

LEG. FINANCE - BILLS 1977 - 1978 690
HB 234 cont., thru HB 248

similar grants in other states have been construed in that manner. As noted above, BLM does not seem to accept that position.

In §5(b) I am unclear as to exactly what is intended. Subsection (1) does not contain any authority for the commission, or direction to the Attorney General, to commence or join in actions. It seems to be authority merely to review and consider. In any event I would add at the end of subsection (1) "and the actions of the federal government preventing prompt conveyance to the state;". The added language might encompass the problems of overselection by Native corporations.

A degree of over-selection is legitimately permitted so that if portions of the original selections are found to be under navigable water owned by the state or otherwise unavailable for selection, the Native corporation will not be shorted. Some corporations, however, have over-selected to the extent of 50 or 60 percent and, in the case of the village corporations in Southeast, they selected everything which had originally been withdrawn for them which may be an over-selection of several hundred percent. In order to determine the amount of over-selection to which the Natives are actually entitled, it is first necessary to determine how much of the original selection may be unavailable and may even require surveys. All of this may cause delay which could result in additional changes of law or policy cutting off selection rights.

By the same token subsection 5(b)(2) seems unclear as to what participation there may be by others. Normally the Attorney General should be expected to represent the state's interest by commencing or by intervening in lawsuits. Should the Joint Legislative Commission hold views which differ from the Attorney General's, you may wish to authorize employment of outside counsel, though that may raise serious problems between the branches and in defining to the court the position of the state as a whole. I am sure that's a matter you will give consideration to.

I would be happy to testify before a committee if I can arrange for a trip to Juneau at the proper time. For obvious reasons a hearing on a Friday, Saturday or Monday would be most convenient for me. Certainly I would be happy

Senator Jalmar Kerttula
March 15, 1977
Page 4

to discuss this further with you by telephone or correspondence. Please note my new address.

Yours very truly,

ELY, GUESS & RUDD

A handwritten signature in dark ink, appearing to read "Joseph Rudd", with a stylized flourish at the end.

Joseph Rudd

JR/mcv

Alaska's concern is that the process of state land selections, unless separated entirely from the proposed general land classification regulations, may be compromised or impeded by the ambiguous or inconsistent language of the proposed regulations, or by any redraft which may be undertaken to meet the presumed requirements of the 1976 Land Policy Act. As you are no doubt aware, Section 701(g)(6) of that act preserves the Statehood Act Grant from infringement under the new act. The proposed regulations ignore this distinction entirely, and confusion and delay will certainly result if they are adopted in the present form. Since state selections need not be dealt with in new regulations pursuant to the 1976 Act, and since regulations exist under which the State has made selections to date, what seems to be required now is an agreement implementing Alaska's selection rights in light of the developing land ownership pattern in the State. My staff is anxious to work closely and soon with your department to outline the process by which this goal may be reached. Given the often divisive atmosphere that prevailed between Alaska and the Department for years past, few endeavors would have our greater priority or enthusiasm.

I would appreciate a response at your earliest convenience regarding the points I have raised in this letter, and particularly my request that the comment period regarding the proposed regulations be extended to June 22, 1977..

Sincerely yours,

JAY S. HAMMOND
Governor

Dec 2, 1977.

Sen. Jay Kerttula,
Alaska State Legislature,
Pouch V, Juneau, Ak. 99801.

Dear Sen. Kerttula -

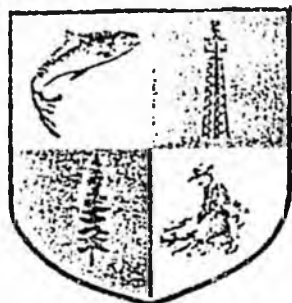
Please add my name to the list of those Alaskans who agree with you that it appears that a suit against the federal government is the only choice we have to acquire the acreage promised by the Alaska Statehood Act. Although U.S. Senator Stevens, Congressman Young and our governor Hammond had to come up with some plan it doesn't have enough Alaska character in it - Of course, Udall's dream would be a real nightmare - entirely unacceptable.

You have many people in the Fairbanks area who concur with you regarding the Statehood Act land grant, and will support you.

Respectfully yours -

Carl C. Nock,
Box 80509,
College, Ak. 99708.

Alaska



STATE CHAMBER of COMMERCE

208 National Bank of Alaska Building
Juneau, Alaska 99801
Phone 586-2323

TO: Walter J. Hickel
Jalmar Kerttula
Lew Williams
Bill Snedden
Bill Tobin

FROM: Frank H. Murkowski

DATE: March 22, 1977

SUBJECT: Alaska State Presentation in the Congressional Record

Enclosed is a copy of a letter from Representative Don Young, along with a copy of the Congressional Record for March 1, 1977, covering the State Chamber's position on the D-2 Lands.



COLLEGE OFFICE AND ADMINISTRATIVE CENTER P.O. BOX 60730 FAIRBANKS, ALASKA 99701 (907) 479-2381

March 21, 1977

The Honorable Jalmar Kerttula
Senate Majority Leader
Alaska State Senate
Pouch Y, State Capitol
Juneau, Alaska 99811

Dear Senator Kerttula:

I wholeheartedly endorse your efforts to establish a Joint Legislative Commission on the selection of State land through Senate Bill 141. Your approach is realistic and forthright and it deserves the support of the administration as well as all Alaskans. We are certainly not asking for anything more than we were led to believe was our constitutional right under the Statehood Act and the Constitution of the State of Alaska.

I am sorry that I was unable to visit with you when you were in Fairbanks last week, but I was out of town.

I would be pleased to testify on behalf of the Bill, however, I am going to be traveling from the 23rd of March through about the 5th of April. You may contact me through my secretary, Jan Stroffolino, at this address or 479-6566. I will be in contact with her during my absence.

Keep up the good work.

Sincerely,

Frank W. Murkowski
President

FHM:js

DON YOUNG
CONGRESSMAN FOR ALL ALASKA

COMMITTEES:
INTERIOR AND INSULAR
AFFAIRS
MERCHANT MARINE AND
FISHERIES

Congress of the United States
House of Representatives
Washington, D.C. 20515

WASHINGTON OFFICE
1210 LONGWORTH BUILDING
TELEPHONE 22/225-3735

DISTRICT OFFICES
115 U.S. FEDERAL BUILDING
ANCHORAGE, ALASKA 99501
TELEPHONE 907/273-1337

202 U.S. FEDERAL BUILDING
FAIRBANKS, ALASKA 99701
TELEPHONE 007/453-3343

March 7, 1977

To:
W. H. ...
Lee ...
Stewart ...
Jim ...
State C/C

Dear Frank:

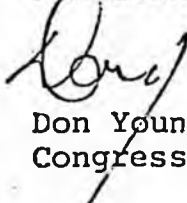
I took the liberty of inserting your statement on the d-2 land issue in the Congressional Record on March 1. I have enclosed a copy for your records.

I will also be sending copies of it to various interest groups throughout the state such as state legislators, state officials and Chambers of Commerce.

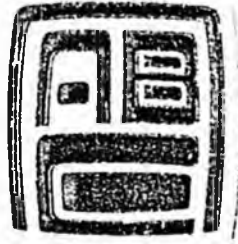
We need to do everything within our power to inform Alaskans and other Americans on this issue. In a recent television interview I publicly urged Alaskans to write friends and relatives in the lower 48 and have them write their Congressman. The more voices that are heard expounding Alaskan's views, of course, the better.

