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Referred: Community and Regional
Affairs and Finance

1 IN THE SENATE

BY FERGUSON

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 414
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: An Act relating to municipal land entitlements; and
7 providing for an effective date.

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

9 * Section 1. AS 29.65.010(b) is amended to read:

10 (b) This section is a continuation of the provisions of former
11 AS 29.18.201 and does not grant additional entitlements, although if
12 an entitlement established under AS 29.65.020 or 29.65.030 exceeds the
13 entitlement in (a) of this section, the municipality shall receive the
14 larger entitlement. The entitlement for a municipality may not exceed
15 400,000 acres.

16 * Sec. 2. AS 29.65.020(a) is amended to read:

17 Sec. 29.65.020. DETERMINATION OF ENTITLEMENT FOR MUNICIPALITIES
18 [CITIES]. (a) The general grant land entitlement of a municipality
19 [CITY] formerly eligible to receive general grant land under the
20 provisions of former AS 29.18.190 and 29.18.200 is 10 percent of the
21 maximum total acreage of vacant, unappropriated, unreserved land
22 within [IN] the boundaries of each municipality [CITY] at any time
23 between the initial date of eligibility under former AS 29.18.190 and
24 29.18.200 and two years after the expiration of the state's right to
25 make selections under sec. 6(a) or (b) of the Alaska Statehood Act.
26 By January 1 of each calendar year [JULY 1, 1978. WITHIN SIX MONTHS
27 AFTER JULY 1, 1978,] the director shall determine or update the en-
28 titlement for each municipality [CITY] eligible to receive general
29 grant land under this section [FORMER AS 29.18.202] and certify that

1 entitlement to the municipality [CITY].

2 * Sec. 3. AS 29.65.020(b) is repealed and reenacted to read:

3 (b) Other conveyances of state land to a municipality shall be
4 counted toward fulfillment of a municipality's entitlement.

5 * Sec. 4. AS 29.65.030(a) is amended to read:

6 Sec. 29.65.030. DETERMINATION OF ENTITLEMENT FOR [NEWLY INCOR-
7 PORATED] MUNICIPALITIES. (a) The general grant land entitlement of a
8 municipality incorporated after July 1, 1978, is 10 percent of the
9 total acreage of vacant, unappropriated, unreserved land within the
10 boundaries of the municipality at any time between the date of incor-
11 poration and two years after the expiration of the state's right to
12 make selections under secs. 6(a) and (b) of the Alaska Statehood Act
13 [ON THE DATE OF ITS INCORPORATION].

14 * Sec. 5. AS 29.65.060 is repealed and reenacted to read:

15 Sec. AS 29.65.060. SCHOOL, UNIVERSITY, AND MENTAL HEALTH LAND.

16 (a) The acreage of school, university, or mental health land, if any,
17 may not be included in the determination of entitlement under AS 29.-
18 65.010, 29.65.020 or 29.65.030.

19 (b) Municipalities may not select school, university, or mental
20 health land under this chapter.

21 * Sec. 6. AS 29.65.130(10) is amended to read:

22 (10) "vacant, unappropriated, unreserved land" means general
23 grant land as defined in (3) of this section, excluding minerals as
24 required by sec. 6(i) of the Alaska Statehood Act, that

25 (A) has not been set aside by statute for one or more
26 particular uses or purposes;

27 (B) has not been approved for patent to a municipality
28 under this chapter or former AS 29.18.190 and 29.18.200; or

29 (C) is unclassified or, if classified under

1 AS 38.05.300, is classified for agricultural, grazing, material,
2 public recreation, resource management, settlement, transporta-
3 tion corridor, forestry, wildlife habitat and water resources,
4 [COMMERCIAL, INDUSTRY, PRIVATE RECREATIONAL, RESIDENTIAL, UTILI-
5 TY, OR OPEN-TO-ENTRY PURPOSES,] or is classified in accordance
6 with an agreement between a municipality and the state providing
7 for state management of land of the municipality.

8 * Sec. 7. AS 29.65 is amended by adding a new section to read:

9 Sec. 29.65.150. MUNICIPALITY PARTICIPATION. The department
10 shall coordinate and consult with the affected municipality in identi-
11 fying or classifying state land before the effective date of secs. 1 -
12 6 of this Act.

13 * Sec. 8. AS 29.65.030(c), 29.65.040(e), 29.65.050(b) and (c), 29.65.-
14 090 and 29.65.110 are repealed.

15 * Sec. 9. Section 7 of this Act takes effect immediately in accordance
16 with AS 01.10.070(c).

17 * Sec. 10. Sections 1 - 6 and 8 of this Act take effect January 1,
18 1987.