

Alaska Bankers Association

P.O. Box 241489 • Anchorage, Alaska 99524-1489 • Ph. 907-261-3525 • Fax 907-562-1758

February 1, 2018

Senator Cathy Giessel, Chair
Senate Resources Committee
State Capitol
120 4th Street, RM 3
Juneau, AK 99801

Re: Support for SB86 – Alaska Railroad Corporation Land

Dear Senator Giessel,

The Alaska Bankers Association wishes to inform you of its support for Senate Bill 86 allowing the Alaska Railroad Corporation to more efficiently manage its overall real estate portfolio.

Alaska's banks are committed to Alaska's communities, working every day to provide the credit businesses and families need to grow. Providing the ARRC the decision making and management capacities to streamline processes relating to land sales and exchanges would generate liquidity and promote opportunities for private investment leading to economic growth and development. Monetizing non-performing ARRC land assets could, in turn, lead to new jobs and increased local tax bases.

We urge your support for SB86.

Sincerely,



Joe Schierhorn, President
Alaska Bankers Association



1016 W Sixth Ave., Suite 303

Anchorage, AK 99501

ANCHORAGE CHAMBER
of COMMERCE

April 7, 2017

**The Honorable John Coghill
Majority Leader
Alaska State Senate
Capitol Building, Suite 119
Juneau, Alaska 99801**

Dear Senator Coghill:

I am reaching out regarding Senate Bill 86, "An Act relating to the sale, other disposal, leasing and encumbrance of Alaska Railroad Corporation land."

The Anchorage Chamber of Commerce supports Senate Bill 86 as an effort to encourage more real estate development on Alaska Railroad land within Anchorage and throughout the entire railbelt.

Anchorage has a shortage of usable land, particularly land zoned for industrial uses. Freeing up land in a timely manner, without the delays that can occur in the legislature, would encourage those looking to bring a business into Anchorage or grow their business to do so by being able to own the property. This has the added advantage of increasing Anchorage's property tax rolls.

We also see this as an advantage to the Municipality of Anchorage to be able to complete land swaps or purchases from the Alaska Railroad in an expedited manner for projects beneficial to the people of Anchorage and the state as a whole.

Thank you for your support of this legislation.

Sincerely,



Bruce Bustamante



**ANCHORAGE BOARD
OF REALTORS®, INC.**
The Voice for Real Estate in Anchorage

3340 Arctic Blvd., Suite 101
Anchorage, Alaska 99503
(907) 561-2338 Phone
(907) 563-8476 Fax

January 25, 2018

**The Honorable John Coghill
Majority Leader
Alaska State Senate
Capitol Building, Suite 119
Juneau, Alaska 99801**

Dear Senator Coghill:

RE: Senate Bill 86, "An Act relating to the sale, other disposal, leasing and encumbrance of Alaska Railroad Corporation land".

I encourage legislators to support SB 86 as a tool for economic development during what looks to be tough economic times for our state.

Our organization has a vested interest in real estate development in Alaska and we understand firsthand the benefits of future growth. We see great potential in this legislation for us to work with the Alaska Railroad, as development opportunities arise, to move quickly to take advantage of those opportunities.

The benefits of SB 86 go beyond just our organization and the railroad. Private companies and individuals purchasing Alaska Railroad land will encourage economic growth and development, while at the same time putting the properties on the tax rolls to increase payments to local governments. A five-year sunset provision will also allow enough time for a track record to be established and for the legislature to confirm that the Alaska Railroad Board of Directors is continuing to work towards the best interests of the corporation and the state.

Additionally, SB 86 will bring the Alaska Railroad Corporation into alignment with other state entities that we have worked with in the past such as the Department of Transportation and Public Facilities to be able to sell land without legislative approval.

Sincerely,

Documented by:
Scott Myers 
F44222710474

**Scott Myers,
Associate Broker/REALTOR®
2017 President, Anchorage Board of REALTORS®**

January 24, 2018

The Honorable John Coghill
Majority Leader
Alaska State Senate
Capitol Building, Suite 119
Juneau, Alaska 99801

Dear Senator Coghill:

RE: Senate Bill 86, "An Act relating to the sale, other disposal, leasing and encumbrance of Alaska Railroad Corporation land".

I encourage legislators to support SB 86 as a tool for economic development during what looks to be tough economic times for our state.

The CCIM chapter in Anchorage is comprised of members of CCIM which is the professional designation that demonstrates the completion of advanced coursework and extensive experience in the commercial real estate industry. Our chapter has been involved in real estate in Alaska for quite some time. We see great potential in this legislation for us to work with the Alaska Railroad, as development opportunities arise, to move quickly to take advantage of those opportunities.

