

COMMITTEE REPORT
SENATE

FURTHER:

4/22/85

Date 1/30/86

Mr. President

The Committee on FINANCE considered SB 201

creating a public access fund.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for SB 201 (Finance)
- new title
- same title and recommends _____
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
- reports it back without recommendation SB 201 1/30/86
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS

Chairman

Chairman recommendation

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SSB 201(Fin)
 Title: "An Act creating a public access fund."
 Sponsor: Senator Rodey
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Revenue
 Program Category Affected: Administrative Services
 BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING			0			
100 PERSONAL SERVICES			0			
200 TRAVEL			0			
300 CONTRACTUAL			0			
400 SUPPLIES			0			
500 EQUIPMENT			0			
600 LAND & STRUCTURES			0			
700 GRANTS, CLAIMS			0			
800 MISCELLANEOUS			0			
TOTAL OPERATING			0			
CAPITAL			0			
REVENUE			0			

FUNDING: (Thousands of Dollars)

GENERAL FUND			0			
FEDERAL FUNDS			0			
OTHER			0			
TOTAL			0			

POSITIONS:

FULL-TIME			0			
PART-TIME			0			
TEMPORARY			0			

ANALYSIS: Attach a separate page if necessary

Prepared By: Senator Jan Faiks Phone: 465-4523
 Division: Co-chairman Date: 1/30/86
Senate Finance Committee
 Approved by Commissioner: _____ Date: _____
 Agency: _____

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

7/1/84

Bradley
1/29/86

Original sponsors: Rodey, Bennett,
Kerttula, et al

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 201 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act creating a public access fund."

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

8 * Section 1. FINDINGS. The legislature finds that the people of the
9 state desire to ensure and improve public access to areas of recreational
10 value and enjoyment in the state. Therefore, the legislature shall estab-
11 lish a public access fund in the general fund.

12 * Sec. 2. AS 38.05 is amended by adding a new section to read:

13 Sec. 38.05.874. PUBLIC ACCESS FUND CREATED. (a) There is
14 created in the general fund a public access fund. The fund consists
15 of money derived under this subsection and contributions from
16 individuals and corporations. The fund shall be invested by the
17 commissioner of revenue. The legislature may appropriate money to the
18 fund. The commissioner of revenue shall prepare the permanent fund
19 dividend application to allow applicants to designate that \$5 of the
20 dividend be subtracted from their check and deposited in the public
21 access fund. The Department of Revenue may use money in the public
22 access fund to pay administrative costs incurred under this
23 subsection.

24 (b) Except as provided in (a) of this section, the commissioner
25 of natural resources shall administer the fund. The commissioner of
26 natural resources, after public hearings and in consultation with the
27 commissioner of fish and game and the commissioner of transportation
28 and public facilities, may purchase and lease land, easements, and
29 rights of way to enhance public access to recreational areas.

1 (c) Title to rights of public access to recreational areas
2 obtained by the commissioner of natural resources vests in the state.
3 If land is acquired for substantially less than fair market value the
4 commissioner of natural resources shall include in an instrument
5 conferring title on the state a clause requiring that the land be used
6 for public access and providing that if the property ceases to be used
7 for public access, it will automatically revert to the grantor and to
8 the heirs of the grantor. However, if the commissioner of natural
9 resources, after public hearing, authorizes the sale or exchange of a
10 right of public access in return for a similar or better right of
11 public access, the sale or exchange is valid and the property does not
12 revert to the grantor or to the heirs of the grantor.

13 (d) The commissioner of natural resources may adopt regulations
14 under the Administrative Procedure Act (AS 44.62) that are necessary
15 to carry out the purposes of this section.
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ANALYSIS FOR SENATE BILL 201

An Act creating a public access fund

Section 1

The Legislature finds that the people of Alaska desire to improve public access to the state's recreational areas. Therefore, the Legislature establishes the Public Access Fund in the general fund.

Section 2

Title 16, Fish and Game, is amended by the addition of a new section which creates the Public Access Fund within the Department of Fish and Game.