I fully appreciate your stand on this vital issue and am working here in Congress to see that Alaskans get a fair shake. Thank you for your help.

Sincerely,



Don Young
Congressman for all Alaska



ALASKA
BANK OF COMMERCE

MAIN OFFICE: POUCH 7012, ANCHORAGE, ALASKA 99510

March 16, 1977

Senator Jalmar Kerttula
Senate Majority Leader
Alaska State Legislature
Pouch Y State Capitol
Juneau, Alaska 99811

Dear Jalmar:

Thank you for sending me a copy of your proposed SB141. As I have stated before some such action has been long overdue. I am far removed from being an attorney or an authority on proper wording for an act to start the ball rolling on relief from what Congress has done and about to do to the people of Alaska.

By unilaterally changing the intent of the Statehood Act I couldn't agree with your reasoning more. We all realize that no action could or should be taken to upset the Native's claim of 40 million acres, whether we agree with it or not. However, to further break faith with the people of Alaska with D-2 and further lock-ups I firmly believe is wrong.

In answer to your question as whether I could qualify as an expert on the proposed legislation, I doubt that I am one of the people you need. May I suggest the following names:

Bill Arnold	Joe Keenan
Chuck Herbert	Phil Holdsworth
Ed Merdes	Dean Earl Beistline
Irene Ryan	Roscoe Bell
Kirk Stanley	(Peanuts) L. T. Main
Bill Waugaman	Bert Silcock
Bob Hartig	Dick Pettinger - A.G.C. Staff
Cameron Edmondson - CMAL (278-3837)	

Page 2
Senator Jalmar Kerttula
March 16, 1977

There are probably many more persons who are knowledgeable on this subject.

In closing I think your proposal is a good one, and I will do whatever I can within my capacity to help you.

Kindest regards.

Sincerely,



A. C. Swalling
Chairman of the Board

ACS:il

Kerttula will ask for statehood suit

JUNEAU (AP)—A prominent state lawmaker said Friday he plans to introduce legislation appropriating at least \$500,000 for the state to sue the federal government for breach of Alaska's statehood act.

Sen. Jay Kerttula, D-Palmer, said he thinks the federal government has violated the act by not allowing Alaska the promised 25 years to select the state's 100 million acres of land.

"When we bought statehood we didn't buy it on the basis we had mountaintops to choose from," Kerttula said. "We recognized some aboriginal claims (Native land claims) but we must not be third in line" behind the federal government, he added.

"They're just literally taking it away from us and we're letting them."

Kerttula said his proposed action has been prompted by the introduction of Rep. Morris Udall's d-2 land proposal in Congress.

On the floor of the Senate Friday, Kerttula, who is majority leader, urged his fellow lawmakers to join him in deciding how to proceed with the suit.

"But as an alternative I'm going to introduce legislation to sue and to fund

the suit," he said.

He estimated the suit would cost a minimum \$500,000 and "will request a cease-and-desist order and tell the feds we must have the balance of the 25 years to do our selections." He said the suit would at least be a stalling tactic, although he insists that he thinks the state could win.

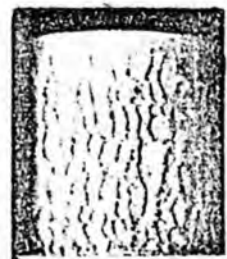
"We're about to lose the ball" in Congress, Kerttula said, and he predicts the Udall legislation has a good chance for Congressional approval.

Udall's bill is supported by a coalition of Alaska and national conservation groups and would set aside 110 million acres of Alaska land, including a good chunk of southeast's Tongass National Forest, for parks, national monuments, wild and scenic river systems and wildlife refuges.

Kerttula criticized the Hammond administration for "showing no interest" in suing the federal government.

A spokesman for the attorney general's office said he could not comment on the administration's position without knowing the details of Kerttula's plan.

Fairbanks News-Miner
5 FEB. 1977



FIDC



DR. WILLIAM R. WOOD
EXECUTIVE VICE PRESIDENT

FAIRBANKS INDUSTRIAL DEVELOPMENT CORPORATION

Phone 907 452-5400 619 Eleventh Avenue Fairbanks, Alaska 99701

February 7, 1977

Senator Jalmar M. Kerttula
Alaska State Legislature
Juneau, Alaska

Dear Jalmar:

Let me join the thousands who by now should be applauding your proposal to bring a "Statehood suit" against the Congress. I have argued privately for some time that since the Statehood Act had to be ratified by the vote of the Alaska people, any modification of that Act would also require a vote of the people of Alaska.

This, you will recall, did not happen when former Governor Egan challenged the Federal Government on the D-2 lands withdrawals, and later settled out of court with the Secretary of Interior. It has been my contention that the out-of-court settlement was illegal because there was no such authority to act contained in the Statehood Act.

This should take us back to the Statehood Act itself wherein the State of Alaska has the specific right to select up to 104,000,000 acres of land before any additional withdrawals can be made by anyone other than those whose aboriginal rights were recognized in the Statehood Act.

Whenever I discuss this matter with members of our Congressional delegation, or with local newspaper editors, or with representatives of the State administration, I find them all in agreement that the Congress can and will do as it pleases. This, I find very difficult to swallow.

The Alaska Statehood Act amounts to a treaty obligating the Federal Government forever if its position of integrity is to be maintained. Should the Congress at some future time wish to cancel the treaty, it could not do so unilaterally without destroying the confidence of the people through a violation of what amounts to a sacred trust.

On purely legal grounds, it seems clear to me that you do have a sound case to make on behalf of all Alaskans. If the

Senator Jalmar M. Kerttula -2-

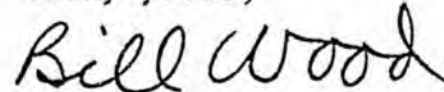
February 7, 1977

Supreme Court cannot determine this matter, then an International Court of Law should be given an opportunity to hear it.

Tentatively, I am scheduled to be in Juneau on Wednesday and would like to see you. You may be interested in seeing how the Fairbanks people are treating the various land issues. I hope that you will take the time to read the statements which I have made to the Governor during the past year on certain aspects of our State selection process.

I do hope that I can see you while I am in Juneau, for I do have to talk with you about the agricultural matter.

Sincerely yours,



William R. Wood
Executive Vice President

WRW/kb
encl.

P. O. Box 80148
Fairbanks, Alaska 99708
March 11, 1977

The Honorable Jalmar Kerttula
Senate Majority Leader
Alaska State Legislature
Pouch Y, State Capitol
Juneau, Alaska 99811

Dear Jay:

Thank you for your letter of March 5, 1977, and the copies of SB 141 and CSSB 141, and congratulations on your taking the initiative toward resolving problems surrounding selection and utilization of Alaska's lands. It is a forward-looking action and one of great importance to the State, both on a short-term basis, as well as for many years in the future.

Overall, I believe the following points are paramount.

True multiple use of the land is essential.

Private ownership by the individuals rather than government ownership is fundamental to the way of life of our American people.

A minimum of government regulations for developing the resources (renewable and non-renewable) of the land is desirable.

Clarification of State rights vs. Federal rights of land selection between units such as the State, ANLCSA, D-2 lands, D-1 lands, State withdrawals, Federal withdrawals, etc., needs to be clearly established.

