

**HOUSE BILL NO. 159**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-SECOND LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVE MASEK**

**Introduced: 3/9/01**

**Referred: Resources, Judiciary**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the management of state land."**

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

3 **\* Section 1.** AS 38.04.065(h) is amended to read:

4 (h) Before the commissioner adopts a regional land use plan, a land  
5 classification may be made on the basis of a site-specific land use plan **that provided**  
6 **an opportunity for public hearing and comment comparable to that required for**  
7 **the adoption of regulations under AS 44.62.** After adoption of a regional land use  
8 plan, land classifications **may be made only after public hearing and comment**  
9 **comparable to that required for the adoption of regulations under AS 44.62**  
10 [SHALL BE MADE UNDER THE PLAN].

11 **\* Sec. 2.** AS 38.05.295 is amended to read:

12 **Sec. 38.05.295. Parks and recreation areas.** The commissioner shall  
13 establish a policy and adopt regulations by which parks and recreation areas, including  
14 public scenic overlooks and cultural sites, shall be developed and managed in a  
15 manner that will best serve the interests of the people of the state. The commissioner

1 may classify an area of contiguous, adjacent, or proximately located public land of  
2 40 acres or less as parks, scenic overlooks, cultural sites, and recreation areas as long  
3 as the general intent of this chapter is maintained. Except as provided in this  
4 section, state land may not be classified or managed as a park, recreation area,  
5 recreation river, recreational mining area, public use area, special management  
6 area, refuge, critical habitat area, or preserve without legislative designation of  
7 the area and the boundaries of the area. Classifications by the commissioner may  
8 not be combined or divided to circumvent the 40-acre limitation provided in this  
9 section. A classification that creates a park, recreation area, recreation river,  
10 recreational mining area, public use area, special management area, refuge,  
11 critical habitat area, or preserve or classifies land for management as a park,  
12 recreation area, recreation river, recreational mining area, public use area,  
13 special management area, refuge, critical habitat area, or preserve is void if  
14 (1) that classification is contiguous, adjacent, or proximately  
15 located to one or more other classifications or legislative designations that create  
16 a park, recreation area, recreation river, recreational mining area, public use  
17 area, special management area, refuge, critical habitat area, or preserve; and  
18 (2) the total area of the classifications and legislative designations  
19 described in (1) of this section exceeds 40 acres.