

LEG. FINANCE - BILLS 1977 - 1978 664

SSHB 126 thru HB 133



# 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

2/14/90  
Date

THE LEGISLATURE OF THE STATE OF ALASKA  
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Sponsor Substitute HB 125 and HB 126  
 Title Alaska Education Administration Internship Program  
 Requested by H.E.S.S. Date March 2, 1978

HB 125 + 126

II. FISCAL DETAIL

Agency Affected Department of Education  
 Program Category Affected Department of Education  
 Budget Request Unit(s) Affected Alaska Commission on Postsecondary Education

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES			41.9	45.0	48.0	
200 TRAVEL			5.0	5.0	5.0	
300 CONTRACTUAL			-0-	-0-	-0-	
400 COMMODITIES			3.0	3.0	3.0	
500 EQUIPMENT			-0-	-0-	-0-	
600 LAND & STRUCTURES			-0-	-0-	-0-	
700 GRANTS. CLAIMS. ETC.			235.1	235.0	235.0	
<b>TOTAL</b>			<b>285.0</b>	<b>288.0</b>	<b>291.0</b>	

FUNDING (Thousands of Dollars)

GENERAL FUND			225.0	228.0	231.0	
FEDERAL FUNDS			60.0	60.0	60.0	
OTHER (Specify)						

POSITIONS

FULL TIME			1.5	1.5	1.5	
PART TIME						
TEMPORARY						

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

Project Director Full Time	21 A	12 x 2,356 =	28,272	
Clerk Typist III Full/Half Time	8 A	12 x 478.5 =	5,742	
Fixed Charges @ 23%			7,823	41,837
Travel for Director				5,000
Commodities				3,000
Student Support Services, Tuition, etc. 21 @ 8,342				<u>175,163</u>
				225,000
Student Support Services Other	21 @ 2,817			<u>59,157</u>
				284,157

IV. DATE March 2, 1978 PREPARED BY James R. Beima  
 AGENCY Alaska Commission on Postsecondary Education  
 PHONE 465-2854  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

"An Act making a special appropriation to the Alaska Commission on Post-secondary Education; effective date."

### COMMITTEE REPORT

3/18/77

HOUSE

\_\_\_\_\_ Date

Mr. Speaker:

The Committee on FINANCE has had SSHB 126 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
- AND attaches a report of its intent
- (other) \_\_\_\_\_

MEMBERS SIGNING THE MAJORITY REPORT:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

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

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

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

\_\_\_\_\_ Chairman

"An Act making a special appropriation to the Alaska Commission on Postsecondary Education; and providing for an effective date."

3-14-77

# COMMITTEE REPORT

FINANCE

## HOUSE

3-17-77 Date

Mr. Speaker:

The Committee on HESS has had SSHR 126 under consideration. A majority <sup>and</sup> of the members of the Committee

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s) *& with individual recommendations*
- recommends it be replaced with CS for \_\_\_\_\_ and that CS for \_\_\_\_\_ do pass
- (and) recommend: it be referred to the \_\_\_\_\_ committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other) \_\_\_\_\_

### MEMBERS SIGNING THE MAJORITY REPORT:

- ① Charles Han DO PASS
- ② Jon Rennell No REC

### MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

- ③ V. V. [Signature] recommends: Do Not Pass
- ④ Al [Signature] recommends: Do Not Pass unless amended,
- \_\_\_\_\_ recommends: \_\_\_\_\_

Charles Han  
Chairman

AMENDMENT #1

OFFERED IN THE HOUSE:

By: HOUSE HESS

To: \_\_\_\_\_ HOUSE BILL No. SSHB 126

SENATE BILL No. \_\_\_\_\_

PAGE: \_\_\_\_\_

LINE: 10

Line 10 - change "\$260,000" to "\$225,000".

(Continued)

THE LEGISLATURE OF THE STATE OF ALASKA  
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Sponsor Substitute HB 125 and HB 126  
 Title Alaska Education Administration Internship Program  
 Requested by H.E.S.S. Date March 15, 1977

II. FISCAL DETAIL

Agency Affected Department of Education  
 Program Category Affected Department of Education  
 Budget Request Unit(s) Affected Alaska Commission on Postsecondary Education

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
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700 GRANTS, CLAIMS, ETC.		235.1	235.0	235.0		
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				225,000
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				284,157

IV. DATE March 15, 1977 PREPARED BY James R. Beima  
 AGENCY Alaska Commission on Postsecondary Education  
 PHONE 465-2855  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

PROPOSED NATIVE INTERN PROGRAM

4 AAC 12.030 Administrative Certificate (Type B). (a) The administrative certificate, valid for five years, shall be issued to an applicant who (1) has completed a program in school administration....has a Master's or higher degree....and has three years of satisfactory teaching experience on a regular certificate; or (2) has completed a comparable program in another state and is recommended by the preparing institution.

Minor in Elementary Education

Ed. 313	Ed. Psych.	3	Psy 101	Int. to Psy	3
Ed. 314	Behavior Modification	1	Psy 245	Child Dev.	3
Ed. 315	Elementary Methods I	3			<u>6</u>
Ed. 316	Elementary Methods II	3			
Ed. 317	Elementary Methods III	3			
Ed. 332	Test and Measure	3			
Ed. 409	Teaching Reading	3			
Ed. 452	Student Teaching	9			
		<u>28</u>			

Minor in Secondary Education

Ed. 313	Ed. Psych.	3	Psy 101	Int. to Psy	3
Ed. 332	Tests and Measure	3	Psy 246	Adolescence	3
Ed. 314	Behavior Modification	1			<u>6</u>
Ed. 421	Secondary Education	3			
Ed. 402	Methods of Teaching	3			
Ed. 452	Student Teaching	9			
		<u>22</u>			

M Ed Public School Administration

Ed. 601	Graduate Seminar	3	Admitted after 8 hrs. grad. cr.
Ed. 627	Educational Research	3	36 Sem. hrs.
Ed. 631	Advanced Ed. Psy.	3	May transfer 9 sem hrs
Ed. 422	Philosophy of Education	3	Complete program within 7 yrs.
Ed. 446	Public Sch. Org.	3	Pass final examination
Ed. 615	Prin. and Prac. Guid.	3	Minimum 24 hrs. Ed.
Ed. 620	Curriculum Dev.	3	1 Yr. satisfactory teaching exper.
Ed. 637	Public Sch. Adm	3	
Ed. 638	Super. and Improve. Inst.	3	
Ed. 639	Public Sch. Finance	3	
Ed. 641	School Law	3	
Ed. 691	Seminar in Education	3	
		<u>36</u>	

School Administration Ed.S. Degree

Ed. 345	Sociology of Education	3	1 yr of teaching
	Courses Outside of Education	15	24 credit hrs. Education
	Arranged by Major Professor		60 credits beyond B.S.
	Field Study or Internship	6	18 credits at grad level
Ed. 636	Advanced Public School Adm.	3	36 cr: transfer
Ed. 691	Seminar in Elem. Sec. Adm.	3	Completed within 7 yrs.
Ed. 691	Seminar in Personnel Mgmt.	3	Satisfactory examination
Ed. 691	Seminar in Theory of Ed. Adm.	3	24 hrs. at University
		<u>36 hrs.</u>	GRA and/or Miller.
			Ability to write

Introduced: 3/14/77  
Referred; Health, Education &  
Social Services and Finance

1 IN THE HOUSE

BY DUNCAN

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 126  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Alaska  
7 Commission on Postsecondary Education; and providing  
8 for an effective date."

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

10 \* Section 1. The sum of \$260,000 is appropriated from the general fund to  
11 the Alaska Commission on Postsecondary Education for the purposes of funding  
12 tuition grants under the Alaska education administration internship program.

13 \* Sec. 2. This Act takes effect on the effective date of a version of an  
14 Act entitled "An Act establishing the Alaska education administration intern-  
15 ship program."

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2895  
Bennett

Introduced: 3/14/67  
Referred: Health, Education &  
Social Services and Finance

1 IN THE HOUSE

BY DUNCAN

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<b>ALASKA STATE LEGISLATURE</b>	
TENTH Legislature	FIRST Session
SPONSOR SUBSTITUTE	
HOUSE BILL	NO. 126
By DUNCAN	
"An Act making a special appropriation to the Alaska Commission of Postsecondary Education; and providing for an effective date."	
Ak. Comm. on Postsecond. ed.	
Introduced in the House 3-14-1977	

HISTORY IN THE HOUSE																							
19 77	Read first time and referred to Committee on																						
Mar. 14	<b>HESS and Finance</b>																						
	Reported back with recommendation that																						
	Read second time and																						
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HISTORY IN THE HOUSE	
19	Received from Senate
	Concurred in Senate amendment thus adopting:
	Failed to concur in Senate amendment; asked Sen. to recede
	Senate receded from amendment
	Senate failed to recede from amendment
	FCC appointed by House
	FCC appointed by Senate
	FCC adopted
	To enrolling
	Reported correctly enrolled
	Sent to Governor
	..... by Governor
	Filed with Lt. Governor
	Chapter No. ....

Introduced: 3/14/77  
Referred: Health, Education &  
Social Services and Finance

1 IN THE HOUSE

BY DUNCAN

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 126  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Alaska  
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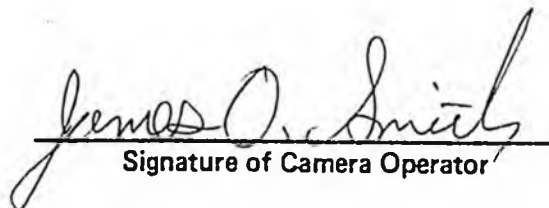
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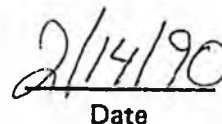


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Signature of Camera Operator

  
Date

"An Act making a special appropriation to the Department of Public Works, Haines boat harbor completion; effective date."

### COMMITTEE REPORT

### HOUSE

2/24/77

\_\_\_\_\_ Date

Mr. Speaker:

The Committee on FINANCE has had HR 129

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
- AND attaches a report of its intent
- (other) \_\_\_\_\_

MEMBERS SIGNING THE MAJORITY REPORT:

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

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____	recommends:	_____
_____	recommends:	_____
_____	recommends:	_____

\_\_\_\_\_ Chairman

"An Act making a special appropriation to the Department of Public Works, Haines boat harbor completion; and providing for an effective date."

