

LEG. FINANCE - BILLS 1975 - 1976 451

HB 654 cont. thru HB 660 451

Original Sponsor: Rules Committee by  
request of the Governor

Offered: 4/14/76  
Referred: Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 654

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the administration of state  
7 land."

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

9 \* Section 1. AS 38.05.030(e) is amended to read:

10 (e) The sale, lease or other disposal of school lands under the  
11 jurisdiction of the department shall be made by the commissioner in  
12 accordance with the provisions of this chapter. However, disposal of  
13 school lands under this subsection, other than disposal by lease for a  
14 term of years, shall be made only for sites for school facilities or for  
15 residential, public park and public recreation purposes. School lands  
16 may be exchanged for (1) state lands, (2) vacant, unappropriated and  
17 unreserved public lands and (3) lands owned by a city, borough or other  
18 public entity. In the case of unequal values, cash may be used to  
19 equalize land values. When the department determines that it is in the  
20 best interest of the state to dispose of the school lands located within  
21 Sections 16 and 36 in an organized borough or city of any class, the  
22 borough or city is authorized, and has preference for six months after  
23 notice, to acquire the land at the appraised value by purchase or  
24 exchange of land acceptable to the department. No sale, lease, exchange  
25 or other disposal of school lands may be made without the approval of  
26 the State Board of Education.

27 \* Sec. 2. AS 38.05.069(a) is amended to read:

28 (a) If the director determines that the highest and best use of  
29 unoccupied land is for agricultural purposes and if he determines that

1 it is in the best interest of the state to sell or lease that land, he  
2 shall grant to an Alaskan resident owning and using or leasing and using  
3 land for agricultural purposes a 60-day first option after [FROM] the  
4 date of the auction [THE LAND BECOMES AVAILABLE TO THE PUBLIC OR 90 DAYS  
5 FROM THE EFFECTIVE DATE OF THIS SECTION, WHICHEVER IS LATER,] to pur-  
6 chase or lease the unoccupied land situated adjacent to or in the approxi-  
7 mate vicinity of his presently held land for the amount of the high bid  
8 received at public auction; provided the aggregate number of acres owned  
9 and acquired under the option shall not exceed 640 acres; and further  
10 provided that the land acquired under this section is used for agricul-  
11 tural purposes as required by law [FOR AT LEAST ONE YEAR FOLLOWING  
12 PURCHASE].

13 \* Sec. 3. AS 38.05.069(c) is repealed and re-enacted to read:

14 (c) Under this section:

15 (1) the director may convey only an interest in the land for  
16 agricultural purposes, and all other interests in the land remains in  
17 the state; the sale or lease shall be at public auction;

18 (2) the remaining interests may subsequently be conveyed by  
19 the director only upon the request of the grantee or lessee or his  
20 assigns and the determination of the director that the conveyance is in  
21 the public interest;

22 (3) the conveyance of the remaining interests shall be at  
23 public auction; the original grantee or lessee or his assigns have a  
24 preference right to meet the high bid within 30 days after the day of  
25 the auction; if the right is exercised, the value of improvements owned  
26 by the holder of the preference right as appraised by the director is  
27 deducted from the purchase price;

28 (4) by requiring the conveyance of the remaining interest,  
29 the grantee or lessee or his assigns consent to the sale at auction and,

1 if the preference right provided by (3) of this subsection is not exer-  
2 cised, agree to accept as payment in full for their interest in the  
3 land, including improvements, the value of those improvements and the  
4 value of their interest as appraised by the director;

5 (5) the remaining interests in the land may not be conveyed  
6 for less than their appraised value together with improvements except  
7 for the deduction allowed by (3) of this subsection;

8 \* Sec. 4. AS 38.05.069 is amended by adding a new subsection to read:

9 (f) Nothing in (c) of this section affects the disposal of min-  
10 erals under secs. 135 - 183 of this chapter.

11 \* Sec. 5. AS 38.05 is amended by adding a new section to read:

12 Sec. 38.05.102. LESSEE PREFERENCE. If land within a leasehold  
13 created under secs. 70 - 100 of this chapter is offered for sale or  
14 long-term lease at the termination of the existing leasehold, the  
15 director may, if he finds that it is in the best interest of the state,  
16 allow the holder in good standing of that leasehold to purchase or lease  
17 the land for the amount of the high bid received at public auction.

18 \* Sec. 6. AS 38.05.115 is amended to read:

19 Sec. 38.05.115. LIMITATIONS AND CONDITIONS OF SALE. (a) The  
20 commissioner, upon recommendation of the director, shall determine the  
21 timber and other materials to be sold, and the limitations, conditions  
22 and terms of sale. The limitations, conditions and terms shall include  
23 the utilization, development and maintenance of the sustained yield  
24 principle, subject to preference among other beneficial uses. The  
25 director may negotiate sales of timber or materials without advertise-  
26 ment and on the limitations, conditions, and terms which he considers  
27 are in the best interests of the state, subject to the approval of the  
28 commissioner. However, not more than 500 M.B.M. or equivalent other  
29 measure of timber or more than \$5,000 [\$2,500] of materials may be sold

1 by nonadvertised, negotiated sale to the same purchaser within a one-  
2 year period.

3 (b) Negotiated sales for timber or materials not exceeding a value  
4 of \$500 [\$250] are exempt from the provisions of AS 34.15.150.

5 \* Sec. 7. AS 38.05.305 is repealed and re-enacted to read:

6 Sec. 38.05.305. NOTICE AND REVIEW. (a) No land or interest in  
7 land within the boundaries or within six linear miles of the boundaries  
8 of a general law, home rule or unified municipality, as defined under AS  
9 29, may be classified, reclassified, sold or leased, or otherwise  
10 disposed of, including the renewal of a lease entered into after the  
11 effective date of this Act, unless the following procedures have been  
12 complied with:

13 (1) A notice of the proposed action shall be sent to the  
14 governing body of each municipality a boundary of which is within six  
15 linear miles of the land involved.

16 (2) The notice shall be sent at the earliest practicable time  
17 but no less than 30 days before the proposed action.

18 (3) The notice must contain a statement of the proposed  
19 action, identifying the land involved and the action proposed in suf-  
20 ficient detail to fairly inform the recipient of the nature of the  
21 proposed action. If the land is not surveyed, a legal description need  
22 not be used; but the land must be described in sufficient detail to  
23 allow the recipient to understand its approximate size, number of tracts  
24 involved, and location. The notice must also contain a statement to the  
25 effect that the municipality is invited to comment on the proposed  
26 action and that, upon the request of the governing body, chief executive  
27 officer, or planning agency, the division will consult with the munic-  
28 ipal officials on the proposed action. Any request by a municipality for  
29 consultation must include the name of the municipal official to be

1 consulted and be sent no later than 15 days after receipt of the notice  
2 by the municipality, and the notice must contain a statement to this  
3 effect and name the official and address to which the municipality's  
4 request should be sent.

5 (4) In consulting with the municipal officials, the proposed  
6 action and the authority under which it is to be taken shall be explain-  
7 ed and the reason for the proposed action shall be given. A public  
8 hearing need not be held, but the municipal officials may hold a public  
9 hearing or otherwise allow public participation and comment.

10 (5) A municipality having a right to notice or consultation  
11 under this section may appeal to the superior court and have set aside  
12 any action taken which does not conform to this section. A municipality  
13 incorporated or established less than 30 days before the action is taken  
14 has no right to notice or consultation under this section.

15 (b) No land or interest in land outside the boundaries of a general  
16 law, home rule, or unified municipality, as defined under AS 29, may be  
17 classified, reclassified, sold or leased, or otherwise disposed of,  
18 including the renewal of a lease entered into after the effective date  
19 of this Act, unless a notice of the proposed action as required by  
20 (a)(3) of this section is made upon the regional corporation organized  
21 under the Alaska Native Claims Settlement Act (85 Stat. 688, 43 U.S.C.  
22 secs. 1601-1626), within the boundaries of which the land is located.  
23 The president of the affected regional corporation or his designee has  
24 the same rights of notice, consultation, and appeal as those provided  
25 for in (a)(2) - (5) of this section.

26 (c) When notice is given under (b) of this section, the require-  
27 ments of sec. 345 of this chapter relating to notice apply in addition  
28 to any other applicable notice requirements. If requested, the director  
29 shall hold a hearing within the affected area under (b) of this section.

1 No action proposed by the director which is subject to the notice  
2 requirement specified in (b) of this section is final until at least 30  
3 days after the date the notice was published.

4 \* Sec. 8. AS 38.05.315 is amended by adding a new subsection to read:

5 (e) The lease, sale, or other disposal of state land at appraised  
6 fair market value may be negotiated with a licensed public utility or a  
7 licensed common carrier by the director with the approval of the com-  
8 missioner if the utility or carrier reasonably requires the land for the  
9 conduct of its business under its license.

10 \* Sec. 9. AS 38.05 is amended by adding a new section to read:

11 Sec. 38.05.321. RESTRICTION ON SALE OR LEASE OR OTHER DISPOSAL OF  
12 AGRICULTURAL LAND. No state land classified as agricultural land may be  
13 sold, leased or otherwise disposed of without provision for, as part of  
14 the terms of the sale or lease agreement, a specific conditional re-  
15 striction or a specific reservation, or both, in the instrument against  
16 subdivision or other uses incompatible with agricultural development,  
17 including the reservation of a scenic, agricultural, or similar easement  
18 as determined by the director. The restriction or easement shall state  
19 that if circumstances change so that subdivision or other uses of the  
20 agricultural land are later determined by the director to be in the best  
21 interest of the state and the person owning, leasing, or having an  
22 interest in the land, the restriction may be terminated or the easement  
23 vacated upon payment of a sum equal to the difference between the amount  
24 originally paid for the land and the value of the land without the  
25 restriction of easement. Notice of a pending determination of the  
26 director to terminate the restriction or to vacate the easement shall be  
27 made as provided for the sale or other disposition of interests in state  
28 land and shall include a statement of findings explaining the reason for  
29 the determination. The termination or vacation may not take effect until

1 expressly approved in writing by the commissioner.

