

COMMITTEE REPORT

5/30/75

SENATE

Mr. President:

Date 3/15/76

The Committee on FINANCE has had HB 408 amended acquisition & other development of outdoor recreational, open space & historic under consideration. A Majority of the members of the Committee properties

- recommends it DO PASS
- recommends it DO NOT PASS
- recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- recommends it BE REPLACED WITH CS FOR HB 408 AND THAT
CS FOR HB 408 DO PASS *we reported out a bill and recommended*
- "and" recommends it BE REFERRED TO THE _____
COMMITTEE
- reports it back WITHOUT RECOMMENDATION
- "other"

Members signing the Majority report:

<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>

Members NOT concurring in the Majority report:

_____ recommends: DO PASS

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

[Signature] Chairman

- Five -

Alaska State Legislature

3/20

REPRESENTATIVE
TED SMITH
2616 SORBUS CIRCLE
ANCHORAGE, ALASKA 99504

WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA 99811

up bill



COMMITTEES
RESOURCES
BUDGET & AUDIT
LABOR & MANAGEMENT

House of Representatives

15 January 1976

Senator Bill Ray, Chairman
Senate Finance Committee

Dear Bill:

Attached are comments from the Division of Parks concerning HB 408 now in your committee. I don't believe the first point needs attention, the language should be clear.

The other two items point out an ambiguity in the approval process for the two types of projects: state and local. I recommend the following changes in order to resolve this apparent ambiguity:

Amendment #1:

Page 1 line 21 after the word
"state" insert "or local government
units"

Amendment #2:

Page 2 line 2 delete "consideration
of the recommendations of" and
substitute "approval by".

Thank you.

Yours truly,

TS
Ted Smith
Chairman
Labor and Management Committee

TS:mb

Enc:

STATE
of ALASKA

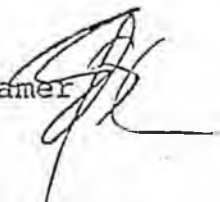
MEMORANDUM

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF PARKS

TO: [Russell W. Cahill
Director

DATE : December 23, 1975

FROM: Edward J. Kramer SUBJECT: 1620-77
1977 Legislative Session

The following comments are addressed to House Bill Number 408 and the companion bill, 409, which are being carried over from the first session of the Ninth Legislature.

House Bill 409 provides for the issuance of general obligation bonds in the amount of \$50,000,000.00 for the purpose of paying the cost of acquiring and otherwise developing outdoor recreational, open space, and historic properties in accordance with the requirements outlined in House Bill 408. House Bill 409 provides that "the provisions of AS 24.30.037 notwithstanding, proceeds of the bonds shall be allocated as determined by the Department to carry out the purposes of and to be expended and administered in accordance with the provisions of AS 41.22."

House Bill 408 outlines the requirements for administering the 50 million dollar bond fund and gives legal status to the Park and Recreation Council. There are several questions associated with this bill which should be clarified.

1. Section 41.22.010 provides that appropriations or other money deposited in fund shall be utilized by the Department to pay the non-federal share of costs of projects. This seems to limit the use of bond funds to only those projects which receive federal assistance, however, I assume the intent of the bond fund (because of its size) is to have the option of funding projects 100% from the source.
2. Section 41.22.010 provides that money from the fund can be used to pay the non-federal share of costs of projects which are initiated by the State and which are recommended for expenditures from the fund by the Park and Recreation Council. This apparently limits the use of funds to only those projects which are recommended by the Parks and Recreation Council.

3. Section 41.22.080 provides that the Parks and Recreation Council shall make recommendations on the allocations of federal funds granted under the provisions of the Land and Water Conservation Act of 1965, and shall make recommendations on the allocation of funds from the Outdoor, Recreational, Open Space, and Historic Properties fund (State 50 million dollar bond fund). There appear to be differing implications resulting from these recommendations.
 - a. AS 41.22.010 limits the use of the bond fund to those State projects which are recommended for expenditures by the Park and Recreation Council.
 - b. Section 41.22.020 provides that "money of the funds shall be utilized to make grants to municipalities after consideration of the recommendations of the Parks and Recreation Council".

