

HB572

(11)

Date Referred: April 1, 1992

HOUSE COMMITTEE REPORT
FURTHER REFERRALS:

Date of Committee Action: 4/13/92

The FINANCE Committee considered:

HB 572

HOUSE BILL NO. 572

OPERATIONS OF STATE AGENCIES

"An Act relating to operations of certain state agencies; and providing for an effective date."

RECOMMENDATIONS:

be replaced with CS HB 572 (FIN) the same title

a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal impact DPS 4/7/92

fiscal note(s) _____

zero fiscal note HFC 4/10/92

zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
E.P. Macher <small>Macher</small>		Macher		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Mike Navarre <small>Navarre</small>	<input checked="" type="checkbox"/>				
George Jackson <small>JACKSON</small>	<input checked="" type="checkbox"/>	Koponen			<input checked="" type="checkbox"/>
Jan Brown <small>Brown</small>	<input checked="" type="checkbox"/>	Barnes		<input checked="" type="checkbox"/>	
Mark Boy <small>Boy</small>	<input checked="" type="checkbox"/>	Sharp		<input checked="" type="checkbox"/>	
Paul Larson <small>Larson</small>	<input checked="" type="checkbox"/>	Phillip		<input checked="" type="checkbox"/>	
		Ulme		<input checked="" type="checkbox"/>	

E.P. Macher
CHAIRMAN'S SIGNATURE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSHB 572 (FIN)

Revision Date: _____ Department Affected: ALL DEPARTMENTS
 Title: OPERATIONS OF STATE AGENCIES BRU: ALL DEPARTMENTS
 Component: _____
 Sponsor: HOUSE FINANCE COMMITTEE
 Requestor: HOUSE FINANCE COMMITTEE COMPONENT SERIAL NO.

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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER						
FUND SOURCE:						
TOTAL	0	0	0	0	0	0

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

SEE ATTACHMENT

Prepared By: Co-Chair Eileen MacLean *Eileen MacLean* Phone: 465-4853
Co-Chair Mike Navarr *Mike Navarr* Phone: 465-3779
 Division: House Finance Committee Date: APRIL 6, 1992

Approved by Commissioner: _____ Date: _____
 Agency: _____

FISCAL ANALYSIS CSHB 572 (FIN)

Section 1: Savings \$30.0 to Division of Motor Vehicles

Section 2,3,4: Transfer of \$302.5 existing general fund expenditure to Science and Technology fund.

Section 5,6,7,8,9,10,11: Generates additional program receipts of \$277.3 replacing general funds for Division of Lands.

Section 12,13: No immediate savings.

Section 14: Saves \$156.5 in FY93 operating budget.

Section 15: Fund source change from general fund to other funds. No savings.

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 572

Revision Date: _____ Department Affected: Public Safety

Title: "An Act relating to operations of certain state agencies." BRU: Motor Vehicles

Sponsor: House Finance Component: Field Services

Requestor: House Finance COMPONENT SERIAL NO.

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EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	(30.0)	(30.0)	(30.0)	(30.0)	(30.0)	(30.0)
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	(30.0)	(30.0)	(30.0)	(30.0)	(30.0)	(30.0)
CAPITAL						

REVENUE						
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

GENERAL FUND	(30.0)	(30.0)	(30.0)	(30.0)	(30.0)	(30.0)
FEDERAL FUNDS						
OTHER						
FUND SOURCE:						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

The savings shown results from going from two validation stickers to a single sticker to be placed on the rear plate. The other portions of the bill give the authority to implement new designs for the license plate. There will be no fiscal impact if a new design is phased in over a period of years in lieu of reordering the current plates. There are no definite plans for a new plate issue, but this bill does remove the statutory barriers for this type of program.

Prepared By: Charles B. Hosack Phone: 269-5559

Division: Motor Vehicles Date: 4/3/92

Approved by Commissioner: *Richard L. Burton* Richard L. Burton

Agency: Department of Public Safety Date: 4/7/92

CS FOR HOUSE BILL NO. 572 (FINANCE)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): HOUSE FINANCE COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the powers, duties, and operations of certain state agencies, including
2 those of the Alaska Science and Technology Foundation, those of the Citizen's Advisory
3 Commission on the Federal Areas in Alaska, the disposal or leasing of state land or
4 interests in state land, the management of public recreational land and the management
5 of state parks and recreation areas, vehicle registration, small procurements, the employment
6 assistance and training program fund, contracts for confinement of certain prisoners, and
7 the recording of public documents; and providing for an effective date."

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

9 * Section 1. AS 28.10.161(b) is amended to read:

10 (b) Every [AFTER JANUARY 1, 1979, EVERY] passenger vehicle registration plate,
11 except as specifically provided in AS 28.10.181, shall have displayed upon it

12 (1) [THE ALASKA FLAG;

13 (2) THE TRADITIONAL COLORS OF YELLOW-GOLD AND BLUE;

1 (3) THE SLOGAN "THE LAST FRONTIER";
2 (4)] the registration number assigned to the vehicle for which it is issued;
3 (2) [(5)] the name of this state, which may be abbreviated; and
4 (3) [(6)] the registration year number or expiration date for which time it is
5 validated; the registration year number or expiration date may be part of the license plate or
6 contained on a suitable sticker or tab device issued by the department; however, only one sticker
7 or tab device may be issued for each pair of plates and the sticker or tab device must be
8 affixed to the rear plate.

9 * Sec. 2. AS 33.30.031(a) is amended to read:

10 (a) The commissioner shall determine the availability of state correctional facilities
11 suitable for the detention and confinement of persons held under authority of state law or
12 municipal ordinance. If the commissioner determines that suitable state correctional facilities
13 are not available, the commissioner may enter into an agreement with a public or private agency
14 to provide necessary facilities. Correctional facilities provided through agreement with a public
15 agency may be in this state or in another state. Correctional facilities provided through
16 agreement with a private agency must be located in this state. The commissioner may not enter
17 into an agreement with an agency unable to provide a degree of custody, care, and discipline
18 similar to that required by the laws of this state.

