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FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO: SB 322

Revision Date: 4/16/96 Dept. Affected: Community & Regional Affairs
 Title: An Act relating to distribution of national forest income to boroughs; ... BRU: _____
 Sponsor: Senate Judiciary Committee Component: _____
 Requestor: Senate C&RA COMPONENT SERIAL NO. _____

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

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
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
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CHANGE IN REVENUES () Revenue Code						
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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

Estimate of current year (FY 96) impact: \$ none

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary.)

This bill will have no fiscal impact on the department.

Prepared By: Remond Henderson *Remond Henderson* Phone: 465-4708
 Division: Director, Administrative Services Date: 4/16/96
 Approved by Commissioner: Mike Irwin *Mike Irwin* Date: 4/16/96
 Agency: Mike Irwin, Dept. of Community & Reg. Affairs

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Senator Robin L. Taylor

Senate Sponsor Statement

Senate Bill 322

Senate Bill 322 would change the way payments are distributed from the National Forest Receipts Program. Since the payment of forest receipts is essentially a mitigation program, this revised distribution formula would direct payment to those boroughs which are actually impacted.

Five boroughs and 19 communities and school districts in the unorganized borough currently receive payments under this program. More than \$8.7 million was distributed in FY'95. That figure represents 25 percent of the revenue generated by activity on the Tongass National Forest, most of it from timber harvest.

Some of the communities currently receiving impact money actively oppose the timber industry. They have discouraged logging activity near their communities and are therefore not impacted by the very activity which generates the revenue they have received.

SB 322 would re-distribute that revenue to those communities which are actually impacted.

District A

Hyder • Ketchikan • Kupreanof • Metcalf • Petersburg • Savoie • Sitka • Wrangell

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MEMORANDUM

April 12, 1996

SUBJECT: National forest income (SB 322)

TO: Senator John Torgerson
Senate Community and Regional Affairs

FROM: Tamara Brandt Cook
Director *TBC*

SB 322 would require as a condition to receipt of national forest income by a borough that timber must have been harvested within the last five years from the portion of the forest located within the borough. It also contains a provision to share the amount a disqualified borough would have received with the other qualified boroughs. You have asked whether the bill conflicts with federal law.

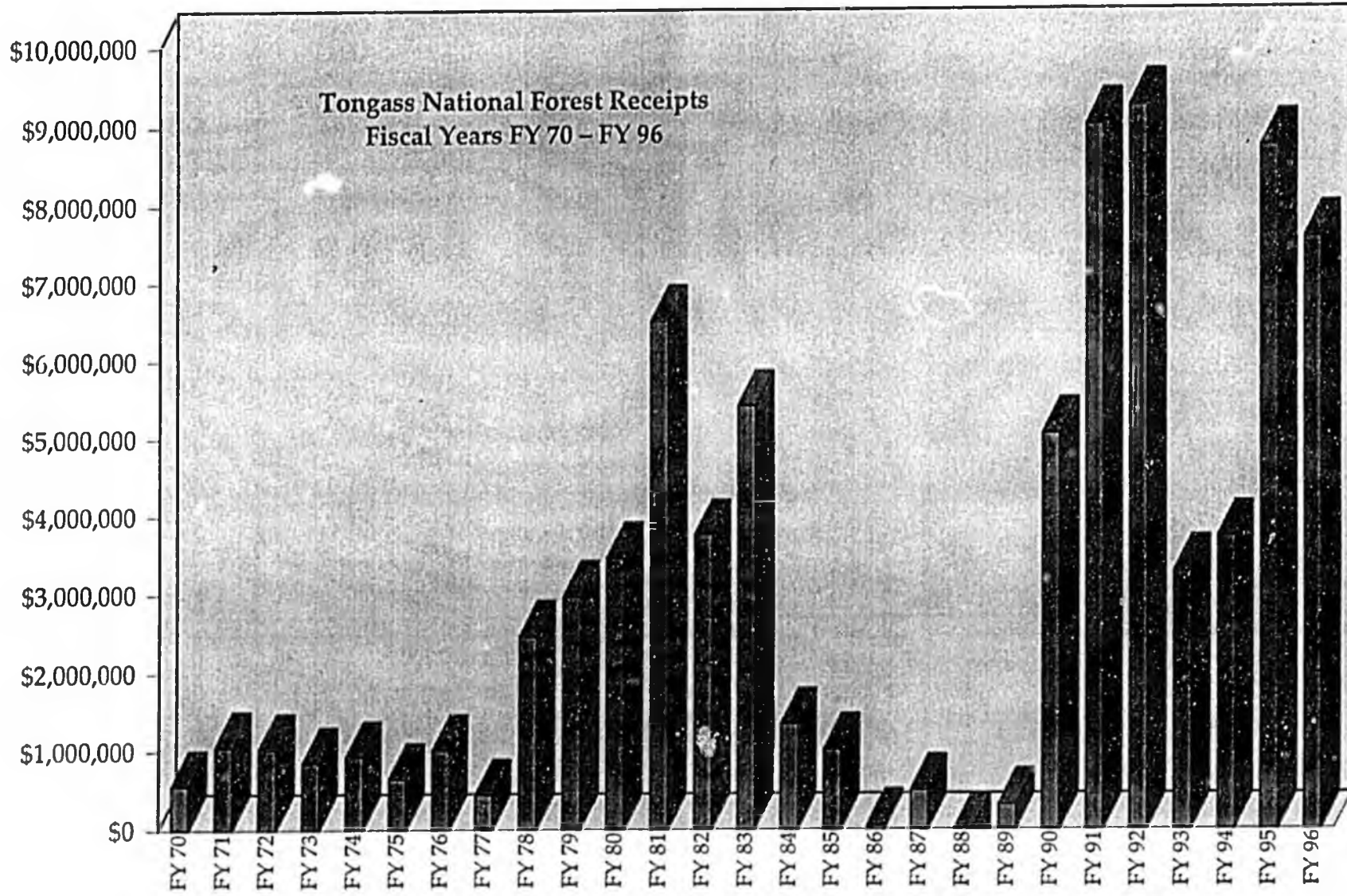
The income distribution under SB 322 appears not to comply with the federal program under which the national forest income is distributed. 16 U.S.C. 500 provides:

On and after May 23, 1908, twenty-five per cent of all moneys received during any fiscal year from each national forest shall be paid, at the end of such year, by the Secretary of the Treasury to the State or Territory in which such national forest is situated, to be expended as the State or Territorial legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which such national forest is situated: Provided, That when any national forest is in more than one State or Territory or county the distributive share to each from the proceeds of such forest shall be proportional to its area therein....

As I read this provision, it appears that if the national forest lies in more than one county, the share to each county must be proportional to the area of the forest within each county.