- 1) The fund consists of contributions from individuals and corporations. The state may also contribute to the fund.
- 2) The Commissioner of Fish and Game shall administer the fund. After public hearings and consultation with the Commissioners of DNR and DOT/PF, may purchase or lease land which would improve public access to recreational areas.
- 3) The Department of Revenue shall inform all Permanent Fund Dividend applicants about the Public Access Fund. Applicants may designate all or a portion of their Permanent Fund dividend directly to the Public Access Fund.
- 4) Title to the lands acquired by the Public Access Fund shall rest with the State.
- 5) The Department of Fish and Game may adopt regulations to carry out the purposes of this act.

The Department of Revenue estimates a one time cost of \$54,800 (from Permanent Fund Dividends) to cover necessary computer program changes.

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No: CSSB 201 (Finance)
Title: An act creating a public access fund.

Sponsor: Senator Rodey
Requestor: Senate Finance
Date of Request: 1/24/86

FISCAL DETAIL

Agency Affected: Revenue
BRU: Administrative Services

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
OPERATING						
PERSONAL SERVICES	-	14.1	6.2	6.2	6.2	6.2
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	-	6.0	6.0	6.0	6.0	6.0
SUPPLIES	-	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	-	20.1	12.2	12.2	12.2	12.2
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	20.1	12.2	12.2	12.2	12.2
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	-	20.1	12.2	12.2	12.2	12.2

POSITIONS:

FULL-TIME	-	-	-	-	-	-
PART-TIME	-	-	-	-	-	-
TEMPORARY	-	-	-	-	-	-

ANALYSIS: Attach a separate page if necessary

See attached

Prepared By: Ervin B. Jones
Division: Administrative Services

Phone: 465-2313
Date: 1/29/86

Approved by Commissioner: [Signature]
Agency: Revenue

Date: 1/29/86

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Department of Revenue
Administrative Services Division
Fiscal Note Analysis
CSSB 201 (Finance)
1/29/86

Assumptions:

- 1) It is assumed that the provision of this bill would only be effective for PFD years 1987 and thereafter. This assumption is necessary because the 1986 PFD applications are already being printed. The addition of the option envisioned by this bill will cause major revisions to the construction of the packet, and would most certainly cause re-bidding of the printing project. The result would be a late filing period and significant program costs and public confusion and discontent. Alternatively, the creation of a separate form would create substantial new program costs, not addressed in this fiscal note, and considerable public confusion.

It is assumed that the Department of Revenue may comply with the above section of the bill by providing a "check-off" on the 1987 PFD form itself, or an attendant schedule.

- 2) The choice, once made on the PFD application, is irrevocable for that year.
- 3) The dividend is still subject to attachment. Only after those attachments are satisfied will this pledge be recognized.

Program Summary

The application for the 1987 PFD would be revised, providing for a "check-off" for the public access fund, and explaining the option to all applicants.

The Document Processing group will need to review applications for the donation option and the data entry section will be keying additional information on each application. This will be accomplished by extending a seasonal Data Entry Clerk I by three months.

Data capture programs, batch programs, screen programs, history files and all other DP programs would be modified to record the potential choice and to direct payment of the portion selected to the fund. The PFD applicant choosing to contribute to the fund would be notified by mail at the time of PFD distribution that the selected portion of the PFD had been paid directly to the public access fund. The accounting controls on the dividend fund and the warrant issues will become much more complicated by the introduction of myriad warrant amounts. It would be much preferred from a program sense if the opportunity to pledge one's PFD was limited to a fixed dollar amount, or failing that, limited to fixed percentages (e.g. 25%, 50%, 75%, 100%). The Department of Fish & Game would be provided an accounting of the number of

applicants contributing to the public access fund each year, and the total amount transferred to the fund. The attached schedule provides a breakdown of the estimate of man-hours required to accomplish the programming.

The cost of implementing this bill is directly related to the number of choices offered to the PFD applicant. The costs below are based on a single, fixed dollar option.