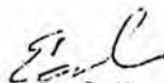
Access to "land units" within the State is needed for utilization of land regardless of status.

Several thoughts have been made on the accompanying copy of CSSB 141 for your consideration.

I would be happy to testify on this bill by letter or in person if you believe the thoughts that have been expressed herein are not duplications and will be helpful in the passage of your bill. Any additional information that you may have on the subject of your bill will be appreciated.

Best regards.

Sincerely,



Earl H. Beistline

EHB/jc

Enclosure



ALASKA LUMBER & PULP CO., INC.

Sitka Office: P O. BOX 1050 • SITKA ALASKA 99835 • TELEPHONE 747-0265

March 21, 1977

The Honorable Jalmar Kerttula
Senate Majority Leader
Alaska State Legislature
Pouch Y, State Capitol
Juneau, Alaska 99811

Dear Jay:

Thank you for your letter of March 3, 1977 inviting me to comment upon CSSB 141. Enclosed you will find a copy of resolution passed by the Alaska Loggers Association with respect to your bill which I sponsored at the Association's Board of Directors Meeting on March 19, 1977. I think this demonstrates my personal belief in the wisdom of what you have suggested. I also would not object to passage of the Act in its present form.

However, I believe that you may want to consider joining your bill with HB 231 and HB 232, which create a steering commission on D-2. Such action would recognize the close interrelationship between adequate opportunity for land selection under the Statehood Act and the impact that D-2 proposals in Congress would have upon that. The steering commission idea could have grafted into it the findings, intent and duties set forth in Sections 1, 2 and 5 of CSSB 141. This would then result in a commission made up of legislators and the public whose duty it would be not only to form a consensus position, and lobby for that position before Congress with respect to Section 17 D-2 issue, but to formulate such a consensus with due consideration for the requirements of the Alaska Statehood Act.

The advantage of the above approach is that it would have both of these important issues in the same commission rather than two separate commissions. It would further allow funding to accomplish two missions at once--namely, send people from the State back to D.C. to work for the State's 17 D-2 position, and for the State's land selections as well.

Page Two
March 21, 1977

I would appreciate knowing whether or not you think this is a viable suggestion. If so, I would be glad to work with you on it. If you do not think it is viable, I'd be more than glad to support your original proposal.

Yours very truly,

Clarence Kramer

Clarence Kramer

RESOLUTION OF THE ALASKA LOGGERS ASSOCIATION

REGARDING THE KERTULLA BILL

WHEREAS, the Alaska Statehood Act authorized selection by the State of 102,550,000 acres from the unreserved public land of the United States; and

WHEREAS, selection of lands by the State of Alaska pursuant to the said Act was delayed for the settlement of Native Claims which is now nearly complete, and

WHEREAS, §17(d)(2) of the Alaska Native Claims Settlement Act provides for the withdrawal of up to 80 million acres of unreserved public land for inclusion in the National Park, National Wildlife Refuge, Wild and Scenic Rivers and National Forest Systems, which withdrawals will add extensive additional acreage to the land already closed to selection by the State of Alaska; and

WHEREAS, the State of Alaska should have available for its selection lands having actual or potential economic value; and

WHEREAS, the continuing withdrawal of public lands in Alaska by the Federal government restricts State land

selections which is of concern to the people of the State of Alaska and to the future uses of the State's resources for the benefit of the people of the State;

NOW THEREFORE BE IT RESOLVED that the Alaska Loggers' Association endorses CSSB 141 introduced by Senator Jalmar Kertulla which would appoint a Joint Legislative Commission to review State land selection practices and the policies of the Federal government concerning reservation, withdrawal or disposition of public land in Alaska.

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as

Mr. & Mrs. Robert G. Zorich
P.O. Box 335
Glennallen, Alaska 99588

March 15, 1977

Governor Jay Hammond
Pouch D
Juneau, Alaska 99811

Dear Governor Hammond:

I think it is a sad day for all of the United States when a state such as Alaska has so little say in such matters as how the land within its boundaries can be managed and used. But it seems as if people are best qualified to determine the destiny of Alaska if one has never lived here. A few articles read in monthly magazines makes one knowledgeable of this vast expanse of wilderness, and ^{if one} ~~was~~ fortunate enough for a visit during the pleasurable months of summer an unquestionable expert is born. Unfortunately a person living here must not be as astute as those viewing Alaska part-time or from afar, because Alaskan views do not seem to weigh as heavily about Alaskan land management policies now being proposed in our nation's capital (sounds similar to the cry of taxation without representation 200 years ago).

Many of the current land use proposals go way beyond the original intend of the total 80 million acre D-2 land proposal, with total disregard for the studies that both state and federal agencies did that cost tax payers millions of dollars. I am not suggesting that Alaska be thrown up for grabs; for that is what congress is virtually doing for its special interest groups now; but that a land policy be adopted that would provide the most benefits to all and I believe that is in multiple use. Parks are fine but don't let them confine us.

My wife and I just want you to know that we support your efforts in voicing Alaskan views and hope through your efforts we can shape our own future.

Sincerely

Mr. & Mrs. Robert G. Zorich

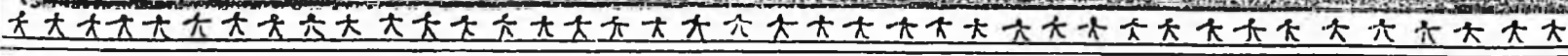
Mr. & Mrs. Robert G. Zorich

CC.
State Senator Jay Hertulla ✓
U.S. Senator Mike Gravel
U.S. Senator Ted Stevens
U.S. Representative Don Young

CMAL

CITIZENS FOR MANAGEMENT OF ALASKA LANDS

P.O. Box 3256DT
Anchorage, AK 99510



5141

February 21, 1977

Senator Jalmar M. Kerttula
Court Bldg. - Rm. 624
Pouch V
Juneau, Alaska 99811

Dear Senator Kerttula:

Here is some basic information about a new organization which has formed in Anchorage to deal with the (D)(2) land issue. I hope you will find it of interest as the outcome of this question is now shaping up as one which will mold Alaska's future for many decades to come.

The organization is mandated to seek a statewide consensus and is in the process of acquiring affiliates in all parts of Alaska.

If you have any questions, or if we may be of help to you in any manner, please call on us.

Sincerely,
CMAL

Cameron Edmondson
Executive Director

/jb

STATEMENT OF POLICY OF
CITIZENS FOR MANAGEMENT OF ALASKA LANDS

Citizens for Management of Alaska Lands (CMAL) is a broad-based coalition of Alaskans and others interested in the wise use of Alaska lands and resources. Its philosophy, to the extent it can be expressed simply, can be paraphrased as "land for peoples' needs."

CMAL believes in the multiple-use concept, wherein land can be managed to produce both the basic needs--such as, food and shelter--and important, yet secondary, needs--such as, recreation. CMAL believes that this concept makes sense for the bulk of Alaska's land which has strong multiple-values or potentials, as it allows use of the land to produce the greatest good for the greatest number.

By recognizing that peoples' needs also include solitude and aesthetic values, CMAL is also in favor of preservation of certain wild lands whose uniqueness is widely acclaimed in units of the National Park and Wildlife Refuge systems. It proposes, however, that all the resource values be professionally evaluated and inventoried, so there is a clear understanding of benefits and costs of those lands placed in restricted withdrawals.

