

STATE OF ALASKA

CHAPTER 154

AN ACT

Relating to the construction or repair of pioneering access roads by the Department of Public Works; amending Secs. 1, 2, 3, and 4, Ch. 47, SLA 1959; and providing for an effective date.

(H.B. 366)

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

Section 1. Sec. 1, Ch. 47, SLA 1959 is amended to read as follows:

Section 1. Findings and Declaration of Purpose. The legislature hereby finds that many of the areas within the state rich in natural resources are inaccessible because of the lack of roads therein; that this inaccessibility of areas of great potential value prohibits the successful use of such natural resources; that the construction, relocation, or repair of roads into such areas will increase resource development, thereby bringing even more natural resources into commercial use; that the relatively high costs of constructing, relocating, or repairing such roads prevents private interests from undertaking the development of such areas; that the cost to the state of constructing, relocating or repairing such roads would many times over be repaid by the increased revenues arising out of the resulting development and use of the natural resources; that the failure to so develop the many inaccessible areas within the state that are rich in natural resources is detrimental to the welfare and well-being of the people of Alaska by depriving them of the benefits to the economy of the state to be derived from the commercial utilization of vast quantities of minerals, agricultural lands, forests, waters, and recreation sites which cannot be utilized because of the lack of access roads thereto.

It is hereby declared to be the purpose of this Act to facilitate the commercial utilization of the natural resources of this state by authorizing the expenditure of funds to construct, relocate, or repair as many miles of pioneering access roads as is possible into and within areas rich in natural resources or to mining prospects of

commercial promise which are inaccessible to truck haulage. The pioneering access roads authorized by this Act are envisaged as being essentially low standard, rudimentary truck roads, not usually fit for passenger automobile use and not necessarily subject to repair, upkeep, or seasonal maintenance.

Sec. 2. Sec. 2, Ch. 47, SLA 1959 is amended to read as follows:

Sec. 2. Appropriation Authorized. There is hereby authorized an annual appropriation to the Department of Public Works, or its successor, for the purposes of this Act.

Sec. 3. Sec. 3, Ch. 47, SLA 1959 is amended to read as follows:

Sec. 3. Commissioner of Natural Resources: 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

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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