

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 209
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY SENATOR LEMAN

Introduced: 1/22/02

Referred: Transportation, Resources

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to authorizing the Alaska Railroad Corporation to lease land within**
2 **certain terminal reserves for a period of up to 55 years."**

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

4 *** Section 1.** AS 42.40.285 is amended to read:

5 **Sec. 42.40.285. Legislative approval required.** Unless the legislature
6 approves the action by law, the corporation may not

7 (1) exchange, donate, sell, or otherwise convey its entire interest in
8 land;

9 (2) issue bonds;

10 (3) extend railroad lines; this paragraph does not apply to a spur,
11 industrial, team, switching, or side track;

12 (4) lease land

13 **(A) within a terminal reserve located at Anchorage,**
14 **Fairbanks, Seward, or Healy for a period in excess of 55 years unless the**

1 **corporation reserves the right to terminate the lease if the land is needed**
2 **for railroad purposes; or**

3 **(B) outside of a terminal reserve listed under (A) of this**
4 **paragraph** for a period in excess of 35 years unless the corporation reserves
5 the right to terminate the lease if the land is needed for railroad purposes;

6 (5) apply for or accept a grant of federal land within a municipality;
7 before approving an action under this paragraph, the legislature must determine that
8 the federal land is required for essential railroad purposes; this paragraph does not
9 apply to the application for or acceptance of a grant of federal land associated with

10 (A) the Anchorage-Wasilla line change project on Elmendorf
11 Air Force Base and Fort Richardson;

12 (B) the Fairbanks intermodal rail yard expansion project;

13 (C) a conveyance of rail properties of the Alaska Railroad
14 under the original Alaska Railroad Transfer Act of 1982 as set out in Title VI,
15 P.L. 97-468; in this subparagraph, "rail properties of the Alaska Railroad" has
16 the meaning given in 45 U.S.C. 1202(10).