TBC:pl
96-116.plm

Tongass National Forest Receipts
Fiscal Years FY 70 - FY 96



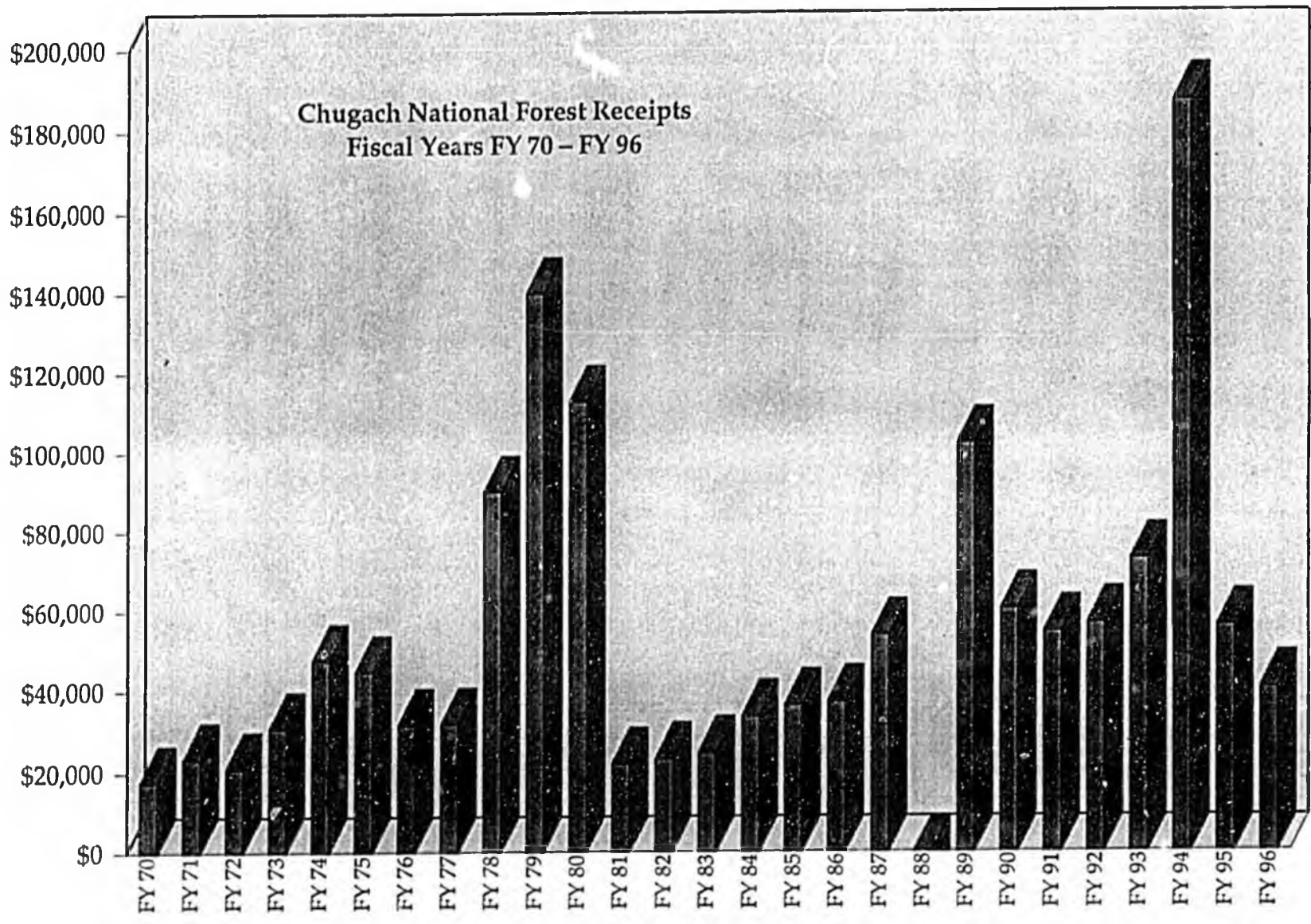


Table 1
FY 96 NATIONAL FOREST RECEIPTS PROGRAM
BOROUGH PAYMENTS

TONGASS NATIONAL FOREST

Borough	Acres	Total Payment
Haines Borough	918,072	\$416,716.37
City & Borough of Juneau	1,714,994	\$778,442.29
Ketchikan Gateway Borough	743,255	\$337,366.27
City & Borough of Sitka	1,806,623	\$820,033.05
City & Borough of Yakutat	1,226,997	\$556,938.60
Unorganized Borough	10,245,906	\$4,650,655.67
TOTAL ACRES	16,655,847	
TOTAL PAYMENT		\$7,560,152.25

CHUGACH NATIONAL FOREST

Borough	Acres	Total Payment
Municipality of Anchorage	275,036	\$2,076.77
Kenai Peninsula Borough	1,097,666	\$8,288.37
Kodiak Island Borough	19,461	\$146.95
Matanuska-Susitna Borough	43,386	\$327.60
Unorganized Borough	3,913,349	\$29,549.32
TOTAL ACRES	5,348,898	
TOTAL PAYMENT		\$40,389.01
TOTAL STATE OF ALASKA PAYMENT		\$7,600,541.26

Table 2
FY 96 NATIONAL FOREST RECEIPTS PROGRAM
TONGASS NATIONAL FOREST - UNORGANIZED BOROUGH PAYMENTS

Municipality	Road Miles	Road Mile \$	ADM	School \$	Total Payment
Home Rule					
Petersburg	12.30	\$37,583.15	753.55	\$687,678.55	\$725,261.70
Wrangell	9.81	\$29,974.86	555.00	\$506,484.76	\$536,459.62
First Class					
Craig	7.75	\$23,680.44	424.00	\$386,936.11	\$410,616.55
Hoonah	8.00	\$24,444.33	273.70	\$249,774.56	\$274,218.89
Hydaburg	6.20	\$18,944.35	104.00	\$94,908.86	\$113,853.21
Kake	13.36	\$40,822.03	191.00	\$174,303.77	\$215,125.80
Klawock	6.79	\$20,747.12	220.15	\$200,905.62	\$221,652.74
Pelican	1.10	\$3,361.10	38.25	\$34,906.38	\$38,267.48
Skagway	12.05	\$36,819.27	131.30	\$119,822.43	\$156,641.70
Second Class					
Angoon	7.70	\$23,527.67	N/A	N/A	\$23,527.67
Coffman Cove	12.70	\$38,805.37	N/A	N/A	\$38,805.37
Kasaan	8.36	\$25,544.32	N/A	N/A	\$25,544.32
Tenakee Springs	2.50	\$7,638.85	N/A	N/A	\$7,638.85
Thorne Bay	25.41	\$77,641.30	N/A	N/A	\$77,641.30
Federal Law					
Metlakatla	35.50	\$108,471.71	N/A	N/A	\$108,471.71
REAA'S					
Annette Island	N/A	N/A	444.00	\$405,187.81	\$405,187.81
Chatham	N/A	N/A	337.30	\$307,814.98	\$307,814.98
Southeast Island	N/A	N/A	349.85	\$319,267.92	\$319,267.92
TOTAL LOCAL	169.53	\$518,005.87	3,822.10	\$3,487,991.74	\$4,005,997.62
STATE	210.98	\$644,658.05	N/A	N/A	\$644,658.05
GRAND TOTAL	380.51	\$1,162,663.92	3,822.10	\$3,487,991.75	\$4,650,655.67

