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Referred: Resources and
Finance

1 IN THE SENATE

BY KERTTULA

2 SENATE BILL NO. 624

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act creating the Department of Renewable Resources;
7 and providing for an effective date."

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

9 * Section 1. AS 44 is amended by adding a new chapter to read:

10 CHAPTER 38. DEPARTMENT OF RENEWABLE RESOURCES

11 Sec. 44.38.010. STATEMENT OF PURPOSE AND POLICY. The legislature
12 finds that renewable resources play a vital role in the economic well
13 being and general quality of life in the state. Without these resour-
14 ces long-term sustained economic growth would not be possible. Ac-
15 cordingly, the legislature finds it necessary to create a new depart-
16 ment in the executive branch which will be responsible for the pro-
17 tection, enhancement and development of Alaska's renewable resources.

18 Sec. 44.38.020. COMMISSIONER OF RENEWABLE RESOURCES. The prin-
19 ciple executive officer of the Department of Renewable Resources is
20 the commissioner of renewable resources.

21 Sec. 44.38.030. POWERS AND DUTIES OF THE DEPARTMENT. The depart-
22 ment shall

23 (1) coordinate and develop programs designed to protect
24 and encourage the beneficial use of renewable resources;

25 (2) coordinate and develop programs relating to the pro-
26 tection and development of agriculture;

27 (3) coordinate and develop programs relating to the manage-
28 ment of timber resources;

29 (4) coordinate and develop programs for the management of

1 state parks, recreational areas and historical sites;

2 (5) where considered necessary by the commissioner to pro-
3 tect renewable uses of land, classify land as renewable resource lands
4 and promulgate regulations governing uses of renewable resource land;

5 (6) cooperate with the Department of Natural Resources in
6 the management of land which is valuable for both renewable and non-
7 renewable uses;

8 (7) cooperate with federal, state and local government agen-
9 cies where necessary to protect and encourage beneficial uses of renew-
10 able resources.

11 Sec. 44.38.040. DUTIES OF DEPARTMENT WITH RESPECT TO AGRICULTURE.
12 The Department of Renewable Resources shall

13 (1) get and distribute information on subjects connected with
14 agriculture;

15 (2) control and regulate the entry and transportation of
16 seeds, plants and other horticultural products;

17 (3) control and eradicate the spread of pests injurious to
18 plants, trees, vegetables, livestock, poultry;

19 (4) aid in developing used and unused agricultural resources,
20 and

21 (5) experiment and determine practical methods of growing,
22 processing, soil analysis, eradication of obnoxious weeds, control of
23 insects, cheaper and more satisfactory methods of land clearing.

24 Sec. 44.38.050. DUTIES OF DEPARTMENT WITH RESPECT TO HISTORIC
25 PRESERVATION AND ARCHEOLOGY. The Department of Renewable Resources
26 shall

27 (1) sponsor, engage in and direct fundamental research into
28 the archeology of the state and encourage and coordinate archeological
29 research and investigation undertaken in the state;

1 (2) cooperate with the Historic Sites Advisory Committee in
2 performing their functions under AS 41.35;

3 (3) ensure that historic, prehistoric and archeological re-
4 sources are properly reported by persons or agencies engaged in public
5 construction work and protect sites and objects of significance dis-
6 covered at state sites or discovered during the course of public con-
7 struction and encourage the protection of sites and objects discovered
8 during the course of any other construction work;

9 (4) investigate reported historic, prehistoric or archeologi-
10 cal resources and appraise them for any future excavation, preservation
11 and interpretation;

12 (5) serve as a central clearinghouse for information on all
13 historic, prehistoric and archeological resource excavation in the
14 state.

15 Sec. 44.38.060. ANNUAL REPORT. The commissioner shall submit to
16 the governor and the legislature an annual report before February 1,
17 of each year. The report shall include the recommendations of the
18 commissioner for legislation necessary to develop and maintain the
19 renewable resources of the state.

20 Sec. 44.38.070. DEPARTMENTAL ORGANIZATION. The commissioner may,
21 with the approval of the governor, organize the department into those
22 divisions that can most efficiently perform the functions of the depart-
23 ment.

24 Sec. 44.38.080. DEFINITIONS. In this chapter, "renewable re-
25 sources" means resources which, when properly managed, are capable
26 of producing a sustained yield for an indefinite period of time but
27 does not include commercial fish, sport fish, game and fur bearing
28 animals in their natural state.