The benefits of SB 86 go beyond just our chapter and the railroad. Private companies and individuals purchasing Alaska Railroad land will encourage economic growth and development, while at the same time putting the properties on the tax rolls to increase payments to local governments. A five-year sunset provision will also allow enough time for a track record to be established and for the legislature to confirm that the Alaska Railroad Board of Directors is continuing to work towards the best interests of the corporation and the state.

Additionally, SB 86 will bring the Alaska Railroad Corporation into alignment with other state entities that we have worked with in the past such as the Department of Transportation and Public Facilities to be able to sell land without legislative approval.

Sincerely,


Mark Filipenko, CCIM
Certified Commercial Investment Member



**BUILDING OWNERS & MANAGERS ASSOCIATION
FEDERATED WITH BOMA INTERNATIONAL**

January 18, 2018

**The Honorable John Coghill
Majority Leader
Alaska State Senate
Capitol Building, Suite 119
Juneau, Alaska 99801**

RE: Senate Bill 86, "An Act relating to the sale, other disposal, leasing and encumbrance of Alaska Railroad Corporation land".

Dear Senator Coghill:

As President of the Building Owners and Managers Association Anchorage (BOMA Anchorage), I encourage legislators to support SB 86 as a tool for economic development in Alaska.

With over 185 members comprised of commercial property owners, managers, brokers, contractors, architects, engineers and other professionals in the commercial real estate community, BOMA Anchorage represents over 46 million square feet of commercial space and leads the way in representing the commercial real estate industry in Alaska. We support SB 86 and see great potential in this legislation and the development opportunities that could arise.

The benefits of SB 86 go beyond just our membership and the Alaska Railroad. With a shortage of usable land in the Anchorage area, this legislation will allow the Department of Transportation and Public Facilities to sell land without costly legislative delays. A more efficient process would encourage new economic growth and development, and ultimately add to the Municipality of Anchorage tax roll. A five-year sunset provision would allow time to establish a track record, giving the Legislature the ability to confirm that the Alaska Railroad represents the best interests of the Corporation and the State of Alaska.

SB 86 offers economic opportunity for the future. BOMA Anchorage supports this legislation and encourages the Legislature to pass this Senate Bill.

Sincerely,

**Aaron P. Lautaret
President, BOMA Anchorage**

DENALI BOROUGH

P.O. Box 480 • Healy, Alaska 99743
Phone: (907) 683-1330 • Fax: (907) 683-1340
Email: dbgovt@mtaonline.net
Website: www.denaliborough.govoffice.com



Clay Walker, Mayor

April 5, 2017

Senator Cathy Giessel, Senate Resources Committee Chair
Senator John Coghill, Senate Resources Committee Vice-Chair
Members of Senate Resources Committee

Re: Senate Bill Number 86

As I am unable to provide live testimony this Friday on SB 86, please accept this written letter of support. First, I would like to thank Senator Coghill for sponsoring this bill.

In 2009, the Denali Borough Assembly via resolution, supported the 2010 legislation enabling the Alaska Railroad Corporation (ARRC) to sell land. The borough followed the drafting of a land sales policy and encouraged the ARRC to consider lands within the Healy Reserve as suitable for sale, being in the best interest of the state. To this date, as far as I know, no ARRC lands have been sold statewide.

The Healy Reserve is the largest railroad reserve in the entire state, totaling 6,226 acres. Within the reserve, the railroad leases land vital to community functions. The Healy River Airport, leased to the Alaska Department of Transportation and Public Facilities, is important for personal, recreational and commercial aviation, but is essential to public safety, as it is the primary location for life flights. Granting the ARRC Board the ability to sell land, or exchange with other state entities, will help resolve a number of layered land situations across the state, including here in Healy.

The ARRC land leased to Usibelli Coal Mine for the development of a residential subdivision forms the center of the Healy community. I am writing from railroad leased land now, as the Tri-Valley Community Center (which houses the medical clinic, fire hall, borough office, bank, and state trooper station) sits on leased land. These lands are clearly not needed, and never will be, for railroad operations.

It is time for the legislature to allow the ARRC, through its board, the ability to dispose of lands without legislative approval. State agencies will have more options and Alaskan residents will have a brighter future, with increased opportunities for private land ownership. Private land ownership is fundamental to community growth, state growth, and economic expansion.

Thank you for this opportunity to provide comment on Senate Bill 86.

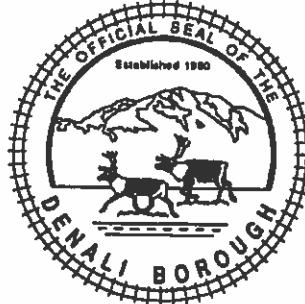
Sincerely,

A handwritten signature in black ink, appearing to read "Clay Walker".

