

CS FOR HOUSE BILL NO. 38(CRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Offered: 5/5/97

Referred: House Special Committee on World Trade and State/Federal Relations, Resources

Sponsor(s): REPRESENTATIVE BRICE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to supplemental general grant land entitlements for boroughs and
2 unified municipalities."

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

4 * **Section 1.** AS 29.65 is amended by adding a new section to read:

5 **Sec. 29.65.035. Supplemental entitlements.** (a) A borough or unified
6 municipality may apply to the director for a supplemental general grant land
7 entitlement of up to 50,000 acres. Only vacant, unappropriated, or unreserved land
8 located within the boundaries of the municipality may be selected to fulfill a
9 supplemental entitlement, and selections shall be made before January 1, 2012.

10 (b) The director shall estimate the total administrative cost to the Department
11 of Natural Resources attributable to implementation of the supplemental general grant
12 land entitlement for each borough and unified municipality. A municipality must pay
13 the estimated cost before selecting land to fulfill its entitlement. If, during the
14 selection or conveyance process, actual cost to the Department of Natural Resources

1 exceeds the estimated cost, the director shall collect from the municipality the
2 additional amount necessary to pay the actual cost. After the entitlement is fulfilled
3 and subject to an appropriation for the purpose, any amount collected that is
4 determined by the director to have exceeded the actual cost shall be refunded to the
5 municipality. Amounts collected under this subsection shall be deposited into the
6 general fund.

7 * **Sec. 2.** AS 29.65.050(b) is amended to read:

8 (b) All approved selections under former AS 29.18.190 and 29.18.200 for
9 which patent has not been issued to a municipality on July 1, 1978, shall be reviewed
10 by the director within nine months after July 1, 1978. Any approved selection of land
11 that was vacant, unappropriated, or unreserved on the date of selection is valid as of
12 the date of the approval under former AS 29.18.190, 29.18.200, 29.18.201, 29.18.202,
13 and 29.18.203, and a patent shall be issued to the municipality within three months
14 after approval by the director of a plat of survey. The acreage shall be credited toward
15 fulfillment of the municipality's entitlement. A municipality is not entitled to receive
16 patent under this chapter to more than its entitlement determined under AS 29.65.010 -
17 29.65.030 **and 29.65.035**. Any prior approval by the director of municipal selections
18 for land that was not vacant, unappropriated, or unreserved on the date of selection
19 shall be rescinded, and patent may not be issued except when disposal to a third party
20 by sale or lease has occurred. Transfers of land to municipalities under this chapter
21 are subject to AS 38.05.321. Classification actions as reflected on the land status
22 records of the Department of Natural Resources are determinative of land classification
23 status for purposes of this chapter.

24 * **Sec. 3.** AS 29.65.050(c) is amended to read:

25 (c) The director shall approve or disapprove each selection for patent within
26 nine months of its selection by a municipality. Before a decision is issued, the
27 Department of Community and Regional Affairs shall review the selection and
28 recommend approval or disapproval of it. The director may disapprove a selection
29 only upon a finding that the public interest in retaining state ownership of the land
30 outweighs the municipality's interest in obtaining the land. A patent shall be issued
31 to the municipality for land selected in satisfaction of a general grant land entitlement

1 vested under AS 29.65.010 - 29.65.030 or 29.65.035 within three months after
2 approval by the director of a plat of survey.

3 * **Sec. 4.** AS 29.65.080(g) is amended to read:

4 (g) Payments authorized by this section may not be made to a municipality
5 eligible for an entitlement under AS 29.65.020, [OR] 29.65.030, or 29.65.035.