

Original sponsors: Freeman, Gardiner
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Offered: 4/22/81
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 31 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the management of state land; and
7 providing for an effective date."

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

9 * Section 1. AS 29.18.204(c) is amended to read:

10 (c) Land may be selected or nominated for selection by a munici-
11 pality to satisfy a general grant land entitlement under AS 29.18.201
12 and 29.18.202 at any time before October 1, 1980. If a municipal
13 selection or nomination or a part of a municipal selection or nomina-
14 tion is rejected by the director, the municipality may select addi-
15 tional state land of equal area to satisfy its entitlement not later
16 than 90 days after receipt of the director's rejection.

17 * Sec. 2. AS 38.04.020 is repealed and reenacted to read:

18 Sec. 38.04.020. LAND DISPOSAL BANK. (a) The commissioner shall
19 establish a land disposal bank containing state land suitable for
20 disposal by fee simple title into private ownership.

21 (b) The land disposal bank does not include

22 (1) land nominated for selection or selected by a munici-
23 pality to satisfy a general grant land entitlement under AS 29.18.201 -
24 29.18.213;

25 (2) land retained in state ownership for multiple-use manage-
26 ment;

27 (3) land where less than a fee simple title has been con-
28 veyed;

29 (4) land retained in state ownership under an enactment of

1 the legislature or by the governor or a state agency under authority of
2 law.

3 (c) Land to be retained in state ownership may be classified by
4 the commissioner into multiple-use management categories under AS 38.-
5 05.300. Land within a municipality retained in state ownership consists
6 of land classified for retention in state ownership as of December 31,
7 1980. Land outside a municipality to be retained in state ownership
8 consists of land classified for retention in state ownership by the
9 commissioner by July 1, 1983. Land conveyed to the state by the federal
10 government which is to be retained in state ownership consists of land
11 classified by the commissioner within two years of receipt of tentative
12 approval or patent, whichever occurs first. State land not classified
13 for retention in state ownership under this section shall be classified
14 and included in the land disposal bank. The commissioner shall ensure
15 that the bank includes at least 500,000 acres.

16 (d) On January 15 of each year, the commissioner shall report to
17 the legislature on the status of land in the land disposal bank under
18 the following categories:

- 19 (1) land suitable for remote parcel disposal;
20 (2) land suitable for subdivision disposal; and
21 (3) land suitable for agricultural, commercial, or industrial
22 disposal.

23 (e) The commissioner shall annually submit to the governor an
24 appropriation request necessary for the disposal of state land in the
25 land disposal bank which shall be included in the budget submitted to
26 the legislature by the governor. The request shall include an estimate
27 of the amount necessary

- 28 (1) for survey and disposal of land proposed to be made
29 available for remote parcel staking for the succeeding fiscal year,

1 with the general location of the land;

2 (2) for survey and disposal of land to be offered as agri-
3 cultural, commercial, or industrial land under AS 38.05.055 or 38.-
4 05.057 during the succeeding fiscal year, with the general location of
5 the land;

6 (3) for the survey and disposal of land proposed to be
7 offered as subdivisions, with the general location of the land;

8 (4) for preliminary feasibility studies, engineering design
9 work, and construction of access roads and capital improvements required
10 by municipal subdivision ordinance or regulation of the platting board
11 under AS 29.33.150; if an accurate determination of the amounts neces-
12 sary for access roads or capital improvements cannot be made at the
13 time the estimate is submitted, a schedule for obtaining the estimates,
14 constructing the access roads or capital improvements, and disposing of
15 the land shall be submitted;

16 (5) for identification of land which will be proposed for
17 disposal under this subsection in future fiscal years.

18 (f) The request of the commissioner under (e) of this section
19 shall be based on an assessment by the commissioner of the current
20 needs and anticipated uses of state land in the different regions of
21 the state and developed in consultation with municipalities. The
22 assessment must be completed each year in writing. It must identify
23 areas where land values are artificially inflated and include a survey
24 of the supply of land in private ownership currently on the market,
25 plans for the disposal of municipal land, and the amount of federal
26 land available for disposal through sales, leases, or permits for
27 specific activities. The assessment of needs and anticipated uses for
28 state land shall be based on an analysis of demand for land offered for
29 a variety of purposes under terms equivalent to those available under

1 comparable state land disposal programs. The assessment must include
2 findings regarding the amount of state land which is necessary to meet
3 the statewide demand for three fiscal years immediately after the year
4 in which the assessment is made. The assessment must also include the
5 general location of land to be disposed of and recommendations for the
6 methods of disposal and terms under which the land will be offered to
7 the public.

