

CS FOR HOUSE BILL NO. 183(FIN)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 3/16/94
Referred: Rules

Sponsor(s): REPRESENTATIVES JAMES, Mulder

A BILL

FOR AN ACT ENTITLED

1 "An Act directing the identification and delineation of a transportation and utility
2 corridor between Fairbanks and the Seward Peninsula; and providing for an
3 effective date."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * Section 1. AS 19.25 is amended by adding a new section to read:

6 Sec. 19.25.123. FAIRBANKS - SEWARD PENINSULA TRANSPORTATION
7 AND UTILITY CORRIDOR. (a) Subject to legislative appropriation, the department
8 shall identify and delineate a proposed transportation and utility corridor between
9 Fairbanks and the western end of the Seward Peninsula.

10 (b) In performing the work required by (a) of this section,

11 (1) the railroad alignment and identification of a railroad right-of-way
12 of not less than 500 feet shall guide the identification and delineation of the corridor;
13 and

14 (2) the department shall consider the following factors:

1 (A) grade and alignment standards that are commensurate with
2 rail and road construction standards;
3 (B) availability of construction materials;
4 (C) safety;
5 (D) service to adjacent communities;
6 (E) significant environmental concerns;
7 (F) use of public land to the maximum degree possible; and
8 (G) minimization of probable construction costs.

9 (c) Within 90 days after receiving a report transmitting the work of the
10 department under (a) of this section, the commissioner shall, in conformity with
11 AS 44.62 (Administrative Procedure Act), if necessary, adopt a regulation approving,
12 modifying, or rejecting the proposed corridor.

13 (d) If the commissioner approves or modifies the proposed corridor when
14 presented under (c) of this section,
15 (1) the Department of Natural Resources shall promptly classify, or
16 reclassify, and reserve any state land within the corridor for use as a corridor; and
17 (2) the department shall
18 (A) exercise its authority under AS 19.05.040 to acquire
19 rights-of-way across land within the corridor that is subject to the state's power
20 of condemnation; and
21 (B) work with federal officials to secure reclassification and
22 withdrawal of federal land in the corridor for reservations and rights-of-way
23 across the federal land for use as a corridor.

24 (e) The requirements of AS 38.05 (Alaska Land Act) relating to classification
25 and reclassification of land are inapplicable to actions taken under this section.

26 (f) To complete the work required by this section, the commissioner may
27 accept any legal gifts and grants and may enter into contracts or other transactions or
28 agreements relating to it with the federal government, an agency or instrumentality of
29 the state, a municipality, or a private organization.

30 (g) In this section, "corridor" means the transportation and utility corridor
31 required to be identified and delineated by (a) of this section.

- 1 * Sec. 2. AS 19.25.123, added by sec. 1 of this Act, is repealed July 1, 2055.
- 2 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).