29 * Sec. 2. AS 19.05.080 is amended to read:

1 Sec. 19.05.080. ACQUISITION OF LAND, RIGHTS-OF-WAY, AND MATERIALS
2 BY PURCHASE OR EMINENT DOMAIN. Subject to the provisions of AS 38.05.-
3 300(a) and (b), the [THE] department on behalf of the state and as part
4 of the cost of constructing or maintaining a highway may purchase, ac-
5 quire, take over, or condemn under the right and power of eminent domain
6 land in fee simple or easements which it considers necessary for pre-
7 sent public use, either temporary or permanent, or which it considers
8 necessary and reasonable for the public use. By the same means, the
9 department may obtain material, including clay, gravel, sand, or rock,
10 or the land necessary to obtain the material, including access to it.
11 The department may acquire the land or materials notwithstanding the
12 fact that title to it is vested in the state or a department, agency,
13 commission or institution of the state.

14 * Sec. 3. AS 19.30.030(a) is amended to read:

15 (a) Subject to the provisions of AS 38.05.030(a) and (b) the [THE]
16 commissioner of natural resources may approve applications for construc-
17 tion of developmental access roads under secs. 20 - 51 of this chapter.

18 * Sec. 4. AS 19.30.040(a) is amended to read:

19 (a) Upon approval of an application and agreement as to state
20 participation, the applicant resource developer shall submit to the
21 commissioner of natural resources road plans and specifications for the
22 standard of construction he believes to be necessary to develop the
23 mineral resource and protect [THE] fish and game and other renewable
24 resources that may be affected by the road construction. Plans and
25 specifications submitted by each applicant shall be forwarded by the
26 commissioner of natural resources to the commissioner of highways, [AND]
27 the commissioner of fish and game and, where applicable, the commission-
28 er of renewable resources and upon approval by them, the applicant may
29 proceed with construction.

1 * Sec. 5. AS 19.30.070 is amended to read:

2 Sec. 19.30.070. CONTRACTS FOR CONSTRUCTION OF ROADS. Subject to
3 the provisions of AS 38.05.300(a) and (b) the [THE] director of the
4 division of lands may contract with private persons for the construction
5 of roads to and on state lands programmed for surface disposal which are
6 not more than six miles from existing roads or highways.

7 * Sec. 6. AS 35.20.010 is amended to read:

8 Sec. 35.20.010. ACQUISITION OF LAND, RIGHTS-OF-WAY, AND MATERIALS
9 BY PURCHASE OR EMINENT DOMAIN. Subject to the provisions of AS 38.05.-
10 300(a) and (b) the [THE] department, on behalf of the state and as part
11 of the cost of constructing or maintaining a public work, may purchase,
12 acquire, take over, or condemn under the right and power of eminent
13 domain land in fee simple or easements which it considers necessary for
14 present public use, either temporary or permanent, or which it considers
15 necessary and reasonable for the public use. By the same means, the
16 department may obtain material including clay, gravel, sand, or rock, or
17 the land necessary to obtain the material, and the necessary land or
18 easements to provide access to it. The department may acquire the land
19 or material notwithstanding the fact that the title to it is in the
20 state or a department, agency, commission or institution of the state.

21 * Sec. 7. AS 38.05.020(c) is amended to read:

22 (c) Subject to the provisions of sec. 300(a) and (b) of this
23 chapter the [THE] commissioner of renewable resources has all powers
24 necessary and proper to implement the policy, purposes, and provisions
25 of the Alaska Right-of-Way Leasing Act of 1972 (AS 38.35), so as to sub-
26 serve, as he in the exercise of his reasoned discretion determines, the
27 public interest, convenience and necessity, including but not limited to

28 (1) granting leases of state land for pipeline right-of-way
29 purposes;

1 (2) leasing, purchasing, or otherwise acquiring (including
2 condemning by declaration of taking), easements or other interests in
3 land in this state for the purpose of utilizing or granting leases of
4 the land, easements or interests for pipeline right-of-way purposes;

5 (3) purchasing interests in pipelines in accordance with op-
6 tions included in right-of-way leases;

7 (4) investigating any matters concerning any lessee with a
8 view to assuring compliance by it with its right-of-way lease, this chap-
9 ter, and any other applicable state or federal law;

10 (5) developing from time to time and maintaining a comprehen-
11 sive master plan for pipeline transportation development;

