

CS FOR SENATE BILL NO. 159(RES)
 IN THE LEGISLATURE OF THE STATE OF ALASKA
 EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE RESOURCES COMMITTEE

Offered: 4/5/93
 Referred: RULES

Sponsor(s): SENATORS FRANK, Sharp, Miller, Pearce, Taylor, Halford

A BILL

FOR AN ACT ENTITLED

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

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

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

8 (a) The commissioner shall classify for surface use land in areas considered
 9 necessary and proper. This section does not prevent reclassification of land where the
 10 public interest warrants reclassification, nor does it preclude multiple purpose use of
 11 land whenever different uses are compatible. If the area involved contains more
 12 than 640 contiguous acres, state [STATE] land, water, or land and water area may
 13 not, except by act of the state legislature, (1) be closed to multiple purpose use, or (2)

1 be otherwise classified by the commissioner so that mining, mineral entry or
2 location, mineral prospecting, or mineral leasing is precluded or is designated an
3 incompatible use, except when the classification is necessary for a land disposal
4 or exchange or is for the development of utility or transportation corridors or
5 projects or similar projects or infrastructure. Regarding a use described in (2)
6 of this subsection, if the commissioner considers it necessary and proper the
7 commissioner, by order, may provide for an interim classification regarding that
8 use. Within 10 days after the convening of each regular legislative session, the
9 commissioner shall transmit to the legislature for consideration all such interim
10 classification orders issued during the preceding calendar year. Unless the
11 legislature, by law, approves an interim classification contained in an order
12 transmitted under this subsection, that order expires on the 90th day of that
13 legislative session or upon adjournment of that session, whichever occurs first.
14 Approval by the legislature of an interim classification satisfies the requirement
15 of this subsection for legislative approval of the classification [IF THE AREA
16 INVOLVED CONTAINS MORE THAN 640 ACRES].

17 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).