Thus it appears that in the case of State projects, recommendation of the Parks and Recreation Council must be followed, while in the case of grants to municipalities, recommendations of the Parks and Recreation Council must be considered.

Section 41.22.010 "Fund Utilization for Local Projects" provides that "money of the funds shall be utilized to make grants to municipalities of up to 1/2 the non-federal share of costs of projects described in Section 10 of this chapter." Section 10 of this chapter describes "projects which are initiated by the State" and it appears that there should be clearer distinction between projects initiated by the State and projects initiated by municipalities.

EJK:pg

cc: William S. Hanable

Introduced: 4/11/75
Referred: Resources and Finance

BY SMITH, H. BEIRNE, DUNCAN, ELIASCH,
GRUENING, HERSHBERGER, MCKINNON,
MALONE, MILLER, OSTROSKY, PARR AND
SULLIVAN

1 IN THE HOUSE

2 HOUSE BILL NO. 408 am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to acquisition and other development
7 of outdoor recreational, open space, and historic
8 properties; and providing for an effective date."

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

10 * Section 1. AS 41 is amended by adding a new chapter to read:

11 CHAPTER 22. OUTDOOR RECREATIONAL, OPEN SPACE,
12 AND HISTORIC PROPERTIES DEVELOPMENT.

13 ARTICLE 1. OUTDOOR RECREATIONAL, OPEN SPACE,
14 AND HISTORIC PROPERTIES DEVELOPMENT FUND.

15 Sec. 41.22.010. OUTDOOR RECREATIONAL, OPEN SPACE, AND HISTORIC
16 PROPERTIES DEVELOPMENT FUND. There is in the Department of Natural
17 Resources an outdoor recreational, open space, and historic properties
18 development fund to be administered by the division of parks. Appropri-
19 ations or other money deposited in the fund shall be utilized by the
20 department to pay the nonfederal share of costs of projects which are
21 initiated by the state to acquire, develop, or extend outdoor recreation
22 sites and facilities and to acquire, preserve, or protect historic
23 sites, buildings and monuments and which are recommended for expenditures
24 from the fund by the Park and Recreation Council established under secs.
25 40 - 90 of this chapter. Plans for expenditures from the fund shall be
26 submitted by the governor in accordance with the Executive Budget Act
27 (AS 37.07) as part of his annual budget presentation to the legislature.

28 Sec. 41.22.020. FUND UTILIZATION FOR LOCAL PROJECTS. (a) In
29 addition to uses of fund money authorized in sec. 10 of this chapter,

1 money of the fund shall be utilized to make grants to municipalities,
2 after consideration of the recommendations of the Park and Recreation
3 Council established under secs. 40 - 90 of this chapter, of up to one-
4 half the nonfederal share of costs of projects described in sec. 10 of
5 this chapter which are initiated by a municipality, and loans of amounts
6 necessary to enable municipalities to make option payments on parks and
7 open space land for the acquisition of which federal funds are antici-
8 pated.

9 (b) Priority of need for loans under (a) of this section shall be
10 determined by an examination of the value of lands for park and open
11 space purposes if permanently acquired, of the likelihood that the lands
12 will be permanently acquired by exercise of the option, and of the im-
13 minence of the risk of loss for park and recreation purposes if options
14 are not obtained.

15 (c) Loans under (a) of this section shall be conditioned on repay-
16 ment within 10 years, at an annual interest rate of six per cent.

17 (d) In (a) of this section "municipalities" includes cities or
18 organized boroughs of any class exercising powers to initiate projects
19 described in sec. 20 of this chapter and acquire parks and open space
20 land, as otherwise authorized by law, and includes but is not limited to
21 unified municipalities organized under AS 29.68.240 - 29.68.440.

22 Sec. 41.22.030. POWERS AND DUTIES OF DEPARTMENT. The department
23 may adopt regulations necessary to carry out the purposes of secs. 10 -
24 30 of this chapter and designate agents and delegate powers to them as
25 is necessary.

26 ARTICLE 2. ALASKA PARK AND RECREATION COUNCIL.

27 Sec. 41.22.040. PARK AND RECREATION COUNCIL. There is in the
28 Department of Natural Resources a Park and Recreation Council.

