

HOUSE BILL NO. 357

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

BY REPRESENTATIVES STOLTZE, Tammie Wilson

Introduced: 2/19/10

Referred: Transportation

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the sale of land owned by the Alaska Railroad that is not needed for**
2 **railroad purposes."**

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

4 *** Section 1.** AS 42.40.350(c) is amended to read:

5 (c) The corporation may lease, subject to AS 42.40.285 and (d) of this section,
6 grant easements in or permits for, or otherwise authorize use of portions of rail land.
7 However, the corporation may not convey its entire interest in rail land except as
8 provided in AS 42.40.285, 42.40.352, 42.40.370(d), and 42.40.400.

9 *** Sec. 2.** AS 42.40 is amended by adding a new section to read:

10 **Sec. 42.40.352. Sale of land not necessary for essential railroad purposes.**

11 (a) The corporation may sell land if the board finds (1) the land is not necessary for
12 essential railroad purposes, and (2) the sale of the land is in the best interest of the
13 state. The sale of land is subject to the terms and conditions of AS 42.40.285,
14 42.40.350(d), and this section.

- 1 (b) Before offering land for sale under this section, the railroad shall
- 2 (1) publish public notice of the proposed sale that includes the finding
- 3 by the board that the land is not necessary for railroad purposes and that the sale is in
- 4 the best interest of the state;
- 5 (2) provide notice to persons having a leasehold interest in the land
- 6 proposed to be sold and offer the leaseholders the right of first refusal; and
- 7 (3) receive legislative approval under AS 42.40.285.
- 8 (c) The corporation shall separately account for the proceeds from the sale of
- 9 land under this section and shall report the earnings and balance in the account in the
- 10 annual report required by AS 42.40.260. Money in the account may be appropriated in
- 11 accordance with 45 U.S.C. 1207(a)(5) (Alaska Railroad Transfer Act of 1982).