Clay Walker, Denali Borough Mayor

DENALI BOROUGH

PO Box 480 – Healy, AK 99743
Phone (907) 683-1330 – Fax (907) 683-1340
dbgovt@mtaonline.net – www.denaliborough.org



DENALI BOROUGH, ALASKA RESOLUTION NO. 18-05

A RESOLUTION BY THE DENALI BOROUGH ASSEMBLY SUPPORTING SENATE BILL (SB) 86 REGARDING ALASKA RAILROAD CORPORATION LAND

WHEREAS, the Alaska Railroad Corporation (ARRC) plays a significant role in the economic well-being of the State of Alaska, through its support to other key industries in the state; and

WHEREAS, the Federal Government transferred land reserves to the ARRC not only to provide it with a land base on which to build infrastructure for transportation services, but also from which to generate income toward its self-sustenance; and

WHEREAS, the ability of any corporation to efficiently monetize non-performing, or under-performing, land assets is beneficial to that corporation and to the communities in which those assets are located; and

WHEREAS, both the Clear Reserve, at 2,490 acres, and the Healy Reserve, at 6,226 acres (the largest ARRC land reserve in the state), are located within the Denali Borough; and

WHEREAS, the current process for ARRC land sales mandates full legislative approval, which can be a lengthy and burdensome process; and

WHEREAS, under the existing system, no ARRC land has ever been sold in the Denali Borough; and

WHEREAS, SB 86 provides a mechanism for disposal of ARRC land similar to that of other corporations, which is approval by the Board of Directors; and

WHEREAS, the Board approval process should provide ample public notice and welcome public comment, resulting in an open public process.

THEREFORE, BE IT RESOLVED, that the Denali Borough Assembly fully supports SB 86 as a means to strengthen ARRC's economic sustainability, and as an effort to further encourage real estate development in the Denali Borough and throughout the Railbelt.

BE IT FURTHER RESOLVED, the Denali Borough Assembly recommends strengthening the Public Notice section (42.40.352) by articulating duration of notice and opportunity for public comment.

PASSED AND APPROVED by the Denali Borough Assembly this 14TH day of March, 2018

Clay Walker
MAYOR CLAY WALKER

ATTEST: Amber Renshaw
AMBER RENSHAW, BOROUGH CLERK

AYES: UNANIMOUS
ABSENT: CHATFIELD, HOLMES, KELLY





16515 Centerfield Dr, Suite 201
Eagle River, AK 99577
Phone: (907) 696-2828
Fax: (907) 696-2845
www.eklutaninc.com

April 4, 2017

The Honorable John Coghill
Majority Leader
Alaska State Senate
Capitol Building, Suite 119
Juneau, Alaska 99801

RE: Senate Bill 86, "An Act relating to the sale, other disposal, leasing and encumbrance of Alaska Railroad Corporation land".

Dear Senator Coghill:

I encourage legislators to support SB 86 as a tool for economic development during what looks to be tough economic times for our state.

Our corporation has been involved in real estate development in Alaska for quite some time. We see great potential in this legislation for us to work with the Alaska Railroad, as development opportunities arise, to move quickly to take advantage of those opportunities.

The benefits of SB 86 go beyond just our company and the railroad. Private companies and individuals purchasing Alaska Railroad land will encourage economic growth and development, while at the same time putting the properties on the tax rolls to increase payments to local governments.

Additionally, SB 86 will bring the Alaska Railroad Corporation into alignment with other state entities that we have worked with in the past such as the Department of Transportation and Public Facilities to be able to sell land without legislative approval.

Sincerely,

Best Regards,

Curtis J. McQueen
Chief Executive Officer

Introduced by: Mayor Matherly
Introduced: February 5, 2018

RESOLUTION NO. 4824

**A RESOLUTION IN SUPPORT OF SENATE BILL 86, AN ACT
RELATING TO THE SALE OR OTHER DISPOSAL, LEASING, OR
ENCUMBRANCE OF ALASKA RAILROAD CORPORATION LAND**

WHEREAS, the Alaska Legislature is considering amendment of AS 42.40.120(c) to incorporate the authorization for the Alaska Railroad (ARRC) to dispose or encumber its entire interest in land; and

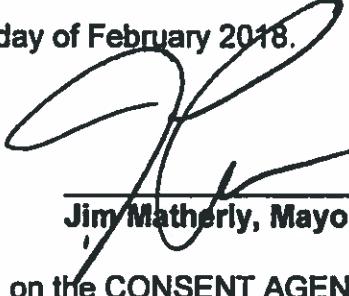
WHEREAS, the ARRC will be able to react much more quickly with respect to real estate opportunities that could potentially be funded by sale or encumbrance of ARRC land; and

WHEREAS, the sale of ARRC land could increase private development and expand the local tax base; and

WHEREAS, sale of ARRC land will provide the opportunity for individuals to acquire investment and recreational property, promoting economic growth and development.

NOW, THEREFORE, BE IT RESOLVED that the Fairbanks City Council supports the passage of Senate Bill 86.

PASSED and APPROVED this 5th day of February 2018.