1-28-77

# COMMITTEE REPORT

FINANCE

## HOUSE

February 23, 1977

Date

Mr. Speaker:

The Committee on STATE AFFAIRS has had HB 129

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
- AND attaches a report of its intent
- (other) \_\_\_\_\_

### MEMBERS SIGNING THE MAJORITY REPORT:

<u>C. S. Bradley</u>	<u>- Do Pass</u>	<u>Joe McKinnon</u>
<u>Tim Kelly</u>	<u>- Do Pass</u>	_____
<u>_____</u>	<u>Do Pass</u>	_____
<u>_____</u>	<u>Do Pass</u>	_____

### MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

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

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

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

C. S. Bradley  
Chairman



JUNEAU ALASKA

Alaska State Legislature  
House

FEB 23 1977  
*Com. of*

February 23, 1977

Representative Hugh Malone  
House Speaker  
Stephen C. Cowper  
Finance Chairman  
Capitol Building  
Juneau, Alaska 99801

Re: HB-129 Haines Boat Harbor

Dear Mr. Speaker and Finance Chairman:

In passing out HB-129, the committee intends that employment preference policies preferring local residents to residents statewide be adopted by the administration so as to help alleviate a critical unemployment situation in Haines. However, the committee also recognizes that this recommendation may be inappropriate under current law. AS 36.10.10, which concerns employment preference in public contracts, provides in pertinent part as follows:

" . . . In all cases of public works projects, preference shall be given to residents. In an area which has been designated as an area impacted by an economic disaster, residents of that area shall be given preference as provided in AS 44.33.290 followed by other residents of the state."

HB-129 is a public works project. Thus, statewide preference for residents of Alaska is required by 36.10.10. Local preference is not required since Haines has not been formally declared an economic disaster by the governor pursuant to AS 44.33.285. The committee is presently exploring ways to ensure that local preference provisions be made applicable to the Haines Public Works project contemplated in HB-129.

Sincerely,

Handwritten signature of Bob Bradley in cursive script.  
REP. BOB BRADLEY  
HOUSE STATE AFFAIRS

Introduced: 1/28/77  
Referred: State Affairs and  
Finance

3134  
Walker

1 IN THE HOUSE

BY DUNCAN AND MILLER

2 HOUSE BILL NO. 129

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-  
7 ment of Public Works, Haines boat harbor completion;  
8 and providing for an effective date."

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

10 \* Section 1. The sum of \$600,000 is appropriated from the general fund to  
11 the Department of Public Works for construction of a float in the small boat  
12 harbor at Haines.

13 \* Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-  
14 070(c).

ALASKA STATE LEGISLATURE

TENTH Legislature FIRST Session

HOUSE BILL NO. 129

By DUNCAN AND MILLER

"An Act making a special appropriation to the Department of Public Works, Haines boat harbor completion; and providing for an effective date."

Haines boat harbor - appropri.

Introduced in the House 1-23, 1977

HISTORY IN THE HOUSE

19 77	Read first time and referred to Committee on State Affairs and Finance										
Jan. 28	Reported back with recommendation that										
	Read second time and										
	Read third time and										
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CHIEF CLERK OF THE HOUSE											

HISTORY IN THE SENATE

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	To enrolling
	Reported correctly enrolled
	Sent to Governor
	..... by Governor
	Filed with Lt. Governor
	Chapter No. ....

Introduced: 1/28/77  
Referred: State Affairs and  
Finance

1 IN THE HOUSE

BY DUNCAN AND MILLER

2

HOUSE BILL NO. 129

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act making a special appropriation to the Department of Public Works, Haines boat harbor completion; and providing for an effective date."

7

8

9

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

10

\* Section 1. The sum of \$600,000 is appropriated from the general fund to the Department of Public Works for construction of a float in the small boat harbor at Haines.

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\* Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-070(c).

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#



JUNEAU ALASKA

Alaska State Legislature  
House

February 23, 1977

Representative Hugh Malone  
House Speaker  
Stephen C. Cowper  
Finance Chairman  
Capitol Building  
Juneau, Alaska 99801

Re: HB-129 Haines Boat Harbor

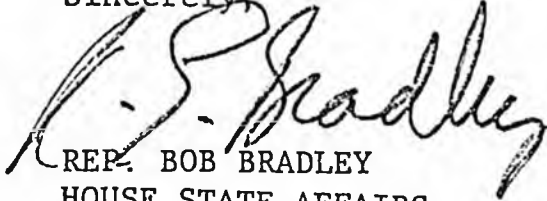
Dear Mr. Speaker and Finance Chairman:

In passing out HB-129, the committee intends that employment preference policies preferring local residents to residents statewide be adopted by the administration so as to help alleviate a critical unemployment situation in Haines. However, the committee also recognizes that this recommendation may be inappropriate under current law. AS 36.10.10, which concerns employment preference in public contracts, provides in pertinent part as follows:

" . . . In all cases of public works projects, preference shall be given to residents. In an area which has been designated as an area impacted by an economic disaster, residents of that area shall be given preference as provided in AS 44.33.290 followed by other residents of the state."

HB-129 is a public works project. Thus, statewide preference for residents of Alaska is required by 36.10.10. Local preference is not required since Haines has not been formally declared an economic disaster by the governor pursuant to AS 44.33.285. The committee is presently exploring ways to ensure that local preference provisions be made applicable to the Haines Public Works project contemplated in HB-129.

Sincerely,

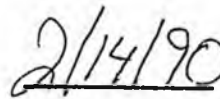
  
REP. BOB BRADLEY  
HOUSE STATE AFFAIRS



# 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.

  
Signature of Camera Operator

  
Date

# COMMITTEE REPORT

## SENATE

3/2/78

FURTHER: \_\_\_\_\_

Date: April 14, 1978

Mr. President:

The Committee on FINANCE has had CSHB 112 establishing the state educational incentive grant program

under consideration and (a majority of the committee) (the committee reports it back as follows)

- 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 \_\_\_\_\_  new title                       same title

- AND attaches a Letter of Intent                       New Fiscal Note  
 reports it back without recommendation  
 and recommends it be referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

John J. Schmitt  
Chairman

A M E N D M E N T

OFFERED IN THE SENATE:

By: SENATE HESS

To: \_\_\_\_\_ SENATE BILL No. \_\_\_\_\_

HOUSE BILL No. CSHB 132

PAGE: 3

LINE: \_\_\_\_\_

Beginning on line 23 add new section (C) to read:

- (C) or the difference between the educational costs of the student and the student's expected family contribution is not less than \$90;

A M E N D M E N T

Offered in the SENATE

By Finance Committee

To: \_\_\_\_\_ SENATE BILL NO. \_\_\_\_\_

CS HOUSE BILL NO. 132

AMENDMENT: Page 4 Line 2

Change effective date from July 1, 1977 to July 1, 1978.

Con.

THE LEGISLATURE OF THE STATE OF ALASKA  
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 132  
Title An act establishing the state educational incentive grant program  
Requested by \_\_\_\_\_ Date 5-2-77

II. FISCAL DETAIL

Agency Affected Department of Education  
Program Category Affected Education  
Budget Request Unit(s) Affected Alaska Commission on Postsecondary Education

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES		7.5	8.0	8.5	9.0	9.5
200 TRAVEL						
300 CONTRACTUAL		.2	.2	.3	.3	.4
400 COMMODITIES		.1	.1	.2	.2	.2
500 EQUIPMENT		1.0		.2		.3
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		141.2	160.0	170.0	180.0	180.0
TOTAL		150.0	168.3	179.2	189.5	190.4

FUNDING (Thousands of Dollars)

GENERAL FUND		79.4	88.3	94.2	99.5	100.4
FEDERAL FUNDS		70.6	80.0	85.0	90.0	90.0
OTHER (Specify)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY		1.0	1.0	1.0	1.0	1.0

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

- 100 Personal Services include a 1.0 Temporary Awards Clerk at Salary Schedule 8-A for 6 months (3 mos. Spring & 3 mos. Fall), an inflation factor for FY 79, 80+ of 6.5%
- 700 Grants include 1-for-1 state and federal matching grants to students with increases for anticipated larger federal shares for Alaska and an accompanying increased student participation rate.

IV. DATE May 2, 1977

PREPARED BY [Signature]  
AGENCY Alaska Commission on Postsecondary Education  
PHONE 465-2855

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

Original sponsors: Parr, Gardiner,  
Nakak, et al

Offered: 2/28/77  
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 132

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the state educational incentive  
7 grant program; and providing for an effective date."

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

9 \* Section 1. AS 14.40 is amended by adding new sections to read:

10 ARTICLE 13. ALASKA STATE EDUCATIONAL

11 INCENTIVE GRANT PROGRAM.

12 Sec. 14.40.930. PURPOSE; CREATION. There is established the  
13 Alaska state educational incentive grant program to provide financial  
14 assistance to eligible students with substantial financial need to  
15 enable them to attend, or continue their attendance at, postsecondary  
16 educational institutions. Funds appropriated for this program shall be  
17 used as matching funds for the state's participation in the federal  
18 state student incentive grant program (P.L. 92-318; 20 U.S.C. 1070c-c3).

19 Sec. 14.40.935. ADMINISTRATION. (a) The educational incentive  
20 grant program established under secs. 930 - 960 of this chapter shall be  
21 administered by the executive secretary of the student financial aid  
22 committee under secs. 753 and 757 of this chapter, subject to review by  
23 the committee, and those regulations the committee may prescribe to  
24 carry out the purposes of secs. 930 - 960 of this chapter.

25 (b) To the extent that they are not in conflict with the provi-  
26 sions of secs. 930 - 935 of this chapter, the provisions of secs. 751 -  
27 806 of this chapter relating to student financial aid are applicable to  
28 the grants made under secs. 930 - 960 of this chapter.

29 Sec. 14.40.940. DISTRIBUTION OF FUNDS. The funds appropriated

1 for the educational incentive grant program shall be allocated to eli-  
2 gible students in accordance with the provisions of the federal state  
3 student incentive grant program and regulations promulgated under secs.  
4 757 and 935 of this chapter.

5 Sec. 14.40.945. ELIGIBILITY; PRIORITY. (a) A student may apply  
6 for an educational incentive grant if he

7 (1) is a resident of Alaska;

8 (2) is either

9 (A) enrolled as a full-time undergraduate student in a  
10 degree program in an accredited postsecondary educational institu-  
11 tion; or

12 (B) a graduate of a high school in the state, or sched-  
13 uled for graduation from a high school in the state within six  
14 months with sufficient credits to be admitted to an accredited  
15 postsecondary educational institution; and

16 (3) establishes substantial financial need.

17 (b) The committee shall, by regulation, establish a system of  
18 priority in the selection of recipients of grants under secs. 930 - 960  
19 of this chapter under which students from "low income" families or whose  
20 incomes are considered "low income" shall be given preference in the  
21 award of the educational incentive grants.

