

**HOUSE BILL NO. 426**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 2/28/00

Referred: Transportation, Resources, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to transfers of public land or grants or conveyances of interest  
2 in public land among the Alaska Railroad Corporation, the Department of  
3 Transportation and Public Facilities, and the Department of Natural Resources to  
4 relocate or widen the Seward Highway, to relocate railroad facilities, and to  
5 relocate adjacent utility facilities; and providing for an effective date."

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

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

9 FINDINGS AND POLICY. (a) The legislature finds that

10 (1) the Seward Highway within the Chugach State Park from Potter Station to  
11 Girdwood is the sole highway link between the Kenai Peninsula and the rest of this state, an  
12 interstate highway on the national highway system, and a national scenic byway;

13 (2) the Seward Highway within the Chugach State Park is affected by

1 avalanches and other potential operational problems;

2 (3) relocation or widening of the Seward Highway to avoid some of the  
3 operational problems will require relocation of some adjacent railroad and utility facilities; and

4 (4) relocation of railroad facilities within the Chugach State Park will allow  
5 some areas of the railroad track to be straightened.

6 (b) It is the policy of the state that relocation or widening of the Seward Highway or  
7 relocation of railroad facilities within the Chugach State Park is appropriate and may be  
8 accomplished without significantly adversely affecting the purposes for which Chugach State  
9 Park was established.

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

12 **CHUGACH STATE PARK LAND TRANSFERS AND CONVEYANCES.** (a)  
13 Notwithstanding AS 41.21.120 - 41.21.125, the commissioner of natural resources may, for  
14 the purpose of relocation or widening of all or portions of the Seward Highway or relocation  
15 of railroad facilities within the Chugach State Park, and upon a finding by the commissioner  
16 that any grant or conveyance for that purpose would not significantly adversely affect the  
17 purposes for which the Chugach State Park was established,

18 (1) grant a highway easement to the Department of Transportation and Public  
19 Facilities;

20 (2) convey a property interest in land to the Alaska Railroad Corporation to  
21 allow relocation of the Alaska Railroad;

22 (3) grant utility easements; and

23 (4) receive land or interests in land in exchange for land or interests in land  
24 granted or conveyed under (1), (2), or (3) of this subsection.

25 (b) A grant or conveyance made under (a) of this section may not exceed the interest  
26 needed to relocate or widen the Seward Highway or relocate railroad facilities within the  
27 Chugach State Park and to construct, repair, and maintain the relocated or widened highway  
28 and the relocated railroad or utility.

29 (c) A property interest conveyed to the Alaska Railroad Corporation under (a)(2) of  
30 this section shall be held and managed by the corporation in accordance with AS 42.40.

31 (d) Land or an interest in land received by the commissioner under (a)(4) of this

1 section shall be designated as part of Chugach State Park.

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

4 **ALASKA RAILROAD LAND TRANSFERS AND CONVEYANCES.**

5 Notwithstanding AS 42.40.285, the Alaska Railroad Corporation may, for the purpose of the  
6 relocation or widening of the Seward Highway or relocation of Alaska Railroad facilities  
7 within the Chugach State Park, and relocation of adjacent utility facilities, transfer land or  
8 convey interests in land in exchange for land or interests in land conveyed to the corporation.

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

11 **IDENTIFICATION OF STATE PARK LAND OR INTERESTS IN LAND BEING**  
12 **TRANSFERRED OR CONVEYED UNDER THIS ACT.** By the first day of the first regular  
13 session of the Twenty-Second Alaska State Legislature, or as soon as possible after that date,  
14 the governor shall

15 (1) identify any land being transferred under this Act that requires amendment  
16 to statutes describing the Chugach State Park; and

17 (2) submit to the legislature any legislation needed to make those statutory  
18 amendments.

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