

ALASKA STATE LEGISLATURE



HOUSE RULES COMMITTEE CHAIR

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Explanation of Changes for the House Committee Substitute (HCS) to Senate Bill 64 (RLS) – Adopt Uniform Environmental Covenants Act Version T

The House Rules Committee substitute (CS) for SB64 (version T) clarifies that the Notice of Activity and Use Limitation that would be utilized on Department of Defense (DoD) property are not interests in real property. This is consistent with the Department of Environmental Conservation (DEC)'s interpretation of the original version of the bill. The proposed CS does not change the bill's intent but provides clarity for DoD on this issue. The Notice would provide the needed notification of remaining contamination which is the department's goal.

Between version N and version T the following changes were made:

On Page 10, Lines 2-4 (Section 46.04.340(c)) -- delete "A notice of activity and use limitation does not convey or constitute an interest in real property."

On Page 10, Lines 8-14 (Section 46.04.340(i)) – insert "for that property, except where a legal impediment prevents an environmental covenant from being entered into."

On Page 11, Line 22 adds the language "whether recorded or unrecorded"