2 \* Sec. 10. AS 38.05.330 is amended to read:

3 Sec. 38.05.330. PERMITS. The director, without the prior approval  
4 of the commissioner, may issue permits, rights-of-way or easements on  
5 state land for [SECONDARY] roads, trails, ditches, field gathering lines  
6 or transmission and distribution pipelines not subject to AS 38.35,  
7 telephone and transmission lines, log storage, oil well drilling sites  
8 and production facilities for the purposes of recovering minerals from  
9 adjacent lands under valid lease, and other similar uses or improve-  
10 ments, or for the limited personal use of timber or materials. The  
11 commissioner, upon recommendation of the director, shall establish a  
12 reasonable rate or fee schedule to be charged for these uses. In the  
13 granting, suspension or revocation of a permit or easement of lands, the  
14 director shall give preference to that use of the land which will be of  
15 greatest economic benefit to the state and the development of its re-  
16 sources. However, first preference shall be granted to the upland owner  
17 for the use of a tract of tideland, or tideland and contiguous submerged  
18 land, which is seaward of the upland property of the upland owner and  
19 which is needed by the upland owner for any of the purposes for which  
20 the use may be granted.

21 \* Sec. 11. AS 38.05.345 is amended to read:

22 Sec. 38.05.345. NOTICES. (a) Public notice of a sale, lease or  
23 other disposal of land or interest in it [, EXCEPT GRANTS UNDER SEC. 330  
24 OF THIS CHAPTER AND PREFERENCE RIGHT GRAZING LEASES UNDER SECS. 75 AND  
25 80 OF THIS CHAPTER, WHEN REQUIRED,] shall be substantially as follows.

26 (b) Notice shall be published once a week for three consecutive  
27 weeks preceding the time of sale stated in the notice, in at least one  
28 newspaper of general circulation in the vicinity in which the land,  
29 property or interest in it is to be sold, leased or disposed of. Where

1 there is no newspaper of general circulation in the vicinity, notices  
2 shall be posted in three public places near the land to be sold, leased  
3 or otherwise disposed of. The sale, lease or disposal of lands shall be  
4 held not less than 30 days after publication of the first notice and not  
5 [ONE WEEK NOR] more than five [THREE] weeks following the last appear-  
6 ance of the published notice. The notice shall contain a description of  
7 the land and interest to be sold, leased or disposed of and the time,  
8 place, and general terms of the sale, lease or disposal.

9 (c) [PUBLIC NOTICE OF GRANTS OF PERMITS, RIGHTS-OF-WAY AND EASE-  
10 MENTS UNDER SEC. 330 OF THIS CHAPTER AND OF GRANTS OF PREFERENCE RIGHT  
11 GRAZING LEASES AND PREFERENCE RIGHT FOREST LEASES UNDER SECS. 75 AND 80  
12 OF THIS CHAPTER SHALL BE ESTABLISHED IN REGULATIONS ADOPTED BY THE  
13 COMMISSIONER.]

14 \* Sec. 12. AS 38.05.100 and 38.05.347 are repealed.

15 \* Sec. 13. Preferences granted under 11 AAC 54.250 and 11 AAC 58.660  
16 before the effective date of this Act to leaseholders in good standing are  
17 confirmed and ratified.

Introduced: 1/27/76  
Referred: Resources and  
Finance

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BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

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7 lands."

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

9 \* Section 1. AS 38.05.030(e) is amended to read:

10 (e) The sale, lease or other disposal of school lands under the  
11 jurisdiction of the department shall be made by the commissioner in  
12 accordance with the provisions of this chapter. [HOWEVER, DISPOSAL OF  
13 SCHOOL LANDS UNDER THIS SUBSECTION, OTHER THAN DISPOSAL BY LEASE FOR A  
14 TERM OF YEARS, SHALL BE MADE ONLY FOR SITES FOR SCHOOL FACILITIES OR  
15 FOR PUBLIC PARK AND PUBLIC RECREATION PURPOSES.] School lands may be  
16 exchanged for (1) state lands, (2) vacant, unappropriated and unreserved  
17 public lands and (3) lands owned by a city, borough or other public  
18 entity. In the case of unequal values, cash may be used to equalize  
19 land values. When the department determines that it is in the best  
20 interest of the state to dispose of the school lands located within  
21 Sections 16 and 36 in an organized borough or city of any class, the  
22 borough or city is authorized, and has preference for six months after  
23 notice, to acquire the land at the appraised value by purchase or  
24 exchange of land acceptable to the department. No sale, lease, exchange  
25 or other disposal of school lands may be made without the approval of  
26 the State Board of Education.

27 \* Sec. 2. AS 38.05.069(a) is amended to read:

28 (a) If the director determines that the highest and best use of  
29 unoccupied land is for agricultural purposes, he shall grant to an

1 Alaskan resident owning and using or leasing and using land for agri-  
2 cultural purposes a 60-day first option after [FROM] the date of the  
3 auction [THE LAND BECOMES AVAILABLE TO THE PUBLIC OR 90 DAYS FROM THE  
4 EFFECTIVE DATE OF THIS SECTION, WHICHEVER IS LATER,] to purchase or  
5 lease unoccupied land situated adjacent to or in the approximate  
6 vicinity of his presently held land for the amount of the high bid  
7 received at public auction; provided the aggregate number of acres  
8 owned and acquired under the option shall not exceed 640 acres; and  
9 further provided that the land acquired under this section is used for  
10 agricultural purposes as required by law [FOR AT LEAST ONE YEAR  
11 FOLLOWING PURCHASE].

12 \* Sec. 3. AS 39.05.069(c) is repealed and re-enacted to read:

13 (c) Under this section:

14 (1) the director may convey only an interest in the land for  
15 agricultural purposes, and all other interests in the land remains  
16 in the state; the sale or lease shall be at public auction;

17 (2) the remaining interests may subsequently be conveyed by  
18 the director only upon the request of the grantee or lessee or his  
19 assigns and the determination of the director that the conveyance is  
20 in the public interest;

21 (3) the conveyance of the remaining interests shall be at  
22 public auction; the original grantee or lessee or his assigns have a  
23 preference right to meet the high bid within 30 days after the day of  
24 the auction; if the right is exercised, the value of improvements  
25 owned by the holder of the preference right as appraised by the director  
26 is deducted from the purchase price;

27 (4) by requesting the conveyance of the remaining interest,  
28 the grantee or lessee or his assigns consent to the sale and, if the  
29 preference right provided by (3) of this subsection is not exercised,

1 to accept as payment in full for their interest in the land, including  
2 improvements, the value of those improvements and the value of their  
3 interest as appraised by the director;

4 (5) the remaining interests in the land may not be conveyed  
5 for less than their appraised value together with improvements except  
6 for the deduction allowed by (3) of this subsection.

7 \* Sec. 4. AS 38.05.070(b) is amended to read:

8 (b) The director, with the approval of the commissioner, shall  
9 determine the land to be leased and the limitations, conditions and  
10 terms of the lease. If the appraised value of the transaction is \$500  
11 [\$250] a year or less the director may negotiate a lease without  
12 advertisement for a period not to exceed five years, and on the  
13 limitations, conditions and terms which he considers are in the best  
14 interests of the state.

15 \* Sec. 5. AS 38.05 is amended by adding a new section to read:

16 Sec. 38.05.102. LESSEE PREFERENCE. If land within a leasehold  
17 created under secs. 70--100 of this chapter is offered for sale or  
18 long-term lease at the termination of the existing leasehold, the  
19 director may, if he finds that it is in the best interest of the  
20 state, allow the holder in good standing of that leasehold to purchase  
21 or lease the land for the amount of the high bid received at public  
22 auction.

23 \* Sec. 6. AS 38.05.115(a) is amended to read:

24 (a) The commissioner, upon recommendation of the director, shall  
25 determine the timber and other materials to be sold, and the limitations  
26 conditions and terms of sale. The limitations, conditions and terms  
27 shall include the utilization, development and maintenance of the  
28 sustained yield principle, subject to preference among other bene-  
29 ficial uses. The director may negotiate sales of timber or materials

1 without advertisement and on the limitations, conditions, and terms  
2 which he considers are in the best interests of the state, subject to  
3 the approval of the commissioner. However, not more than 500 M.B.M.  
4 or equivalent other measure of timber or more than \$5,000 [\$2,500] of  
5 materials may be sold by nonadvertised, negotiated sale to the same  
6 purchaser within a one-year period.

7 \* Sec. 7. AS 38.05.305 is repealed and re-enacted to read:

8 Sec. 38.05.305. NOTICE AND REVIEW. No land or interest in land  
9 within the boundaries or within six linear miles of the boundaries of  
10 a general law, home rule or unified municipality, as defined under AS  
11 29, may be classified, reclassified, sold or leased, or otherwise  
12 disposed of, including the renewal of an original lease for more than  
13 one additional term, unless the following procedures have been com-  
14 plied with:

15 (1) A notice of the proposed action shall be sent to the  
16 governing body of each municipality a boundary of which is within six  
17 linear miles of the land involved.

18 (2) The notice shall be sent at the earliest practicable  
19 time but no less than 30 days before the proposed action.

20 (3) The notice must contain a statement of the proposed  
21 action, identifying the land involved and the action proposed in  
22 sufficient detail to fairly inform the recipient of the nature of the  
23 proposed action. If the land is not surveyed, a legal description  
24 need not be used; but the land must be described in sufficient detail  
25 to allow the recipient to understand its approximate size, number of  
26 tracts involved, and location. The notice must also contain a state-  
27 ment to the effect that the municipality is invited to comment on the  
28 proposed action and that, upon the request of the governing body,  
29 chief executive officer, or planning agency, the division will consult

1 with the municipal officials on the proposed action. Any request by a  
2 municipality for consultation must include the name of the municipal  
3 official to be consulted and be sent no later than 15 days after  
4 receipt of the notice by the municipality, and the notice must contain  
5 a statement to this effect and name the official and address to which  
6 the municipality's request should be sent.

