

**SB**

**1900**

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

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130 Seward Street, Suite 409  
Juneau, Alaska 99801-2105

## MEMORANDUM

January 26, 1996

**SUBJECT:** Residency requirement for state land auctions (Work Order No. 9-LS1257\C)

**TO:** Senator Loren Leman, Chair  
Senate Resources Committee

**FROM:** Jack Chenoweth  
Legislative Counsel

I am required to transmit with the bill draft this memo cautioning that the bill--both as it was introduced by the sponsor and as offered by the Senate Resources Committee--MAY present constitutional questions. Objection may be taken either under the privileges and immunities clause of Article IV, section 2 of the United States Constitution, or, with reference to the one-year durational residency requirement under the equal protection clauses of the United States or state constitutions.

It's rather hard to say where a court would come out on this. On the privileges and immunities question, the United States Supreme Court has been inclined to reject state efforts to withhold privileges from nonresidents when the justification for the regulation involved nonresident economic or employment opportunities and the right to travel, but has been less demanding when the state has acted to protect for the benefit of its residents (as against nonresidents) state institutions that were established and are supported primarily for the benefit of state residents. Similarly, the validity of durational residency requirements will depend on a court's trying to find whether the legislation strikes a proper balance between a legitimate state interest and the classification that it has drawn.

In the time I have, I can't provide definitive advice on these points, but am sending this memo with the bill only to note the potential for litigation.

JBC:pl  
96-038.plm

cc: Senator Robin Taylor,  
ATTN: Joe Ambrose

**SENATE COMMITTEE REFERRAL  
First Committee of Referral**

DATE: 1/8/96

FURTHER:

Date of 5-Day Notice: 1-18-96  
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 1-26-96

The Resources Committee considered SENATE BILL NO. 190

"An Act establishing a residency requirement for auctions of state land."

and recommends:

- be replaced with SEN CS SB 190 ( RES )
- 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 title
  - new: SCR#

SIGNING OR PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Pick Hallford</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i>			<input checked="" type="checkbox"/>
<i>[Signature]</i>	<input checked="" type="checkbox"/>				
<i>[Signature]</i>	<input checked="" type="checkbox"/>				
<i>[Signature]</i>	<input checked="" type="checkbox"/>				
<b>CHAIR:</b> <i>[Signature]</i>	<input checked="" type="checkbox"/>				

**NEW FISCAL NOTE(S):**

Department      Date      Zero      Fiscal


**PREVIOUS FISCAL NOTE(S):\***

Department      Date      Zero      Fiscal

<i>DNR</i>	<i>1-23-96</i>	<input checked="" type="checkbox"/>	

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

CS FOR SENATE BILL NO. 190(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE RESOURCES COMMITTEE

Offered:

Referred:

Sponsor(s): SENATORS TAYLOR, Leman, Kelly, Pearce

A BILL

FOR AN ACT ENTITLED

1 "An Act establishing a residency requirement for auctions of state land."

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

3 \* Section 1. AS 38.05.055 is amended to read:

4           Sec. 38.05.055. AUCTION SALE PROCEDURES. Unless another method of  
5 sale is required under this chapter, AS 38.07, or AS 38.08, the sale of state land shall  
6 be made at public auction to the highest qualified bidder as determined by the director.  
7 The director may accept bids and sell state land under this section at no less than 70  
8 percent of the appraised fair market value of the land. To qualify to participate  
9 under this section in a public auction of state land that is other than commercial,  
10 industrial, or agricultural land, a bidder who is a natural person shall have been  
11 a resident of the state for at least one year immediately preceding the date of the  
12 auction and submit proof of that fact, as the commissioner requires by regulation.

13 A bidder must appear in person at the auction unless medical reasons, attendance at  
14 school, or military service outside the state prevent attendance. A bidder may be  
15 represented by an attorney or agent at the auction if the land offered for disposal is

1 commercial, industrial, or agricultural land. An aggrieved bidder may appeal to the  
2 commissioner within five days after the sale for a review of the director's  
3 determination. The sale shall be conducted by the director and at the time of sale the  
4 successful bidder shall deposit an amount equal to five percent of the purchase price.  
5 The director shall immediately issue a receipt containing a description of the land or  
6 property purchased, the price bid, and the amount deposited. The receipt shall be  
7 acknowledged in writing by the bidder.

A M E N D M E N T

OFFERED IN THE SENATE

BY SENATOR TAYLOR

TO: SB 190

- 1 Page 1, lines 8 - 9:
- 2 Delete "To qualify to participate in a public auction of state land under this
- 3 section"
- 4 Insert "To qualify to participate under this section in a public auction of state
- 5 land that is other than commercial, industrial, or agricultural land"

*Adopted  
7-6 (no)*



# Alaska State Legislature

Session:  
State Capitol  
Juneau AK 99801-1182

Interim:  
716 W 4th Avenue  
Anchorage AK 99501-2133

MEMO

TO: Jack Chenoweth  
Legal Counsel  
via fax: 2029 two pages

FROM: Annette Kreitzer, Aide to  
Senate Resources Committee

DATE: January 24, 1996

RE: CS for SB 190

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Please draft a final Resources CS incorporating the amendment on the next page (9-LS1257\A.1). There are no additional changes to the bill, other than the typographical error on line 11, of which you are already aware and is to be corrected in the CS.

Thanks for your assistance.

