

**HOUSE BILL NO. 498**

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

**BY REPRESENTATIVE SEATON**

**Introduced: 2/16/04**

**Referred: Resources, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act requiring the sale or trade of state land."**

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

3 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
4 to read:

5 LEGISLATIVE FINDINGS. The legislature finds that

6 (1) as a general policy, the state benefits from the private ownership and  
7 development of property;

8 (2) less than one percent of land in the state is privately owned, and less than  
9 ten percent is owned by Alaska Native Corporations;

10 (3) with changing populations and economics, it is sometimes in the best  
11 interest of the state to acquire private lands for specific public benefits; and

12 (4) conflicting state interests can be resolved by requiring that equal and  
13 comparable lands be sold into private ownership every time private lands are acquired by the  
14 state.

15 \* **Sec. 2.** AS 38.05.050 is amended to read:

1           **Sec. 38.05.050. Disposal of land for private ownership.** The commissioner  
 2 shall determine the land to be disposed of for private use. The commissioner shall  
 3 determine the time and place of disposal. An auction sale, a lottery sale, or a disposal  
 4 of land for homesites may be held in a community that is near the land to be sold or  
 5 disposed of. **The commissioner shall, during each fiscal year, sell for private use**  
 6 **an amount of land equal to or greater than the total acreage acquired by the state**  
 7 **from private landowners during the previous fiscal year. The land sold shall be**  
 8 **reasonably proximate in location to the land acquired, shall be of equal or**  
 9 **greater value, and shall demonstrate similar economic development potential.**  
 10 **The sale of land under this section shall be close in time to the acquisition by the**  
 11 **state from a private landowner, but is not required to be simultaneous. If a**  
 12 **single parcel is not available, multiple parcels of land may be combined to meet**  
 13 **the requirements of this section. The commissioner may trade land to satisfy the**  
 14 **requirements of this section. This section applies to land acquired through**  
 15 **purchase, foreclosure, court action, or eminent domain.**

16 \* **Sec. 3.** AS 38.05.300(a) is amended to read:

17           (a) The commissioner shall classify for surface use land in areas considered  
 18 necessary and proper. This section does not prevent reclassification of land where the  
 19 public interest warrants reclassification, nor does it preclude multiple purpose use of  
 20 land whenever different uses are compatible. If the area involved contains more than  
 21 640 contiguous acres, state land, water, or land and water area may not, except by act  
 22 of the state legislature, (1) be closed to multiple purpose use, or (2) be otherwise  
 23 classified by the commissioner so that mining, mineral entry or location, mineral  
 24 prospecting, or mineral leasing is precluded or is designated an incompatible use,  
 25 except when the classification is necessary for a land disposal or exchange or is for the  
 26 development of utility or transportation corridors or projects or similar projects or  
 27 infrastructure, or except as allowed under (c) of this section. **If an area involved**  
 28 **contains 640 contiguous acres or less being closed to multiple purpose use, the**  
 29 **commissioner shall sell an equal number of acres for private use under this**  
 30 **chapter.**