

Introduced: 4/1/71
Referred: State Affairs

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 387

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the disposal of property and
7 vacating of lands by the Department of Highways."

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

9 * Section 1. AS 38.05.030(b) is amended to read:

10 (b) The provisions of this chapter do not apply to any power,
11 duty or authority now or in the future granted to the Department of
12 Public Works and the Department of Highways in the name of the state,
13 to acquire, use, lease, dispose of, or exchange real property, or any
14 interest in real property. Lands assigned by the division of lands to
15 the Department of Public Works and the Department of Highways shall be
16 returned to the management of the division of lands when they are no
17 longer needed for the purposes assigned.

18 * Sec. 2. AS 38.05.030(d) is amended to read:

19 (d) Real property acquired by, and under the management of, the
20 agencies referred to in (a) and (b) of this section, which is no
21 longer needed for its intended use, shall be returned to the
22 jurisdiction of the division of lands, except that the Department
23 of Highways may dispose of real property acquired by it pursuant to
24 AS 19.05.040(2) and AS 19.05.080 - 19.05.120.

25 * Sec. 3. AS 19.05.040(8) is amended to read:

26 (8) dispose of [EXCESS] property acquired for highway
27 purposes;

28 * Sec. 4. AS 19.05.070 is repealed and re-enacted to read:

29 Sec. 19.05.070. VACATING AND DISPOSING OF LANDS AND RIGHTS IN

1 LAND. (a) The department may vacate land, or part of it, or rights
2 in land acquired for highway purposes, by executing and filing a deed
3 in the appropriate recording district. Upon filing, title to the
4 vacated land or interest in land inures to the owners of the adjacent
5 real property in the manner and proportion deemed equitable by the
6 commissioner and set forth by him in the deed.

7 (b) Whenever the department determines that land or rights in
8 land acquired by the department are no longer necessary for highway
9 purposes the department may:

10 (1) transfer the land or rights in land to the Department
11 of Natural Resources for disposal, or

12 (2) sell, contract to sell, lease, or exchange land or
13 rights in land according to terms, standards and conditions established
14 by the commissioner.

15 (c) Proceeds received from disposal of land or rights in land as
16 authorized by this section shall be credited to the funds from which
17 the purchase of the land was made originally.