

Original sponsors: Coghill, Faiks
and Fahrenkamp

1 IN THE SENATE BY THE RESOURCES COMMITTEE
2 CS FOR SENATE BILL NO. 196 (Resources)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act relating to management of state land."
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
8 * Section 1. AS 38.04.065(a) is amended to read:
9 (a) The commissioner shall, with local governmental and public
10 involvement under [IN ACCORDANCE WITH] AS 38.05.945, develop, main-
11 tain, and, when appropriate, revise land use plans that [WHICH] pro-
12 vide [, BY REGIONS OR AREAS,] for the use of the state-owned land.
13 * Sec. 2. AS 38.04.065(b) is amended to read:
14 (b) In the development and revision of land use plans, the
15 commissioner shall
16 (1) use and observe the principles of multiple use and
17 sustained yield;
18 (2) consider physical, economic, and social factors affect-
19 ing the [REGION OR] area and involve other agencies and the public in
20 achieving a systematic interdisciplinary approach;
21 (3) give priority to planning and classification in areas
22 of potential settlement, resource development, and critical environ-
23 mental concern;
24 (4) rely, to the extent that it is available, on the inven-
25 tory of the state land, its resources, and other values;
26 (5) consider present and potential uses of state land;
27 (6) consider the supply, resources, and present and poten-
28 tial use of land under other ownership within the area [OR REGION] of
29 concern;

1 (7) plan for compatible surface and mineral land use clas-
2 sifications; and

3 (8) provide for meaningful participation in the planning
4 process by affected local governments, state and federal agencies,
5 adjacent landowners, and the general public.

6 * Sec. 3. AS 38.04.065(c) is amended to read:

7 (c) The [AS A BASIS FOR MORE DETAILED LAND USE PLANNING AND
8 CLASSIFICATION, THE] commissioner shall develop regional land use
9 plans for the use of all state land. Each regional land use plan
10 [THESE REGIONAL PLANS] shall identify and delineate

11 (1) areas of settlement and settlement impact, where land
12 must be classified for various private uses, including mining and
13 renewable and nonrenewable resource development, and for public recre-
14 ation, open space, and other public uses desirable in and around
15 settlement; and

16 (2) areas that [WHICH] must be retained in state ownership
17 and planned and classified for various uses and purposes under [IN
18 ACCORDANCE WITH] AS 38.04.015.

19 * Sec. 4. AS 38.04.065(d) is repealed and reenacted to read:

20 (d) The commissioner shall sign and date a regional land use
21 plan and each revision to it after participation by members of the
22 public and affected municipal governments. The commissioner may adopt
23 as a regional land use plan a comprehensive plan adopted by a munic-
24 ipality of the state having planning and zoning powers if the commis-
25 sioner determines that the municipal plan adequately recognizes and
26 protects state interests. Before the commissioner adopts a regional
27 land use plan, a land classification for disposal or for another
28 purpose may be made on the basis of a site-specific land use plan,
29 except for a land disposal under AS 38.05.057, AS 38.08, or AS 38.09.

1 A land classification for the purposes of a disposal under AS 38.05.-
2 057, AS 38.08, or AS 38.09 shall be based on a regional land use plan.
3 After adoption of a regional land use plan, land classifications shall
4 be made under the plan.

5 * Sec. 5. AS 38.04.065(f) is amended to read:

6 (f) Each decision [DECISIONS] about the location of easements
7 and rights-of-way, other than for minor access, shall be integrated
8 with land use planning and classification [FOR THE APPROPRIATE AREA OR
9 REGION].

10 * Sec. 6. AS 38.04.065(g) is amended to read:

11 (g) Each land use plan [LAND USE PLANS] adopted by the commis-
12 sioner under this section shall be consistent with municipal [LOCAL
13 GOVERNMENTAL] land use plans to the maximum extent determined consis-
14 tent with the state interests and the purposes of this chapter.

15 * Sec. 7. AS 38.05.035(b) is amended by adding a new paragraph to read:

16 (10) negotiate the sale or lease of state land at fair
17 market value to the holder of rights created under the authority of
18 the Department of Transportation and Public Facilities.

19 * Sec. 8. AS 38.05.940(b) is amended to read:

20 (b) To be eligible for a discount under this section, a veteran
21 shall submit proof, as required by regulation, that the veteran

22 (1) is 18 years of age or older on the date of sale;

23 (2) has been a state resident for a period of not less than
24 one year immediately preceding the date of sale;

25 (3) has served on active duty in the U.S. Armed Forces at
26 least 90 days [TWO YEARS], unless tenure was shortened due to a ser-
27 vice connected disability or due to receiving an early separation upon
28 return from a tour of duty overseas; and

29 (4) has received an honorable discharge or a general

1 discharge under honorable conditions.

2 * Sec. 9. Land that was classified for disposal or other purposes on
3 the basis of a site-specific land use plan before August 29, 1986, remains
4 subject to the classification order in effect on that date until the land
5 is reclassified under AS 38.04.065, as amended in secs. 1 - 6 of this Act,
6 and AS 38.05.300.

7 * Sec. 10. A land management and disposal decision made before the
8 effective date of this Act under a classification order under AS 38.05.300
9 that is based on a site-specific land use plan is valid, notwithstanding
10 the adoption of the classification order before the adoption of the region-
11 al land use plan, if other requirements of law were met.