

AMENDMENT

OFFERED IN THE HOUSE

TO: CSHB 120(RES), Draft Version "B"

1 Page 1, line 7, following "land;":

2 Insert "**relating to the Alaska Native Vietnam veteran land exchange;**"

3

4 Page 8, lines 5 - 6:

5 Delete "through a classification order under AS 38.05.300 and a written decision by
6 the director under AS 38.05.035(e)"

7 Insert "under AS 38.04.065 and AS 38.05.300"

8

9 Page 12, following line 25:

10 Insert new bill sections to read:

11 **** Sec. 17.** AS 38.50.010(b) is amended to read:

12 (b) **Except as provided in AS 38.50.015, land** [LAND] or an interest in land
13 exchanged must be of approximately equal value; however, the director may accept
14 from or pay to a party to an exchange cash or other consideration to equalize the value
15 of the property conveyed and received by the state. If the director determines that the
16 property to be exchanged is not of approximately equal value or if the value of the
17 property cannot be ascertained with reasonable certainty, the director may enter into
18 an exchange with a finding that the value of the property received, together with the
19 value of other public benefits, equals or exceeds the value of the property relinquished
20 by the state.

21 *** Sec. 18.** AS 38.50 is amended by adding a new section to read:

22 **Sec. 38.50.015. Alaska Native Vietnam veteran land exchange.** (a) An
23 eligible individual who has received a land allotment under 43 U.S.C. 1629g-1 may

1 apply to the department to exchange that land allotment for a parcel of state land
2 identified by the department under this section. An exchange made under this section
3 is considered to be in the best interest of the state, and the director shall find that the
4 exchange is in the public interest.

5 (b) The department shall identify in each region of the state the state land that
6 is available for exchange under (a) of this section and provide public notice and a map
7 of the available state land.

8 (c) A land allotment and a parcel of state land exchanged under (a) of this
9 section are not required to be located in the same region of the state.

10 (d) The director shall exchange a land allotment under (a) of this section as
11 follows:

12 (1) for a land allotment that is between 2.5 and 10 acres, the director
13 shall exchange a parcel of state land that is the same size, regardless of the value of the
14 parcel of state land subject to the exchange;

15 (2) for a land allotment greater than 10 acres, the value of which is less
16 than or approximately equal to the value of the 10-acre parcel of land subject to
17 exchange, the director shall exchange a parcel of state land that is 10 acres;

18 (3) for a land allotment greater than 10 acres, the value of which is
19 greater than the 10-acre parcel of land subject to exchange, the director shall adjust the
20 acreage of the parcel of state land to ensure the land exchanged is of approximately
21 equal value.

22 (e) Notwithstanding AS 38.05.840, when determining the value of a land
23 allotment and a parcel of state land subject to exchange under this section, the
24 department shall adopt in regulation an informal valuation process that may include
25 consideration of state land sales in the area where the land allotment and the parcel of
26 state land are located.

27 (f) If a parcel of state land or any portion of a parcel of state land is requested
28 for exchange by more than one eligible individual under (a) of this section, the
29 department may meet with each eligible individual and adjust the size and shape of the
30 requested parcel of state land. In adjusting the requested parcel of state land, the
31 department may grant preference to the earliest filed application.

1 (g) To the extent practicable, the department shall attempt to complete a land
2 exchange under this section within 180 days after receiving a completed application
3 from an eligible individual.

4 (h) An eligible individual who applies for a land exchange under this section
5 shall comply with all applicable federal laws and regulations necessary to exchange a
6 land allotment awarded under 43 U.S.C. 1629g-1 with state land.

7 (i) In this section,

8 (1) "department" means the Department of Natural Resources;

9 (2) "eligible individual" has the meaning given in 43 U.S.C. 1629g-1."

10

11 Renumber the following bill sections accordingly.