It is the policy of CMAL that stable land ownership and management practices be paramount to any decision relating to Alaska's land and resources. Thus there must be no doubts about Alaska's statehood and Native entitlements, as new land decisions are made.

Finally, CMAL believes that the vast area of Alaska--if dynamically managed to take into account changing needs of man--will play an increasingly important role in the national destiny with room for recreation, wildlife, timber, energy and food production, mining, and human habitat.

CITIZENS FOR MANAGEMENT OF ALASKA LANDS

THE ALASKAN (D)(2) LANDS -- AN EXECUTIVE SUMMARY

The phrase "(D)(2) lands" is seen in the local and national press, heard on radio and television and in debates in the halls of Congress. Yet some Alaskans and most other Americans do not know what these lands are, or their significance to the entire nation. Although questions about (D)(2) lands cannot be answered completely in a short statement, CMAL, the newly-organized Citizens for Management of Alaska Lands, Inc., has prepared the following summary of the (D)(2) issue.

WHAT ARE THE (D)(2) LANDS? These are the roughly 80 million acres withdrawn under Section 17 (D)(2) of the Alaska Native Claims Settlement Act for possible "addition to or creation as units of the National Park, Forest, Wildlife Refuge, and Wild and Scenic Rivers Systems." How much land is to be placed in each system is the question before Congress.

WHERE ARE THE (D)(2) LANDS? Lands are widely scattered throughout Alaska, with scenic mountain lands mainly in the Brooks Range, the Wrangell Mountains, and the Alaska-Aleutian Ranges; the hilly and lowland areas in northeastern Alaska, and in the Yukon and Kuskokwim River systems.

HOW LARGE IS 80 MILLION ACRES? It's big! It would make more than 37 Yellowstone National Parks or two-thirds of California--or more than the combined areas of New York, Pennsylvania and New Jersey.

WHAT ARE THE RESOURCE VALUES? Everything. Some of the (D)(2) lands are among the most scenic lands in the world. The low wet lands are breeding grounds for wild fowl; hilly country has caribou, moose, bear, and wolves. The (D)(2) lands also contain millions of acres of commercial quality timber, millions of acres of virgin tillable soils, and major resources of copper, molybdenum, gold, silver, antimony, strategic minerals such as chromium, nickel, tin and very probably uranium, oil and gas. And while it is often forgotten, people are our main resource. Many of the (D)(2) lands are near areas of chronic under-employment and, while no one has advocated forced development, the possible loss--or gain--of thousands of new private jobs has to be considered in the decision.

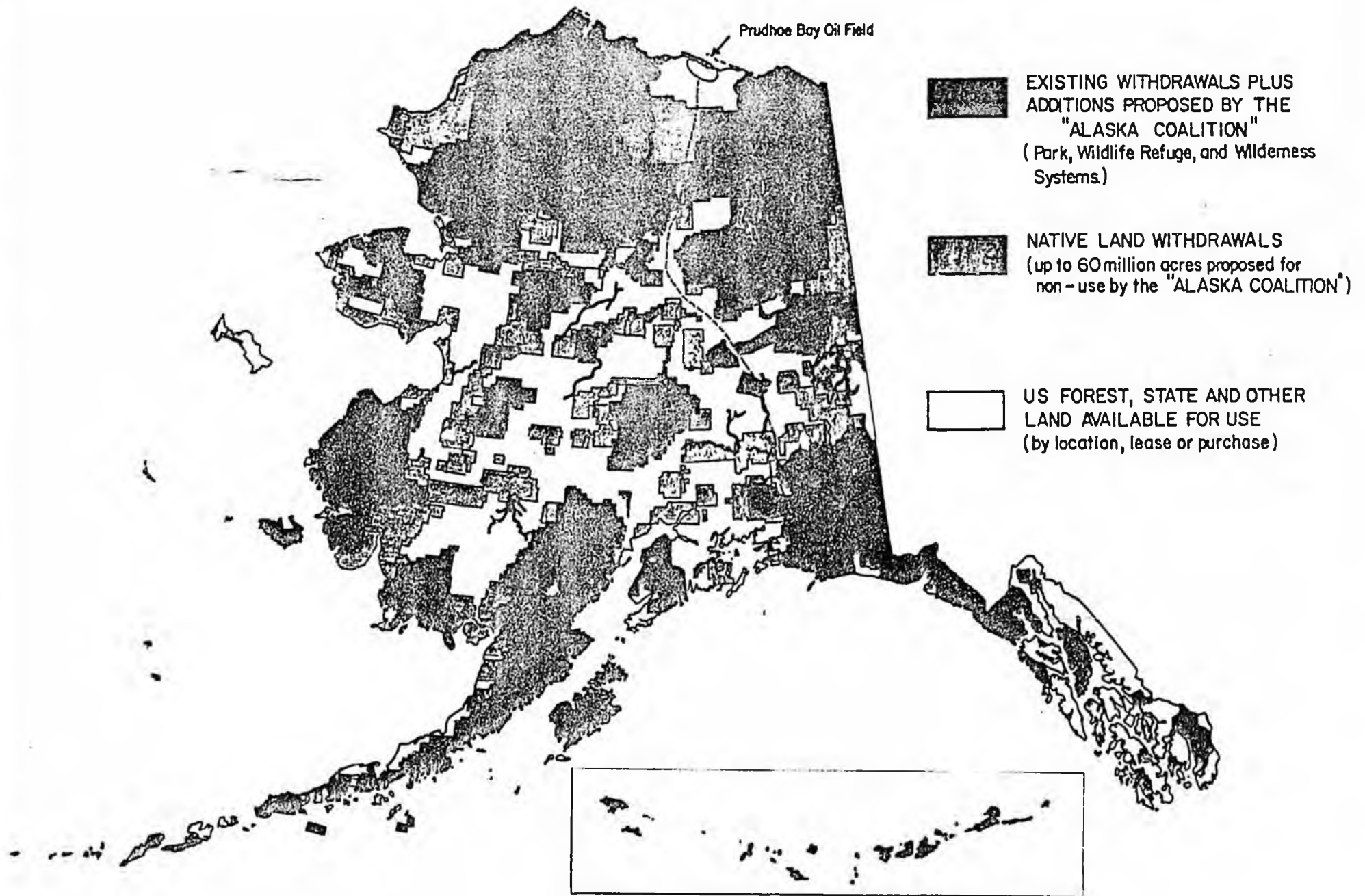
WHAT IS THE PROBLEM? The problem is to determine how an exceptional series of wild lands--some with an obvious prime value, some with multiple values--will be managed.

HOW SHOULD THE PROBLEM BE RESOLVED? Several approaches have been proposed. One extreme, that of the Alaska Coalition would place 147 million acres in wilderness National Parks and Wildlife Refuges. Together with existing withdrawals, this proposal places an area larger than the state of Texas out of bounds for all development and for most human uses. Several of the other proposals are also biased toward non-use of Alaska's land. In contrast, CMAL favors the use of "Land for peoples' needs." CMAL seeks a consensus on unique lands which most Alaskans and other Americans agree deserve protection; it is also identifying lands with a variety of values which must be managed under a multiple-use philosophy. Alaskans and, indeed, all Americans must be concerned--our state and national economy, our way of life, is involved, so great is the magnitude of the problem.

