

COMMITTEE REPORT

3/5/76

SENATE

Mr. President:

Date 3/8/76

The Committee on FINANCE has had SB 674 relating to the Cook Inlet Land Exchange under consideration. A Majority of the members of the Committee

- () recommends it DO PASS
- () recommends it DO NOT PASS
- () recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- () recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS
- () "and" recommends it BE REFERRED TO THE _____ COMMITTEE
- () reports it back WITHOUT RECOMMENDATION
- (X) "other" INDIVIDUAL RECOMMENDATIONS

Members signing the Majority report:

<u>Bill King</u>	<u>NO K.C.</u>	<u>W. Poland - No Rec</u>
<u>John S. Smith</u>	<u>DO PASS</u>	<u>10/1/76</u>
<u>Jim West</u>	<u>DO PASS</u>	
<u>W. J. ...</u>	<u>DO PASS</u>	

Members NOT concurring in the Majority report:

- _____ recommends:
- _____ recommends:
- _____ recommends:
- _____ recommends:
- _____ recommends:

Bill King Chairman

Introduced: 2/17/76
Referred: Resources and Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 674

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Cook Inlet Land Exchange;
7 and providing for an effective date."

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

9 * Section 1. FINDINGS AND PURPOSE. The legislature has reviewed and
10 considered the document transmitted by the governor entitled "Terms and
11 Conditions for Land Management and Consolidation in the Cook Inlet Area,"
12 as printed in Report No. 94-729, United States House of Representatives.
13 The legislature finds the land exchange provided for by those terms and
14 conditions, that is, the Cook Inlet Land Exchange, to be consistent with
15 law, a matter of statewide significance, and in the general public interest.
16 While the land exchange is authorized by existing law, the vagueness and
17 ambiguity of the provisions of the applicable law create a situation which
18 may well involve protracted and divisive litigation and continuing uncer-
19 tainty and disruption with respect to public and private land management.
20 The law on the subject will be amended to remove any vagueness or ambiguity,
21 but the timing for the land exchange requires action now, before amendment
22 for clarification of the general law on land exchanges. The Cook Inlet
23 Land Exchange settles existing and threatened litigation. The purpose of
24 this Act is to insure that the exchange does not lead to further, protracted
25 and divisive litigation.

26 * Sec. 2. APPROVAL OF EXCHANGE. The Cook Inlet Land Exchange as set
27 out in the document referred to in sec. 1 of this Act is approved, and the
28 commissioner of natural resources is expressly authorized to execute the
29 agreement for the land exchange and consummate the land exchange notwith-

1 standing any other provision of law.

2 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
3 10.070(c).

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

SB 674

FEB 17 1976

The Honorable Chancy Croft
President of the Senate
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. President:

In accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill relating to the Cook Inlet Land Exchange. When I initially submitted the Cook Inlet land exchange agreement to the legislature, it was my intention that it be given thorough policy and substantive review in the public interest. That intention remains unchanged, and I now wish to request that the nature of the legislative action pursuant to that review be altered to better serve this purpose.

Initially, I indicated that it was my intention to take action on the exchange agreement should the legislature not take an action of disapproval. I now wish to indicate my intention to refrain from taking action on the exchange unless the legislature takes an affirmative action approving the state's participation in the exchange.

This request is made for two reasons. First, continuing legal research has indicated that while existing legal authority supports the exchange, the application of that authority to the unique factual aspects of the exchange makes an affirmative legislative action advisable so as to best protect all participants in the exchange. Second, it is my continuing conviction that the scale, importance, and precedential aspects of this land exchange dictate the highest standards of review and the affirmative agreement of the people's representatives. In the future, when a more complete statutory and regulatory standard may guide such exchanges, legislative review might be only passive but the present circumstances clearly call for the action I am proposing.

I share your awareness of the time constraints which are inherent in this process, but it is my understanding that the legislative leadership has moved toward its own determination that such affirmative action

would be necessary, and has set a course which will allow consideration of this matter within the time frame allowed. As I am certain you understand, the 60-day time frame was set in the federal legislation to protect the legal rights of the parties to the exchange should the agreement not be approved. During the period of consideration, moreover, the administration stands ready to cooperate fully with you to supply necessary information and assistance in the public interest. As a procedural matter, it should be pointed out that for the state to participate in the agreement, notice by the governor must be given to the Secretary of Interior before March 12. Actions taken by the legislature should be consistent with the ability of this office to give that notice.

Sincerely,

Jay S. Hammond
Governor

SB 674

FEB 17 1976

The Honorable Chancy Croft
President of the Senate
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. President:

In accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill relating to the Cook Inlet Land Exchange. When I initially submitted the Cook Inlet land exchange agreement to the legislature, it was my intention that it be given thorough policy and substantive review in the public interest. That intention remains unchanged, and I now wish to request that the nature of the legislative action pursuant to that review be altered to better serve this purpose.