7 (4) In consulting with the municipal officials, the proposed  
8 action and the authority under which it is to be taken shall be explain-  
9 ed and the reason for the proposed action shall be given. A public  
10 hearing need not be held, but the municipal officials may hold a  
11 public hearing or otherwise allow public participation and comment.

12 (5) A municipality having a right to notice or consultation  
13 under this section may appeal to the superior court and have set aside  
14 any action taken which does not conform to this section. A munici-  
15 pality incorporated or established less than 30 days before the action  
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18 (e) The lease, sale, or other disposal of state land at appraised  
19 fair market value may be negotiated with a licensed public utility or  
20 a licensed common carrier by the director with the approval of the  
21 commissioner if the utility or carrier reasonably requires the land  
22 for the conduct of its business under its license.

23 \* Sec. 9. AS 38.05 is amended by adding a new section to read:

24 Sec. 38.05.221. RESTRICTION ON SALE OR LEASE OR OTHER DISPOSAL  
25 OF AGRICULTURAL LAND. No state land classified as agricultural land  
26 may be sold, leased or otherwise disposed of without provision for, as  
27 part of the terms of the sale or lease agreement, a specific conditiona  
28 restriction or a specific reservation, or both, in the instrument  
29 against subdivision or other uses incompatible with agricultural

1 development, including the reservation of a scenic, agricultural, or  
2 similar easement as determined by the director. The restriction or  
3 easement shall state that if circumstances change so that subdivision  
4 or other uses of the agricultural land are later determined by the  
5 director to be in the best interest of the state and the person owning,  
6 leasing, or having an interest in the land, the restriction may be  
7 terminated or the easement vacated upon payment of a sum equal to the  
8 difference between the amount originally paid for the land and the  
9 value of the land without the restriction of easement. Notice of a  
10 pending determination of the director to terminate the restriction or  
11 to vacate the easement shall be made as provided for the sale or other  
12 disposition of interests in state land and shall include a statement  
13 of findings explaining the reason for the determination. The termination  
14 or vacation may not take effect until expressly approved in writing by  
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20 lines or transmission and distribution pipelines not subject to AS  
21 38.35, telephone and transmission lines, log storage, oil well drilling  
22 sites and production facilities for the purposes of recovering minerals  
23 from adjacent lands under valid lease, and other similar uses or  
24 improvements, or for the limited personal use of timber or materials.  
25 The commissioner, upon recommendation of the director, shall establish  
26 a reasonable rate or fee schedule to be charged for these uses. In  
27 the granting, suspension or revocation of a permit or easement of  
28 land, the director shall give preference to that use of the land  
29 which will be of greatest economic benefit to the state and the develop-

1 ment of its resources. However, first preference shall be granted to  
2 the upland owner for the use of a tract of tideland, or tideland and  
3 contiguous submerged land, which is seaward of the upland property of  
4 the upland owner and which is needed by the upland owner for any of  
5 the purposes for which the use may be granted.

6 \* Sec. 11. AS 38.05.345 is amended to read:

7 Sec. 38.05.345. NOTICES. (a) Public notice of a sale, lease or  
8 other disposal of land or interest in it [, EXCEPT GRANTS UNDER SEC.  
9 330 OF THIS CHAPTER AND PREFERENCE RIGHT GRAZING LEASES UNDER SECS. 75  
10 AND 80 OF THIS CHAPTER, WHEN REQUIRED,] shall be substantially as  
11 follows.

12 (b) Notice shall be published once a week for three consecutive  
13 weeks preceding the time of sale stated in the notice, in at least one  
14 newspaper of general circulation in the vicinity in which the land,  
15 property or interest in it is to be sold, leased or disposed of. Where  
16 there is no newspaper of general circulation in the vicinity, notices  
17 shall be posted in three public places near the land to be sold,  
18 leased or otherwise disposed of. The sale, lease or disposal of lands  
19 shall be held not less than 30 days after publication of the first  
20 notice and not [ONE WEEK NOR] more than five [THREE] weeks following  
21 the last appearance of the published notice. The notice shall contain  
22 a description of the land and interest to be sold, leased or disposed  
23 of and the time, place, and general terms of the sale, lease or disposal.

24 (c) [PUBLIC NOTICE OF GRANTS OF PERMITS, RIGHTS-OF-WAY AND EASE-  
25 MENTS UNDER SEC. 330 OF THIS CHAPTER AND OF GRANTS OF PREFERENCE RIGHT  
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25 or other disposal of school lands may be made without the approval of  
26 the State Board of Education.

27 \* Sec. 2. AS 38.05.069 is amended by adding a new subsection to read:

28 (f) Nothing in (c) of this section affects the disposal of minerals  
29 under secs. 135 - 183 of this chapter.

1 \* Sec. 3. AS 38.05 is amended by adding a new section to read:

2       Sec. 38.05.102. LESSEE PREFERENCE. If land within a leasehold  
3 created under secs. 70 - 100 of this chapter is offered for sale or  
4 long-term lease at the termination of the existing leasehold, the  
5 director may, if he finds that it is in the best interest of the state,  
6 allow the holder in good standing of that leasehold to purchase or lease  
7 the land for the amount of the high bid received at public auction.

8 \* Sec. 4. AS 38.05.115 is amended to read:

9       Sec. 38.05.115. LIMITATIONS AND CONDITIONS OF SALE. (a) The  
10 commissioner, upon recommendation of the director, shall determine the  
11 timber and other materials to be sold, and the limitations, conditions  
12 and terms of sale. The limitations, conditions and terms shall include  
13 the utilization, development and maintenance of the sustained yield  
14 principle, subject to preference among other beneficial uses. The  
15 director may negotiate sales of timber or materials without advertise-  
16 ment and on the limitations, conditions, and terms which he considers  
17 are in the best interests of the state, subject to the approval of the  
18 commissioner. However, not more than 500 M.B.M. or equivalent other  
19 measure of timber or more than \$5,000 [\$2,500] of materials may be sold  
20 by nonadvertised, negotiated sale to the same purchaser within a one-  
21 year period.

2       (b) Negotiated sales for timber or materials not exceeding a value  
3 of \$500 [\$250] are exempt from the provisions of AS 34.15.150.

4 \* Sec. 5. AS 38.05.305 is repealed and re-enacted to read:

5       Sec. 38.05.305. NOTICE AND REVIEW. (a) No land or interest in  
6 land within the boundaries or within six linear miles of the boundaries  
7 of a general law, home rule or unified municipality, as defined under AS  
8 29, may be classified, reclassified, sold or leased, or otherwise  
9 disposed of, including the renewal of a lease entered into after the

1 effective date of this Act, unless the following procedures have been  
2 complied with:

3 (1) A notice of the proposed action shall be sent to the  
4 governing body of each municipality a boundary of which is within six  
5 linear miles of the land involved.

6 (2) The notice shall be sent at the earliest practicable time  
7 but no less than 30 days before the proposed action.

8 (3) The notice must contain a statement of the proposed  
9 action, identifying the land involved and the action proposed in suf-  
10 ficient detail to fairly inform the recipient of the nature of the  
11 proposed action. If the land is not surveyed, a legal description need  
12 not be used; but the land must be described in sufficient detail to  
13 allow the recipient to understand its approximate size, number of tracts  
14 involved, and location. The notice must also contain a statement to the  
15 effect that the municipality is invited to comment on the proposed  
16 action and that, upon the request of the governing body, chief executive  
17 officer, or planning agency, the division will consult with the munic-  
18 ipal officials on the proposed action. Any request by a municipality for  
19 consultation must include the name of the municipal official to be  
20 consulted and be sent no later than 15 days after receipt of the notice  
21 by the municipality, and the notice must contain a statement to this  
22 effect and name the official and address to which the municipality's  
23 request should be sent.

24 (4) In consulting with the municipal officials, the proposed  
25 action and the authority under which it is to be taken shall be explain-  
26 ed and the reason for the proposed action shall be given. A public  
27 hearing need not be held, but the municipal officials may hold a public  
28 hearing or otherwise allow public participation and comment.

29 (5) A municipality having a right to notice or consultation

1 under this section may appeal to the superior court and have set aside  
2 any action taken which does not conform to this section. A municipality  
3 incorporated or established less than 30 days before the action is taken  
4 has no right to notice or consultation under this section.

5 (b) No land or interest in land outside the boundaries of a general  
6 law, home rule, or unified municipality, as defined under AS 29, may be  
7 classified, reclassified, sold or leased, or otherwise disposed of,  
8 including the renewal of a lease entered into after the effective date  
9 of this Act, unless a notice of the proposed action as required by  
10 (a)(3) of this section is made upon the regional corporation organized  
11 under the Alaska Native Claims Settlement Act (85 Stat. 688, 43 U.S.C.  
12 secs. 1601-1626), within the boundaries of which the land is located.  
13 The president of the affected regional corporation or his designee has  
14 the same rights of notice, consultation, and appeal as those provided  
15 for in (a)(2) - (5) of this section.

16 (c) When notice is given under (b) of this section, the require-  
17 ments of sec. 345 of this chapter relating to notice apply in addition  
18 to any other applicable notice requirements. If requested, the director  
19 shall hold a hearing within the affected area under (b) of this section.  
20 No action proposed by the director which is subject to the notice  
21 requirement specified in (b) of this section is final until at least 30  
22 days after the date the notice was published.

23 \* Sec. 6. AS 38.05.315 is amended by adding a new subsection to read:

24 (e) The lease, sale, or other disposal of state land at appraised  
25 fair market value may be negotiated with a licensed public utility or a  
26 licensed common carrier by the director with the approval of the com-  
27 missioner if the utility or carrier reasonably requires the land for the  
28 conduct of its business under its license.