Table 3
 FY 96 NATIONAL FOREST RECEIPTS PROGRAM
 CHUGACH NATIONAL FOREST - UNORGANIZED BOROUGH PAYMENTS

Municipality	Road Miles	Road Mile \$	ADM	School \$	Total Payment
Home Rule					
Cordova	12.90	\$602.08	519.15	\$7,380.45	\$7,982.53
Valdez	23.78	\$1,109.87	895.75	\$12,734.37	\$13,844.24
Second Class					
Whittier	5.10	\$238.03	N/A	N/A	\$238.03
REAA'S					
Chugach	N/A	N/A	144.00	\$2,047.17	\$2,047.17
TOTAL LOCAL	41.78	\$1,949.98	1,558.90	\$22,161.98	\$24,111.96
STATE	116.50	\$5,437.35	N/A	N/A	\$5,437.35
GRAND TOTAL	158.28	\$7,387.33	1,558.90	\$22,161.99	\$29,549.31

National Forest Receipts Program Tongass National Forest

Borough Payments - FY 92 to FY 95

	FY 1992	FY 1993	FY 1994	FY 1995
Haines Borough	\$ 507,050	\$ 179,689	\$ 203,982	\$ 479,955
City & Borough of Juneau	913,842	323,836	367,612	899,413
Ketchikan Gateway Borough	412,334	146,123	165,878	389,463
City & Borough of Sitka	1,002,372	555,222	403,243	948,804
City & Borough of Yakutat	-	240,153	272,620	641,456
Unorganized Boroughs	6,406,581	2,028,305	2,301,566	5,367,059
Petersburg	936,210	306,688	349,340	851,333
Wrangell	698,891	223,290	264,642	634,078
Craig	424,101	156,784	182,301	449,015
Hoonah	350,221	130,066	136,437	304,444
Hydaburg	201,325	66,072	60,302	138,347
Kake	283,661	90,967	101,316	244,138
Klawock	279,278	88,331	107,990	244,325
Pelican	61,905	20,602	22,581	51,639
Skagway	227,733	79,233	85,113	177,969
Yakutat	179,087	-	-	-
Angoon	30,997	11,103	12,002	27,174
Coffman Cove	45,021	17,103	18,488	43,408
Kasaan	18,327	6,556	12,880	29,503
Tenakee Springs	9,960	3,563	3,852	8,823
Thorne Bay	118,331	42,330	45,758	83,640
Metlakatla	137,056	49,029	52,999	131,636
Annette Island	531,236	165,373	189,016	447,219
Chatham	471,583	142,839	151,731	346,968
Southeast Island	521,085	171,104	192,193	406,703
State	880,706	257,272	312,696	748,699
Grand Total	\$9,242,180	\$3,273,328	\$3,714,900	\$8,726,150

Retyped from Facsimile received from the Alaska Region of the U.S. Forest Service

Alaska Region--Tongass National Forest

Borough	1991 Payment State FY 92	1992 Payment State FY 93	1993 Payment State FY 94	1994 Payment State FY 95	1995 Payment State FY 96
Haines at large	507,050.45	179,689.10	203,981.54	479,954.84	401,408.86
Juneau at large	913,842.03	323,835.62	367,611.67	899,412.92	752,221.44
Ketchikan Gateway at large	412,333.90	146,123.34	165,877.98	389,463.26	325,726.49
Sitka at large	1,002,372.28	355,221.79	403,243.21	948,804.14	793,529.64
Yakutat at large		240,153.26	272,619.95	641,456.39	536,480.22
Unorganized at large	6,406,580.95	2,028,304.94	2,301,565.61	5,367,058.83	4,488,724.36
National Forest Total	9,242,179.61	3,273,328.05	3,714,899.96	8,726,150.38	7,298,091.01

Alaska Region--Chugach National Forest

Anchorage at large	2,835.78	3,582.04	9,518.58	2,865.67	1,886.86
Kenai Peninsula at large	11,784.99	15,091.58	39,130.01	11,532.01	7,593.11
Kodiak Island at large	240.23	308.54	680.20	202.76	133.51
Matanuska Susitna at large	448.55	576.10	1,501.32	452.01	297.63
Unorganized at large	41,404.11	53,064.13	136,182.64	40,809.33	26,870.41
National Forest Total	56,713.66	72,622.39	187,012.75	55,861.78	36,781.52

Total Alaska Region

Tongass National Forest	9,242,179.61	3,273,328.05	3,714,899.96	8,726,150.38	7,298,091.01
Chugach National Forest	56,713.66	72,622.39	187,012.75	55,861.78	36,781.52
Grand Total	9,298,893.27	3,345,950.44	3,901,912.71	8,782,012.16	7,334,872.53

So that you know and understand the fund itself. It is money returned to the state on revenue to the federal government that is earned from the use of national forests. If there is a lot of federal land surrounding communities, those communities have a diminished tax base. The 25% fund is to assure that communities have funds for roads and schools, expenditures that might ordinarily be brought to the community in the form of taxes. State of Alaska receives a check from the federal government. State determines how much borough receives.

STATE OF ALASKA

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

April 24, 1996

TONY KNOWLES, GOVERNOR

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The Honorable Jim Duncan
Alaska Senate
State Capitol, Room 119
Juneau, Alaska 99811

Re: SB 322 -- relating to distribution of national
forest receipts income to boroughs

Dear Senator Duncan:

You have requested our review of SB 322, a bill that proposes to restrict payment of national forest income to only those organized boroughs in which national forest land is located if timber has been harvested from the forest located in that borough within five calendar years immediately preceding the year the commissioner receives the forest income from the federal government. The bill also requires redistribution of a borough's share that does not qualify for payment under the above criteria, to the other boroughs that do qualify.

We believe SB 322, as written, is in conflict with federal law, 16 U.S.C. 500, which controls the method of distribution of national forest receipt money provided to the state. 16 U.S.C. 500 provides that money paid from each national forest at the end of the year to the state in which such national forest is situated, may be expended as that state legislature "... may prescribe for the benefit of the public schools and public roads of the counties [boroughs] in which such national forest is situated: *Provided*, that when any national forest is in more than one state or county [borough] the distributive share to each from the proceeds of such forest shall be proportional to its area therein." We believe that the federal law is clear as to the requirement that payments to boroughs be based proportionally on the amount of "area" of the forest located in a borough; not on the basis of area "harvested" located in a borough or within a certain retroactive time limit (i.e., five calendar years immediately preceding the year the commissioner receives the national forest income from the federal government).

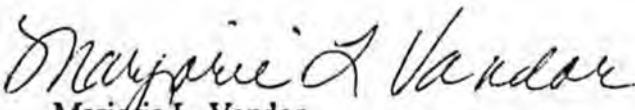
Senator Jim Duncan
SB 322

April 24, 1996
Page 2

In sum, we believe this bill is in direct conflict with controlling federal law, 16 U.S.C. 500, and its passage may have detrimental effects on the state's continued participation in the national forest receipts program.

Sincerely,

BRUCE M. BOTELHO
ATTORNEY GENERAL


By: Marjorie L. Vandor
Assistant Attorney General

MLV:jn

cc: Senator Robin Taylor ✓
Chrystal Smith, Legal Administrator
Dept. of Law
Commissioner Irwin

Territorial Law (47-5-1) ACLA 1949

25 percent of money from the Forest Reserve fund is appropriated to the Public School Current Fund to be expended under the supervision and direction of the board of education in accordance with the laws governing the appropriation and expenditure of funds for public schools.

75 percent of money received is appropriated and shall be used in accordance with established practice for the construction, maintenance and repair of roads in the territory.