19 * Sec. 3. AS 33.30.031(b) is amended to read:

20 (b) Unless the purpose is to involve prisoners in a program established under AS
21 33.30.091 - 33.30.131 or 33.30.151 - 33.30.181 or to confine persons charged with or
22 [PRISONERS] convicted of a misdemeanor or violation of a municipal ordinance, the
23 commissioner may not enter into an agreement with a privately operated correctional facility
24 under (a) of this section.

25 * Sec. 4. AS 36.30.320(a) is amended to read:

26 (a) A procurement for supplies, services, or construction that does not exceed an
27 aggregate dollar amount of \$25,000 [\$10,000] may be made in accordance with regulations
28 adopted by the commissioner for small procurements.

29 * Sec. 5. AS 37.17.030(b) is amended to read:

30 (b) In addition to endowment income, the foundation may receive individual,
31 foundation, or corporate gifts, grants, or bequests that by their terms are restricted to a

1 particular purpose [AND OTHER AID]. The foundation may accumulate income, gifts, grants,
2 and bequests [OTHER AID] from any one year and distribute them in a later year.

3 * Sec. 6. AS 37.17.030(c) is amended to read:

4 (c) The administrative expenses of the foundation are subject to AS 37.07 and shall be
5 paid from the income of the endowment. The legislature may appropriate income of the
6 endowment for payment of the administrative expenses of the Alaska Aerospace
7 Development Corporation established under AS 14.40.821 and the agricultural and forestry
8 experiment station research centers of the University of Alaska.

9 * Sec. 7. AS 37.17.030(d) is amended to read:

10 (d) Except for payments under (c) of this section, the [THE] board of directors shall
11 distribute the income of the endowment through competitive grants under this chapter. The board
12 may disburse money that is received by the foundation for special or general purposes.

13 * Sec. 8. AS 38.05.035(e) is amended to read:

14 (e) Upon a written finding that the interests of the state will be best served, the director
15 may, with the consent of the commissioner, approve contracts for the sale, lease, or other disposal
16 of available land, resources, property or interests in them, and, in addition to the conditions and
17 limitations imposed by law, may impose additional conditions or limitations in the contracts as
18 the director determines, with the consent of the commissioner, will best serve the interests of the
19 state. A written finding for an oil and gas lease sale under AS 38.05.180 is subject to (g) of this
20 section. A contract for the sale, lease, or other disposal of available land or an interest in land
21 is not legally binding on the state until the commissioner approves the contract but if the
22 appraised value is not greater than \$50,000 in the case of the sale of land or an interest in land,
23 or \$5,000 in the case of the annual rental of land or interest in land, the director may execute the
24 contract without the approval of the commissioner. Before a public hearing, if held, or in any
25 case no less than 21 days before the sale, lease, or other disposal of available land, property,
26 resources, or interests in them, the director shall make available to the public a written finding
27 that sets out the facts and applicable law upon which the determination that the sale, lease, or
28 other disposal will best serve the interests of the state was based. A written finding is not
29 required before the approval of

30 (1) a contract for a negotiated sale authorized under AS 38.05.115;

31 (2) [A LEASE OF LAND FOR A SHORE FISHERY SITE UNDER

1 AS 38.05.082;

2 (3)] a permit or other authorization revocable by the commissioner;

3 (3) [(4)] a mineral claim located under AS 38.05.195;

4 (4) [(5)] a mineral lease issued under AS 38.05.205;

5 (5) [(6)] a production license issued under AS 38.05.207;

6 (6) [(7)] an exempt oil and gas sale under AS 38.05.180(d) of acreage offered in
7 a sale that was held within the previous five years if the sale was subject to a written best interest
8 finding, unless the commissioner determines that new information has become available that
9 justifies a revision of the best interest finding; or

10 (7) [(8)] a lease sale under AS 38.05.180(w) of acreage offered in a sale that was
11 held within the previous five years if the sale was subject to a best interest finding, unless the
12 commissioner determines that new information has become available that justifies a revision of
13 the best interest finding.

14 * Sec. 9. AS 38.05.075(a) is amended to read:

15 (a) Except as provided in AS 38.05.035, 38.05.070, 38.05.073, 38.05.079, 38.05.083,
16 38.05.087, 38.05.102, 38.05.810, [AS 38.05.087] and this section, leasing shall be made at public
17 auction to the highest qualified bidder as determined by the commissioner. In the public notice
18 of a lease to be offered at public auction, the commissioner shall specify a minimum
19 acceptable bid and the lease compensation method. The lease compensation method shall
20 be designed to maximize the return on the lease to the state and shall be a form of
21 compensation set out in AS 38.05.073(m). An aggrieved bidder may appeal to the
22 commissioner within five days for a review of the determination. The leasing shall be conducted
23 by the commissioner and the successful bidder shall deposit at the auction the first year's rental
24 or other lease compensation as specified by the commissioner, or that portion of it that the
25 commissioner requires in accordance with the bid. The commissioner shall require, under
26 AS 38.05.860, qualified bidders to deposit a sum equal to any survey or appraisal costs
27 reasonably incurred by another qualified bidder acting in accordance with the regulations of the
28 commissioner or incurred by the department under AS 38.04.045 and AS 38.05.840. If a
29 bidder making a deposit of survey or appraisal costs is determined by the commissioner to be the
30 highest qualified bidder under this subsection, the deposit shall be paid to the unsuccessful bidder
31 who incurred those costs or to the department if the department incurred the costs. [ANY

1 SURVEY OR APPRAISAL COSTS REASONABLY INCURRED BY A QUALIFIED BIDDER
2 UNDER THE REGULATIONS OF THE COMMISSIONER OR DEPOSITED UNDER THIS
3 SUBSECTION MUST BE CREDITED UNDER THE FIRST AND THEN SUBSEQUENT
4 YEARS' RENTALS.] All costs for survey and appraisal shall be approved in writing
5 by the commissioner. The commissioner shall immediately issue a receipt containing a description
6 of the land or interest leased, the price bid, and the terms of the lease [, AND THE AMOUNT
7 OF ANY CREDIT FOR SURVEY AND APPRAISAL COSTS] to the successful qualified
8 bidder. If the receipt is not accepted in writing by the bidder under this subsection, the
9 commissioner may offer the land for lease again under this subsection. A lease, on a form
10 approved by the attorney general, shall be signed by the successful bidder and by the
11 commissioner within the period specified in the auction notice [30 DAYS AFTER THE
12 AUCTION].

