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Jeanie Henry

House Rules Committee, 5/11/85, 5:30 pm

R

COMMITTEE REPORT

5/11

HOUSE

Rules

(7)

FURTHER:

4/11/85

Date: 5/11/85

The Committee on RULES has had CSSB 115(Res)

"An Act relating to land use and disposal near a highway right-of-way; and providing for an effective date."

under consideration and recommends:

[] do pass [] do not pass

[] do pass with attached amendments(s)

[X] replace with CS for CSSB 115 Rules [X] same title new title

and recommends do pass

[] AND attaches a "Letter of Intent" [] New Fiscal Note

[] reports it back without recommendation [] Zero Fiscal Note Attached

[] referred to the _____ Committee

MEMBERS SIGNING DO/PASS

Mr. Miller

Ben ...

F. Koywalli

Larry ...

MEMBERS HAVING OTHER RECOMMENDATIONS:

Mr. Miller

CHAIRMAN

Bradley
5/8/85 ✓

Original sponsor: Resources Committee

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IN THE SENATE

BY THE RULES COMMITTEE

HOUSE CS FOR CS FOR SENATE BILL NO. 115 (Rules)

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to land use and disposal near a highway right-of-way; and providing for an effective date."

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

* Section 1. AS 19.40.200 is amended by adding new subsections to read:

(b) The prohibition on disposal of state land under (a) of this section does not apply to a disposal necessary for

(1) an oil and gas lease under AS 38.05.180;

(2) exploration, development, production, or transportation of oil and gas north of 68 degrees north latitude; or

(3) a state lease or materials sale for exploration, development, production, or transportation of oil and gas or reconstruction or maintenance of the highway north of 68 degrees north latitude.

(c) Before the sale of materials under (b)(3) of this section to a private entity or person or to a state agency the state shall give due consideration to the availability of materials from private sources in the area where the materials are needed.

* Sec. 2. AS 19.40.210 is amended to read:

Sec. 19.40.210. PROHIBITION OF OFF-ROAD VEHICLES. Off-road vehicles are prohibited on land within five miles of the right-of-way of the highway. However, this prohibition does not apply to off-road vehicles necessary for oil and gas exploration, development, production, or transportation or to a person who holds a mining claim in the vicinity of the highway and who must use land within five miles of the

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right-of-way of the highway to gain access to the [HIS] mining claim.

* Sec. 3. This Act is retroactive to October 5, 1980.

* Sec. 4. This Act takes effect immediately in accordance with AS 01.-
10.070(c).

HOUSE CALENDAR:

BILL SB0115
PAGE 00185
DATE 01/31/85
CHAMBER SENATE
TEXT SENATE BILL NO. 115 by the Resources Committee, entitled:
"An Act relating to oil and gas exploration
along highway rights-of-way."
was read the first time and referred to the Resources Committee
and the Transportation Committee.

SB0115
00264
02/11/85
SENATE
The Resources Committee considered SENATE BILL NO. 115 (oil
and gas exploration along highway rights-of-way) and
recommended it be replaced with
CS FOR SENATE BILL NO. 115 (RES), entitled:
"An Act relating to land use and disposal
near a highway right-of-way; and providing
for an effective date."
and do pass. The report was signed by Senator Sturgulewski,
Chairman and concurred in by Senators Coghill, Fahrenkamp,
Zharoff, Eliason, Vic Fischer and Halford.

"Letter of Intent
It is the intent of the Senate Resources Committee that leases
necessary for communication equipment or facilities related to
oil or gas activity is included as allowable under Section
1(b)(2) of CS SB 115 (Resources)."
SENATE BILL NO. 115 was referred to the Transportation
Committee.

SB0115
00328
02/19/85
SENATE
The Transportation Committee considered SENATE BILL NO. 115
(oil and gas exploration along highway rights-of-way) and rec-
ommended the Resources Committee Substitute be adopted with a
majority do pass. The report was signed by Senator Coghill,
Chairman and concurred in by Senators Faiks, Abood and Paul
Fischer.
SENATE BILL NO. 115 was referred to the Rules Committee.

SB0115
00346
02/21/85
SENATE
The Rules Committee considered SENATE BILL NO. 115 (oil and
gas exploration along highway rights-of-way) and recommended
calendar February 21. The report was signed by Senator Kelly,
Chairman and concurred in by Senators Coghill and Faiks.
SENATE BILL NO. 115 appears on today's calendar.

SENATE BILL NO. 115 (oil and gas exploration along highway rights-of-way) was read the second time.

Senator Sturgulewski moved and asked unanimous consent for the adoption of the Resources Committee Substitute offered on page 264. Without objection §CS FOR SENATE BILL NO. 115 (RES) ¶(land use and disposal near a highway right-of-way; efd) was adopted.

CS FOR SENATE BILL NO. 115 (RES) was read the second time.

SB0115

00353

02/21/85

SENATE

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 115 (RES) be considered engrossed, advanced to third reading and placed on final passage. Senator Ray objected, then withdrew his objection. There being no further objection, it was so ordered.

CS FOR SENATE BILL NO. 115 (RES) was read the third time.

Senator Halford moved and asked unanimous consent that the title change be adopted. Without objection, the new title was adopted.