22 Sec. 14.40.950. LIMITATION ON GRANTS. (a) No grant made under  
23 secs. 930 - 960 of this chapter may be in an amount less than \$100 nor  
24 more than \$1,500 for each academic year.

25 (b) A grant awarded under secs. 930 - 960 of this chapter may be  
26 used by a student only at an accredited postsecondary educational insti-  
27 tution.

28 Sec. 14.40.955. CONFIDENTIALITY OF CERTAIN INFORMATION. All  
29 information submitted in support of a determination of substantial

1 financial need as provided in sec. 960(3) of this chapter is confiden-  
2 tial. However, an applicant may inspect or copy information from his  
3 own application, or records relating to his own application, or author-  
4 ize release of the application or records to designated individuals or  
5 organizations.

6 Sec. 14.40.960. DEFINITIONS. In secs. 930 - 960 of this chapter

7 (1) "expected family contribution" means the sum of amounts  
8 which reasonably may be expected from the student and the student's  
9 spouse to meet the student's cost of education and, when relevant, the  
10 amount which reasonably may be expected to be made available to him by  
11 his parents for this purpose;

12 (2) "resident" means a person who, except for brief inter-  
13 vals, military service, attendance at an educational or training insti-  
14 tution, or for absences for good cause shown, has resided in Alaska and  
15 who has maintained his domicile in Alaska; domicile is the true and  
16 permanent home of a person from which he has no present intention of  
17 moving and to which he intends to return whenever he is away;

18 (3) "substantial financial need" means

19 (A) the student's expected family contribution to the  
20 educational costs of the student is \$2,800 a year or less; or

21 (B) the student's, or when relevant, the student's  
22 parents' net income is \$20,000 a year or less;

23 (4) "undergraduate" means a student who has not completed a  
24 baccalaureate, graduate or professional degree.

25 \* Sec. 2. AS 14.40.909(b)(4) is amended to read:

26 (4) administer the provisions of secs. 751 - 845 and 930 -  
27 960 of this chapter [AS 14.40.751 - 14.40.806] (student financial aid  
28 program: scholarship loan, [AND] tuition grant, memorial scholarship  
29 loan and educational incentive grant programs [PROGRAM]), and serve as

1           the student financial aid committee;

2           \* Sec. 3. This Act takes effect July 1, 1977.

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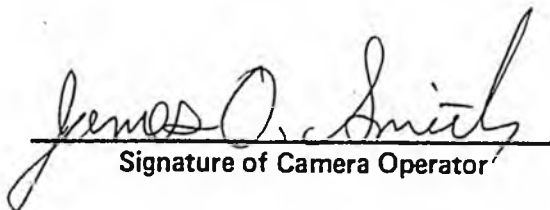
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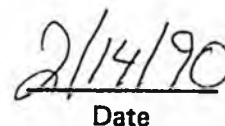


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Signature of Camera Operator

  
Date

"An Act establishing the state educational incentive grant program; effective date."

# COMMITTEE REPORT

## HOUSE

2/26/77

5-2-77

Date

Mr. Speaker:

The Committee on FINANCE has had HB 132

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 HB 132 and that  
CS for HB 132 do pass

(and) recommends it be referred to the \_\_\_\_\_  
committee

reports it back without recommendation

AND attaches a report of its intent

(other) 4 amendments 5-2-77

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

### MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

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

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

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

[Signature]  
Chairman

THE LEGISLATURE OF THE STATE OF ALASKA  
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 132  
 Title An act establishing the state educational incentive grant program  
 Requested by \_\_\_\_\_ Date 5-2-77

II. FISCAL DETAIL

Agency Affected Department of Education  
 Program Category Affected Education  
 Budget Request Unit(s) Affected Alaska Commission on Postsecondary Education

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES		7.5	8.0	8.5	9.0	9.5
200 TRAVEL						
300 CONTRACTUAL		.2	.2	.3	.3	.4
400 COMMODITIES		.1	.1	.2	.2	.2
500 EQUIPMENT		1.0		.2		.3
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		141.2	160.0	170.0	180.0	180.0
TOTAL		150.0	168.3	179.2	189.5	190.4

FUNDING (Thousands of Dollars)

GENERAL FUND		79.4	88.3	94.2	99.5	100.4
FEDERAL FUNDS		70.6	80.0	85.0	90.0	90.0
OTHER (Specify)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY		1.0	1.0	1.0	1.0	1.0

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

- 100 Personal Services include a 1.0 Temporary Awards Clerk at Salary Schedule 8-A for 6 months (3 mos. Spring & 3 mos. Fall), an inflation factor for FY 79, 80+ of 6.5%
- 700 Grants include 1-for-1 state and federal matching grants to students with increases for anticipated larger federal shares for Alaska and an accompanying increased student participation rate.

IV. DATE May 2, 1977 PREPARED BY Larry D. Pommeroy  
 AGENCY Alaska Commission on Postsecondary Education  
 PHONE 465-2855

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

Original sponsors: Parr, Gardiner,  
Nakak, et al

Offered: 2/28/77  
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 132

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the state educational incentive  
7 grant program; and providing for an effective date."

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

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THE LEGISLATURE OF THE STATE OF ALASKA  
TENTH LEGISLATURE

REVISED

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 132

Title An Act establishing the state educational incentive grant program

Requested by \_\_\_\_\_ Date 4-28-1977

II. FISCAL DETAIL

Agency Affected Department of Education

Program Category Affected Education (Commission on Postsecondary Education)

Budget Request Unit(s) Affected Student Financial Aids

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES		15.1	16.3	17.4	18.5	19.7
200 TRAVEL						
300 CONTRACTUAL		.2	.2	.3	.3	.4
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600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		141.2	160.0	170.0	180.0	180.0
<b>TOTAL</b>		<b>157.6</b>	<b>176.6</b>	<b>188.1</b>	<b>199.0</b>	<b>200.6</b>

FUNDING (Thousands of Dollars)

GENERAL FUND		87.0	96.6	103.1	109.0	110.6
FEDERAL FUNDS		70.6	80.0	85.0	90.0	90.0
OTHER (Specify)						

POSITIONS

FULL TIME		1.0	1.0	1.0	1.0	1.0
PART TIME		-	-	-	-	-
TEMPORARY		-	-	-	-	-

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

100 Personal Services include 1.0 Awards Clerk at Salary Schedule 8-A, with an inflation factor for FY 79, 80+ of 6.5%

700 Grants include 1-for-1 state and federal matching grants to students with increases for anticipated larger federal shares for Alaska and an accompanying increased student participation rate.

IV. DATE April 28, 1977

PREPARED BY *Harry D. Gomez-Selley*  
AGENCY Alaska Commission on Postsecondary Education  
PHONE 465-2855

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

Original sponsors: Parr, Gardiner,  
Nakak, et al

Offered: 2/28/77  
Referred: Finance

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BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 132

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4 TENTH LEGISLATURE - FIRST SESSION

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11 tion; or

12 (B) a graduate of a high school in the state, or sched-  
13 uled for graduation from a high school in the state within six  
14 months with sufficient credits to be admitted to an accredited  
15 postsecondary educational institution; and

16 (3) establishes substantial financial need.

17 (b) The committee shall, by regulation, establish a system of  
18 priority in the selection of recipients of grants under secs. 930 - 960  
19 of this chapter under which students from "low income" families or whose  
20 incomes are considered "low income" shall be given preference in the  
21 award of the educational incentive grants.

22 Sec. 14.40.950. LIMITATION ON GRANTS. (a) No grant made under  
23 secs. 930 - 960 of this chapter may be in an amount less than \$100 nor  
24 more than \$1,500 for each academic year.

25 (b) A grant awarded under secs. 930 - 960 of this chapter may be  
26 used by a student only at an accredited postsecondary educational insti-  
27 tution.

28 Sec. 14.40.955. CONFIDENTIALITY OF CERTAIN INFORMATION. All  
29 information submitted in support of a determination of substantial

1 financial need as provided in sec. 960(3) of this chapter is confiden-  
2 tial. However, an applicant may inspect or copy information from his  
3 own application, or records relating to his own application, or author-  
4 ize release of the application or records to designated individuals or  
5 organizations.

6 Sec. 14.40.960. DEFINITIONS. In secs. 930 - 960 of this chapter

7 (1) "expected family contribution" means the sum of amounts  
8 which reasonably may be expected from the student and the student's  
9 spouse to meet the student's cost of education and, when relevant, the  
10 amount which reasonably may be expected to be made available to him by  
11 his parents for this purpose;

12 (2) "resident" means a person who, except for brief inter-  
13 vals, military service, attendance at an educational or training insti-  
14 tution, or for absences for good cause shown, has resided in Alaska and  
15 who has maintained his domicile in Alaska; domicile is the true and  
16 permanent home of a person from which he has no present intention of  
17 moving and to which he intends to return whenever he is away;

18 (3) "substantial financial need" means

19 (A) the student's expected family contribution to the  
20 educational costs of the student is \$2,800 a year or less; or

21 (B) the student's, or when relevant, the student's  
22 parents' net income is \$20,000 a year or less;

23 (4) "undergraduate" means a student who has not completed a  
24 baccalaureate, graduate or professional degree.

25 \* Sec. 2. AS 14.40.909(b)(4) is amended to read:

26 (4) administer the provisions of secs. 751 - 845 and 930 -  
27 960 of this chapter [AS 14.40.751 - 14.40.806] (student financial aid  
28 program: scholarship loan, [AND] tuition grant, memorial scholarship  
29 loan and educational incentive grant programs [PROGRAM]), and serve as

1 the student financial aid committee;

2 \* Sec. 3. This Act takes effect July 1, 1977.

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Introduced: 1/28/77  
Referred: Health, Education &  
Social Services and Finance

BY PARR, GARDINER, NAKAK,  
OSTERBACK AND RUDD

1 IN THE HOUSE

2 HOUSE BILL NO. 132

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the state educational incentive  
7 grant program; and providing for an effective date."

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

9 \* Section 1. AS 14.40 is amended by adding new sections to read:

10 ARTICLE 13. ALASKA STATE EDUCATIONAL

11 INCENTIVE GRANT PROGRAM.

12 Sec. 14.40.930. PURPOSE; CREATION. There is established the  
13 Alaska state educational incentive grant program to provide financial  
14 assistance to eligible students with substantial financial need to  
15 enable them to attend, or continue their attendance at, postsecondary  
16 educational institutions. Funds appropriated for this program shall be  
17 used as matching funds for the state's participation in the federal  
18 state student incentive grant program (P.L. 92-318; 20 U.S.C. 1070c-c3).

