

1 IN THE SENATE BY THE JUDICIARY COMMITTEE

2 SENATE BILL NO. 285

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRD LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the classification of
7 state lands."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 35.05.020(b)(1) is amended to read:

10 (1) establish reasonable procedures and adopt
11 reasonable rules and regulations necessary to carry out this
12 chapter and may, whenever necessary, issue directives or
13 orders to the director to carry out specific functions and
14 duties. All rules and regulations adopted by the commis-
15 sioner shall be adopted under the Administrative Procedure
16 Act (AS 44.62). Orders by the commissioner classifying
17 lands issued after January 3, 1959, are not required to be
18 adopted under the Administrative Procedure Act (AS 44.62);

19 * Sec. 2. AS 38.05.300 is amended to read:

20 Sec. 38.05.300. CLASSIFICATION OF LANDS. The director
21 shall make a preliminary classification for surface use of
22 all lands in areas where he considers it necessary and proper
23 for future development. The classification, together with a
24 land use plan, shall be transmitted to the commissioner for
25 his approval, modification, or rejection. This section does
26 not prevent reclassification of lands where the public
27 interest warrants reclassification, nor does it preclude mul-
28 tiple purpose use of lands whenever different uses are com-
29 patible. No state land, water, or land and water area shall,

1 except by act of the state legislature, be closed to multiple
2 purpose use, if the area involved contains more than 640 acres.
3 [(1) WITHDRAWN FROM SETTLEMENT, LOCATION, SALE OR ENTRY; (2)
4 RESERVED FOR SPECIAL USE; OR (3) RESTRICTED FROM OPERATION OF
5 THE MINING AND MINERAL LEASING PROVISIONS OF THIS CHAPTER, IF
6 THE AREA INVOLVED IN WITHDRAWAL, RESERVATION, OR RESTRICTION
7 EXCEEDS IN THE AGGREGATE 640 ACRES.]
8 * Sec. 3. AS 38.05.365(14) is repealed and re-enacted to read:
9 (14) "school lands" means those rectangular sec-
10 tions 16 and 36 within each township surveyed on or before
11 January 3, 1959, and confirmed and transferred to the State
12 of Alaska upon its admission under sec. 6(k), Alaska State-
13 hood Act, 72 Stat. 339, and any other lands designated solely
14 for school revenues.
15 * Sec. 4. Sec. 1 of this Act insofar as it applies to orders
16 classifying lands issued after January 3, 1959, is expressly de-
17 clared to be retroactive.
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