Chapter 37, SLA 91 with notes of preceding statutes)

- (a) Commissioner of Community and Regional Affairs receives national forest income.

Each organized borough in which national forest land is located receives a share of the income which is proportional to the area of the national forest located within the borough. *(this is essentially the same language as the statute originally enacted in 1965)*

Section (e) requires that the funds received must be spent on public schools and public roads.

The 1965 legislation required the appropriation to be used as follows

- *100 percent for public schools until 7/1/70 or until the borough assumes responsibility for roads, whichever ever occurs first; then*
- *25 percent for public schools and 75 percent for roads*
- *If a borough hadn't assumed responsibility for roads by 7/1/70; 75 percent of the amount due that borough was withheld and expended by the state for the benefit of roads within the borough*
- *When a borough assumed responsibility for roads, the state began paying the 75 percent directly to the borough*

In 1969 this was revised to say funds received were to be spent on roads and schools; the 1991 rewrite maintained the intent

- (b) Account is created in the GF consisting of national forest receipts for the unorganized borough. The percentage of national forest income deposited in the account is the same as the percentage of national forest located in the unorganized borough.

75 percent of the account is allocated for public schools
25 percent of the account is allocated for public roads

The original 1965 statute allocated 25 percent for schools and 75 percent for roads. The switch in percentages occurred in the 1991 rewrite;

the 1991 statute added the following sections

- (c) In the unorganized borough, each home rule city, first class city, or REAA that has a school within a national forest or within 20 miles of a national forest receives a share of the allocation for public schools.

The share is the proportion of the ADM of the city school district or REAA compared to the total ADM in city school districts and REAAs that have a school within a national forest or within 20 miles of a national forest receives 41.15.180(e) Distributions shall be expended for public schools

- (d) Each home rule, first class or second class city in the unorganized borough (including Metlakatla) that exercises road powers that is located within a national forest or within 20 miles of a national forest receive a share of the allocation for public roads.

The share is the number of road miles within municipal boundaries over which road powers are exercised plus the number of state road miles maintained by the municipality compared to the total number of road miles maintained by state or local governments in the unorganized borough and within the national forest or within 20 miles of the national forest. 41.15.180(e) Distributions shall be expended for public roads

- (f) DCRA consults with DOE for the purposes of determining ADM, and with DOT/PF to determine the number of road miles

- (g) Each municipality or REAA that receives a payment must annually report and account to DCRA its use of payments. DCRA can't distribute income to an entity in the unorganized borough that has previously failed to report and account as required.
- (h) If a portion of a municipality or REAA in the unorganized borough is located within the national forest or within 20 miles of a national forest, the entire municipality or REAA is considered to be within the national forest
- (i) Payment is made under an appropriation for the purpose
- (j) The unobligated and unexpended portion of the unorganized borough national forest receipts fund lapses into the GF on June 30. It shall be used to offset expenses of the GF for school and road maintenance in the affected areas of the unorganized borough for which direct distribution of funds has not been made.

of the Agricultural Experiment Station and Extension Service of the University of Alaska, and the Territorial Commissioner of Agriculture. [L 1947, ch 62, § 4, p 176.]

§ 47-4-5. Powers of the board. The Soil Conservation Board shall be the governing body of the district and shall have the following powers:

1. [*Surveys and investigations.*] To conduct land capability surveys and investigations of potential agricultural areas and of soil conservation and erosion control, including necessary preventative and control measures, in the Territory; to publish the results of such surveys and investigations and to disseminate information concerning the results of such surveys and investigations to prospective settlers and the general public.

2. [*Guidance and assistance of settlers.*] To make technical guidance and other assistance available to settlers of new land so as to assure the development of such land in a manner that will permit it to be used in accordance with its capabilities and treated in accordance with its needs.

3. [*Soil conservation and erosion control.*] To carry out measures for soil conservation and erosion control within the district, including but not limited to engineering operations, methods of cultivation, the growing of vegetation, and changes in use of land, with the consent and cooperation of the land occupier or agency having jurisdiction thereof.

4. [*Cooperation with occupants or agencies.*] To cooperate with, furnish assistance to, and enter into agreements with, any occupier of land or agency, governmental or otherwise, within the district, subject to such conditions as the district governing body may deem necessary to advance the purposes of this Act.

5. [*Structures.*] To construct, improve and maintain such soil erosion control and conservation structures as may be necessary and practical for carrying out the purposes of this Act.

6. [*Development and publication of plans.*] To develop comprehensive plans for the conservation of soil and control of soil erosion within the district, cropping programs, tillage practices and changes in land use, and to publish such plans and information and bring them to the attention of occupiers of lands within the district.

7. [*Acceptance of contributions.*] To accept contributions in money, services, materials, equipment, or otherwise, from the United States or any of its agencies, from any agency of the Territory, and from any other source, for use in carrying out the purposes of this Act.

8. [*Approval of occupant.*] No survey, investigation or plan for any particular land shall be undertaken by the district, nor shall

any measures for soil conservation and erosion control thereon be carried out, without the prior approval of the occupier of such land.

9. [*Sub-districts.*] To create sub-districts of the Soil Conservation District of Alaska, upon the petition of 25 or more land occupiers setting forth the proposed boundaries of the sub-district, and after an adequately advertised favorable public hearing has been held at a convenient location or locations within the boundaries of the proposed sub-district; to fix the boundaries of any sub-districts so created; to supervise the election of, prescribe the duties of, and install a governing body of 5 land occupiers to be known as District Supervisors for each sub-district created; and to delegate to the District Supervisors such of the district's powers, as set out in this section, as the Board deems necessary to accomplish the purposes of this Act within the sub-district boundaries.

[*Definitions.*] For the purposes of this Act, the term "land occupier" or "occupier of land" means any person, firm or corporation who shall hold title to, or shall be in possession of, three or more acres of land in the Territory, whether as owner, lessee, renter, tenant, or otherwise. [L 1947, ch 62, § 5, p 177.]

CHAPTER 5

FOREST RESERVE FUND 1449

§ 47-5-1. Appropriation: Expenditure. That twenty-five per cent of all moneys coming into the Treasury of the Territory of Alaska from the Forest Reserve Fund is hereby appropriated and shall be set over by the Treasurer of the Territory into the Public School Current Fund, and shall be expended under the supervision and direction of the Board of Education of the Territory of Alaska in accordance with the laws of said Territory governing the appropriation and expenditure of funds for public schools of said Territory; and the remaining seventy-five per cent of said Forest Reserve Fund is hereby appropriated and shall be used in accordance with established practice for the construction, maintenance and repair of roads in the Territory of Alaska. [L 1925, ch 54, § 1, p 97; CLA 1933, § 1423.]

CHAPTER 105

AN ACT

Health and life insurance for public employees and their dependents; effective date.

(H.B. 149)

Legislature of the

or wage the cost of the additional coverage.

1960 is repealed and

Securement of Group Insurance by Department of Administration a policy or policies covering state employees of other participating units subject to the

(5) The state shall contribute not more than \$7.50 per month for each state employee covered. The state shall make no contribution for the employee's spouse or dependent children. Another participating governmental unit may pay the cost of insurance for its employee and his dependents or may share the cost with the employee.