8 (g) After July 1 of each year, the commissioner shall direct the
9 expenditure of money appropriated for the disposal of land in response
10 to requests made under (f) of this section for the following:

11 (1) land designated as suitable for remote parcel disposal
12 shall be classified and surveyed under this chapter and AS 38.05 and
13 made available for staking and lease under AS 38.05.077;

14 (2) land designated as suitable for subdivision disposal
15 shall be surveyed, subdivided, classified, and disposed of as follows:

16 (A) up to 80 percent of the parcels shall be sold under
17 the lottery sale procedures established in AS 38.05.057 and
18 38.05.065;

19 (B) at least 10 percent of the parcels shall be disposed
20 of as homesites under AS 38.08; and

21 (C) at least an additional 10 percent of the parcels
22 shall be disposed of as homesites under AS 38.08 except that,
23 notwithstanding AS 38.08.040(b), parcels offered under this sub-
24 paragraph shall be offered by lottery under AS 38.05.057;

25 (3) land designated agricultural, commercial, or industrial
26 shall be sold under AS 38.05.055 or 38.05.057.

27 (h) Individual parcels disposed of in subdivisions may not exceed
28 five acres unless the commissioner determines that a larger size is
29 necessary to permit the design of a viable subdivision because of

1 topographical features, soil conditions, on-site sewage disposal re-
2 quirements, or water drainage or supply considerations that are unique
3 to the subdivision.

4 (i) Nothing in this section prevents the disposal of interests in
5 land not in the land disposal bank by the commissioner under

6 (1) AS 38.05.055;

7 (2) AS 38.05.057;

8 (3) AS 38.05.070;

9 (4) AS 38.05.079;

10 (5) AS 38.08; or

11 (6) other law.

12 (j) A person or an agency of the state may nominate land retained
13 in state ownership for inclusion in the land disposal bank or may
14 nominate land in the land disposal bank for retention in state owner-
15 ship. The commissioner shall hold public hearings semiannually to take
16 nominations under this subsection. A transfer of land from retention
17 in state ownership to the land disposal bank or from the land disposal
18 bank to retention in state ownership shall be accomplished through a
19 classification order under AS 38.05.300 and notice under AS 38.05.345.
20 The commissioner shall make a written determination within six months
21 after receipt of a nomination if he determines that land nominated will
22 not be classified or reclassified as requested.

23 (k) The commissioner may withdraw from the land disposal bank
24 state land that has been offered for disposal but not conveyed within
25 five years after inclusion in the land disposal bank. State land
26 withdrawn from the land disposal bank under this section must be reclas-
27 sified under AS 38.04.065.

28 * Sec. 3. AS 38.04 is amended by adding a new section to read:

29 Sec. 38.04.021. IDENTIFICATION AND DISPOSAL OF MUNICIPAL ENTITLE-

1 **MENT LAND.** (a) Notwithstanding AS 29.18.201 - 29.18.213, the commis-
2 sioner shall refrain from issuing patents to municipalities for approved
3 selections under AS 29.18.201 - 29.18.213 except in accordance with the
4 procedures established in this section.

5 (b) The commissioner shall initiate with each municipality en-
6 titled to receive land under AS 29.18 a review of selections for which
7 patent has not been issued as of the effective date of this Act. By
8 July 1, 1982, the commissioner and each municipality shall jointly
9 designate 20 percent of the selections for which patents have not been
10 issued as of the effective date of this Act, which are most suitable
11 for disposal into private ownership. A municipality may substitute
12 land patented as of the effective date of this Act with the concurrence
13 of the commissioner. If, by July 1, 1982, the commissioner and a
14 municipality cannot agree on land to be designated, the commissioner
15 shall make the designation. By September 1, 1982, the commissioner
16 shall certify the legal descriptions of the land designated and include
17 it as a special category of land in the land disposal bank. The land
18 shall be made available for disposal in accordance with AS 38.04.-
19 020(d) - (h), except that none of the land may be proposed for remote
20 parcel disposal and the land is not subject to AS 38.04.020(j). A
21 municipality may submit a recommended disposal schedule for land desig-
22 nated under this subsection.

