

LEGAL SERVICES

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MEMORANDUM

February 28, 2014

SUBJECT: Sectional Summary of SSHB 194
(Work Order No. 28-LS0730N)

TO: Representative Neal Foster
Attn: Paul LaBolle

FROM: Hilary Martin 
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill -- the bill itself is the best statement of its contents.

Section 1. Vacates the Copper Center-Valdez right-of-way, RST 633, for those portions that overlap public easements established under 43 U.S.C. 1616(b).

Section 2. Limits R.S. 2477 rights-of-way that cross land owned by a private landowner to the use of the route as established on October 21, 1976; provides that the right-of-way may not exceed 60 feet in width; and limits the use of the right-of-way to transportation purposes only. Grants a secondary easement to R.S. 2477 rights-of-way that cross land owned by a private landowner in order to enter, inspect, repair, maintain, and improve the right-of-way, only to the extent necessary to preserve the condition of the right-of-way as it existed on October 21, 1976, and to make necessary improvements to the right-of-way to preserve the transportation use of the right-of-way. Requires the state to consult with and gain the permission of the private landowner that owns the land subject to the right-of-way prior to making improvements, other than routine maintenance and repair. Allows for mediation if there is a dispute between the private landowner and the state about improvements to a right-of-way. Requires the state to consult with the private landowner who owns the underlying land if an R.S. 2477 right-of-way has been damaged beyond repair and is to be realigned. Defines "routine maintenance and repair."

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