

Introduced: 1/31/67  
Referred: State Affairs  
Judiciary

BY BLODGETT, HARRIS, KOSLOSKY,  
B. PHILLIPS

1 IN THE SENATE

2 SENATE BILL NO. 45

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act permitting the granting of state owned land to  
7 corporations for the construction of common-carrier  
8 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 read:

11 Sec. 38.05.296. GRANT OF STATE LAND FOR RAILROAD CONSTRUCTION.

12 (a) The director, with the approval of the commissioner, may grant to  
13 a corporation for the construction of a common-carrier railroad

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

17 (2) the right to take from state owned land adjacent to the  
18 works of the railroad, all materials such as wood, stone, and earth  
19 which may be necessary for the construction and maintenance of its  
20 works and additions.

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

23 Sec. 38.05.297. PLAT OF LAND SELECTED, LIST OF USES REQUIRED, AND  
24 PASSAGE OF TITLE. (a) A corporation proposing to build a railroad  
25 shall

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

29 (2) file a copy of the plat with the recorder or the recording

1 district in which the land is located.

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

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

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

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

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

15 (4) the state land selected is abandoned.

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