WHAT CAN BE DONE ABOUT THE PROBLEM? Individual citizens should immediately write their local members of Congress to express concern and to urge those officials to support retention of options from multiple use management for most of our lands and resources. To become more informed, more involved, and to help, write:

CMAL
Box 3256 DT
Anchorage, Alaska 99510

Membership dues are: Individuals \$10.00; Corporate \$100.00; and Association \$250.00. (There is also vital need for supplemental grants.)



THE PRESERVATIONISTS' BLACKOUT

STATE OF ALASKA
One Inch = 190 Miles

Original sponsors: Gruening, Malone
and Gardiner

Offered: 4/13/77
Referred: Resources

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2

SENATE CS FOR CS FOR HOUSE BILL NO. 234

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 special appropriations for the work of
7 the Steering Council for Alaska Lands; 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 \$300,000 is appropriated from the general fund to
11 the Office of the Governor for the Steering Council for Alaska Lands.

12

* Sec. 2. The sum of \$50,000 is appropriated from the general fund to the
13 Legislative Affairs Agency for the purpose of paying travel and other neces-
14 sary expenses of members of the legislature appointed as members of the
15 Council for Alaska Lands.

16

* Sec. 3. This Act takes effect upon the effective date of a version of
17 an Act entitled "An Act relating to selection of state land and federal land
18 withdrawal and classification."

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Original sponsors: Gruening, Malone
and Gardiner

Offered: 3/16/77
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 234 am

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 special appropriations for the work of
7 the Steering Council for d-2 lands; and providing for
8 an effective date."

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

10 * Section 1. The sum of \$300,000 is appropriated from the general fund to
11 the Office of the Governor for the Steering Council for d-2 lands.

12 * Sec. 2. The sum of \$20,000 is appropriated from the general fund to the
13 Legislative Affairs Agency for the purpose of paying travel and other neces-
14 sary expenses of members of the legislature appointed as members of a
15 Special Committee on d-2 lands.

16 * Sec. 3. This Act takes effect upon the effective date of an Act creat-
17 ing a Steering Council for d-2 lands, as enacted by the Tenth Alaska Legis-
18 lature, First Session.

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Original sponsors: Gruening, Malone
and Gardiner

Offered: 3/16/77
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2

CS FOR HOUSE BILL NO. 234

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 special appropriations for the work of
7 the Steering Council for d-2 lands; and providing for
8 an effective date."

9

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

10

* Section 1. The sum of \$300,000 is appropriated from the general fund to
11 the Office of the Governor for the Steering Council for d-2 lands.

12

* Sec. 2. The sum of \$20,000 is appropriated from the general fund to the
13 Legislative Affairs Agency for the purpose of paying travel and other neces-
14 sary expenses of members of the legislature appointed as members of the
15 Steering Council on d-2 lands.

16

* Sec. 3. This Act takes effect upon the effective date of an Act creat-
17 ing a Steering Council for d-2 lands, as enacted by the Tenth Alaska Legis-
18 lature, First Session.

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Introduced: 2/18/77
Referred: Resources and
Finance

1 IN THE HOUSE

BY GRUENING, MALONE
AND GARDINER

2 HOUSE BILL NO. 234

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 Steering
7 Council for d-2 lands; and providing for an effective
8 date."

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

10 * Section 1. The sum of \$300,000 is appropriated from the general fund to
11 the Office of the Governor for the Steering Council for d-2 lands.

12 * Sec. 2. This Act takes effect upon the effective date of the Act creat-
13 ing a Steering Council for d-2 lands, as enacted by the Tenth Alaska State
14 Legislature. First Session.

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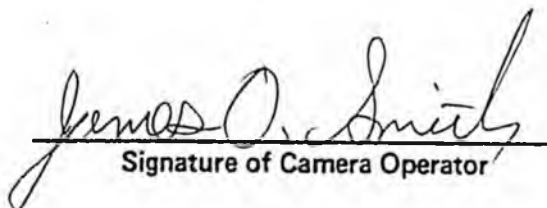
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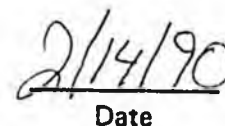


RECORDS CERTIFICATION



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

"An Act making a special appropriation to the Department of Health and Social Services and to the Department of Education for alcohol-related programs; and providing for an effective date."

COMMITTEE REPORT

2-21-77

HOUSE

_____ Date

Mr. Speaker:

The Committee on FINANCE has had HB 241 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
- ,ther) _____

MEMBERS SIGNING THE MAJORITY REPORT:

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

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

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

_____ Chairman

Introduced: 2/21/77
Referred: Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 241

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 Health and Social Services and to the Depart-
8 ment of Education for alcohol-related programs; and
9 providing for an effective date."

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

11 * Section 1. The sum of \$1,521,600 is appropriated from the general
12 fund to the Department of Health and Social Services for Fiscal Year 1978,
13 allocated as follows:

14	Medical Alcohol Detoxification Services	\$100,000
15	Non-Medical Alcohol Detoxification Facility	367,100
16	Acquisition Grants	
17	Operation of 30-Day Residential Intensive	
18	Treatment Facility for Alcohol Affected	
19	Persons	600,000
20	Public Information and Education Regarding	
21	Alcohol Abuse	350,000
22	Training of Personnel For Service in Alcohol	
23	Treatment and Counseling Programs at Various	
24	Locations	104,500

25 * Sec. 2. The sum of \$66,000 is appropriated from the general fund to
26 the Department of Education for Fiscal Year 1978, for the purpose of
27 development and implementation of an alcohol education curriculum for use
28 in the state's schools.

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

COMMITTEE COPY

HB 241

February 18, 1977

The Honorable Hugh Malone
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18 of the Alaska Constitution, and in accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill making appropriations to the Department of Health and Social Services and Department of Education to fund various new alcohol-related programs being proposed by this Administration for Fiscal Year 1978.

Sincerely,

Jay S. Hammond
Governor

ALASKA STATE LEGISLATURE

TENTH Legislature FIRST Session

HOUSE BILL NO. 241

By THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

"An Act making a special appropriation to the Department of Health and Social Services and to the Department of Education for alcohol-related programs; and providing for an effective date."

Alcohol-related programs; approp.

Introduced in the House 2-21, 1977

HISTORY IN THE HOUSE

19 77

Feb. 21

Read first time and referred to Committee on Finance

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration
PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused
Reported correctly engrossed
Signed by Speaker
Sent to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration
PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused
Reported correctly engrossed
Signed by President
Returned to House

SECRETARY OF THE SENATE

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: 2/21/77
Referred: Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 241

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 Health and Social Services and to the Depart-
8 ment of Education for alcohol-related programs; and
9 providing for an effective date."

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

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12 fund to the Department of Health and Social Services for Fiscal Year 1978,
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15	Non-Medical Alcohol Detoxification Facility	367,100
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17	Operation of 30-Day Residential Intensive	
18	Treatment Facility for Alcohol Affected	
19	Persons	600,000
20	Public Information and Education Regarding	
21	Alcohol Abuse	350,000
22	Training of Personnel For Service in Alcohol	
23	Treatment and Counseling Programs at Various	
24	Locations	104,500

25 * Sec. 2. The sum of \$66,000 is appropriated from the general fund to
26 the Department of Education for Fiscal Year 1978, for the purpose of
27 development and implementation of an alcohol education curriculum for use
28 in the state's schools.

