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546

SENATE COMMITTEE REPORT
FIRST COMMITTEE OF REFERRAL

DATE: 4/11/90

FURTHER:

Date of 5-Day Notice: _____
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: _____

Resources Committee considered SB 546

Dept. of Natural Resources as the platting authority in certain areas of the state; efd.

and recommended:

- replace with _____ CS _____ same title
- attached amendment(s) new title
- _____ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

ATTACHES NEW FISCAL NOTE(S):

Department(s)/Date:

Department(s)/Date:

fiscal note(s) _____

zero fiscal note(s) _____

appropriation-no fiscal note

Governor's bill w/fiscal note

SIGNING DO PASS:

[Signature]

OTHER RECOMMENDATIONS:

Julius Sturgulew No Rec
Paul [unclear] No Rec
Rick Halford NO REC

[Signature]

Chair: Signature and Recommendation

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

400 WILLOUGHBY AVE.
JUNEAU, ALASKA 99801-1796
PHONE: (907) 465-2400

April 30, 1990

The Honorable Bettye Fahrenkamp
Chair, Senate Resource Committee
P.O. Box V
Juneau, AK 99811

Dear Senator Fahrenkamp:

Subject: SB 546, An Act establishing the Department of Natural Resources (DNR) as the platting authority in certain areas of the state, and providing for an effective date.

Position: The department supports this legislation. There will be review time, clerical and supply costs, and minimal travel associated with exercising this authority.

Background: In the spring of 1988, then Commissioner of the Department of Natural Resources, Judith Brady, appointed a survey and mapping advisory board to investigate and make recommendations on platting problems in areas not presently under platting authority. This board reached the conclusions that all new subdivisions of land should be created by reference to a plat, (with exceptions for 40-acre and larger aliquot parts in surveyed sections) that each plat has certain fundamental information and signature requirements and that minimal monumentation should exist or be established for each subdivision. This legislation was developed at the request of the Surveying and Mapping Advisory Board to establish DNR as platting authority in all areas of the state presently lacking such authority and to establish minimal platting requirements to be adhered to in those areas. DNR is already the platting authority in those areas for purposes of replat and vacation activities.

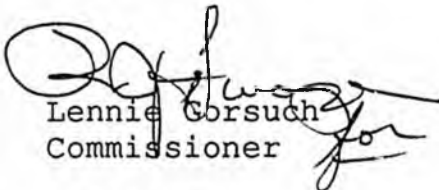
- * The bill specifically prevents the institution of regulations requiring engineering, design, or zoning considerations by the platting authority. This will eliminate the need for public hearings except in the case of replats or vacations.

April 30, 1990

- * This is public service legislation designed to fill a void in the land record system by assuring that plats are filed and to minimal standards.
- * This legislation is substantially as presented to the Commissioner and she assured the advisory board she would support. We will have to assure this does not conflict with or alter AS 38.09 requiring DNR to pass title to homestead lands by aliquot part descriptions. Otherwise additional monumentation will be required.
- * It will require the setting of additional aliquot part corners for unsurveyed aliquot part disposals creating more than five parcels within a section. The management staff feels small aliquot parts should not be created without denser monumentation, and there is currently a draft director's policy establishing this as DLWM policy already being considered.

Please contact me or my staff if you have any questions.

Sincerely,


Lennie Gorsuch
Commissioner

Enclosure

cc: Bill Sponsor
Committee Members
Bob Evans, Legislative Liaison
Office of the Governor
Denby Lloyd, Special Staff Assistant
Office of the Governor
Gary Gustafson, Director
Division of Land and Water Management

STATE OF ALASKA
1990 LEGISLATIVE SESSION

BILL VERSION : SB 546
PUBLISH DATE : _____

FISCAL NOTE

REQUEST:

Revision Date: 27-Apr-90 Agency Affected: Natural Resources
 Title: An Act establishing DNR as the BRU: Land & Water Mgmt
plating authority in certain areas of the State.
 Sponsor: Senate Resources Components: Land & Water Mgmt
 Requestor: Senate Resources