13 * Sec. 10. AS 38.05.075(f) is amended to read:

14 (f) If, after completion of the procedures required by (e) of this section, the
15 commissioner determines that there is only one qualified bidder, the [THE] commissioner
16 may issue a lease without competitive bidding at the approved, appraised market value of the
17 land determined under AS 38.05.840 or by another form of lease compensation specified by
18 the commissioner from among those set out in AS 38.05.073(m) and designed to maximize
19 the return on the lease to the state [IF, AFTER COMPLETION OF THE PROCEDURES
20 REQUIRED BY (E) OF THIS SECTION, THE COMMISSIONER DETERMINES THAT
21 THERE IS ONLY ONE QUALIFIED BIDDER]. The commissioner may establish terms and
22 conditions for entry to the land pending survey and appraisal of the land. The commissioner
23 shall issue the lease as soon as is practicable following the survey and appraisal of the land
24 subject to the provisions of AS 38.05.035(e).

25 * Sec. 11. AS 38.05.083(a) is amended to read:

26 (a) The commissioner may offer to the public for lease at public auction under
27 AS 38.05.075 or by negotiation under AS 38.05.070 a site [THAT HAS BEEN DEVELOPED]
28 for aquatic farming or related hatchery operations [UNDER A PERMIT ISSUED UNDER
29 AS 38.05.856. BEFORE OFFERING THE SITE TO THE PUBLIC, THE COMMISSIONER
30 SHALL OFFER THE SITE TO THE PERMITTEE].

31 * Sec. 12. AS 38.05.085(c) is amended to read:

1 (c) The lessee shall make advance payments of the annual rent or other form of lease
2 compensation specified by the commissioner or that portion of it [AS] the [DIRECTOR, WITH
3 THE APPROVAL OF THE] commissioner [,] may require.

4 * Sec. 13. AS 38.05.105(a) is amended to read:

5 (a) Each lease shall stipulate that [AT THE CONCLUSION OF THE INITIAL 25-YEAR
6 PERIOD OF THE LEASE AND] at five-year intervals as specified in the lease [OF 10 YEARS
7 THEREAFTER] the annual rent payment or other form of lease compensation specified by the
8 commissioner is subject to adjustment. Changes [CHARGES] or adjustments shall be based
9 primarily on changes in the lease's [AN ADJUSTED] fair market value. However, if the
10 commissioner [DIRECTOR] determines that single-family residential development is the best
11 use of the land, the reappraisal period may be lengthened or the readjustment waived in
12 accordance with regulations adopted by the department. Before a waiver of rent adjustment is
13 issued, the land shall have a current reappraisal. A waiver is valid only if single-family
14 residential development actually occurs. The regulations adopted under this section shall ensure
15 that the state receives a fair return from the land.

16 * Sec. 14. AS 38.05.860(a) is amended to read:

17 (a) The commissioner [DIRECTOR] may require an applicant seeking the sale, lease,
18 or other disposal of land or an interest in land, other than under an oil and gas or mineral lease,
19 to deposit an amount covering the estimated cost of an appraisal, survey, and other costs
20 necessary to offer the land or interest in land, including advertising. All deposited funds not
21 expended shall be refunded to the applicant. If the land or interest in land is awarded [SOLD
22 OR LEASED] to a person other than the applicant making the deposit, the person [PARTY]
23 awarded the land shall pay the total actual cost incurred by the department in making the
24 disposal [OF APPRAISING AND SURVEYING THE LAND, TOGETHER WITH THE TOTAL
25 ACTUAL COST OF ADVERTISING], and the deposit shall be returned to the original applicant.
26 In lieu of requiring the deposit under this subsection, the commissioner may enter into an
27 agreement with an applicant seeking land or an interest in land requiring the applicant to
28 reimburse the department for costs incurred in the disposal if the applicant is awarded the
29 land or interest in land.

30 * Sec. 15. AS 38.05.945(a) is amended to read:

31 (a) This section establishes the requirements for notice given by the department for the

1 following actions:

2 (1) classification or reclassification of state land under AS 38.05.300 and the
3 closing of land to mineral leasing or entry under AS 38.05.185;

4 (2) zoning of land under applicable law;

5 (3) a decision under AS 38.05.035(e) regarding the sale, lease, or disposal of an
6 interest in state land or resources;

7 (4) a competitive disposal of an interest in state land or resources after final
8 decision under AS 38.05.035(e);

9 (5) [A PUBLIC HEARING UNDER AS 38.05.856(b);

10 (6)] a preliminary finding under AS 38.05.035(e) [AND 38.05.855(c)] concerning
11 sites for aquatic farms and related hatcheries.