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

14B 241

February 18, 1977

The Honorable Hugh Malone
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18 of the Alaska Constitution, and in accordance with AS 24.30.060 (b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill making appropriations to the Department of Health and Social Services and Department of Education to fund various new alcohol-related programs being proposed by this Administration for Fiscal Year 1978.

Sincerely,

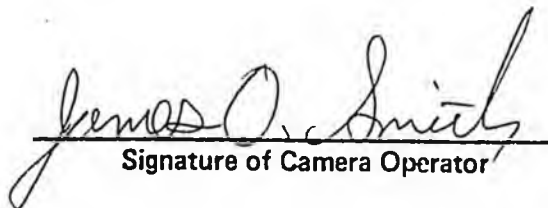
Jay S. Hammond
Governor

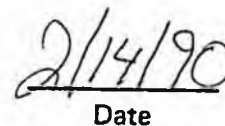


RECORDS CERTIFICATION



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Signature of Camera Operator


Date

Original sponsor: Malone

Offered: 4/6/77
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 242

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to changes in the state social ser-
7 vices plan."

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

9 * Section 1. AS 47.75 is amended by adding a new section to read:

10 Sec. 47.75.070. CHANGE OF STATE PLAN; PUBLIC MEETINGS. (a) When-
11 ever a change is proposed for the approved annual state plan of a re-
12 gional office service area, the department shall hold public meetings in
13 that service area.

14 (b) Notice of these public meetings shall be made by publication
15 in newspapers of general circulation published in each affected region
16 at least once each week for three successive weeks before the meeting.

17 (c) The department shall conduct public hearings in the regional
18 service areas affected for the purpose of obtaining comment on the pro-
19 posed changes as provided for in the Administrative Procedure Act
20 (AS 44.62).

21 (d) Any person entitled to notification under (b) of this section
22 may apply to the superior court for an order enjoining any change in the
23 state plan without notification as required in (b) of this section.
24 Upon a showing by the person bringing suit that the department has
25 adopted or is about to adopt a change in the state plan without first
26 giving the required notice, an injunction, restraining order, or other
27 order which is appropriate may be granted by the court.

COMMITTEE REPORT

4/6/77

HOUSE

Date

Mr. Speaker:

The Committee on FINANCE has had HB 242 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

2-21-77

COMMITTEE REPORT

FINANCE

HOUSE

4-5-77 Date

Mr. Speaker:

The Committee on HESS has had HB 242 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 242 and that CS for HB 242 do pass
- (and) recommends it be referred to the committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other)

(Same title)

MEMBERS SIGNING THE MAJORITY REPORT:

<u>[Signature]</u>	<u>Do Pass</u>	<u>Andre Beine</u>
<u>[Signature]</u>	<u>Do Pass</u>	<u>do pass</u>
<u>Reggie E. Phillips</u>	<u>Do Pass</u>	
<u>Charles H. Han</u>	<u>Do Pass</u>	

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____ recommends: _____

_____ recommends: _____

_____ recommends: _____

Charles H. Han
Chairman

3431
Vassar

Original sponsor: Malone

Offered: 4/6/77
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 242

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to changes in the state social ser-
7 vices plan."

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

9 * Section 1. AS 47.75 is amended by adding a new section to read:

10 Sec. 47.75.070. CHANGE OF STATE PLAN; PUBLIC MEETINGS. (a) When-
11 ever a change is proposed for the approved annual state plan of a re-
12 gional office service area, the department shall hold public meetings in
13 that service area.

14 (b) Notice of these public meetings shall be made by publication
15 in newspapers of general circulation published in each affected region
16 at least once each week for three successive weeks before the meeting.

17 (c) The department shall conduct public hearings in the regional
18 service areas affected for the purpose of obtaining comment on the pro-
19 posed changes as provided for in the Administrative Procedure Act
20 (AS 44.62).

21 (d) Any person entitled to notification under (b) of this section
22 may apply to the superior court for an order enjoining any change in the
23 state plan without notification as required in (b) of this section.
24 Upon a showing by the person bringing suit that the department has
25 adopted or is about to adopt a change in the state plan without first
26 giving the required notice, an injunction, restraining order, or other
27 order which is appropriate may be granted by the court.
28
29

3431
Vassar

Introduced: 2/21/77
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY MALONE

2 HOUSE BILL NO. 242

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to changes in the state social services
7 plan."

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

9 * Section 1. AS 47.75 is amended by adding a new section to read:

10 Sec. 47.75.070. CHANGES IN STATE PLAN. (a) At least 14 days
11 before any change in the state plan is adopted, the department shall
12 send notice of the proposed change to each of the following: (1) each
13 regional office service area; (2) each city and borough affected by the
14 proposed change; (3) the general public by publication in a newspaper of
15 general circulation in each area affected by the proposed change; and
16 (4) each incumbent legislator. The notice shall include a detailed
17 analysis of how the current state plan will be changed.

18 (b) Any person may petition the department for a public hearing
19 before adoption of the proposed change. The petition shall include the
20 reason for the request.

21 (c) Upon receipt of a petition requesting a public hearing, the
22 department shall, within 14 days, deny the petition in writing or sched-
23 ule the matter for public hearings as provided for in the Administrative
24 Procedure Act (AS 44.62) in each of the regional office service areas
25 affected by the proposed change.

26 (d) Any person entitled to notification under (a) of this section
27 may apply to the superior court for an order enjoining any change in the
28 state plan without notification as required in (a) of this section. Upon
29 a showing by the person bringing suit that the department has adop-

1 red or is about to adopt a change in the state plan without first giving
2 the required notice, an injunction, restraining order, or other order
3 which is appropriate may be granted by the court.
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Com. 7.



Alaska State Legislature ~ House

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE

Pouch V, State Capitol
Juneau, Alaska 99811
(907) 465-3797

LETTER OF INTENT TO
HOUSE BILL NO. 242

It is the intent of the House Health,
Education, & Social Services Committee
that CS HB 242 be implemented with no
additional staff or funds.

A handwritten signature in cursive script, appearing to read "Charlie Parr".

Charlie Parr, Chairman
House Health, Education,
& Social Services Committee

ALASKA STATE LEGISLATURE

TENTH Legislature FIRST Session

HOUSE BILL NO. 242

By MALONE

"An Act relating to changes in the state social services plan."

Changes in State soc. svcs. plan

Introduced in the House 2-21 19 77

HISTORY IN THE HOUSE

19 77	Read first time and referred to Committee on HESS and Finance												
Feb. 21	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
PASS	Effective Date												
Yeas	Yeas												
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	<table border="0"> <tr> <td colspan="2">Reconsideration</td> </tr> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
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PASS	Effective Date												
Yeas	Yeas												
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Absent	Absent												
Excused	Excused												
	Reported correctly engrossed												
	Signed by Speaker												
	Sent to Senate												

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19	Read first time and referred to Committee on												
	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
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Reconsideration													
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed												
	Signed by President												
	Returned to House												

SECRETARY OF THE SENATE

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.