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	73.0	76.4	78.7	81.0	83.3	85.6
TRAVEL	5.0	5.0	5.0	5.0	5.0	5.0
CONTRACTUAL	2.0	2.0	2.0	2.0	2.0	2.0
SUPPLIES	1.5	1.5	1.5	1.5	1.5	1.5
EQUIPMENT	5.0	5.0				
LAND&STRUCTURES						
GRANTS,CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	87.1	89.9	87.2	89.5	91.8	94.1
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	87.1	89.9	87.2	89.5	91.8	94.1
FEDERAL FUNDS						
OTHER						
TOTAL	87.1	89.9	87.2	89.5	91.8	94.1

POSITIONS:

FULL-TIME	1.0	1.0	1.0	1.0	1.0	1.0
PART-TIME	1.0	1.0	1.0	1.0	1.0	1.0
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

See Attached

Prepared by: Jerome A. Pape Phone: 762-2424
 Division: Land & Water Management Date: 27-Apr-90
 Approved by Commissioner: [Signature] Dennie Gorsuch Date: 27-Apr-90
 Agency: Department of Natural Resources

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

Page 2
SB 546

POSITIONS:		FY 91	FY 92
Cadastral Surveyor 1	1 PFT	59.2	61.0 -
Perform plat conformance reviews and serve as contact person for landowners and registered land surveyors			
Clerk Typist III	1 PPT	14.4	15.4
TOTAL		73.6	76.4
TRAVEL	5.0		
CONTRACTUAL	2.0		
COMMODITIES	1.5		
EQUIPMENT	5.0		

Position Title CLERK TYPIST III		No. of Positions 1	Range/Step 8A	Burg. Unit GGU
Time Status PPT	Staff Months 6	Location ANCHORAGE		Election District
Justification				
Position will support the statewide platting surveyor performing reviews and oversight work associated with statewide platting authority assigned to the Department of Natural Resources. Position will type, file, make transmittals, receive mail and handle public and surveyor inquiries on platting in areas that are under the DNR platting authority.				
Type of Expenditure		Amount		
1	2	3		
Salary				
Benefits				
Premium Pay				
Other				
Total Personal Services		14.4		
Travel				
Costs actual				
Commodities	Supplies	0.5		
Equipment				
Other				
Total Cost		14.9		
Funding Source for Total Cost				
Federal Receipts	1002			
G. P. Match	1003			
General Fund	1004	14.9		
I-A Receipts	1006			
CIP Receipts	1061			
Other				

**Request For
New Position**

Agency NATURAL RESOURCES
 BRU LAND & WATER MGMT
 Component _____

Page _____ of _____
 Revised Date _____

FY 90

Position Title CADASTRAL SURVEYOR I		No. of Positions 1	Range/Step 19C	Barg. Unit GGU
Time Status PFT	Staff Months 12	Location ANCHORAGE		Election District
Justification				
Position performs work engendered by statewide platting authority statute.				
Position will review work of licensed professional land surveyors that are contracted to private land owners, and land surveyors subdividing lands for public agencies for compliance with the statewide platting authority statute.				
The statewide platting authority is a new program designed to fill a gap in the land record system and oversee platting of land subdivisions in areas lacking local platting authority.				
Type of Expenditure		Amount		
1	2	3		
Salary				
Benefits				
Premium Pay				
Other				
Total Personal Services		59.2		
Travel		5.0		
Contractual		2.0		
Commodities	Supplies	1.0		
Equipment	PC Workstation	5.0		
Other				
Total Cost		72.2		
Funding Source for Total Cost				
Federal Receipts	1002			
G. P. Match	1003			
General Fund	1004	72.2		
I-A Receipts	1006			
CIP Receipts	1061			
Other				

**Request For
New Position**

Agency NATURAL RESOURCES
 BRU LAND & WATER MGMT.
 Component _____

Page _____ of _____
 Revised Date _____

FY 90

Alaska Society of Professional Land Surveyors

AFFILIATE OF AMERICAN CONGRESS OF SURVEYING AND MAPPING
MEMBER OF WESTERN FEDERATION OF PROFESSIONAL LAND SURVEYORS



PATRICK H. KALEN, PLS
1641 Chena Ridge Rd.
Fairbanks, AK 99709
(907) 479-2628/2656