23 (c) By January 15 of each year, the commissioner shall submit to
24 the governor an appropriation request sufficient to survey all approved
25 selections not patented, not designated under (b) of this section, and
26 requiring survey under AS 29.18.207. The request shall be submitted by
27 the governor to the legislature with the budget. Upon receipt of an
28 appropriation for this purpose, the commissioner shall survey the land
29 and issue the patents as expeditiously as possible. For approved

1 selections not designated under (b) of this section and not in need of
2 survey under AS 29.18.207, the commissioner shall issue patents by
3 September 1, 1982. Patents may not be issued until land suitable for
4 disposal into private ownership has been designated under (b) of this
5 section.

6 (d) Upon disposal of land designated under (b) of this section,
7 the commissioner shall make a partial assignment to the municipality in
8 which the land is situated of receipts from the land sale contract
9 relating to the value of the land without improvements.

10 (e) Notwithstanding (a) - (d) of this section, the commissioner
11 may issue patents for approved selections otherwise in conformity with
12 AS 29.18.201 - 29.18.213 if

13 (1) the land to be patented is for an essential public
14 facility or purpose for which there is an immediate need as determined
15 by the commissioner;

16 (2) the land has been scheduled and formally advertised for
17 disposal by a municipality under its land disposal program; or

18 (3) the amount of land patented to a municipality is less
19 than 10 percent of its entitlement as of the effective date of this Act
20 and the municipality requests an amount of patented land sufficient to
21 bring it to the 10 percent level.

22 * Sec. 4. AS 38.04.055 is amended by adding a new subsection to read:

23 (b) An easement or right-of-way reserved under this section may
24 include established trails traditionally used for commerce, recreation,
25 or transportation.

26 * Sec. 5. AS 38.05.035(a)(14) is amended to read:

27 (14) when he makes a written finding that the interests of
28 the state will be best served, he may, with the consent of the commis-
29 sioner, approve contracts for the sale, lease, or other disposal of

1 available lands, resources, property or interest in them, and in addi-
2 tion to the conditions and limitations imposed by law, he may impose
3 additional conditions or limitations in the contracts as he, with the
4 consent of the commissioner, determines will best serve the interests
5 of the state; and no contract for the sale, lease, or other disposal of
6 available lands or interests in them, is legally binding on the state
7 until the commissioner formally records his consent to the contract;
8 but if the appraised value is not greater than \$50,000 [\$10,000] in the
9 case of the sale of land or an interest in land, or \$5,000 [\$1,000] in
10 the case of the annual rental of land or interest in land, the director
11 may approve and issue the contract without the consent or approval of
12 the commissioner; the written finding shall be available to the public
13 upon request; before a public hearing, if held, or in any case no less
14 than 21 days before the sale, lease, or other disposal of available
15 land, property, resources, or interests in them, the director shall
16 make available to the public a written decision in which he sets out
17 the facts and applicable law upon which he based his determination that
18 the sale, lease, or other disposal will best serve the interests of the
19 state; a written finding is not required before the approval of

20 (A) a contract for a negotiated sale authorized by

21 AS 38.05.115;

22 (B) issuance of a permit under AS 38.05.330; or

23 (C) the lease of land for a shore fishery site under

24 AS 38.05.082.

25 * Sec. 6. AS 38.05.035(b) is amended by adding new paragraphs to read:

26 (7) convey to an adjoining landowner a parcel of land created
27 by a highway right-of-way alignment or realignment or a parcel created
28 by the vacation of a state-owned right-of-way if

29 (A) he determines that it is in the interest of the

1 state;

2 (B) the parcel does not exceed one acre; and

3 (C) the director and the platting authority having land
4 use planning jurisdiction agree that conveyance of the parcel to
5 the adjoining landowner will result in boundaries which are conven-
6 ient for the use of the land by the landowner and compatible with
7 municipal land use plans;

8 (8) for good cause extend the time for rental or installment
9 payments by a lessee or purchaser of state land under this chapter if
10 reasonable penalties and interest set by the director are paid.

11 * Sec. 7. AS 38.05.035 is amended by adding a new subsection to read:

12 (c) A parcel of land may be conveyed under (b)(7) of this section
13 without classification or reclassification under AS 38.05.300 but the
14 parcel must be sold at its fair market value as determined by the
15 director on the basis of an appraisal under AS 38.05.310. Nothing in
16 this subsection prevents the sale of land to a person not qualifying as
17 an adjoining landowner if the adjoining land owner declines to purchase
18 under (b)(7) of this section.