12 (6) developing and promoting programs to foster efficient,
13 economical, and safe pipeline transportation services in the state;

14 (7) coordinating the activities of the commissioner under
15 this Act with the transportation and other relevant activities of other
16 public agencies and authorities;

17 (8) constructing, extending, enlarging, improving, repairing,
18 acquiring, operating, or engaging in transportation, service, or sale
19 by any pipeline or providing for these by contract, lease, or other
20 arrangement on those terms that the commissioner may consider necessary,
21 convenient or desirable with any agency, corporation, or person, in-
22 cluding but not limited to any carrier or any state agency, when the com-
23 missioner determines that a lessee carrier is not willing to undertake
24 and complete the action within a reasonable time, and to sell, lease,
25 grant, and dispose of any property constructed or acquired in the exer-
26 cise of this power.

27 * Sec. 8. AS 38.05.030(b) is amended to read:

28 (b) Except for sec. 300(a) and (b) of this chapter the [THE] pro-
29 visions of this chapter do not apply to any power, duty or authority now

1 or in the future granted to the Department of Public Works and the De-
2 partment of Highways in the name of the state, to acquire, use, lease,
3 dispose of, or exchange real property, or any interest in real property.
4 Lands assigned by the division of lands to the Department of Public
5 Works and the Department of Highways shall be returned to the management
6 of the division of lands when they are no longer needed for the purposes
7 assigned.

8 * Sec. 9. AS 38.05.037 is amended to read:

9 Sec. 38.05.037. ZONING REGULATIONS IN THE UNORGANIZED BOROUGH TO
10 FACILITATE FEDERAL LAND SALES. (a) In areas of the unorganized bor-
11 ough where there is no political subdivision of the state with a zoning
12 power, the Department of Renewable Resources [DIVISION OF LANDS] shall
13 exercise the zoning power by adopting zoning regulations.

14 (b) The Department of Renewable Resources [DIVISION OF LANDS]
15 shall exercise its zoning power within federal lands in the unorganized
16 borough only at the times and in the areas it is requested to do so by
17 the Secretary of the Interior to facilitate sales of federal lands with-
18 in the unorganized borough under Public Law 88-608, 78 Stat. 988.

19 (c) Any zoning done by the Department of Renewable Resources [DIVI-
20 SION OF LANDS] under (b) of this section is final unless disapproved by
21 concurrent resolution at the next regular session of the legislature.

22 * Sec. 10. AS 38.05.069(a) is amended to read:

23 (a) If the commissioner of renewable resources [DIRECTOR] deter-
24 mines that the highest and best use of unoccupied land is for agricultur-
25 al purposes, the director of the division of lands [HE] shall grant to
26 an Alaskan resident owning and using or leasing and using land for agri-
27 cultural purposes a 60-day first option from the date the land becomes
28 available to the public or 90 days from the effective date of this sec-
29 tion, whichever is later, to purchase or lease unoccupied land situated

1 adjacent to or in the approximate vicinity of his presently held land;
2 provided the aggregate number of acres owned and acquired under the op-
3 tion shall not exceed 640 acres; and further provided that the land ac-
4 quired under this section is used for agricultural purposes for at least
5 one year following purchase.

6 * Sec. 11. AS 38.05.110 is amended to read:

7 Sec. 38.05.110. SALE OF TIMBER AND MATERIALS. The commissioner
8 of renewable resources [DIRECTOR] shall provide for cruises of timber and
9 appraisals of other materials in or upon lands and transmit this data to
10 the commissioner of renewable resources, together with his recommenda-
11 tions with respect to (1) the timber and other materials which should be
12 offered for sale, and (2) the terms of sale of the timber or other ma-
13 terials.

14 * Sec. 12. AS 38.05.115(a) is amended to read:

15 (a) The commissioner of natural resources, upon recommendation of
16 the commissioner of renewable resources [DIRECTOR] shall determine the
17 timber and other materials to be sold, and the limitations, conditions
18 and terms of sale. The limitations, conditions and terms shall include
19 the utilization, development and maintenance of the sustained yield prin-
20 ciple, subject to preference among other beneficial uses. The director
21 may negotiate sales of timber or materials without advertisement and on
22 the limitations, conditions, and terms which he considers are in the best
23 interests of the state, subject to the approval of the commissioner
24 of renewable resources. However, not more than 500 M.B.M. of timber or
25 more than \$2,500 of materials may be sold by nonadvertised, negotiated
26 sale to the same purchaser within a one-year period.