January 26, 1990

Department of Natural Resources
Lennie Gorsuch, Commissioner
Pouch M
Juneau, AK 99811

Ref: Surveying and Mapping Advisory Board Recommendations

Dear Lennie:

As we have not had a response from you concerning the recommendations of the Surveying and Mapping Advisory Board, I suspect that the issues are perhaps more complex in their ramifications than we had surmised, and that you are taking a cautious approach to our ideas. Three recommendations are paramount:

- 1) The consolidation of the surveying, land title computer/geographical information systems, and mapping within a single state division.
- 2) The creation of a State Survey Authority within the Department of Natural Resources for the unorganized Borough.
- 3) The formalization of a Surveying and Mapping Advisory Board.

On the first item, the recommendation for the creation of a new Division of Cadastral and Geodetic Surveys: you have verbally indicated your reservations about the creation of a new division. I would like to point out that the functions of surveying and mapping could be recombined within one agency at no increase in overhead (cost). I would seriously recommend that the Division of Management be considered as the best division for such a consolidation.

The Division of Land and Water Management has just too many missions to take proper notice of surveying and mapping, in my opinion. You could combine all of the service functions in a very short time, removing the conflict between the primary missions of Land and Water Management and surveying and mapping. A conflict between management and the surveying and mapping functions would remain in the Division of Management. But at least surveying and mapping would be back together, as they should be. Future administrations could consider the importance

of the conflict between administrative and other missions by the Division of Administration.

The second recommendation entails the introduction of legislation, as outlined in the report. I would hope that you could support the introduction of a bill that is based on our model platting law. It is my understanding that the professional societies, Alaska Federation of Natives, and the state agencies are unified on the need and desirability of continuing with the State Survey Authority at this time.

The third recommendation is to continue the work of the Surveying and Mapping Advisory Board. It is my understanding that the trend is toward reduction of boards and commissions, a goal that I applaud. However, it is the mission of a board, not its simple existence that should be considered. I hope that the Board's work stands as evidence that its work serves an important purpose. The state got the equivalent of a month's work out of most of the people who worked on it, at no expense to the public.

The problems we have seen as a result of the separation of the surveying and mapping functions of DNR were a direct result of the budget crisis experienced by the Sheffield Administration; as you know well. But it would be difficult to state that the DNR reorganization actually resulted in saving money. Now, we hope that you can take steps to rectify the mistakes caused by the budget crisis of 1985 and 1986.

Thank you for listening to our views.

Sincerely yours,



Patrick Kalen, PLS
Chairman of Legislative Affairs

Copy: Robert Schweitzer, Chair, Surveying & Mapping Advisory Board
Tom Knox, ASPLS President
Governor Steve Cowper
Representative Niilo Koponen
Representative Mike Davis
Senator Bettye Fahrenkamp ✓
Senator Steve Frank

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

400 WILLOUGHBY AVE.
JUNEAU, ALASKA 99801-1796
PHONE: (307) 465-2400

March 5, 1990

Robert M. Schweitzer, Chairman
Survey and Mapping Advisory Board
5313 Arctic Boulevard, Suite 201
Anchorage, AK 99518

Dear Mr. *Bob* Schweitzer:

I greatly appreciate the patience and understanding exhibited by you and other members of the Survey and Mapping Board as I deliberated in response to your November 3, 1989 recommendations. These have not been easy issues to resolve because they required careful internal review. Just the same, I sincerely apologize for the length of time necessary for this response.

As you know, on January 26, 1990, Pat Kalen, Chairman of Legislative Affairs for the Alaska Society of Professional Land Surveyors, also wrote to ask that I focus my response to the Board on three paramount recommendations. These three recommendations are listed below:

1. The consolidation of the surveying, land title computer/geographical information systems, and mapping within a single state division.
2. The creation of a State Survey Authority within DNR for the unorganized Borough.
3. The formalization of a Survey and Mapping Advisory Board.

