

HB

80

SFIN

FILE

4/27/96

HB 30

reception considered
with Randy Phillips

100-72-11

4/27/96 Draft "M" approved
by Walt on behalf
of Rep. James.

4/26/96

Copy to Harry this date.

Copies have not been
added to members' files.

Bill was removed from

4/27/96 agenda.

9-LS0200M
Luckhaupt
4/26/96

SENATE CS FOR CS FOR HOUSE BILL NO. 80(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVE JAMES

A BILL

FOR AN ACT ENTITLED

1 "An Act establishing the Department of Natural Resources as the platting
2 authority in certain areas of the state; relating to subdivisions and dedications;
3 and providing for an effective date."

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

5 * Section 1. AS 29.03.030 is amended to read:

6 Sec. 29.03.030. PLATTING AUTHORITY. The [SUBJECT TO
7 AS 40.15.075, THE] Department of Natural Resources is the platting authority for the
8 state except within a municipality that has the power of land use regulation and
9 that is exercising platting authority [IN THE UNORGANIZED BOROUGH IN THE
10 AREA OUTSIDE ALL CITIES].

11 * Sec. 2. AS 40.15.010 is amended to read:

12 Sec. 40.15.010. APPROVAL, FILING, AND RECORDING OF
13 SUBDIVISIONS. Before the lots or tracts of any subdivision or dedication may be
14 sold or offered for sale, the subdivision or dedication shall be approved by

1 [SUBMITTED FOR APPROVAL TO] the authority having jurisdiction, as prescribed
2 in this chapter and [. THE REGULAR APPROVAL OF THE AUTHORITY SHALL
3 BE SHOWN ON IT OR ATTACHED TO IT AND THE SUBDIVISION OR
4 DEDICATION] shall be filed and recorded in the office of the recorder. The recorder
5 may not accept a subdivision or dedication for filing and recording unless it shows this
6 approval. [IF NO PLATTING AUTHORITY EXISTS AS PROVIDED IN
7 AS 40.15.070 AND 40.15.075, LAND MAY BE SOLD WITHOUT APPROVAL.]

8 * Sec. 3. AS 40.15.070 is amended to read:

9 Sec. 40.15.070. PLATTING AUTHORITY. If land proposed to be subdivided
10 or dedicated is situated within a municipality that has the power of land use
11 regulation and that is exercising platting authority [FIRST OR SECOND CLASS
12 BOROUGH], the proposed subdivision or dedication shall be submitted to the
13 municipal platting authority [BOROUGH PLANNING COMMISSION] for approval.

14 [IF THE LAND IS SITUATED WITHIN A CITY IN THE UNORGANIZED
15 BOROUGH OR THE THIRD CLASS BOROUGH, THE PROPOSED SUBDIVISION
16 OR DEDICATION SHALL BE SUBMITTED TO THE CITY PLANNING
17 COMMISSION FOR APPROVAL. THE BOROUGH PLANNING COMMISSION
18 IS THE PLATTING AUTHORITY FOR THE FIRST OR SECOND CLASS
19 BOROUGH. THE CITY PLANNING COMMISSION IS THE PLATTING
20 AUTHORITY FOR THE CITY, AND THE DEPARTMENT OF NATURAL
21 RESOURCES IS THE PLATTING AUTHORITY IN THE REMAINING AREAS OF
22 THE STATE AND THIRD CLASS BOROUGH FOR THE CHANGE OR
23 VACATION OF EXISTING PLATS OR A PORTION OF SUCH PLATS,
24 AS PROVIDED IN AS 40.15.075. IF THE BOROUGH OR THE CITY DOES NOT
25 HAVE A PLANNING COMMISSION, THE BOROUGH ASSEMBLY OR THE CITY
26 GOVERNING BODY, RESPECTIVELY, IS THE PLATTING AUTHORITY AND
27 THE PROPOSED SUBDIVISION OR DEDICATION SHALL BE SUBMITTED TO
28 IT.] A subdivision may not be filed and recorded until it is approved by the platting
29 authority.

30 * Sec. 4. AS 40.15.070 is amended by adding a new subsection to read:

31 (b) The Department of Natural Resources is the platting authority in the areas

1 of the state not described in (a) of this section.

2 * Sec. 5. AS 40.15.200 is amended to read:

3 Sec. 40.15.200. APPLICATION TO STATE AND POLITICAL
4 SUBDIVISIONS. All subdivisions of land made by the state, its agencies,
5 instrumentalities and political subdivisions are subject to the provisions of
6 AS 40.15.010 - 40.15.200 [THIS CHAPTER] and AS 29.40.070 - 29.40.160, or home
7 rule ordinances or regulations governing subdivisions, and shall comply with
8 ordinances and other local regulations adopted under AS 40.15.010 - 40.15.200 [THIS
9 CHAPTER] and AS 29.40.070 - 29.40.160 or former AS 29.33.150 - 29.33.240, or
10 under home rule authority, in the same manner and to the same extent as subdivisions
11 made by other landowners.

