

Offered: 4/17/86
Referred: Judiciary

Original sponsor: Clocksin by request

1 IN THE HOUSE

BY THE COMMUNITY AND REGIONAL
AFFAIRS COMMITTEE

2

CS FOR HOUSE BILL NO. 610 (C&RA)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act permitting a fee simple interest in land to
7 be taken for roads through eminent domain."

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

9 * Section 1. AS 09.55.250 is amended to read:

10 Sec. 09.55.250. CLASSIFICATION OF ESTATES AND LAND SUBJECT TO BE
11 TAKEN. The following is a classification of the estates and rights in
12 land subject to be taken for public use:

13 (1) a fee simple, when taken for public buildings or
14 grounds, or for permanent roads, or for permanent buildings, for
15 reservoirs and dams and permanent flooding occasioned by them, or for
16 an outlet for a flow, or a place for the deposit of debris or tailings
17 of a mine, or when, in the judgment of the Department of Natural
18 Resources, or the Department of Transportation and Public Facilities,
19 a fee simple is necessary for any of the purposes for which the
20 department, on behalf of the state, is authorized by law to acquire
21 real property by condemnation;

22 (2) an easement when taken for any other use;

23 (3) the right of entry upon an occupation of land, and the
24 right to take from the land earth, gravel, stones, trees, and timber
25 as may be necessary for a public use.