12 * Sec. 16. AS 41.21.020(a) is amended to read:

13 (a) The department shall

14 (1) develop a continuing plan for the conservation and maximum use in the public
15 interest of the scenic, historic, archaeological, scientific, biological, and recreational resources of
16 the state;

17 (2) plan for and develop a system of state parks and recreational facilities, to be
18 established as the legislature authorizes and directs;

19 (3) acquire by gift, purchase, or transfer from state or federal agencies, or from
20 individuals, corporations, partnerships or associations, land necessary, suitable and proper for
21 roadside, picnic, recreational, or park purposes;

22 (4) [CONTROL,] develop, manage, and maintain state parks and recreational
23 areas;

24 (5) provide for the acquisition, care, management [CONTROL], supervision,
25 improvement, development, extension, and maintenance of public recreational land, and make
26 necessary arrangements, contracts, or commitments for the improvement and development of land
27 acquired under AS 41.21.010 - 41.21.040; contracting for improvement and development under
28 this paragraph is governed by AS 36.30 (State Procurement Code);

29 (6) adopt, in accordance with this section and the Administrative Procedure Act
30 (AS 44.62), regulations governing the use and designating incompatible uses within the
31 boundaries of state park and recreational areas to protect the property and to preserve the peace;

1 (7) cooperate with the United States and its agencies and local subdivisions of the
2 state to secure the effective supervision, improvement, development, extension, and maintenance
3 of state parks, state monuments, state historical areas, and state recreational areas, and secure
4 agreements or contracts for the purpose of AS 41.21.010 - 41.21.040;

5 (8) encourage the organization of state public park and recreational activities in
6 the local political subdivisions of the state;

7 (9) provide for consulting service designed to develop local park and recreation
8 facilities and programs;

9 (10) provide clearinghouse services for other state agencies concerned with park
10 and recreation matters;

11 (11) perform other duties as are prescribed by executive order or by law;

12 (12) maintain memorials to Alaska veterans located in state parks; and

13 (13) adopt, in accordance with the Administrative Procedure Act (AS 44.62),
14 regulations governing the use of the Chena River State Recreation Area and designating
15 incompatible uses within the boundaries of the Chena River State Recreation Area in accordance
16 with AS 41.21.490.

17 * Sec. 17. AS 44.37.025(c) is amended to read:

18 (c) The department, with the concurrence of the administrative director of courts, may
19 appoint judicial employees to perform services in connection with recording, providing access
20 to, and copying documents in locations where the department has not otherwise designated a
21 public office [NO EMPLOYEES AVAILABLE] to perform those functions.

22 * Sec. 18. Section 4, ch. 81, SLA 1981, as amended by sec. 1, ch. 25, SLA 1988, is amended to read:

23 Sec. 4. Section 3 of this Act takes effect July 1, 1992 [JUNE 30, 1998].

24 * Sec. 19. Section 3, ch. 95, SLA 1989, is amended to read:

25 Sec. 3. EMPLOYMENT ASSISTANCE AND TRAINING PROGRAM FUND
26 [ACCOUNT]. The employment assistance and training program fund [ACCOUNT] is
27 established in the department. Deposits into the fund are not general fund program receipts
28 [GENERAL FUND. THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY
29 ACCOUNT FOR MONEY COLLECTED UNDER SEC. 4 OF THIS ACT THAT THE
30 DEPARTMENT DEPOSITED IN THE GENERAL FUND]. The annual estimated balance in
31 the fund [ACCOUNT] may be appropriated by the legislature to the department to implement

1 this Act. If the entire estimated balance is not used to implement this Act during a fiscal
2 year, the [THE] legislature may make appropriations from the employment assistance and
3 training fund [APPROPRIATE THE LAPSING BALANCE OF THE ACCOUNT] to the
4 unemployment compensation fund established in AS 23.20.130.

5 * Sec. 20. AS 28.10.161(c), AS 38.05.082, 38.05.085(a), 38.05.085(b), 38.05.085(g), 38.05.105(b),
6 38.05.855, 38.05.856, and 38.05.946(b) are repealed.

7 * Sec. 21. This Act takes effect July 1, 1992.

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. SCS CS HB 572(FIN) AM

Revision Date: 11-May-92 Department Affected: Natural Resources
 Title: Operations of State Agencies BRU: Parks and Recreation Management
 Components: Parks Management
 Sponsor: House Finance
 Requestor: Senate Finance COMPONENT SERIAL NO. 452

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	38.2	19.0	15.0	15.0		
TRAVEL						
CONTRACTUAL	27.0	15.0	12.0	12.0		
SUPPLIES	10.8	6.0	5.0	5.0		
EQUIPMENT						
LAND&STRUCTURES						
GRANTS.CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	76.0	40.0	32.0	32.0	0.0	0.0

CAPITAL						
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REVENUE GF/PR	150.0	200.0	300.0	400.0	400.0	400.0
Funding Source: 1005						

FUNDING: (Thousands of Dollars)

GENERAL FUND	76.0	40.0	32.0	32.0	0.0	0.0
FEDERAL FUNDS	0.0	0.0	0.0	0.0	0.0	0.0
OTHER						
Funding Source:	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	76.0	40.0	32.0	32.0	0.0	0.0

POSITIONS:

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME	0.0	0.0	0.0	0.0	0.0	0.0
TEMPORARY	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of Current year impact:

ANALYSIS:	(Attach a separate page if necessary)
See Attached	

Prepared by: David Stephens Phone: 762-2653
 Division: Parks & Outdoor Recreation Date: 11-May-92
 Approved by Commissioner: Harold C. Heinrich Date: 11-May-92
 Agency: Department of Natural Resources

Distribution (by preparer) : Legislative Finance, legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

FISCAL ANALYSIS

The state park fee program to be funded by this fiscal note consists of the design, construction, and installation of fee collection stations at approximately 44 locations in the state park system. Each fee station is estimated to cost \$4,000, including labor, supplies, and contractual expenses.

The fee stations would be installed in phases, over a four year period. Eighteen stations would be installed in FY93, and ten stations installed in FY94. Eight stations would be installed in both FY95 and FY96. First year costs include design and production of fee collection envelopes and annual pass decals, as well as design and production of standard drawings and plans for the fee stations. These one-time costs are estimated at \$4,000.

No new positions would be required by this legislation. Additional administrative and management costs would be absorbed by existing staff.

