

**HOUSE BILL NO. 352**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**EIGHTEENTH LEGISLATURE - SECOND SESSION**

**BY REPRESENTATIVE JAMES**

**Introduced: 1/10/94**

**Referred: Community & Regional Affairs, Resources, Finance**

**A BILL**  
**FOR AN ACT ENTITLED**

1 "An Act relating to the approval of subdivision plats in areas outside organized  
2 boroughs, in the unorganized borough outside of cities, and in the third class  
3 boroughs."

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

5 \* Section 1. AS 40.15.070 is amended to read:

6           Sec. 40.15.070. PLATTING AUTHORITY. If land proposed to be subdivided  
7 or dedicated is situated within a first or second class borough, the proposed subdivision  
8 or dedication shall be submitted to the borough planning commission for approval. If  
9 the land is situated within a city in the unorganized borough or the third class borough,  
10 the proposed subdivision or dedication shall be submitted to the city planning  
11 commission for approval. The borough planning commission is the platting authority  
12 for the first or second class borough, the city planning commission is the platting  
13 authority for the city, and the Department of Natural Resources is the platting authority  
14 in the remaining areas of the state and third class borough [FOR THE CHANGE OR

1 VACATION OF EXISTING PLATS OR A PORTION OF SUCH PLATS,  
2 AS PROVIDED IN AS 40.15.075]. If the borough or the city does not have a  
3 planning commission, the borough assembly or the city governing body, respectively,  
4 is the platting authority and the proposed subdivision or dedication shall be submitted  
5 to it. A subdivision may not be filed and recorded until it is approved by the platting  
6 authority.

7 \* Sec. 2. AS 40.15.075 is amended to read:

8 Sec. 40.15.075. AUTHORITY IN THE UNORGANIZED BOROUGH AND  
9 THIRD CLASS BOROUGH. The Department of Natural Resources is the platting  
10 authority in the area outside organized boroughs and outside cities in the unorganized  
11 borough and in the third class borough. The Department of Natural Resources may  
12 not disapprove a new subdivision plat except for failure (1) to comply with  
13 applicable state law; or (2) of the plat to provide for, or otherwise specify, access  
14 to each lot, site, or other division of the subdivision. The Department of Natural  
15 Resources when [FOR ONLY THE PURPOSES OF] hearing and acting on petitions  
16 for the change or vacation of plats [AND] shall execute this function substantially in  
17 conformity with the provisions of AS 29.40.130 - 29.40.160. Costs of publication and  
18 mailing authorized in AS 29.40.130 shall be paid to the Department of Natural  
19 Resources by the petitioner. The Department of Natural Resources shall adopt  
20 reasonable regulations governing the exercise of the authority conferred by this section.