# FISCAL NOTE

**STATE OF ALASKA**  
**1996 LEGISLATIVE SESSION**

**BILL NO. CSSB190(RES)**

Revision Date: 30-Jan-86 Dept Affected: Natural Resources  
 Title: An Act establishing a residency requirement BRU: Resource Development  
for auctions of state land. Component: Land Development  
 Sponsor: Senators Taylor, Leman, Kelly, Pearce  
 Requestor: \_\_\_\_\_ Component Serial No. 431

Expenditures/Revenues		(Thousands of Dollars)				
OPERATING EXPENDITURES	FY87	FY88	FY89	FY90	FY01	FY02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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FUND SOURCE		(Thousands of Dollars)				
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY86) cost: \$ None

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

**ANALYSIS:** (Attach a separate page if necessary)

This bill would have negligible impacts on operating or capital expenditures, and would require no new positions. The bill could reduce the revenues generated from future land disposal. For example, in the 1985 auction, the total revenues generated would have been reduced by \$193,000 if non-residents were prohibited from bidding. \$193,000 is the amount of winning bids by out-of-state residents for parcels that no Alaskans bid on and therefore would not have been sold.

We assume the current practice of having the applicant sign an affidavit of residency is adequate.

Prepared by: Ron Swanson EF Phone: 269-8503  
 Division: Land Date: 30-Jan-86  
 Approved by Commissioner: [Signature] Date: 30-Jan-86  
 Agency: Natural Resources

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# FISCAL NOTE

**STATE OF ALASKA**  
**1996 LEGISLATIVE SESSION**

**BILL NO. SB 190**

Revision Date: 23 Jan-96 Dept Affected Natural Resources  
 Title: An Act establishing a residency requirement BRU: Resource Development  
for auctions of state land. Component: Land Development  
 Sponsor: Senators Taylor, Leman, Kelly, Pearce  
 Requestor: \_\_\_\_\_ Component Serial No. 431

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY97	FY98	FY99	FY00	FY01	FY02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0.0	0.0	0.0	0.0	0.0	0.0
<b>CAPITAL EXPENDITURES</b>	0.0	0.0	0.0	0.0	0.0	0.0
<b>CHANGE IN REVENUES ( )</b>	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0

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

POSITIONS	FY97	FY98	FY99	FY00	FY01	FY02
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)

This bill would have negligible impacts on operating or capital expenditures, and would require no new positions. The bill could reduce the revenues generated from future land disposal. For example, the 1995 auction, the total revenues generated would have been reduced by \$193,000 if non-residents were prohibited from bidding. \$193,000 is the amount of winning bids by out-of-state residents for parcels that no Alaskans bid on and therefore would not have been sold.

If the legislature desires us to verify residency for the Spring 1997 disposal, we will need to RSA approximately \$5.0 to the Department of Revenue to verify residency against permanent fund applications.

Prepared by: Ron Swanson EF Phone: 269-8503  
 Division: Land Date: 23-Jan-96  
 Approved by Commissioner: [Signature] Date: 23-Jan-96  
 Agency: Natural Resources

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# Alaska State Legislature

Session:  
State Capitol  
Juneau AK 99801-1182

## SENATE RESOURCES COMMITTEE

Interim:  
716 W 4th Avenue  
Anchorage AK 99501-2133

\*expected to be present

\*Chairman: Senator Loren Leman  
\*Vice Chairman: Senator Drue Pearce  
\*Senator Steve Frank  
\*Senator Rick Halford  
\*Senator Robin Taylor  
Senator Georlanna Lincoln  
\*Senator Lyman Hoffman

Teleconference Sites: ANC, FBX, Delta Junction, Ketchikan

AGENDA  
3:30 to 5:00 p.m.  
Wednesday, January 24, 1996

### BRIEFING BY ALASKA MINERALS COMMISSION - 30 minutes

Earl Beistline, Chair (former Dean-UAF School of Mines)  
Irene Anderson, Vice-Chair (Land Manager, Sitnasuak Native Corp., Nome)  
Ron Sheardown (President, Greatland Exploration, Anchorage)  
Karl Hanneman (President, Alaska Placer Development, Fairbanks)  
~Don Stevens (President, Stevens Exploration, Anchorage) -  
Neil MacKinnon (President, Hyak Mining Company, Juneau)  
Al Clough (Staff, Division of Trade and Development)

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**SB 190: Residency Requirement/State Land Auction** Teleconferenced  
**SENATOR TAYLOR, Sponsor**

Zero Fiscal Note from DNR distributed at table

Expected Witnesses:

Senator Taylor to present bill  
Ron Swanson, Director, Division of Lands/DNR (ANC LIO)

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**SB 128: Nonresident Hunt, Sport Fish, Trap Fees (Held from 1/17)** Teleconferenced  
**SENATOR DONLEY, Sponsor**

Expected Witnesses:

Senator Donley to present bill  
Wayne Regelin, Director, Division of Wildlife Conservation/DF&G

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### NEXT MEETING:

Monday, January 29:

Briefing on Alaska Natural Gas Project in Anchorage  
9:30 a.m. to noon  
Second Floor Conference Room, ANC LIO  
Teleconferenced to JNU in Beltz Room

**ADJOURN**

**FAX:** fax # 3810  
**To:** Annette Kreitzer, Senate Resources  
**From:** Al Clough, Trade and Development  
**Subject:** Alaska Minerals Commission

Annette, per your request, the following Minerals Commission Members will be in Juneau tomorrow and plan on attending the Senate Resources Hearing at 1530.

Earl Beistline, Chair (former Dean- UAF School of Mines)

Irene Anderson, Vice- Chair (Land Manager, Sitnasuak Native Corp., Nome)

Ron Sheardown (President Greatland Exploration, Anchorage)

Karl Hanneman (President, Alaska Placer Development, Fairbanks)

Don Stevens (President, Stevens Exploration, Anchorage)

Neil MacKinnon (President, Hyak Mining Company, Juneau)

Al Clough (Staff, Division of Trade and Development)

Please call or e-mail if you have any questions or problems.

