

Introduced: 2/6/63
Referred: Commerce and
Resources

1 IN THE HOUSE

BY MR. BLODGETT

2 HOUSE BILL NO. 2

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRD LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act permitting the granting of state
7 owned land to corporations for the construc-
8 tion of common-carrier railroads."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 38.05 is amended by adding new sections to
11 read:

12 Sec. 38.05.296. GRANT OF STATE LAND FOR RAILROAD CON-
13 STRUCTION. (a) The director, with the approval of the
14 commissioner, may grant to a corporation for the construction
15 of a common-carrier railroad

16 (1) state owned land not otherwise disposed of or
17 in use, for the location, construction, and maintenance of
18 its right of way and its necessary works, structures, and
19 other additions;

20 (2) the right to take from state owned land
21 adjacent to the works of the railroad, all materials such as
22 wood, stone, and earth which may be necessary for the con-
23 struction and maintenance of its works and additions.

24 (b) The state owned land granted may not exceed 300
25 feet on either side of the center line of the railroad
26 trackbed.

27 Sec. 38.05.297. PLAT OF LAND SELECTED, LIST OF USES
28 REQUIRED, AND PASSAGE OF TITLE. (a) A corporation propos-
29 ing to build a railroad shall

HB #2

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

(1) submit to the division of lands a plat of the land requested and a list of the uses for which the land is required which shall be attested to as correct by two corporate officers;

(2) file a copy of the plat with the recorder of the recording district in which the land is located.

(b) Upon receiving the plat and list of uses, the director shall determine whether or not the corporation qualifies and if it does, he shall, with the approval of the commissioner, convey the land in fee to the corporation.

Sec. 38.05.298. EVENTS REVESTING STATE WITH LAND GRANTED. State owned land granted under secs. 296 - 299 of this chapter reverts in the state free of all uses if

(1) the corporation fails to complete construction of its originally planned railroad within 10 years after beginning construction;

(2) the corporation is dissolved, ceases to exist, or its operations are discontinued;

(3) the railroad route or line is changed and the railroad does not run over or use the state land selected; or

(4) the state land selected is abandoned.

Sec. 38.05.299. RESERVATION OF MINERAL RIGHTS. The provisions of secs 296 - 299 of this chapter are subject to the state's reservation of mineral rights under sec. 125 of this chapter.