

HOUSE BILL NO. 388

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE KREISS-TOMKINS

Introduced: 2/21/18

Referred:

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the development of certain state land subject to a permit, right-of-**
2 **way, or easement for public use and recreation."**

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

4 *** Section 1.** AS 38.05.850 is amended by adding new subsections to read:

5 (d) If the director issues a permit, right-of-way, or easement on state land for a
6 road, field gathering line or transmission and distribution pipeline not subject to
7 AS 38.35, telephone or electric transmission and distribution line, or another similar
8 use or improvement under this section, the commissioner shall retain for the land
9 subject to the permit, right-of-way, or easement the right of the public to use and have
10 free access to the land for recreational purposes if the permit, right-of-way, or
11 easement

12 (1) is compatible with development of the land for public recreation;

13 (2) is of sufficient size to accommodate development of the land for
14 multiple uses; and

1 (3) can be developed for public recreational use at no cost to the
2 person who is issued the permit, right-of-way, or easement.

3 (e) If the permit, right-of-way, or easement meets the requirements of (d) of
4 this section, the department shall solicit proposals for trail development and
5 maintenance from agencies or third parties to develop the land subject to the permit,
6 right-of-way, or easement for recreational purposes. The developing agency or party
7 shall fund the development and maintenance costs incurred under this subsection.