

ALASKA STATE LEGISLATURE

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Session

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SPONSOR STATEMENT SSSB 94 – Rights-of-Way

SECTION 1

Vacates the Copper Center – Valdez right-of-way for those portions that overlap public easements established by ANSCA.

SECTION 2

Limits R.S. 2477 rights-of-way that crosses private lands

- to the use of the route established on October 21, 1976;
- to a width of 60 feet;
- to transportation purposes.

Grants a secondary easement to R.S. 2477's rights-of-way that cross private land in order to enter, inspect, repair, maintain, & improve the right-of-way:

- to the extent that the routine maintenance and repair may only preserve the condition of the right-of-way as it existed on October 21, 1976;
- and to make necessary improvements to the right-of-way to preserve the transportation use of the right-of-way.

Requires the state to consult with and gain permission of the private landowner prior to making improvements other than routine maintenance and repair.

Allows for mediation if there is a dispute between the private land owner and the state about improvements to the right-of-way.

Requires the state to consult with the private landowner who owns the underlying land if an R.S. 2477 has been damaged beyond repair and is to be realigned.

Defines "routine maintenance and repair".