

CS FOR HOUSE BILL NO. 213(RES)(title am)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE RESOURCES COMMITTEE

Amended: 3/29/93
Offered: 3/26/93

Sponsor(s): REPRESENTATIVES KOTT, Phillips, Green, Brice, Mulder, Toohy, Foster, Therriault, James

A BILL

FOR AN ACT ENTITLED

1 "An Act prohibiting the commissioner of natural resources from permanently
2 classifying state land, water, or land and water so that mining, mineral entry and
3 location, mineral prospecting, and mineral leasing are precluded or are designated
4 an incompatible use without an act of the legislature if the area involved contains
5 more than 640 contiguous acres except in certain situations; and providing for
6 an effective date."

7 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

8 * Section 1. AS 38.05.300(a) is amended to read:

9 (a) The commissioner shall classify for surface use land in areas considered
10 necessary and proper. This section does not prevent reclassification of land where the
11 public interest warrants reclassification, nor does it preclude multiple purpose use of
12 land whenever different uses are compatible. If the area involved contains more
13 than 640 contiguous acres, state [STATE] land, water, or land and water area may

1 not, except by act of the state legislature, (1) be closed to multiple purpose use, or (2)
2 be otherwise classified by the commissioner so that mining, mineral entry or
3 location, mineral prospecting, or mineral leasing is precluded, or is designated an
4 incompatible use, except when the classification is necessary for a land disposal
5 or exchange or is for the development of utility or transportation corridors or
6 projects or similar projects or infrastructure, or except as allowed under (c) of
7 this section [IF THE AREA INVOLVED CONTAINS MORE THAN 640 ACRES].

8 * Sec. 2. AS 38.05.300 is amended by adding a new subsection to read:

9 (c) Notwithstanding (a)(2) of this section, if the commissioner considers it
10 necessary and proper, the commissioner may provide by order for an interim
11 classification that precludes, or designates as an incompatible use, mining, mineral
12 entry or location, mineral prospecting, or mineral leasing. Within 10 days after the
13 convening of each regular legislative session, the commissioner shall transmit to the
14 legislature for consideration all the interim classification orders issued under this
15 subsection during the preceding calendar year. Unless the legislature approves by law
16 an interim classification contained in an order transmitted under this subsection, that
17 order expires on the 90th day of that legislative session or upon adjournment of that
18 session, whichever occurs first. Approval by the legislature of an interim classification
19 satisfies the requirement of (a) of this section for an act of the state legislature,

20 * Sec. 3. AS 38.05.300(a)(2) and (c) added by secs. 1 and 2 of this Act apply to
21 classifications made after the effective date of this Act.

22 * Sec. 4. This Act takes effect immediately under AS 01.10.070(c).