

Fiscal Note

State of Alaska
2022 Legislative Session

Bill Version:	HB 397
Fiscal Note Number:	1
(H) Publish Date:	3/14/2022

Identifier: 0561-DNR-DMLW-3-10-22
 Title: STATE OWNERSHIP OF SUBMERGED LAND
 Sponsor: RLS BY REQUEST OF THE GOVERNOR
 Requester: Rules by Request of the Governor

Department: Department of Natural Resources
 Appropriation: Fire Suppression, Land & Water Resources
 Allocation: Mining, Land & Water
 OMB Component Number: 3002

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2023	Included in	Out-Year Cost Estimates					
	Appropriation Requested	Governor's FY2023 Request	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
OPERATING EXPENDITURES	FY 2023	FY 2023	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time								
Part-time								
Temporary								

Change in Revenues

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2022) cost: 0.0 *(separate supplemental appropriation required)*

Estimated CAPITAL (FY2023) cost: 0.0 *(separate capital appropriation required)*

Does the bill create or modify a new fund or account? No
(Supplemental/Capital/New Fund - discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
 If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version/comments:

Not applicable, initial version.

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Division:	Mining, Land and Water	Date:	03/10/2022 10:30 AM
Approved By:	Theresa Cross, Administrative Services Director	Date:	03/10/22
Agency:	Department of Natural Resources		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2022 LEGISLATIVE SESSION**Analysis**

This bill codifies and declares that by operation of law, submerged lands under navigable waters in areas managed by federal agencies were conveyed to the state from the United States pursuant to the Equal Footing Doctrine of the U.S. Constitution, the federal Submerged Lands Act, and the Alaska Statehood Act. Since statehood, navigability determinations have been made through administrative processes and litigation brought by the state pursuant to the federal Quiet Title Act. This bill is intended to bring clarity to state ownership of submerged lands in federal areas and to claim, occupy, and possess all such submerged lands as state sovereign property.

This bill requires the Department of Natural Resources (DNR) to conduct ongoing research to identify navigable waters within and adjacent to federal areas, codifying DNR's list of submerged lands in federal areas with a date retroactive to statehood, and requires the DNR commissioner to provide an annual report to the legislature listing newly identified submerged lands in federal areas. The research and report fall under the divisions daily operations, and does not expect any fiscal impact; therefore, submits a zero fiscal note.