

**sources: Approval of Road Construction.** No pioneering access roads may be constructed, relocated, or repaired under the provisions of this Act except those to areas approved by the commissioner of natural resources, or his successor. Requests for the construction, relocation or repair of pioneering access roads shall be directed to the commissioner of public works and may be initiated by the commissioner of natural resources. Each request shall be reviewed by the commissioner of public works for general feasibility. The commissioner of public works shall refer it to the commissioner of natural resources for a determination of its priority. After establishing priorities the commissioner of natural resources shall return requests to the commissioner of public works for action.

Sec. 4. Sec. 4, Ch. 47, SLA 1959 is amended to read as follows:

**Sec. 4. Type of Road Construction: Capital Structures Forbidden.** The Department of Public Works, or its successor, in carrying out the road work authorized by this Act, shall (a) furnish all necessary engineering and surveying service at minimum cost, absorbing such cost whenever possible in its regular appropriation, provided, however, that Federal Aid Primary System survey,

design and right-of-way program shall be utilized wherever possible, (b) utilize the cheapest methods of construction consistent with the purpose of this Act, (c) construct low standard roads not necessarily suitable for all weather use, (d) build no roads to benefit a single area, individual or operation if private funds for such construction are reasonably available in whole or in part, (e) provide wherever possible for participation in construction expense by the person or operation benefited, (f) require the use of local privately owned road building equipment whenever available and near the improvement without profit to its owners or persons who will directly benefit by the road, and (g) enter into contracts in order to carry out the above objectives. The state shall not be obligated to maintain pioneering access roads. In such road work, the Department shall not construct any permanent capital structures other than the pioneering access roads themselves, except such structures as are, in the opinion of the Department, essential to providing road access to natural resource areas.

Sec. 5. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 19, 1960

## CHAPTER 155

### AN ACT

**Relating to the Alaska Land Act; amending Art. III, Sec. 4, Ch. 169, SLA 1959; and providing for an effective date.**

(H.B. 363)

**Be it enacted by the Legislature of the State of Alaska:**

Section 1. Art. III, Sec. 4, Ch. 169, SLA 1959 is amended to read as follows:

**Sec. 4. Public Use.** The lease, sale, or other disposal of any Alaska lands or resources may be made to any Alaska or Federal agency or political subdivision, or the lease, sale or other disposal of coal deposits suitable for mining may be made to any utility

owned and operated by a government agency or non-profit cooperative association organized to participate under the Federal Rural Electrification Act for the purpose of generating electric power and energy, or the production of process steam, or both, for less than the appraised value, as may be determined by the Director and approved by the Commissioner, to be fair and proper and in the best interests of the public, with due consideration being given to the nature of the public services

or function rendered by the said agency, subdivision, or utility making application therefor, and of the terms of the grant under which the land was acquired by Alaska.

Sec. 2. This Act takes effect on the day after its passage or approval or on the day it becomes law without such approval.

Became law without signature April 20, 1960

## CHAPTER 156

### AN ACT

**Relating to the Alaska Public Service Commission; amending Ch. 199, SLA 1959; authorizing an appropriation; and providing for an effective date.**

(C.S.S.B. 218)

**Be it enacted by the Legislature of the State of Alaska:**

Section 1. Sec. 2, Ch. 199, SLA 1959 is amended to read as follows:

**Sec. 2. Public Service Commission: Membership, Qualifications and Compensation.** There is hereby created within the Department of Commerce the Alaska Public Service Commission, which shall consist of three members to be appointed by the governor and confirmed by the legislature in joint session assembled. The term of office of each such member shall be six years, or until his successor is appointed and qualifies; provided, however, that the governor shall designate which, among his initial appointees, shall serve, respectively, for terms of two years, four years and six years, it being the intent hereof that terms of commissioners be staggered to insure continuity of experience on the commission. Members appointed to the commission shall be qualified as follows: one member shall be a graduate of an accredited school of law; one member shall be a graduate of an accredited university with a major in engineering; one member shall be a graduate of an accredited university with a major in finance, accounting, or business administration. Actual experience for a period of five years in the practice of law or in the field of engineering or in the field of finance, business administration or accounting is deemed equivalent to a degree. No member of the commission, nor any employee or agent thereof, shall have any official or professional relation or connection with,

or hold any stock or securities or have any pecuniary interest in any business or agency subject to regulation hereunder; provided, that membership in a cooperative association shall not be considered a "pecuniary interest" within the meaning of this section. The Governor shall designate one member of the commission to serve as chairman. The commission shall be under the general administrative supervision of the Commissioner of Commerce and the latter shall appoint the executive director of the commission, who may be a member of the commission. The Commission shall establish such offices within the state as may be necessary to the proper discharge of its duties. Members of the commission shall be entitled to the per diem established by law for other boards and commissions and shall be paid for their necessary travel expense. Each member of the commission shall take and subscribe to the oath prescribed for principal officers of the state.

Sec. 2. Subsec. (1), Sec. 3, Ch. 199, SLA 1959 is amended to read as follows:

(1) "Public utility" or "utility" means and embraces every corporation, whether municipal, public, cooperative or otherwise, company, individual, or association of individuals, their lessees, trustees, or receivers appointed by any court having jurisdiction in the premises, that now or hereafter may own, operate, manage or control any plant or system for the generation, transmission or distribution of electric energy and power, for the furnishing of telephone or telegraph communica-