

CS FOR HOUSE BILL NO. 227(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE HOUSE RESOURCES COMMITTEE

Offered: 5/16/99

Referred: First Supplemental Calendar

Sponsor(s): REPRESENTATIVE OGAN

A BILL

FOR AN ACT ENTITLED

1 "An Act modifying the Department of Natural Resources' power to control and
2 manage certain land within the Hatcher Pass Public Use Area and making that
3 land available for selection by the Matanuska-Susitna Borough."

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

5 * **Section 1.** FINDINGS OF FACT. The legislature finds that making the lands specified
6 in sec. 2(b) of this Act available to the Matanuska-Susitna Borough for selection and
7 conveyance is consistent with the testimony and position of the Department of Natural
8 Resources at the time the Hatcher Pass Public Use Area was created. Furthermore, the
9 selection is consistent with that area of the public use area that is contained within the
10 development lease and authorized for development purposes in the Hatcher Pass Management
11 Plan, as amended.

12 * **Sec. 2.** AVAILABILITY OF HATCHER PASS PUBLIC USE AREA LAND FOR
13 GENERAL GRANT LAND ENTITLEMENT OF THE MATANUSKA-SUSITNA
14 BOROUGH. (a) Notwithstanding the reservation of land, designation of the reserved land

1 as the Hatcher Pass Public Use Area, and assignment of control and management of the land
 2 to the Department of Natural Resources made by AS 41.23.130, and notwithstanding selection
 3 procedures applicable to municipal general grant land entitlements under AS 29.65.010 -
 4 29.65.140, the acreage necessary to accommodate the Hatcher Pass Ski Area, including a 100-
 5 foot right-of-way, parking, maintenance, a day lodge, a ski lift base, a trail head, utilities, and
 6 a 100-foot right-of-way to the village area not to exceed a total of 160 acres of the land
 7 described in (b) of this section, is available for selection by and, subject to AS 38.05.035 and
 8 38.05.945 and a finding of compatibility with the Hatcher Pass Management Plan as amended
 9 in November 1989, may be conveyed to the Matanuska-Susitna Borough to fulfill the
 10 borough's general grant land entitlement under AS 29.65.010 - 29.65.140.

11 (b) The Matanuska-Susitna Borough may select the acreage described in (a) of this
 12 section from the following land within Township 19 North, Range 1 East, Seward Meridian,
 13 that is part of the Hatcher Pass Public Use Area:

14 Section 2: S1/2SW1/4SW1/4

15 Section 10: E1/2E1/2

16 Section 11: Tract A

17 Section 14: Tract A

18 Section 15: E1/2E1/2

19 Section 22: E1/2E1/2

20 Section 27: E1/2E1/2.

21 (c) Any of the land described in (b) of this section

22 (1) that has not been selected by the Matanuska-Susitna Borough before
 23 January 1, 2000, shall remain in the Hatcher Pass Public Use Area;

24 (2) that is selected by the Matanuska-Susitna Borough but not conveyed by the
 25 Department of Natural Resources shall remain available for conveyance to the Matanuska-
 26 Susitna Borough until all administrative and judicial appeals regarding the failure to convey
 27 the selected land have been exhausted; and

28 (3) that is not ultimately conveyed to the Matanuska-Susitna Borough
 29 following the exhaustion of administrative and judicial appeals shall remain in the Hatcher
 30 Pass Public Use Area unless otherwise specified by law.

31 (d) The commissioner of natural resources shall promptly notify the revisor of statutes

- 1 of the conveyance made by the Department of Natural Resources to the Matanuska-Susitna
- 2 Borough of land described in (b) of this section.