1. Positions

1 PFT Analyst/Programmer IV, R 19 at \$3,966.42/Mo.
including salary and benefits for 2 months = \$7.9

This position will augment the regular DP staff to perform the system analysis and programming required, as described above. This funding would be needed for design and programming only, with maintenance of the changes and new programs to be done by current staff.

1 PPT Data Entry Clerk I, R 8 at \$2,058.61/Mo
including salary and benefits, for 3 months = \$6.2

This position would perform the equivalent additional data capture (ongoing requirement)

TOTAL Personal Services \$14.1

2. Other Expenditures:

a) Travel - None. \$-.0-

b) Contractual - Add an additional page to the PFD booklet to display the contribution choice available. Although the Department was able to squeeze the Olympic Fund check-off on the existing form, the addition of another option, however simple will require another printed page. \$-6.0-

c) Supplies - None. \$-.0-

d) Equipment - will use existing work areas \$-.0-

TOTAL EXPENDITURES \$20.1

3. Funding - General Fund.

4. Section Cost Analysis - N/A.

Computations - N/A.

Economic Impact - N/A.

Impact on Local Government - N/A.

Attachments: None

Suggested revisions: None.

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No: CSSB 201
Title: An act creating a public access fund.

Sponsor: Senator Rodey
Requestor: Senate Finance
Date of Request: 1/24/86

FISCAL DETAIL

Agency Affected: Revenue
BRU: Administrative Services

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
OPERATING						
PERSONAL SERVICES	-	14.1	6.2	6.2	6.2	6.2
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	-	6.0	6.0	6.0	6.0	6.0
SUPPLIES	-	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	-	20.1	12.2	12.2	12.2	12.2
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	-	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	20.1	12.2	12.2	12.2	12.2
TOTAL	-	20.1	12.2	12.2	12.2	12.2

POSITIONS:

FULL-TIME	-	-	-	-	-	-
PART-TIME	-	-	-	-	-	-
TEMPORARY	-	-	-	-	-	-

ANALYSIS: Attach a separate page if necessary

See attached

Prepared By: Ervin B. Jones
Division: Administrative Services

Phone: 465-2313
Date: 1/27/86

Approved by Commissioner: Mary G. Skelton
Agency: _____

Date: 1/27/86

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Department of Revenue
Administrative Services Division
Fiscal Note Analysis
CSSB 201
1/27/86

Assumptions:

- 1) It is assumed that the provision of page 1, line 2-8 and page 2, line 1 would only be effective for PFD years 1987 and thereafter. This assumption is necessary because the 1986 PFD applications are already being printed. The addition of the option envisioned by this bill will cause major revisions to the construction of the packet, and would most certainly cause re-bidding of the printing project. The result would be a late filing period and significant program costs and public confusion and discontent. Alternatively, the creation of a separate form would create substantial new program costs, not addressed in this fiscal note, and considerable public confusion.

It is assumed that the Department of Revenue may comply with the above section of the bill by providing a "check-off" on the 1987 PFD form itself, or an attendant schedule.

- 2) The choice, once made on the PFD application, is irrevocable for that year.
- 3) The dividend is still subject to attachment. Only after those attachments are satisfied will this pledge be recognized.

Program Summary

The application for the 1987 PFD would be revised, providing for a "check-off" for the public access fund, and explaining the option to all applicants.

The Document Processing group will need to review applications for the donation option and the data entry section will be keying additional information on each application. This will be accomplished by extending a seasonal Data Entry Clerk I by three months.

Data capture programs, batch programs, screen programs, history files and all other DP programs would be modified to record the potential choice and to direct payment of the portion selected to the fund. The PFD applicant choosing to contribute to the fund would be notified by mail at the time of PFD distribution that the selected portion of the PFD had been paid directly to the public access fund. The accounting controls on the dividend fund and the warrant issues will become much more complicated by the introduction of myriad warrant amounts. It would be much preferred from a program sense if the opportunity to pledge one's PFD was limited to a fixed dollar amount, or failing that, limited to fixed percentages (e.g. 25%, 50%, 75%, 100%). The Department of Fish & Game would be provided an accounting of the number of

applicants contributing to the public access fund each year, and the total amount transferred to the fund. The attached schedule provides a breakdown of the estimate of man-hours required to accomplish the programming.