Al Clough  
(907) 465- 5463

Al\_Clough%Commerce@State.ak.us

KTN DAILY NEWS  
11/1/95

A-4

Op

## Editorial

### Land sale restrictions

Alaska land should belong to those who live and work in this state; the people who invest their lives here, and raise their children here. Alaskans.

State Sen. Robin Taylor, R-Wrangell, plans to push a legislative measure barring non-Alaskans from bidding in state land auctions. He is as determined now — after the most recent sales — as he was before.

The state held an auction recently. Of 237 parcels sold, 21 were bought by non-Alaskans, 8.8 percent of the total.

While Alaska is the largest state in the union, Alaskans can own relatively little of it. Most of the land is federally owned, which means Alaskans are limited in their access to it.

Ketchikan has a serious land problem, and Ketchikan residents endure some situations as a result. In particular, residential areas collide with commercial concerns in several areas of Ketchikan.

If Alaskans don't bid at auction on the parcels offered, then the communities should be given the opportunity. Or the state should keep the land until the next auction or until Alaskans ask that it be put on the auction block.

Alaska doesn't want to become more of an outside-ownership state than it already is. The fewer acres Alaskans own, the more the control over Alaska and its lifestyle is determined by outsiders.

## From other editors

### Tremendous win

The Republican-led revolution took two giant steps on Capitol Hill last week as both the House and Senate approved a balanced-budget plan that cuts taxes and social spending and ultimately puts a conservative face on the national government.

Passage of the balanced-budget legislation was anticlimactic for Alaskans, however.

The real excitement came in the debate to keep a provision for developing part of the Arctic National Wildlife Refuge by opening it to oil drilling. The climax for Alaskans came Friday. On a 51-48 vote, the Senate narrowly rejected an effort to strip out the ANWR drilling provision, following similar action in the House just 18 hours before.

It was a heady moment for Alaska's congressional delegation, who had worked hard and long for passage of the legislation.

"It was a tremendous win," said Republican Sen. Frank Murkowski. "It literally was a showdown at high noon and for the first time in 15 years the ANWR train has left the station."

The Empire welcomes the victory and offers congratulations to Sens. Ted Stevens and Frank Murkowski and Rep. Donald Young, their staffs and countless others who participated in the effort,

MANEY Chicago Tribune



Alston Chase

### Train w

By ALSTON CHASE  
This fall, Washington pundits have been speculating on the chances of a "train wreck" occurring, if a deadlock over the budget between the presid

...what philosophers had been saying for a century: that modern life, as the magazine put it, "can be uncomfortable." This theme — that technology isolates individuals, thereby generating mistrust and despair — is hardly original. It was the favorite topic in college bull sessions half a century ago.

While conceding such angst observations aren't novel, the magazine credits their revival to the Unabomber's well-publicized polemic and to the insights of evolutionary psychologists.

Yet, it also exposes the flaws in contemporary liberal, conservative and revolutionary political ideologies, including environmentalism, libertarianism and the Unabomber's own rationale for violence. For these would exacerbate rather than diminish what is arguably the greatest threat

Durkheim.

These were among the literary works undergraduates in the 1950s were required to read. At that time, most college curricula included mandatory study of Western heritage — called general education — designed to promote shared intellectual experiences and values. But student protests killed such "gen ed" courses in the 1960s.

Now, Time has resurrected this concern for what was then called "the modern condition" — but credits its articulation not to philosophers or novelists but, in keeping with the spirit of today, to scientists and terrorists. And thereby, the magazine calls attention to a problem for which neither environmentalists nor their critics have an answer.

To environmentalists, technology is evil because it "destroys" nature. And big government, they say, is desirable because it can mandate return to the good old days, when people lived in caves and didn't have

Both dissolve the friendship, trust and cooperation that make viable culture possible.

Culture is nothing more than a network of shared values that bind people together, thereby promoting social harmony. Since, as the ancient Greeks knew, it ultimately rests on friendships, it survives only in relatively small and stable communities where relations between individuals are possible.

Hence, excessive size or mobility kills culture. When communities grow too large or too transient to sustain relationships, they die. Yet since virtually every political ideology today favors either big government or big business, they all promote these destructive conditions.

By revering free markets, libertarians would allow multinational corporations to grow and move unimpeded in their quest for lower costs and cheaper labor.

tion.

The appearance of the Time article, therefore, may signal that the 1960s generation, which 30 years ago rejected general education, finally realizes that the greatest problem we face is neither ozone depletion nor species extinction, but the very cultural collapse that gen ed was designed to avert.

If so, they will soon realize that the current gaggle of ideologies make matters worse. Rather than appeal to polarizing political agendas, we must revive an educational system dedicated to a common core of learning, seek to sustain small-town culture and find ways to encourage more intimate and stable working conditions.

As B. F. Schumacher said, "Small is beautiful." This is another forgotten idea that perhaps Time magazine should recycle as well.

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## Letters to the editor

KDN 9/20/95

### Public schools

EDITOR, Daily News:

I want to join Alaska's National Teacher of the Year, Elaine Griffin, and U.S. Secretary of Education Richard Riley in encouraging all Alaskans to "go back to school" this year.

America Goes Back to School is a national campaign to encourage Americans to support family and community involvement in public schools. It is sponsored by the Family Involvement Partnership in Learning and the U.S. Department of Education.

Studies show that family and community support for education results in safer schools and students learning more. America Goes Back to School challenges all of us, parents,

grandparents, community leaders, education professionals, and lay people, to rally around our local schools making a commitment to support school improvement and community involvement throughout the year. Your support further improves our schools, and shows our children that we care and want them to be successful.

Ms. Griffin has invited all Alaska state legislators to spend a day this semester in a classroom to observe firsthand the challenges and successes of public education. The more Alaska's citizens experience their schools, the better things will become for our students.

