

HB-656

"An Act relating to assessments on state lands."

COMMITTEE REPORT

1/27/76

HOUSE

Mr. Speaker:

Date 1 27 76

The Committee on COMMUNITY & REGIONAL AFFAIRS has had HB 656

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:

Members NOT concurring in the Majority report:

Freeman recommends: DO NOT PASS
 _____ recommends: "
Jim Harkins recommends: "
 _____ recommends: "
 _____ recommends: "

Chairman

HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

April 1, 1976

The meeting was called to order by Vice-Chairman Kathryn Ostrosky for discussion of HB's 656/657. Present were:

Rep. Davis	Rep. Cotten (late)
Rep. Hackney	Palmer McCarter, C&RA
Rep. Kelley	Jack Roderick, Deputy Commissioner of C&RA
Rep. Rudd	Barbara Englert Thomas, Staff
Rep. Freeman	Vicci Hansen, Staff

0007 Rep. Ostrosky asked Mr. Roderick to testify on HB 656.

He explained that right now the law provides in 38.05.030 subsection (c) that when any department acquires any real property, it is supposed to notify the division of Lands. That is not being done so the division of Lands doesn't know the ownership by department of the state land. The municipalities bill the agency and the agency then gets the bill and has to decide if it is their land that is being billed and then check with the division of Lands. They then put it in their CIP budget and eventually it gets to the appropriation state. This bill is designed to simply send a copy of that municipal bill to the Department of Administration who would package it up and go then to the legislature and get an appropriation and then pay the municipalities at one time. In researching this he came to the conclusion that if the division of lands had all the records of the various agencies and the bills were sent to the division of Lands the same thing would be accomplished but in fact the simplest way is to have the municipalities send the bills to the Department of Administration and the Department of Administration would have the responsibility of checking with each of the agencies to see if in fact the assessment is proper and then go into the legislature for the appropriation.

131 Rep. Kelley asked how come this particular portion of it is being subject to the appropriation of the legislature hasn't been added into the budget before. She asked if this way they would come out with a supplemental each time or if it could be worked into the budget itself.

142 Roderick stated that that was the other alternative to try to predict what the bills are going to be each time from the municipalities but this approach is also a way.

There was committee discussion and questions on this bill.

Rep. Kelley said that she would like to ask someone in Finance to see if they see this as a problem.

245 Rep. Hackney said that he felt that this would become a part of the budget for Community & Regional Affairs the same as Revenue Sharing and he felt that it should be handled the same as Revenue Sharing where if the Department didn't have enough money to fund for the entire amount that was needed then they would pay it. This way every community would get a portion up to the amount the Department had.

Rep. Kelley was against the language. She felt that it gave you the feeling that you have to appropriate the money.

395

Palmer McCarter gave his opinions on the bill.

Without the language the state is obligated to pay and the borough could proceed to file delinquencies and file liens against the property. With the added language there is the escape.

580

Rep. Rudd said that it could be done by regulation. She asked Roderick if there were regulations now covering it. Roderick stated that he did know that the law requires that every state agency file with the Division of Lands their ownership and that has not been done. Division of Lands does not know what each department owns so when a bill comes in he's sure it finds its way to the Division of Lands and then they have to go back to the agencies and find out if it is a valid bill.

There was no further discussion on the bill and it was decided to hear from Mr. Tubbs from Division of Lands or other witnesses. It was decided to set this bill aside and move on to HB 657.

635

HB 657 has to do with the manner of subdividing areas that are in unorganized boroughs and third class boroughs. The new language is third class boroughs and may be more than one eventually.

Kevin Waring from the Department of Natural Resources was asked to testify on this bill. He felt it was primarily a planning bill. He said that the bill is primarily aimed at a gap in state law right now that does give the Division of Lands authority for review of proposed subdivision plats in unorganized areas outside the municipalities and boroughs. Under present law all subdivision plats in cities and in boroughs are mandatorily reviewed by the city planning commission or the borough planning commission to make sure that they conform with good engineering and planning practices. That is not the case outside municipal jurisdictions.

The committee discussed this bill and it was decided to carry on with discussion of this bill at a later date since the committee ran out of time.

Meeting was adjourned at 10:05 am.

HOUSE COMMUNITY & REGIONAL AFFAIRS

April 9, 1976

The meeting was called to order at 9:05 am by Chairman Cotten for discussion of SB 551, SB 529, HB's 656 and 657. Present were:

Rep. Cotten	Rep. Ostrosky
Rep. Ose	Don Berry, Alaska Municipal League
Rep. Freeman	Palmer Mc Carter, C&RA
Rep. Kelley	Barbara Englert Thomas, Staff
Rep. Hackney	Vicci Hansen, Staff
Rep. Davis	

- 0009 Chairman Cotten explained SB 551. Since Anchorage unified it didn't automatically come under the Social Security Act and apparently it appears that unless municipal employees are covered under Title II of the Social Security Act, they don't qualify for state PERS so the procedure is for them to have a vote on an individual basis to find out if they want to.
- 0058 Don Berry pointed out that on February 17th the House passed HB 569, 35-0 and this bill is identical to SB 551.
- 0079 Rep Freeman asked to vote the bill out.
- 0110 Palmer McCarter gave a run-down on SB 539. Sections 1 and 2 were in the Governors bill and basically they consider that part to be part of a clean up of existing language. There would be the possibility under Section 1 where a borough could apply under the state for monies that the state says could be exempted to certain individuals without actually having given the exemption to the person. That part is a clean-up. Also, Section 2 they consider a clean-up.
- 0145 Cotten asked McCarter if the problem was that they had a \$10,000.00 exemption and so the state was paying the borough for revenue that they really hadn't lost.
- McCarter said yes.
- Cotten said that confused him.
- McCarter explained this. There basically is really no objection to either Section 1 or 2. Those are amendments that were proposed by the state assessor. Section 3 additionally had some language in it that the state assessor felt should have been left in and McCarter suspects that the committee members do not have the original bill but he explained this part.
- 0368 McCarter discussed the bill with the committee and said that it would have helped to have Bob Dozier present.
- 0425 Rep. Ose stated that this exemption leaves it wide open for the food stampers and so forth and an honest farmer has a tough time. He stated examples of this in his area.

There was further discussion on the bill.

0540

Rep. Ose said that he would like to have some people come in and discuss the other end of this. Cotten said he have it Wednesday.

0544

Cotten then discussed HB 657, Planning, Platting and Zoning. Gene Hines testified on this. He said that there are some reservations about this bill. He listened to the people representing the Administration and he feels it has much more effect than what they testified to. This was first brought to their attention when they got a copy of unorganized borough zoning regulations put out by administration before the session started. He read portions of those regulations. The committee is to have copies of this letter and regulations. He felt that it should be stopped right now before a lot of money is spent if the committee doesn't approve of it.

Cotten said that it was a serious question.

He said that this should be resolved by the legislature and not by a single committee since it takes in quite a bit of scope. He will have a legal interpretation presented to the committee on this.

0857

Cotten asked the committee what they wanted to do with HB 656. He told the committee what the bill was briefly about.

There was discussion on the bill. He asked if someone would like to make a motion to pass the bill out.

0940

Ostrosky said that she moved to pass the bill out.

The meeting was adjourned at 10.00 am.

HB56

4/1/76 Hugh Malone can't come testify right now,
but his only concern is on line 18:
He agrees there should be no penalty
but wonders about disallowing interest
change.

X