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1. Positions

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including salary and benefits for 2 months = \$7.9

This position will augment the regular DP staff to perform the system analysis and programming required, as described above. This funding would be needed for design and programming only, with maintenance of the changes and new programs to be done by current staff.

1 PPT Data Entry Clerk I, R 8 at \$2,058.61/Mo
including salary and benefits, for 3 months = \$6.2

This position would perform the equivalent additional data capture (ongoing requirement)

TOTAL Personal Services \$14.1

2. Other Expenditures:

a) Travel - None. \$-.0-

b) Contractual - Add an additional page to the PFD booklet to display the contribution choice available. Although the Department was able to squeeze the Olympic Fund check-off on the existing form, the addition of another option, however simple will require another printed page. \$-6.0-

c) Supplies - None. \$-.0-

d) Equipment - will use existing work areas \$-.0-

TOTAL EXPENDITURES \$20.1

3. Funding - General Fund.

4. Section Cost Analysis - N/A.

Computations - N/A.

Economic Impact - N/A.

Impact on Local Government - N/A.

Attachments: None

Suggested revisions: Amend page 1, lines 22 - 28 to read: (b) The commissioner of revenue shall inform all applicants for permanent fund dividends about the public access fund. [The commissioner of revenue shall permit an applicant for a permanent fund dividend to pledge the applicant's dividend or a portion of it directly to the public access fund; and an applicant may authorize the commissioner to pay the applicant's dividend or a portion of it directly to the fund.] The commissioner of revenue shall prepare the permanent fund dividend application to allow applicants to designate the \$5 of the dividend be subtracted from the check and contributed to the public access fund.

Wang data entry processing 75.0 hours
Includes: Data entry
Batch lists
Corrections
Wang to IBM transfer

IBM Update jobs 30.0 hours
Includes: Edits
Batch listings
Log sheets

DMS Online programs for lookup and changes . . . 37.5 hours

Nightly Update of Changes 22.5 hours

Warrant Jobs 90.0 hours
Includes: Printing warrants with different
amounts. Include check stub messages.
Modify warrant registers as needed
for balancing.
Create new program(s) for generating
lists and/or tapes to transmit to Admin
for distribution of funds to Olympic
committee.

Misc 45.0 hours
Includes: Setting up test files on IBM
Systems testing
Administrative functions i.e.
paper work required by Admin D.P.
to add files and programs to tables.

TOTAL HOURS 300.0 hours

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date _____

REQUEST

Bill/Resolution No: SB201
 Title: An Act creating a public access fund
 Sponsor: Rodey, et al
 Requestor: Senate Resources Committee
 Date of Request: March 6, 1985

FISCAL DETAIL

Agency Affected: Department of Revenue
 Program Category Affected: General Government
 BRU, Program or Subprogram(s) Affected: Permanent Fund Dividend

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES	-	-	-	-	-	-
200 TRAVEL	-	-	-	-	-	-
300 CONTRACTUAL	-	-	-	-	-	-
400 SUPPLIES	-	-	-	-	-	-
500 EQUIPMENT	-	-	-	-	-	-
600 LANDS & STRUCTURES	-	-	-	-	-	-
700 GRANTS, CLAIMS	-	-	-	-	-	-
800 MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	-	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	-	-	-	-	-	-
PART-TIME	-	-	-	-	-	-
TEMPORARY	-	-	-	-	-	-

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

No fiscal impact.

ANALYSIS: Attach a separate page for analysis.

SB201 will not have a significant impact on this agency.