29 \* Sec. 7. AS 38.05.330 is amended to read:

1           Sec. 38.05.330. PERMITS. The director, without the prior approval  
2 of the commissioner, may issue permits, rights-of-way or easements on  
3 state land for [SECONDARY] roads, trails, ditches, field gathering lines  
4 or transmission and distribution pipelines not subject to AS 38.35,  
5 telephone and transmission lines, log storage, oil well drilling sites  
6 and production facilities for the purposes of recovering minerals from  
7 adjacent lands under valid lease, and other similar uses or improve-  
8 ments, or for the limited personal use of timber or materials. The  
9 commissioner, upon recommendation of the director, shall establish a  
10 reasonable rate or fee schedule to be charged for these uses. In the  
11 granting, suspension or revocation of a permit or easement of lands, the  
12 director shall give preference to that use of the land which will be of  
13 greatest economic benefit to the state and the development of its re-  
14 sources. However, first preference shall be granted to the upland owner  
15 for the use of a tract of tideland, or tideland and contiguous submerged  
16 land, which is seaward of the upland property of the upland owner and  
17 which is needed by the upland owner for any of the purposes for which  
18 the use may be granted.

19 \* Sec. 8. AS 38.05.345 is amended to read:

20           Sec. 38.05.345. NOTICES. (a) Public notice of a sale, lease or  
21 other disposal of land or interest in it [, EXCEPT GRANTS UNDER SEC. 330  
22 OF THIS CHAPTER AND PREFERENCE RIGHT GRAZING LEASES UNDER SECS. 75 AND  
23 30 OF THIS CHAPTER, WHEN REQUIRED,] shall be substantially as follows.

24           (b) Notice shall be published once a week for three consecutive  
25 weeks preceding the time of sale stated in the notice, in at least one  
26 newspaper of general circulation in the vicinity in which the land,  
27 property or interest in it is to be sold, leased or disposed of. Where  
28 there is no newspaper of general circulation in the vicinity, notices  
29 shall be posted in three public places near the land to be sold, leased

# **CORRECTION**

**THIS DOCUMENT  
HAS BEEN REPHOTOGRAPHED  
TO ASSURE LEGIBILITY**

1           Sec. 38.05.330. PERMITS. The director, without the prior approval  
2 of the commissioner, may issue permits, rights-of-way or easements on  
3 state land for [SECONDARY] roads, trails, ditches, field gathering lines  
4 or transmission and distribution pipelines not subject to AS 38.35,  
5 telephone and transmission lines, log storage, oil well drilling sites  
6 and production facilities for the purposes of recovering minerals from  
7 adjacent lands under valid lease, and other similar uses or improve-  
8 ments, or for the limited personal use of timber or materials. The  
9 commissioner, upon recommendation of the director, shall establish a  
10 reasonable rate or fee schedule to be charged for these uses. In the  
11 granting, suspension or revocation of a permit or easement of lands, the  
12 director shall give preference to that use of the land which will be of  
13 greatest economic benefit to the state and the development of its re-  
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25 weeks preceding the time of sale stated in the notice, in at least one  
26 newspaper of general circulation in the vicinity in which the land,  
27 property or interest in it is to be sold, leased or disposed of. Where  
28 there is no newspaper of general circulation in the vicinity, notices  
29 shall be posted in three public places near the land to be sold, leased

1 or otherwise disposed of. The sale, lease or disposal of lands shall be  
2 held not less than 30 days after publication of the first notice and not  
3 [ONE WEEK NOR] more than five [THREE] weeks following the last appear-  
4 ance of the published notice. The notice shall contain a description of  
5 the land and interest to be sold, leased or disposed of and the time,  
6 place, and general terms of the sale, lease or disposal.

7 (c) [PUBLIC NOTICE OF GRANTS OF PERMITS, RIGHTS-OF-WAY AND EASE-  
8 MENTS UNDER SEC. 330 OF THIS CHAPTER AND OF GRANTS OF PREFERENCE RIGHT  
9 GRAZING LEASES AND PREFERENCE RIGHT FOREST LEASES UNDER SECS. 75 and 80  
10 OF THIS CHAPTER SHALL BE ESTABLISHED IN REGULATIONS ADOPTED BY THE  
11 COMMISSIONER.]

12 \* Sec. 9. AS 38.05.100 and 38.05.347 are repealed.

13 \* Sec. 10. Preferences granted under 11 AAC 54.250 and 11 AAC 58.660  
14 before the effective date of this Act to leaseholders in good standing are  
15 confirmed and ratified.

Original Sponsor: Rules Committee by  
request of the Governor

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 654 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the administration of state  
7 land."

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

9 \* Section 1. AS 38.05.030(e) is amended to read:

10 (e) The sale, lease or other disposal of school lands under the  
11 jurisdiction of the department shall be made by the commissioner in  
12 accordance with the provisions of this chapter. However, disposal of  
13 school lands under this subsection, other than disposal by lease for a  
14 term of years, shall be made only for sites for school facilities or for  
15 residential, public park and public recreation purposes. School lands  
16 may be exchanged for (1) state lands, (2) vacant, unappropriated and  
17 unreserved public lands and (3) lands owned by a city, borough or other  
18 public entity. In the case of unequal values, cash may be used to  
19 equalize land values. When the department determines that it is in the  
20 best interest of the state to dispose of the school lands located within  
21 Sections 16 and 36 in an organized borough or city of any class, the  
22 borough or city is authorized, and has preference for six months after  
23 notice, to acquire the land at the appraised value by purchase or  
24 exchange of land acceptable to the department. No sale, lease, exchange  
25 or other disposal of school lands may be made without the approval of  
26 the State Board of Education.

27 \* Sec. 2. AS 38.05.069 is amended by adding a new subsection to read:

28 (f) Nothing in (c) of this section affects the disposal of minerals  
29 under secs. 135 - 183 of this chapter.

1 \* Sec. 3. AS 38.05 is amended by adding a new section to read:

2       Sec. 38.05.102. LESSEE PREFERENCE. If land within a leasehold  
3 created under secs. 70 - 100 of this chapter is offered for sale or  
4 long-term lease at the termination of the existing leasehold, the  
5 director may, if he finds that it is in the best interest of the state,  
6 allow the holder in good standing of that leasehold to purchase or lease  
7 the land for the amount of the high bid received at public auction.

8 \* Sec. 4. AS 38.05.115 is amended to read:

9       Sec. 38.05.115. LIMITATIONS AND CONDITIONS OF SALE. (a) The  
10 commissioner, upon recommendation of the director, shall determine the  
11 timber and other materials to be sold, and the limitations, conditions  
12 and terms of sale. The limitations, conditions and terms shall include  
13 the utilization, development and maintenance of the sustained yield  
14 principle, subject to preference among other beneficial uses. The  
15 director may negotiate sales of timber or materials without advertise-  
16 ment and on the limitations, conditions, and terms which he considers  
17 are in the best interests of the state, subject to the approval of the  
18 commissioner. However, not more than 500 M.B.M. or equivalent other  
19 measure of timber or more than \$5,000 [\$2,500] of materials may be sold  
20 by nonadvertised, negotiated sale to the same purchaser within a one-  
21 year period.

22       (b) Negotiated sales for timber or materials not exceeding a value  
23 of \$500 [\$250] are exempt from the provisions of AS 34.15.150.

24 \* Sec. 5. AS 38.05.305 is repealed and re-enacted to read:

25       Sec. 38.05.305. NOTICE AND REVIEW. (a) No land or interest in  
26 land within the boundaries or within six linear miles of the boundaries  
27 of a general law, home rule or unified municipality, as defined under AS  
28 29, may be classified, reclassified, sold or leased, or otherwise  
29 disposed of, including the renewal of a lease entered into after the

1 effective date of this Act, unless the following procedures have been  
2 complied with:

3 (1) A notice of the proposed action shall be sent to the  
4 governing body of each municipality a boundary of which is within six  
5 linear miles of the land involved.

6 (2) The notice shall be sent at the earliest practicable time  
7 but no less than 30 days before the proposed action.

8 (3) The notice must contain a statement of the proposed  
9 action, identifying the land involved and the action proposed in suf-  
10 ficient detail to fairly inform the recipient of the nature of the  
11 proposed action. If the land is not surveyed, a legal description need  
12 not be used; but the land must be described in sufficient detail to  
13 allow the recipient to understand its approximate size, number of tracts  
14 involved, and location. The notice must also contain a statement to the  
15 effect that the municipality is invited to comment on the proposed  
16 action and that, upon the request of the governing body, chief executive  
17 officer, or planning agency, the division will consult with the munici-  
18 pal officials on the proposed action. Any request by a municipality for  
19 consultation must include the name of the municipal official to be  
20 consulted and be sent no later than 15 days after receipt of the notice  
21 by the municipality, and the notice must contain a statement to this  
22 effect and name the official and address to which the municipality's  
23 request should be sent.

24 (4) In consulting with the municipal officials, the proposed  
25 action and the authority under which it is to be taken shall be explain-  
26 ed and the reason for the proposed action shall be given. A public  
27 hearing need not be held, but the municipal officials may hold a public  
28 hearing or otherwise allow public participation and comment.

29 (5) A municipality having a right to notice or consultation

1 under this section may appeal to the superior court and have set aside  
2 any action taken which does not conform to this section. A municipality  
3 incorporated or established less than 30 days before the action is taken  
4 has no right to notice or consultation under this section.