19 * Sec. 8. AS 38.05.050 is repealed and reenacted to read:

20 Sec. 38.05.050. DETERMINATIONS BEFORE DISPOSAL OF LAND FOR PRIVATE
21 OWNERSHIP. The commissioner, upon recommendation of the director,
22 shall determine the land to be disposed of for private use. The direc-
23 tor shall determine the time and place of disposal. An auction sale, a
24 lottery sale, or a disposal of land for homesites under AS 38.08 must
25 be held in the municipality that is closest to the land to be sold or
26 disposed of and in which regular sessions of the superior court are
27 held.

28 * Sec. 9. AS 38.05.055 is amended to read:

29 Sec. 38.05.055. AUCTION SALE PROCEDURES. Unless another method

1 of sale is authorized under this chapter, under AS 38.07, or under
2 [EXCEPT AS PROVIDED IN AS 38.05.057, 38.05.315(d), AND] AS 38.08, the
3 sale of state land shall be made at public auction to the highest
4 qualified bidder as determined by the director. A bidder must appear
5 in person at the auction unless medical reasons or military service
6 outside the state prevent attendance. A bidder may be represented by
7 an attorney or agent at the auction if the land offered for disposal
8 is classified as commercial, industrial, or agricultural land. An
9 aggrieved bidder may appeal to the commissioner within five days after
10 the sale for a review of the director's determination. The sale shall
11 be conducted by the director or his representative, and at the time of
12 sale the successful bidder shall deposit an amount equal to five per-
13 cent [ONE-TENTH] of the purchase price, or if the purchaser elects to
14 use land discounts granted under AS 38.05.058, five percent of the
15 amount bid after deduction of the discount. The director or his repre-
16 sentative shall immediately issue a receipt containing a description of
17 the land or property purchased, the price bid, the amount deposited,
18 and the amount of any discount allowed [TERMS OF SALE], which receipt
19 shall be acknowledged in writing by the bidder. [A CONTRACT OF SALE ON
20 A FORM APPROVED BY THE ATTORNEY GENERAL SHALL BE SIGNED BY THE PURCHASER
21 AND, AFTER APPROVAL OF THE COMMISSIONER, THE CONTRACT SHALL ALSO BE
22 SIGNED BY THE DIRECTOR ON BEHALF OF THE STATE.]

23 * Sec. 10. AS 38.05.057(a) is amended to read:

24 (a) The commissioner may dispose of land, including land limited
25 to use for agricultural purposes, by lottery. The purchase price of
26 land sold by lottery shall be the fair market value of the land as
27 determined by the commissioner [BUT MAY NOT BE LESS THAN \$400 PER ACRE,
28 OR, IF THE LAND IS LIMITED TO USE FOR AGRICULTURAL PURPOSES, THE PUR-
29 CHASE PRICE MAY NOT BE LESS THAN \$100 PER ACRE]. The commissioner

1 shall [MAY] sell land by lottery for less than the fair market value of
2 the land if he determines that scarcity of land for private use in the
3 area of the land to be sold has resulted in unrealistic land values.
4 Before the commissioner determines the purchase price for land which is
5 located in a municipality and which is to be sold under this section,
6 he shall consult with the assessor of the municipality. The lottery
7 shall be conducted in public by the commissioner or his representative,
8 and an applicant may not be selected to purchase land unless he is pre-
9 sent on the date and at the place that the lottery is conducted unless
10 medical reasons or military service outside the state prevent attend-
11 ance. An applicant may be represented by an agent on the day of the
12 lottery if the land offered for sale is classified as commercial, in-
13 dustrial, or agricultural land. On the day of the lottery [AT THE TIME
14 OF SIGNING A CONTRACT OF SALE] a purchaser selected by lot shall deposit
15 an amount equal to five percent of the purchase price, or if the pur-
16 chaser elects to use land discounts granted under AS 38.05.058, five
17 percent of the [DISCOUNT] purchase price after deduction of the dis-
18 count.

19 * Sec. 11. AS 38.05.067(d) is repealed and reenacted to read:

20 (d) In this section "veteran" means a person with 90 days or more
21 of active service in the armed forces of the United States who has been
22 honorably discharged.

23 * Sec. 12. AS 38.05.067(e) is amended to read:

24 (e) This sale does not apply to the sale of state land under
25 AS 38.04.020(g)(2) [AS 38.05.047(f)], AS 38.05.077, and 38.05.078.

