

**HOUSE BILL NO. 30**

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

**BY REPRESENTATIVES SAMUELS, Hawker, Gara**

**Introduced: 1/16/07**  
**Referred: Judiciary**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act conferring original jurisdiction on the Alaska Supreme Court for the purpose**  
2 **of providing judicial review of a final decision by the commissioner of natural resources**  
3 **terminating an oil and gas unit or lease in an oil and gas unit all or part of which lies**  
4 **north of 68 degrees North latitude; amending Rules 202, 204, 601, and 602, Alaska Rules**  
5 **of Appellate Procedure; and providing for an effective date."**

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

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

9 INTENT. It is the intent of this Act to confer original and exclusive jurisdiction on the  
10 Alaska Supreme Court of any judicial review of a final decision as described in sec. 2 of this  
11 Act in order to

12 (1) facilitate the prioritized and expedited review of those decisions by the  
13 Alaska Supreme Court; and

1 (2) further natural resource development in this state.

2 \* **Sec. 2.** AS 22.05.010 is amended by adding a new subsection to read:

3 (f) The supreme court has original and exclusive jurisdiction of any judicial  
4 review of a final decision under AS 38.05.020, 38.05.145, or 38.05.180 by the  
5 commissioner of natural resources approving termination of an oil and gas unit or  
6 lease in an oil and gas unit all or part of which lies north of 68 degrees North latitude.  
7 A person may not file an appeal challenging the commissioner's decision described in  
8 this subsection unless the notice of appeal is filed within 30 days after the date the  
9 decision is issued. In this subsection, "oil and gas unit" means a unit described by the  
10 Department of Natural Resources under AS 38.05.180 and the land within that unit.

11 \* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to  
12 read:

13 **INDIRECT COURT RULE AMENDMENT.** The provisions of sec. 2 of this Act have  
14 the effect of changing Rules 202, 204, 601, and 602, Alaska Rules of Appellate Procedure, by  
15 providing for an original and exclusive appeal from a final decision by the commissioner of  
16 natural resources to the Alaska Supreme Court, and by setting the time within which an  
17 appeal must be taken.

18 \* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to  
19 read:

20 **RETROACTIVITY.** Section 2 of this Act is retroactive to November 26, 2006.

21 \* **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to  
22 read:

23 **CONDITIONAL EFFECT.** AS 22.05.010(f), enacted by sec. 2 of this Act, takes effect  
24 only if sec. 3 of this Act receives the two-thirds majority vote of each house required by art.  
25 IV, sec. 15, Constitution of the State of Alaska.

26 \* **Sec. 6.** This Act takes effect immediately under AS 01.10.070(c).