27 * Sec. 13. AS 38.05.120 is amended to read:

28 Sec. 38.05.120. DISPOSAL PROCEDURE. Timber and other materials
29 shall be sold either by sealed bids or public auction, depending on

1 which method is determined by the commissioner of natural resources to
2 be in the best interests of the state, to the highest qualified bidder
3 as determined by the director. An aggrieved bidder may appeal to the
4 commissioner within five days after the sale for a review of the direc-
5 tor's determination. The sale shall be conducted by the director or his
6 representative, and at the time of sale the successful bidder shall de-
7 posit the amount specified in the terms of sale. The means by which the
8 amount of deposit is determined shall be prescribed by appropriate regu-
9 lation. The director or his representative shall immediately issue a
10 receipt containing a description of the timber or materials purchased,
11 the price bid, and the terms of sale. The receipt shall be acknowledged
12 in writing by the bidder. A contract of sale, on a form approved by the
13 attorney general, shall be signed by the purchaser and, following the ap-
14 proval of the commissioner, the contract shall be signed by the director
15 on behalf of the state. The director, with the approval of the commis-
16 sioner of renewable resources, may impose conditions, limitations,
17 and terms which he considers necessary and proper to protect the in-
18 terests of the state. Violation of any provision of this chapter or
19 the terms of the contract of sale subjects the purchaser to appropriate
20 legal action.

21 * Sec. 14. AS 38.05.145(a) and (c) are amended to read:

22 (a) Deposits of coal, phosphates, oil shale, sodium, potassium,
23 oil, gas, geothermal resources and state lands containing these deposits
24 are subject to disposition under rules and regulations, recommended by
25 the director and adopted by the commissioner, and the provisions of secs
26 145 - 181 and 300 of this chapter. In applying the acreage limitations
27 the commissioner may apply the rule of approximation. The uses of the
28 rule of approximation made before March 31, 1960, by the commissioner
29 are ratified.

1 (c) Authority. (1) Under the provisions of this section and
2 subject to secs. 135 - 145 and 300 of this chapter, where applicable and
3 not in conflict with this section, the commissioner may issue prospect-
4 ing permits and leases for the exploration, discovery, development,
5 utilization, extraction and removal of geothermal resources in or from
6 state lands administered by him.

7 (2) Rights to develop and utilize geothermal resources under-
8 lying lands owned by the State of Alaska may be acquired solely in
9 accordance with the provisions of this section.

10 (3) The commissioner shall prescribe those regulations he
11 considers appropriate to carry out the provisions of this section. The
12 regulations may include [, WITHOUT LIMITATION,] provisions for

13 (A) the prevention of waste,

14 (B) development and conservation of geothermal and other
15 natural resources,

16 (C) the protection of the public interest,

17 (D) assignment, segregation, extension of terms, relin-
18 quishment of leases, development contracts, unitization, pooling,
19 and drilling agreements,

20 (E) compensatory royalty agreements, suspension of
21 operations or production, and suspension or reduction of rentals
22 or royalties,

23 (F) the filing of surety bonds to assure compliance with
24 the terms of the lease and to protect surface use and resources,

25 (G) use of the surface by a lessee or permittee of the
26 lands embraced in his lease or permit except that the provisions
27 may not conflict with regulations adopted by the commissioner of
28 renewable resources under sec. 300(b) of this chapter,

29 (H) the maintenance by the lessee of an active develop-

1 ment program, and

2 (I) protection of water quality and other environmental
3 qualities.

4 * Sec. 15. AS 38.05.185(a) is amended to read:

5 (a) The acquisition and continuance of rights in and to deposits on
6 state lands of minerals which on January 3, 1959, were subject to loca-
7 tion under the mining laws of the United States shall be governed by
8 secs. 185 - 280 of this chapter. Nothing in secs. 185 - 280 of this
9 chapter affects the law pertaining to the acquisition of rights to
10 mineral deposits owned by any other person or government. The director,
11 with the approval of the commissioner, shall determine those lands from
12 which mineral deposits may be mined only under lease, and, subject to
13 the limitations of sec. 300(d) [300] of this chapter, those lands which
14 shall be closed to mining.

