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CSHB220\Version G to Ver H (34-LS0322)

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

Summary of Changes:

Sec. 1, Pages 1-2, lines 3-15 adds a new uncodified section establishing legislative intent and findings. It limits the Act to state park units only, states the intent to facilitate timely and reasonable access to private inholdings and public utility infrastructure while protecting primary recreational and conservation values, requires implementation consistent with federal law including the Land and Water Conservation Fund Act of 1965, and clarifies that the Act shall not be interpreted to authorize large-scale development or conversion of state park land to nonrecreational use.

Sec. 1, Page 2, lines 1-3 adds legislative findings that minor, minimally invasive linear utility crossings and access routes do not prohibit recreational use of state park units and are generally compatible with the purposes of state parks.

Sec. 2, Page 2, lines 5-19 restructures AS 41.21.024 into a two-tier system: the department (1) **may** grant a public easement or right-of-way for access to private property or for the installation of new public utility facilities and infrastructure; and (2) **shall** grant an easement or right-of-way for the operation, maintenance, upgrade, removal, or replacement of existing public utility facilities and infrastructure (when the commissioner determines the three statutory criteria are met).

Sec. 3, Page 3, lines 24-31 changes the commissioner's deadline to approve or disapprove a complete application from 60 days to 90 days.

Sec. 3, Pages 4-5, lines 22-30 adds new subsection (i) addressing compatibility with the federal Land and Water Conservation Fund Act and clarifying that reasonable use of an easement or right-of-way for public utility infrastructure or private property access does not by itself convert park land to a nonrecreational use.

Sec. 3, Page 5 adds new subsection (j) containing definitions of "facilities and infrastructure" and "public utility"

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