Jim Matherly, Mayor

AYES: PASSED and APPROVED on the CONSENT AGENDA
NAYS: None
ABSENT: None
APPROVED: February 5, 2018

ATTEST:



D. Danyelle Snider, CMC, City Clerk

APPROVED AS TO FORM:



Paul Ewers, City Attorney



330 Wendell Avenue, Suite E, Fairbanks, AK 99701

February 2, 2018

**Senator Cathy Giessel, Senate Resources Committee Chair
Senator John Coghill, Senate Resources Committee Vice-Chair
Members of Senate Resources Committee**

Re: Support for Senate Bill 86

To the Senate Resources Committee:

The railroad plays a pivotal role in Fairbanks, from the supply line it provides to the Interior, to the carloads of tourists that visit Fairbanks each summer and frequent local businesses.

Railroad land extends into the heart of downtown Fairbanks. While the benefits of railroad land in the central Fairbanks district have provided benefits to businesses who lease the property, there is prime riverbank real estate with full utility hookups that has remained vacant for 20 years. Despite the fact that this presents an exciting opportunity for new housing, it's difficult for a singular residential developer to acquire the financing to build a riverbank home on leased land.

According to the Department of Natural Resources, in 2015 less than 1% of state land was under private ownership. Allowing the Alaska Railroad the discretion to determine which land resources would be best in private hands, and therein contributing revenues to local governments, would be a gain for the Fairbanks economy and economies all over Alaska.

FEDC supports the addition of a sunset date to SB 86. Providing a sunset date allows Alaskans to benefit from the jobs, commercial ventures, and residential lots from unused Alaska Railroad land reserves while allowing future Alaskans to choose whether or not the Alaska Railroad should be allowed to continue selling parcels that are not part of the right-of-way/operational reserves.

Fairbanks Economic Development Corporation exists to assist in creating new jobs and new economic opportunities while reinforcing current industries for the residents of the Fairbanks North Star Borough. It is with these ends in mind that we urge you to support Senate Bill 86 and amend the legislation to include a sunset date.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Dodson".

**Jim Dodson
President and CEO
Fairbanks Economic Development Corporation**



Phone: 907.452.7743

gfbrae@gci.net

www.gfbr.org

Board of Directors

Evelyn Arnott
President

Traci Schachle
President-Elect

Mike VanSickle
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Heather Lambert
Secretary

Joel Johnson
Director

Lance Cook
Director

Brittnie Welsh
Chief Executive Officer

February 8, 2018

**Senator Cathy Giessel, Senate Resources Committee Chair
Senator John Coghill, Senate Resources Committee Vice-Chair
Members of Senate Resources Committee**

Re: Support for Senate Bill 86

"An Act relating to the sale other disposal, leasing, or encumbrance of Alaska Railroad Corporation land; and providing for an effective date."

Under all this land. Upon its wise utilization and widely allocated ownership depend the survival and growth of free institutions and of our civilization. The Greater Fairbanks Board of REALTORS® recognizes that the interests of this community and its residents require the highest and best use of the land and the widest distribution of land ownership. They require the creation of housing, positive economic development and the preservation of a healthful environment.

Collectively, we believe that allowing the Alaska Railroad to determine which land resources would be best in private hands would have a positive economic impact on residential development in our community. Housing development will not only create new jobs and provide desired housing options for our existing residents, but it also maintains the ability to attract new people to our community. New people moving into the community could, in turn, attract new businesses. The financial impact of residential construction would be felt by a variety of businesses including local lenders, title companies, insurance agents, cable and internet providers, building retailers and local and state government.

With over 220 REALTOR® members and the support of strong local real estate related businesses in our community, we speak with one voice. On behalf of the Greater Fairbanks Board of REALTORS® and its members, we are unified in urging you to support Senate Bill 86.

Sincerely,


Brittnie Welsh

CEO

Greater Fairbanks Board of REALTORS®



February 22, 2018

The Honorable John Coghill
Alaska State Senate
State Capitol Room 119
Juneau, AK 99801

RE: Senate Bill 86, "An Act relating to the sale or other disposal, leasing, or encumbrance of Alaska Railroad Corporation land; and providing for an effective date."

Dear Senator Coghill,

I am writing in support of SB 86, thank you for introducing it. The flexibility provided to the Alaska Railroad as envisioned by this legislation will help us meet the mission of our organization.

Started in 1981, NeighborWorks Alaska is a provider of affordable housing, mortgage lending and community development for low and middle income residents in Anchorage and elsewhere in Alaska. Our largest property, the Panoramic View Apartments, consists of 268 units of affordable housing in 14 buildings in the Anchorage neighborhood of Government Hill. While we own the buildings, the land is owned and leased by the Alaska Railroad. The structures are 70 years old and in need of significant rehabilitation. It would be difficult or impossible for us to obtain financing and rehabilitate the buildings if we do not own the land. The Railroad has no operational need for this land and has expressed an interest in selling it to us. The passage of SB 86 would help to expedite this process.

