

# FISCAL NOTE

STATE OF ALASKA  
2012 LEGISLATIVE SESSION

Bill Version **HB 356**  
Fiscal Note Number \_\_\_\_\_  
( ) Publish Date \_\_\_\_\_

Identifier (file name) HB356-DNR-MLW-03-31-12  
Title Land Management: Hunting/Fishing/Trapping  
Dept. Affected Dept. of Natural Resources  
Appropriation Land & Water Resources  
Allocation Mining, Land & Water  
Sponsor Rep. Pruitt  
Requester (H)RES  
OMB Component Number 3002

## Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY13	FY13	FY14	FY15	FY16	FY17	FY18
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
<b>TOTAL OPERATING</b>	***	<b>0.0</b>	***	***	***	***	***

FUND SOURCE (Thousands of Dollars)							
1002	Federal Receipts						
1003	GF Match						
1004	GF						
1005	GF/Prgm (DGF)						
1037	GF/MH (UGF)						
1178	temp code (UGF)						
<b>TOTAL</b>	***	<b>0.0</b>	***	***	***	***	***

POSITIONS							
Full-time							
Part-time							
Temporary							

<b>CHANGE IN REVENUES</b>	***	<b>0.0</b>	***	***	***	***	***
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Estimated SUPPLEMENTAL (FY12) operating costs \_\_\_\_\_ (separate supplemental appropriation required)  
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY13) costs \_\_\_\_\_ (separate capital appropriation required)  
(discuss reasons and fund source(s) in analysis section)

### Why this fiscal note differs from previous version (if initial version, please note as such)

Initial Version, not applicable

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Approved by Daniel S. Sullivan, Commissioner  
Department of Natural Resources

Phone 907-269-8625  
Date/Time 3/30/12 5:00 PM  
Date 3/31/2012

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BILL NO. HB 356

### Analysis

Section 2 of HB 356 requires that the Commissioner of the Department of Natural Resources keep land managed by the department “open” for trapping and hunting unless DNR determines the land must be “closed” for reasons relating to public safety, fish or game management, conservation, development of natural resources, or homeland security. The legislation also requires the commissioner to manage land under the authority of DNR to 1) support, promote, and enhance trapping and sport and subsistence hunting to the extent authorized by state law, and 2) to manage land under the authority of the Department of Natural Resources to prevent, to the greatest extent practicable, any net loss of acreage available for trapping and sport and subsistence hunting. Lastly HB 356 requires the commissioner to prepare and submit an annual report to the legislature describing land managed by DNR that, during the previous year, was: 1) closed and the reasons for the closures, and 2) opened to trapping or sport or subsistence hunting.

This fiscal note assumes that this legislation establishes a new, overriding, land management policy for the department giving priority to the support, promotion and enhancement of hunting and trapping based land uses, with the purpose that there be no net loss of acreage available for hunting and trapping, over other discretionary land uses the department considers. Because there is no ready supply of other lands to replace lands DNR may convey out of the public domain (no replacement lands available from federal or private sources) DNR assumes that mitigation for the loss of such land is not a viable option.

Therefore, this fiscal note assumes that to comply with the “support, promotion and enhance”, and “no-net-loss of land available for hunting and trapping” standards mandated in the legislation, DNR would be compelled to curtail land conveyances and land use authorizations to the greatest extent practicable, including: mining permits, leases; land sales, leases; tideland leases, shore fish permits and leases; land use permits; preference right leases; municipal entitlement conveyances; material sales; agricultural housing rights; public and charitable sales and leases.

### INDETERMINATE FISCAL IMPACT

At this time, it is difficult to predict the fiscal impact of this legislation on the department. DNR expects there to be an impact on the time required by MLW to issue a conveyance or authorization. Each decision would require an additional review under the standards and policies set in this legislation. MLW has over 100 employees engaged in the adjudication and issuance of authorizations that could be affected by this legislation. Individually, the additional review requirement would not be significant but in aggregate, the effect of the new requirement would require the equivalent of one or two staff members (NRS II or III’s) to offset the increased use of staff time to comply with this requirement.

Under proposed subsection AS 38.04.065(k), the division would be required to set up and maintain a complex database in its lands records system to track the removal, addition or return (status) of land in and out of the public domain (land available for the public to use for hunting or trapping). This database would be used to comply with the annual reporting requirement of this subsection. This would require at least one month of time from an Analyst Programmer V. Additionally, every division adjudicator would be required to maintain and update the database to maintain an accurate tally of lands removed from or added to the public domain for use in compiling the annual report. Again, while individually the additional status tracking effort would not be significantly burdensome to the adjudicator; in aggregate the effect of the new requirement would require additional staff to offset the increased use of staff time.