Your support for family involvement in children's learning can make a positive difference. Please support your local schools, and use this opportunity to get involved in education.

Sincerely,

SHIRLEY J. HOLLOMAN, Ph.D.

Department of Education

### Land sale law

EDITOR, Daily News:

Alaskans who paid \$8 for a Department of Natural Resource's packet for its land auction and homestead parcels should know that the auction portion of that land sale is open not only to Alaskans, but also to anyone from the Lower 48 who antes up the money.

Entitled "Land for Alaskans", the DNR packet gives the impression that the land sale is for Alaskans only, but it is not. In fact, the Alaska marketing and Tourism Council promoted the packet in a press release to the Lower 48.

The sale is within the law. However,

it is a poor move on the part of this administration to trumpet the availability of Alaska lands outside the state.

We've seen what happens to residents in New Mexico, Montana, Idaho, and Colorado when moneyed outsiders make a land grab. The result is highly inflated land values unaffordable to most local residents.

Alaskans should be given first priority on Alaska lands. Sen. Robin Taylor has prefiled a bill to accomplish this, and I cosponsored it.

If you are concerned about Alaskans getting first priority for Alaska land, I suggest you contact DNR Commissioner John Shively and let him know what you think of this land sale.

Sincerely,  
LOREN LEMAN  
State Senator

## Today in history

By The Associated Press  
Today is Wednesday, Sept. 20, the 253rd day of 1995. There are 102

the New York Stock Exchange in the aftermath of railroad bond defaults and bank failures.

In 1963, in a speech to the U.N. General Assembly, President Kennedy proposed a joint U.S.-Soviet expedition to the moon.

Five years ago: Demanding equal time, Iraq asked U.S. networks to broadcast a message by President Saddam Hussein in response to President Bush's

few people except demented ...  
So what does he do now? He can just go through life sitting in bookstores, smiling and scribbling his name.

not just his domestic help, but absolute strangers.  
He favors gun controls and believes in a woman's right to choose abortion. What kind of Republican talk is that? And who knows what other liberal views

common sense to the its own shoelaces.  
That's true, but the few opinions Powell has shared with us sound more Democratic than Republican. And maybe he would be a good choice to pull the Democratic Party out of its funk,

1968 in Chicago!  
But chances are that the only person who'd come away from Chicago with a throbbing head next year would be Clinton.  
(c) 1995 Tribune Media Services Inc.

## Point of view

# Commissioner says he has open mind on land sales

By JOHN SHIVELY

There are two parts to this year's land offering: a homestead program that is restricted (by statute) to Alaska residents, and a sealed bid auction that is not. The homestead program allows Alaskans to acquire state land by proving up and paying survey costs, or through purchase.

The sealed bid auction parcels will be sold to the highest bidders. We have made it clear in all our publicity that the homestead program is for Alaskans only. We have also told people that the auction is not restricted to Alaskans. However we have not promoted this land disposal outside of Alaska. In fact, DNR has intentionally avoided national media or use of the state's Internet newswire

so as to minimize outside interest.

Certain land disposal programs (specifically the lottery program) do allow us to restrict participation to Alaskans. However the lottery program is more expensive to conduct.

Because the DNR land disposal staff has been largely eliminated due to budget cuts, we have decided to make the land disposal process more efficient. The sealed bid auction is easier to administer, and requires fewer staff than the lottery method and probably will increase the money received by the state. Our statutes do not allow us to restrict this type of land offering to Alaskan residents.

I anticipate that despite being open to non-residents, the participants will, for

the most part, still be Alaskans. During the first month of the filing period, only 129, or about 5.6 percent, of the 2275 land offering brochures had outside mailing addresses. Most of the calls and letters our information offices have received from outside are people looking for free land - they will be disappointed to find the land they can qualify for is not free. To participate in the auction, one must submit a 5 percent bid deposit which may discourage people from bidding without looking at the land.

Because current law does not allow me to restrict sealed bid sales to Alaskans, the legislature is the proper forum to address any change. While the administration has not taken a position on Senator Taylor's proposed legislation to

restrict auction sales to Alaskans, we should consider the advantages of and being available to outsiders.

When Alaska became a state, state land was considered a mechanism to encourage settlement of Alaska, including settlement by outsiders desiring to move to Alaska.

Also, one of our goals is to get a fair return for Alaska residents from their land. We do not restrict the sale of our oil and gas, timber, or fish resources to Alaskans, as this would significantly reduce the value we get for those resources. I have an open mind on whether we should so restrict land sale.

(John Shively is state commissioner for the Department of Natural Resources)

## Today in history

By The Associated Press

Today is Monday, Oct. 2, the 275th day of 1995. There are 90 days left in the year.

Today's Highlight in History.

On Oct. 2, 1944, Nazi troops crushed the two-month-old Warsaw Uprising, during which 250,000 people were killed.

On this date:

In 1780, British spy John Andre was hanged in Tappan, N.Y.

In 1835, the first battle of the Texas Revolution took place as American settlers defeated a Mexican cavalry near the Guadalupe River.

In 1869, political and spiritual leader Mohandas K. Gandhi was born in

Porbandar, India.

In 1890, comedian Groucho Marx was born in New York.

In 1919, President Wilson suffered a stroke that left him partly paralyzed.

In 1939, the Benny Goodman Sextet recorded "Flying Home."

In 1941, German armies began Operation Typhoon - an all-out drive against Moscow.

In 1950, the comic strip "Peanuts," created by Charles M. Schulz, was first published in nine newspapers.

In 1958, the former French colony of Guinea in west Africa proclaimed its independence.

In 1959, "The Twilight Zone" made

its debut on CBS television.