Insurance policy shall include the following benefits: accidental death and dismemberment, weekly in-hospital expense insurance, or other insurance.

(6) The Department of Administration shall obtain the insurance policy from any insurer authorized to transact business in the state under AS 21.10.035 - 21.10.050, 21.30.020, and 21.10.055(1) or (2)(A).

Every public employee of the state who is covered by the participating governmental unit under regulations promulgated by the commissioner of administration shall be covered by the participating governmental unit may participate in the group insurance policy if

(7) The Department of Administration shall make available bid specifications for desired insurance benefits to all insurance carriers licensed in the state and qualified to provide the desired benefits. The specifications shall be made available on or before July 1, 1965, and at least once every succeeding five years. The lowest responsible bid submitted by an insurance carrier with adequate servicing facilities shall govern selection of a carrier under this section.

When the governing body adopts a resolution providing for group insurance participation, and the governing body shall pay the premiums;

(8) If the aggregate of dividends payable under the group insurance policy exceeds the governmental unit's share of the premium, the excess shall be applied by the governmental unit for the sole benefit of the employees.

A copy of the resolution shall be filed with the Department of Administration.

Sec. 2. AS 39.30.100 is repealed and re-enacted to read:

Every public employee covered by a governmental unit shall be able to obtain coverage for himself and those of the employee's dependent children who are dependent upon the employee for support. If the employee is not covered by a governmental unit, he shall deliver to the commissioner of administration a written statement that he holds from his salary

Sec. 39.30.100. Definitions. In section 90 of this chapter

(1) "eligible employee" means

(A) an employee who has served in full-time employment with the same governmental unit for 30 days or more, except a part-time, emergency or temporary employee, and

(B) an elected or appointed official of a governmental unit, effective upon taking the oath of office;

(2) "governmental unit" means the state, a borough, municipal corporation, or other political subdivision of the state;

(3) "insurance," "insurance carrier" and "insurance policy" include health care services, health care service contractors and contracts.

Sec. 3. This Act takes effect July 1, 1965.

Approved May 1, 1965

CHAPTER 106

AN ACT

Relating to national forest income; and providing for an effective date.

(H.B. 159)

Be It Enacted by the Legislature of the State of Alaska:

Section 1. AS 41.15.180 is repealed and re-enacted to read:

Sec. 41.15.180. National Forest Income. (a) When the commissioner of administration receives national forest income under 16 U.S.C. Section 500, he shall immediately pay to every organized borough, in which national forest land is located, a share of the income from that forest. A borough's share of income from a national forest shall be proportional to the area of the national forest located within its boundaries. These payments shall be made pursuant to an appropriation made for that purpose.

(b) The national forest income paid to an organized borough under this section shall be used for public schools and roads as follows:

(1) one hundred per cent for public

schools until July 1, 1970 or such time as the borough assumes responsibility for roads, whatever occurs first; then

(2) twenty-five per cent for public schools and 75 per cent for roads;

(3) if a borough has not assumed responsibility for roads by July 1, 1970, 75 per cent of the amount due that borough in a fiscal year shall be withheld and expended by the state for the benefit of roads within the borough; if a borough assumes responsibility for roads after July 1, 1970, the state will begin paying the 75 per cent directly to the borough.

(c) The commissioner shall deposit income from national forest lands outside of organized boroughs in the general fund of the state, 25 per cent to be used for public schools and 75 per cent for roads.

Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved May 1, 1965

CHAPTER 107

AN ACT

Relating to the financing of improvements in special assessment districts within first and second class cities and boroughs.

(H.B. 246)

Be It Enacted by the Legislature of the State of Alaska:

Section 1. AS 29.10.300 is amended to read:



LAWS OF ALASKA

1969

Source

SL 73 am

Chapter No.

32

AN ACT

Relating to national forest income.

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

* Section 1. AS 41.15.180(b) is repealed and re-enacted to read:

(b) The national forest income paid to an organized borough under this section shall be expended for public schools or roads.

Approved by governor: April 15, 1969
Actual effective date: July 14, 1969



LAWS OF ALASKA

1991

Source

SCS CSHB 54(CRA)

Chapter No.

37

AN ACT

Relating to the distribution of national forest receipts, providing for the distribution of national forest receipts to an organized borough in proportion to the percentage of the national forest within the organized borough; establishing an unorganized borough national forest receipts fund to be utilized for the benefit of public schools and roads in the unorganized borough; providing for distributions from the fund to communities in the unorganized borough; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: June 12, 1991
Actual Effective Date: July 1, 1991

AN ACT

1 Relating to the distribution of national forest receipts; providing for the distribution of
2 national forest receipts to an organized borough in proportion to the percentage of the
3 national forest within the organized borough; establishing an unorganized borough
4 national forest receipts fund to be utilized for the benefit of public schools and roads in
5 the unorganized borough; providing for distributions from the fund to communities in
6 the unorganized borough; and providing for an effective date.
7
8
9

10 * Section 1. FINDINGS AND PURPOSE. (a) Federal law, 16 U.S.C. 500, provides that 25 percent
11 of all money received each fiscal year from each national forest shall be paid to the state in which the
12 national forest is located, to be distributed under state law for the benefit of the public schools and roads
13 of the county or counties in which the national forest is located.

14 (b) The intent of this federal law is to provide funds to support roads and schools of
15 communities affected by national forest activities.

16 (c) Under present state law, communities and regional educational attendance areas that are
17 affected by national forest activities, but located within the unorganized borough, do not receive direct
18 payment of national forest income.

19 (d) That portion of national forest income not distributed to organized boroughs under
20 AS 41.15.180(a) should be distributed to communities within the unorganized borough that are situated
21 within a national forest or within 20 miles of a national forest that contribute financially to the provision

1 of education and road maintenance and to regional educational attendance areas that have a school
2 located within a national forest or within 20 miles of a national forest, and that presently do not receive
3 funds from national forest receipts.

4 • Sec. 2. AS 41.15.180 is repealed and reenacted to read:

5 Sec. 41.15.180. NATIONAL FOREST INCOME. (a) When the commissioner of
6 community and regional affairs receives national forest income under 16 U.S.C. 500, the
7 commissioner shall immediately pay to each organized borough in which national forest land is
8 located a share of the income from that forest; an organized borough's share of income from a
9 national forest shall be proportional to the area of the national forest located within its
10 boundaries.

11 (b) There is created as a separate account in the general fund the unorganized borough
12 national forest receipts fund. The fund consists of national forest income received by the
13 Department of Community and Regional Affairs under 16 U.S.C. 500 for the percentage of a
14 national forest located within the unorganized borough. Seventy-five percent of the fund shall
15 be allocated for public schools and 25 percent for public roads.

16 (c) From the percentage of the unorganized borough national forest receipts fund
17 allocated to the public schools under (b) of this section, the commissioner shall pay to each home
18 rule or first class city located within the unorganized borough and within a national forest or
19 within 20 miles of a national forest, or regional educational attendance area that has a school
20 located within the unorganized borough and within a national forest or within 20 miles of a
21 national forest, a share of the income from the public schools allocation of the fund. A home
22 rule city, first class city, or regional educational attendance area's share shall be calculated as the
23 proportion of the number of children in average daily membership of the city school district or
24 regional educational attendance area compared to the total number of children in average daily
25 membership in city school districts located within the unorganized borough and within the
26 national forest or within 20 miles of the national forest and to regional educational attendance
27 areas that have a school located within the unorganized borough and within the national forest
28 or within 20 miles of the national forest.