29 Sec. 41.22.050. COMPOSITION, TERM OF OFFICE, QUORUM. (a) Per-

1 manent members of the council are the lieutenant governor, who shall
2 serve as chairman, and the state liaison officer designated under the
3 provisions of the Land and Water Conservation Fund Act of 1965 (P.L.
4 88-578; 78 Stat. 897), who shall serve as executive director. Other
5 members of the council include one representative of each locally based
6 member organization provided for in sec. 60 of this chapter who shall
7 be selected by the organization to serve for a one-year term. Terms
8 begin on July 1, but a member shall serve until replaced and is eligible
9 to succeed himself.

10 (b) A council quorum is a majority of its membership.

11 Sec. 41.22.060. LOCALLY BASED ORGANIZATIONS. A locally based
12 organization which has a membership widely representative of public
13 interest in parks and recreation and which is limited to a defined
14 geographic area may be recognized by the council as a constituent
15 organization eligible for representation on the council. Geographic
16 areas of constituent organizations may not overlap. The initial
17 membership of the council shall be composed of the permanent members
18 and representatives of the Park and Recreation Council of Anchorage,
19 the Park and Recreation Council, Kachemak, the Juneau Park and Recrea-
20 tion Council, the Park and Recreation Council, Sitka, and the Park and
21 Recreation Council of Fairbanks. Additional members may be recognized
22 by application to the council, approved by vote of the members.

23 Sec. 41.22.070. INTERAGENCY COMMITTEE. An interagency committee
24 composed of representatives of state and federal agencies having park
25 and recreation functions as a recognizable part of their mission shall
26 serve in an advisory capacity to the council. Membership on the inter-
27 agency committee shall be granted to any state or federal agency which
28 requests membership in writing to the chairman of the council. The
29 director of the division of parks shall serve as chairman of the inter-

1 agency committee.

2 Sec. 41.22.080. DUTIES. The Park and Recreation Council shall

3 (1) make recommendations on the allocation of federal funds
4 granted under the provisions of the Land and Water Conservation Act of
5 1965 (P.L. 88-578; 78 Stat. 897);

6 (2) make recommendations on the allocation of funds from the
7 outdoor recreational, open space, and historic properties fund, as
8 provided in secs. 10 - 20 of this chapter;

9 (3) advise the department, the governor, and the legislature
10 on park and recreation matters;

11 (4) coordinate federal, state, and local actions in the
12 field of parks and recreation;

13 (5) upon request, comment on proposed actions of federal,
14 state, and local governments by means of clearinghouse reviews, environ-
15 mental impact statements, and similar means;

16 (6) perform other appropriate functions in the field of
17 parks and recreation.

18 Sec. 41.22.090. COMPENSATION. Members of the council serve with-
19 out compensation but are entitled to per diem and travel expenses as
20 authorized by law for boards and commissions.

21 * Sec. 2. This Act takes effect July 1, 1975.
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STATE
of ALASKA

MEMORANDUM
DEPARTMENT OF NATURAL RESOURCES
OFFICE OF THE COMMISSIONER

TO: James D. Fennel
Staff Assistant
Senate Finance Committee

DATE : January 13, 1976

FROM: Harry S. Aase *HSA*
Administrative Officer

SUBJECT: Fiscal Notes

Reference your memorandums, same subject, dated December 5, 1975, requesting review on fiscal notes for HB 68, HB 374, and HB 408.

I was advised over the telephone this date by Ed Kramer, Division of Parks, that those fiscal notes should stand without change.

cc: Director, Parks

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. HB 408
 Title: Acquisition and other Development...Outdoor Recreational...
 Requested by: T. G. Smith Date: 4/21/75
 Return Date Requested: None
 Agency: Division of Parks Program: Parks and Recreation

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Park and Recreation

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES		32.8	37.2	41.9	45.0	49.0
200 TRAVEL		22.9	22.8	23.0	23.0	23.0
300 CONTRACTUAL		1.0	1.0	1.0	1.0	1.0
400 COMMODITIES		-	-	-	-	-
500 EQUIPMENT		1.5	-	-	-	-
600 LAND & STRUCTURES		-	-	-	-	-
700 GRANTS, CLAIMS, ETC.		4000.0	4009.0	4000.0	4000.0	4000.0
TOTAL		4059.	4062.0	4065.	4069.	4073.0