Initially, I indicated that it was my intention to take action on the exchange agreement should the legislature not take an action of disapproval. I now wish to indicate my intention to refrain from taking action on the exchange unless the legislature takes an affirmative action approving the state's participation in the exchange.

This request is made for two reasons. First, continuing legal research has indicated that while existing legal authority supports the exchange, the application of that authority to the unique factual aspects of the exchange makes an affirmative legislative action advisable so as to best protect all participants in the exchange. Second, it is my continuing conviction that the scale, importance, and precedential aspects of this land exchange dictate the highest standards of review and the affirmative agreement of the people's representatives. In the future, when a more complete statutory and regulatory standard may guide such exchanges, legislative review might be only passive but the present circumstances clearly call for the action I am proposing.

I share your awareness of the time constraints which are inherent in this process, but it is my understanding that the legislative leadership has moved toward its own determination that such affirmative action

would be necessary, and has set a course which will allow consideration of this matter within the time frame allowed. As I am certain you understand, the 60-day time frame was set in the federal legislation to protect the legal rights of the parties to the exchange should the agreement not be approved. During the period of consideration, moreover, the administration stands ready to cooperate fully with you to supply necessary information and assistance in the public interest. As a procedural matter, it should be pointed out that for the state to participate in the agreement, notice by the governor must be given to the Secretary of Interior before March 12. Actions taken by the legislature should be consistent with the ability of this office to give that notice.

Sincerely,

Jay S. Hammond
Governor

COMMITTEE REPORT

3/2/76

SENATE

Mr. President:

Date 3/16/76

The Committee on FINANCE has had SR 675 relating to nonretention of teachers under consideration. A Majority of the members of the Committee

- recommends it DO PASS
- recommends it DO NOT PASS
- recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS
- "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>	_____

Members NOT concurring in the Majority report:

<u>[Signature]</u>	recommends: <u>NO REC</u>
<u>[Signature]</u>	recommends: _____
<u>[Signature]</u>	recommends: <u>no rec</u>
_____	recommends: _____
_____	recommends: _____

[Signature] Chairman

Introduced: 2/17/76
Referred: Health, Education and
Social Services

BY THE HEALTH, EDUCATION
AND SOCIAL SERVICES
COMMITTEE BY REQUEST

1 IN THE SENATE

2 SENATE BILL NO. 675

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to nonretention of teachers."

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

8 * Section 1. AS 14.20.175(b)(4) is amended to read:

9 (4) a necessary reduction of staff occasioned by a decrease
10 in school attendance or by a loss of revenue actually received as com-
11 pared to anticipated revenue, as submitted by the school board to the
12 governing body by April 1 under AS 14.14.060(c).

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

#

Introduced: 2/17/76
Referred: Health, Education and
Social Services

BY THE HEALTH, EDUCATION
AND SOCIAL SERVICES
COMMITTEE BY REQUEST

1 IN THE SENATE

2 SENATE BILL NO. 675

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to nonretention of teachers."

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

8 * Section 1. AS 14.20.175(b)(4) is amended to read:

9 (4) a necessary reduction of staff occasioned by a decrease
10 in school attendance or by a loss of revenue actually received as com-
11 pared to anticipated revenue, as submitted by the school board to the
12 governing body by April 1 under AS 14.14.060(c).

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

#

Introduced: 2/17/76
Referred: Health, Education and
Social Services

BY THE HEALTH, EDUCATION
AND SOCIAL SERVICES
COMMITTEE BY REQUEST

1 IN THE SENATE

2 SENATE BILL NO. 675

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to nonretention of teachers."

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

8 * Section 1. AS 14.20.175(b)(4) is amended to read:

9 (4) a necessary reduction of staff occasioned by a decrease
10 in school attendance or by a loss of revenue actually received as com-
11 pared to anticipated revenue, as submitted by the school board to the
12 governing body by April 1 under AS 14.14.060(c).

29

#

Introduced: 2/17/76
Referred: Health, Education and
Social Services

BY THE HEALTH, EDUCATION
AND SOCIAL SERVICES
COMMITTEE BY REQUEST

1 IN THE SENATE

2 SENATE BILL NO. 675

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to nonretention of teachers."

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

8 * Section 1. AS 14.20.175(b)(4) is amended to read:

9 (4) a necessary reduction of staff occasioned by a decrease
10 in school attendance or by a loss of revenue actually received as com-
11 pared to anticipated revenue, as submitted by the school board to the
12 governing body by April 1 under AS 14.14.060(c).

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

#