In 1967, Thurgood Marshall was sworn in as an associate justice of the U.S. Supreme Court; he was the first black appointed to the highest court.

In 1975, President Ford welcomed Japan's Emperor Hirohito to the United States.

In 1984, Richard W. Miller became the first FBI agent to be arrested and charged with espionage. Miller was tried three times; he was sentenced to 20 years in prison, but was released after nine years.

Ten years ago: Actor Rock Hudson died at his home in Beverly Hills, Calif., at age 59 after battling the deadly disease

AIDS.

Five years ago: The U.S. Senate voted 90-9 to confirm the nomination of Judge David H. Souter to the Supreme Court. President Bush, trying to muster acceptance for a \$500 billion package of tax increases and spending cuts, asked Americans in a televised address to support the plan.

One year ago: U.S. soldiers in Haiti detained several leaders of the country's pro-army militias as part of an effort to dismantle armed opposition to restoration of elected rule. Actress Harriet Nelson ("The Adventures of Ozzie & Harriet") died in Laguna Beach, Calif., at age 85.

21 out of state

1995 AUCTION LIST - Hometown order

APPARENT HIGH BIDDER	BID AMT.	PARCEL NO.	HOME TOWN
SONNICHSEN, GARY	\$105,199.00	412	Anchor Point
BAFFREY, MICHAEL	\$45,045.45	418	Anchorage
BOSEK, REBECCA L.	\$30,001.00	133	Anchorage
BYWATER, JOHN T., SR.	\$5,100.00	66	Anchorage
FLANIGAN, STEVEN W.	\$7,500.00	167	Anchorage
GRAY, GARY	\$8,000.00	98	Anchorage
HARTRIGSEN, DENNY	\$20,010.00	178	Anchorage
HEIM, LYNDON	\$1,515.15	395	Anchorage
HERSHEY, LISA M.	\$10,123.00	118	Anchorage
HINMAN, DAVID	\$7,802.00	8	Anchorage
HOLSMAN, JOHN D.	\$9,998.00	162	Anchorage
HOOD, RICHARD A., JR.	\$6,013.00	76	Anchorage
HUTWAGNER, JOHN B.	\$10,000.00	143	Anchorage
JACKSON, FRANK, JR.	\$9,004.00	113	Anchorage
JONES, CHARLES J.	\$21,501.00	106	Anchorage
KALAR, LONNIE C.	\$34,000.00	134	Anchorage
KAVANAUGH, TIMOTHY J.	\$3,002.60	100	Anchorage
KIM, YOUNG HYON	\$25,000.00	108	Anchorage
LAIRD, THOMAS	\$10,000.00	84	Anchorage
LAWS, WILLIAM W.	\$48,001.00	407	Anchorage
LEWIS, CYNTHIA D.	\$20,000.00	92	Anchorage
LEWIS, STEPHEN T.	\$26,000.00	180	Anchorage
LYNCH, WESLEY	\$8,101.00	154	Anchorage
MERO, DAVID E.	\$8,105.00	155	Anchorage
MORGAN, TIMOTHY S. & EMMIE M.	\$12,253.50	89	Anchorage
NELSON, RONALD D.	\$28,000.00	139	Anchorage
NIMS, JINNIE	\$6,002.00	92	Anchorage

237

33 not award

204

actual, not!

APPARENT HIGH BIDDER	BID AMT.	PARCEL NO.	HOME TOWN
PENN, DAVID E.	\$8,125.00	246	Anchorage
RALL, DIANNA *	\$11,400.00	393	Anchorage
RAY, KEVIN	\$4,665.00	93	Anchorage
REDFORD, MARION W.	\$11,210.00	103	Anchorage
REDFORD, DANIEL A. SR.	\$11,800.00	105	Anchorage
RICHARDS, JAN	\$1,050.00	398	Anchorage
SCHAUGAARD, GAYLEN B.	\$30,101.00	137	Anchorage
SIN, YU CHOL	\$17,000.00	107	Anchorage
STEPHAN, SHAWN	\$4,600.00	46	Anchorage
TOMSIC, JOHN E.	\$11,998.00	104	Anchorage
VIKDAL, JEFFREY	\$8,100.00	68	Anchorage
VIKDAL, TABATHA M.	\$5,100.00	49	Anchorage
WAGNER, ROGER A.	\$16,724.00	179	Anchorage
WILLIAMSON, HOWARD J.	\$6,048.00	52	Anchorage
WITHINGTON, JASPER	\$9,583.00	101	Anchorage
CORBIN, ADAM J.	\$17,981.00	389	Anderson
DUGGER, TIMOTHY E.	\$7,311.00	359	Anderson
SANDEN, DAVID D.	\$7,750.68	34	Auke Bay
FERGUSON, PATRICIA M.	\$12,117.00	164	Bethel
STEYER, JUDITH E.	\$10,153.00	420	Bethel
O'SHEA, JAMES	\$5,899.00	41	California
ROSN, JAMES S.	\$25,112.00	136	Chugiak
KELLEY, JAMES A.	\$14,009.00	421	Colorado
YEO, WILLIAM R. & JUDITH L.	\$32,000.00	5	Colorado
WOLF, ROBERT A. & ROBIN L.	\$34,505.00	410	Copper Center
PAYNE, JESS *	\$19,313.31	405	Delta Jct.
OWEN, PATRICIA A.	\$17,714.14	349	Denali Park

