

SB

137

3/15/88
4 (213)
FIR
F

FISCAL NOTE

REQUEST:

Revision Date: 3/8/88
Title: An act relating to state land withdrawn from mineral location, etc.
Sponsor: Coghill, Faiks, et. al.
Requestor: House Resources

Agency Affected: Natural Resources
BRU: Geological and Geophysical Surveys
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	35	35	35	35	35	35
TRAVEL	5	5	5	5	5	5
CONTRACTUAL	25	25	25	25	25	25
SUPPLIES	5	5	5	5	5	5
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	70	70	70	70	70	70

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	70	70	70	70	70	70
FEDERAL FUNDS						
OTHER						
TOTAL	70	70	70	70	70	70

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary) The fiscal consequences of SB 137 are difficult to quantify precisely because the projected offer is directly related to the amount of land withdrawn from mineral entry in any one calendar year and the amount of resource information readily available for each parcel.

Prepared by: Wyatt Gilbert Phone: 465-2520
Division: Geological and Geophysical Surveys Date: 3/8/88

Approved by Commissioner: Jennie Gomb Date: 3-8-88
Agency: Natural Resources

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

RECEIVED
MAR 15 1988

Senate Bill 137

Bill Analysis

One can give a general estimate needed to track the withdrawals and to carry out a minimum field analysis and sampling program. The projected expenditures for each fiscal year are as follows:

100 - 35.0	6 months' salary and benefits for Geol. IV
200 - 5.0	Travel to withdrawal and field per diem
300 - 25.0	Helicopter expenses (18.0) Geochemical, mineral and petrographic analyses (7.0)
400 - 5.0	Field supplies and equipment (3.0) Office supplies (2.0)

Fiscal Note
3/8/88
page 2 of 2

SENATE COMMITTEE REPORT

FURTHER:

4/22/87

DATE TURNED INTO OFFICE 5/4/87

Mr. President:

FINANCE

Committee considered SB 137

definition of 'multiple use'

and recommended:

replace with CS FOR _____) same title
 or adopt _____ CS FOR SB 137 (Pass)) new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted _____

Committee attached or adopted fiscal note(s)

new updated or previous

zero fiscal impact

\$70.0

MEMBERS SIGNING DO PASS

Walter Hume

Paul Fink

[Signature]

OTHER RECOMMENDATIONS

Paul Finkoff No Rec

Jan D... No Rec

John Kelly (NO REC)

[Signature] DO PASS
Chairman signature and recommendation

Committee Backup Attached

11/3

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____
 Revision Date: 4/13/87
 Title: An act relating to state land withdrawn from mineral location, etc.
 Sponsor: Coghill, Faiks, et al
 Requestor: Senate Resources

Bill Version: SB 137
 Publish Date: _____

Agency Affected: Natural Resources
 BRU: Geological and Geophysical Surveys
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	35	35	35	35	35	35
TRAVEL	5	5	5	5	5	5
CONTRACTUAL	25	25	25	25	25	25
SUPPLIES	5	5	5	5	5	5
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	70	70	70	70	70	70

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	70	70	70	70	70	70
FEDERAL FUNDS						
OTHER						
TOTAL	70	70	70	70	70	70

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

The fiscal consequences of SB 137 are difficult to quantify precisely because the projected offer is directly related to the amount of land withdrawn from mineral entry in any one calendar year and the amount of resource information readily available for each parcel.

Prepared by: Wyatt Gilbert Phone: 465-2520
 Division: Geological and Geophysical Surveys Date: 4/13/87

Approved by Commissioner: [Signature] Date: 4/15/87
 Agency: Natural Resources

Distribution (by preparer):

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

APR 17 1987

LEGISLATIVE FINANCE

Original sponsors: Coghill, Faiks,
Bennett, et al.

1 IN THE SENATE BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 137 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state land withdrawn from mineral
7 location or mining."