The estimate of revenue to be produced by this bill is based on visitation records for selected park units, as well as financial records for the existing camping fee program. In the fourth year of implementation, this new fee program is expected to generate annual revenues of approximately \$400,000. Potential revenues to the state from this program exceed the state's costs in each year of the four year implementation period. In subsequent years, these user fees would help offset increased park maintenance and operating costs as well as possible general fund budget reductions. The net financial effect of this program would be positive, with fee revenues significantly greater than operating costs.

4/12/92

CS HB572 (Finance)

Section 1: Amends requirement for two stickers identifying year of plate registration: estimated by the department to save \$30.0 (Part of DMV proposal from the Public Safety subcommittee)

Savings: \$30.0

Section 2: Amends the small procurement limit from \$10,000 to \$25,000.

Savings: \$150.0

Section 3,4,5: Amends Science and Technology fund language to allow the disbursement of funds for the purposes of the Alaska Aerospace Development Corporation and the agricultural research stations of the University of Alaska. (From the Commerce subcommittee)

Transfers GF costs: \$3,302.5

Section 6,7,8,9,10,11,12,13: Amends Public Lands leasing (From the Natural Resources subcommittee)

Transfers GF costs: \$277.3

Section 14: Amends the Parks statute to reflect management instead of control

technical change

Section 15: Cleans up the description of the relationship under which judicial officers would perform recording functions.

technical change

Section 16: Moves the sunset date of the Citizen's Advisory Committee on Federal Lands (CACFA) to June, 1992. (Elimination recommended by Natural Resources subcommittee)

Savings: \$156.5

Section 17: Describes the STEP fund as a program receipt, removing it from the category of general fund. (Adopted as an amendment by the Finance committee).

Removes from GF description \$2,160.0

Section 18: Repeal of AS 28.10,161(c) removes language restricting the design of license plates; Repeal of AS 38.05 sections are related to the changes proposed for Public Lands Leasing.

Section 19: Effective date clause.

Total General Fund impact: **\$6,076.3**

CS FOR HOUSE BILL NO. 572 (FINANCE)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): HOUSE FINANCE COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the powers, duties, and operations of certain state agencies, including
2 those of the Alaska Science and Technology Foundation, those of the Citizen's Advisory
3 Commission on the Federal Areas in Alaska, the disposal or leasing of state land or
4 interests in state land, the management of public recreational land and the management
5 of state parks and recreation areas, vehicle registration, small procurements, the employment
6 assistance and training program fund, and the recording of public documents; and
7 providing for an effective date."

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

9 * Section 1. AS 28.10.161(b) is amended to read:

10 (b) Every [AFTER JANUARY 1, 1979, EVERY] passenger vehicle registration plate,
11 except as specifically provided in AS 28.10.181, shall have displayed upon it

12 (1) [THE ALASKA FLAG;

13 (2) THE TRADITIONAL COLORS OF YELLOW-GOLD AND BLUE;

1 (3) THE SLOGAN "THE LAST FRONTIER";
2 (4) the registration number assigned to the vehicle for which it is issued;
3 (2) [(5)] the name of this state, which may be abbreviated; and
4 (3) [(6)] the registration year number or expiration date for which time it is
5 validated; the registration year number or expiration date may be part of the license plate or
6 contained on a suitable sticker or tab device issued by the department; however, only one sticker
7 or tab device may be issued for each pair of plates and the sticker or tab device must be
8 affixed to the rear plate.

9 * Sec. 2. AS 36.30.320(a) is amended to read:

10 (a) A procurement for supplies, services, or construction that does not exceed an
11 aggregate dollar amount of \$25,000 [\$10,000] may be made in accordance with regulations
12 adopted by the commissioner for small procurements.

13 * Sec. 3. AS 37.17.030(b) is amended to read:

14 (b) In addition to endowment income, the foundation may receive individual,
15 foundation, or corporate gifts, grants, or bequests that by their terms are restricted to a
16 particular purpose [AND OTHER AID]. The foundation may accumulate income, gifts, grants,
17 and bequests [OTHER AID] from any one year and distribute them in a later year.

18 * Sec. 4. AS 37.17.030(c) is amended to read:

19 (c) The administrative expenses of the foundation are subject to AS 37.07 and shall be
20 paid from the income of the endowment. The legislature may appropriate income of the
21 endowment for payment of the administrative expenses of the Alaska Aerospace
22 Development Corporation established under AS 14.40.821 and the agricultural and forestry
23 experiment station research centers of the University of Alaska.

24 * Sec. 5. AS 37.17.030(d) is amended to read:

25 (d) Except for payments under (c) of this section, the [THE] board of directors shall
26 distribute the income of the endowment through competitive grants under this chapter. The board
27 may disburse money that is received by the foundation for special or general purposes.

28 * Sec. 6. AS 38.05.035(e) is amended to read:

29 (e) Upon a written finding that the interests of the state will be best served, the director
30 may, with the consent of the commissioner, approve contracts for the sale, lease, or other disposal
31 of available land, resources, property or interests in them, and, in addition to the conditions and

1 limitations imposed by law, may impose additional conditions or limitations in the contracts as
2 the director determines, with the consent of the commissioner, will best serve the interests of the
3 state. A written finding for an oil and gas lease sale under AS 38.05.180 is subject to (g) of this
4 section. A contract for the sale, lease, or other disposal of available land or an interest in land
5 is not legally binding on the state until the commissioner approves the contract but if the
6 appraised value is not greater than \$50,000 in the case of the sale of land or an interest in land,
7 or \$5,000 in the case of the annual rental of land or interest in land, the director may execute the
8 contract without the approval of the commissioner. Before a public hearing, if held, or in any
9 case no less than 21 days before the sale, lease, or other disposal of available land, property,
10 resources, or interests in them, the director shall make available to the public a written finding
11 that sets out the facts and applicable law upon which the determination that the sale, lease, or
12 other disposal will best serve the interests of the state was based. A written finding is not
13 required before the approval of