26 * Sec. 13. AS 38.05.077(a) is amended to read:

27 (a) The commissioner shall, under the procedures required by
28 AS 38.04.020, AS 38.05.300, [AND] 38.05.305, and 38.05.345, classify
29 state land which is suitable for disposal as remote parcels. The

1 commissioner shall designate remote parcel selection areas consisting
2 of land classified under this section. The commissioner may [SHALL] set
3 the number of remote parcels that may be selected in each remote parcel
4 selection area. A remote parcel may not exceed 40 acres. [THE COMMIS-
5 SIONER SHALL DETERMINE FOR EACH REMOTE PARCEL SELECTION AREA, THE
6 AMOUNT OF LAND IN EACH REMOTE PARCEL THAT MAY BE USED FOR RESIDENTIAL
7 PURPOSES. LAND WHICH MAY BE USED FOR RESIDENTIAL PURPOSES IN A REMOTE
8 PARCEL MAY NOT BE LESS THAN TWO ACRES AND MAY NOT EXCEED FIVE ACRES.]

9 * Sec. 14. AS 38.05.077(c) is amended to read:

10 (c) A person who qualifies under (g) of this section may apply
11 [UNDER THE PROCEDURES SET OUT IN AS 38.05.057] to lease a remote parcel
12 in a parcel selection area designated by the commissioner under (a) of
13 this section if he has staked the exterior boundaries of the remote
14 parcel in accordance with the parcel selection procedures established
15 under (b) of this section during an entry period established by the
16 commissioner. A [EACH] person [WHO IS ENTITLED TO SELECT A REMOTE
17 PARCEL] may enter a remote parcel selection [THE] area [FOR WHICH HE
18 APPLIED] to stake the boundaries of a remote parcel. A person shall
19 select a remote parcel in person and may not be represented by an
20 attorney or agent.

21 * Sec. 15. AS 38.05.077(d) is amended to read:

22 (d) Not later than 15 days after [SELECTION AND] staking the
23 exterior boundaries of a remote parcel, the person who staked [SELECTED]
24 the parcel shall file a sketch plat with the department which shows the
25 location of the remote parcel [AND THE LOCATION OF THE LAND IN THE
26 PARCEL THAT HE INTENDS TO USE FOR RESIDENTIAL PURPOSES]. At the time
27 of filing the sketch plat, the person who staked [SELECTED] the parcel
28 shall apply to lease the land. An application to lease the land shall
29 be on a standard form prepared by the department. The annual rental

1 payment for the first year of the lease shall be submitted to the
2 department with the application. After the application to lease a
3 remote parcel is approved, the commissioner shall offer to lease the
4 land to the person who staked [SELECTED] the remote parcel. A lease
5 granted under this section shall contain the following terms:

6 (1) a remote parcel may be leased for five years;

7 (2) a remote parcel lease may be renewed at the option of
8 the lessee for a second five-year period under the same terms as pro-
9 vided for the first five-year period of the remote parcel lease; [AND]

10 (3) a rental payment shall be paid annually and shall be
11 \$10 for each acre; [\$150 A YEAR FOR FIVE ACRES OR LESS PLUS \$50 FOR
12 EACH ACRE BY WHICH THE REMOTE PARCEL EXCEEDS FIVE ACRES.]

13 (4) unless the land is surveyed, the lessee shall, within
14 one year of approval of the lease application and continuously for the
15 lease period, physically delineate the boundaries of the parcel by
16 brushing a line so that they are readily visible from the ground.

17 * Sec. 16. AS 38.05.077 is amended by adding a new subsection to read:

18 (g) To qualify to lease a remote parcel under this section, a
19 person shall

20 (1) at the time of application be 18 years of age or older:

21 (2) submit proof as required by regulation that he has been
22 a resident of the state for not less than one year immediately preceding
23 the date his application was submitted; and

24 (3) certify that he has not previously leased a remote
25 parcel from the state within eight years immediately preceding the date
26 of staking a remote parcel.

27 * Sec. 17. AS 38.05.078(a) is amended to read:

28 (a) A lessee of a remote parcel may purchase the land leased
29 [USED FOR RESIDENTIAL PURPOSES IN A REMOTE PARCEL] if, before the

1 expiration of the lease or [A RENEWAL OF THE] lease renewal, he pays
2 a deposit to the department equal to five percent of the fair market
3 value of the land under (c) of this section, surveys the [RESIDENTIAL]
4 land, and erects a habitable dwelling on the land. The lessee of a
5 remote parcel may prove the existence and the location of a habitable
6 dwelling by executing an affidavit as to its existence and location
7 and including with the affidavit a clear photo and an accurate drawing
8 prepared, signed, and dated by the lessee and described with refer-
9 ence to one or more survey corners of the remote parcel.