19 Sec. 14.40.935. ADMINISTRATION. (a) The educational incentive  
20 grant program established under secs. 930 - 960 of this chapter shall be  
21 administered by the executive secretary of the student financial aid  
22 committee under secs. 753 and 757 of this chapter, subject to review by  
23 the committee, and those regulations the committee may prescribe to  
24 carry out the purposes of secs. 930 - 960 of this chapter.

25 (b) To the extent that they are not in conflict with the provi-  
26 sions of secs. 930 - 935 of this chapter, the provisions of secs. 751 -  
27 806 of this chapter relating to student financial aid are applicable to  
28 the grants made under secs. 930 - 960 of this chapter.

29 Sec. 14.40.940. DISTRIBUTION OF FUNDS. The funds appropriated

1 for the educational incentive grant program shall be allocated to eli-  
2 gible students in accordance with the provisions of the federal state  
3 student incentive grant program and regulations promulgated under secs.  
4 757 and 935 of this chapter.

5 Sec. 14.40.945. ELIGIBILITY; PRIORITY. (a) A student may apply  
6 for an educational incentive grant if he

7 (1) is a resident of Alaska;

8 (2) is either

9 (A) enrolled as a full-time undergraduate student in a  
10 degree program in an accredited postsecondary educational institu-  
11 tion; or

12 (B) a graduate of a high school in the state, or sched-  
13 uled for graduation from a high school in the state within six  
14 months with sufficient credits to be admitted to an accredited  
15 postsecondary educational institution; and

16 (3) establishes substantial financial need.

17 (b) The committee shall, by regulation, establish a system of  
18 priority in the selection of recipients of grants under secs. 930 - 960  
19 of this chapter under which students from "low income" families or whose  
20 incomes are considered "low income" shall be given preference in the  
21 award of the educational incentive grants.

22 Sec. 14.40.950. LIMITATION ON GRANTS. (a) No grant made under  
23 secs. 930 - 960 of this chapter may be in an amount less than \$100 nor  
24 more than \$1,500 for each academic year.

25 (b) A grant awarded under secs. 930 - 960 of this chapter may be  
26 used by a student only at an accredited postsecondary educational insti-  
27 tution.

28 Sec. 14.40.955. CONFIDENTIALITY OF APPLICATIONS, RECORDS. All  
29 applications and records under secs. 930 - 960 of this chapter are con-

1           fidential within the meaning of AS 09.25.120(4) and are not subject to  
2           public inspection or copying. However, an applicant may inspect or copy  
3           information from his own application, or records relating to his own  
4           application.

5           Sec. 14.40.960. DEFINITIONS. In secs. 930 - 960 of this chapter

6           (1) "expected family contribution" means the sum of amounts  
7           which reasonably may be expected from the student and the student's  
8           spouse to meet the student's cost of education and the amount which  
9           reasonably may be expected to be made available to him by his parents  
10          for this purpose;

11          (2) "resident" means a person who, except for brief inter-  
12          vals, military service, attendance at an educational or training insti-  
13          tution, or for absences for good cause shown, has resided in Alaska and  
14          who has maintained his domicile in Alaska; domicile is the true and  
15          permanent home of a person from which he has no present intention of  
16          moving and to which he intends to return whenever he is away;

17          (3) "substantial financial need" means

18                (A) the student's expected family contribution to the  
19                educational costs of the student is \$2,800 a year or less; or

20                (B) the student's, or when relevant, the student's  
21                parents' net income is \$20,000 a year or less;

22          (4) "undergraduate" means a student who has not completed a  
23          baccalaureate, graduate or professional degree.

24          \* Sec. 2. AS 14.40.909(b)(4) is amended to read:

25                (4) administer the provisions of secs. 751 - 845 and 930 -  
26                960 of this chapter [AS 14.40.751 - 14.40.806] (student financial aid  
27                program: scholarship loan, [AND] tuition grant, memorial scholarship  
28                loan and educational incentive grant programs [PROGRAM]), and serve as  
29                the student financial aid committee;

\* Sec. 3. This Act takes effect July 1, 1977.

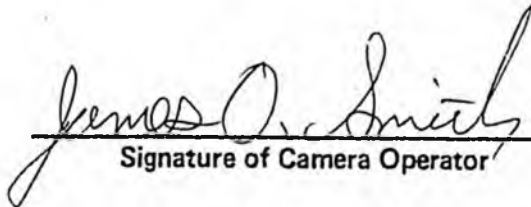
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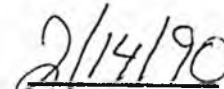


# RECORDS CERTIFICATION



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.

  
Signature of Camera Operator

  
Date

5-4-77

# COMMITTEE REPORT

## HOUSE

3-7-78

Date

Mr. Speaker:

The Committee on FINANCE has had HB 133

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 <sup>FINANCE</sup> CS for HB 133 and that <sup>NANCE</sup> CS for HB 133 do pass
- (and) recommends it be referred to the \_\_\_\_\_ committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other) \_\_\_\_\_

### MEMBERS SIGNING THE MAJORITY REPORT:

<u>[Signature]</u>	<u>Do Pass</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>NO rec</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>Do Pass</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>Do Pass</u>	<u>[Signature]</u>

### MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

[Signature] recommends: no rec

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

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

[Signature]  
Chairman

5-4-77

# COMMITTEE REPORT

## HOUSE

3-1-78

Date

Mr. Speaker:

The Committee on FINANCE has had HB 133

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 <sup>FINANCE</sup> CS for HB 133 and that

<sup>FINANCE</sup> CS for HB 133 do pass

(and) recommends it be referred to the \_\_\_\_\_ committee

reports it back without recommendation

AND attaches a report of its intent

(other) \_\_\_\_\_

### MEMBERS SIGNING THE MAJORITY REPORT:

<u>[Signature]</u>	<u>Do Pass</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>Do Pass</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>Do Pass</u>	<u>[Signature]</u>

### MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

[Signature] recommends: no rec

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

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

[Signature]

Chairman

Original sponsors: Parr, Brown  
and Cowper

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 133 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to selection and transfer of state  
7 land to municipalities; and providing for an effective  
8 date."

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

10 \* Section 1. STATEMENT OF PURPOSE. The purposes of this Act are to  
11 remove uncertainties in the existing municipal land selection law of the  
12 state; to provide for an immediate, final determination and settlement of  
13 municipal land entitlement; to provide for the completion of rational owner-  
14 ship patterns for sound land management; to provide for expeditious patent of  
15 land to municipalities to fulfill their respective entitlements; and to  
16 provide payment in lieu of land to certain municipalities unable to exercise  
17 full entitlement rights to assist in meeting costs of acquisition of land to  
18 meet public needs.

19 \* Sec. 2. AS 29.18 is amended by adding new sections to read:

20 ARTICLE 3A. GENERAL GRANT LAND.

21 Sec. 29.18.201. DETERMINATION OF ENTITLEMENT OF BOROUGH AND  
22 UNIFIED MUNICIPALITIES. The general grant land entitlement of each of  
23 the municipalities in this section is the amount set out opposite each:

- 24 (1) Municipality of Anchorage -- 20,865 acres;  
25 (2) City and Borough of Juneau -- 440 acres;  
26 (3) City and Borough of Sitka -- 25 acres;  
27 (4) Bristol Bay Borough -- 1,940 acres;  
28 (5) Fairbanks-North Star Borough -- 112,000 acres;  
29 (6) Haines Borough -- 1,080 acres;

- 1 (7) Kenai Peninsula Borough -- 155,780 acres;
- 2 (8) Ketchikan Gateway Borough -- 295 acres;
- 3 (9) Kodiak Island Borough -- 45,200 acres;
- 4 (10) Matanuska-Susitna Borough -- 355,210 acres;
- 5 (11) North Slope Borough -- 645 acres.

6 Sec. 29.18.202. IN-LIEU ENTITLEMENTS FOR CERTAIN BOROUGHES AND UNI-  
7 FIED MUNICIPALITIES. (a) The general grant land entitlement of each of  
8 the municipalities in this subsection is the amount set out opposite each:

- 9 (1) Municipality of Anchorage -- 90,863 acres;
- 10 (2) City and Borough of Juneau -- 19,584 acres;
- 11 (3) City and Borough of Sitka -- 11,593 acres;
- 12 (4) Bristol Bay Borough -- 2,898 acres;
- 13 (5) Haines Borough -- 3,985 acres;
- 14 (6) Ketchikan Gateway Borough -- 11,593 acres;
- 15 (7) North Slope Borough -- 89,850 acres;

16 (b) A municipality listed in (a) of this section may elect an  
17 entitlement under this section in lieu of the benefits provided in sec.  
18 201 of this chapter. Election of the benefits of this section shall be  
19 made by the municipality within 60 days of the date on which written  
20 notice from the director of the requirements of the election is actually  
21 received by the municipality.

22 (c) The entitlement to be provided to each municipality designated  
23 in (a) of this section which elects the land benefits of this section  
24 becomes effective on the day following receipt by the director of

25 (1) a copy of an ordinance which provides for the disposition  
26 of municipal land to private ownership for residential and commercial  
27 purposes and which limits disposition of land under this section to one  
28 parcel per person; and

29 (2) a notice from the municipality that, in accordance with

1 the provisions of the ordinance adopted under (1) of this subsection,  
2 not less than 30 per cent of the total amount by which the entitlement  
3 to be provided the municipality under (a) of this section exceeds the  
4 entitlement determined in sec. 201 of this chapter is committed to dis-  
5 posal to private ownership.

6 (d) Adoption of an ordinance by a municipality under this subsec-  
7 tion is a prerequisite to conveyance of title to all or any portion of  
8 an entitlement by the director under sec. 207 of this chapter. Each  
9 ordinance adopted under this subsection shall

10 (1) provide that disposal of suitable land which the munici-  
11 pality will receive shall be offered for sale for residential purposes  
12 by the municipality, or by the grantee of the municipality in accordance  
13 with covenants or agreements for the purpose, in parcels not larger  
14 than two and one-half acres, except that parcels may be larger than two  
15 and one-half acres if necessary to conform to physical conditions or to  
16 maximize opportunities for residential use;

17 (2) contain a schedule indicating the amount and location of  
18 acreage expected to be received and indicating the portion of the acre-  
19 age which the municipality will make available for sale to the public  
20 and the anticipated date or dates, terms and conditions of that sale;  
21 and

22 (3) include a determination of the governing body of the  
23 municipality indicating the manner in which the provisions of the ordi-  
24 nance fulfill or partially fulfill the obligation of the municipality  
25 under (c)(2) of this section and set out the balance of the acreage re-  
26 quired to satisfy that obligation.

