

Introduced: 4/17/79
Referred: Resources

BY THE RULES COMMITTEE BY
REQUEST OF THE ADMINISTRATIVE
REGULATION REVIEW COMMITTEE

1 IN THE SENATE

2 SENATE CONCURRENT RESOLUTION NO. 31

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 Annuling certain administrative
6 regulations adopted by the Department
7 of Natural Resources pertaining to
8 land classification.

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

10 WHEREAS under AS 44.62.320 the legislature by concurrent resolution
11 adopted by a vote of both houses may annul a regulation of an agency or
12 department; and

13 WHEREAS the Department of Natural Resources, in response to the require-
14 ments of AS 38.04.900, has adopted regulations pertaining to the classifica-
15 tion of land; and

16 WHEREAS under some of the categories of classifications established by
17 these regulations, land could be retained in public ownership for purposes
18 other than the relatively limited purposes authorized by statutes; and

19 WHEREAS, even though under other categories of classifications estab-
20 lished by these regulations interests in the land may be transferred to
21 private persons, the uses to which the land may be put are restricted in ways
22 and to a degree not contemplated by statute; and

23 WHEREAS land is best "classified" if it is allowed to pass into private
24 ownership and the owners of the land are allowed to use their common sense
25 with regard to the best use of the land, except to the extent governmental
26 retention or restriction is the only way to provide for the limited number of
27 public purposes enumerated in the statutes; and

28 WHEREAS representatives of the Department of Natural Resources have
29 indicated that there are deficiencies in these regulations which could not be

1 corrected before adoption of these regulations due to the 120-day deadline
2 for submission imposed by AS 38.04.900;

3 BE IT RESOLVED by the Alaska State Legislature that the administrative
4 regulations in 11 AAC 55 are annulled.

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