

SB

204

SENATE COMMITTEE REPORT

DATE: 2/10/98

FURTHER:

DATE TURNED
IN TO OFFICE: _____

Resources Committee considered SENATE BILL NO. 204

"An Act providing the commissioner of natural resources with the authority to make grants of state land to municipalities for the construction and operation of sport and recreational facilities and structures."

and recommends:

- be replaced with _____ CS SB 204 _____ (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 <u>DO PASS</u>	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Thomas J. Jernan</i>	✓	<i>Amendments</i>	✓		
<i>John T. ...</i>	✓				
<i>Bob ...</i>	✓				
<i>Sydney ...</i>	✓				
<i>Rich ...</i>					
CHAIR: <i>John T. ...</i>		CHAIR:			

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

STATE OF ALASKA
1998 LEGISLATIVE SESSION

BILL NO. CSSB 204(CRA)

Revision Date: 18-Feb-97 Dept Affected: Natural Resources
 Title: "...Grants of state land to municipalities for BRU: Resource Development
construction...of sport and recreational facilities...." Component: Land Development
 Sponsor: Sens. TAYLOR, Mackie
 Requestor: S RES Component Serial No. 431

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY99	FY00	FY01	FY02	FY03	FY04
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES (fund code)	0.0	0.0	0.0	0.0	0.0	0.0

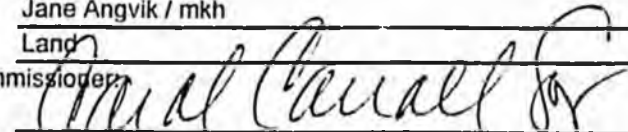
FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY98) cost: \$ _____

POSITIONS	FY99	FY00	FY01	FY02	FY03	FY04
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)*

No new fiscal impact is anticipated because the bill largely duplicates existing DNR authority under AS 38.05.810(a), assuming that its intent is to provide land for public recreation facilities rather than private facilities. Existing law also lets DNR waive the reverter clause if in the public interest (AS 38.05.810(g)). With a waiver, land granted under AS 38.05.810(a) can already be used as trading stock to acquire a private site. The bill's four-year construction deadline for grants under AS 38.05.810(j) is undesirable from a municipality's standpoint, and the exemption from counting against its entitlement is of no benefit if it has no entitlement left. (Nearly all cities that had entitlements have already satisfied them. Many boroughs still have unsatisfied entitlements, but they also have plenty of unrestricted sites to use for sports facilities.) Thus DNR assumes municipalities would continue to apply under AS 38.05.810(a) because it is less restrictive than this bill. DNR does not know of any municipalities that would likely take advantage of this bill.

Prepared by: Jane Angvik / mkh Phone: 907-269-8503
 Division: Land Date: 18-Feb-98
 Approved by Commissioner:  Date: 2/18/98
 Agency: Natural Resources

Alaska State Legislature

Chairman,
Judiciary Committee

Member,
Resources Committee
Rules Committee
Committee on Committees



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Senator Robin L. Taylor
Senate Majority Leader

SPONSOR STATEMENT

SENATE BILL 204

Recreational and sports facilities in communities offer an alternative to crime and other undesirable activities. Our youth are too often left unattended after school, at night, and on weekends with little to do. If there are facilities to use, kids and adults as well are less likely to become involved in criminal activities. Senate Bill 204 proposes to give state land to municipalities for sports and recreational facilities.

This legislation will grant land to local governments but the grant will not count against the local government entitlement. This will make the development of sports and recreational facilities more economically feasible.

Senate Bill 204 is consistent with the intent of the Alaska Constitution:

Article VIII, Section 1, Statement of Policy:

"It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest."

Article VIII, Section 9, Sales and Grants:

"Subject to the provisions of this section, the legislature may provide for the sale or grant of state lands, or interests therein, and establish sales procedures."

The bill contains a reversionary provision which prohibits local governments from selling the land. The municipalities will, however, be allowed to trade the land for land that might be more suitable for a particular project.

District A:

Hyder • Ketchikan • Kupreanof • Meyers Chuck • Petersburg • Saxman • Sitka • Wrangell

FISCAL NOT

STATE OF ALASKA 1998 LEGISLATIVE SESSION

No. 1
 Bill Version: CS SB 204 (CRA)
 (S) Publish Date: 2-10-98

Revision Date: _____ Dept Affected: Natural Resources
 Title: "...Grants of state land to municipalities for
construction...of sport and recreational facilities...." BRU: Resource Development
 Sponsor: Sen. Taylor Component: Land Development
 Requestor: S CRA Component Serial No. 431

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY99	FY00	FY01	FY02	FY03	FY04
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES (fund code)	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY99	FY00	FY01	FY02	FY03	FY04
1002 Federal Receipts						
1003 GF Match						
1004 GF						
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1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY98) cost: \$ _____

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)

No fiscal impact is anticipated because the bill largely duplicates existing DNR authority. AS 38.05.810(a) already allows DNR to grant land to a municipality for public purposes, which would include a public recreation or sport facility, and AS 38.05.810(g) already requires DNR to retain a reversionary interest in the granted land. The bill's new authority, allowing the municipality to trade the former state land for other land, would probably not be used and therefore is not anticipated to have any fiscal impact. The reverter clause would attach to the land granted by DNR, not to other land the municipality swaps it for. Private landowners would probably not be willing to exchange their parcels for municipal land encumbered by a reverter clause, as the private landowners would lose title to their new land if the municipality's development plans fall through or are not executed on time.

Prepared by: Jane Angvik *[Signature]* Phone: 907-269-8503
 Division: Land Date: 6-Feb-98
 Approved by Commissioner: [Signature] Date: 2-6-98
 Agency: Natural Resources