

30th Alaska State Legislature

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SB 86 Disposal of Alaska Railroad Corporation land

Sectional – Version U

Section 1. Adds AS 42.40.352, sale of land not necessary for railroad purposes, to the Reservation statute relating to the retention of subsurface rights.

Sec. 2. Sunsets Section 1 in three years,

Sec 3. Deletes from AS 42.40.120 (Delegation of powers and duties to the chief executive officer) the requirement for legislative approval of land transaction affecting utility corridors, land leases, or land disposals if it is a land sale or a lease longer than 95 years.

Sec. 4. Sunsets Section 3 in three years and re-establishes in statute the requirement for the Alaska Railroad to get legislative approval for land transfers.

Sec. 5. Deletes from AS 42.40.120(c) (transactions requiring board approval) the requirement for legislative approval.

Sec. 6. Sunsets Section 5 in three years and re-establishes in statute the requirement for legislative approval for land transfers.

Sec. 7. Enacts AS 42.40.285, the **Legislative Approval Required** provision repealed in this legislation three years after the effective date of the bill.

Sec. 8. Deletes from AS 42.40.350(b) (authorization of use of a utility corridor) the requirement for legislative approval of such authorization.

Sec. 9. Sunsets Section 8 three years after the effective date of the legislation to reinstate the statutory requirement for legislative approval.

Sec. 10. Deletes from AS 42.40.350(c) (granting easements on railroad land) the requirement for legislative approval.

Sec. 11. Sunsets Section 10 three years after the effective date of the legislation to reinstate the statutory requirement for legislative approval.

Sec. 12. Deletes from AS 42.40.350(d) (lease or disposal of land at fair market value) the requirement for legislative approval.

Sec. 13. Sunsets Section 12 three years after the effective date of the legislation to reinstate the statutory requirement for legislative approval.

Sec. 14. Has been rewritten to require the following before land can be sold:

- Requirement that the board find (1) the land is not needed for railroad purposes and (2) the action is in the “best interest” of the state
- 60-day public notice is required
- Adjacent landowners must be notified as part of the public notice process
- Right of first refusal is limited to 90 days, but can be rejected by a leaseholder in writing

Sec. 15. Sunsets Section 14 three years after the effective date of the legislation to reinstate the statutory requirement for legislative approval.

Sec. 16 This is conforming language renumbering **AS 42.40.410. Federal land** reference to AS 42.40.285 to conform to the repeal language in Section 15.

Sec. 17. Technical change made by leg legal to eliminate reference to legislative approval for exchange of land. Change overlooked in original bill.

Sec. 18. Repeals section 17 in three years.

Sec. 19. Eliminates provision in statute that allows the railroad to provide financing for construction, maintenance and operation of a railroad extension to Ft. Greely.

Sec. 20. Eliminates reference to AS 42.40.550.and 42.40.560 which are repealed in Section 22.

Sec. 21. Repeals the following:

Sec. 42.40.285. Legislative approval required.

Unless the legislature approves the action by law, the corporation may not

- (1) exchange, donate, sell, or otherwise convey its entire interest in land;
- (4) lease land for a period in excess of 95 years unless the corporation reserves the right to terminate the lease if the land is needed for railroad purposes;

Sec. 22. Repeals bonding authority for the Northern Crossroads Discovery Center project, the facility for the transportation of natural gas resources located in the state, and railroad extension to Ft. Greely.

Sec. 23. Has an immediate effective date for statutes amended in the bill that eliminate the requirement for legislative approval.

Sec. 24. This section sunsets the statutes amended in this bill that eliminate the requirement for legislative approval in three years and reenacts in statute the requirement for legislative approval.