

Offered: 3/1/74
Referred: Resources

1 IN THE SENATE

BY PALMER

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 393

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the procedure for disposing of
7 state land or an interest in it."

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

9 * Section 1. AS 38.05.345 is amended to read:

10 Sec. 38.05.345. NOTICES AND HEARING. (a) In addition to other
11 requirements imposed by this chapter not in conflict with this section,
12 public [PUBLIC] notice of a sale, lease or other disposal of land or
13 interest in it, other than those covered by AS 38.35, shall be given
14 before the sale, lease or other disposal of land or interest in it and
15 [EXCEPT GRANTS UNDER SEC. 330 OF THIS CHAPTER AND PREFERENCE RIGHT
16 GRAZING LEASES UNDER SECS. 75 AND 80 OF THIS CHAPTER, WHEN REQUIRED,
17 SHALL] be substantially as follows.

18 (b) Notice shall be published once a week for three consecutive
19 weeks preceding the time of sale, lease or other disposition stated in
20 the notice, in at least one newspaper of general circulation in the
21 vicinity in which the land, property or interest in it is to be sold,
22 leased or disposed of. Where there is no newspaper of general circula-
23 tion in the vicinity, notices shall be posted in three public places
24 near the land to be sold, leased or otherwise disposed of. The sale,
25 lease or other disposal of lands shall be held not less than one month
26 [WEEK NOR MORE THAN THREE WEEKS] following the last appearance of the
27 published notice. The notice shall contain a description of the land
28 and interest to be sold, leased or disposed of and the time, place, and
29 general terms of the sale, lease or disposal.

1 [(c) PUBLIC NOTICE OF GRANTS OF PERMITS, RIGHTS-OF-WAY AND EASE-
2 MENTS UNDER SEC. 330 OF THIS CHAPTER AND OF GRANTS OF PREFERENCE RIGHT
3 GRAZING LEASES AND PREFERENCE RIGHT FOREST LEASES UNDER SECS. 75 AND 80
4 OF THIS CHAPTER SHALL BE ESTABLISHED IN REGULATIONS ADOPTED BY THE
5 COMMISSIONER.]

6 (d) If, during the time notice is published or within a week after
7 the time has expired for the publication of notice under (b) of this
8 section, 10 or more residents in or near the area to be leased, sold or
9 otherwise disposed of, or an interest in it is to be disposed of, submit
10 an objection in writing to the commissioner, a public hearing shall be
11 held. Public notice of the hearing shall be given no later than 15 days
12 before the hearing date by publication in a newspaper of general circula-
13 tion in the vicinity of the area to be affected and by posting notice
14 in three public places in the vicinity of the area to be affected. The
15 content of the notice shall be as specified in (b) of this section.

16 (e) The hearing held under this section shall be conducted in a
17 regular manner affording all interested persons an opportunity to be
18 heard, according to the principles of due process of law, and shall be
19 held in the vicinity of the area to be affected.

20 * Sec. 2. AS 38.05 is amended by adding a new section to read:

21 Sec. 38.05.346. INVOLVEMENT OF OTHER AGENCIES REQUIRED. If a
22 sale, lease or other disposal of land or interest in it under this
23 chapter, except those covered by ch. 35 of this title, has or is likely
24 to have a significant effect on natural resources other than land, the
25 department shall consult with the Departments of Highways, Environmental
26 Conservation, or Fish and Game, as appropriate, at the initial planning
27 stages or at the earliest possible time that the sale, lease, or disposal
28 is considered. Information obtained from another agency under this
29 section shall be made available to the public at hearings held under

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sec. 345(d) of this chapter.