

Offered: 3/13/90
Referred: Resources and Finance

6-1653E

Original sponsor(s): SEN. COGHILL

1 IN THE SENATE BY THE TRANSPORTATION COMMITTEE
2 CS FOR SENATE BILL NO. 392 (Transportation)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - SECOND SESSION
5 A BILL
6 For an Act entitled: "An Act relating to credit for development or im-
7 provement of access to land; and providing for an
8 effective date."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. AS 19.30 is amended by adding new sections to read:
11 ARTICLE 2A. CREDIT FOR DEVELOPING OR IMPROVING ACCESS TO LAND.
12 Sec. 19.30.103. CREDIT FOR ACCESS THAT ENHANCES THE VALUE OF
13 STATE LAND. (a) The commissioner of natural resources may grant a
14 credit against lease or purchase payments for state land to the lessee
15 or purchaser of state land who develops or improves access to the land
16 being leased or purchased if the commissioner determines that the
17 development or improvement of access enhances the value of state land
18 or other state resources.
19 (b) The amount of credit granted may not exceed the lesser of
20 (1) 50 percent of the purchase price of the land or the
21 lease payments for the term of the lease; or
22 (2) the cost of development or improvement of access to the
23 land being purchased or leased, as determined by the commissioner of
24 natural resources.
25 (c) In order to qualify for the credit allowed under this sec-
26 tion, the lessee or purchaser of state land shall obtain approval for
27 the development or improvement of access to the land from the commis-
28 sioner of natural resources before beginning construction of new
29 access or improvements to existing access.

1 Sec. 19.30.105. CONSTRUCTION STANDARDS AND MAINTENANCE. (a)
2 Access developed or improved under AS 19.30.103 - 19.30.107 may quali-
3 fy for a credit under AS 19.30.103 even though it is of low standard
4 and is not necessarily suitable for all weather use.

5 (b) The state is not obligated to maintain an access road or
6 other facility for which a credit is granted under AS 19.30.103 -
7 19.30.107.

8 (c) For access roads eligible for the credit under AS 19.30.103,
9 the Department of Natural Resources and the Department of Transporta-
10 tion and Public Facilities shall determine the right-of-way width, not
11 to exceed 300 feet, for an access road that is located outside of a
12 municipality that has zoning ordinances controlling the right-of-way
13 width of roads in subdivisions. If an access road is located within
14 the boundaries of a municipality that has zoning ordinances control-
15 ling the right-of-way width of roads in subdivisions, the right-of-way
16 width of the access road shall conform to the ordinances of the
17 municipality.

18 Sec. 19.30.107. REGULATIONS. The commissioner of natural re-
19 sources may adopt regulations necessary to implement AS 19.30.103 -
20 19.30.107.

21 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).