27 (e) The requirements of (c) and (d) of this section shall be  
28 waived by the director as to a home rule municipality which manifestly  
29 demonstrates that a commitment of acreage to residential or commercial

1 purposes required by this section as a condition of election of an  
2 entitlement

3 (1) is not possible because of the absence of available  
4 acreage to meet the requirements of (c)(2) of this section; or

5 (2) would materially increase costs of services provided by  
6 the municipality beyond the reasonable capability of the municipality to  
7 meet.

8 Sec. 29.18.203. DETERMINATION OF ENTITLEMENT FOR CITIES. (a) The  
9 general grant land entitlement of a city eligible to receive general  
10 grant land under the former provisions of secs. 190 - 200 of this chap-  
11 ter repealed by this Act is 10 per cent of the maximum total acreage of  
12 vacant, unappropriated, unreserved land within the boundaries of each  
13 city at any time between the initial date of eligibility under former  
14 secs. 190 - 200 of this chapter and the effective date of this Act.

15 (b) Within six months of the effective date of this Act, the  
16 director shall determine the entitlement for each city eligible to  
17 receive general grant land under (a) of this section and certify that  
18 entitlement to the city.

19 Sec. 29.18.204. STATUS OF ENTITLEMENTS. (a) General grant land  
20 entitlements provided in secs. 201 - 203 of this chapter constitute  
21 vested property rights which shall be fulfilled as provided in sec. 205  
22 or sec. 208 of this chapter, but no municipal selection vests any inter-  
23 est in or right to receive a particular tract of land except as provided  
24 by sec. 205 of this chapter.

25 (b) General grant land entitlements vested under secs. 201 - 203  
26 of this chapter may be exercised at any time before the date which is  
27 two years after the expiration of the state's right to make selections  
28 under secs. 6(a) or (b) of the Alaska Statehood Act (P.L. 85-508);  
29 however, the time limitation imposed by this subsection does not apply

1 to payments in lieu of land under sec. 208 of this chapter.

2 Sec. 29.18.205. FULFILLMENT OF LAND ENTITLEMENTS. (a) The acre-  
3 age of each municipality's land selections under former secs. 190 - 200  
4 of this chapter for which patent has been issued before the effective  
5 date of this Act shall be credited toward fulfillment of the entitlement  
6 of that municipality.

7 (b) All approved selections under former secs. 190 - 200 of this  
8 chapter for which patent has not been issued to a municipality on the  
9 effective date of this Act shall be reviewed by the director within nine  
10 months of the effective date of this Act. Any approved selection of  
11 land which was vacant, unappropriated or unreserved on the date of  
12 selection is valid as of the date of the approval under the former secs.  
13 190 - 200 of this chapter, and a patent shall be issued to the munici-  
14 pality within three months after approval by the director of a plat of  
15 survey. The acreage shall be credited toward fulfillment of the munici-  
16 pality's entitlement. No municipality is entitled to receive patent  
17 under this chapter to more than its entitlement determined under secs.  
18 201 - 203 of this chapter. Any prior approval by the director of muni-  
19 cipal selections for land which was not vacant, unappropriated or un-  
20 reserved on the date of selection shall be rescinded, and patent may not  
21 be issued except when disposal to a third party by sale or lease has  
22 occurred. Transfers of land to municipalities under this chapter are  
23 subject to AS 38.05.321. Classification actions as reflected upon the  
24 land status records of the Department of Natural Resources are deter-  
25 minative of land classification status for purposes of this chapter.

26 (c) All municipal land selections under former secs. 190 - 200 of  
27 this chapter not approved as of the effective date of this Act shall be  
28 recognized by the director as representing the priority interests of the  
29 municipalities, and the selections shall be given first consideration

1 under (e) of this section unless the municipality indicates different  
2 priorities.

3 (d) On the effective date of this Act and for five years there-  
4 after, no classification of a parcel of general grant land in excess of  
5 3,200 acres under AS 38.05.300 shall be effective, unless otherwise  
6 required by law, if the municipality in which the parcel is located,  
7 within 30 days after receipt of notice of the proposed classification,  
8 advises the director in writing that it does not consent to the classi-  
9 fication and indicates the reasons for its nonconsent.

10 (e) Each eligible municipality and the director shall jointly  
11 consider which vacant, unappropriated, unreserved land, including feder-  
12 al land of interest to a municipality which may be selected by the state  
13 as general grant land, located within the boundaries of the munici-  
14 pality, is appropriate for municipal selection and approval by the  
15 director to fulfill any remaining municipal general grant land entitle-  
16 ment. The joint consideration made by the parties shall include a  
17 cooperative land planning process which will, in addition to the normal  
18 objectives of such a process, seek to identify both local and state  
19 interests in tracts of vacant, unappropriated and unreserved land re-  
20 maining within the municipality. Adjacent tracts shall be considered  
21 simultaneously except when such simultaneous consideration would cause  
22 significant delay or expense. Once a tract has been jointly considered,  
23 it may be selected by a municipality.

24 (f) Each selection must be approved or disapproved for patent by  
25 the director under (g) of this section within nine months of its selec-  
26 tion by a municipality, and a patent shall be issued to the municipality  
27 within three months after approval by the director of a plat of survey.

28 (g) In reviewing a municipal selection, the director shall con-  
29 sider the state's responsibilities for developing and protecting values

1 which are of greater than local concern, including development which  
2 will have statewide impact, and critical environmental concerns. Speci-  
3 fic state responsibilities to be considered, if such responsibilities  
4 have not been authorized or delegated by the state to a municipality,  
5 include air quality; water; minerals and energy; timber; agriculture;  
6 grazing; fish and wildlife and their habitat; public recreation, na-  
7 tural, historical, and archaeological areas of greater than local con-  
8 cern; access to public land and water; transportation; communications;  
9 and public safety. Specific municipal responsibilities to be considered  
10 include residential, commercial and industrial needs; support of muni-  
11 cipal services; education; local transportation; private recreation;  
12 public recreation, natural, historical and archaeological areas of local  
13 concern; and other responsibilities authorized or delegated by the state  
14 to a municipality. A selection by a municipality of land which is  
15 primarily of local concern shall be approved. When the interests of the  
16 state may be protected through the conveyance of title that is less than  
17 a fee title, the municipality, at its option, may accept the title in  
18 acre-for-acre fulfillment of its entitlement.

19 (h) Every decision of approval or disapproval of a municipal  
20 selection by the director under (f) of this section shall include a  
21 written explanation of the decision based upon the criteria of (g) of  
22 this section. Before issuing any decision to disapprove a selection,  
23 the director shall notify the affected municipality in writing, by  
24 certified mail, of his reasons for the proposed decision. The munici-  
25 pality shall have 30 days from receipt of the proposed decision to  
26 respond to the director in writing enumerating the reasons for which the  
27 municipality believes the proposed decision to be in error. After  
28 receipt of the municipality's statement of reasons, or after expiration  
29 of the period in which the municipality may respond to the proposed

1 decision, the director shall, within 30 days, affirm, modify or reverse  
2 his proposed decision in writing and give written notice of his decision  
3 to the municipality. The decision of the director constitutes final  
4 administrative action in the matter.

5 (i) A municipality may appeal an adverse decision by the director  
6 to the superior court under AS 44.62.560 - 44.62.570.

7 Sec. 29.18.206. SCHOOL, UNIVERSITY AND MENTAL HEALTH LAND. (a) A  
8 municipality may select vacant school, university or mental health land  
9 within the municipality in partial fulfillment of its land entitlement  
10 under this chapter. School, university or mental health land may be  
11 selected notwithstanding the fact that these lands are not unappro-  
12 priated and unreserved within the meaning of this chapter and secs. 190  
13 and 200 of this chapter, repealed by this Act, but each selection of  
14 school, university or mental health land by a municipality must be  
15 vacant, unappropriated, or unreserved land as defined in this chapter,  
16 except that it need not be general grant land.

17 (b) The acreage of school, university or mental health land, if  
18 any, within a municipality may not be included in the determination of  
19 entitlement under secs. 201 - 203 of this chapter.

20 (c) Upon receipt of a selection by a municipality of school,  
21 university or mental health land, the director shall determine whether  
22 the land selection should be approved. The decision of the director  
23 shall be based upon the criteria of sec. 205(g) of this chapter, and  
24 shall follow the procedures set out in sec. 205(h) of this chapter.  
25 Land approved for selection under this section will be credited against  
26 a municipality's remaining land entitlement under this chapter.

27 (d) No selection of school, university or mental health land may  
28 be approved by the director under this section without the concurrence  
29 of  
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(1) the state Board of Education, for school land;

(2) the Board of Regents of the University of Alaska, for university land; or

(3) the members of the mental health land board specified in AS 38.05.035(13), for mental health land.

(e) Within three years after the approval under (d) of this section of a municipal selection of school, university or mental health land, the director, with the concurrence of the respective board, shall designate appropriate state general grant land of approximately equal value as school, university or mental health replacement land. The replacement land shall thereafter be managed for the purposes for which the land selected by the municipality was acquired by the Territory and State of Alaska.

(f) The notice and review provisions of AS 38.05.305 and 38.05.345 are applicable to the designation of other state land as school, university or mental health land in replacement of land selected under this section. The provisions of AS 38.50 and AS 38.05.032 do not apply to such designations under this section.

Sec. 29.18.207. SELECTION AND CONVEYANCE PROCEDURE. (a) All municipal selections shall be made in reasonably compact tracts, taking into account the use capabilities of a tract and its relationship to surrounding land uses. A selection filed by a municipality which has not been approved by the director may be relinquished at any time. An approved selection may be relinquished by a municipality if the relinquishment is approved by the director. An approved selection relinquished by a municipality increases the remaining entitlement of the municipality on an acre-for-acre basis.

(b) A municipality may maintain selections for not more than 110 per cent of its remaining entitlement. Municipal selections for general

1 grant land which was withdrawn under sec. 11(a)(2) and selected under  
2 sec. 12 of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et  
3 seq., P.L. 92-203) is not included in the limitation of this subsection.

4 (c) If land selected by a municipality is unsurveyed at the time  
5 of approval, the director shall survey, or may approve the munici-  
6 pality's survey of, the exterior boundaries of an approved selection  
7 without interior subdivision, and shall issue patent in terms of the  
8 exterior boundary survey. The cost of the survey shall be borne by the  
9 municipality. If land selected by a municipality has been surveyed at  
10 the time of its selection, the boundaries shall conform to the public  
11 land subdivisions established by the approved survey.