5 (b) No land or interest in land outside the boundaries of a general  
6 law, home rule, or unified municipality, as defined under AS 29, may be  
7 classified, reclassified, sold or leased, or otherwise disposed of,  
8 including the renewal of a lease entered into after the effective date  
9 of this Act, unless a notice of the proposed action as required by  
10 (a)(3) of this section is made upon the regional corporation organized  
11 under the Alaska Native Claims Settlement Act (85 Stat. 688, 43 U.S.C.  
12 secs. 1601-1626), within the boundaries of which the land is located.  
13 The president of the affected regional corporation or his designee has  
14 the same rights of notice, consultation, and appeal as those provided  
15 for in (a)(2) - (5) of this section.

16 (c) When notice is given under (b) of this section, the require-  
17 ments of sec. 345 of this chapter relating to notice apply in addition  
18 to any other applicable notice requirements. If requested, the director  
19 shall hold a hearing within the affected area under (b) of this section.  
20 No action proposed by the director which is subject to the notice  
21 requirement specified in (b) of this section is final until at least 30  
22 days after the date the notice was published.

23 \* Sec. 6. AS 38.05.315 is amended by adding a new subsection to read:

24 (e) The lease, sale, or other disposal of state land at appraised  
25 fair market value may be negotiated with a licensed public utility or a  
26 licensed common carrier by the director with the approval of the com-  
27 missioner if the utility or carrier reasonably requires the land for the  
28 conduct of its business under its license.

29 \* Sec. 7. AS 38.05.330 is amended to read:

1           Sec. 38.05.330. PERMITS. The director, without the prior approval  
2 of the commissioner, may issue permits, rights-of-way or easements on  
3 state land for [SECONDARY] roads, trails, ditches, field gathering lines  
4 or transmission and distribution pipelines not subject to AS 38.35,  
5 telephone and transmission lines, log storage, oil well drilling sites  
6 and production facilities for the purposes of recovering minerals from  
7 adjacent lands under valid lease, and other similar uses or improve-  
8 ments, or for the limited personal use of timber or materials. The  
9 commissioner, upon recommendation of the director, shall establish a  
10 reasonable rate or fee schedule to be charged for these uses. In the  
11 granting, suspension or revocation of a permit or easement of lands, the  
12 director shall give preference to that use of the land which will be of  
13 greatest economic benefit to the state and the development of its re-  
14 sources. However, first preference shall be granted to the upland owner  
15 for the use of a tract of tideland, or tideland and contiguous submerged  
16 land, which is seaward of the upland property of the upland owner and  
17 which is needed by the upland owner for any of the purposes for which  
18 the use may be granted.

19 \* Sec. 8. AS 38.05.345 is amended to read:

20           Sec. 38.05.345. NOTICES. (a) Public notice of a sale, lease or  
21 other disposal of land or interest in it [, EXCEPT GRANTS UNDER SEC. 330  
22 OF THIS CHAPTER AND PREFERENCE RIGHT GRAZING LEASES UNDER SECS. 75 AND  
23 80 OF THIS CHAPTER, WHEN REQUIRED,] shall be substantially as follows.

24           (b) Notice shall be published once a week for three consecutive  
25 weeks preceding the time of sale stated in the notice, in at least one  
26 newspaper of general circulation in the vicinity in which the land,  
27 property or interest in it is to be sold, leased or disposed of. Where  
28 there is no newspaper of general circulation in the vicinity, notices  
29 shall be posted in three public places near the land to be sold, leased

1 or otherwise disposed of. The sale, lease or disposal of lands shall be  
2 held not less than 30 days after publication of the first notice and not  
3 [ONE WEEK NOR] more than five [THREE] weeks following the last appear-  
4 ance of the published notice. The notice shall contain a description of  
5 the land and interest to be sold, leased or disposed of and the time,  
6 place, and general terms of the sale, lease or disposal.

7 (c) [PUBLIC NOTICE OF GRANTS OF PERMITS, RIGHTS-OF-WAY AND EASE-  
8 MENTS UNDER SEC. 330 OF THIS CHAPTER AND OF GRANTS OF PREFERENCE RIGHT  
9 GRAZING LEASES AND PREFERENCE RIGHT FOREST LEASES UNDER SECS. 75 and 80  
10 OF THIS CHAPTER SHALL BE ESTABLISHED IN REGULATIONS ADOPTED BY THE  
11 COMMISSIONER.]

12 \* Sec. 9. AS 38.05.100 and 38.05.347 are repealed.

13 \* Sec. 10. Preferences granted under 11 AAC 54.250 and 11 AAC 58.660  
14 before the effective date of this Act to leaseholders in good standing are  
15 confirmed and ratified.

A M E N D M E N T

TO: CSHB 654 (Finance)

Page 6, line 16: add the following new language:

\* Sec. 11. AS 38.05.069(b) is amended to read:

(b) If more than one person is eligible for a first option under (a) of this section, the director shall determine priority by granting precedence first to the person who demonstrates the greatest need for the unoccupied land in order to establish an economic unit and, secondly, to the eligible person who occupies land that is most readily accessible to the unoccupied land to be sold or leased [LEASE]. In the event that two or more persons have approximately equal qualifications for priority under this section, the director shall grant priority to that person who is a veteran. If more than one person is approximately equally well qualified under this section, the director shall [MAY] determine priority by establishing which application to exercise the option was received first by the director [LOT].

A M E N D M E N T

TO: CSHB 654 (Finance)

BY SMITH

Page 4, between lines 22 and 23 insert the following new material:

"(d) Lands opened for mineral rights acquisition under the provisions of secs. 135 - 280 of this chapter and for competitive mineral leasing after the effective date of this Act are subject to the notice and hearing provisions of (a) - (c) of this section. After the initial opening of lands for a noncompetitive mineral lease or permit as specified in this subsection, upon written request to the director by a person, notice of any proposed issuance of a noncompetitive mineral lease or permit shall be given by mail to the person at least 30 days but not more than three months before the proposed issuing of the lease or permit."

Director of lands, Mike Smith, recommends that approval be given by the following persons:

- (1) The chairman of the Mental Health Advisory Council;
- (2) The director of Mental Health; and
- (3) The commissioner of revenue.

A M E N D M E N T

TO: CSHB 654 (Finance)

Page 6, between lines 11 and 12, insert the following new material and renumber the remaining sections accordingly:

"\* Sec. 9. AS 38.05.035(a)(13) is amended to read:

(13) select, administer, and dispose of mental health lands for the support of the mental health program except that no mental health lands may be disposed of without the approval of the Mental Health Advisory Council;"

A M E N D M E N T

TO: CSHB 654 (Finance)

BY THE FINANCE COMMITTEE

Page 3, line 26: Delete the last two words and all of lines 27 and 28 and substitute the following new material:

"Except as to municipalities incorporated or established for less than 30 days as specified in (5) of this subsection, a hearing upon reasonable notice shall be held jointly by the division and the municipality or municipalities, allowing full public comment relating to the proposed action. Only one public hearing need be held for each action taken under this section, as long as full and adequate representation is assured."

A M E N D M E N T

TO: CSHB 654 (Finance)

Page 1, between lines 26 and 27: Insert the following new material and renumber remaining sections accordingly:

"\* Sec. 2. AS 38.05.035(b) is amended by adding a new paragraph to read:

(6) with the consent of the commissioner and upon written finding that the interests of the state will best be served, approve contracts for the sale, lease, or other disposal of available lands, resources or interests in them; in addition to the conditions and limitations imposed by law he may impose additional conditions or limitations in the contract as he, with the consent of the commissioner, determines will best serve the interests of the state; no contract for the sale, lease or disposal of available lands or interests in them is legally binding on the state until the commissioner formally records his consent to the contract; but if the appraised value is not greater than \$10,000 in the case of the sale of land or an interest in land, or \$1,000 in the case of the annual rental of land or interest in land, the director may approve and issue the contract without the consent or approval of the commissioner; before making a determination as to whether the sale, lease or disposal will best serve the interests of the state, the director shall compile and review information regarding the economic and environmental impact of the sale, lease, or disposal on competing renewable and nonrenewable resources actually or potentially affected by the decision; before public hearings on the decision, the director shall make available to the public the information compiled; adequate notice to the public of the information availability shall be made; the department may adopt regulations under the Administrative

Procedure Act (AS 44.62) to effectuate the purposes of this paragraph."

Page 6, line 12: Delete "and", and insert a comma. After "38.05.347", insert "and 38.05.035(a)(14)".

# **CORRECTION**

**THIS DOCUMENT  
HAS BEEN REPHOTOGRAPHED  
TO ASSURE LEGIBILITY**



# RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith  
Signature of Camera Operator

2/6/90  
Date

(9)

COMMITTEE REPORT

4/9/76

HOUSE

Mr. Speaker:

Date: May 1 1976

The Committee on FINANCE has had HB 555

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR \_\_\_\_\_ AND THAT

CS FOR \_\_\_\_\_ DO PASS

"and" recommends it BE REFERRED TO THE \_\_\_\_\_

COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>	<u>[Signature]</u>	_____

Members NOT concurring in the Majority report:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

[Signature] Chairman

THE LEGISLATURE OF THE STATE OF ALASKA  
 FISCAL NOTE  
 Second Session - Ninth Legislature

HB 656

I. REQUEST  
 Bill No. unnumbered House Bill  
 Title: An act relating to assessments on state lands  
 Requested by: Rules Committee by request Date: \_\_\_\_\_  
 Return Date Requested: of Nov  
 Agency: Natural Resources Program: Land Management

II. FISCAL DETAIL  
 Budget Request Unit(s) Affected: NONE

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. ATTACHMENTS

V. DATE: 12/24/75 PREPARED BY: Ronald W. Hallback  
Chief Land Section

Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

Introduced: 1/27/76  
Referred: Community &  
Regional Affairs

1 IN THE HOUSE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 656

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to assessments on state lands."