12 * Sec. 6. AS 40.15 is amended by adding new sections to read:

13 ARTICLE 4. PLATTING IN AREAS OUTSIDE CERTAIN MUNICIPALITIES.

14 Sec. 40.15.300. EXAMINATION OF PLATS BEFORE RECORDING. (a)
15 The commissioner shall exercise the platting authority for the state except within a
16 municipality that has the power of land use regulation and that is exercising platting
17 authority.

18 (b) The commissioner shall review and approve each plat under
19 AS 40.15.300 - 40.15.380 before the plat is recorded under AS 40.17. The approval
20 by the commissioner shall be affixed to the plat in the form of the following statement:

21 PLAT APPROVAL

22 This plat is approved by the commissioner of natural resources,
23 or the commissioner's designee, in accordance with AS 40.15.

24 _____

25 Commissioner

Date

26 (c) The recorder may not accept for filing and recording a plat for which the
27 commissioner's approval is required under this section without the approval of the
28 commissioner endorsed on the plat.

29 (d) Within 45 days after a plat is filed, the commissioner shall approve the plat
30 or return it to the applicant for modification or correction. Unless the applicant for

1 plat approval consents to an extension of time, the plat is approved and a certificate
2 of approval shall be issued by the commissioner if the commissioner fails to act within
3 that period. The commissioner shall state in writing reasons for disapproval of a plat.

4 (e) A recorded plat may not be altered or replatted except on petition of the
5 state, a municipality, a public utility, or the owner of a majority of the land affected
6 by the proposed alteration or replat. The petition shall be filed with the commissioner
7 and shall be accompanied by a copy of the existing plat showing the proposed
8 alteration or replat. The provisions of AS 29.40.130 and 29.40.140(a) apply to an
9 alteration or replat submitted under this subsection. The provisions of (d) of this
10 section do not apply to an alteration or replat petition, but the commissioner shall state
11 in writing reasons for disapproval of the petition.

12 (f) In the case of a vacation of a street, right-of-way, or other public area, the
13 provisions of AS 29.40.140(b) and 29.40.160(a) and (b) apply. When applying these
14 provisions to land outside a municipality, the word "municipality" should be read as
15 "state" when the context requires.

16 Sec. 40.15.310. REQUIREMENTS FOR PLAT APPROVAL. (a) Each plat
17 must show on its face a certificate of ownership, with the names and addresses of each
18 owner listed. Each owner of record shall sign the certificate and the signatures shall
19 be acknowledged.

20 (b) The surveyor preparing the plat shall sign and affix the seal of the
21 surveyor.

22 (c) The commissioner shall require that a plat submitted for approval bear the
23 certificate of approval of any other state agency having subdivision plat approval
24 authority.

25 Sec. 40.15.320. MONUMENTS. (a) In a subdivision with five or fewer lots,
26 the existence of each primary type monument at controlling exterior corners of the
27 subdivision shall be established by the surveyor.

28 (b) In a subdivision of more than five lots, each interior corner shall be
29 monumented with a 5/8 inch by 24 inch rebar and cap.

30 (c) If a monument of record does not lie on the parcel or tract boundary, the
31 plat shall reflect a boundary survey and tie to a monument of record.

1 Sec. 40.15.330. PLAT STANDARDS. The commissioner shall establish plat
2 standards by regulation.

3 Sec. 40.15.340. ENGINEERING STANDARDS. Except for subdivisions of
4 state land, the commissioner may not establish engineering standards for subdivisions.

5 Sec. 40.15.350. CERTIFIED COPY OF PLAT AS EVIDENCE. A copy of
6 a plat certified by the recorder of the recording district in which it is filed or recorded
7 as a true and complete copy of the original filed or recorded in the recording office
8 for the district is admissible in evidence in all courts in the state with the same effect
9 as the original.

10 Sec. 40.15.360. APPLICABILITY. The provisions of AS 40.15.300 -
11 40.15.380 do not apply to maps, site plans, or other graphic representations prepared
12 for

13 (1) the purpose of transferring a leasehold interest; the extraction of
14 natural resources; or solely for the issuance of licenses or permits; or

15 (2) disposing of land by aliquot part descriptions of 40 acres or more
16 within surveyed sections provided that the least aliquot part unit shall be not less than
17 a 1/4 1/4 section.

18 Sec. 40.15.370. REGULATIONS; FEES. (a) The commissioner may adopt
19 regulations to implement, clarify, or make specific the provisions of AS 40.15.300 -
20 40.15.380.

21 (b) The commissioner shall charge a nonrefundable fee for the processing,
22 review, and approval of a plat under AS 40.15.300 - 40.15.380. The fees shall be set
23 by regulation and must be based on the actual costs incurred by the department.

24 Sec. 40.15.380. APPLICABILITY TO GOVERNMENTAL BODIES; RIGHT-
25 OF-WAY ACQUISITION PLATS. (a) Except as provided in this section,
26 AS 40.15.300 - 40.15.380 apply to the state, its agencies, instrumentalities, and
27 political subdivisions in the same manner and to the same extent that they apply to
28 other landowners.

