

HOUSE BILL NO. 136

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES KOPP, McCabe, Costello

Introduced: 3/14/25

Referred: Transportation, Judiciary

A BILL**FOR AN ACT ENTITLED**1 **"An Act relating to use of railroad easements."**2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**3 * **Section 1.** AS 42.40.350(b) is amended to read:

4 (b) Railroad utility corridors shall be of a width at least 100 feet on both sides
5 of the centerline of the extended main or branch line, unless the corporation does not
6 own or control sufficient land to allow a corridor of that width. Railroad utility
7 corridors may be surveyed by the metes and bounds method. The corporation may not
8 convey its entire interest in land within a utility corridor except as provided in
9 AS 42.40.285, 42.40.370(d) and 42.40.400. However, **except as provided in**
10 **AS 42.40.415,** the corporation may lease, subject to AS 42.40.285 and (d) of this
11 section, grant easements in or permits for, or otherwise authorize use of portions of a
12 utility corridor for transportation, communication, and transmission purposes and
13 support functions associated with those purposes, and for commercial and other uses
14 authorized under this chapter if the use does not restrict other parallel uses of the
15 utility corridor.

1 * **Sec. 2.** AS 42.40.350(c) is amended to read:

2 (c) **Except as provided in AS 42.40.415, the** [THE] corporation may lease,
3 subject to AS 42.40.285 and (d) of this section, grant easements in or permits for, or
4 otherwise authorize use of portions of rail land. However, the corporation may not
5 convey its entire interest in rail land except as provided in AS 42.40.285, 42.40.352,
6 42.40.370(d), and 42.40.400.

7 * **Sec. 3.** AS 42.40 is amended by adding a new section to read:

8 **Sec. 42.40.415. Use of easement.** The corporation shall allow an owner of real
9 property subject to an easement in favor of the corporation to use the property in a
10 manner that does not unreasonably interfere with the corporation's use of the property
11 for the purpose of the easement.