- 14 (1) a contract for a negotiated sale authorized under AS 38.05.115;
15 (2) [A LEASE OF LAND FOR A SHORE FISHERY SITE UNDER
16 AS 38.05.082;
17 (3)] a permit or other authorization revocable by the commissioner;
18 (3) [(4)] a mineral claim located under AS 38.05.195;
19 (4) [(5)] a mineral lease issued under AS 38.05.205;
20 (5) [(6)] a production license issued under AS 38.05.207;
21 (6) [(7)] an exempt oil and gas sale under AS 38.05.180(d) of acreage offered in
22 a sale that was held within the previous five years if the sale was subject to a written best interest
23 finding, unless the commissioner determines that new information has become available that
24 justifies a revision of the best interest finding; or
25 (7) [(8)] a lease sale under AS 38.05.180(w) of acreage offered in a sale that was
26 held within the previous five years if the sale was subject to a best interest finding, unless the
27 commissioner determines that new information has become available that justifies a revision of
28 the best interest finding.

29 * Sec. 7. AS 38.05.075(a) is amended to read:

30 (a) Except as provided in AS 38.05.035, 38.05.070, 38.05.073, 38.05.079, 38.05.083,
31 38.05.087, 38.05.102, 38.05.810, [AS 38.05.087] and this section, leasing shall be made at public

1 auction to the highest qualified bidder as determined by the commissioner. In the public notice
2 of a lease to be offered at public auction, the commissioner shall specify a minimum
3 acceptable bid and the lease compensation method. The lease compensation method shall
4 be designed to maximize the return on the lease to the state and shall be a form of
5 compensation set out in AS 38.05.073(m). An aggrieved bidder may appeal to the
6 commissioner within five days for a review of the determination. The leasing shall be conducted
7 by the commissioner and the successful bidder shall deposit at the auction the first year's rental
8 or other lease compensation as specified by the commissioner, or that portion of it that the
9 commissioner requires in accordance with the bid. The commissioner shall require, under
10 AS 38.05.860, qualified bidders to deposit a sum equal to any survey or appraisal costs
11 reasonably incurred by another qualified bidder acting in accordance with the regulations of the
12 commissioner or incurred by the department under AS 38.04.045 and AS 38.05.840. If a
13 bidder making a deposit of survey or appraisal costs is determined by the commissioner to be the
14 highest qualified bidder under this subsection, the deposit shall be paid to the unsuccessful bidder
15 who incurred those costs or to the department if the department incurred the costs. [ANY
16 SURVEY OR APPRAISAL COSTS REASONABLY INCURRED BY A QUALIFIED BIDDER
17 UNDER THE REGULATIONS OF THE COMMISSIONER OR DEPOSITED UNDER THIS
18 SUBSECTION MUST BE CREDITED UNDER THE FIRST AND THEN SUBSEQUENT
19 YEARS' RENTALS.] All costs for survey and appraisal shall be approved in advance in writing
20 by the commissioner. The commissioner shall immediately issue a receipt containing a description
21 of the land or interest leased, the price bid, and the terms of the lease [, AND THE AMOUNT
22 OF ANY CREDIT FOR SURVEY AND APPRAISAL COSTS] to the successful qualified
23 bidder. If the receipt is not accepted in writing by the bidder under this subsection, the
24 commissioner may offer the land for lease again under this subsection. A lease, on a form
25 approved by the attorney general, shall be signed by the successful bidder and by the
26 commissioner within the period specified in the auction notice [30 DAYS AFTER THE
27 AUCTION].

28 * Sec. 8. AS 38.05.075(f) is amended to read:

29 (f) If, after completion of the procedures required by (e) of this section, the
30 commissioner determines that there is only one qualified bidder, the [THE] commissioner
31 may issue a lease without competitive bidding at the approved, appraised market value of the

1 land determined under AS 38.05.840 or by another form of lease compensation specified by
2 the commissioner from among those set out in AS 38.05.073(m) and designed to maximize
3 the return on the lease to the state [IF, AFTER COMPLETION OF THE PROCEDURES
4 REQUIRED BY (E) OF THIS SECTION, THE COMMISSIONER DETERMINES THAT
5 THERE IS ONLY ONE QUALIFIED BIDDER]. The commissioner may establish terms and
6 conditions for entry to the land pending survey and appraisal of the land. The commissioner
7 shall issue the lease as soon as is practicable following the survey and appraisal of the land
8 subject to the provisions of AS 38.05.035(e).

9 * Sec. 9. AS 38.05.083(a) is amended to read:

10 (a) The commissioner may offer to the public for lease at public auction under
11 AS 38.05.075 or by negotiation under AS 38.05.070 a site [THAT HAS BEEN DEVELOPED]
12 for aquatic farming or related hatchery operations [UNDER A PERMIT ISSUED UNDER
13 AS 38.05.856. BEFORE OFFERING THE SITE TO THE PUBLIC, THE COMMISSIONER
14 SHALL OFFER THE SITE TO THE PERMITTEE].

15 * Sec. 10. AS 38.05.085(c) is amended to read:

16 (c) The lessee shall make advance payments of the annual rent or other form of lease
17 compensation specified by the commissioner or that portion of it [AS] the [DIRECTOR, WITH
18 THE APPROVAL OF THE] commissioner [,] may require.

19 * Sec. 11. AS 38.05.105(a) is amended to read:

20 (a) Each lease shall stipulate that [AT THE CONCLUSION OF THE INITIAL 25-YEAR
21 PERIOD OF THE LEASE AND] at five-year intervals as specified in the lease [OF 10 YEARS
22 THEREAFTER] the annual rent payment or other form of lease compensation specified by the
23 commissioner is subject to adjustment. Changes [CHARGES] or adjustments shall be based
24 primarily on changes in the lease's [AN ADJUSTED] fair market value. However, if the
25 commissioner [DIRECTOR] determines that single-family residential development is the best
26 use of the land, the reappraisal period may be lengthened or the readjustment waived in
27 accordance with regulations adopted by the department. Before a waiver of rent adjustment is
28 issued, the land shall have a current reappraisal. A waiver is valid only if single-family
29 residential development actually occurs. The regulations adopted under this section shall ensure
30 that the state receives a fair return from the land.

