

HOUSE BILL NO. 320

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE HARRIS

Introduced: 1/26/00

Referred: Transportation, Community and Regional Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act approving the application for and acceptance of a grant of certain
2 federal land by the Alaska Railroad Corporation; approving the conveyance of the
3 entire interest in the Whittier DeLong Dock and associated uplands, tidelands, and
4 submerged lands by the Alaska Railroad Corporation; relating to use and
5 disposition of the Whittier DeLong Dock and associated land; and providing for
6 an effective date."

7 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

8 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new
9 section to read:

10 FINDINGS. The legislature finds that the Whittier DeLong Dock and the associated
11 land are required for essential railroad purposes and that the acquisition of the dock and
12 associated land by the Alaska Railroad Corporation is in the best interests of the state.

13 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section

1 to read:

2 APPROVAL. The legislature authorizes the Alaska Railroad Corporation to apply for
3 and to accept a grant of a parcel of real property in Whittier, consisting of approximately 6.13
4 acres and the appurtenant facility known as the DeLong Dock, from the federal government
5 under terms of sec. 2837, Public Law 106-65. This section constitutes approval for the Alaska
6 Railroad Corporation to apply for and to accept a grant of federal land within a municipality
7 in accordance with AS 42.40.285(5).

8 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section
9 to read:

10 USE AND DISPOSITION OF THE WHITTIER DELONG DOCK AND
11 ASSOCIATED LAND. (a) Within six months after the conveyance of the real property
12 described in sec. 2 of this Act from the United States to the Alaska Railroad Corporation, the
13 corporation shall reconvey ownership of the uplands, tidelands, and submerged lands located
14 on the property to the City of Whittier. The corporation shall retain ownership of the DeLong
15 Dock and railroad-associated facilities.

16 (b) In exchange for ownership of the land described in (a) of this section, the City of
17 Whittier shall

18 (1) subdivide the land into two parcels that are separated by the centerline of
19 the DeLong Dock;

20 (2) grant a lease to the parcel of land north of the centerline of the DeLong
21 Dock to the corporation.

22 (c) The corporation shall grant a lease to that portion of the DeLong Dock south of
23 the centerline of the dock to the City of Whittier.

24 (d) The corporation and the City of Whittier shall expeditiously and in good faith
25 undertake and complete the transactions described in this section under terms and conditions
26 that are mutually satisfactory.

27 (e) Pending the completion of the transactions described in this section, the
28 corporation and the City of Whittier shall enter into an interim agreement for the use of the
29 Whittier DeLong Dock and associated land consistent with the provisions of this section.

30 (f) During the five-year period beginning on the date that the real property described
31 in sec. 2 of this Act is conveyed from the United States to the corporation, the property shall

1 be used for economic development purposes.

2 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section
3 to read:

4 APPROVAL. The legislature authorizes the Alaska Railroad Corporation to transfer
5 its entire interest in the land described in sec. 3(a) of this Act in accordance with sec. 3 of this
6 Act. This section constitutes legislative approval for the corporation to convey its entire
7 interest in that land under AS 42.40.285(1).

8 * **Sec. 5.** This Act takes effect immediately under AS 01.10.070(c).