

SB

375

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 5/2/94

FURTHER: _____

DATE TURNED INTO OFFICE: _____

The Finance Committee considered SENATE BILL NO. 375

"An Act relating to general grant land entitlements."

Died in SFC 1994.

and recommends:

- replace with _____ CS _____ (FINANCE)
- or adopt previous _____ CS _____ ()
- attaches amendment(s)

- same title
- new title
- technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

NEW FISCAL NOTES

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTES

Department	Date	Zero	Fiscal

Appropriation No Fiscal Note

DO PASS.

OTHER RECOMMENDATIONS:

1. _____
Co-Chair: Signature/Recommendation

2. _____
Co-Chair: Signature/Recommendation

SENATE COMMITTEE REPORT

over

DATE: 4/27/94

FURTHER: *h noj*

DATE TURNED INTO OFFICE: 5.2.94

Resources Committee considered SENATE BILL NO. 375

"An Act relating to general grant land entitlements."

and recommends:

replace with _____ CS SB 375 (RES)

or adopt previous _____ CS _____

attaches amendment(s)

same title
 new title
 technical title change
 (HB only)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

*FN
r of FN's*

NEW FISCAL NOTES

CS
SB
SB/CS

Department	Date	Zero	Fiscal
DNR	4.28.94	X	
DNR			300.0
CRA		✓	

PREVIOUS FISCAL NOTES

Department	Date	Zero	Fiscal

Appropriation No Fiscal Note

DO PASS:

Steven A. Lemmon
Jack P. Shurtliff
Lee Edwards III

OTHER RECOMMENDATIONS:

one source - No Rec
from 11.21 Rec

Mark Miller Do Pass

Chair: Signature and Recommendation

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

DATE: 4/13/94

FURTHER: Resources

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

DATE TURNED INTO OFFICE: _____

CRA Committee considered SB 375

"An Act relating to general grant land entitlements."

and recommends:

replace with _____ CS _____

attaches amendment(s)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

- same title
- new title
- technical title change (HB only)

FISCAL NOTE INFORMATION

Department	Date	Zero	Fiscal

Department	Date	Zero	Fiscal

Appropriation No Fiscal Note

Governor's Bill with Previous Fiscal Notes (enter information above)

DO PASS.

OTHER RECOMMENDATIONS:

 Chair: Signature and Recommendation

ALASKA STATE LEGISLATURE
SENATE BILL NO. 375

HISTORY IN THE SENATE

1994
4/13
4/27
5/2
5/2

Read first time and referred to:
CRA, RES
CRATIVE to RES
add FIN

RES RPT() CS 4 DP 2 NR ___ DNP ___ AM
New Title Same Title ___ Previous FN ___
1 FN 2 OFN add FIN To FIN

___ RPT(___) CS ___ DP ___ NR ___ DNP ___ AM
New Title ___ Same Title ___ Previous FN ___
___ FN ___ OFN ___ To ___

___ RPT(___) CS ___ DP ___ NR ___ DNP ___ AM
New Title ___ Same Title ___ Previous FN ___
___ FN ___ OFN ___ To ___

___ Rules Calendar(___) CS ___ AM ___ Other ___
New Title ___ Same Title ___ Previous FN ___
___ FN ___ OFN ___

Read second time
___ CS Adopted (___) ___ New Title ___
___ Amended ___ Advanced ___

Read third time
___ Letter of Intent adopted
___ Return to second for specific amendment

PASSED EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reconsideration
Reconsideration not taken up

PASSED EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reported correctly engrossed
Signed by President, to House

Secretary of the Senate

HISTORY IN THE HOUSE

19

Read first time and referred to:

___ RPT CS(___) ___ New Title ___
___ DP ___ DNP ___ NR ___ AM ___
___ FN ___ OFN ___ Previous FN ___

___ RPT CS(___) ___ New Title ___
___ DP ___ DNP ___ NR ___ AM ___
___ FN ___ OFN ___ Previous FN ___

___ RPT CS(___) ___ New Title ___
___ DP ___ DNP ___ NR ___ AM ___
___ FN ___ OFN ___ Previous FN ___

Read second time
CS(___) Adopted

Amended

Advanced

Read third time

Return to second for specific amendment

PASSED EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

___ Intent adopted

Reconsideration
Reconsideration not taken up

PASSED ON RECON. EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

___ Intent adopted

Reported correctly engrossed, signed by the Speaker
and returned to the Senate

Chief Clerk of the House

SENATE-HOUSE HISTORY Continued

19	<p>Received from the House Version: _____</p> <p>Concur in House amendment Y ___ N ___ E ___ A ___ ____ Efd same or Y ___ N ___ E ___ A ___</p> <p>Failed to concur in House amendment, ask House recede Y ___ N ___ E ___ A ___</p> <p>House failed to / receded from amendment Y ___ N ___ E ___ A ___</p> <p>CC appointed by Senate _____ Chair _____</p> <p>CC appointed by House _____ Chair _____</p> <p>(S) Granted Limited Powers of Free Conference</p> <p>(H) Granted Limited Powers of Free Conference</p>
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19	<p>(S) Adopted CC Rpt _____ Y ___ N ___ E ___ A ___ ____ Efd same or Y ___ N ___ E ___ A ___</p> <p>(H) Adopted CC Rpt _____ Y ___ N ___ E ___ A ___ ____ Efd same or Y ___ N ___ E ___ A ___</p> <p>To enrolling Received from enrolling Sent to Governor</p> <p>_____ By Governor</p> <p>Chapter Number _____</p> <p>Filed with Lieutenant Governor</p>
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FISCAL NOTI No. 1

STATE OF ALASKA 1994 LEGISLATIVE SESSION

Bill Version: SB375

(S) Publish Date: 5-2-94

Revision Date: REVISED ORIGINAL on 4/19/94 Dept Affected: Natural Resources
 Title: "An Act relating to general grant land entitlements." BRU: Resource Development
 Component: Land Development
 Sponsor: Senate Judiciary Committee
 Requestor: Senate Judiciary Committee Component Serial No. 431

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES	350.0	350.0	350.0	350.0	350.0	350.0
TRAVEL	10.0	10.0	10.0	10.0	10.0	10.0
CONTRACTUAL	15.0	15.0	15.0	15.0	15.0	15.0
SUPPLIES	5.0	5.0	5.0	5.0	5.0	5.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	380.0	380.0	380.0	380.0	380.0	380.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF	380.0	380.0	380.0	380.0	380.0	380.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	380.0	380.0	380.0	380.0	380.0	380.0

Estimate of any current year (FY94) cost: \$ None

POSITIONS	FY95	FY96	FY97	FY98	FY99	FY00
FULL-TIME	6	6	6	6	6	6
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

OPPOSED.
SEE ATTACHED.

Prepared by: Ron Swanson, Director Phone: 762-2692
 Division: Land Date: 19-Apr-94
 Approved by Commissioner: Harry A. Noah Date: 19-Apr-94
 Agency: Natural Resources

We oppose this bill because it is not in the best interest of the state.

The present Municipal Land Act limits what lands can be used to calculate municipalities' entitlement and, more importantly, what type of land is suitable to be conveyed to municipalities. The present definition limits this to land classified agricultural, grazing, material, public recreation, or settlement. It does not include land classified for forest, geothermal, heritage resources, oil and gas, reserved use, resource management, transportation corridor, or wildlife habitat.

These land classifications, that could be used to determine entitlements and eventual ownership were carefully decided in 1978, when the Municipal Land Act became law. The classifications were individually looked at and put into categories that were in the states interest to retain, and those that were appropriate for local ownership to support local activities and revenue generation.

If this bill becomes law, municipalities will be able to select and obtain ownership over any state land, including land within legislatively designated areas such as parks, game refuges, sanctuaries, and recreational areas. This will leave the state in a position of not being able to protect the overall interest of all its citizens.

The following chart depicts the additional land that would need to be conveyed, just to boroughs:

Boroughs	State Land	10% State Land	Present Entitlement
Aleutians East Borough	1,184,113	118,411.3	Not Certified
Municipality of Anchorage	543,184	54,318.4	44,893
Bristol Bay Borough	105,213	10,521.3	2,898
Denali Borough	3,017,661	301,766.1	Not Certified
Fairbanks North Star Borough	2,973,355	297,335.5	112,000
Haines Borough	155,171	15,517.1	2,800
City and Borough of Juneau	40,069	4,006.9	19,584
Kenai Peninsula Borough	2,171,394	217,139.4	185,780
Ketchikan Gateway Borough	27,692	2,769.2	11,593
Kodiak Island Borough	628,817	62,881.7	56,500
Lake and Peninsula Borough	4,198,660	419,866.0	Not Certified
Matanuska-Susitna Borough	9,881,324	988,132.4	355,210
North Slope Borough	8,644,282	864,428.2	89,850
Northwest Arctic Borough	3,242,039	324,203.9	285,000
City and Borough of Sitka	15,499	1,549.9	10,500
Yakutat	5,000	500.0	Not Certified

In some cases, such as for the Municipality of Anchorage, the State does own enough land to convey the additional entitlement unless land is removed from legislatively designated areas (Chugiak State Park). In addition, there are 29 cities that presently have an entitlement of 26,810 acres. All of the boroughs, plus all cities that have state land within their boundaries, will have to be recertified. It should also be noted that all entitlements are vested property rights that must be full-filled. It should also be noted that we currently have a back log of unprocessed applications for 20 municipalities that total 620,000 acres.

