

HOUSE BILL NO. 404
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES HOFFMAN, Foster, Williams

Introduced: 1/26/94

Referred: State Affairs, Resources

A BILL
FOR AN ACT ENTITLED

1 "An Act relating to the authority of the commissioner of natural resources to
2 reconvey, or relinquish an interest in, land to the United States if that land or
3 interest being reconveyed or relinquished is identified in an amended application
4 for a land allotment under federal law and the original claim for an allotment
5 described land that is now within, or managed as a unit of, the state park
6 system."

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

8 * Section 1. AS 38.05.020(b) is amended to read:

9 (b) The commissioner may

10 (1) establish reasonable procedures and adopt reasonable regulations
11 necessary to carry out this chapter and, whenever necessary, issue directives or orders
12 to the director to carry out specific functions and duties; regulations adopted by the
13 commissioner shall be adopted under AS 44.62 ([THE] Administrative Procedure Act)

1 [(AS 44.62)]; orders by the commissioner classifying land, issued after January 3,
2 1959, are not required to be adopted under AS 44.62 ([THE] Administrative
3 Procedure Act) [(AS 44.62)];

4 (2) enter into agreements considered necessary to carry out the purposes
5 of this chapter, including agreements with federal and state agencies;

6 (3) review any order or action of the director;

7 (4) exercise the powers and do the acts necessary to carry out the
8 provisions and objectives of this chapter;

9 (5) notwithstanding the provisions of any other section of this chapter,
10 grant an extension of the time within which payments due on any lease or sale of state
11 land, minerals, or materials may be made, including payment of rental and royalties,
12 on a finding that compliance with the requirements is or was prevented by reason of
13 war, riots, or acts of God;

14 (6) classify tracts for agricultural uses and require the prequalification,
15 including the submission of conservation plans, development plans, or other plans,
16 schedules, or programs, of persons who apply to participate in an agricultural
17 development project under AS 44.33.475;

18 (7) waive, postpone, or otherwise modify the development requirements
19 of a contract for the sale of agricultural land if

20 (A) the land is inaccessible by road; and

21 (B) transportation, marketing, and development costs render the
22 required development uneconomic;

23 (8) reconvey or relinquish land or an interest in land to the federal
24 government if

25 (A) the land is described in an amended application for an
26 allotment under 43 U.S.C. 1617 and the land described in the original
27 application for an allotment is within or otherwise managed or subject to
28 management as a unit of the state park system; and

29 (B) the reconveyance or relinquishment is

30 (i) for the purposes provided in 43 U.S.C. 1617; and

31 (ii) in the best interests of the state.