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HB 220/Ver. A SECTIONAL ANALYSIS

“An Act relating to easements and rights-of-way in state parks.”

Section 1. Amends AS 41.21.024(a) to require the Department of Natural Resources to grant a public easement or right-of-way within a state park when statutory criteria are met. Approval is mandatory if the commissioner determines the easement will not unduly affect park resources, is in the public interest, and complies with applicable law.

Section 2. Amends AS 41.21.024 by adding subsections (b)–(e) to establish application requirements, review standards, timelines, and protections for existing easements.

(b) Requires an application describing the public interest benefit, need, location, and proposed facilities, and including an environmental effects assessment and survey.

(c) Requires environmental assessments to be proportional to the scope and anticipated impacts and directs the department to minimize delays and applicant costs.

(d) Establishes decision timelines, requiring approval or denial within 90 days of a complete application; written reasons for denial; authority to impose reasonable conditions and fees; and automatic approval if no action is taken within 60 days unless prohibited by law.

(e) Requires regulations allowing public use of valid existing easements crossing state park land and prohibits unreasonable restrictions when statutory criteria are met.

Section 3. Adds an applicability provision specifying that regulations adopted under AS 41.21.024(e) apply only to easements or rights-of-way granted on or after the Act’s effective date.