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 A. Smith
Signature of Camera Operator

2/14/90
Date

HB 210
+
HB 244

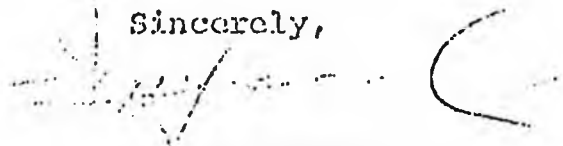
February 11, 1977

The Honorable Hugh Malone
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18 of the Alaska Constitution, and in accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill to provide for the interim management of the Alaska Permanent Fund. Article IX, sec. 15 of the Alaska Constitution, which becomes effective February 21, 1977, provides that the principal of the fund must be used for income-producing investments specifically designated by law. Therefore, it is necessary to enact legislation setting up the management and investment process for the fund. The attached bill does this on an interim basis, requiring the commissioner of revenue to invest the money until a permanent structure for this investment function is created.

Sincerely,



Jay S. Hammond
Governor

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. HB 210 + 244
 Title Interim Management of the Alaska Permanent Fund
 Requested by Department of Revenue, Treasury Management Date _____

II. FISCAL DETAIL
 Agency Affected Department of Revenue 185,000 - 15
 Program Category Affected General Government
 Budget Request Unit(s) Affected Treasury Management 125,000

EXPENDITURES (Thousands of Dollars)

50,000 net

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES	0	0				
200 TRAVEL	2.8	2.8				
300 CONTRACTUAL	9.1	47.2				
400 COMMODITIES	.2	.5				
500 EQUIPMENT	0	0				
600 LAND & STRUCTURES	0	0				
700 GRANTS, CLAIMS, ETC.	0	0				
TOTAL	12.1	50.5	0	0	0	0

FUNDING (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
GENERAL FUND	12.1	50.5	0	0	0	0
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
FULL TIME	0	0	0	0	0	0
PART TIME						
TEMPORARY						

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

This fiscal note enumerates expenses to provide for interim management of the Alaska Permanent Fund. Travel expenses cover travel and per diem to establish and maintain supervision of security transactions, custodial, and reporting services. Contractual services include all of the previously mentioned services plus necessary printing and duplication services and communications. Commodities cover additional use of office supplies.

Without this funding, it would not be possible to invest and provide accounting service on a segregated basis for funds accruing to the Alaska Permanent Fund beginning February 22 1977. Funds will begin accruing from that date in accordance with Alaska Constitution, Article IX, Section 15 as amended.

IV. DATE 1/18/77 PREPARED BY Jim Edens
 AGENCY Department of Revenue/Treasury
 PHONE 465-2200
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB-210
Title Interim Management of the Alaska Permanent Fund
Requested by Department of Revenue, Treasury Management Date _____

II. FISCAL DETAIL

Agency Affected Department of Revenue
Program Category Affected General Government
Budget Request Unit(s) Affected Treasury Management

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES	0	0				
200 TRAVEL	2.8	2.8				
300 CONTRACTUAL	9.1	47.2				
400 COMMODITIES	.2	.5				
500 EQUIPMENT	0	0				
600 LAND & STRUCTURES	0	0				
700 GRANTS, CLAIMS, ETC.	0	0				
TOTAL	12.1	50.5	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND	12.1	50.5	0	0	0	0
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME	0	0	0	0	0	0
PART TIME						
TEMPORARY						

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

This fiscal note enumerates expenses to provide for interim management of the Alaska Permanent Fund. Travel expenses cover travel and per diem to establish and maintain supervision of security transactions, custodial, and reporting services. Contractual services include all of the previously mentioned services plus necessary printing and duplication services and communications. Commodities cover additional use of office supplies.

Without this funding, it would not be possible to invest and provide accounting services on a segregated basis for funds accruing to the Alaska Permanent Fund beginning February 22, 1977. Funds will begin accruing from that date in accordance with Alaska Constitution, Article IX, Section 15 as amended.

IV. DATE 1/18/77 PREPARED BY Jim Edens
AGENCY Department of Revenue/Treasury
Original: Legislative Finance PHONE 465-2350
cc: Budget and Management
Prime Sponsor (First Legislator Named)

HB 210

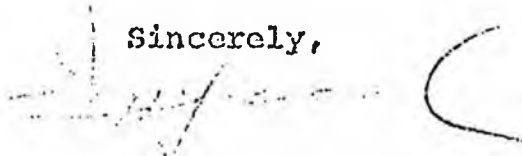
February 11, 1977

The Honorable Hugh Malone
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18 of the Alaska Constitution, and in accordance with AS 24.30.060 (b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill to provide for the interim management of the Alaska Permanent Fund. Article IX, sec. 15 of the Alaska Constitution, which becomes effective February 21, 1977, provides that the principal of the fund must be used for income-producing investments specifically designated by law. Therefore, it is necessary to enact legislation setting up the management and investment process for the fund. The attached bill does this on an interim basis, requiring the commissioner of revenue to invest the money until a permanent structure for this investment function is created.

Sincerely,



Jay S. Hammond
Governor

COMMITTEE REPORT

SENATE

2/24/77

Date

Mr. President:

The Committee on Finance has had HB 244 spec. appropriation to Dept. of Revenue for interim management of Alaska Permanent under consideration. A majority of the members of the Committee find

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

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

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

[Signature]

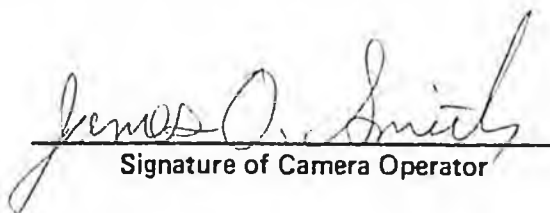
Chairman

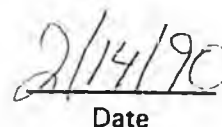


RECORDS CERTIFICATION



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

3477

Bennett

Introduced: 2/21/77
Referred: Finance

IN THE HOUSE

BY THE FINANCE COMMITTEE

HOUSE BILL NO. 244

IN THE LEGISLATURE OF THE STATE OF ALASKA

TENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act making a special appropriation to the Department of Revenue for the interim management of the Alaska Permanent Fund; and providing for an effective date."

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

* Section 1. The sum of \$62,600 is appropriated from the general fund to the Department of Revenue for the interim management of the Alaska Permanent Fund.

* Sec. 2. The unexpended and unobligated balance of the appropriation made by this Act lapses into the general fund June 30, 1978.

* Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-070(c).

"An Act making a special appropriation to the Department of Revenue for the interim management of the Alaska Permanent Fund; and providing for an effective date."

COMMITTEE REPORT

HOUSE

2-21-77

2-21-77

Date

Mr. Speaker:

The Committee on FINANCE has had HB 244 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>Furman</u>	<u>Markus</u>	<u>Seaman</u>
<u>...</u>	<u>...</u>	<u>...</u>
<u>...</u>	<u>...</u>	<u>...</u>
<u>...</u>	<u>...</u>	<u>...</u>

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____ recommends: _____

_____ recommends: _____

_____ recommends: _____

...

Chairman

3477

Bennett

Introduced: 2/21/77
Referred: Finance

IN THE HOUSE

BY THE FINANCE COMMITTEE

HOUSE BILL NO. 244

IN THE LEGISLATURE OF THE STATE OF ALASKA

TENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act making a special appropriation to the Department of Revenue for the interim management of the Alaska Permanent Fund; and providing for an effective date."