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

8 # Section 1. AS 29.63.010 is amended to read:

9 Sec. 29.63.010. ASSESSMENT AND PROPOSAL. The assembly or council  
10 may assess against the property of a governmental unit and private  
11 real property benefited all or a portion of the cost of constructing  
12 or improving capital improvements. The state shall pay an assessment  
13 levied, subject to appropriation by the legislature, except as otherwise  
14 provided by law and subject to its right of protest under sec. 15(a)(8)  
15 of this chapter. The assessment shall be submitted to the state  
16 agency having jurisdiction over the property for purposes of notice  
17 and protest and also to the Department of Administration for purposes  
18 of requesting an appropriation. No penalty or interest of any kind  
19 may be added to the assessment on the property of the state. If a  
20 governmental unit other than the state benefited by an assessment  
21 refuses to pay the assessment, it shall be denied the benefit of the  
22 improvement. An improvement proposal may be initiated by

23 (1) petition to the assembly or council of the owners of  
24 one-half in value of the property to be benefited; or

25 (2) the assembly or council.  
26  
27  
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# RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith  
Signature of Camera Operator

2/6/90  
Date

COMMITTEE REPORT

SENATE

2/5/75

Mr. President:

Date 2/17/76

The Committee on FINANCE has had HB 658 relating to the Joint Federal-State Land Use Planning Commission under consideration. A Majority of the members of the Committee

- recommends it DO PASS
- recommends it DO NOT PASS
- recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- recommends it BE REPLACED WITH CS FOR \_\_\_\_\_ AND THAT CS FOR \_\_\_\_\_ DO PASS
- "and" recommends it BE REFERRED TO THE \_\_\_\_\_ COMMITTEE
- reports it back WITHOUT RECOMMENDATION
- "other"

Members signing the Majority report:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

_____	recommends:	<u>DO NOT PASS</u>
_____	recommends:	<u>No Rec.</u>
_____	recommends:	<u>  </u>
_____	recommends:	<u>  </u>
_____	recommends:	<u>  </u>

\_\_\_\_\_ Chairman

THE LEGISLATURE OF THE STATE OF ALASKA  
FISCAL NOTE

Corrected Copy

Second Session - Ninth Legislature

I. REQUEST

Bill No. Unnumbered House Bill (HB 658)  
Title: Relating to Joint Federal-State Land Use Planning Commission  
Requested by: Legislative Asst. to Governor Date: Dec. 15, 1975  
Return Date Requested: Dec. 30, 1975  
Agency: Natural Resources Program: Fed-State Land Use Planning

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Natural Resources Planning

A. EXPENDITURES: (Thousands of dollars) BRU Code 10-47-9-00-00-00

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES		19.7	40.0	40.0		
200 TRAVEL						
300 CONTRACTUAL		13.5	30.0	30.0		
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		335.6	700.0	700.0		
TOTAL		368.8	770.0	770.0		

B. FUNDING: (Thousands of dollars)

GENERAL FUND	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
GENERAL FUND		368.8	770.0	770.0		
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
PERMANENT/TEMPORARY	/	.5 /	1.0 /	1.0 /	/	/
MAN MONTHS (P./T.)	/	6.0 /	12.0 /	12.0 /	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

FY 76-No additional fiscal impact. Appropriated operating budget of \$763,900.

Total FY 77 funding in proposed operating budget is \$737,600. Present bill calls for Commission to expire December 31, 1976 leaving last half of FY 77 impacted as shown. FY 78 and FY 79 are full fiscal years.

IV. ATTACHMENTS

V. DATE: FEB 6, 1976 PREPARED BY: V. J. Adams - Admin Off

Original: Legislative Finance  
cc: Budget and Management  
Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA

Corrected Copy

FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. Unnumbered House Bill (HB 658)  
 Title: Relating to Joint Federal-State Land Use Planning Commission  
 Requested by: Legislative Asst. to Governor Date: Dec. 15, 1975  
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300 CONTRACTUAL		13.5	30.0	30.0		
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700 GRANTS, CLAIMS, ETC.		335.6	700.0	700.0		
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V. DATE: FEB 6, 1976 PREPARED BY: [Signature] Admin Off

Original: Legislative Finance  
 cc: Budget and Management  
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THE LEGISLATURE OF THE STATE OF ALASKA  
FISCAL NOTE

Corrected Copy

Second Session - Ninth Legislature

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 Requested by: Legislative Asst. to Governor Date: Dec. 15, 1975  
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Total FY 77 funding in proposed operating budget is \$737,600. Present bill calls for Commission to expire December 31, 1976 leaving last half of FY 77 impacted as shown. FY 78 and FY 79 are full fiscal years.

IV. ATTACHMENTS

V. DATE: FEB 6, 1976 PREPARED BY: W. J. Adams - Admin Off

Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

Introduced: 1/27/76  
Referred: Resources and  
Judiciary

1 IN THE HOUSE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 658

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Joint Federal-State Land Use  
7 Planning Commission."

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

9 \* Section 1. AS 41.40.030(b) is amended to read:

10 (b) Until June 30, 1979 [DECEMBER 31, 1976], at least one member  
11 appointed by the governor shall be a Native of Alaska who is eligible  
12 for enrollment under the Alaska Native Claims Settlement Act, P. L.  
13 92-203, 85 Stat. 688.

14 \* Sec. 2. AS 41.40.060(b) is amended to read:

15 (b) On or before May 30, 1976, the commission shall submit a  
16 [ITS FINAL] report to the President of the United States, the Congress,  
17 the governor and legislature with respect to its planning and other  
18 activities under this chapter, together with its recommendations for  
19 programs or other actions which it determines should be taken by the  
20 United States and the state. The commission shall submit its final,  
21 comprehensive report on or before June 30, 1979.

22 \* Sec. 3. AS 41.40.070 is amended to read:

23 Sec. 41.40.070. TERMINATION OF THE COMMISSION. The commission  
24 ceases to exist on June 30, 1979 [DECEMBER 31, 1976].

25 \* Sec. 4. AS 41.40.120 is amended to read:

26 Sec. 41.40.120. RECOMMENDATIONS BY THE COMMISSION. The director  
27 of the division of lands retains the authority to make and revise  
28 classifications of land under the authority of AS 38.05.300. However,  
29 any recommendation made by the commission and concurred in by the

1 governor or his designate on the commission as to the most wise and  
2 beneficial use of state land constitutes to that extent an establish-  
3 ment for the state of the use of that land until June 30, 1979  
4 [DECEMBER 31, 1976] and thereafter until changed pursuant to law. The  
5 commission may by the same process reconsider and make new recommen-  
6 dations until June 30, 1979 [DECEMBER 31, 1976] when it is in the  
7 public interest.  
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Introduced: 1/27/76  
Referred: Resources and  
Judiciary

1 IN THE HOUSE

BY THE RULES COMMITTEE BY  
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Introduced: 1/27/76  
Referred: Resources and  
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BY THE RULES COMMITTEE BY  
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# RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith  
Signature of Camera Operator

2/6/90  
Date



1-B 659  
JAN 27 1976 6

The Honorable Mike Bradner  
Speaker of the House  
Alaska State Legislature  
Juneau, Alaska

Dear Mr. Speaker:

In accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill relating to reenlistment bonuses for members of the Alaska National Guard and Naval Militia.

The bill amends AS 26.05.265 substantially. It deletes the initial references in sec. 265 to the "Military Selective Service Act of 1967" for several reasons. Federal law presently contemplates a volunteer army and the 1967 Act is not the most recent law on the subject.

By tying qualification under that Act to benefits under sec. 265, somewhat artificial problems are created. Women, who form an integral part of the membership of the National Guard, do not qualify under the 1967 Act and accordingly are denied benefits otherwise reasonably extended to them.

The active duty veteran who completes his six year term is also excluded from benefits since he would only get a bonus for a reenlistment after the initial voluntary enlistment, even though he spent four or more of his six years in the Alaska National Guard.

The phrase "or extends an enlistment" is added because the Air National Guard uses the concept of reenlistment and the Army National Guard extends an enlistment. No difference in result accrues from the different phrases and none is intended.

Perhaps the most significant change in the law results from determining the amount of bonuses at the end of each year of the reenlistment rather than at the time of reenlistment, even though they are payable annually at the end of the year. Since the amount of bonus ("10 days of basic pay") is tied under present law to the member's grade at the time of reenlistment, there is no incentive for long enlistments.

Rather, enlistments are for only one year. Because longer enlistments are possible, administrative savings will accrue because there would no longer be a need to process reenlistments on an annual basis.

Sincerely,

Jay S. Hammond  
Governor

THE LEGISLATURE OF THE STATE OF ALASKA

FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. HB 659 AMENDED  
 Title: Alaska National Guard, Reenlistment Bonus  
 Requested by: House Finance Committee Date: 2/25/76  
 Return Date Requested: 3/5/76  
 Agency: Military Affairs Program: Military Preparedness  
Organized Militia

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Military Preparedness

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		36.0	102.7	122.4	145.7	160.0
TOTAL		36.0	102.7	122.4	145.7	160.0

B. FUNDING: (Thousands of dollars)

GENERAL FUND		36.0	102.7	122.4	145.7	160.0
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	0/	/	/	/
MAN MONTHS (P./T.)	/	/	0/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See Attachment

IV. ATTACHMENTS

V. DATE: March 5, 1976 PREPARED BY: \_\_\_\_\_

Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

FISCAL NOTES

TITLE: Proposed Revision of Alaska National Guard R&R Incentive Programs--  
Reenlistment Bonus, AS 26.05.265

REQUESTED BY: Department of Military Affairs

BUDGET REQUEST UNIT: Item 700 - Grants, Claims (Reenlistment Bonus)

	<u>FY 77</u>	<u>FY 78</u>	<u>FY 79</u>	<u>FY 80</u>	<u>FY 81</u>
Current Law	\$115,000	\$126,000	\$138,000	\$152,000	\$167,000
Proposal Impact	<u>86,000</u>	<u>102,740</u>	<u>122,400</u>	<u>145,728</u>	<u>160,080</u>
Grand Total	\$201,000	\$228,740	\$260,400	\$297,728	\$327,080