APPARENT HIGH BIDDER	BID AMT.	PARCEL NO.	HOME TOWN
BOUKER, DAVID F.	\$25,251.00	177	Dillingham
NAGEL, JIM	\$27,000.00	181	Dillingham
JENNY, GEORGE	\$6,126.00	36	Douglas
CRANE, BARBARA L.	\$58,803.00	417	Eagle River
CRANE, ROBERT L.	\$38,869.00	416	Eagle River
WAFER, JAMES T.	\$8,001.01	90	Eagle River
GARNER, KEITH A.	\$9,100.00	247	Eielson AFB
KAZENOFF, PETER/MIGLIACCIO, NICK	\$2,025.00	316	Ester
ALASKA ENERGY ALTERNATIVES	\$12,666.50	256	Fairbanks
BARKER, HERBERT W.	\$16,000.00	354	Fairbanks
BECK, SUSAN M.	\$10,005.68	307	Fairbanks
BERGLIN, MARJLYN	\$3,717.81	396	Fairbanks
BOWMAN, MICHAEL P.	\$7,211.00	305	Fairbanks
BREWER, WILLIAM, JR.	\$8,770.00	365	Fairbanks
BROTHERTON, SELENA	\$10,258.00	306	Fairbanks
BROWN, CHRIS & EVERETT, SARA	\$12,100.00	284	Fairbanks
CABANIS, JAN	\$10,580.00	308	Fairbanks
CAROLAN, MATTHEW	\$13,101.00	343	Fairbanks
CARTER, TOM	\$16,388.00	254	Fairbanks
CARTER, DENISE J.	\$12,151.00	252	Fairbanks
CHMELIK, FRANK J., JR.	\$24,260.00	144	Fairbanks
CHRISTIAN, PETER	\$5,200.00	344	Fairbanks
COOK, KURT	\$10,500.00	341	Fairbanks
DE BAUN, GERARD B., JR.	\$9,859.82	282	Fairbanks
DYKES, BOB	\$5,003.00	390	Fairbanks
EVERTS, ROBERT D.	\$16,151.00	253	Fairbanks
FIELDS, JOSEPH LAURENCE	\$5,401.00	335	Fairbanks

APPARENT HIGH BIDDER	BID AMT.	PARCEL NO.	HOME TOWN
GEIER, HANS	\$3,245.00	394	Fairbanks
GOING, JO	\$13,556.00	267	Fairbanks
HOLDMANN, GWEN	\$4,630.00	336	Fairbanks
HORVATH, MICHAEL P.	\$16,001.00	241	Fairbanks
J & J SERVICES	\$4,601.00	338	Fairbanks
KATER, BRUCE	\$56,005.00	385	Fairbanks
KNIGHT, CHARLES W.	\$3,020.00	402	Fairbanks
LUTSCH, CHRISTINE RAE	\$9,300.00	295	Fairbanks
LYNCH, MOIRA	\$15,025.00	251	Fairbanks
MARKIEWICZ, ALAN	\$7,500.00	374	Fairbanks
MARTIN, JUDITH A.	\$13,000.00	223	Fairbanks
MC NALLY, BEVIN/HUE, KINGLIN	\$12,000.00	297	Fairbanks
MC CLOSKEY, PATRICIA	\$10,557.00	286	Fairbanks
MORACK, JOHN	\$17,364.00	268	Fairbanks
PERRY, DENVER	\$14,493.00	355	Fairbanks
PRUETT, MARLEN S.	\$15,003.00	234	Fairbanks
PRUETT, TAMMY S.	\$10,100.00	233	Fairbanks
REITZ, BEVERLY	\$37,652.00	350	Fairbanks
ROOF, BEVERLEY JEAN	\$6,500.00	310	Fairbanks
SCHOEN, RICHARD K.	\$20,000.00	285	Fairbanks
SHOULTYS, SHAWN PAUL	\$20,602.00	261	Fairbanks
SNYDER, CHRIS	\$19,802.00	221	Fairbanks
SPENCER, LEONARD R.	\$30,202.99	239	Fairbanks
TODD, CHRIS	\$14,258.00	309	Fairbanks
TOMSHA, MARK	\$34,700.00	388	Fairbanks
MC GINNIS, P. LEANNE	\$6,750.00	153	Georgia
BECKER, DANA	\$9,950.00	193	Glennallen
MITCHELL, WARREN A.	\$8,300.00	200	Glennallen

APPARENT HIGH BIDDER	BID AMT.	PARCEL NO.	HOME TOWN
REED, JON D.	\$10,540.00	194	Glennallen
SEAGER, ELAINE & SHANNON	\$12,775.00	187	Glennallen
WALDEN, JAMES L.	\$6,912.00	192	Glennallen
WEBSTER, RICHARD M.	\$7,002.00	188	Glennallen
DE BLAUW, DOROTHY M.	\$1,621.00	397	Healy
DE BLAUW, DONALD V.	\$4,050.00	401	Healy
FORSBERG, LINDA A.	\$13,020.00	328	Healy
HALPERIN, DAVID S.	\$11,700.00	347	Healy
LIDGARD, CYNTHIA	\$33,186.00	424	Healy
O'CONNOR, DANIEL R. & GINA	\$35,000.00	422	Healy
PRICE, WILLIAM	\$18,551.00	351	Healy
DETRICK, SHIREEN	\$6,789.01	245	Juneau.
GAY, PAUL L.	\$36,200.00	17	Juneau
GILLILAND, GARY M.	\$14,150.00	31	Juneau
JOHNS, GLENN E., JR.	\$6,000.00	380	Juneau
NOEL, JIM	\$4,520.00	43	Juneau
YOUNG, WILLIAM L. & SHERRY L.	\$33,644.29	3	Juneau
KNOLL, WILLIAM H.	\$4,011.00	99	Kenai
REPPER, RICHARD & WEBER, IRENE	\$12,201.00	190	Kenai
SMEDLEY, DENNIS L.	\$16,666.00	189	Kodiak
KAZENOFF, PETER **	\$1,901.00	317	Manley Hot Springs
MEDER, JAMES	\$10,350.00	117	Michigan
DUPEY, KRISTIE A.	\$23,002.00	414	Minnesota
BICKLEY, JOSEPH KING	\$13,600.00	287	Montana
REDISKE, WILLY W.	\$9,978.00	123	Nikiski
ADAMS, CHARLIE, JR.	\$7,480.00	366	North Pole
CARR, ROBERT W.	\$30,099.00	222	North Pole