10 * Sec. 18. AS 38.05.078(c) is amended to read:

11 (c) A lessee of a remote parcel may purchase land in the [A]
12 remote parcel under the terms specified in AS 38.05.065(b). The purchase
13 price of land sold under this section shall be its fair market value as
14 determined by the commissioner, less the total amount paid to the
15 department in annual rental fees under AS 38.05.077(d)(3). The valuation
16 date for determining the fair market value of land sold under this
17 section is the date that the remote parcel was first leased to the
18 purchaser of the land [PLAT OF SURVEY IS APPROVED BY THE COMMISSIONER].

19 * Sec. 19. AS 38.08.010(b) is amended to read:

20 (b) Land classified as homesite entry land shall be divided into
21 parcels not exceeding five acres in reasonably compact form, with
22 boundaries conforming as nearly as practicable to natural geologic and
23 topographic features. A parcel may exceed five acres if the director
24 determines that a larger size is necessary to permit the design of a
25 viable subdivision because of topographical features, soil conditions,
26 on-site sewage disposal requirements, or water drainage or supply con-
27 siderations that are unique to the subdivision.

28 * Sec. 20. AS 38.08.040(b) is amended to read:

29 (b) If the number of applicants qualified for homesite entry

1 exceeds the number of available homesites offered [,] or if several
2 applicants apply and qualify for the same homesite, priority in award
3 of an entry permit shall be accorded to that applicant showing proof of
4 the longest residency in the state. An applicant shall present his
5 proof of residency to the director in person at the time and place
6 designated by the director unless medical reasons or military service
7 outside the state prevent attendance.

8 * Sec. 21. AS 40.15.010 is amended by adding a new subsection to read:

9 (b) Notwithstanding (a) of this section, AS 29.33.190, AS 38.04.-
10 045(b), AS 40.15.070 and 40.15.200, a subdivision of state land classi-
11 fied for disposal under AS 38.05 and AS 38.08 need not show the approval
12 of the platting board or other subdivision authority having jurisdiction
13 in order to file the plat for record in the office of the recorder.
14 However, state subdivision plats must be submitted to the platting
15 authority for review in compliance with AS 29.33.160(c) and recorded
16 before the sale of a lot or tract in the subdivision.

17 * Sec. 22. AS 40.15.190(2) is amended to read:

18 (2) "subdivision"

19 (A) means the division of a tract or parcel of land
20 into two or more lots, sites, or other divisions for the purpose,
21 whether immediate or future, of sale or building development, and
22 includes resubdivision and, when appropriate to the context,
23 relates to the process of subdividing or to the land or areas
24 subdivided;

25 (B) does not include cadastral plats, cadastral control
26 plats, open-to-entry plats, or remote parcel plats created by or
27 on behalf of the state regardless of whether these plats include
28 easements or other public dedications.

29 * Sec. 23. AS 41.17.020(a) is amended to read:

1 (a) The governor may [SHALL] establish, within the Department of
2 Natural Resources, a division of forestry [FOREST, LAND, AND WATER
3 MANAGEMENT] to carry out this chapter and other appropriate duties
4 designated by the governor. The division shall be headed by a director
5 who shall be the state forester, appointed to the partially exempt
6 service in accordance with law by the commissioner [, FROM A LIST OF
7 TWO OR MORE CANDIDATES SUBMITTED BY THE BOARD. THE COMMISSIONER MAY
8 REJECT ALL CANDIDATES, IN WHICH CASE THE BOARD SHALL SUBMIT A NEW
9 LIST]. The state forester shall be a natural resources land manager
10 with generally accepted educational credentials, familiar and exper-
11 ienced with the renewable and nonrenewable resources and values of
12 forest land and the products, benefits, and services obtained from
13 them.

14 * Sec. 24. A person who selected a remote parcel or acquired a right to
15 select a remote parcel before July 1, 1981, may convert his remote parcel
16 lease agreement to a new lease agreement which contains terms and conditions
17 consistent with AS 38.05.077(d) and 38.05.078(a) and (c) as amended in secs.
18 15, 17, and 18 of this Act. The commissioner of natural resources shall
19 prepare and distribute new lease forms to persons described in this section.

20 * Sec. 25. Land disposals conducted by the commissioner of natural
21 resources for fiscal year 1982 shall be in accordance with appropriations to
22 the Department of Natural Resources for that purpose.

23 * Sec. 26. AS 38.05.047, 38.05.065(a), 38.05.077(b)(2), and 38.05.078(b)
24 are repealed.

25 * Sec. 27. This Act takes effect July 1, 1981.
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