29 (d) From the percentage of the unorganized borough national forest receipts fund
30 allocated to public roads under (b) of this section, the commissioner shall pay to each

1 (1) home rule city, first class city, or second class city that exercises road powers,
2 that is located within the unorganized borough and within a national forest or within 20 miles
3 of a national forest, a share of the income from the roads allocation of the fund; a home rule city,
4 first class city, or second class city's share shall be calculated as the proportion of the number
5 of road miles within municipal boundaries over which the community exercises road powers plus
6 the number of state road miles maintained by the municipality under agreement with the state
7 compared to the total number of road miles maintained by state or local governments in the
8 unorganized borough and within the national forest or within 20 miles of the national forest;

9 (2) municipality organized under federal law as an Indian reserve that existed
10 before the enactment of 43 U.S.C. 1618(a) and is continued in existence under that subsection
11 and that has formed a community development corporation under AS 29.60.365, that exercises
12 road powers and that is located within the unorganized borough and within the national forest
13 or within 20 miles of the national forest a share of the income from the roads allocation of the
14 fund; the share due a municipality organized under federal law that exercises road powers shall
15 be calculated as the proportion of the number of road miles within municipal boundaries over
16 which the community exercises road powers plus the number of state road miles maintained by
17 the municipality under agreement with the state compared to the total number of road miles
18 maintained by state or local governments in the unorganized borough and within the national
19 forest or within 20 miles of the national forest; however, the commissioner may pay income from
20 national forest receipts under this paragraph only after the corporation has delivered a written
21 waiver of sovereign immunity from legal action by the state to recover all or a portion of the
22 money distributed under this section.

23 (e) A distribution made under (a) of this section shall be expended for public schools and
24 public roads. A distribution made under (c) of this section shall be expended for public schools.
25 A distribution made under (d) of this section shall be expended for public roads.

26 (f) For the purpose of making distributions from the fund, the commissioner of
27 community and regional affairs shall consult with the commissioner of education, for purposes
28 of determining the number of children in average daily membership in the public schools affected
29 by this section, and the commissioner of transportation and public facilities, to determine the total
30 number of road miles in the unorganized borough affected by this section.

Chapter 37

1 (g) An organized borough, home rule city, first class city, regional
2 educational attendance area, or a municipality organized under federal law that receives a national
3 forest income payment or distribution under 16 U.S.C. 500 or this section shall annually report
4 and account to the commissioner of community and regional affairs its use of the payment or
5 distribution for the purposes provided in (a) - (e) of this section. The commissioner of
6 community and regional affairs may not distribute national forest income under this section to
7 an entity in the unorganized borough that has previously failed to report and account as required
8 under this subsection.

9 (h) For purposes of this section, if a portion of a home rule city, first class city, or
10 second class city, or municipality organized under federal law in the unorganized borough is
11 located within the national forest or within 20 miles of a national forest or if a regional
12 educational attendance area has a school located within the national forest or within 20 miles of
13 the national forest, the entire home rule city, first class city, or second class city, regional
14 educational attendance area, or municipality organized under federal law is considered to be
15 within the national forest.

16 (i) A payment or distribution made under this section shall be made under an
17 appropriation for the purpose.

18 (j) That portion of the unorganized borough national forest receipts fund remaining in
19 the account unobligated and unexpended on June 30 of a fiscal year shall be deposited into the
20 unrestricted portion of the general fund and shall be used to offset expenses of the general fund
21 for school and road maintenance in the affected areas of the unorganized borough for which
22 direct distribution of funds has not been made.

23 • Sec. 3. This Act takes effect July 1, 1991.



LAWS OF ALASKA

1991

Source

CSHB 226(FIN) am

Chapter No.

38

AN ACT

Creating the electrical service extension grant program.

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: June 12, 1991
Actual Effective Date: September 10, 1991

relating to the subject matter of AS 41.15.010 — 41.15.170, the escape of a fire is presumptive evidence of negligence by the person responsible for starting the fire and unless rebutted is sufficient to sustain the recovery. (§ 12 ch 138 SLA 1961)

Sec. 41.15.170. Definitions. In AS 41.15.010 — 41.15.170

(1) "damages" includes costs incurred in suppressing, controlling, or extinguishing a fire;

(2) "forested land" includes all land on which grass, brush, timber, and other natural vegetative material grows;

(3) "forest fire" includes the uncontrolled burning of grass, brush, timber, and other natural vegetative material. (§ 1 ch 138 SLA 1961; am § 3 ch 179 SLA 1970; am § 43 ch 85 SLA 1988)

Revisor's notes. — In 1983 this section was reorganized to place the terms defined in alphabetical order.

Article 2. Forest Reserve Fund.

Section

180. National forest income

Collateral references. — 52 Am. Jur. 2d, Logs and Timber, § 65.

Sec. 41.15.180. National forest income. (a) When the commissioner of community and regional affairs receives national forest income under 16 U.S.C. 500, the commissioner shall immediately pay to each organized borough in which national forest land is located a share of the income from that forest; an organized borough's share of income from a national forest shall be proportional to the area of the national forest located within its boundaries.

(b) There is created as a separate account in the general fund the unorganized borough national forest receipts fund. The fund consists of national forest income received by the Department of Community and Regional Affairs under 16 U.S.C. 500 for the percentage of a national forest located within the unorganized borough. Seventy-five percent of the fund shall be allocated for public schools and 25 percent for public roads.

(c) From the percentage of the unorganized borough national forest receipts fund allocated to the public schools under (b) of this section, the commissioner shall pay to each home rule or first class city located within the unorganized borough and within a national forest or within 20 miles of a national forest, or regional educational attendance area that has a school located within the unorganized borough and within a

national forest or within 20 miles of a national forest, a share of the income from the public schools allocation of the fund. A home rule city, first class city, or regional educational attendance area's share shall be calculated as the proportion of the number of children in average daily membership of the city school district or regional educational attendance area compared to the total number of children in average daily membership in city school districts located within the unorganized borough and within the national forest or within 20 miles of the national forest and in regional educational attendance areas that have a school located within the unorganized borough and within the national forest or within 20 miles of the national forest.

(d) From the percentage of the unorganized borough national forest receipts fund allocated to public-roads under (b) of this section, the commissioner shall pay to each

(1) home rule city, first class city, or second class city that exercises road powers, that is located within the unorganized borough and within a national forest or within 20 miles of a national forest, a share of the income from the roads allocation of the fund; a home rule city, first class city, or second class city's share shall be calculated as the proportion of the number of road miles within municipal boundaries over which the community exercises road powers plus the number of state road miles maintained by the municipality under agreement with the state compared to the total number of road miles maintained by state or local governments in the unorganized borough and within the national forest or within 20 miles of the national forest;

(2) municipality organized under federal law as an Indian reserve that existed before the enactment of 43 U.S.C. 1618(a) and is continued in existence under that subsection and that has formed a community development corporation under AS 29.60.365, that exercises road powers and that is located within the unorganized borough and within the national forest or within 20 miles of the national forest a share of the income from the roads allocation of the fund; the share due a municipality organized under federal law that exercises road powers shall be calculated as the proportion of the number of road miles within municipal boundaries over which the community exercises road powers plus the number of state road miles maintained by the municipality under agreement with the state compared to the total number of road miles maintained by state or local governments in the unorganized borough and within the national forest or within 20 miles of the national forest; however, the commissioner may pay income from national forest receipts under this paragraph only after the corporation has delivered a written waiver of sovereign immunity from legal action by the state to recover all or a portion of the money distributed under this section.