12 (d) The director may approve municipal selections of land which  
13 has been tentatively approved or patented to the state by the federal  
14 government, but he may not issue patent to a municipality until the land  
15 has first been patented to the state. After approval of a selection by  
16 the director, but before patent to a municipality, the municipality may  
17 execute conditional leases and make conditional sales only with the  
18 consent of the director. Conditional sales and conditional leases made  
19 before the effective date of this Act do not require the consent of the  
20 director.

21 (e) Nothing in this chapter affects a valid existing claim, loca-  
22 tion or entry under the laws of the state or the United States whether  
23 for homestead, mineral, right-of-way or other purposes. Nothing in this  
24 chapter affects the rights of an owner, claimant, locater or entryman to  
25 the full use and enjoyment of the land so occupied.

26 Sec. 29.18.208. PAYMENT IN LIEU OF LAND. (a) There is estab-  
27 lished within the general fund the Alaska municipal land account for the  
28 purpose of allowing eligible municipalities to receive payment in lieu  
29 of land entitlements provided in secs. 201 - 203 of this chapter.

1 (b) By August 1 of each year the director shall certify to each  
2 municipality having an entitlement under secs. 201 - 203 of this chapter  
3 the acreage of patented selections, approved selections not yet patent-  
4 ed, pending municipal land selections neither approved nor disapproved  
5 by the director, and the remaining entitlement of the municipality. If  
6 at the time of certification the ratio of the remaining entitlement of  
7 the municipality to the vacant, unappropriated, unreserved land within  
8 the municipality is greater than two to one, or if there are less than  
9 1,000 acres of vacant, unappropriated, unreserved land within the muni-  
10 cipality, the municipality may, at its option, request payment in lieu  
11 of land from the account established in (a) of this section; however, no  
12 payment may be made to the City and Borough of Juneau, the City and  
13 Borough of Sitka or the Ketchikan Gateway Borough under this subsection  
14 until the fiscal year after cumulative appropriations to the account  
15 exceed \$12,000,000 or until the fiscal year beginning July 1, 1985,  
16 whichever occurs first.

17 (c) A municipality eligible for payment under this section may, by  
18 October 1 of each fiscal year of eligibility, notify the director of its  
19 election to accept payment in lieu of land from the account. A munici-  
20 pality may accept payment for not more than 15 per cent of its entitle-  
21 ment under secs. 201 - 203 of this chapter, to a maximum of 10,000  
22 acres, in each fiscal year. A municipality which chooses to accept  
23 payment in lieu of land shall be entitled to an amount based on the  
24 cumulative total number of acres of remaining entitlement which it  
25 relinquishes according to the following schedule:

- 26 (1) 10,000 acres or less -- \$1,500 per acre;
- 27 (2) 10,001 to 20,000 acres -- \$750 per acre; and
- 28 (3) more than 20,000 acres -- \$350 per acre.

29 (d) The governor shall annually submit to the legislature a

1 request for an appropriation to the account for the municipalities which  
2 have elected to receive payment in lieu of land under this section.

3 (e) If the total appropriation is not sufficient to meet the  
4 amount due to all municipalities which have elected to accept payment in  
5 lieu of land under (c) of this section, the governor shall apportion the  
6 appropriation among the municipalities in proportion to the payment  
7 calculated for each municipality for that year. When a distribution of  
8 payments is made under this subsection, the remaining entitlement of a  
9 municipality to which payment is made shall be reduced in an amount  
10 equal to the number of acres for which payment was received. An appor-  
11 tionment may correspondingly increase the acreage for which a munici-  
12 pality may request payment in a succeeding year, but this increase in  
13 acreage does not authorize a municipality to request payment in lieu of  
14 land of more than 10,000 acres in any one year.

15 (f) The total payment to a municipality under this section may not  
16 exceed \$100 per capita for each person resident in the municipality on  
17 the July 1 preceding the effective date of this Act, as determined by  
18 the Department of Community and Regional Affairs.

19 Sec. 29.18.209. AUTHORIZATION FOR LAND EXCHANGES. The director,  
20 with the concurrence of the commissioner, and any municipality are  
21 authorized to exchange land or interests in land when it is in the  
22 public interest. Land or interests in land exchanged under this section  
23 must be of approximately equal value, including the non-monetary value  
24 of public benefits. Exchange procedures shall comply with applicable  
25 law and municipal ordinances. The notice and review provisions of AS  
26 38.05.305 and 38.05.345 are applicable to exchanges of land under this  
27 section. The provisions of AS 38.50 do not apply to exchanges of land  
28 under this section.

29 Sec. 29.18.210. PUBLIC PURPOSE AND EXPANSION NEEDS. (a) Consis-  
CSHB 133(Finance) -12-

1 tent with the best interests of the state, if a municipality does not  
2 contain and cannot reasonably acquire sufficient nonfederal land within  
3 its boundaries to meet its legitimate needs for public or private settle-  
4 ment or development, it shall be the policy of the state to select  
5 federal land reasonably necessary to meet the needs of the municipality  
6 and to make the land selected available to the municipality under AS  
7 38.05.315 or (b) of this section.

8 (b) Where state land is the most logical location for demonstrated  
9 municipal expansion for nonpublic settlement and development purposes,  
10 and when an exchange of land under sec. 209 of this chapter is not  
11 possible or is not in the public interest, it is the policy of the state  
12 to sell or lease the land at public auction. The state may contract  
13 with a municipality to act as its agent in an auction of state land  
14 under applicable statutes. When a municipality acts as the agent of the  
15 state in an auction, the municipality may retain from the proceeds of  
16 the auction the expenses which the director determines to be necessary  
17 and reasonable.

18 (c) Nothing in this chapter limits or impairs the authority of the  
19 director to transfer land to municipalities, without limit or considera-  
20 tion, for public purposes in accordance with AS 38.05.315. If there is  
21 a remaining entitlement of the municipality, land transferred under AS  
22 38.05.315 shall be credited toward fulfillment of the entitlement;  
23 however, land conveyed to the state under sec. 12(d)(2) of Public Law  
24 94-204 and subsequently conveyed by the state to a municipality under  
25 secs. 201 - 215 of this chapter or AS 38.05.315 may not be credited  
26 against the municipality's remaining entitlement..

27 Sec. 29.18.211. ELECTION OF BENEFITS. (a) A municipality which  
28 on the effective date of this Act is engaged in litigation, or which  
29 becomes engaged in litigation, regarding a claim to state land under

1 former secs. 190 - 200 of this chapter shall elect either to obtain the  
2 benefits provided in secs. 201 - 215 of this chapter or to pursue the  
3 litigation and thereby waive any claim to entitlement under secs. 201 -  
4 215 of this chapter. An election shall be made by filing a motion for  
5 dismissal with prejudice in the court in which the litigation is  
6 pending. If the claim involves a municipality identified in secs.  
7 201(a) or 202(a) of this chapter, the municipality shall file its motion  
8 for dismissal within 60 days of the effective date of this Act. If the  
9 claim involves a municipality not listed in secs. 201(a) or 202(a) of  
10 this chapter, the municipality shall file its motion for dismissal  
11 within 60 days after receiving the certificate of entitlement provided  
12 by the director under sec. 203(b) of this chapter. Failure of the  
13 municipality to file a motion for dismissal during the time period  
14 provided in this subsection shall be considered a waiver of entitlement  
15 under secs. 201 - 215 of this chapter.

16 (b) A municipality which was eligible to file land selections  
17 under the former secs. 190 - 200 of this chapter and which does not  
18 enter into litigation over a claim to rights under those sections before  
19 the expiration of the time period within which it could make an election  
20 under (a) of this section shall be considered to have elected to receive  
21 benefits under secs. 201 - 215 of this chapter and to have waived any  
22 claim which might have been raised under former secs. 190 - 200 of this  
23 chapter.

24 (c) The provisions of secs. 201 - 215 of this chapter do not  
25 affect the rights, if any, of any party to litigation regarding the  
26 former AS 29.18.190 - 29.18.200 or 29.18.420, which litigation is main-  
27 tained by a municipality that has elected not to obtain the benefits  
28 provided by secs. 201 - 215 of this chapter.

29 Sec. 29.18.212. ADMINISTRATION. The commissioner may adopt regu-

1 lations in accordance with the Administrative Procedure Act (AS 44.62)  
2 necessary to carry out the purposes of secs. 201 - 215 of this chapter.

3 Sec. 29.18.213. DEFINITIONS. In secs. 201 - 215 of this chapter,  
4 unless the context otherwise requires,

5 (1) "approved selection" means a municipal land selection  
6 which has been approved in writing by the director for transfer by  
7 patent to a municipality;

8 (2) "director" means the director of the division of lands,  
9 Department of Natural Resources, or his designee;

10 (3) "general grant land" means land patented or tentatively  
11 approved to the state from the United States under secs. 6(a) or (b) of  
12 the Alaska Statehood Act;

13 (4) "mental health land" means land granted under Title II,  
14 sec. 202 of P.L. 84-830, as amended before or after the effective date  
15 of this Act;

16 (5) "municipal land selection" means a request by a munici-  
17 pality, filed in writing with the director under authority of secs.  
18 190 - 200 of this chapter repealed by this Act or under secs. 201 - 215  
19 of this chapter for vacant, unappropriated, unreserved general grant  
20 land within its municipal boundaries in partial fulfillment of its  
21 municipal entitlement;

22 (6) "municipality" means a home rule or general law city or  
23 organized borough of any class, and includes unified municipalities  
24 established under AS 29.68.240 - 29.68.440;

25 (7) "patent" means a document, issued by the director to a  
26 municipality for a previously approved selection, which conveys and  
27 quitclaims all the right, title and interest of the state without reser-  
28 vation or condition except as may be required by law;

29 (8) "remaining entitlement" means the general grant land

1 entitlement determined in accordance with secs. 201 - 203 of this chap-  
2 ter, reduced by the total acreage of approved selections, including both  
3 patented and unpatented parcels;

4 (9) "school land" means those rectangular sections 16 and 36  
5 within each township surveyed on or before January 3, 1959, and con-  
6 firmed and transferred to the State of Alaska upon its admission under  
7 sec. 6(k), Alaska Statehood Act, 72 Stat. 339, and any other land desig-  
8 nated solely for school revenues;

9 (10) "university land" means all sections 33 reserved to the  
10 university under 38 Stat. 1214, as amended (48 U.S.C. 353) and all land  
11 granted to or reserved for the benefit of the university;

12 (11) "vacant, unappropriated, unreserved land" means general  
13 grant land as defined in (3) of this section, excluding minerals as  
14 required by sec. 6(i) of the Alaska Statehood Act, which

15 (A) has not been set aside by statute for one or more  
16 particular uses or purposes;

17 (B) has not been approved for patent to a municipality  
18 under secs. 202 - 218 of this chapter or former secs. 190 - 200 of  
19 this chapter repealed by this Act; or

20 (C) is unclassified or, if classified under AS 38.05.-  
21 300, is classified for agricultural, grazing, commercial, indus-  
22 trial, private recreational, residential, utility or open-to-entry  
23 purposes.