As you may be aware, Anchorage has a significant lack of housing, especially affordable housing. This is due to the lack of available land, the lack of housing density, high construction costs and other factors. The unknown future of the Panoramic View Apartments puts into jeopardy the continued viability of 268 units of affordable housing for residents, many who work nearby downtown and at the Joint Base Elmendorf-Richardson. The passage of SB 86 will help us meet the housing demands of Anchorage.

In general, SB 86 will make more land available for development throughout the Railbelt, helping to foster economic growth for the benefit of all Alaskans. Thank you for your support of this legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Nordlund".

Jim Nordlund
Executive Director



2515 A Street, Anchorage, AK 99503 p 907.677.8490 f 907.677.8450 www.nwalaska.org
625 S. Cobb Street, Ste. 100, Palmer, AK 99645 p 907.745.6636 f 907.745.6617 www.nwalaska.org





USIBELLI COAL MINE, INC.

PO Box 1000 Healy, Alaska 99743
Telephone (907) 683-2226 • Facsimile (907) 683-2253

February 8, 2018

The Honorable Senator John Coghill
State Capitol
Juneau, Alaska 99801

Re: Support for SB 86 Alaska Railroad Corporation Land

Dear Senator Coghill:

Usibelli Coal Mine, Inc. (UCM), located in Healy, is a fourth generation, family-owned, business and the only operational coal mine in Alaska. Emil Usibelli founded the company in 1943 and we are proud that this marks our 75th Anniversary. His son, Joe Usibelli is the Chairman of the Board of Directors. Joe Usibelli Jr., Emil's grandson, is President of UCM.

Employee Housing

In 1950, UCM built the Usibelli Camp adjacent to its mining operations for employee housing. The following year, the company began building housing for married employees and their families. In 1953, a two-story bunkhouse was built at Usibelli Camp to house seasonal employees. Mine employees and their families lived at Usibelli Camp until 1977 when UCM leased land from the Alaska Railroad Corporation and developed the Tri-Valley subdivision.

The Federal Mine Enforcement and Safety Administration had advised UCM that families of its miners needed to be moved from the Usibelli Camp due to safety concerns of mining trucks sharing the road with residential vehicles. UCM wanted to provide an opportunity for mine personnel and their families to own homes and create a community, however, available land in the surrounding area was predominantly owned by the Alaska Railroad Corporation (ARRC). The ARRC also had employees living in Healy who desired to own their own homes, and they were also having great difficulty finding available building lots.

As a solution to meet the demand for residential housing and necessary facilities, the ARRC leased UCM approximately 510 acres to develop roads, utilities, and building lots. Today, the Tri-Valley Subdivision encompasses many of the amenities that make up Alaska's only coal mining town, such as the Tri-Valley Community Center, Denali Pre-School and Early Learning Center, a Baptist, Catholic, and Latter Day Saints church, the Denali Chamber of Commerce office, and is also where many residents of Healy reside. While UCM is the lessee of the land, individuals and entities sublease lots to build and own homes and buildings.

Senate Bill 86 Alaska Railroad Corporation Land

Upon passage of SB 86, UCM would be interested in exploring the purchase of the Tri-Valley Subdivision land from the ARRC and then making the lots available for purchase to those who are sub-leasing them.

Thank you for the opportunity to provide support for SB 86. Should you have any questions, please do not hesitate to contact me at (907) 982-6744, or lorali@usibelli.com.

Sincerely,



Lorali M. Simon
Vice President, External Affairs

http://www.newsminer.com/opinion/more-land-for-alaskans-bill-would-speed-up-railroad-sales/article_981716ca-13e0-11e8-8b38-cfca40e781e8.html

More land for Alaskans: Bill would speed up railroad sales for property-hungry buyers

Feb 18, 2018

News-Miner opinion: Business-oriented elected officials and like-minded people who would like to become elected officials sometimes proclaim the need to turn over some government functions to the private sector and, in a related principle, to make land owned by government agencies available for purchase by citizens and businesses.

There's a bill in the Alaska Legislature that aims to make it easier for one quasi-state agency, the Alaska Railroad Corp., to do just that. The railroad is owned by the state but receives no funding for its operations; it must raise revenue on its own, using the land granted to it by the federal government not only to provide for transportation but also to generate income.

But Alaska law prevents the railroad from selling its land or granting leases for longer than 95 years without approval from the Legislature. Senate Bill 86, sponsored by Republican Sen. John Coghill, of North Pole, would end that requirement.

Why is the legislation needed?

The Alaska Railroad's revenue from shipping is markedly down. Its most recent annual report showed freight revenue down 16 percent in 2016 over 2015. Its overall revenue, from all operations, was down 7.6 percent in 2016. "Never before has the Alaska Railroad Corporation had to roll with as many punches as came its way during 2016," according to the report.

