

HOUSE BILL NO. 247

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE HAWKER

Introduced: 1/19/10

Referred: Transportation, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act requiring the state to vacate rights to easements along state highways."**

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

3 *** Section 1.** AS 19.05 is amended by adding a new section to article 1 to read:

4 **Sec. 19.05.075. Vacation of state-owned easements.** (a) The state shall vacate
5 all or part of an easement for a portion of a state highway right-of-way and return the
6 rights to the land to the private landowner at no cost if

7 (1) the extent of the easement exceeds the other easements for that area
8 of the highway;

9 (2) the easement extends beyond the current highway needs;

10 (3) the private landowner applies to the department to release all or
11 part of the easement to the landowner; and

12 (4) the state reserves the right to reacquire the vacated easement for
13 highway needs at no cost.

14 (b) The landowner may not receive compensation for any improvements to the
15 land if the state reacquires the easement under (a)(4) of this section.

1 (c) The department shall adopt regulations and implement procedures for the
2 vacation and reacquisition of easements under this section.