29 (b) A plat for a subdivision created by the acquisition by the state, its agencies,
30 instrumentalities, or political subdivisions, of a right-of-way, airport parcel, or land for
31 a similar public purpose in an area outside a municipality that has the power of land

1 use regulation and that is exercising platting authority, is subject only to the approval
2 provisions of this section and any provision of AS 40.15.300 - 40.15.380 not in
3 conflict with this section.

4 (c) A right-of-way acquisition plat must contain the

- 5 (1) location and name of the acquisition project;
6 (2) approximate timetable for the acquisition and construction;
7 (3) dimensions and area of the proposed tract, parcel, or parcels to be
8 acquired and the remainder of the parcel or parcels;
9 (4) name of the record owner or owners of the subject parcels;
10 (5) signature and seal of the surveyor preparing the plat.

11 (d) The commissioner shall review each right-of-way acquisition plat for
12 compliance with this section. If the plat does not meet the requirements of this
13 section, it shall be returned to the submitting agency with an explanation of the
14 deficiencies. A plat for which the commissioner's approval is required under
15 AS 40.15.300 may not be recorded under AS 40.17 without the commissioner's
16 approval endorsed on the plat.

17 (e) After approval by the commissioner, the original plat shall be filed with
18 the appropriate district recorder within 30 days by the submitting agency.

19 (f) The minimum monumentation requirements for

20 (1) right-of-way acquisition subdivisions are a 5/8 inch by 24 inch
21 reinforcement bar with appropriate identification cap set on the margin of the right-of-
22 way at all points marking the beginning and end of each curve and on tangents so that
23 the distance between monumented points does not exceed 1,320 feet; an alternate
24 method may be utilized that consists of placing primary type monuments at centerline
25 points marking the beginning and end of each curve and on tangents so that no
26 distance exceeds 1,320 feet; all recovered monumented property corners of records,
27 the lines of which are intersected by a right-of-way acquisition, shall be monumented
28 as part of the right-of-way plat, either on the right-of-way line or at the original
29 monument position;

30 (2) an airport parcel and land for a similar public purpose subdivision
31 not defined by centerline shall be as provided in AS 40.15.320.

1 (g) If construction of improvements is scheduled to follow the right-of-way
2 acquisition, the placement of the centerline monuments may be delayed until the
3 improvements have been completed, in which case a statement designating the
4 schedule for placing the monuments must be included on the plat.

5 (h) The state, its agencies, instrumentalities, or political subdivisions may
6 acquire or obtain conveyances, including dedication of lots or tracts of a right-of-way
7 acquisition plat, before submittal of a right-of-way acquisition plat for approval by the
8 commissioner. A right-of-way acquisition conveyance may be recorded before
9 approval and recording of the right-of-way acquisition plat.

10 ARTICLE 5. GENERAL PROVISIONS.

11 Sec. 40.15.900. DEFINITIONS. In this chapter,

12 (1) "commissioner" means the commissioner of natural resources;

13 (2) "monument" means a fixed physical object marking a point on the
14 surface of the earth used to commence or control a survey or to establish a lot corner;

15 (3) "plat" means a map or delineated representation of a tract or parcel
16 of land showing the subdivision of land into lots, blocks, streets, or other divisions;

17 (4) "street" means an access way in common use including all of the
18 land lying within a dedicated right-of-way as delineated on a plat showing streets,
19 whether improved or unimproved;

20 (5) "subdivision"

21 (A) means the division of a tract or parcel of land into two or
22 more lots by the landowner or by the creation of public access, excluding
23 common carrier and public utility access;

24 (B) does not include cadastral plats, cadastral control plats,
25 open-to-entry plats, remote parcel plats created by or on behalf of the state, or
26 plats created by or on behalf of the United States Department of the Interior,
27 Bureau of Land Management, regardless of whether these plats include
28 easements or other public dedications;

29 (6) "surveyor" means an individual licensed to practice land surveying
30 in the state under AS 08.48.

31 * Sec. 7. AS 40.15.075 and 40.15.290 are repealed.

1 * Sec. 8. AS 40.15.330 and 40.15.370, added in sec. 6 of this Act, take effect immediately
2 under AS 01.10.070(c).

4-26-96

Hold to bring draft
3cs (Fia) back for
Committee review.

Phoned Legal Services:

Terry Luckhaupt
to produce draft.

4/26/96

RP

Conceptual Amendment

9-LS0200\G

RH- the fee may not exceed the direct cost of the service

RP- moved - Fees paid for these services may not exceed the cost of services.

Adopted

SENATE CS FOR CS FOR HOUSE BILL NO. 80(CRA)
Fin

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

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Referred: Finance

Sponsor(s): REPRESENTATIVE JAMES

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19 common carrier and public utility access;

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Article 2. Accounting.