Prepared By: Dale Smith
 Division: Public Services

Phone: 465-2392
 Date: March 7, 1985

Approved by Commissioner: Henry P. Stordahl
 Agency: Department of Revenue

Date: 3/19/85

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date _____

REQUEST

Bill/Resolution No: SB 201
 Title: Creating a public access fund
 Sponsor: Rodey, Bennett, et al
 Requestor: Senate Resources
 Date of Request: 3/6/85

FISCAL DETAIL

Agency Affected: Revenue
 Program Category Affected: General Government
 BRU, Program of Subprogram(s) Affected: Permanent Fund Dividend -
 Administrative Services Division

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES	-	49.2	-	-	-	-
200 TRAVEL	-	0	-	-	-	-
300 CONTRACTUAL	-	5.6	-	-	-	-
400 SUPPLIES	-	0	-	-	-	-
500 EQUIPMENT	-	0	-	-	-	-
600 LANDS & STRUCTURES	-	0	-	-	-	-
700 GRANTS, CLAIMS	-	0	-	-	-	-
800 MISCELLANEOUS	-	0	-	-	-	-
TOTAL OPERATING	-	54.8	-	-	-	-
CAPITAL						
	-	0	-	-	-	-
REVENUE						
	-	0	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	0	-	-	-	-
FEDERAL FUNDS	-	0	-	-	-	-
OTHER (PFD)	-	54.8	-	-	-	-
TOTAL	-	0	-	-	-	-

POSITIONS:

FULL-TIME	-	1	-	-	-	-
PART-TIME	-	0	-	-	-	-
TEMPORARY	-	0	-	-	-	-

ANALYSIS: Attach a separate page if necessary.

See attached

Prepared By: Ervin B. Jones, Director
 Division: Administrative Services
 Approved by Commissioner: Henry H. Sturdale
 Agency: Revenue

Phone: 465-2313
 Date: 5/18/85
 Date: 3/19/85

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

10-2-85

Department of Revenue
Administrative Services Division
Fiscal Note Analysis
SB 201
3/18/85

Assumptions:

- 1) Since the 1985 program is well underway, and most Alaskans will have applied for their 1985 dividend long before this bill could become law, it is assumed that the provision of page 1, line 25 - 29 and page 2, line 1 would not be effective until January 1, 1986 for PFD years 1986 and thereafter.
- 2) It is assumed that the Department of Revenue may comply with the above section of the bill by providing a "check-off" on the PFD form itself, instead of having to provide a separate form with separate instructions, processing, etc.
- 3) A minimal response would be received.
- 4) If an applicant chooses to contribute the PFD to the public access fund, it is not subject to attachment for any reason.
- 5) The choice, once made on the PFD application, is irrevocable for that year.

Program Summary

The application for the 1986 PFD would be revised, providing for a "check-off" for the public access fund, and explaining the option to all applicants. Data capture programs, batch programs, screen programs, history files and all other DP programs would be modified to record the potential choice and to direct payment to the fund versus the applicant. A receipt would be designed to send to the PFD applicant choosing to contribute to the fund. This receipt would be sent to the applicant in lieu of a check. The Department of Fish & Game would be provided an accounting of the number of applicants contributing to the public access fund each year, and the total amount transferred to the fund.

Positions:

1 PFT Analyst/Programmer IV, R 19,
@ \$4,100.75/Mo including salary and
benefits for 12 months = \$49,209

This position would modify all existing programs as indicated. Maintenance in future years would be performed by existing staff. On the assumption of low participation, no additional keypunch help would be needed.

Other Expenditures

Contractual

1 Wang 4250 workstation rented for 12 months
@ \$398/Mo, + \$805 for an emulator board, so
it may be used both as a Wang VS terminal and
an IBM 3278 terminal by the Analyst/Programmer
in programming both systems =

\$5,581

TOTAL EXPENDITURES

\$54,790

SB201
March 7, 1985

Distribution (by Agency preparing fiscal note):

Legislative Finance

Legislative Sponsor

Requestor

Office of Management and Budget

Impacted Agency(ies)

Offered: 4/22/85
Referred: Finance

Original sponsors: Rodey, Bennett,
Kerttula, et al

1 IN THE SENATE BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 201 (Resources)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act creating a public access fund."

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

8 * Section 1. FINDINGS. The legislature finds that the people of the
9 state desire to ensure and improve public access to areas of recreational
10 value and enjoyment in the state. Therefore, the legislature shall estab-
11 lish a public access fund in the general fund.