Current law, AS 29.65.030 (b), requires that municipal entitlements be certified within two years and six months of incorporation, or within six months if a municipality requests certification on an expeditious basis. Current law, AS 29.65.040 (d), also requires that municipalities must select land within one year after certification. Finally, AS 29.65.050(c), requires that all selections must be approved or disapproved within nine months of selection.

This fiscal note reflects these requirements. If a more moderate approach is adopted this fiscal note needs to be amended.

FISCAL NOTE No. 2

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BI Bill Version: SB 375
 (S) Publish Date: 5-2-94

Revision Date: 28-Apr-94 Dept Affected: Natural Resources
 Title: "An Act relating to general grant
land entitlements." BRU: Resource Development
 Component: Land Development
 Sponsor: Senate Judiciary Committee
 Requestor: Senate Judiciary Committee Component Serial No. 431

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY94) cost: \$ None

POSITIONS

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

ANALYSIS: (Attach a separate page if necessary)

SEE ATTACHED.

Prepared by: Ron Swanson, Director Phone: 762-2692
 Division: Land Date: 28-Apr-94
 Approved by Commissioner: Harry A. Noah Date: 28-Apr-94
 Agency: Natural Resources

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

While we support the transfer of land to municipalities, we do not support this bill in its present form because it is not in the best interest of the state.

The present Municipal Land Act limits what lands can be used to calculate municipalities' entitlement and, more importantly, what type of land is suitable to be conveyed to municipalities. The present definition limits this to land classified agricultural, grazing, material, public recreation, or settlement. It does not include land classified for forest, geothermal, heritage resources, oil and gas, reserved use, resource management, transportation corridor, or wildlife habitat.

These classifications were carefully decided in 1978 when the Municipal Land Act became law. The classifications were individually looked at and put into categories that were in the states interest to retain, and those that were appropriate for local ownership to support local activities and revenue generation.

By including all land classifications, the land use planning process, which includes a public process, essentially becomes moot.

The following chart approximately depicts the additional land that would need to be conveyed to boroughs. The chart has not taken into account state land that has already been conveyed to municipalities, University or Mental Health land and Legislatively Designated Areas.

Boroughs	State Land	10% State Land	Present Entitlement
Aleutians East Borough	1,184,113	118,411.3	Not Certified
Municipality of Anchorage	543,184	54,318.4	44,893
Bristol Bay Borough	105,213	10,521.3	2,898
Denali Borough	3,017,661	301,766.1	Not Certified
Fairbanks North Star Borough	2,973,355	297,335.5	112,000
Haines Borough	155,171	15,517.1	2,800
City and Borough of Juneau	40,069	4,006.9	19,584
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Kodiak Island Borough	628,817	62,881.7	56,500
Lake and Peninsula Borough	4,198,660	419,866.0	Not Certified
Matanuska-Susitna Borough	9,881,324	988,132.4	355,210
North Slope Borough	8,644,282	864,428.2	89,850
Northwest Arctic Borough	3,242,039	324,203.9	285,000
City and Borough of Sitka	15,499	1,549.9	10,500
Yakutat	5,000	500.0	Not Certified

In addition, there are 29 cities that presently have an entitlement of 26,810 acres. All of these, plus all other cities that have state land within their boundaries will have to be readjudicated.

STATE OF ALASKA
1994 LEGISLATIVE SESSION

FISCAL NOTE

No. 3

Bill Version: SB 375

(S) Publish Date: 5-2-94

Revision Date: _____ Dept. Affected: Community & Regional Affairs
 Title: "An Act relating to general grant land entitlements." BRU: _____
 Sponsor: Senate Judiciary Committee by Request Component: _____
 Requestor: Senator Phillips COMPONENT SERIAL NO. _____

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

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

Estimate of current (FY94) impact \$ none

ANALYSIS: (Attach a separate page if necessary)

Changes in CS SB 375 (RES)
 have no fiscal impact. This
 fiscal note is appropriate.
5-2-94 date SS-S Comte Aide (initial)

Prepared by: Remond Henderson Remond Henderson Director Phone: 465-4708
 Division: Administrative Services Date: 4/19/94
 Approved for the Commissioner by: Bruce Geraghty Bruce Geraghty Deputy Commissioner Date: 4-19-94
 Agency: Community & Regional Affairs

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