Section

50. Charges for state services; collection,
and deposit of state

Sec. 37.10.050. Charges for state services; collection, accounting and deposit of state money. (a) A state agency may not charge for the provision of state services unless the charge (1) is set or otherwise authorized by statute; and (2) where a regulation is necessary, is set by or provided for in a regulation that meets the standards of AS 44.62.020 and 44.62.030. A fee or other charge that is set by regulation may not exceed the estimated actual costs of the state agency in administering the activity or providing the service unless otherwise provided by the statute under which the regulation is adopted; this limitation does not apply to sales of property by a state agency. Unless specifically exempted by statute, a state agency authorized to collect or receive fees, licenses, taxes, or other money belonging to the state shall account for and remit the receipts, less fees to which the collector is entitled by statute or regulation, to the Department of Revenue at least once each month. The commissioner of administration shall separately account under AS 37.05.142 for receipts deposited under this subsection.

(b) Money collected for the state shall be deposited by the collector in the nearest bank to the account of the Department of Revenue when the Department of Revenue directs this to be done.

(c) *[Repealed, § 35 ch 126 SLA 1994.]*

(d) Each state agency shall annually review fees and charges collected by the agency. By October 1, each state agency shall submit a report to the office of management and budget regarding existing fee levels set by the agency by regulation and adjustments made to fee levels by the agency during the previous fiscal year, and recommended adjustments in fees set by statute that the agency collects. Each year by December 15, the office of management and budget shall submit a report to the Legislative Budget and Audit Committee summarizing the reports and recommendations and the extent to which the fee adjustments have been incorporated in the governor's budget. Within 30 days after the convening of each regular session of the legislature, the committee shall prepare a report on the status of fee regulations and making recommendations for changes in regulations or statutes as appropriate. The committee shall notify the legislature that the report is available.

(e.) In this section, "agency" means a board, commission, or agency in the legislative, judicial, or executive branch, but does not include the University of Alaska or a public corporation. (§ 2 ch 24 SLA 1953; am § 8 art III ch 82 SLA 1955; am § 5 ch 186 SLA 1957; am § 1 ch

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FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. SCSCSHB80(CRA)

Revision Date: Original Dept Affected Natural Resources
 Title: An Act establishing the Department of BRU: Resource Development
Natural Resources as the platting authority in certain areas... Component: Land Development
 Sponsor: Representative James
 Requestor: Senate Finance Component Serial No. 431

Expenditures/Revenues (Thousands of Dollars)

	FY97	FY98	FY99	FY00	FY01	FY02
OPERATING EXPENDITURES						
PERSONAL SERVICES	47.5	47.5	47.5	47.5	47.5	47.5
TRAVEL						
CONTRACTUAL	11.5	1.5	1.5	1.5	1.5	1.5
SUPPLIES	5.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	64.0	50.0	50.0	50.0	50.0	50.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES (1005)	50.0	50.0	50.0	50.0	50.0	50.0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	14.0					
1005 GF/Program Receipts	50.0	50.0	50.0	50.0	50.0	50.0
1006 GF/MHTIA						
Other						
TOTAL	64.0	50.0	50.0	50.0	50.0	50.0

Estimate of any current year (FY96) cost: \$ None anticipated

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)

The House Finance Committee requested to make this a revenue-neutral fiscal note.

The Division of Land intends to use the personal services to fund a portion of an existing, unfunded position, rather than ask for a new position. It is anticipated that approximately 8.5 months of a Land Surveyor I position will be able to accomplish the workload, however the House Finance Committee suggested increasing the fee to allow the position to process the workload if it cannot be done in this timeframe.

The attached information shows the detail cost breakdown. In FY97 there is a one-time setup cost of \$14.0, which the House Finance Committee agreed to.

Prepared by: Jane Angvik, Director Phone: 269-8503
 Division: Land Date: 24-Apr-96
 Approved by Commissioner: [Signature] Date: 24-Apr-96
 Agency: Natural Resources

BACK UP FOR FISCAL NOTE HB80

Estimate of Expenditures for HB80:

Personal Services:

Anticipate 250 subdivision plats submitted for review per year.
Reviews will be performed by a Land Surveyor I (R19).
Estimated review time is 7.5 hours per plat. Based on 250 plats per year,
this will require one new position.

TOTAL PERSONAL SERVICES	
For a full-year \$64.5	
Prorated for revenue -neutral	\$47.5 (FY97 and out)

Contractual:

The state must purchase existing land records, survey plats and field survey notes from BLM and make copies of plats held by the recording offices to carry out the functions required by this bill. The one time purchase cost for microfiche copies of survey plats and field notes to cover the state is \$10,000. Document copying costs from the recording office will be covered through the supply budget. An additional \$1,500 in contractual costs will be incurred annually, for items such as phone/fax bills, space rent and other miscellaneous contractual costs.

TOTAL CONTRACTUAL (FY97)	\$11,500.00
TOTAL CONTRACTUAL (FY98-FY02)	\$1,500.00

Supply:

The supply budget will cover the one time cost of copying survey plats held in the Recorder's Office. An additional \$1,000 in supplies costs will be incurred annually, for items such as office supplies and document copying costs.