(e) A distribution made under (a) of this section shall be expended for public schools and public roads. A distribution made under (c) of

this section shall be expended for public schools. A distribution made under (d) of this section shall be expended for public roads.

(f) For the purpose of making distributions from the fund, the commissioner of community and regional affairs shall consult with the commissioner of education, for purposes of determining the number of children in average daily membership in the public schools affected by this section, and the commissioner of transportation and public facilities, to determine the total number of road miles in the unorganized borough affected by this section.

(g) An organized borough, home rule city, first class city, second class city, regional educational attendance area, or a municipality organized under federal law that receives a national forest income payment or distribution under 16 U.S.C. 500 or this section shall annually report and account to the commissioner of community and regional affairs its use of the payment or distribution for the purposes provided in (a) — (e) of this section. The commissioner of community and regional affairs may not distribute national forest income under this section to an entity in the unorganized borough that has previously failed to report and account as required under this subsection.

(h) For purposes of this section, if a portion of a home rule city, first class city, or second class city, or municipality organized under federal law in the unorganized borough is located within the national forest or within 20 miles of a national forest or if a regional educational attendance area has a school located within the national forest or within 20 miles of the national forest, the entire home rule city, first class city, or second class city, regional educational attendance area, or municipality organized under federal law is considered to be within the national forest.

(i) A payment or distribution made under this section shall be made under an appropriation for the purpose.

(j) That portion of the unorganized borough national forest receipts fund remaining in the account unobligated and unexpended on June 30 of a fiscal year shall be deposited into the unrestricted portion of the general fund and shall be used to offset expenses of the general fund for school and road maintenance in the affected areas of the unorganized borough for which direct distribution of funds has not been made. (§ 47-5-1 ACLA 1949; am § 1 ch 106 SLA 1965; am § 1 ch 32 SLA 1969; am § 2 ch 37 SLA 1991)

Cross references. — For legislative findings and purpose in connection with the 1991 amendment of this section, see § 1, ch. 37, SLA 1991 in the Temporary and Special Acts.

Effect of amendments. — The 1991 amendment, effective July 1, 1991, rewrote the section.

United States
Department of
Agriculture

Forest Service

Alaska Region



Alaska Region



DRAWING TO SCALE

USDA Forest Service, Regional Office, P.O. Box 21629, Juneau, AK 99802

Cover Page

To: Deb Davidson Fax No.: 465-~~282~~ 7179
Unit: Sen. Rogerson's Office Verification No.: 465-2828

From: COMMUNICATION SERVICES Fax No.: (907) 586-7892
Unit: REGIONAL OFFICE Verification No.: (907) 586-8849
FOREST SERVICE
JUNEAU, ALASKA

Remarks: Deb - yesterday, I sent you documentation
on the 25% that didn't show 1995 monies rec'd. Here is
that information. Ad that you know and understand the fund
itself: It is money returned to the state on revenue to the
fed govt that is earned from the use of national forests.
Wh there is a lot of federal land surrounding communities,
these communities have a diminished tax base. The
25% fund is to assure that communities have funds for roads
and schools, expenditures that might ordinarily be brought
to the communities in the form of taxes.
State of AK received a check from the fed govt. State determines
how much each locality receives.
Total number of pages (excluding cover): 1

Date Sent: 4-16-96 Time: 9:05 am

OCT 26 '95 05:00PM CHATHAM AREA SITKA

**Alaska Region
Tongass National Forest**

Borough	1991 Payment	1992 Payment	1993 Payment	1994 Payment	1995 Payment
Haines at large	507,050.45	179,689.10	203,981.54	479,954.84	401,408.86
Juneau at large	913,842.03	323,835.62	367,611.67	899,412.92	752,221.44
Ktn. Gateway at large	412,333.90	146,123.34	165,877.98	389,403.26	325,726.49
Sitka at large	1,002,372.28	355,221.79	403,243.21	945,504.14	795,529.64
Yakutat at large		240,153.26	272,619.95	641,456.59	536,480.22
Unorganized at large	6,406,580.95	2,028,304.94	2,301,565.61	5,367,058.83	4,488,724.36
NF Total	9,242,179.61	3,273,328.05	3,714,899.96	8,726,150.38	7,298,091.01

**Alaska Region
Chugach National Forest**

Borough	1991 Payment	1992 Payment	1993 Payment	1994 Payment	1995 Payment
Anchorage at large	2,835.78	3,582.04	9,518.58	2,865.67	1,886.86
Kenai Penin. at large	11,784.99	15,091.58	39,130.01	11,532.01	7,593.11
Kodiak Is. at large	240.23	308.54	680.20	202.76	153.51
Matanuska-Su at large	448.55	576.10	1,501.32	452.01	297.63
Unorganized at large	41,404.11	53,064.13	136,182.64	40,609.33	26,670.41
NF Total	56,713.66	72,622.39	187,182.64	55,661.78	36,781.52

Alaska Region Total

	1991 Payment	1992 Payment	1993 Payment	1994 Payment	1995 Payment
Tongass NF	9,242,179.61	3,273,328.05	3,714,899.96	8,726,150.38	7,298,091.01
Chugach NF	56,713.65	72,622.39	187,182.64	55,861.78	36,781.52
Grand Total	9,298,893.27	3,345,950.44	3,901,912.71	8,782,012.16	7,334,872.53

(25% FUND) - FS PAYMENTS to the State of AK and Grants to SE AK Communities, FY's 91-95

Here is some background information. Timber harvest in the Juneau City & Borough--there have only been tiny sales, nothing that would generate any monies for Juneau, *within the last 5 years.*

FY 1995: 25% Fund Payment to the State: (Not Yet Available)

Grants to SE Alaska Communities: Sitka and Wrangell each received \$250,000 in Economic Recovery Program grants via the PNW Rural Community Assistance Program. Sitka also received \$300,000 old-growth diversification study to identify wood products opportunities. State & Private Forestry is assisting Sitka with this study by issuing a contract for phase I, which will be followed by a grant to Sitka with the balance of the funds. In addition, other Cooperative Forestry grants to Southeast communities to assist with economic recovery total \$24M.

FY 1994: 25% Fund Payment to the State: \$8,782,000.

(Increase over FY 1993 is a result of higher receipts from higher stumpage values because of improved markets for sawn products.)

Grants to SE Alaska Communities: Fifteen for total of \$292.6M Of this total, Sitka and Wrangell received \$ 19,300.

FY 1993: 25% Fund Payment to the State: \$3,902,000.

(Amount reflects low harvest levels, low stumpage values as a result of depressed pulp market and higher timber sale planning costs.)

Grants to SE Alaska Communities: Seventeen for total of \$496.9M.

FY 1992: 25% Fund Payment to the State: \$3,346,000.