APPARENT HIGH BIDDER	BID AMT.	PARCEL NO.	HOME TOWN
GLOTFELTY, JOHN	\$13,001.00	406	North Pole
LARSON, KARLA J.	\$12,019.70	356	North Pole
POWELL, RALPH	\$46,333.33	4	North Pole
WOODS, VAN E. & CAROLYN S.	\$7,000.00	345	Ohio
STEWART, DAVID	\$56,000.00	386	Oklahoma
MEYER, CHRISTOPHER BRENT	\$13,000.00	298	Oregon
COONS, RICHARD M. & LINDA J.	\$15,000.00	318	PA
PEARSON, JAMES & JUDITH	\$12,001.00	411	Palmer
STENGER, JEFF	\$12,042.00	392	Palmer
PORTER, GINNIE S.	\$30,001.00	18	Pelican
STEPANENKO, VICTOR	\$50,102.00	21	Pelican
YOUNG, STEVE & CHERYL	\$33,547.92	23	Pelican
ANDERSON, MARK D.	\$7,250.00	37	Petersburg
CARR, RICHARD T.	\$32,570.00	16	Petersburg
DENKO, JAMES & KELLY	\$36,000.00	7	Petersburg
GOODRICH, TIM/GOUDIMA, VERA	\$6,200.00	39	Petersburg
HILL, THOMAS, SR.	\$3,525.00	325	Petersburg
MEDALEN, HAROLD	\$28,137.00	6	Petersburg
PEELER, ALFRED W.	\$30,000.00	38	Petersburg
REITZ, MICHAEL J.	\$31,670.00	346	Petersburg
SILVA, LEWIE D.	\$6,298.00	42	Petersburg
JONES, SHERRY J.	\$26,309.00	135	Quinhagak
MILLER, MIKE	\$8,100.00	57	Seward
MILLER, SHERRIE	\$8,200.00	56	Seward
SHEA, SEWARD B.	\$16,300.00	216	Seward
BOWERS, ANTON T.	\$35,111.11	11	Sitka
DICK, PATRICIA LEE	\$31,111.00	19	Sitka
DICK, RONALD EUGENE	\$32,222.00	20	Sitka

APPARENT HIGH BIDDER	BID AMT.	PARCEL NO.	HOME TOWN
MILLER, MARTHA E.	\$6,700.00	160	Sitka
STOCKER CONSTRUCTION, INC.	\$6,300.00	391	Sitka
TORGESON, DUANE	\$20,000.00	353	Sitka
BOETTCHER, DEBORAH	\$16,025.36	240	Skagway
HALL, MARTIN K.	\$15,001.00	185	Soldotna
KASO, WALTER	\$10,050.00	97	Talkeetna
KINGSBURY, BRIAN A.	\$5,120.00	170	Talkeetna
MC KINNEY, DEBRA L.	\$6,565.65	312	Teller
MORLEY, PAUL	\$5,555.55	311	Teller
MC GINNIS, JOHN W.	\$16,250.00	166	Tennessee
MC GINNIS, NANCY W.	\$12,250.00	171	Tennessee
COOK, MEL K.	\$27,150.00	26	Thorne Bay
FLAHERTY, THERESA	\$30,007.00	25	Thorne Bay
IBBETSON, DONNA M.	\$18,551.00	29	Thorne Bay
LEHTO, BILL A.	\$30,002.00	28	Thorne Bay
MC CALLEN, EDWARD M.	\$25,000.00	30	Thorne Bay
ROE, ROBERT E. & JOANN	\$23,640.00	27	Thorne Bay
LANCASTER, KATHLEEN M.	\$3,620.00	176	Tok
STOUT, MICHELLE Y.	\$6,361.57	249	Tok
PETRESCU, EUGENE M.	\$4,700.00	94	Valdez
REISWIG, WILLIAM H. & SHEILA M.	\$28,111.23	145	Valdez
BLACKBURN, PATRICK JOHN	\$1,852.00	326	Virginia
HUFF, MARK L. & HELEN L.	\$8,000.00	109	Ward Cove
MARECEK, FRANK	\$20,005.00	408	Ward Cove
BAKER, DENNIS MIKE	\$25,500.00	35	Washington
CARROLL, DAVID & MARLANE	\$10,007.00	163	Washington
COOPER, THOMAS LEE	\$26,500.00	40	Washington
MOF, SCOTT & DIANE	\$42,525.25	32	Washington

APPARENT HIGH BIDDER	B / MT.	PARCEL NO.	HOME TOWN
RAINE, MARK	\$33,252.00	1	Washington
SEAL 95 L.L.C.	\$72,094.92	2	Washington
SHAMP, MARK L.	\$42,077.00	22	Washington
ANDERSON, MARY C.	\$7,701.00	157	Wasilla
CASE, NORMAN	\$26,100.00	147	Wasilla
DAVIS, MICHAEL R.	\$11,300.00	161	Wasilla
FISHBACK, LELAND	\$31,019.00	415	Wasilla
KOHANES, ART	\$700.00	404	Wasilla
MORLOCK, RICHARD & AUDRY	\$27,001.00	130	Wasilla
SCOTT, JOCELYN M.	\$5,100.00	95	Wasilla
STRANGE, PHILIP	\$36,485.00	409	Wasilla
VON AH, MICHAEL T.	\$12,777.00	165	Wasilla
Total	\$3,486,217.53		