24 \* Sec. 3. AS 38.05.321 is repealed and re-enacted to read:

25 Sec. 38.05.321. RESTRICTION ON SALE, LEASE OR OTHER DISPOSAL OF  
26 AGRICULTURAL AND GRAZING LAND. (a) The sale, lease or other disposal  
27 of state land classified as agricultural or grazing land transfers only  
28 rights for agricultural and grazing purposes, and all other interests in  
29 the land remain with the state unless otherwise required by law.

1 (b) State land classified as agricultural or grazing land which  
2 has been selected by a municipality under AS 29.18.190 - 29.18.200 or  
3 29.18.205(e) may be approved by the director for patent under AS 29.-  
4 18.205(f); however, only rights in the land for agricultural or grazing  
5 purposes may be transferred and all other interests in the land will  
6 remain with the state. Agricultural or grazing land approved for patent  
7 to a municipality under AS 29.18.205(f) shall be credited, acre for  
8 acre, toward fulfillment of that municipality's entitlement under AS  
9 29.18.201 - 29.18.203. If the director later determines it to be in the  
10 best interests of the state to transfer some or all of the additional  
11 rights in that approved or patented agricultural or grazing land, those  
12 rights shall pass without consideration to the municipality in which the  
13 land is located.

14 (c) The provisions of this section do not apply to state land  
15 classified as agricultural or grazing land which has been selected by a  
16 municipality under the provisions of AS 29.18.190 - 29.18.200 if the  
17 selection is an approved selection before the date of enactment of this  
18 Act and is otherwise valid under AS 29.18.205(b).

19 \* Sec. 4. AS 38.05.290 is amended by adding new subsections to read:

20 (b) Consistent with the best interests of the state, in the selec-  
21 tion of general grant land it is the policy of the state to make avail-  
22 able the maximum land area from which municipalities may fulfill land  
23 entitlements under AS 29.18.201 - 29.18.215.

24 (c) In the completion of the balance of selections under the  
25 Alaska Statehood Act, the commissioner shall select not less than 25,000  
26 acres of vacant, unappropriated and unreserved federal land authorized  
27 for selection under sec. 6(b) of the Alaska Statehood Act within the  
28 boundaries of each regional educational attendance area established  
29 under AS 14.08.

1 \* Sec. 5. AS 29.18 is amended by adding a new section to read:

2 Sec. 29.18.185. STATE LAND FOR NEWLY INCORPORATED BOROUGHES. (a)

3 In addition to the grant paid under sec. 180 of this chapter, each  
4 borough incorporated after July 1, 1978 shall have a general grant land  
5 entitlement of 25,000 acres of vacant, unappropriated and unreserved  
6 state land located within its boundaries.

7 (b) The provisions of secs. 204(a), 205(e) - (i), and 206 - 210 of  
8 this chapter apply to the fulfillment of the land entitlements autho-  
9 rized by (a) of this section, except that the limitation of payment  
10 determined under sec. 208(f) of this chapter may not exceed \$100 per  
11 capita for each resident of a borough on the July 1 following the date  
12 of incorporation of the borough.

13 \* Sec. 6. AS 29.18.190, 29.18.200, and 29.18.420 are repealed.

14 \* Sec. 7. REPORT. Within 30 days after the convening of each regular  
15 session of the Eleventh and Twelfth Legislatures and the first regular ses-  
16 sion of the Thirteenth Legislature, the director of the division of lands  
17 shall report to the legislature on the implementation of AS 29.18.201 -  
18 29.18.215 in sec. 2 of this Act.

19 \* Sec. 8. This Act takes effect immediately in accordance with AS 01.10.-  
20 070(c).

Pages 2 and 3: Redraft (c) and (d)

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(c) The entitlement to be provided to each municipality designated in (a) of this section which elects the benefits of this section becomes effective on the day following receipt by the director of

(1) a copy of an ordinance which provides for the disposition of municipal land to private ownership for residential and commercial purposes and which limits disposition of land under this section to one parcel per person; and

(2) a notice from the municipality that, in accordance with the provisions of the ordinance adopted under (1) of this subsection, not less than 30 per cent of the total amount by which the entitlement to be provided the municipality under (a) of this section exceeds the entitlement determined in sec. 201 of this chapter is committed to disposal to private ownership.

(d) Adoption of an ordinance by a municipality under this subsection is a prerequisite to conveyance of title to all or any portion of an entitlement by the director under sec. 205 of this chapter. Each ordinance adopted under this subsection shall

(1) provide that disposal of suitable land which the municipality will receive shall be offered for sale for residential purposes by the municipality, or by the grantee of the municipality in accordance with covenants or agreements for the purpose, in parcels not larger than two and one-half acres, except that parcels may be larger than two and one-half acres if necessary to conform to physical conditions or to maximize opportunities for residential use;

(2) contain a schedule indicating the amount and location of acreage expected to be received and indicating the portion of the acreage which the municipality will make available for sale to the public and the anticipated date or dates, terms and conditions of that sale; and

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(3) include a determination of the governing body of the municipality indicating the manner in which the provisions of the ordinance fulfill or partially fulfill the obligation of the municipality under (c)(2) of this section and set out the balance of the acreage required to satisfy that obligation.

A M E N D M E N T

TO: CS FOR HOUSE BILL NO. 133(Finance)

Page 17, following line 6: add the following new material:

(c) In the completion of the balance of selections under the Alaska Statehood Act, the commissioner shall select not less than 25,000 acres of vacant, unappropriated and unreserved federal land authorized for selection under sec. 6(b) of the Alaska Statehood Act within the boundaries of each regional educational attendance area established under AS 14.08.

(d) The provisions of AS 38.05.300 - 38.05.310 apply to land selected under secs. 6(a) and 6(b) of the Alaska Statehood Act after the effective date of this Act.

\* Sec. 5. AS 29.18 is amended by adding a new section to read:

Sec. 29.18.185. STATE LAND FOR NEWLY INCORPORATED BOROUGHS. (a) In addition to the grant paid under sec. 180 of this chapter, each borough incorporated after July 1, 1978 shall have a general grant land entitlement of 25,000 acres of vacant, unappropriated and unreserved state land located within its boundaries.

(b) The provisions of secs. 204(a), 205(e) - (i), and 206 - 210 of this chapter apply to the fulfillment of the land entitlements authorized by (a) of this section, except that the limitation of payment determined under sec. 208(f) of this chapter may not exceed \$100 per capita for each

resident of a borough on the July 1 following the date of  
incorporation of the borough.

Renumber subsequent sections accordingly.

From The Desk Of:

Michael C. T. Smith J/LL

BeB,

ENCLOSED IS THE ORIGINAL AND A COPY  
OF THE UPDATED FISCAL NOTE AS YOU REQUESTED  
FOR THE MUNICIPAL LAND SELECTION BILL.

Mike

Director, Alaska Division Of Lands

THE LEGISLATURE OF THE STATE OF ALASKA  
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No CSHB 133 (Finance)  
 Title "Municipal Land Selection Bill"  
 Requested by House Finance Committee Date March 13, 1978

II. FISCAL DETAIL

Agency Affected DEPARTMENT OF NATURAL RESOURCES  
 Program Category Affected NRM&EC  
 Budget Request Unit(s) Affected Land Management; and District Operations; and  
 Land Administration and Support

EXPENDITURES (Thousands of Dollars)

	FY 78	FY 79	FY 80	FY 81	FY 82	FY 83
100 PERSONAL SERVICES		227.0	240.6	255.0	270.3	286.5
200 TRAVEL		17.3	15.1	16.0	17.0	18.0
300 CONTRACTUAL		88.8	120.5	57.1	45.9	9.9
400 COMMODITIES		9.4	4.1	4.3	4.6	4.9
500 EQUIPMENT		7.1	..	-	-	-
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>		<b>349.6</b>	<b>380.3</b>	<b>332.4</b>	<b>337.8</b>	<b>319.3</b>

FUNDING (Thousands of Dollars)

GENERAL FUND		349.6	380.3	332.4	337.8	319.3
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME		7.0	7.0	7.0	7.0	7.0
PART TIME						
TEMPORARY						

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

CSHB 133 (Finance) has two major fiscal implications. The first concerns moneys needed by the Division of Lands to implement the administrative requirements of the bill. The second impact is found in Section 208 of the bill entitled, "Payment in Lieu of Land." This section permits payments to municipalities where sufficient land does not exist to meet that municipality's land entitlement. Both these fiscal impacts are detailed below. CSHB 133 (Finance) directs the Department of Natural Resources to accomplish a number of tasks within some relatively stringent time frames. Those requirements, and necessary personnel and fiscal needs to accomplish them, are shown below.

I. Short Range:

- A. Review, within six months, for every municipality in Alaska, state land status and certify each municipality's entitlement under Section 202(b).

(Continued on Page 2)

IV. DATE March 13, 1978 PREPARED BY Michael C. T. Smith  
 AGENCY Division of Lands  
 Original: Legislative Finance PHONE 279-5577  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

Municipal Land Selection Bill (CSHB 133-Finance)

- B. Review, within six months, 263,000 acres of approved selections within all municipalities and certify acreage to be patented under Section 204(b).
- C. Publish public notice, conduct necessary public hearings, and complete and issue patented documents for approximately 255,000 acres of approved selections within 90 days of survey.

Fiscal Requirement: Three positions required: land management officer III (Anchorage), land management officer II (Anchorage), and a cartographer III (Anchorage). The cartographer will also be used to accomplish medium range objectives shown below.

II. Medium Range:

With each municipality:

- A. Review approximately 12,000,000 acres of vacant, unappropriated, unreserved state land within all municipal boundaries to determine appropriate municipal selections for remaining 465,000 acres of entitlement.
- B. Review all remaining federal land (20,000,000 plus acres) within municipalities to determine municipal needs for future state general grant selections.

Fiscal Requirement: Four positions are needed to work closely with each municipality to accomplish the joint cooperative land planning and identification process mandated in Section 204(e). These are a principal planner (Anchorage), two land management officer III positions (one each in Fairbanks and Juneau), and a land management officer II (Anchorage).