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

9 * Section 1. AS 38.05.185 is amended by adding new subsections to read:

10 (d) The commissioner shall submit a report to the legislature
11 and to the governor within the first 10 days of the convening of each
12 regular session of the legislature detailing the state land closed to
13 mineral location and mining during the previous calendar year. The
14 report shall include

- 15 (1) the known resource values of the area;
16 (2) the reason for the closure;
17 (3) the effective date of the closure; and
18 (4) the legal description of the land involved in the
19 closure.

20 (e) Each area closed under (a) of this section remains closed to
21 mineral location and mining until the commissioner issues an order
22 altering the status of the land or until the closure is disapproved by
23 act of the legislature. An act of the legislature disapproving a
24 closure by the commissioner may make recommendations to the commis-
25 sioner on future management of the area involved.

26 (f) Each report prepared under (d) of this section that reports
27 on an area of more than 5,120 acres shall include a mineral assessment
28 report for the area.

29 (g) Every 10 years, the commissioner shall submit a report to

1 the governor and the legislature concerning state land that is at that
2 time withdrawn from mineral location or mining, including state land
3 withdrawn from multiple use by the legislature. The commissioner may
4 make recommendations in each report regarding existing closures of
5 state land.

6 * Sec. 2. Notwithstanding AS 38.05.185(g), as enacted by sec. 1 of this
7 Act, the first report to the governor and legislature shall be delivered to
8 the legislature five years after the effective date of this Act.

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____

Bill Version : SB137
Publish Date : 2/19/87

Revision Date: _____
Title: An Act Relating to the Definition
of Multiple Use
Sponsor: Cochill, et al.
Requestor: _____

Agency Affected: Fish and Game
BRU: _____
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		0				
TRAVEL		0				
CONTRACTUAL		0				
SUPPLIES		0				
EQUIPMENT		0				
LAND & STRUCTURES		0				
GRANTS, CLAIMS		0				
MISCELLANEOUS		0				
TOTAL OPERATING		0				

CAPITAL		0				
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REVENUE		0				
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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: Bruce Baker
Division: Habitat

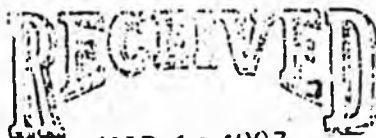
Phone: 465-4105
Date: 3/3/87

Approved by Commissioner: Orin Collinsworth
Agency: Department of Fish and Game

Date: 3-12-87

Distribution (by preparer):

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



MAR 13 1987



STATE OF ALASKA
OFFICE OF THE GOVERNOR
BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Habitat	BILL NUMBER SB 137	SPONSOR Cochill, et al.
DEPARTMENT POSITION Oppose			
PREPARED BY Habitat Division	DATE 3/5/87	COMMISSIONER'S SIGNATURE <i>Donnell</i>	DATE 3-12-87

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Department of Natural Resources	CONSTITUENT GROUP(S) AFFECTED BY BILL All Users of State Land
ORGANIZATIONAL SUPPORT FOR BILL Unknown	ORGANIZATIONAL OPPOSITION TO BILL Unknown

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

The existing definition of "multiple use" is consistent with the state's constitutional provision that "Fish, forest, wildlife, grasslands, and all other replenishable resources belonging to the State should be utilized, developed, and maintained on the sustained yield principle, subject to preferences among beneficial uses." The existing language accommodates the (continued below)

ANALYSIS OF BILL/PROGRAM EFFECTS

commonly recognized fact that all potential natural resource uses may not be compatible on every acre. The current definition also allows for the objective and reasonable identification of appropriate primary, secondary, and incompatible uses on an area-specific basis.

The definition of "multiple use" in SB 137 emphasizes that the land be used for "all" rather than "some or all" resources. Although SB 137's reduced emphasis on "the use of the land for less than all of the resources," is accompanied by the added qualification that multiple use "does not exclude compatible competing uses," the latter requires that individual determinations be made as to whether competition between uses is great enough to result in incompatibility. There is concern that such compatibility tests may 1) unduly tax already strained agency staffs and budgets, 2) create delays in land use decisions that would be burdensome to private industry and the general public, and 3) place the burden of proof unduly upon those attempting to utilize those resources that are often the most difficult to quantitatively value.