Real estate accounted for 11 percent of the railroad's revenue in 2015 and 2016. The Alaska Railroad owns about 36,000 acres of land, half of which is used for its operations.

It's obvious that railroad officials want to — need to — increase revenue from real estate.

Being able to increase its land sales and leasing means railroad officials have to be able to respond quickly to potential buyers. The prospect of having to secure legislative approval for a sale or long-term lease surely keeps some potential buyers away. The Legislature — as Alaskans well know — is not a place where things happen quickly.

Getting the Legislature out of the way is important.

SB86 would also, as Sen. Coghill said in his sponsor statement, treat the railroad similarly to how the law governs the state Department of Transportation and Public Facilities, the Department of Natural Resources, the Alaska Mental Health Land Trust and the University of Alaska — none of which has to seek legislative approval to sell land.

The bill was introduced last year but had a hearing in the Senate Resources Committee earlier this month, during which a three-year sunset provision was added. That means current law requiring legislative approval will come back in force unless the Legislature determines otherwise after reviewing how the railroad performed without involvement of legislators.

The Fairbanks North Star Borough Assembly earlier this month approved a resolution of support for SB 86, stating that the timely sale of railroad land in Fairbanks, "without those delays inherent to the legislative process, may encourage local business growth and expansion, thereby increasing the local tax base." The Fairbanks City Council approved a similar resolution of support, as have the Fairbanks Economic Development Corp. and the Greater Fairbanks Board of Realtors.

Now, getting the Legislature to act promptly to approve a bill that takes away some of its power is another matter entirely.

But let's hope the House and Senate can find a way to get it done for the benefit of the railroad and Alaskans who want to buy the land.

From: Clay Walker
To: [Rep. Adam Wool](#); [Rep. Sam Kito](#)
Cc: [Caitlyn Ellis](#); [Laura Stidolph](#)
Subject: Denali Borough Resolution 18-05 SB 86
Date: Thursday, April 5, 2018 5:48:52 PM
Attachments: [Resolution 18-05 SB 86.pdf](#)

To:
The Honorable Representatives Wool and Kito
House Labor and Commerce Committee Co-Chairs,

In February, I submitted a letter of support regarding SB 86/HB 207, the Alaska Railroad Land Bill. Here in the Denali Borough, where we have the largest Railroad Land Reserve in the state and a dearth of available private property, we are encouraged by the passage of the bill through the Senate.

For your consideration, and for the consideration of the Committee should the bill receive a hearing, please see the attached resolution unanimously approved by the Denali Borough Assembly. If the House Labor and Commerce Committee has reservations regarding due public process, please see the recommendation in the resolution toward strengthening the public notice section of the bill.

Thank you for your attention to this issue, which is very important to Railbelt communities. And thank you for your service to our State.

Respectfully,

Clay Walker
Denali Borough Mayor
Office: 683-1330
Cell: 888-4631
Email: cwalker@denaliborough.com



Municipality of Anchorage

Ethan Berkowitz, Mayor

February 20, 2018

The Honorable John Coghill
State Capitol, Room 119
Juneau, AK 99801-1182

Re: Senate Bill 86: An Act relating to the sale, other disposal, leasing, and encumbrance of Alaska Railroad Corporation land.

Dear Senator Coghill,

The Municipality of Anchorage fully supports SB86 as an effort to encourage and introduce efficiency to Alaska Railroad real estate development initiatives, particularly within Anchorage's borders.

Freeing up the Railroad's ability to negotiate more expediently with the Municipality, on both purchase and land swap arrangements, will create an atmosphere we feel will make Anchorage more attractive to outside investors, and local developers looking to grow their businesses. Further, providing more flexibility to the Railroad on this matter will serve to expedite those Anchorage-based infrastructure projects that will in the end benefit all of Alaska; the Port of Alaska Modernization Program being just one of them.

Thank you for your time and attention on this matter. I hope for the Legislature's favorable consideration of this important bill.

Respectfully,

Ethan Berkowitz

From: [Rep. Sam Kito](#)
To: [House Labor and Commerce](#)
Subject: FW: Please Support SB86
Date: Thursday, April 19, 2018 10:45:12 AM

From: Dan Polta <danpolta@dbsd.org>
Sent: Thursday, April 19, 2018 9:54 AM
To: Rep. Sam Kito <Rep.Sam.Kito@akleg.gov>
Subject: Please Support SB86

Dear Representative Kito,

I'm writing to ask you to support SB86, an act relating to Alaska Railroad Corporation Land and to help move this bill out of the House Labor and Commerce Committee for consideration by the full House before the end of this legislative session.

I live in Healy, Alaska, in a house I purchased on land leased from the Alaska Railroad. I am the superintendent of the Denali Borough School District. I know many families who want to purchase homes in the area but are resistant to buying on lease land. SB 86 provides an avenue to help move these residential plots of land into the hands of private homeowners. This will strengthen and build our small community.

