

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 12(FIN) am

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE HOUSE FINANCE COMMITTEE

Amended: 3/5/99

Offered: 2/19/99

Sponsor(s): REPRESENTATIVES JAMES, Therriault, Dyson, Harris, Kemplen

SENATORS Wilken, Pete Kelly

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to a utility corridor and railroad right-of-way between the
2 Alaska Railroad and the Alaska-Canada border."

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

4 * Section 1. AS 19.05.122(a) is amended to read:

5 (a) Subject to legislative appropriation, [NOT LATER THAN APRIL 1,
6 1982, THE INTERIOR DIVISION OF] the department shall delineate a proposed
7 utility corridor, including a railroad right-of-way, between the right-of-way [FOR
8 THE EXTENSION] of the Alaska Railroad and [TO] the Canadian border. The
9 proposed utility corridor shall include a complete legal description of the proposed
10 railroad right-of-way.

11 * Sec. 2. AS 19.05.122(b) is amended to read:

12 (b) Within 90 days after receiving a report transmitting the work [OF THE
13 INTERIOR DIVISION] of the department under (a) of this section, the commissioner
14 shall, in conformity with AS 44.62 (Administrative Procedure Act), if necessary, adopt

1 a regulation approving, modifying, or rejecting the proposed utility corridor and
 2 railroad right-of-way.

3 * **Sec. 3.** AS 19.05.122(c) is amended to read:

4 (c) If the commissioner approves or modifies the proposed utility corridor and
 5 railroad right-of-way,

6 (1) the Department of Natural Resources shall promptly

7 (A) classify, or reclassify, and reserve any state land within the
 8 utility corridor for use as a utility corridor and railroad right-of-way; and

9 (B) delineate the route of the utility corridor and railroad
 10 right-of-way in any system of land records maintained by the Department
 11 of Natural Resources under AS 38.05.035; and

12 (2) the department shall

13 (A) exercise its authority under AS 19.05.040 to acquire rights-
 14 of-way across land within the utility corridor which is subject to the state's
 15 power of condemnation;

16 (B) work with federal officials to secure reclassification and
 17 withdrawal of federal land in the utility corridor for reservations and rights-of-
 18 way across the federal land for use as a utility corridor and railroad right-of-
 19 way; and

20 (C) prepare a report evaluating the impact of construction of an
 21 extension of the Alaska Railroad across federal land within the railroad right-
 22 of-way; the statement shall satisfy the requirements for an "environmental
 23 impact statement" under 42 U.S.C. 4332.

24 * **Sec. 4.** AS 19.05.122 is amended by adding new subsections to read:

25 (e) In performing the work required by (a) of this section, the railroad
 26 alignment and identification of a railroad right-of-way of not less than 500 feet,
 27 together with adjacent sites that can be developed for necessary construction materials,
 28 shall guide the identification and delineation of the corridor.

29 (f) To complete the work required by this section, the commissioner may
 30 accept and, subject to legislative appropriation, expend any legal gifts and grants
 31 relating to the work and may enter into agreements relating to the work with the

- 1 federal government, an agency or instrumentality of the state, a municipality, or a
- 2 private organization.