

Introduced: 6/1/78
Referred: Resources

BY THE STATE AFFAIRS COMMITTEE
BY REQUEST

1 IN THE SENATE

2 SENATE CONCURRENT RESOLUTION NO. 112

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 Relating to certain state land closed to
6 mineral entry.

7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 WHEREAS the director of the division of lands in the Department of
9 Natural Resources has by Closing Order Number 67, dated September 26, 1977,
10 ordered the closure of certain state land to mineral entry; and

11 WHEREAS the purpose of the closing order is to prevent the creation of
12 existing rights in land which may be leased by the state as a right-of-way
13 for a proposed natural gas line; and

14 WHEREAS the closing order affects one township of state land on either
15 side of the proposed centerline of the gas line right-of-way; and

16 WHEREAS AS 38.05.185(a) provides that the director of the division of
17 lands, with the approval of the commissioner of the Department of Natural
18 Resources, may close land to mining by administrative order if the land
19 closed contains less than 640 acres in area; and

20 WHEREAS AS 38.05.300 provides that state land may be closed to multiple-
21 purpose use only by Act of the state legislature if the area affected is more
22 than 640 acres and this limitation applies to closures for mineral entry
23 under AS 38.05.185(a); and

24 WHEREAS the closing order encompasses far more area than necessary to
25 achieve the purpose of reserving a right-of-way for the gas line and it is
26 expected that the closure will remain in effect until the gas pipeline is
27 constructed and the boundaries of the right-of-way are established;

28 BE IT RESOLVED by the Alaska State Legislature that the Legislative
29 Council is directed to file suit against the director of the division of

1 lands, the commissioner of the Department of Natural Resources, and any other
2 proper party to set aside Closing Order Number 67; and be it

3 FURTHER RESOLVED that the council is authorized to represent the Tenth
4 State Legislature, its members in a representative capacity and individually
5 if members so elect, and other persons if the council considers that desir-
6 able and the persons have elected to be so represented.

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