(Amount reflects low receipts resulting from low stumpage values, refunds of stumpage over-payments from prior years, and changes in cost accounting methods for timber sales.)

Grants to SE Alaska Communities: None.

FY 1991: 25% Fund Payment to the State: \$9,299,000

Grants to SE Alaska Communities: Two, for total of \$73,900.

####

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

of pages

Deb Davidson <small>Dept/Agency</small> Sami Thorgensen office <small>Fax #</small> 465-4774		Patricia Holter Kemp <small>Phone #</small> 586-7812 <small>Fax #</small> 586-7892	
<small>FORM 7545-11-93-7388</small>		<small>GENERAL SERVICES ADMINISTRATION</small>	

FY 95 National Forest Receipts Program (AS 41.15.180)

The distribution of funds under the National Forest Receipts Program is authorized under a 1908 federal law and state law where 25% of the income earned from activities within the national forest is distributed to boroughs, cities and regional educational attendance areas located within the national forest. National forest receipt payments can be expended only for public schools and public roads.

The following three tables show the distribution of FY 95 National Forest Receipts funds. Payments to boroughs (Table 1) are made on the basis of the national forest acreage within the borough boundaries, proportional to the entire acreage of the national forest in which the borough is located. Within the unorganized borough (Tables 2 & 3), payments to cities and REAAs for schools are made on the basis of enrollment (the October ADM); and for roads, according to state and locally maintained road miles.

National forest receipts historically have been much higher in the Tongass National Forest than in the Chugach National Forest. This is because Tongass income is derived from "stumpage" fees charged for commercial logging, while income in the Chugach is earned primarily from campground fees, recreation fees and mineral lease permits.

As the next two bar graphs illustrate, income from national forest receipts can vary widely from year-to-year. This variation in annual income can be traced primarily to the health of the timber economy in the Tongass, though income has also varied historically in the Chugach.

National Forest Receipts payments are issued in December of each fiscal year.

Table 1
FY 95 NATIONAL FOREST RECEIPTS PROGRAM
BOROUGH PAYMENTS

TONGASS NATIONAL FOREST

Borough	Acres	Total Payment
Haines Borough	918,072	\$479,954.84
City & Borough of Juneau	1,720,424	\$899,412.92
Ketchikan Gateway Borough	744,977	\$389,463.26
City & Borough of Sitka	1,814,901	\$948,804.14
City & Borough of Yakutat	1,226,997	\$641,456.39
Unorganized Borough	10,266,271	\$5,367,058.83

TOTAL ACRES 16,691,642

TOTAL PAYMENT \$8,726,150.38

CHUGACH NATIONAL FOREST

Borough	Acres	Total Payment
Municipality of Anchorage	275,056	\$2,865.66
Kenai Peninsula Borough	1,106,881	\$11,532.01
Kodiak Island Borough	19,461	\$202.75
Matanuska-Susitna Borough	43,386	\$452.02
Unorganized Borough	3,917,019	\$40,809.34

TOTAL ACRES 5,361,803

TOTAL PAYMENT \$55,861.78

TOTAL STATE OF ALASKA PAYMENT \$8,782,012.16

Table 2
FY 95 NATIONAL FOREST RECEIPTS PROGRAM
TONGASS NATIONAL FOREST - UNORGANIZED BOROUGH PAYMENTS

Municipality	Road Miles	Road Mile \$	ADM	School \$	Total Payment
Home Rule					
Petersburg	12.30	\$43,407.96	758.75	\$807,923.16	\$851,331.12
Wrangell	8.64	\$30,491.44	566.85	\$603,586.48	\$634,077.92
First Class					
Craig	7.75	\$27,350.55	396.00	\$421,664.01	\$449,014.56
Hoonah	8.00	\$28,232.81	259.40	\$276,211.23	\$304,444.04
Hydaburg	6.20	\$21,880.43	107.50	\$114,466.87	\$136,347.30
Kake	13.36	\$47,148.81	185.00	\$196,989.50	\$244,138.31
Klawock	6.79	\$23,962.60	206.95	\$220,362.04	\$244,324.64
Pelican	1.10	\$3,882.01	44.85	\$47,756.64	\$51,638.65
Skagway	12.05	\$42,525.68	127.20	\$135,443.59	\$177,969.27
Second Class					
Angoon	7.70	\$27,174.09	N/A	N/A	\$27,174.09
Coffman Cove	12.30	\$43,407.96	N/A	N/A	\$43,407.96
Kasaan	8.36	\$29,503.30	N/A	N/A	\$29,503.30
Tenakee Springs	2.50	\$8,822.76	N/A	N/A	\$8,822.76
Thorne Bay	23.70	\$83,639.73	N/A	N/A	\$83,639.73
Federal Law					
Metlakatla	37.30	\$131,635.52	N/A	N/A	\$131,635.52
REAA'S					
Annette Island	N/A	N/A	420.00	\$447,219.41	\$447,219.41
Chatham	N/A	N/A	325.85	\$346,967.72	\$346,967.72
Southeast Island	N/A	N/A	381.95	\$406,703.46	\$406,703.46
TOTAL LOCAL	168.05	\$593,065.65	3,780.30	\$4,025,294.11	\$4,618,359.76
STATE	212.15	\$748,699.07	N/A	N/A	\$748,699.07
GRAND TOTAL	380.20	\$1,341,764.72	3,780.30	\$4,025,294.11	\$5,367,058.83

Table 3
FY 95 NATIONAL FOREST RECEIPTS PROGRAM
CHUGACH NATIONAL FOREST - UNORGANIZED BOROUGH PAYMENTS

Municipality	Road Miles	Road Mile \$	ADM	School \$	Total Payment
Home Rule					
Cordova	12.90	\$832.40	528.15	\$10,336.39	\$11,168.79
Valdez	23.61	\$1,523.48	902.75	\$17,667.67	\$19,191.15
Second Class					
Whittier	5.10	\$329.09	N/A	N/A	\$329.09
REAA'S					
Chugach	N/A	N/A	133.00	\$2,602.94	\$2,602.94
TOTAL LOCAL	41.61	\$2,684.97	1,563.90	\$30,607.00	\$33,291.97
STATE	116.50	\$7,517.37	N/A	N/A	\$7,517.37
GRAND TOTAL	158.11	\$10,202.34	1,563.90	\$30,607.00	\$40,809.34

Alaska State Legislature

District Address

145 Main St. Loop; Suite 226
Kenai, Alaska 99611
(907) 283-2690 • Fax 283-9267



Session Address

State Capitol; Room 427
Juneau, AK 99801-1182
(907) 465-2828; fax 465-4779

MEMORANDUM **Senator John Torgerson**

April 12, 1996

TO: Tam Cook, Director
Legal Services Division

FROM: Senator John Torgerson, Chair
Senate Community and Regional Affairs

RE: Legal Opinion on Senate Bill 322

Senate Bill 322 "An act relating to distribution of national forest income to boroughs" was referred to our committee. Concern was expressed as to whether or not this legislation is in conflict with federal law. Please review the pertinent statutes and let us know whether or not this bill is enforceable.

We would like your response by Tuesday afternoon April 16. A hearing on SB 322 is scheduled for Wednesday, April 17 at 1:30 p.m. If this is not possible, please contact Deb Davidson of my staff.