

HOUSE BILL NO. 499

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE DAVIES

Introduced: 2/14/94

Referred: Community & Regional Affairs, Resources

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the use and transfer of RS 2477 rights-of-way."

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

3 * Section 1. AS 38.04 is amended by adding a new section to article 2 to read:

4 Sec. 38.04.059. RS2477 RIGHTS-OF-WAY. A decision to expand the nature
5 or level of use of a right-of-way established under 43 U.S.C. 932 (RS 2477) or to
6 transfer a right-of-way established under 43 U.S.C. 932 to another state department or
7 to a local government shall be

8 (1) consistent with existing land use plans and classifications;

9 (2) made with local governmental and public involvement under
10 AS 38.05.945; and

11 (3) made with the prior concurrence of each municipality in which the
12 right-of-way exists and the decision will apply.

13 * Sec. 2. AS 38.05.945(a) is amended to read:

14 (a) This section establishes the requirements for notice given by the department

1 for the following actions:

2 (1) classification or reclassification of state land under AS 38.05.300
3 and the closing of land to mineral leasing or entry under AS 38.05.185;

4 (2) zoning of land under applicable law;

5 (3) a decision under AS 38.05.035(e) regarding the sale, lease, or
6 disposal of an interest in state land or resources;

7 (4) a competitive disposal of an interest in state land or resources after
8 final decision under AS 38.05.035(e);

9 (5) a public hearing under AS 38.05.856(b);

10 (6) a preliminary finding under AS 38.05.035(e) and 38.05.855(c)
11 concerning sites for aquatic farms and related hatcheries;

12 (7) a decision to expand the nature or level of use of, or to transfer,
13 a right-of-way established under 43 U.S.C. 932 (RS 2477) that is subject to
14 AS 38.04.059.