FISCAL BREAKDOWN

PERSONAL SERVICES:

<u>New Positions</u>	<u>Annual Salary</u>	
Planning Supervisor	\$ 32,268	
Land Mgmt. Officer III (Anchorage)	25,872	
Land Mgmt. Officer III (Juneau)	25,872	
Land Mgmt. Officer III (Fairbanks)	29,952	
Land Mgmt. Officer II (Anchorage)	22,332	
Land Mgmt. Officer II (Anchorage)	22,332	
Cartographer III (Anchorage)	<u>22,332</u>	
TOTAL SALARY		\$180,960
Benefits \$180,960 X 17.25% =	\$31,216	
FICA \$1143 X 7 =	8,001	
Health Insurance 84 MM X 82.18 =	<u>6,903</u>	
TOTAL BENEFITS		<u>46,120</u>

Continued on Page 3

TOTAL PERSONAL SERVICES		\$227,080
<u>TRAVEL:</u>		
Per Diem	7.2	
Transportation	<u>10.1</u>	
TOTAL TRAVEL		\$ 17,300
<u>CONTRACTUAL:</u>		
Socio-economic Analysis for Regional Plan		\$62.0
Editing of Regional Plan		8.0
Public Participation for three (3) Regional Plans		13.5
Communication		2.3
Advertising		.8
Transportation of things		.4
Equipment Rental		.6
Printing		<u>1.2</u>
TOTAL CONTRACTUAL		\$88,800.00
<u>COMMODITIES:</u>		
Cartographic Supplies		\$ 5.1
Other Supplies		<u>4.3</u>
TOTAL COMMODITIES		\$ 9,400.00
<u>EQUIPMENT:</u>		
Desks	5 @ 350 each	\$1,750
Desk	1 @ 450 each	450
Light Table	1 @ 1500 each	1,500
Chairs	6 @ 120 each	720
Draftsman's chair	4 @ 115 each	460
Drafting machine	1 @ 235	235
Leroy letting set	1 @ 160	160
Layout tables	3 @ 350 each	1,150
File cabinets	4 @ 160 each	<u>640</u>
TOTAL EQUIPMENT		\$ 7,065.00

Section 208 of the bill, entitled "Payment in Lieu of Land," permits affected municipalities to receive monetary payments when sufficient land does not exist from which to fulfill that municipality's land entitlement. The estimate of the minimum and maximum figures for these payments is based upon the following assumptions:

1. The land entitlements presently found in CSHB 133 remain constant (any upward change of entitlement will increase the projected costs).
2. The U. S. Forest Grant Selections made by the State in December, 1977, will be conveyed to the State by July 1, 1984 (so that they will be available for municipal selection).
3. Seventy-five percent of municipalities which form in the future, and which will automatically receive a land entitlement, will receive that entitlement in land. Twenty-five percent of such future municipalities will not have sufficient land to fulfill their entitlement, and will take payments in lieu of land under Section 208.

Continued on Page 4

Under the above assumptions, the maximum and minimum total projected requests (in millions of dollars) for qualified municipalities is:

<u>Minimum</u>	<u>Maximum</u>
19.0	23.0

The maximum request in any one year would be approximately 5.7 million dollars.

Section 29.18.208 permits qualified municipalities to request up to the above maximum amounts, but the actual appropriation could be less than that request in any particular year. Thus, the time period during which in-lieu payments might be made is under legislative control.

Statement of Mr. J. Michael Robbins, Attorney at Law, with the firm of Cole, Hartig, Rhodes, Norman & Mahoney, at Anchorage, Alaska, representing the Kodiak Island Borough, before the House Finance Committee, Wednesday, March 1, 1978, regarding Committee Substitute for Senate Bill No. 241.

Mr. Chairman and members of the committee, my name is Mike Robbins, and I am an attorney at law with the firm of Cole, Hartig, Rhodes, Norman & Mahoney, in Anchorage, Alaska. Our firm represents the Kodiak Island Borough on many legal matters, including consideration of the concept envisioned in Committee Substitute for Senate Bill 241.

Following the introduction of Senate Bill 241, the Kodiak Island Borough supported the general concept envisioned in the bill, which would compensate the borough governments in money for lands which they were permitted to select, but which they were not able to receive.

The Kodiak Island Borough is faced with serious land selection conflicts because of the passage of the Alaska Native Claims Settlement Act, failure of the state in providing approval of past borough selections of land and by the restrictive classifications placed on lands within the Borough by the State. As a result, conflicts in selections by the native groups and the Borough have occurred and in order to resolve these issues amicably and without the need for litigation, the Borough was interested in pursuing legislation which would provide alternatives. The Borough Assembly, in its approach to this legislation as well as its approach to the other land selection conflicts with the natives, has attempted to resolve the issue equitably and in a manner which can be justified as meeting the fiduciary responsibility of the Assembly to its constituents.

The legislation, in its form before the Community and Regional Affairs Committee, is not satisfactory to the Kodiak Island Borough. First, the total number of grant land entitlement under 29.18.202 is not adequate. Section 9 would permit the selection by the Kodiak Island Borough of some 45,200 acres. In recent meetings with Mr. Mike Smith, the Director of the Division of Lands, it is my understanding that that amount has now been determined to be some 50,600 acres. The Borough, however, feels that certain classifications of lands made by the State should not preclude those lands from consideration of the ten per cent selection right by the Borough; i.e., the tentatively approved lands selected by the native corporations under the Alaska Native Claims Settlement Act. If these lands are added to the 50,600 acre figure, the Kodiak Island Borough's entitlement would be some 62,400 acres.

In addition, the Borough feels that under § 38.05.321<sup>(3)</sup>, the words "or grazing land" should be removed. The inclusion of grazing land in those lands which are not available for selection by the Borough will seriously limit the right of the Borough to make selections of valuable lands and, on an equal par with other borough governments. Subsection (c) of that same section recognizes that where the Borough has previously selected lands classified as "grazing lands" and in which the Division of Lands has already administered the application, those lands would be transferred to the Borough. There appears to be no justification, therefore, for precluding Borough selections of those lands.

The Borough recommends that § 29.18.208, Payment in Lieu of Land, be amended to provide that, where a borough has been precluded from selection of lands which have been

tentatively approved to the State and in which a native corporation, under the Alaska Native Claims Settlement Act, has also made a selection and the land has been granted to that native corporation, the State will provide in-lieu payment for that land. Such in-lieu payment shall be charged on acre-for-acre basis against the Borough's land selection entitlement. As justification for this amendment, the Borough wishes to explain to the Legislature the problem which has been created because of the right of the native corporations to select tentatively approved lands. As many of you know, most of the State lands in the Kodiak Island Borough are tentatively approved to the State. The Borough has completed its selection of lands and, in fact, has selected far more land than that to which it is entitled; however, in making these selections the Borough has requested of the State an opportunity to prioritize these selections at such time as the State begins its administrative review of the selections. A substantial amount of the land selections made by the Borough was completed prior to passage of the Native Land Claims Settlement Act in 1971; however, title was not given to the Borough because of the State's failure to act on those selections. As a result, the native corporations have now top-filed on many of the same land areas previously selected by the Borough and, unless a legal determination would provide otherwise, in many instances the Borough selection would be lost because of the vacation of the State's selection by the Bureau of Land Management and the transfer of the land to the particular native corporation. The Borough is very anxious to avoid these land conflict problems, and it was believed that if the State was willing to pay the Borough an in-lieu payment for these particular lands, it would be in the best interests of all parties to support such a bill. It is the Borough's contention that

the State may have, by compact with the United States Congress at the time of the consideration of the Alaska Native Claims Settlement Act, given approval for the selection of tentatively approved lands by the native corporations. It should be noted that it is recognized by the Borough that if the native corporations were not granted this authority to select tentatively approved lands, they too would have been thwarted in their efforts to gain title to lands which would have meaningful values and which would assist them in their attaining self-determination. The Borough therefore feels that the State has some obligation to repay the boroughs for valuable rights which may have been negotiated away during the consideration of the land claims legislation. Further, had the State acted in a more reasonable and businesslike manner, lands selected prior to 1971 would have been reviewed and it could have been expected that much of the lands now in controversy would have been transferred to the Borough.

Other areas of the legislation which appear to have no bearing on attempting to compensate the boroughs for lands which are not available for selection are:

1. The need to exclude further selections by the Borough of State lands;
2. The need to pass additional legislation to establish the method and manner under which selections will be reviewed. In this regard, it would seem that adequate regulations, if promulgated, would accomplish the same thing; and,

3. There appears to be no reason why § 29.18.210, Authorization For Land Exchanges, could not or should not be the subject of another bill which could be reviewed and evaluated on its own merits.

However, the Kodiak Island Borough continues to be ready and willing to work with the Legislature in attempting to develop meaningful legislation which is equitable to all parties and which provides consideration for any rights which may be relinquished by the parties.

2-22-78  
Muskogee

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AUTHORIZE MUNICIPAL SELECTION OF MENTAL HEALTH LANDS...

Amendment to CSHB 133 by the Community & Regional Affairs Committee--

1 \*Page 4, line 17 --

2 After "by a municipality," insert a period and the following:

3 (f) A municipality may select lands under this section from mental  
4 health lands. No selection by a municipality of mental health lands under  
5 this subsection may be approved by the director without the prior approval  
6 of a board composed of the director of the division of mental health, the  
7 chairman of the mental health advisory council, and the commissioner of  
8 revenue.

9 (g) Each selection must be approved or disapproved for patent by the  
10 director under (h) of this section within nine months of its selection by  
11 a municipality, and a patent shall be issued to the municipality within  
12 three months after approval by the director of a plan of survey.

13 \*Reletter subsequent subsections and correct internal cross-references.

14 \*Add definition of "mental health lands."

15 \*Incorporate language in AS 38.05, relating to land exchanges, that requires  
16 state to replace mental health lands selected by a municipality with lands  
17 of equal value.

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AUTHORIZE MUNICIPAL SELECTION OF STATE SCHOOL LANDS (Townships 16 and 36)..  
Amendment to CSHB 133 by the Community and Regional Affairs Committee --

1 \*Page 4, line 17 --

2 After "by a municipality," insert a period and the following:

3 (f) A municipality may select lands under this section from state  
4 school lands. No selection by a municipality of state school lands under  
5 this subsection may be approved by the director except in accordance with  
6 AS 38.05.032.

7 (g) Each selection must be approved or disapproved for patent by the  
8 director under (h) of this section within nine months of its selection  
9 by a municipality, and a patent shall be issued to the municipality within  
10 three months after approval by the director of a plan of survey.

11 \* Reletter subsequent subsections and correct internal cross-references.

12 \* Add a definition of "state school lands."

13 \* Amend AS 38.05.030(e), relating to sale, lease or other disposal of state  
14 school lands, to authorize exchanges in conformance with this amendment,  
15 but retaining the requirement that the state board of education give prior  
16 approval to selections by municipalities.

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