Thank you for your consideration and support.

Dan Polta
Superintendent
Denali Borough School District
P.O. Box 280
Healy, AK, 99743
1 (907) 683-2278
danpolta@dbsd.org

Nurturing, empowering and inspiring today's student to positively shape tomorrow's world



ALASKA



February 22, 2018

The Honorable John Coghill
Alaska State Senate
State Capitol Room 119
Juneau, AK 99801

RE: Senate Bill 86, "An Act relating to the sale or other disposal, leasing, or encumbrance of Alaska Railroad Corporation land; and providing for an effective date."

Dear Senator Coghill:


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In general, SB 86 will make more land available for development throughout the Railbelt, helping to foster economic growth for the benefit of all Alaskans. Thank you for your support of this legislation.

Sincerely,



Jim Nordlund
Executive Director



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From: [Rep. Sam Kito](#)
To: [House Labor and Commerce](#)
Subject: FW: SB 86 HJR38
Date: Thursday, May 3, 2018 4:57:49 PM

From: Sean Ellis <Sean.Ellis@AlaskaAir.com>
Sent: Thursday, May 3, 2018 4:57 PM
To: Rep. Sam Kito <Rep.Sam.Kito@akleg.gov>
Subject: SB 86 HJR38

Dear Representative Kito

Please support the current version of Senate Bill 86. As an Alaskan, I support the railroad and want them to be successful. As a neighboring property owner, however, I do not understand why my land has been taken from me, without due process, simply because the railroad says they own it. If they needed to use my land for safety, or for some other reason, they could have at least asked me for it. As this issue has gone on, many people's conclusion is that we need to go to court. It hurts to think that, when people see that the federal government has taken someone's property - without notice or compensation - they believe the court system provides the only remedy. To say "go to court" is to say "please spend hundreds of thousands of dollars to get your rights back." When did that become an acceptable response from those who swore to defend the constitution? Especially knowing there are other significant remedies - like this bill- which do not have to be granted by a court.

Sean & Glenda Ellis

13752 Vasili Dr
Eagle River, AK
99577

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From: [Rep. Sam Kito](#)
To: [House Labor and Commerce](#)
Subject: FW: SB86 amendment
Date: Thursday, May 3, 2018 6:58:56 PM
Attachments: [Don Young letter 41618 re HJR38.pdf](#)

From: Goosehangar <goose703@gmail.com>

Sent: Thursday, May 3, 2018 6:10 PM

To: Rep. Sam Kito <Rep.Sam.Kito@akleg.gov>; Rep. Adam Wool <Rep.Adam.Wool@akleg.gov>; Rep. Andy Josephson <Rep.Andy.Josephson@akleg.gov>; Rep. Louise Stutes <Rep.Louise.Stutes@akleg.gov>; Rep. Chris Birch <Rep.Chris.Birch@akleg.gov>; Rep. Gary Knopp <Rep.Gary.Knopp@akleg.gov>; Rep. Colleen Sullivan-Leonard <Rep.Colleen.Sullivan-Leonard@akleg.gov>; Rep. Mike Chenault <Rep.Mike.Chenault@akleg.gov>; Rep. Bryce Edgmon <Rep.Bryce.Edgmon@akleg.gov>

Cc: Rep. Chuck Kopp <Rep.Chuck.Kopp@akleg.gov>; Erick Cordero Giorgana <Erick.CorderoGiorgana@akleg.gov>; Bob Gastrock <farnorthflyer@gmail.com>; Jack Brown <akparajack@yahoo.com>; joan Stolle <joanstolle@alaskan.com>; Jodi Taylor <jodiltaylor@gmail.com>; Beardsley Steve Nancy <beardsleysn@gmail.com>

Subject: SB86 amendment

Committee Members

Thanks to those supporting the amendment advanced by Rep. Kopp and others to protect private property rights, much in the same manner as HJR38 which passed the whole body 32-2.

I stood by today to speak at the hearing and may not be able to do so again tomorrow. But I did want to support the amendment.

Please consider how you might feel to wake up one day to find that the State of Alaska has spent close to 4 decades to erode your property rights. You might be somewhat upset. So are we.

This is a simple matter of protecting property rights against what seems to be an endless attack by the State railroad. Supporting the amendment is simply doing the right thing. The amendment supports other Alaskans trying to convince this state agency to do the same thing.

Even though the legislative process seems to afford little opportunity to be heard to protect our property rights I must say that it is head and shoulders above that of the 1982 Alaska Railroad Transfer Act procedure impressed on Alaskan citizens by the railroad and the Interior Department. Property owners received no notice of the transfer proceedings and no opportunity to be heard..even for 2 minutes by phone.

As Congressman Young's recent letter points out there has been an errant application of the transfer impairing the property rights of many Alaskans. Let me share his thoughts with you in the event that you may not have seen them. See his letter below.

