



# LAWS OF ALASKA

1970

Source

SCS CSHE 614

Chapter No.

167

## AN ACT

Relating to roads to areas rich in mineral resources.

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

\* Section 1. AS 19.30.020 is repealed and re-enacted to read:

Sec. 19.30.020. PURPOSE. The purpose of secs. 20 - 51 of this chapter is to facilitate the commercial development of mineral resources, except oil and gas, by authorizing funds to participate in construction of developmental access roads into areas where mining prospects of valid commercial promise are inaccessible to truck haulage. These access roads are to be constructed as rudimentary truck roads and to standards which can be readily improved for general public use. It is the intent of the state to participate with mineral resource developers up to 50 per cent for the cost of construction and maintenance of developmental access roads under secs. 20 - 51 of this chapter.

\* Sec. 2. AS 19.30.030 is repealed and re-enacted to read:

Sec. 19.30.030. COMMISSIONER TO APPROVE APPLICATION.

(a) The commissioner of natural resources may approve applications for construction of developmental access roads under secs. 20 - 51 of this chapter.

(b) A request for construction assistance shall be submitted to the commissioner of natural resources by the resource developer, setting out the scope of the development and the resources to be developed.

(c) The commissioner of natural resources shall review the application and, if found feasible and participating

funds are available, may enter into a contract in which the state will participate with the applicant in the cost of construction of the road, up to \$50,000 or up to 50 per cent of the cost, whichever is lower; however, the applicant shall pay for all right-of-way acquisition.

\* Sec. 3. AS 19.30.040 is repealed and re-enacted to read:

Sec. 19.30.040. CONSTRUCTION AND MAINTENANCE. (a) Upon approval of an application and agreement as to state participation, the applicant resource developer shall submit to the commissioner of natural resources road plans and specifications for the standard of construction he believes to be necessary to develop the mineral resource and protect the fish and game resources that may be affected by the road construction. Plans and specifications submitted by each applicant shall be forwarded by the commissioner of natural resources to the commissioner of highways and the commissioner of fish and game and upon approval by them, the applicant may proceed with construction.

(b) The applicant will be allowed credit for the use of his own men and equipment or those of his contractor as his share of cost participation. The applicant must submit documentation satisfactory to the commissioner of highways to support his participation for this credit.

(c) If the total cost of the road is less than the original estimate, the state will match only half of the actual cost.

(d) If the total cost of the road is greater than the original estimate, the applicant resource developer will be responsible for all costs in excess of the agreed upon state participation.

(e) The road becomes the property of the state, and, so long as the road is used by the applicant resource developer, is open to public use, and the applicant shall bear one-half the cost of maintenance.

\* Sec. 4. AS 19.30 is amended by adding a new section to read:

Sec. 19.30.045. CANADIAN MINERALS. The state may elect, at the joint discretion of the commissioners of highways and natural resources, to authorize participation in a similar manner, to that authorized in secs. 20 - 40 of this chapter, in construction and maintenance of developmental access roads to the Alaskan border for the development of mineral resources which are in adjacent Canadian lands if such access roads are the most feasible way of developing those mineral resources, and if it is considered by the commissioners to be in the interest of Alaska to construct the roads; however, the state may participate up to \$50,000, or up to one-third of the cost of construction and of the maintenance of these roads in Alaska, whichever is lower.

\* Sec. 5. AS 19.30.051 is amended to read:

Sec. 19.30.051. REGULATIONS. The commissioner of

natural resources and the commissioner of highways shall promulgate rules and regulations to effectuate the purposes of secs. 20 - 51 of this chapter.

\* Sec. 6. AS 19.30.010 is repealed.