FOR PROPOSAL ADDITIONAL ANNUAL COST  
ABOVE AND BEYOND CURRENT LAW

	<u>ADDITIONAL GROSS ELIGIBLES</u>	<u>X</u>	<u>AVERAGE SATISFACTORY PARTICIPATION</u>	<u>=</u>	<u>NET ELIGIBLES</u>	<u>X</u>	<u>AVERAGE COST/PERSON (+ 10%/ANNUUM)</u>	<u>=</u>	<u>ADDITIONAL ANNUAL COST</u>
FY 77	506	X	85%	=	430	X	\$200	=	\$ 86,000
FY 78	550	X	85%	=	467	X	\$220	=	102,740
FY 79	600	X	85%	=	510	X	\$240	=	122,400
FY 80	650	X	85%	=	552	X	\$264	=	145,728
FY 81	650	X	85%	=	552	X	\$290	=	160,080

REENLISTMENT BONUS FISCAL NOTES

FISCAL NOTES

TITLE: Proposed Revision of Alaska National Guard R&R Incentive Programs--  
Reenlistment Bonus, AS 26.05.265

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REENLISTMENT BONUS FISCAL NOTES

14B 659  
JAN 27 1976

6

The Honorable Mike Bradner  
Speaker of the House  
Alaska State Legislature  
Juneau, Alaska 99811

Dear Mr. Speaker:

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The bill amends AS 26.05.265 substantially. It deletes the initial references in sec. 265 to the "Military Selective Service Act of 1967" for several reasons. Federal law presently contemplates a volunteer army and the 1967 Act is not the most recent law on the subject.

By tying qualification under that Act to benefits under sec. 265, somewhat artificial problems are created. Women, who form an integral part of the membership of the National Guard, do not qualify under the 1967 Act and accordingly are denied benefits otherwise reasonably extended to them.

The active duty veteran who completes his six year term is also excluded from benefits since he would only get a bonus for a reenlistment after the initial voluntary enlistment, even though he spent four or more of his six years in the Alaska National Guard.

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Perhaps the most significant change in the law results from determining the amount of bonuses at the end of each year of the reenlistment rather than at the time of reenlistment, even though they are payable annually at the end of the year. Since the amount of bonus ("10 days of basic pay") is tied under present law to the member's grade at the time of reenlistment, there is no incentive for long enlistments.

Rather, enlistments are for only one year. Because longer enlistments are possible, administrative savings will accrue because there would no longer be a need to process reenlistments on an annual basis.

Sincerely,

Jay S. Hammond  
Governor

Introduced: 1/27/76  
Referred: State Affairs

1 IN THE HOUSE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2

HOUSE BILL NO. 659

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

NINTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the Alaska National Guard and  
7 Alaska Naval Militia reenlistment bonus."

8

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

9

\* Section 1. AS 26.05.265 is amended to read:

10

Sec. 26.05.265. REENLISTMENT BONUS. A [AFTER THE INITIAL

11

VOLUNTARY ENLISTMENT FOR THE PERIOD OF SERVICE IN THE ALASKA NATIONAL

12

GUARD OR THE ALASKA NAVAL MILITIA WHICH FULFILLS THE MANDATORY RE-

13

QUIREMENTS FOR MILITARY SERVICE UNDER THE MILITARY SELECTIVE SERVICE

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ACT OF 1967 (P.L. 90-40; 81 STAT. 100; 50 U.S.C. APP., SECS. 451-456

15

and 458-471), A] bonus shall be paid to a person who reenlists or ex-

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tends an enlistment in the Alaska National Guard or the Alaska Naval

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Militia. The bonus is a sum equal to 10 days of basic pay for each

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year he reenlists or extends his enlistment, computed according to a

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member's grade at the end of each qualifying year and payable at that

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time [TIME HE REENLISTS]. Payment of a bonus is contingent upon the

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member satisfactorily participating in unit training activities for

22

the year for which payment is to be made. [THE REENLISTMENT BONUS IS

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PRORATED OVER THE TOTAL REENLISTMENT PERIOD WITH PAYMENT OF AN EQUAL

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PORTION OF THE TOTAL AMOUNT AT THE END OF EACH SERVICE YEAR.]

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26

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28

29

Introduced: 1/27/76  
Referred: State Affairs

1 IN THE HOUSE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 HOUSE BILL, NO. 659

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

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9 \* Section 1. AS 26.05.265 is amended to read:

10 Sec. 26.05.265. REENLISTMENT BONUS. A [AFTER THE INITIAL  
11 VOLUNTARY ENLISTMENT FOR THE PERIOD OF SERVICE IN THE ALASKA NATIONAL  
12 GUARD OR THE ALASKA NAVAL MILITIA WHICH FULFILLS THE MANDATORY RE-  
13 QUIREMENTS FOR MILITARY SERVICE UNDER THE MILITARY SELECTIVE SERVICE  
14 ACT OF 1967 (P.L. 90-40; 81 STAT. 100; 50 U.S.C. APP., SECS. 451-456  
15 and 458-471), A] bonus shall be paid to a person who reenlists or ex-  
16 tends an enlistment in the Alaska National Guard or the Alaska Naval  
17 Militia. The bonus is a sum equal to 10 days of basic pay for each  
18 year he reenlists or extends his enlistment, computed according to a  
19 member's grade at the end of each qualifying year and payable at that  
20 time [TIME HE REENLISTS]. Payment of a bonus is contingent upon the  
21 member satisfactorily participating in unit training activities for  
22 the year for which payment is to be made. [THE REENLISTMENT BONUS IS  
23 PRORATED OVER THE TOTAL REENLISTMENT PERIOD WITH PAYMENT OF AN EQUAL  
24 PORTION OF THE TOTAL AMOUNT AT THE END OF EACH SERVICE YEAR.]

Introduced: 1/27/76  
Referred: State Affairs

1 IN THE HOUSE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 659

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska National Guard and  
7 Alaska Naval Militia reenlistment bonus."

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

9 \* Section 1. AS 26.05.265 is amended to read:

10 Sec. 26.05.265. REENLISTMENT BONUS. A [AFTER THE INITIAL  
11 VOLUNTARY ENLISTMENT FOR THE PERIOD OF SERVICE IN THE ALASKA NATIONAL  
12 GUARD OR THE ALASKA NAVAL MILITIA WHICH FULFILLS THE MANDATORY RE-  
13 QUIREMENTS FOR MILITARY SERVICE UNDER THE MILITARY SELECTIVE SERVICE  
14 ACT OF 1967 (P.L. 90-40; 81 STAT. 100; 50 U.S.C. APP., SECS. 451-456  
15 and 458-471), A] bonus shall be paid to a person who reenlists or ex-  
16 tends an enlistment in the Alaska National Guard or the Alaska Naval  
17 Militia. The bonus is a sum equal to 10 days of basic pay for each  
18 year he reenlists or extends his enlistment, computed according to a  
19 member's grade at the end of each qualifying year and payable at that  
20 time [TIME HE REENLISTS]. Payment of a bonus is contingent upon the  
21 member satisfactorily participating in unit training activities for  
22 the year for which payment is to be made. [THE REENLISTMENT BONUS IS  
23 PRORATED OVER THE TOTAL REENLISTMENT PERIOD WITH PAYMENT OF AN EQUAL  
24 PORTION OF THE TOTAL AMOUNT AT THE END OF EACH SERVICE YEAR.]



# RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith  
Signature of Camera Operator

2/6/90  
Date

HB 659

Note: There's a revised fiscal  
note as of 3-5-76.

COMMITTEE REPORT

2/3/76

HOUSE

Mr. Speaker:

Date 3-5-76

The Committee on FINANCE has had HB 659

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR \_\_\_\_\_ AND THAT  
CS FOR \_\_\_\_\_ DO PASS

"and" recommends it BE REFERRED TO THE \_\_\_\_\_  
COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

H. Malone \_\_\_\_\_  
\_\_\_\_\_ \_\_\_\_\_  
\_\_\_\_\_ \_\_\_\_\_  
\_\_\_\_\_ \_\_\_\_\_

Members NOT concurring in the Majority report:

\_\_\_\_\_ recommends:  
\_\_\_\_\_ recommends:  
\_\_\_\_\_ recommends:  
\_\_\_\_\_ recommends:  
\_\_\_\_\_ recommends:

H. Malone Chairman

Introduced: 1/27/76  
Referred: State Affairs

1 IN THE HOUSE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 659

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska National Guard and  
7 Alaska Naval Militia reenlistment bonus."