12 * Sec. 2. AS 16.05 is amended by adding a new section to read:

13 Sec. 16.05.135. PUBLIC ACCESS FUND CREATED. (a) There is
14 created in the general fund a public access fund. The fund is estab-
15 lished in the Department of Fish and Game and consists of contribu-
16 tions from individuals and corporations. The state may contribute to
17 the fund. The commissioner shall administer the fund. The commis-
18 sioner, after public hearings and consultation with the commissioner
19 of natural resources and the commissioner of transportation and public
20 facilities, may purchase and lease land, easements, and rights of way
21 to enhance public access to recreational areas.

22 (b) The commissioner of revenue shall inform all applicants for
23 permanent fund dividends about the public access fund. The commis-
24 sioner of revenue shall permit an applicant for a permanent fund
25 dividend to pledge the applicant's dividend or a portion of it
26 directly to the public access fund, and an applicant may authorize the
27 commissioner to pay the applicant's dividend or a portion of it
28 directly to the fund.

29 (c) Title to rights of public access to recreational areas

1 obtained by the commissioner vests in the state. If land is acquired
2 for less than fair market value the commissioner shall include in an
3 instrument conferring title on the state a clause requiring that the
4 land be used for public access and providing that if the property
5 ceases to be used for public access, it will automatically revert to
6 the grantor and to the heirs of the grantor. However, if the commis-
7 sioner, after public hearing, authorizes the sale or exchange of a
8 right of public access in return for a similar or better right of
9 public access, the sale or exchange is valid and the property does not
10 revert to the grantor or to the heirs of the grantor.

11 (d) The commissioner may adopt regulations under the Administra-
12 tive Procedure Act (AS 44.62) that are necessary to carry out the
13 purposes of this section.

Introduced: 2/28/85
Referred: Resources and
Finance

BY RODEY, BENNETT, KERTTULA,
JOSEPHSON, HALFORD, ABOOD,
FAIKS AND RAY

1 IN THE SENATE

2

SENATE BILL NO. 201

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act creating a public access fund."

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

8 * Section 1. FINDINGS. The legislature finds that the people of the
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11 public access fund in the general fund.

12 * Sec. 2. AS 16.05 is amended by adding a new section to read:

13 Sec. 16.05.135. PUBLIC ACCESS FUND CREATED. (a) There is
14 created in the general fund a public access fund. The fund is estab-
15 lished in the Department of Fish and Game and consists of contribu-
16 tions from individuals and corporations. The state may contribute to
17 the fund. The public access fund committee shall administer the fund.
18 The committee shall select and purchase land, easements, and rights of
19 way to enhance public access to recreational areas.

20 (b) The committee is composed of five members appointed by the
21 governor who serve at the pleasure of the governor. Members of the
22 committee serve without compensation but are entitled to per diem and
23 travel expenses authorized for boards and commissions under
24 AS 39.20.180.

25 (c) The Department of Revenue shall inform all applicants for
26 permanent fund dividends about the public access fund. The commis-
27 sioner of revenue shall provide applicants with a form, addressed to
28 the commissioner, on which the applicant may pledge the applicant's
29 permanent fund dividend to the public access fund and may authorize

1 the commissioner to pay the applicant's dividend directly to the fund.

2 (d) Title to rights of public access to recreational areas
3 obtained by the committee shall vest in the state. The instrument
4 conferring title on the state must include a clause requiring that the
5 land be used in perpetuity for public access and that if the property
6 ceases to be used for public access, it will automatically revert to
7 the grantor. However, if the committee, after public hearing, author-
8 izes the sale or exchange of a right of public access in return for a
9 similar or better right of public access, the sale or exchange is
10 valid and the property does not revert to the grantor.

COMMITTEE REPORT
SENATE

FINANCE

FURTHER:

2/28/85

Date 4/19/85

Mr. President

RESOURCES

SB 201

The Committee on _____ considered _____
creating a public access fund.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for SB 201 (RESOURCES)
- new title
- same title and recommends _____
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

[Signature]
[Signature]
[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS

[Signature] (No Rec)
[Signature] (No Rec)

[Signature]
Chairman
Do Pass
Chairman recommendation