\* AG PREFERENCE RIGHT EXERCISED

\*\* PENDING REVIEW OF PARCEL #316 WHICH WAS DRAWN FIRST

**1995 AUCTION LIST  
PARCELS WON BY OUT-OF-STATE APPLICANTS**

PARCEL NO.	APPARENT HIGH BIDDER AND SECOND HIGH BIDDER	BID AMT.	HOME TOWN
1	RAINE, MARK McMILLIN, JAMIE KUHN, RICHARD	\$33,252.00 30,010.00 30,005.00	Washington Illinois Juneau
2	SEAL 95 L.L.C. TURNER, GREG W.	\$72,094.92 71,000.00	Washington Auke Bay
5	YEO, WILLIAM R. & JUDITH L. NO OTHER BIDS	\$32,000.00	Colorado
22	SHAMP, MARK L. JONES, COLLEEN	\$42,077.00 41,506.00	Washington Juneau
32	MOE. SCOTT & DIANE McWILLIAMS, GARY & PEGGY S.	\$42,525.25 31,600.00	Washington Wranglell
35	BAKER, DENNIS MIKE *BOWERI, ANTON T	\$25,500.00 26,311.16	Washington Sitka
40	COOPER, THOMAS LEE OMUNDSON, DANIEL B	\$26,500.00 26,438.20	Washington Fairbanks
41	O'SHEA, JAMES NO OTHER BIDS	\$5,899.00	California
117	MEDER, JAMES HERSHEY, LISA M	\$10,350.00 10,136.00	Michigan Anchorage
153	McGINNIS, P. LEANNE REAGAN, CARL D. & HEIDI W. NO OTHER BIDS	\$6,750.00 6,002.00	Georgia Florida
163	CARROLL, DAVID & MARLANE SCHENKER, ROBERT H	\$10,007.00 9,333.33	Washington Anchorage
166	McGINNIS, JOHN W ANDERSON, DENNIS & Elizabeth	\$16,250.00 14,251.00	Tennessee Wasilla
171	McGINNIS, NANCY W *McGINNIS, JOHN W. NO OTHER BIDS	\$12,250.00 13,250.00	Tennessee Tennessee
287	BICKLEY, JOSEPH KING NO OTHER BIDS	\$13,600.00	Montana
298	MEYER, CHRISTOPHER BRENT NO OTHER BIDS	\$13,000.00	Oregon

PARCEL NO.	APPARENT HIGH BIDDER AND SECOND HIGH BIDDER	BID AMT.	HOME TOWN
318	COONS, RICHARD M. & LINDA J. CARRICK, K. & TAVENNER, M.	\$15,000.00 7,002.00	PA Unalaska
326	BLACKBURN, PATRICK JOHN *WETHINGTON, JASPER NO OTHER BIDS	\$1,852.00 1933.00	Virginia Anchorage
345	WOODS, VAN E. & CAROLYN S. ANDERSON, JEFFREY N.	\$7,000.00 6,350.00	Ohio Fairbanks
386	STEWART, DAVID SARAUER, PETER H.	\$56,000.00 15,789.47	Oklahoma Fairbanks
414	DUPEY, KRISTIE A. SCOTT, JOCELYN & COLLEEN	\$23,002.00 22,560.00	Minnesota Wasilla
421	KELLEY, JAMES A. NO OTHER BIDS	\$14,009.00	Colorado

\* NOT ELIGIBLE BECAUSE BIDDER HAD ALREADY WON A PARCEL IN THIS AUCTION

#### SUMMARY:

Of the 21 parcels with out-of-state apparent high bidders, 9 had either no eligible Alaskan bidders, or no other bidders at all. 11 parcels had Alaskan second high bidders. 1 parcel had an out-of-state second high bidder, followed by several Alaskan bids

# Alaska State Legislature

Chairman,  
Judiciary Committee

Vice Chairman,  
Transportation Committee

Member,  
Resources Committee  
Western Legislative Forestry Task Force



*Senator Robin L. Taylor*

State Capitol  
Juneau, Alaska 99801-1192  
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## SPONSOR STATEMENT

### SENATE BILL 190

Senate Bill 190 was introduced to correct a situation which allowed ten percent of the state land sold at the first public auction since 1991 to be purchased by non-residents. This in a state where only about one percent of the land is in private ownership.

Current law restricts the homestead program to Alaska residents, but no such provision is made for the sale of other land, sold at auction. As a result, of the 204 parcels actually sold in 1995, 21 went to out-of-state bidders. In eleven cases, these non-residents beat out otherwise qualified state residents.

Imagine how it must feel to the resident of Fairbanks who submitted a bid on state land, only to be beat out by a resident of Washington state by \$61.80. Or the Wasilla couple who lost their chance at owning a piece of Alaska to a Minnesota woman by \$442? Or the Anchorage woman who lost out to a man from Michigan by \$214?

To add insult to injury, the availability of state land to out-of-state residents was actually promoted on the Internet by the Alaska Tourism Marketing Council. A Council spokesman said they were trying to promote the "Alaska mystique". Maybe the Council thinks there is something mystical about the shortage of private land in Alaska, but the average Alaskan is more frustrated than mystified.

**Sponsor Statement-SB 190**  
**Page Two**

SB 190 would restrict participation in the public auction of state land to people who have been residents of the state for at least one year prior to the sale. I would further amend that provision, placing no such restriction on the disposal of commercial, industrial or agricultural land. I don't believe we want to inhibit those who would purchase land for growth and development. But the sale of recreational and residential property, like the homestead program, should be restricted to folks who have already made an investment by residing in this great state.