31 * Sec. 12. AS 38.05.860(a) is amended to read:

1 (a) The commissioner [DIRECTOR] may require an applicant seeking the sale, lease,
2 or other disposal of land or an interest in land, other than under an oil and gas or mineral lease,
3 to deposit an amount covering the estimated cost of an appraisal, survey, and other costs
4 necessary to offer the land or interest in land, including advertising. All deposited funds not
5 expended shall be refunded to the applicant. If the land or interest in land is awarded [SOLD
6 OR LEASED] to a person other than the applicant making the deposit, the person [PARTY]
7 awarded the land shall pay the total actual cost incurred by the department in making the
8 disposal [OF APPRAISING AND SURVEYING THE LAND, TOGETHER WITH THE TOTAL
9 ACTUAL COST OF ADVERTISING], and the deposit shall be returned to the original applicant.
10 In lieu of requiring the deposit under this subsection, the commissioner may enter into an
11 agreement with an applicant seeking land or an interest in land requiring the applicant to
12 reimburse the department for costs incurred in the disposal if the applicant is awarded the
13 land or interest in land.

14 * Sec. 13. AS 38.05.945(a) is amended to read:

15 (a) This section establishes the requirements for notice given by the department for the
16 following actions:

17 (1) classification or reclassification of state land under AS 38.05.300 and the
18 closing of land to mineral leasing or entry under AS 38.05.185;

19 (2) zoning of land under applicable law;

20 (3) a decision under AS 38.05.035(e) regarding the sale, lease, or disposal of an
21 interest in state land or resources;

22 (4) a competitive disposal of an interest in state land or resources after final
23 decision under AS 38.05.035(e);

24 (5) [A PUBLIC HEARING UNDER AS 38.05.856(b);

25 (6)] a preliminary finding under AS 38.05.035(e) [AND 38.05.855(c)] concerning
26 sites for aquatic farms and related hatcheries.

27 * Sec. 14. AS 41.21.020(a) is amended to read:

28 (a) The department shall

29 (1) develop a continuing plan for the conservation and maximum use in the public
30 interest of the scenic, historic, archaeological, scientific, biological, and recreational resources of
31 the state;

1 (2) plan for and develop a system of state parks and recreational facilities, to be
2 established as the legislature authorizes and directs;

3 (3) acquire by gift, purchase, or transfer from state or federal agencies, or from
4 individuals, corporations, partnerships or associations, land necessary, suitable and proper for
5 roadside, picnic, recreational, or park purposes;

6 (4) [CONTROL,] develop, manage, and maintain state parks and recreational
7 areas;

8 (5) provide for the acquisition, care, management [CONTROL], supervision,
9 improvement, development, extension, and maintenance of public recreational land, and make
10 necessary arrangements, contracts, or commitments for the improvement and development of land
11 acquired under AS 41.21.010 - 41.21.040; contracting for improvement and development under
12 this paragraph is governed by AS 36.30 (State Procurement Code);

13 (6) adopt, in accordance with this section and the Administrative Procedure Act
14 (AS 44.62), regulations governing the use and designating incompatible uses within the
15 boundaries of state park and recreational areas to protect the property and to preserve the peace;

16 (7) cooperate with the United States and its agencies and local subdivisions of the
17 state to secure the effective supervision, improvement, development, extension, and maintenance
18 of state parks, state monuments, state historical areas, and state recreational areas, and secure
19 agreements or contracts for the purpose of AS 41.21.010 - 41.21.040;

20 (8) encourage the organization of state public park and recreational activities in
21 the local political subdivisions of the state;

22 (9) provide for consulting service designed to develop local park and recreation
23 facilities and programs;

24 (10) provide clearinghouse services for other state agencies concerned with park
25 and recreation matters;

26 (11) perform other duties as are prescribed by executive order or by law;

27 (12) maintain memorials to Alaska veterans located in state parks; and

28 (13) adopt, in accordance with the Administrative Procedure Act (AS 44.62),
29 regulations governing the use of the Chena River State Recreation Area and designating
30 incompatible uses within the boundaries of the Chena River State Recreation Area in accordance
31 with AS 41.21.490.

1 * Sec. 15. AS 44.37.025(c) is amended to read:

2 (c) The department, with the concurrence of the administrative director of courts, may
3 appoint judicial employees to perform services in connection with recording, providing access
4 to, and copying documents in locations where the department has not otherwise designated a
5 public office [NO EMPLOYEES AVAILABLE] to perform those functions.

6 * Sec. 16. Section 4, ch. 81, SLA 1981, as amended by sec. 1, ch. 25, SLA 1988, is amended to read:

7 Sec. 4. Section 3 of this Act takes effect July 1, 1992 [JUNE 30, 1998].

8 * Sec. 17. Section 3, ch. 95, SLA 1989, is amended to read:

9 Sec. 3. EMPLOYMENT ASSISTANCE AND TRAINING PROGRAM FUND
10 [ACCOUNT]. The employment assistance and training program fund [ACCOUNT] is
11 established in the department. Deposits into the fund are not general fund program receipts
12 [GENERAL FUND. THE COMMISSIONER OF ADMINISTRATION SHALL SEPARATELY
13 ACCOUNT FOR MONEY COLLECTED UNDER SEC. 4 OF THIS ACT THAT THE
14 DEPARTMENT DEPOSITED IN THE GENERAL FUND]. The annual estimated balance in
15 the fund [ACCOUNT] may be appropriated by the legislature to the department to implement
16 this Act. If the entire estimated balance is not used to implement this Act during a fiscal
17 year, the [THE] legislature may make appropriations from the employment assistance and
18 training fund [APPROPRIATE THE LAPSING BALANCE OF THE ACCOUNT] to the
19 unemployment compensation fund established in AS 23.20.130.