TOTAL SUPPLY (FY97)	\$5,000.00
TOTAL SUPPLY (FY98-FY02)	\$1,000.00

Estimate of increased revenue for HB80:

Anticipated revenue from plat review fees will be 250 plat reviews x \$200.00/review = \$50,000.00

Comments:

In the last three years, the Division of Land has seen a reduction of six professional land surveyors due to budget reductions. We will attempt to process the additional workload associated with this legislation with an additional permanent part-time professional land surveyor. If this fails we'll increase fees and make the position full-time.

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. CSHB 80(CRA)

Revisor Date: 16-Jan-96 Dept Affected Natural Resources
 Title: DNR Approval of Plats in Unorganized Boroughs BRU: Resource Development
 Component: Land Development
 Sponsor: Representative James
 Requestor: Senate Finance Component Serial No. 431

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY97	FY98	FY99	FY00	FY01	FY02
PERSONAL SERVICES	47.5	47.5	47.5	47.5	47.5	47.5
TRAVEL						
CONTRACTUAL	11.5	1.5	1.5	1.5	1.5	1.5
SUPPLIES	5.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	64.0	50.0	50.0	50.0	50.0	50.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES (1005)	50.0	50.0	50.0	50.0	50.0	50.0

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF	64.0	50.0	50.0	50.0	50.0	50.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	64.0	50.0	50.0	50.0	50.0	50.0

Estimate of any current year (FY96) cost: \$ None anticipated

POSITIONS	FY97	FY98	FY99	FY00	FY01	FY02
FULL-TIME	0	0	0	0	0	0
PART-TIME	1	1	1	1	1	1
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

The Finance Committee requested to make this a revenue neutral fiscal note. In order to do this the department will make this a PPT 8.5 months position. If the position does not keep up with the work the Finance Committee suggested increasing the fee to allow the position to process the workload.

The attached information shows the detail cost breakdown. In FY96 there is a one-time setup cost of \$14.0, which the Finance Committee agreed to.

Prepared by: Jane Angvik, Director Phone: 269-8503
 Division: Land Date: 16-Jan-96
 Approved by Commissioner: [Signature] Date: 16-Jan-96
 Agency: Natural Resources

BACK UP FOR FISCAL NOTE HB80

Estimate of Expenditures for HB80:

Personal Services:

Anticipate 250 subdivision plats submitted for review per year.

Reviews will be performed by a Land Surveyor I (R19).

Estimated review time is 7.5 hours per plat. Based on 250 plats per year, this will require one new full-time position.

TOTAL PERSONAL SERVICES

For a full-year \$64.5

Prorated for revenue -neutral

\$47.5 (FY97 and out)

Contractual:

The state must purchase existing land records, survey plats and field survey notes from BLM and make copies of plats held by the recording offices to carry out the functions required by this bill. The one time purchase cost for microfiche copies of survey plats and field notes to cover the state is \$10,000. Document copying costs from the recording office will be covered through the supply budget. An additional \$1,500 in contractual costs will be incurred annually, for items such as phone/fax bills, space rent and other miscellaneous contractual costs.

TOTAL CONTRACTUAL (FY97)

\$11,500.00

TOTAL CONTRACTUAL (FY98-FY02)

\$1,500.00

Supply:

The supply budget will cover the one time cost of copying survey plats held in the Recorder's Office. An additional \$1,000 in supplies costs will be incurred annually, for items such as office supplies and document copying costs.

TOTAL SUPPLY (FY97)

\$5,000.00

TOTAL SUPPLY (FY98-FY02)

\$1,000.00

Estimate of increased revenue for HB80:

Anticipated revenue from plat review fees will be 250 plat reviews x \$200.00/review = \$50,000.00

Comments:

In the last three years, the Division of Land has seen a reduction of six professional land surveyors due to budget reductions. We will attempt to process the additional workload associated with this legislation with an additional permanent part-time professional land surveyor. If this fails we'll increase fees and make the position full-time.

Revision Date: ~~February 21, 1995~~ ^{Knut} Jun. 16, 1996
 Title: An Act establishing the DNR as the plating authority in certain parts of...
 Sponsor: Representative James
 Requestor: House C & RA Committee
 Dept. Affected: Community & Regional Affairs
 BRU: Local Government Assistance
 Component: Municipal Lands Trustee
 COMPONENT SERIAL NO. 681

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
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	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE FUND SOURCE:						

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)
 This bill establishes DNR as the plating authority in the unorganized borough. This committee substitute version of the bill exempts certain activities pertaining to the department's Municipal Lands Trustee program from the provisions of the bill. As such, the bill poses no fiscal impacts for the department.

Prepared by: Remond Henderson, Director *Remond Henderson* Phone: 465-4708
 Division: Division of Administrative Services Date: 2/21/95
 Approved by Commissioner: *R. Henderson* *R. M. Iwain* Date: 2/21/95
 Agency: Community & Regional Affairs

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 Page 1 of 1

96 update

Comm. & Reg. Aff.

