7 award costs and expert witness and attorney fees to the prevailing
8 party.