20 * Sec. 18. AS 28.10.161(c), AS 38.05.082, 38.05.085(a), 38.05.085(b), 38.05.085(g), 38.05.105(b),
21 38.05.855, 38.05.856, and 38.05.946(b) are repealed.

22 * Sec. 19. This Act takes effect July 1, 1992.

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2 the commissioner from among those set out in AS 38.05.073(m) and designed to maximize
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31 the state;

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2 established as the legislature authorizes and directs;

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4 individuals, corporations, partnerships or associations, land necessary, suitable and proper for
5 roadside, picnic, recreational, or park purposes;

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7 areas;

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10 necessary arrangements, contracts, or commitments for the improvement and development of land
11 acquired under AS 41.21.010 - 41.21.040; contracting for improvement and development under
12 this paragraph is governed by AS 36.30 (State Procurement Code);

13 (6) adopt, in accordance with this section and the Administrative Procedure Act
14 (AS 44.62), regulations governing the use and designating incompatible uses within the
15 boundaries of state park and recreational areas to protect the property and to preserve the peace;

16 (7) cooperate with the United States and its agencies and local subdivisions of the
17 state to secure the effective supervision, improvement, development, extension, and maintenance
18 of state parks, state monuments, state historical areas, and state recreational areas, and secure
19 agreements or contracts for the purpose of AS 41.21.010 - 41.21.040;

20 (8) encourage the organization of state public park and recreational activities in
21 the local political subdivisions of the state;

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23 facilities and programs;

24 (10) provide clearinghouse services for other state agencies concerned with park
25 and recreation matters;

26 (11) perform other duties as are prescribed by executive order or by law;

27 (12) maintain memorials to Alaska veterans located in state parks; and

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30 incompatible uses within the boundaries of the Chena River State Recreation Area in accordance
31 with AS 41.21.490.

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14 DEPARTMENT DEPOSITED IN THE GENERAL FUND]. The annual estimated balance in
15 the fund [ACCOUNT] may be appropriated by the legislature to the department to implement
16 this Act. If the entire estimated balance is not used to implement this Act during a fiscal
17 year, the [THE] legislature may make appropriations from the employment assistance and
18 training fund [APPROPRIATE THE LAPSING BALANCE OF THE ACCOUNT] to the
19 unemployment compensation fund established in AS 23.20.130.

20 * Sec. 18. AS 28.10.161(c), AS 38.05.082, 38.05.085(a), 38.05.085(b), 38.05.085(g), 38.05.105(b),
21 38.05.855, 38.05.856, and 38.05.946(b) are repealed.

22 * Sec. 19. This Act takes effect July 1, 1992.

FAX TRANSMISSION COVER SHEET

TO: House Finance Committee
TEL 465-3757
FAX 465-2278

FROM: Allan Adasiak
TEL 907-562-0401
FAX 907-563-4854

DATE: 8 April 1992

SUBJECT: HB 572 -- Recorder's Office

MESSAGE:

A two-page letter on the above subject accompanies this cover sheet.

I assume that you have already heard of and looked into the rumor that a gag rule has been imposed on Recorder's Office employees to keep them from testifying on this measure, and that you have found no substance to it.

Page __1__ of __3__, including this page.

House Finance Committee
State Capitol
Juneau, AK 99811

8 April 1992

Dear Finance Committee Members:

This is to register opposition to provisions of HB 572 that would authorize the Recorder's Office in the Department of Natural Resources to contract with local governments to perform Recorder's Office functions.

Such a move would lead to:

1. Higher fees for every citizen doing business with a recorder's office.
2. A costly administrative jumble, if not - nightmare during the transition to a regressive form of operation.
3. Raggadness, failures of process, and outright errors in connection with title and other land transaction records.
4. Inconvenience and expense for all citizens who would have to use the proposed system and to untangle its errors.

The reasons for the above are as follows:

1. Higher costs: The present system has several economies of scale that could not be continued with a fragmented operation.
2. Transitional administrative costs: a. Local government boundaries do not conform to Recording District boundaries. Records would have to be identified, re-allocated, and perhaps physically transferred. b. Recording office functions in the unorganized borough would have to be continued, presumably by the State, but without the volume of transactions in other areas that now supports that activity. c. The State's integrated data base of Recorder's Office records would have to be restructured and maintained in a different way, if it could be maintained at all. d. Local recording offices would have to be assumed by the new muni-district that contained them. (This assumes that "local government" means an organized borough, not a city, town or village.)
3. Errors in records: Some of these would be due to the roughness of a transition. Some would be due to inconsistency in procedures, training and quality control at the local government level. Some would depend on whether an effective, accurate data base could be maintained.
4. Inconvenience and expense: Incorrect property records can cost someone money. Not discovering an error until it becomes crucial in a transaction can cost even more money. Remedying the error will cost more time and money.

I have been a private investigator in Alaska for several years. I have always found the staff at the Recorder's

Office informed and helpful. The records are well maintained, and the state-wide data base makes them easy to review for any area of the state.

Those Eastern states in which I have had to look for records stand in stark contrast to our situation here. The Recorder's Offices are by county. Different counties have different procedures. The fees are high, and they can be inconsistent from county to county. A computerized data base is a rarity: Few counties have one. Most seem to rely on file cabinets of documents -- and in a few cases it seems as if they rely on shoe boxes and bales of documents stacked in other rooms.

In conclusion, the proposal to turn over Recorder's Office functions to local governments is one to which you should say strongly, "We don't give a damn how they do it outside."

Thank you for your time and consideration.

Sincerely,



Allan Adasiak
1835 Crescent Dr.
Anchorage, AK 99508
562-0401