Outdated
DCA/RA
update
of #1

FISCAL NOTE

..No. 3

Bill Version: CSHB 80(CRA)

(H) Publish Date: 3/15/95

STATE OF ALASKA

1995 LEGISLATIVE SESSION

Revision Date: 14-Mar-95

Dept Affected: Natural Resources

Title: DNR Approval of Plats in Unorganized Boroughs

BRU: Resource Development

Component: Land Development

Sponsor: Representative James

Requestor: _____

Component Serial No. 431

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES	47.5	47.5	47.5	47.5	47.5	47.5
TRAVEL						
CONTRACTUAL	11.5	1.5	1.5	1.5	1.5	1.5
SUPPLIES	5.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	64.0	50.0	50.0	50.0	50.0	50.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES (1005)	50.0	50.0	50.0	50.0	50.0	50.0

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	64.0	50.0	50.0	50.0	50.0	50.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	64.0	50.0	50.0	50.0	50.0	50.0

Estimate of any current year (FY95) cost: \$ None anticipated

POSITIONS

FULL-TIME	0	0	0	0	0	0
PART-TIME	1	1	1	1	1	1
TEMPORARY	0	0	0	0	0	0

ANALYSIS:

(Attach a separate page if necessary)

The Finance Committee requested to make this a revenue neutral fiscal note. In order to do this the department will make this a PFT 3.5 months position. If the position does not keep up with the work the Finance Committee suggested increasing the fee to allow the position to process the workload.

The attached information shows the detail cost breakdown. In FY96 there is a one-time setup cost of \$14.0, which the Finance Committee agreed to.

Prepared by: Ron Swanson

Phone: 762-2632

Division: Land

Date: 14-Mar-95

Approved by Commissioner: _____

Date: 14-Mar-95

Agency: Natural Resources

COMMITTEE COPY

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BACK UP FOR FISCAL NOTE HB80

Estimate of Expenditures for HB80:

Personal Services:

Anticipate 250 subdivision plats submitted for review per year.

Reviews will be performed by a Land Surveyor I (R19).

Estimated review time is 7.5 hours per plat. Based on 250 plats per year, this will require one new full-time position.

TOTAL PERSONAL SERVICES

For a full-year \$64.5

Prorated for revenue -neutral

\$47.5 (FY97 and out)

Contractual:

The state must purchase existing land records, survey plats and field survey notes from BLM and make copies of plats held by the recording offices to carry out the functions required by this bill. The one time purchase cost for microfiche copies of survey plats and field notes to cover the state is \$10,000. Document copying costs from the recording office will be covered through the supply budget. An additional \$1,500 in contractual costs will be incurred annually, for items such as phone/fax bills, space rent and other miscellaneous contractual costs.

TOTAL CONTRACTUAL (FY96)

\$11,500.00

TOTAL CONTRACTUAL (FY97-FY01)

\$1,500.00

Supply:

The supply budget will cover the one time cost of copying survey plats held in the Recorder's Office. An additional \$1,000 in supplies costs will be incurred annually, for items such as office supplies and document copying costs.

TOTAL SUPPLY (FY96)

\$5,000.00

TOTAL SUPPLY (FY97-FY01)

\$1,000.00

Estimate of increased revenue for HB80:

Anticipated revenue from plat review fees will be 250 plat reviews x \$200.00/review = \$50,000.00

Comments:

In the last three years, the Division of Land has seen a reduction of six professional land surveyors due to budget reductions. We will attempt to process the additional workload associated with this legislation with an additional permanent part-time professional land surveyor. If this fails we'll increase fees and make the position full-time.

Alaska Society of Professional Land Surveyors

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



Patrick H. Kalen, PLS
1041 Chena Ridge Road
Fairbanks, AK 99709
(907) 479-2682/2686

February 14, 1996

Rep. Jeanette James
Alaska State Capitol
Juneau, Alaska 99801

Attn: Walt Wilcox

Ref: HB 80, definition, Sec. 40.15.380(f)(1)

Dear Rep. James:

I recently checked over the files for this bill, in hopes that we can move it soon. It is possible that we overlooked something. If I am right, it should be non-controversial and easily fixed. The definition for the word subdivision appears in Title 29 as well as in Title 40, and is referenced in several other statutes. Uniformity of definition of the word subdivision is a very important technical point. The wording and the definition in HB 80 are OK, but we may need to include extra references so as not to have conflicting definitions in statute. See the enclosed copy of SB 211. Don't we need to include sections 1, 2 and 4 to avoid the conflict?

We hope this poses no difficulty for finishing the bill and moving it. I have included a copy of SB 211 of the Eighteenth Legislature. If you have any questions, do not hesitate to call me.