On the first recommendation, I have reached the conclusion that the proposal to shift the Cadastral Survey Section from the Division of Land and Water Management (DLWM) to the Division of Management (DOM) would create more problems than it solves. As you know, most of the work performed by the survey section is directly related to DLWM's responsibilities (i.e. land disposals, leases, municipal land transfers, rights-of-way, title defense, and land selections). Given this close and interdependent relationship, this reorganization would decrease efficiency and require enhanced coordination. Frankly, I perceive no conflict

March 5, 1990

between the primary missions of DLWM and the department's survey functions. In fact, I consider them to be complementary.

I sense the Board is concerned with the specific roles and functions of the survey and mapping sections, and apparently believes there is a lack of communication between staff, a problem magnified because they reside in different divisions.

I agree that coordination efforts between these sections could improve. However, rather than reorganize, I have decided to immediately implement the following.

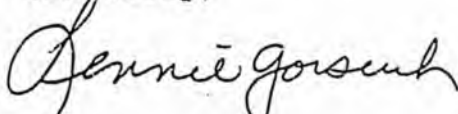
First, the Survey and Mapping Advisory Board shall be continued and include the directors of both DLWM and DOM. I further ask that these directors personally attend all future Board meetings. Second, the professional staff dealing with survey and mapping will meet regularly to explore mutual issues and improve communications.

I also firmly endorse the Board's recommendation for creation of a State Survey Authority for the unorganized Borough. I believe this proposal is long overdue and agree to help develop and support legislation as necessary to achieve this goal. It is high time the state established some control over new platting activity in the unorganized borough.

Finally, I endorse in general the recommendations of the Board pertaining to photogrammetric standards, centralized photogrammetric library, and agency coordination. My only reservations deal with funding allocations and timing. However, I believe we can work together to achieve these ends.

Bob, I thank you and the Board again for the considerable work you've contributed. If ever there was a prototype success story for a volunteer Board, you take the cake. I am deeply impressed and sincerely grateful. Although I can't implement all of the Board's recommendations, I intend to implement a good number of them. Thanks again for all your efforts!

Sincerely,



Lennie Torsuch
Committee Member

Mr. Robert Schweitzer

-3-

March 5, 1990

cc: Governor Steve Cowper
Senator Bettye Fahrenkamp
Senator Steve Frank
Representative Niilo Koponen
Representative Mike Davis
Gary Gustafson, Director, DLWM
Sharon Barton, Director, DOM
Survey and Mapping Advisory Board Members
Tom Knox, ASPLS President

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

400 WILLOUGHBY AVE.
JUNEAU, ALASKA 99801-1796
PHONE: (907) 465-2400

March 28, 1990

MAR 29 1990

The Honorable Bettye Fahrenkamp
Alaska State Senator
P.O. Box V
Juneau, AK 99811


Dear Senator Fahrenkamp:

Governor Cowper asked that I respond to your recommendation regarding the consolidation of Cadastral Surveys, Land Records Information and Title and Contract Administration within the Division of Management of the Department of Natural Resources.

I have enclosed, for your information, a copy of my recent letter to Robert Schweitzer, Chairman of the Survey and Mapping Advisory Board. The letter describes my position on this matter and details several areas where I feel we might improve coordination and thereby resolve problems identified by the Board.

Please feel free to call me if you have any questions.

Sincerely,


Lennie Gorsuch
Commissioner

Enclosure

cc: Governor Steve Cowper
Patrick Kalen, Chair
Survey and Mapping Advisory Board
Jerome Pape, Secretary
Survey and Mapping Advisory Board

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 22, 1990

The Honorable Steve Frank
Alaska State Senator
P.O. Box V
Juneau, AK 99811

Dear Steve,

Thanks for writing to me about combining the Cadastral Survey Section, the Land Records Information Section, and the Title and Contract Administration Section into one unit within the Department of Natural Resources (DNR). I appreciate suggestions that could save the State money and have asked DNR Commissioner Lennie Gorsuch to consider your request.

