

**SENATE BILL NO. 362**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

**Introduced: 4/17/02**

**Referred: Transportation**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to rights-of-way."**

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

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

5 VACATION OF RIGHT-OF-WAY UNDER AS 19.30.410. AS 19.30.410 provides  
6 that a right-of-way acquired by the state under former 43 U.S.C. 932 may only be vacated by  
7 the state under certain circumstances, including when the vacation is approved by the  
8 legislature. The right-of-way found to have been acquired by the state under the authority of  
9 former 43 U.S.C. 932 in *Fitzgerald v. Puddicombe*, 918 P.2d 1017 (Alaska 1996) and  
10 described as existing on U.S. Survey 5265, Section 34, Township 16 North, Range 5 East,  
11 Seward Meridian, is vacated.