

**SENATE BILL NO. 127**

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY SENATORS FRANK, Fischer, Pearce, Jones, Halford

Introduced: 2/19/91

Referred: Resources and Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the use of state land."

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

3 \* Section 1. AS 38.04.910(5) is amended to read:

4 (5) "multiple use"

5 (A) means the management of state land and its various resource values  
6 so that it is used in the combination that will best meet the present and future needs of  
7 the people of Alaska, making the most judicious use of the land for [SOME OR] all of  
8 the [THESE] resources or related services over areas large enough to provide sufficient  
9 latitude for periodic adjustments in use to conform to changing needs and conditions;

10 (B) [IT] includes

11 (i) [(A)] the use of the [SOME] land for less than all of the  
12 resources but does not exclude compatible competing uses; [,] and

13 (ii) [(B)] a combination of balanced and diverse resource  
14 uses that takes into account the short-term and long-term needs of present and

1 future generations for renewable and nonrenewable resources, including, but not  
2 limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and  
3 natural scenic, scientific, and historic values;

4 \* Sec. 2. AS 38.05.185 is amended by adding new subsections to read:

5 (d) The commissioner shall submit a report to the legislature and to the governor within  
6 the first 10 days of the convening of each regular session of the legislature detailing the state  
7 land closed to mineral location and mining during the previous calendar year. The report must  
8 include

- 9 (1) the known or estimated resource values of the area;  
10 (2) the reason for the closure;  
11 (3) the effective date of the closure; and  
12 (4) the legal description of the land involved in the closure.

13 (e) Each area closed under (a) of this section remains closed to mineral location and  
14 mining until the commissioner issues an order altering the status of the land or until the closure  
15 is disapproved by act of the legislature. In addition to an act of the legislature disapproving a  
16 closure by the commissioner, the legislature may by resolution make recommendations to the  
17 commissioner on future management of the area involved.

18 (f) Each report prepared under (d) of this section that reports on an area of more than  
19 5,120 acres must include a mineral assessment report for the area.

20 (g) Every five years, the commissioner shall submit a report to the governor and the  
21 legislature concerning state land that is at that time withdrawn from mineral location or mining,  
22 including state land withdrawn from multiple use by the legislature. The commissioner may  
23 make recommendations in each report regarding existing closures of state land.

24 \* Sec. 3. AS 38.05.300 is amended to read:

25 Sec. 38.05.300. CLASSIFICATION OF LAND. (a) The commissioner shall, where  
26 considered necessary and proper, classify land for surface use [CLASSIFY FOR SURFACE  
27 USE LAND IN AREAS CONSIDERED NECESSARY AND PROPER]. This section does not  
28 prevent reclassification of land where the public interest warrants reclassification, nor does it  
29 preclude multiple [PURPOSE] use of land whenever different uses are compatible. An area of  
30 state [STATE] land, water, or land and water [AREA] may not, except by act of the state  
31 legislature, be closed to multiple [PURPOSE] use if the area involved contains more than 640

1 acres.

2 (b) Not later than February 1 of each year, the commissioner shall submit a written report  
3 to each house of the legislature **that** [WHICH] describes and shows

4 (1) the location of all classifications of state land made under (a) of this section  
5 during the preceding year;

6 (2) each closure of state land to multiple use under (a) of this section during  
7 the preceding year.

8 \* Sec. 4. Notwithstanding the five year interval required under AS 38.05.185(g), as enacted by sec. 2  
9 of this Act, the first report to the governor and legislature under that subsection shall be delivered to the  
10 legislature within the first 10 days after the convening of the legislature that occurs more than two years  
11 after the effective date of this Act.