

CS FOR HOUSE BILL NO. 306(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY THE HOUSE RESOURCES COMMITTEE

Offered: 4/21/06

Referred: Finance

Sponsor(s): REPRESENTATIVE STOLTZE

A BILL

FOR AN ACT ENTITLED

1 **"An Act making certain land available for selection by the Matanuska-Susitna**
2 **Borough."**

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

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

6 FINDINGS OF FACT. The legislature finds that making the lands specified in sec.
7 2(b) of this Act available to the Matanuska-Susitna Borough for selection and conveyance
8 under AS 29.65 is consistent with the testimony and position of the Department of Natural
9 Resources at the time the Hatcher Pass Public Use Area was created. Furthermore, the
10 selection is consistent and compatible with the Hatcher Pass Management Plan, as amended.

11 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
12 read:

13 AVAILABILITY OF HATCHER PASS PUBLIC USE AREA LAND FOR
14 SELECTION AND CONVEYANCE TO THE MATANUSKA-SUSITNA BOROUGH. (a)

1 Notwithstanding the reservation of land, designation of the reserved land as the Hatcher Pass
2 Public Use Area, and assignment of control and management of the land to the Department of
3 Natural Resources made by AS 41.23.130, the land in (b) of this section, intended to
4 accommodate alpine, Nordic, and resort development, is available to the Matanuska-Susitna
5 Borough for selection and conveyance under AS 29.65 or AS 38.05.810, and subject to
6 AS 38.05.035 and 38.05.945.

7 (b) Subject to authorization by a majority of the qualified voters in the borough voting
8 on the question at a general or special election, the Matanuska-Susitna Borough may select
9 the following land within Township 19 North, Range 1 East, Seward Meridian, that is part of
10 the Hatcher Pass Public Use Area:

11 Section 26: W1/2SW1/4 west of the line of ordinary high water of the Little
12 Susitna River; and

13 Section 27: E1/2E1/2

14 Totaling 200 acres more or less.

15 (c) Land described in (b) of this section that

16 (1) has not been selected by the Matanuska-Susitna Borough before January 1,
17 2007, shall remain in the Hatcher Pass Public Use Area;

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

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

25 (d) That portion of the land selected under (b) of this section that lies within 600 feet
26 of the line of ordinary high water of the Little Susitna River may not be developed or
27 improved, except for trails, and may not be transferred from public ownership.

28 (e) The commissioner of natural resources shall promptly notify the revisor of statutes
29 of the conveyance made by the Department of Natural Resources to the Matanuska-Susitna
30 Borough of land described in (b) of this section.