

SB

210

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

400 WILLOUGHBY AVENUE
JUNEAU, ALASKA 99801-1796
PHONE: (907) 465-2400
FAX: (907) 465-3886

January 24, 1994

The Honorable Mike Miller
Chair, Resources Committee
Alaska State Senate
State Capitol
Juneau, Alaska 99801-1182

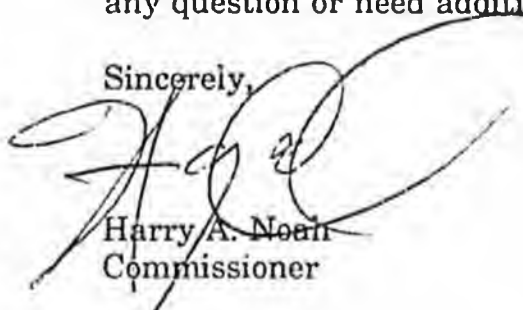
Dear Senator Miller:

We fully support Senate Bill 210 which authorizes the Department of Natural Resources to dispose of state land within five miles of the right-of-way of the Dalton Highway to a licensed public utility or a licensed common carrier. This is needed to allow for the construction and operation of such things as pipelines, electric and telephone lines. These uses are currently prohibited under AS 19.40.200.

We would also recommend that the statute be further amended to authorize the Department to dispose of land for industrial and commercial uses within the identified development nodes at Coldfoot, Happy Valley, Franklin Bluffs, Yukon Crossing and Deadhorse. In the last year, land at these locations has been conveyed to the state. We are prohibited from issuing leases or permits, for even the existing facilities, at these locations. In addition, we are prohibited from removing or disposing of gravel. There is currently a need for gravel at Deadhorse for airport improvement that we are unable to provide.

Please feel free to contact me or Ron Swanson, Director, Division of Land, if you have any question or need additional information.

Sincerely,



Harry A. Noah
Commissioner

HAN/sf

cc: Senator Sharp
Commissioner Bruce Campbell, DOT/PF
Ron Swanson, Director, Div. of Land
Jerry Gallagher, Legislative Liaison, DNR
Raga Elim, Legislative Liaison, Office of the Governor



*Department of Transportation
and Public Facilities*

POSITION PAPER

BILL NO: SB 210

APPROVED: *[Signature]*

TITLE: Disposal of Dalton Hwy
Right of Way Land

DATE: January 18, 1994

The Department of Transportation and Public Facilities (DOT&PF) supports amendment of AS 19.40.200 to allow disposal of state land within five miles of the Dalton Highway right of way for the purpose of establishing public utility systems.

DOT&PF recommends that AS 19.40.200 also be amended to allow disposal of state land and materials for construction, improvement and maintenance of public facilities. Such an amendment would facilitate work on corridor airports, service roads, access roads and waysides, as well as on the Dalton Highway south of 68 degrees north latitude.

For Further Information, Contact [Redacted] at 465-3904.

SPONSOR STATEMENT

SENATOR BERT SHARP

SB-210

Under current statute, the state of Alaska is prohibited from disposing of, or leasing, state land within five miles of the right-of-way of the Dalton Highway. The state owns many acres of land in this area, yet it cannot be leased or purchased. This prohibition on state land seems needlessly harsh.

In the summer of 1992, Summit Telephone Company applied to the Alaska Public Utilities Commission for certification to provide telephone service to Coldfoot and Wiseman. BLM assured them they would not have any problems obtaining a long term lease for a central switching office and 60 foot radio tower in Coldfoot.

Upon receiving certification from APUC, Summit immediately went to BLM to obtain the land. They were told that the land surrounding Coldfoot had been transferred to the State of Alaska, and they would have to apply to the Department of Natural Resources to obtain land in Coldfoot.

The Department of Natural Resources informed Summit Telephone Company that there could be no leasing or sale of land in the Coldfoot area, because such disposal was prohibited by statute.

Senate Bill 210 would lift this ban and allow the Department of Natural Resources to lease the land for nonresidential development. This would enable telephone service, airport and highway maintenance, and many other public service needs to be met.