15 * Sec. 16. AS 38.05.295 is amended to read:

16 Sec. 38.05.295. PARKS AND RECREATION AREAS. The commissioner of
17 renewable resources shall establish a policy and prescribe rules and
18 regulations by which parks and recreation areas, including public scenic
19 overlooks and cultural sites, shall be developed and managed in a manner
20 that will best serve the interests of the people of the state. The
21 commissioner may classify public lands as parks, scenic overlooks,
22 cultural sites and recreation areas as long as the general intent of
23 this chapter is maintained.

24 * Sec. 17. AS 38.05.300 is repealed and re-enacted to read:

25 Sec. 38.05.300. CLASSIFICATION OF LANDS. (a) The commissioner of
26 renewable resources shall classify land as renewable resource land in
27 areas where he considers it necessary for the protection and development
28 of renewable resources. Any activity on renewable resource land which
29 has the potential of causing damage to renewable uses of land shall be

1 conducted in a manner which minimizes damage to renewable resource land.
2 This activity includes, but is not limited to,

3 (1) prospecting, mining drilling, or any other operations
4 related to the extraction of oil, gas, or valuable minerals;

5 (2) rights-of-way or easements for roads, trails, ditches,
6 transmission or distribution pipelines, and telephone and transmission
7 lines.

8 (b) For the purpose of minimizing damage to renewable resource
9 land, the commissioner of renewable resources shall adopt regulations,
10 in accordance with the Administrative Procedure Act (AS 44.62), govern-
11 ing any activity which in his judgment has the potential for causing
12 damage to renewable uses of land. In adopting regulations the commis-
13 sioner shall seek the advice and cooperation of the Department of
14 Natural Resources, the Department of Highways, and the Department of
15 Public Works.

16 (c) The commissioner of the Department of Natural Resources may
17 classify land for the purpose of carrying out the lawful duties of his
18 department; however, classification of land by the Department of Natural
19 Resources may not interfere with classification under (a) of this sec-
20 tion.

21 (d) No state land, water, or land and water area, except by act
22 of the state legislature, may be closed to multiple purpose use if the
23 area involved contains more than 640 acres.

24 * Sec. 18. AS 38.05 is amended by adding a new section to read:

25 Sec. 38.05.302. SUITS TO ENJOIN VIOLATIONS. (a) When in the
26 judgment of the commissioner of renewable resources a person has violated
27 or is about to violate the provisions of sec. 300(a) and (b) of this
28 chapter, the attorney general, on advice of the commissioner, shall seek
29 a prohibition or mandatory injunction from the superior court to remedy

1 the violation.

2 (b) Neither this section nor the state's obtaining an injunction
3 extinguishes a civil cause of action or criminal responsibility arising
4 out of a violation of this chapter.

5 * Sec. 19. AS 38.05.325 is amended to read:

6 Sec. 38.05.325. HOMESTEAD ENTRY. The director, with the approval
7 of the commissioner and subject to regulations adopted under sec. 300(b)
8 of this chapter, may authorize homestead entry on lands not under grazing
9 lease or otherwise appropriated and which are classified as renewable
10 resource lands [AGRICULTURAL LANDS OR GRAZING LANDS], if they are not
11 school lands, mental health lands or lands conveyed to the state by the
12 federal government for the specific purpose of producing revenue.

13 * Sec. 20. AS 38.05.330 is amended to read:

14 Sec. 38.05.330. PERMITS. Subject to the provisions of sec. 300(a)
15 and (b) of this chapter, the [THE] director, without the prior approval
16 of the commissioner, may issue permits, rights-of-way or easements on
17 state land for secondary roads, trails, ditches, transmission and dis-
18 tribution pipelines not subject to AS 38.35, telephone and transmission
19 lines, log storage, oil well drilling sites and production facilities
20 for the purposes of recovering minerals from adjacent lands under valid
21 lease, and other similar uses or improvements, or for the limited per-
22 sonal use of timber or materials. The commissioner, upon recommendation
23 of the director, shall establish a reasonable rate or fee schedule to
24 be charged for these uses. In the granting, suspension or revocation
25 of a permit or easement of lands, the director shall give preference to
26 that use of the land which will be of greatest economic benefit to the
27 state and the development of its resources. However, first preference
28 shall be granted to the upland owner for the use of a tract of tideland,
29 or tideland and contiguous submerged land, which is seaward of the up-

1 land property of the upland owner and which is needed by the upland
2 owner for any of the purposes for which the use may be granted.