She advised me that she will review your recommendation and contact you directly concerning her response.

Thanks again for your letter.

Sincerely,

Steve Cowper
Governor

cc: Commissioner Lennie Gorsuch
Senator Fahrenkamp
Representative Sharp
Representative Koponen
Representative Boyer
Representative Davis

go0190hE
Bradley
5/1/90

Original sponsor(s): Rules/Governor

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 SENATE CS FOR HOUSE BILL NO. 424 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Anchor River and Fritz Creek
7 Critical Habitat Area management plan; and providing
8 for an effective date."

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

10 * Section 1. AS 16.20.605(d) is amended to read:

11 (d) A management plan for the Anchor River and Fritz Creek
12 Critical Habitat Area shall be adopted and may be revised [COMPLETED
13 BY JULY 1, 1989,] by the Department of Fish and Game in consultation
14 with the Department of Natural Resources under the Administrative
15 Procedure Act (AS 44.62) [AND THE MANAGEMENT PLAN SHALL BE SUBMITTED
16 TO THE LEGISLATURE FOR REVIEW. THE MANAGEMENT PLAN SHALL TAKE EFFECT
17 WHEN APPROVED BY ACT OF THE LEGISLATURE]. The management plan shall
18 reflect the concurrence of the Kenai Peninsula Borough as it applies
19 to land committed by the borough to the Anchor River and Fritz Creek
20 Critical Habitat Area.

21 * Sec. 2. AS 16.20.605 is amended by adding new subsections to read:

22 (e) The department shall establish a citizens' advisory commit-
23 tee to work with the department and advise on implementation and
24 revisions of the management plan for the Anchor River and Fritz Creek
25 Critical Habitat Area.

26 (f) Appointments to the citizens' advisory committee shall be
27 recommended by the Kenai Peninsula Borough and shall include represen-
28 tatives from

29 (1) industry and commercial users;

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(2) hunters, trappers, fishermen, cabin owners, and recreational users; and

(3) officials representing the Kenai Peninsula Borough.

* Sec. 3. The management plan for the Anchor River and Fritz Creek Critical Habitat Area adopted by the Department of Fish and Game dated June 1989 is approved.

* Sec. 4. This Act takes effect immediately under AS 01.10.070(c).

Alaska State Legislature

Senate Resources Committee

Senator Bettye Fahrenkamp, Chairman
Senator Jay Kertula, Vice Chairman
Senator Dick Ellason
Senator Steve Frank
Senator Rick Halford
Senator Arliss Sturgulewski
Senator Fred Zharoff



P.O. Box V
Juneau, Alaska 99811
(907) 465-4907

February 6, 1990

Mr. Bill Horn
Birch, Horton, Bittner and Cherot
1127 W. 7th Avenue
Anchorage, AK 99501

Dear Mr. Horn:


As you may know, the Senate and House Resources Committee will hold a joint hearing on Monday, February 12, 1990, at 1:30 - 3:30 p.m. for the purpose of hearing SB 422 and HB 448, relating to Big Game Guide-outfitting use areas. It would be beneficial to have you present to testify before the committee on constitutional implications and other technical legal issues pertaining to the Task Force on Guiding and Game actions since you provided legal counsel to the task force this past interim.

It is my understanding that you are willing to do so, and to meet with individual legislators to answer questions they may have on guide-outfitting and on another important matter before the legislature, subsistence. This is especially desirable since you previously held the position of Assistant Secretary, Fish and Wildlife and Parks, U.S. Department of the Interior, which could lend an historical perspective on this vitally important issue to Alaskans.

Please accept this letter as a letter of agreement for a total fee in the amount of \$1,000 to meet with legislators and testify before the joint hearing on Monday, February 12, as outlined above. In addition to the fee, I will request a travel authorization to provide you with air travel, hotel accommodations, and meals, in accordance with the level established by state travel policy.

I appreciate your willingness to provide assistance to the committee.

Sincerely,


Bettye Fahrenkamp
Chairman