I urge your favorable vote on this very important legislation. Thank you.

SECTIONAL ANALYSIS

SB 210

"An Act relating to disposal of state land within five miles of the right-of-way of the Dalton Highway to a licensed public utility or a licensed common carrier."

*Section 1. The prohibition on disposal of state land under AS 19.40.200(b) of this section would not apply to a prohibition on disposal of state land under AS 38.810(e); or

(A) an oil and gas lease under AS 38.05.108; or

(B) exploration, development, production or transportation of oil and gas north of 68 degrees north latitude; or

(C) a state lease or materials sale for exploration, development, production or transportation of oil and gas or reconstruction or maintenance of the highway north of 68 degrees north latitude.

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. SB210

Revision Date: _____ Dept Affected: Natural Resources
 Title: "An Act relating to disposals of state land within BRU: Resource Development
five miles of the right-of-way of the Dalton Highway to a licensed..." Component: Land Development
 Sponsor: Senator Sharp
 Requestor: Senator Sharp 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)
 DNR supports the bill with amendments to allow land and material disposals within development nodes.

Prepared by: Ron Swanson, Director Phone: 62-2692
 Division: Land Date: 14-Jan-94
 Approved by Commissioner: Harry A. Noah Date: 14-Jan-94
 Agency: Natural Resources

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNMENT LEGISLATIVE OFFICE

FISCAL NOTE

Revision Date: Department Affected: DOT&PF
 Title: Disposal of Dalton Hwy Right Of Way Land BRU: Northern Region Planning
 Sponsor: Sharp Component: Northern Region Planning
 Requestor: Component Serial Number: #578

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING:	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE FUND SOURCE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

1002 FEDERAL RECEIPTS	0	0	0	0	0	0
1003 GF MATCH	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/PROGRAM RECEIPTS	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL FUNDING:	0	0	0	0	0	0

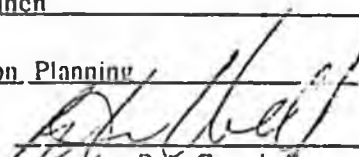
POSITIONS

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 (FY94) impact: \$0

ANALYSIS: (Attach a separate page if necessary)

Adoption of this bill would not adversely affect DOT&PF. As a possible user of utility services, DOT&PF may benefit from it.

Prepared by: Norman Piispanen
 Division: Northern Region Planning
 Approved by Commissioner: 
 Agency: Department of Transportation and Public Facilities

Phone: 451-2385
 Date: January 14, 1994
 Phone: 465-3901
 Date: January 18, 1994

8-LS1110E2
Luckhaupt
1/28/94

CS FOR SENATE BILL NO. 210(RES)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE RESOURCES COMMITTEE

Offered:
Referred:

Sponsor(s): SENATOR SHARP

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to disposals of state land within five miles of the right-of-way
2 of Dalton Highway to a licensed public utility or a licensed common carrier;
3 relating to disposals of state land for nonresidential development in nodes of
4 development along the Dalton Highway; and allowing state leases and materials
5 sales for construction or maintenance of airports along the Dalton Highway."

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

7 * Section 1. AS 19.40.200(b) is amended to read:

8 (b) The prohibition on disposal of state land under (a) of this section does not
9 apply to a disposal

10 (1) to a licensed public utility or a licensed common carrier under
11 AS 38.05.810(e);

12 (2) for nonresidential development within the Yukon River
13 Crossing, Coldfoot, Happy Valley, Franklin Bluffs, and Deadhorse development

1
2
3
4
5
6
7
8
9
10
11

nodes; or

(3) necessary for

(A) [(1)] an oil and gas lease under AS 38.05.180;

(B) [(2)] exploration, development, production, or transportation of oil and gas north of 68 degrees north latitude; or

(C) [(3)] a state lease or materials sale for

(i) exploration, development, production, or transportation of oil and gas; [OR]

(ii) reconstruction or maintenance of the highway north of 68 degrees north latitude; or

(iii) construction or maintenance of airports.