3 * Sec. 21. AS 38.05.365 is amended by adding a new paragraph to read:

4 (22) "renewable resource land" means land which, when properly
5 managed, is capable of producing a sustained yield for an indefinite
6 period of time but does not include land whose sole value is related to
7 commercial fish, sport fish, game and fur bearing animals in their
8 natural state.

9 * Sec. 22. AS 38.07.060(3) is amended to read:

10 (3) "commissioner" means the commissioner of the Department
11 of Renewable [NATURAL] Resources.

12 * Sec. 23. AS 38.35.020 is amended by adding a new subsection to read:

13 (c) Rights-of-way on state owned land classified as renewable
14 resource land shall be granted in accordance with regulations adopted
15 under AS 38.05.300(b).

16 * Sec. 24. AS 38.35.100(a)(1) is amended to read:

17 (1) the proposed use of the right-of-way will unreasonably
18 conflict with existing or potential uses of the land involving a
19 superior public interest;

20 * Sec. 25. AS 38.35.100(d)(1) is amended to read:

21 (1) prevent conflicts with other existing or potential uses
22 of the land involving a superior public interest;

23 * Sec. 26. AS 44.15.010 is amended by adding a new paragraph to read:

24 (18) Department of Renewable Resources

25 * Sec. 27. AS 44.37.020 is amended to read:

26 Sec. 44.37.020. DUTIES OF DEPARTMENT WITH RESPECT TO NATURAL
27 RESOURCES. The Department of Natural Resources shall administer the
28 state program for the conservation and development of natural resources,
29 including [FORESTS, PARKS, AND RECREATIONAL AREAS,] lands, waters,

1 [AGRICULTURE, SOIL CONSERVATION] and minerals (including petroleum and
2 natural gas), but excluding commercial fisheries, sport fish, game,
3 and fur-bearing animals in their natural state.

4 * Sec. 28. Transfer of Functions. (a) The Department of Renewable
5 Resources is vested with the duties, powers and responsibilities formerly
6 exercised and held by the Department of Natural Resources in respect to agri-
7 culture, forestry, parks, recreational areas and historical sites.

8 (b) The powers, duties and responsibilities of the following agencies
9 are transferred to the Department of Renewable Resources:

- 10 (1) division of agriculture, Department of Natural Resources;
11 (2) division of parks, Department of Natural Resources.

12 (c) Supervision of the following agencies are transferred from the
13 Department of Natural Resources to the Department of Renewable Resources:

- 14 (1) Soil Conservation Board;
15 (2) Historical Sites Advisory Committee.

16 (d) Appropriations, records, equipment and other property of departments
17 and divisions referred to in (a) and (b) of this section are transferred to
18 the Department of Renewable Resources.

19 (e) Appropriations and other money available to and to become available
20 to a department, division, agency or commission, the functions, powers and
21 duties of which have been transferred to the department established under this
22 Act, shall be available for the objects and purposes for which appropriated
23 or otherwise made available, subject to terms, restrictions, limitations or
24 other requirements imposed under this section or other state and federal law.

25 (f) Regulations, rules, orders or other Acts in effect with respect to
26 a department, division, agency or commission transferred to the department
27 under this section shall continue in full force and effect until amended,
28 repealed, modified or rescinded as the commissioner of renewable resources
29 determines in accordance with law. Existing contracts made by a department,

1 division or agency transferred to the Department of Renewable Resources under
2 this section shall continue in full force and effect until amended, repealed,
3 modified or rescinded as the commissioner of renewable resources determines
4 in accordance with law. Existing contracts made by a department, division or
5 agency transferred to the department under this Act remain in effect accord-
6 ing to the terms of the contracts.

7 (g) The powers, duties and functions transferred to the department
8 under this section are in addition to and not derogated by the powers, duties
9 and functions otherwise vested in the department under this Act.

10 (h) All references in AS 03 to the Department of Natural Resources,
11 the commissioner of natural resources, the division of agriculture, and the
12 director of the division of agriculture shall be read as the Department of
13 Renewable Resources and the commissioner of renewable resources, respectively,
14 in order to carry out the intent and purpose of this Act. All references to
15 the Department of Natural Resources and the commissioner of natural resources
16 in AS 41.10, AS 41.15 - 41.20, and AS 41.35 shall be read as the Department
17 of Renewable Resources and the commissioner of renewable resources, respec-
18 tively.

19 * Sec. 29. AS 03.19.070 and AS 44.37.030 - 44.37.040 are repealed.

20 * Sec. 30. This Act takes effect on January 1, 1977.