

Introduced: 4/30/71  
Referred: Resources

1 IN THE HOUSE

BY THE RULES COMMITTEE  
BY REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 454

3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the protection of certain village  
7 lands in Alaska; and providing for an effective date."

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

9 \* Section 1. AS 38 is amended by adding a new chapter to read:

10 CHAPTER 35. ALASKA VILLAGE LAND ACT.

11 Sec. 38.35.010. WITHDRAWAL. (a) The commissioner shall withdraw  
12 from entry or disposal under the law of the State of Alaska, subject  
13 to valid existing rights, all unappropriated public lands of the state  
14 within the township as shown on protraction diagrams of the state,

15 (1) which enclose any village listed in sec. 13(c) of  
16 S. 35 of the 92nd Congress; or

17 (2) which, though not enclosing a village listed in  
18 sec. 13(c) of S. 35, nevertheless enclose a village which

19 (A) has 25 or more permanent residents; and

20 (B) was in existence on the effective date of this  
21 chapter; and

22 (C) is not of an urban or modern character as  
23 determined by the commissioner;

24 (b) The commissioner shall also withdraw from entry and disposal  
25 any lands received under its selections from the public lands of the  
26 United States after the effective date of this chapter and which  
27 qualify for withdrawal under the provisions of this section.

28 Sec. 38.35.020. VALID EXISTING RIGHTS. Notwithstanding sec. 10  
29 of this chapter, the commissioner may process to approval or rejection

1 any entry under the public land laws of the state made prior to the  
2 effective date of this chapter.

3 Sec. 38.35.030. SUBSTITUTE LANDS. Notwithstanding a withdrawal  
4 made by the commissioner under sec. 10 of this chapter, a village  
5 eligible for a withdrawal under this chapter may, with the con-  
6 currence of the commissioner, request and receive the withdrawal of  
7 substitute lands. No additional lands may be withdrawn by virtue of  
8 the substitution. The commissioner may consider granting a request  
9 for a substitute withdrawal if a withdrawal under sec. 10 of this  
10 chapter

11 (1) would exclude from withdrawal a relatively substantial  
12 amount of the lands used by the village;

13 (2) would, because of the proximate location of other  
14 villages or lands unavailable for withdrawal, deprive the village of  
15 an entire township; or

16 (3) would result, because of the location of the village  
17 on a bay, river, lake or other body of water, in the loss to the  
18 village of a substantial amount of land.

19 Sec. 38.35.040. MANAGEMENT OF LANDS. The commissioner shall  
20 manage any lands withdrawn under this chapter.

21 Sec. 38.35.050. SELECTION OF SUBSTITUTE LANDS. In the event  
22 the public lands of the state withdrawn under sec. 10 of this chapter  
23 are not determined to be sufficient under sec. 10 and sec. 30 of  
24 this chapter, vacant, unreserved and unappropriated public lands of  
25 the state may be selected in the order of their proximity to the  
26 village to satisfy the withdrawals authorized under this chapter.

27 Sec. 38.35.060. DEFINITIONS.

28 (1) "Public lands of the state" means lands which have been  
29 or which may be selected by the State of Alaska under the provisions

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

of Public Law 85-508.

(2) "commissioner" means the Commissioner of Natural Resources.

\* Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without approval.