Sincerely yours,

Patrick Kalen, PLS
Chairman, Legislative Affairs Committee



STATE OF ALASKA

THE ALASKA STATE LEGISLATURE

House of Representatives

Representative Jeannette James

Chair of House State Affairs Committee

Capitol Building

Juneau, AK 99801-2197

(907) 465-3743 ph

(907) 465-2381 fax

memo: MEMO

March 12, 1996 Third request

To: Senate Finance Committee
Attn: Senator Halford and Senator Frank, Co-chairs Senate Finance
From: Rep. Jeannette James
Re: Scheduling HB 80 in Senate Finance

Please schedule HB 80 for a hearing as soon as feasible. This is a good bill that has been in the process for many Legislative sessions. I believe the work over the last several years has molded the bill into one that has no opposition and is supported by the DNR, surveyors and all impacted classes of people.

Essentially HB 80 brings all of the unorganized Boroughs under the purview of DNR as pertains to platting of real estate. For example there is currently no control over anyone creating landlocked subdivisions with no possible access.

The bill also cleans up some definition problems by defining terms so all agencies use the same terminology.

Thank you for your consideration. Please call me if you have any questions or concerns.

Alaska State Legislature

REPRESENTATIVE
JEANNETTE JAMES

P.O. Box 56622
North Pole, Alaska 99705
(907) 488-1546
FAX (907) 488-9006



While In Juneau
State Capitol
Juneau, Alaska
99801-1182
(907) 465-3743
FAX (907) 465-2381

House of Representatives

House District 34

4-19-95

To: Senate Finance Committee

Attn: Senators Frank and Halford

From: Rep. Jeannette James

Re: HB 80, Senate Finance Committee hearing request

Please schedule this excellent Bill for Finance Committee as soon as possible, it unanimously passed out of Senate CRA today.

HB 80 gives DNR the authority to review plats in the unorganized borough, currently there is no statutory review. The Bill also defines the word subdivision so all State Departments have the same definition. The Bill is supported by DNR, the surveying community, and has no known opposition.

HB 80 is revenue neutral, program receipts cover costs in the "out" years. A \$10,000.00 one time appropriation for year one is included.

Thank you.

Alaska State Legislature

REPRESENTATIVE
JEANNETTE JAMES

P.O. Box 56622
North Pole, Alaska 99705
(907) 488-1546
FAX (907) 488-9006



While in Juneau
State Capitol
Juneau, Alaska
99801-1182
(907) 465-3743
FAX (907) 465-2381

House of Representatives

House District 34

HB 80 DNR APPROVAL OF PLATS

January 31, 1995

SPONSOR STATEMENT

Currently no legal authority reviews plats in the unorganized boroughs for compliance with State law. This means that there is no agency review of access to each lot, the outcome is that there are landlocked lots created.

Currently "paper plats" are allowed to be recorded without being surveyed, HB 80 corrects this oversight. This legislation requires the Department of Natural Resources to review plats for compliance with State law.

There are several definitions of Street and Subdivision in various Statutes, this legislation defines them as requested by the Department of Natural Resources.

BILL: HB 80 SHORT TITLE: DNR APPROVAL OF PLATS IN UNORG BOROUGH
BILL VERSION: CSHB 80 (CRA)
SPONSOR(S): REPRESENTATIVE(S) JAMES

CURRENT STATUS: (S) CRA STATUS DATE: 03/28/95
 THEN FIN

TITLE: "An Act establishing the Department of Natural Resources as the platting authority in certain areas of the state; relating to subdivisions and dedications; and providing for an effective date."

01/13/95	41	(H)	PREFILE RELEASED
01/16/95	41	(H)	READ THE FIRST TIME - REFERRAL(S)
01/16/95	41	(H)	COMMUNITY & REGIONAL AFFAIRS, RESOURCES
02/22/95	443	(H)	CRA RPT CS(CRA) NEW TITLE 3DP 4NR
02/22/95	443	(H)	DP: VEZEY, KOTT, IVAN
02/22/95	443	(H)	NR: MACKIE, ELTON, AUSTERMAN, NICHOLIA
02/22/95	443	(H)	2 FISCAL NOTES (DCRA, DNR)
02/27/95	481	(H)	RES RPT CS(CRA) NEW TITLE 5DP
02/27/95	481	(H)	DP: KOTT, BARNES, GREEN, WILLIAMS
02/27/95	481	(H)	DP: AUSTERMAN
02/27/95	482	(H)	2 FISCAL NOTES (DNR, DCRA) 2/22/95
02/27/95	509	(H)	ADDITIONAL REFERRAL TO FIN
03/15/95	735	(H)	FIN RPT CS(CRA) NEW TITLE 8DP
03/15/95	736	(H)	DP: HANLEY, MULDER, KOHRING, GRUSSENDORF
03/15/95	736	(H)	DP: BROWN, KELLY, THERRIAULT, MARTIN
03/15/95	736	(H)	FISCAL NOTE (DNR)
03/15/95	736	(H)	FISCAL NOTE (DCRA) 2/22/95
03/22/95	855	(H)	RULES TO CALENDAR 3/22/95
03/22/95	855	(H)	READ THE SECOND TIME
03/22/95	855	(H)	CRA CS ADOPTED UNAN CONSENT
03/22/95	855	(H)	ADVANCED TO THIRD READING UNAN CONSENT
03/22/95	855	(H)	READ THE THIRD TIME CSHB 80 (CRA)
03/22/95	856	(H)	PASSED Y30 N5 E2 A3
03/22/95	856	(H)	EFFECTIVE DATE(S) SAME AS PASSAGE
03/22/95	856	(H)	NAVARRE NOTICE OF RECONSIDERATION
03/24/95	920	(H)	RECONSIDERATION NOT TAKEN UP
03/24/95	920	(H)	TRANSMITTED TO (S)
03/28/95	805	(S)	READ THE FIRST TIME - REFERRAL(S)
03/28/95	805	(S)	CRA, FIN

