

30th Alaska State Legislature

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SB 86 Disposal of Alaska Railroad Corporation land

Sectional – Version J

Section 1. 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. 2. Sunsets Section 1 in three years and re-establishes in statute the requirement for the Alaska Railroad to get legislative approval for land transfers.

Sec. 3. Deletes from AS 42.40.120(c) (transactions requiring board approval) the requirement for legislative approval.

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

Sec. 5. Enacts AS 42.40.285, the **Legislative Approval Required** provision repealed in this legislation three years after the effective date of the bill.

Sec. 6. Deletes from AS 42.40.350(b) (authorization of use of a utility corridor) the requirement for legislative approval of such authorization.

Sec. 7. Sunsets Section 6 three years after the effective date of the legislation to reinstate the statutory requirement for legislative approval.

Sec. 8. Deletes from AS 42.40.350(c) (granting easements on railroad land) the requirement for legislative approval.

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(d) (lease or disposal of land at fair market value) 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 42.40.352 (Sale of land not necessary for railroad purposes) language requiring the board to make findings that land is not necessary for railroad purposes and that the sale is in the best interest of the state;

Under the provisions of AS 42.40.100, Management of by the board, the board is already “responsible for the management of the financial and legal obligations of the Alaska Railroad.”

AS 42.40.100(7) requires the board to “review all state and other land disposal proposals to aid in the planning for the future development or expansion of transportation services.”

Section 6 added language to require the Alaska Railroad to offer the leaseholders the right of first refusal.

Section 12 also deletes from AS 42.40.352 language requiring legislative approval of the sale.

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

Sec. 14. This is conforming language renumbering **AS 42.410. Federal land** reference to AS 42.40.285 to conform to the repeal language in Section 15.

Sec. 15. 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. 16. Has an immediate effective date for statutes amended in the bill that eliminate the requirement for legislative approval.

Sec. 17. 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.