B. FUNDING: (Thousands of dollars)

GENERAL FUND	1599.0	1602.0	1605.0	1609.0	1613.0
FEDERAL FUNDS	2000	2000	2000	2000	2000
OTHER	460	460	460	460	460

C. POSITIONS:

PERMANENT/TEMPORARY	/	2/0	2/0	2/0	2/0	2/0
MAN MONTHS (P./T.)	/	24/0	24/0	24/0	24/0	24/0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)
 Assumptions: (1) Council would meet four times a year for fund review; (2) existing grants staff could absorb a part of work, but required additional work, per Section 020, would require full time planner at Grade 17 and a clerk-typist; (3) assumption of two million dollar program including 1.8 million LMCF and .2 historic preservation grants; (4) we recommend omission of travel and per diem for inter-agency committee and show travel and per diem as follows:

Council and Staff: 5.6
 Inter-agency committee: 15.2
 Technical assistance travel: 2.0

IV. ATTACHMENTS

V. DATE: April 23, 1975 PREPARED BY: George Hall
 Acting Director
 Parks

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. HB 408
 Title: ... Acquisition and other Development ... Outdoor Recreational...
 Requested by: T.G. Smith Date: April 21, 1975
 Return Date Requested: None
 Agency: Division of Parks Program: Parks and Recreation

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Parks and Recreation

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES						
200 TRAVEL		8.0	8.0	8.0	8.0	8.0
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		8.0	8.0	8.0	8.0	8.0

B. FUNDING: (Thousands of dollars)

GENERAL FUND	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
FEDERAL FUNDS						
OTHER		8.0	8.0	8.0	8.0	8.0
LWCF Surcharge						

C. POSITIONS:

PERMANENT/TEMPORARY	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
MAN MONTHS (P./T.)	0/0	0/0	0/0	0/0	0/0	0/0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Assumptions: (1) Council would meet four times a year for fund review; (2) existing staff would absorb a part of the work, but required additional work, per Section 080, may require re-evaluation of work load as program evolves; (3) assumption is two million dollar program including 1.8 million LWCF and .2 historic preservation grants;

Council and Staff: 6.0
 Technical Assistance Travel 2.0

IV. ATTACHMENTS

V. DATE: April 25, 1975

PREPARED BY: George A. Hall
 by KH

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Introduced: 4/11/75
Referred: Resources and Finance

BY SMITH, H. BEIRNE, DUNCAN, ELIASON,
GRUENING, HERSHBERGER, MCKINNON,
MALONE, MILLER, OSTROSKY, PARR AND
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4 NINTH LEGISLATURE - FIRST SESSION

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7 open space land for the acquisition of which federal funds are antici-
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10 determined by an examination of the value of lands for park and open
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13 minence of the risk of loss for park and recreation purposes if options
14 are not obtained.

15 (c) Loans under (a) of this section shall be conditioned on repay-
16 ment within 10 years, at an annual interest rate of six per cent.

17 (d) In (a) of this section "municipalities" includes cities or
18 organized boroughs of any class exercising powers to initiate projects
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3 provisions of the Land and Water Conservation Fund Act of 1965 (P.L.
4 88-578; 78 Stat. 897), who shall serve as executive director. Other
5 members of the council include one representative of each locally based
6 member organization provided for in sec. 60 of this chapter who shall
7 be selected by the organization to serve for a one-year term. Terms
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17 membership of the council shall be composed of the permanent members
18 and representatives of the Park and Recreation Council of Anchorage,
19 the Park and Recreation Council, Kachemak, the Juneau Park and Recrea-
20 tion Council, the Park and Recreation Council, Sitka, and the Park and
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28 requests membership in writing to the chairman of the council. The
29 director of the division of parks shall serve as chairman of the inter-

1 agency committee.

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10 on park and recreation matters;

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12 field of parks and recreation;

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17 parks and recreation.

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20 authorized by law for boards and commissions.

21 * Sec. 2. This Act takes effect July 1, 1975.
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