AMENDMENTS PROPOSED

None

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

BILL ANALYSIS (Continued)

To the extent that SB 137 also proposes to supplant the multiple use definition in the state's Forest Resources and Practices Act, it would eliminate the current provision that "consideration be(ing) given to the relative values of the various resources, and not necessarily the combination of uses that will give the greatest dollar return or the greatest unit output." This provision in existing statute is especially valuable insofar as it recognizes the fact that certain fish, wildlife, and other resource values may not be as easily quantified in economic terms as may timber and certain nonrenewable resources.

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of ✓ 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER:

*Rolls ?
Finance ?*

**FISCAL NOTE(S) ATTACHED ✓ **
IN ACCORDANCE WITH AS 24.08.035
(see below)

2/19/87

DATE TURNED INTO OFFICE _____

Mr. President:

RESOURCES _____ Committee considered _____ SB 137

~~relating to~~ the definition of 'multiple use'

and recommended:

replace with CS SB 137 (res) same title
 new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted and attached

** Committee attached or adopted fiscal note(s)
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Paul Grider

William H. Lee
James H. ...

[Signature]
Chairman signature and recommendation

Committee Backup Attached

1 IN THE SENATE

BY COGHILL, FAIKS, BENNETT,
JONES AND FAHRENKAMP

2

SENATE BILL NO. 137

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the definition of 'multiple
7 use'."

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

9 * Section 1. AS 38.04.910(4) is amended to read:

10 (4) "multiple use"

11 (A) means the management of state land and its various
12 resource values so that it is used in the combination that will
13 best meet the present and future needs of the people of Alaska,
14 making the most judicious use of the land for [SOME OR] all of
15 the [THESE] resources or related services over areas large enough
16 to provide sufficient latitude for periodic adjustments in use to
17 conform to changing needs and conditions; [IT]

18 (B) includes

19 (i) [(A)] the use of the [SOME] land for less
20 than all of the resources but does not exclude compatible
21 competing uses; [,] and

22 (ii) [(B)] a combination of balanced and diverse
23 resource uses that takes into account the short-term and
24 long-term needs of present and future generations for renew-
25 able and nonrenewable resources, including, but not limited
26 to, recreation, range, timber, minerals, watershed, wildlife
27 and fish, and natural scenic, scientific, and historic
28 values;

29 * Sec. 2. AS 41.17.950(8) is amended to read:

1 (8) "multiple use" has the meaning given in AS 38.04.910

2 [MEANS

3 (A) THE MANAGEMENT OF ALL THE VARIOUS RESOURCES OF
4 FOREST LAND SO THAT THEY ARE USED IN THE COMBINATION THAT WILL
5 BEST MEET THE NEEDS OF THE CITIZENS OF ALASKA, MAKING THE MOST
6 JUDICIOUS USE OF THE LAND FOR SOME OR ALL OF THESE RESOURCES OR
7 RELATED VALUES, BENEFITS, AND SERVICES OVER AREAS LARGE ENOUGH TO
8 PROVIDE SUFFICIENT LATITUDE FOR PERIODIC ADJUSTMENTS IN USE TO
9 CONFORM TO CHANGING NEEDS AND CONDITIONS;

10 (B) THAT SOME LAND WILL BE USED FOR LESS THAN ALL OF
11 THE RESOURCES; AND

12 (C) HARMONIOUS AND COORDINATED MANAGEMENT OF THE
13 VARIOUS RESOURCES, EACH WITH THE OTHER, WITHOUT SIGNIFICANT
14 IMPAIRMENT OF THE PRODUCTIVITY OF THE LAND AND WATER, WITH CON-
15 sideration being given to the relative values of the various
16 resources, and not necessarily the combination of uses that will
17 give the greatest dollar return or the greatest unit [output];