SENATE COMMITTEE REPORT

DATE: 3/28/95

FURTHER: Finance

DATE TURNED INTO OFFICE: 4/30/95

four

CRA Committee considered CS FOR HOUSE BILL NO. 80(CRA)

"An Act establishing the Department of Natural Resources as the platting authority in certain areas of the state; relating to subdivisions and dedications; and providing for an effective date."

and recommends:

- be replaced with S ^{CS} CS HB 80 (CRA)
- adopt previous CS _____
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill: same title
- new title
- House Bill: same title
- technical change
- new: SCR# _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
		<i>Tom Kelly</i>	—		
		<i>Jim Hoff</i>	✓		
CHAIR: <i>John Ingram</i>	✓				

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

<i>Natural Resources</i>	<i>5/31/95</i>		✓
<i>Community & Regional Affairs</i>	<i>1/27/95</i>		✓

[] APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

BASIS JOURNAL TEXT

03/22/95

HOUSE JOURNAL

PAGE 0855

03/22/95

HOUSE JOURNAL

PAGE 0856

HB 80

THE QUESTION BEING: "SHALL CSHB 80(CRA) PASS THE HOUSE?" THE
ROLL WAS TAKEN WITH THE FOLLOWING RESULT:

CSHB 80(CRA)
THIRD READING
FINAL PASSAGE

YEAS: 30 NAYS: 5 EXCUSED: 2 ABSENT: 3

YEAS: AUSTERMAN, BARNES, BROWN, B.DAVIS, G.DAVIS, ELTON, FOSTER,
GREEN, GRUSSENDORF, HANLEY, IVAN, JAMES, KOHRING, KOTT, MACKIE,
MARTIN, MOSES, MULDER, OGAN, PARNELL, PHILLIPS, PORTER, ROBINSON,
ROKEBERG, SANDERS, THERRIALT, TOOHEY, VEZEY, WILLIAMS. WIIITS

NAYS: BUNDE, DAVIES, FINKELSTEIN, KUBINA, NAVARRE

EXCUSED: MACLEAN, NICHOLIA

ABSENT: BRICE, KELLY, MASEK

AND SO, CSHB 80(CRA) PASSED THE HOUSE.

REPRESENTATIVE VEZEY MOVED AND ASKED UNANIMOUS CONSENT THAT THE
ROLL CALL ON THE PASSAGE OF THE BILL BE CONSIDERED THE ROLL CALL ON THE
EFFECTIVE DATE CLAUSE. THERE BEING NO OBJECTION, IT WAS SO ORDERED.

REPRESENTATIVE NAVARRE GAVE NOTICE OF RECONSIDERATION OF HIS VOTE ON
CSHB 80(CRA).

03/24/95

HB 80

RECONSIDERATION OF THE FOLLOWING WAS NOT TAKEN UP ON THIS LEGISLATIVE
DAY. IT WAS ENGROSSED, SIGNED BY THE SPEAKER AND CHIEF CLERK AND
TRANSMITTED TO THE SENATE FOR CONSIDERATION:

FISCAL NOTE

Revision Date: January 27, 1995 Dept. Affected: Community & Regional Affairs
 Title: An Act establishing the DNR as the BRU: Local Government Assistance
planning authority in certain parts of... Component: Municipal Lands Trustee
 Sponsor: Representative James
 Requestor: House C & RA Committee COMPONENT SERIAL NO. 381

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	75.0	75.0	75.0	75.0	75.0	75.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	75.0	75.0	75.0	75.0	75.0	75.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE FUND SOURCE:						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	75.0	75.0	75.0	75.0	75.0	75.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	75.0	75.0	75.0	75.0	75.0	75.0

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)
 This bill establishes DNR as the plating authority in the unorganized borough. With regard to fiscal impacts the bill would affect DCRA because certain leasing activity undertaken by the Municipal Lands Trust (MLT) Program would become subject to a new requirement for site surveying and plat approval. DCRA now generally bases its leases on office property plats rather than formal surveys. MLT staff estimate that there would be a requirement for 20-25 such surveys per year, for an estimated cost of about \$75,000 in contracted survey costs.

Prepared by: Remond Henderson, Director *Remond Henderson* Phone: 465-4708
 Division: Division of Administrative Services Date: 1/27/95
 Approved by Commissioner: Remond Henderson for M. Irwin Date: 1/27/95
 Agency: Community & Regional Affairs

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