The question being: "Shall CS FOR SENATE BILL NO. 115 (RES) (land use and disposal near a highway right-of-way; efd) pass the Senate?" The roll was taken with the following result:

CSSB 115 RES 3RD

Yeas:	20	Abood, Bennett, Coghill, DeVries, Eliason, Fahrenkamp, Faiks, Ferguson, Fischer Paul, Fischer Vic, Halford, Josephson, Kelly, Kerttula, Ray, Rodey, Sackett, Sturgulewski, Zharoff, Ziegler
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Nays: 0

and so, CS FOR SENATE BILL NO. 115 (RES) passed the Senate.

Senator Halford moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. Without objection, it was so ordered.

Senator Ziegler made a parliamentary inquiry, asking at what stage a letter of intent is adopted.

President Bennett stated that hereafter letters of intent would be adopted prior to the vote on a bill.

Senator Halford moved and asked unanimous consent that the Resources Committee Letter of Intent offered on page 264 be adopted as a Senate Letter of Intent. Without objection, the Senate Letter of Intent was adopted.

CS FOR SENATE BILL NO. 115 (RES) was referred to the Secretary for engrossment.

§CS FOR SENATE BILL NO. 115 (RES) ¶was engrossed, signed by the President and Secretary and transmitted to the House for consideration with a Senate Letter of Intent.

SB0115
00408
02/22/85
HOUSE

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 115 (Resources) by the Resources Committee, entitled:

"An Act relating to land use and disposal near a highway right-of-way; and providing for an effective date."

was read the first time and referred to the House Special Committee on Oil and Gas, Resources and Transportation Committees.

SB0115
00493
03/01/85
HOUSE

The Speaker waived the House Special Committee on Oil & Gas referral on COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 115 (Resources) (land use and disposal near a highway right-of-way; effective date) at the request of the Chairman.

CSSB 115(Res) was sent to the Resources Committee with a further referral to the Transportation Committee.

SB0115
00509
03/04/85
HOUSE

The Speaker waived the Resources Committee referral on COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 115 (Resources) (relating to land use and disposal near a highway right-of-way; effective date) at the request of the Co-Chairman. CSSB 115(Res) was sent to the Transportation Committee.

SB0115
00881
04/11/85
HOUSE

The Transportation Committee has considered COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 115 (Resources) (relating to land use and disposal near a highway right-of-way; effective date) and reports it back as follows: Cato (Chairman), Pignalberi, Furnace, Davis, Marrou and Shultz recommend do pass; Herrmann has no recommendation. The Committee supports the Senate Letter of Intent (page 264, Senate Journal).

CSSB 115(Res) was referred to the Rules Committee for placement on the calendar.

Oil & Gas SENATE BILL NO. 115, by the Resources Committee. Identical
Activities to HB 143, page 190, this report. Does not provide for an
(haul road effective date (becomes law 90 days after signed by the
rights-of way) Governor).

Introduced January 31 and referred to Resources and Transportation.

SENATE BILL NO. 115, (see page 169). Reported back to the Senate February 11 from Resources with the committee recommending it be replaced with a Resources CS and that it do pass. Concurring: Sturgulewski (Chairman), Coghill, Fahrenkamp, Zharoff, Eliason, Vic Fischer and Halford. To Transportation.

The committee submitted a letter of intent, which states: "It is the intent of the Senate Resources Committee that leases necessary for communication equipment or facilities related to oil or gas activity is included as allowable under Section 1(b)(2) of CS SB 115 (Resources)."

The Resources CS changes amendment to AS 19.40.200 (Prohibition on Disposal of Land Within Five Miles of the Highway). Adds new subsection (b) which states that the prohibition does not apply to "(1) disposal necessary for an oil and gas lease under AS 38.05.180; (2) a state lease or materials sale necessary for exploration, development, production, or transportation of oil and gas or reconstruction or maintenance of the highway."

Also adds new (c): "Before the sale of materials under (b)(2) of this section to a private entity or person or to a state agency the state shall give due consideration to the availability of materials from private sources in the area where the materials are needed."

Makes bill retroactive to October 5, 1980 and effective immediately.

CS FOR SENATE BILL NO. 115 (RESOURCES), (see pages 169; 272; 320). Reported back to the Senate on February 19 by Transportation with the committee recommending the Resources CS do pass. Concurring: Coghill (Chmn.), Faiks, Abood and Paul Fischer. To Rules.

Before the Senate on February 21. The Resources CS was adopted and the bill passed, 20-0. The effective date was adopted. The Resources letter of intent was adopted.

CS FOR SENATE BILL NO. 115 (RES), (see pages 169;306). Received in the House and referred to House Oil & Gas, Resources, Transportation.

CS SENATE BILL NO. 115 (RES), (see pages 169;272;306;320). On March 1 the Speaker waived the Oil & Gas referral. To Resources, then Transportation.

HOUSE BILL NO. 115, (see pages 144; 249). On March 6 the Speaker waived the Judiciary referral. To Rules.

CS FOR SENATE BILL NO. 115 (RES), (see pages 169;272;306; 320;383;422). Reported back to the House April 11 by Transportation recommending it do pass. Concurring: Cato (Chair), Pignalberi, Furnace, Davis, Marrou and Shultz. Not concurring: Herrmann has no recommendation. The Committee supports the Senate letter of intent (see page 272). To Rules.