If the federal government did not own a certain property right they and the railroad should have stayed far away from a transfer of imagined rights.

And that being obvious, the railroad should not be dealing those mistakenly derived rights away to others.

Please support this modest amendment to prevent a bad situation created by the Alaska Railroad from becoming worse while a solution recognizing the legitimate interests of as many as 1200 Alaskan property owners can be found.

I hear some folks say “sue”. My response is that the State of Alaska, through its largest representative body, needs to stand up for state and federal constitutional principles. This is as much your job as it is that of a judge in a robe. This is a test to see if the state’s representative body will do the right thing when the right thing to do is so obvious and so obviously in step with the most basic constitutional principles.

John Pletcher

Remarks originally scheduled to be orally delivered at L&C committee meeting of May 2, 2018:

Good afternoon.

I am Sharen Walsh, deputy director of the Port of Alaska.

I am speaking on behalf of the Port in support of SB86.

Port of Alaska is a publically-owned facility that handles half of all of Alaska's inbound, marine freight. Almost 3.5 million tons of fuel and cargo crossed Port of Alaska's docks in 2017. Half of the cargo that moves through the Port is delivered to final destinations outside of Anchorage and directly benefits some 85 percent of all Alaskans.

The Port originally opened in 1961 and its docks have long exceeded their original design life, they are suffering from severe corrosion, they are not well-suited for modern cargo-handling operations, and they are unlikely to survive another significant earthquake.

For these reasons, Port of Alaska is moving forward with a program replace its aging docks before they fail. This port modernization program is optimized to replace the docks in timely and cost effective manner while maintaining ongoing operations that benefit our entire state.

The first phase of this project involves land that is currently leased by the Port from the Alaska Railroad. Shore stabilization work is scheduled to start on this property this summer in preparation for construction of a new petroleum and cement terminal that is scheduled for completion in 2020.

It is not appropriate for the Port of Alaska, a publically-owned enterprise, to build a new dock on land that it does not control in perpetuity. Passage of SB86 will allow the land sale that will provide this control.

I appreciate your careful consideration and support of passing this bill, so that the Port can move forward with construction of new docks that will benefit all of Alaska.

Thank you.

From: Bob Gastrock
To: [House Labor and Commerce](#)
Cc: [Rep. Chuck Kopp](#); [Erick Cordero Giorgana](#)
Subject: Testimony for SB 86
Date: Thursday, May 3, 2018 11:29:24 AM
Importance: High

Members of the House Labor & Commerce Committee,

I regret that I am overseas without telephone access, and so cannot call in to offer testimony during your hearing on SB 86. In lieu of that, I hope staff is able to convey my comments to you.

As an Alaskan since 1968, I have owned a home in South Anchorage since 1976. My property is part of the original Sperstad homestead, which the Alaska Railroad transected. As such, my property is burdened by the railroad right-of-way (ROW), ensuring that the railroad has unhindered use of the ROW to safely conduct rail operations.

When the federal government transferred ownership of the railroad to the State, conveyance actions erroneously superimposed patents over some of the same property (including mine). This action created clouds on title and attempted to grant an exclusive use easement that the federal government did not then possess (and therefore could not grant to another party).

The amendment to SB 86 now being considered is intended to protect vested property rights belonging to homestead patent holders and their heirs and assigns. It does not impact any property rights the federal government actually possessed in 1982 and therefore was entitled to transfer to the State.

I urge you to support this amendment to protect Alaskans' property rights.

Respectfully,

Robert Gastrock
13151 Nora Drive
Anchorage

From: [Rep. Sam Kito](#)
To: [House Labor and Commerce](#)
Subject: FW: SB 86
Date: Thursday, May 3, 2018 4:52:25 PM

-----Original Message-----

From: Chris Flowers <pa18ski@gmail.com>
Sent: Thursday, May 3, 2018 4:30 PM
To: Rep. Sam Kito <Rep.Sam.Kito@akleg.gov>; Rep. Adam Wool <Rep.Adam.Wool@akleg.gov>; Rep. Andy Josephson <Rep.Andy.Josephson@akleg.gov>; Rep. Louise Stutes <Rep.Louise.Stutes@akleg.gov>; Rep. Chris Birch <Rep.Chris.Birch@akleg.gov>; Rep. Chuck Kopp <Rep.Chuck.Kopp@akleg.gov>; Rep. Colleen Sullivan-Leonard <Rep.Colleen.Sullivan-Leonard@akleg.gov>
Subject: SB 86

Hello,

I'm a homeowner who has been affected by the Alaska Railroad Corporation's "exclusive use" overreach on my land. I truly appreciate your help in returning our property rights. I'm writing in support of SB 86 as amended by Representative Kopp. This would return my property rights and return the AKRRC ownership to its original "surface easement" across my land, which is a subdivided homestead.

Thank you,
Christopher L. Flowers