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

9 \* Section 1. AS 26.05.265 is amended to read:

10 Sec. 26.05.265. REENLISTMENT BONUS. A [AFTER THE INITIAL  
11 VOLUNTARY ENLISTMENT FOR THE PERIOD OF SERVICE IN THE ALASKA NATIONAL  
12 GUARD OR THE ALASKA NAVAL MILITIA WHICH FULFILLS THE MANDATORY RE-  
13 QUIREMENTS FOR MILITARY SERVICE UNDER THE MILITARY SELECTIVE SERVICE  
14 ACT OF 1967 (P.L. 90-40; 81 STAT. 100; 50 U.S.C. APP., SECS. 451-456  
15 and 458-471), A] bonus shall be paid to a person who reenlists or ex-  
16 tends an enlistment in the Alaska National Guard or the Alaska Naval  
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18 year he reenlists or extends his enlistment, computed according to a  
19 member's grade at the end of each qualifying year and payable at that  
20 time [TIME HE REENLISTS]. Payment of a bonus is contingent upon the  
21 member satisfactorily participating in unit training activities for  
22 the year for which payment is to be made. [THE REENLISTMENT BONUS IS  
23 PRORATED OVER THE TOTAL REENLISTMENT PERIOD WITH PAYMENT OF AN EQUAL  
24 PORTION OF THE TOTAL AMOUNT AT THE END OF EACH SERVICE YEAR.]  
25  
26  
27  
28  
29

THE LEGISLATURE OF THE STATE OF ALASKA  
FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. HB 659  
 Title: Alaska National Guard, Reenlistment Bonus  
 Requested by: House Finance Committee Date: 2/25/76  
 Return Date Requested: 3/5/76  
 Agency: Military Affairs Program: Military Preparedness  
Organized Militia

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Military Preparedness

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		86.0	102.7	122.4	145.7	160.0
TOTAL		86.0	102.7	122.4	145.7	160.0

B. FUNDING: (Thousands of dollars)

GENERAL FUND		86.0	102.7	122.4	145.7	160.0
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	0/	/	/	/
MAN MONTHS (P./T.)	/	/	0/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See Attachment

IV. ATTACHMENTS

V. DATE: March 5, 1976 PREPARED BY: *Fred Marton*

Original: Legislative Finance  
 cc: Budget and Management  
Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA  
FISCAL NOTE  
Second Session .. Ninth Legislature

I. REQUEST  
 Bill No. HB 659  
 Title: Alaska National Guard, Reenlistment Bonus  
 Requested by: House Finance Committee Date: 2/25/76  
 Return Date Requested: 3/5/76  
 Agency: Military Affairs Program: Military Preparedness  
Organized Militia

II. FISCAL DETAIL  
 Budget Request Unit(s) Affected: Military Preparedness

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		86.0	102.7	122.4	145.7	160.0
TOTAL		86.0	102.7	122.4	145.7	160.0

B. FUNDING: (Thousands of dollars)

GENERAL FUND		86.0	102.7	122.4	145.7	160.0
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	0/	/	/	/
MAN MONTHS (P./T.)	/	/	0/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See Attachment

IV. ATTACHMENTS

V. DATE: March 5, 1976 PREPARED BY: *Fred Martson*

Original: Legislative Finance  
 cc: Budget and Management  
Prime Sponsor (First Legislator Named)

FISCAL NOTES

TITLE: Proposed Revision of Alaska National Guard R&R Incentive Programs--  
Reenlistment Bonus, AS 26.05.265

REQUESTED BY: Department of Military Affairs

BUDGET REQUEST UNIT: Item 700 - Grants, Claims (Reenlistment Bonus)

	<u>FY 77</u>	<u>FY 78</u>	<u>FY 79</u>	<u>FY 80</u>	<u>FY 81</u>
Current Law	\$115,000	\$126,000	\$138,000	\$152,000	\$167,000
Proposal Impact	<u>86,000</u>	<u>102,740</u>	<u>122,400</u>	<u>145,728</u>	<u>160,080</u>
Grand Total	\$201,000	\$228,740	\$260,400	\$297,728	\$327,080

FOR PROPOSAL ADDITIONAL ANNUAL COST  
ABOVE AND BEYOND CURRENT LAW

	<u>ADDITIONAL GROSS ELIGIBLES</u>	<u>AVERAGE X SATISFACTORY PARTICIPATION</u>	<u>= NET ELIGIBLES</u>	<u>AVERAGE X COST/PERSON (+ 10%/ANNUM)</u>	<u>= ANNUAL COST</u>
FY 77	506	X 85%	= 430	X \$200	= \$ 86,000
FY 78	550	X 85%	= 467	X \$220	= 102,740
FY 79	600	X 85%	= 510	X \$240	= 122,400
FY 80	650	X 85%	= 552	X \$264	= 145,728
FY 81	650	X 85%	= 552	X \$290	= 160,080

THE LEGISLATURE OF THE STATE OF ALASKA  
FISCAL NOTE

Second Session - Ninth Legislature

*Fiscal Note 1 - incorrect, as  
I shows total rather than  
additional costs R*

I. REQUEST  
 Bill No. HB 659  
 Title: Alaska National Guard, Reenlistment Bonus  
 Requested by: House Finance Committee Date: 2/25/76  
 Return Date Requested: 2/25/76  
 Agency: Military Affairs Program: Military Preparedness  
Organized Militia

II. FISCAL DETAIL  
 Budget Request Unit(s) Affected: Military Preparedness

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.	149.0	201.0	228.7	260.4	297.7	327.1
TOTAL	149.0	201.0	228.7	260.4	297.7	327.1

B. FUNDING: (Thousands of dollars)

GENERAL FUND	149.0	201.0	228.7	260.4	297.7	327.1
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	---/---	---/---	---/0-	---/---	---/---	---/---
MAN MONTHS (P./T.)	---/---	---/---	---/0-	---/---	---/---	---/---

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See Attachment

IV. ATTACHMENTS

V. DATE: 25 February 1976 PREPARED BY: Lois L. Richardson

Lois L. Richardson, Director

Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

FISCAL NOTES

TITLE: Proposed Revision of Alaska National Guard R&R Incentive Programs--  
Reenlistment Bonus, AS 26.05.265

REQUESTED BY: Department of Military Affairs

BUDGET REQUEST UNIT: Item 700 - Grants, Claims (Reenlistment Bonus)

	<u>FY 77</u>	<u>FY 78</u>	<u>FY 79</u>	<u>FY 80</u>	<u>FY 81</u>
Current Law	\$115,000	\$126,000	\$138,000	\$152,000	\$167,000
Proposal Impact	<u>86,000</u>	<u>102,740</u>	<u>122,400</u>	<u>145,728</u>	<u>160,080</u>
Grand Total	\$201,000	\$228,740	\$260,400	\$297,728	\$327,080

FOR PROPOSAL ADDITIONAL ANNUAL COST  
ABOVE AND BEYOND CURRENT LAW

	<u>ADDITIONAL GROSS ELIGIBLES</u>	<u>X</u>	<u>AVERAGE SATISFACTORY PARTICIPATION</u>	<u>=</u>	<u>NET ELIGIBLES</u>	<u>X</u>	<u>AVERAGE COST/PERSON (+ 10%/ANNUM)</u>	<u>=</u>	<u>ADDITIONAL ANNUAL COST</u>
FY 77	506	X	85%	=	430	X	\$200	=	\$ 86,000
FY 78	550	X	85%	=	467	X	\$220	=	102,740
FY 79	600	X	85%	=	510	X	\$240	=	122,400
FY 80	650	X	85%	=	552	X	\$264	=	145,728
FY 81	650	X	85%	=	552	X	\$290	=	160,080

REENLISTMENT BONUS FISCAL NOTES



# RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith  
Signature of Camera Operator

2/6/90  
Date

# COMMITTEE REPORT

4/6/76

HOUSE

Mr. Speaker:

Date 4-7-76

The Committee on FINANCE has had HR 560

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR \_\_\_\_\_ AND THAT  
CS FOR \_\_\_\_\_ DO PASS

"and" recommends it BE REFERRED TO THE \_\_\_\_\_  
COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

<u>[Signature]</u>	<u>[Signature]</u>	<u>                    </u>
<u>[Signature]</u>	<u>[Signature]</u>	<u>                    </u>
<u>[Signature]</u>	<u>[Signature]</u>	<u>                    </u>
<u>[Signature]</u>	<u>[Signature]</u>	<u>                    </u>

Members NOT concurring in the Majority report:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

[Signature] Chairman

Introduced: 1/27/76  
Referred: Health, Education &  
Social Services and Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 660

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the transportation of exceptional  
7 children; and providing for an effective date."

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

9 \* Section 1. AS 14.30.347 is amended to read:

10 Sec. 14.30.347. TRANSPORTATION OF EXCEPTIONAL CHILDREN. When  
11 transportation is required to be provided as part of special services,  
12 exceptional children [, WHENEVER PRACTICABLE.] shall be carried with  
13 other [SEPARATELY FROM THE] children, except when the nature of their  
14 physical or mental handicaps is such that it is in the best interest  
15 of the exceptional children, as determined by the school district,  
16 that they be transported separately [ATTENDING REGULAR CLASSES].  
17 State reimbursement for transportation of exceptional children shall  
18 be as provided for transportation of all other pupils [ATTENDING  
19 REGULAR CLASSES] except that eligibility for reimbursement shall not  
20 be subject to restriction based on the minimum distance between the  
21 school and the residence of the exceptional child.

22 \* Sec. 2. This Act takes effect immediately in accordance with AS 01.-  
23 10.070(c).

HB 660

JAN 27 1976

The Honorable Mike Bradner  
Speaker of the House  
Alaska State Legislature  
Juneau, Alaska 99811

Dear Mr. Speaker:

In accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill relating to the transportation of exceptional children.

The bill amends AS 14.30.347 which presently provides that exceptional children are to be transported to school separately from other children whenever possible. The Department of Education believes this requirement for special treatment of all exceptional children is inconsistent with the "mainstreaming" approach to the education of those children. This approach calls for placing them with their peers whenever possible in order to provide them with an enriched curriculum and to help alleviate certain handicapping conditions merely by association with more "normalized" situations. The amendments to sec. 347 proposed in this bill would further augment the "mainstreaming" concept by providing that exceptional children are to be transported with other children except where it would be in their best interest to be transported separately. Examples of situations where these children might still be transported separately include requirements for special seating, for extra supervisory personnel, and for special vehicles with lifts or extra large doors.

Sincerely,

Jay S. Hammond  
Governor

THE LEGISLATURE OF THE STATE OF ALASKA  
FISCAL NOTE  
 Second Session - Ninth Legislature

I. REQUEST

Bill No. HB #660  
 Title: relating to the transportation of exceptional children, & setting eff. date  
 Requested by: House HESS Date: 4-1-76  
 Return Date Requested: ASAP  
 Agency: Education Program: Financial Support

II. FISCAL DETAIL

Budget Request Unit(s) Affected: \_\_\_\_\_

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		-0-	-0-	-0-	-0-	-0-

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Fiscal impact is zero.

IV. ATTACHMENTS

V. DATE: April 1, 1976 PREPARED BY: William A. Thomas

Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)