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THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. HB 210/244 (HB 210--Authorization, HB 244--Appropriation)
 Title Interim Management of the Alaska Permanent Fund
 Requested by Department of Revenue, Treasury Management Date _____

II. FISCAL DETAIL
 Agency Affected Department of Revenue
 Program Category Affected General Government
 Budget Request Unit(s) Affected Treasury Management

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES	0	0				
200 TRAVEL	2.8	2.8				
300 CONTRACTUAL	9.1	47.2				
400 COMMODITIES	.2	.5				
500 EQUIPMENT	0	0				
600 LAND & STRUCTURES	0	0				
700 GRANTS, CLAIMS, ETC.	0	0				
TOTAL	12.1	50.5	0	0	0	0

FUNDING (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
GENERAL FUND	12.1	50.5	0	0	0	0
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
FULL TIME	0	0	0	0	0	0
PART TIME						
TEMPORARY						

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

This fiscal note enumerates expenses to provide for interim management of the Alaska Permanent Fund. Travel expenses cover travel and per diem to establish and maintain supervision of security transactions, custodial, and reporting services. Contractual services include all of the previously mentioned services plus necessary printing and duplication services and communications. Commodities cover additional use of office supplies.

Without this funding, it would not be possible to invest and provide accounting services on a segregated basis for funds accruing to the Alaska Permanent Fund beginning February 22, 1977. Funds will begin accruing from that date in accordance with Alaska Constitution, Article IX, Section 15 as amended.

IV. DATE 1/18/77 PREPARED BY *John Edens*
 AGENCY Department of Revenue/Treasury
 Original: Legislative Finance PHONE 465-2350
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)



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 A. Smith
Signature of Camera Operator

2/14/90
Date

"An Act making a special appropriation to the Department of Natural Resources for a plant materials center at Manley Hot Springs; eff. date.

COMMITTEE REPORT

2-22-77

HOUSE

_____ Date

Mr. Speaker:

The Committee on FINANCE has had HB 245 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

3222
Berry

Introduced: 2/22/77
Referred: Finance

1 IN THE HOUSE

BY COWPER AND SWANSON

2 HOUSE BILL NO. 245

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 Natural Resources for a plant materials center
8 at Manley Hot Springs; and providing for an effective
9 date."

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

11 * Section 1. The sum of \$275,000 is appropriated from the general fund
12 to the Department of Natural Resources to establish and construct a plant
13 materials center (AS 03.22) at Manley Hot Springs.

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

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ALASKA STATE LEGISLATURE

TENTH Legislature FIRST Session

HOUSE BILL NO. 245

By COWPER AND SWANSON

"An Act making a special appropriation to the Department of Natural Resources for a plant materials center at Manley Hot Springs; and providing for an effective date."

Manley Hot Springs - material ctr.

Introduced in the House 2-22-77.

HISTORY IN THE HOUSE

19 77	Read first time and referred to Committee on Finance																						
Feb. 22	Reported back with recommendation that																						
	Read second time and																						
	Read third time and																						
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> <tr> <td colspan="2">Reconsideration</td> </tr> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
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Yeas	Yeas																						
Nays	Nays																						
Absent	Absent																						
Excused	Excused																						
	Reported correctly engrossed																						
	Signed by Speaker																						
	Sent to Senate																						
CHIEF CLERK OF THE HOUSE																							

HISTORY IN THE SENATE

19	Read first time and referred to Committee on																						
	Reported back with recommendation that																						
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	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> <tr> <td colspan="2">Reconsideration</td> </tr> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
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Yeas	Yeas																						
Nays	Nays																						
Absent	Absent																						
Excused	Excused																						
	Reported correctly engrossed																						
	Signed by President																						
	Returned to House																						
SECRETARY OF THE SENATE																							

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: 2/22/77
Referred: Finance

1 IN THE HOUSE

BY COWPER AND SWANSON

2 HOUSE BILL NO. 245

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 Natural Resources for a plant materials center
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Introduced: 2/22/77
Referred: Finance

1 IN THE HOUSE

BY COWPER AND SWANSON

2

HOUSE BILL NO. 245

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 Natural Resources for a plant materials center at Manley Hot Springs; and providing for an effective date."

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Introduced: 2/22/77
Referred: Finance

1 IN THE HOUSE

BY COWPER AND SWANSON

2 HOUSE BILL NO. 245

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

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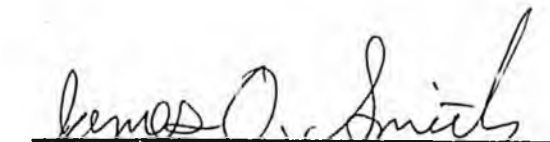
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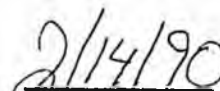


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Signature of Camera Operator


Date

COMMITTEE REPORT

HOUSE

3/22/77

April 5 1977 Date

Mr. Speaker:

The Committee on FINANCE has had HB 248

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 House Finance 14B248 and that
CS for 1.3248 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>[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:

<u>[Signature]</u>	recommends: <u>[Signature]</u>
<u>[Signature]</u>	recommends: <u>11 11</u>
<u>[Signature]</u>	recommends: _____

[Signature]
Chairman

Original sponsor: Rules Committee by request
of the Governor

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 248 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska Pipeline Commission; and
7 providing for an effective date."

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

9 * Section 1. AS 42.06.140(1) is amended to read:

10 (1) shall regulate pipelines and pipeline carriers and
11 affiliated interests in the state;

12 * Sec. 2. AS 42.06.140(4) is amended to read:

13 (4) may require pipeline carriers and affiliated interests
14 to file with the commission reports and other information and data
15 required or permitted to be required by other provisions of this chapter;

16 * Sec. 3. AS 42.06.140(8) is amended to read:

17 (8) shall require permits for the construction, enlargement
18 in size or operating capacity, extension, connection and interconnection,
19 operation or abandonment of any oil or gas pipeline facility or facili-
20 ties, subject to necessary and reasonable terms, conditions and limita-
21 tions;

22 * Sec. 4. AS 42.06.140(10) is amended to read:

23 (10) shall provide all reasonable assistance to the Depart-
24 ment of Law in intervening in, offering evidence in, and participating
25 in proceedings involving a pipeline carrier or affiliated interest
26 and affecting the interests of the state, before an officer, department,
27 board, commission or court of another state or the United States.

28 * Sec. 5. AS 42.06.305 is amended to read:

29 Sec. 42.06.305. TRANSFER OF OPERATING AUTHORITY [CERTIFICATE].

1 Operating authority [A CERTIFICATE] may not be transferred by sale or
2 lease of the certificate or by the sale of substantially all of the
3 stock or assets of a pipeline carrier holding a certificate [SOLD OR
4 LEASED, RENTED OR TRANSFERRED] without the prior approval of the commis-
5 sion. A [; THE] transfer [OF A CERTIFICATE] not involving a substantial
6 change in [OF] ownership shall be summarily approved.

7 * Sec. 6. AS 42.06.390 is repealed and re-enacted to read:

8 Sec. 42.06.390. INITIAL OR REVISED RATES. (a) No pipeline carrier
9 may establish or place in effect any initial rates, charges, rules,
10 regulations, conditions of service or practices except after 90 days
11 notice to the commission and to the public. Notice shall be given by
12 filing with the commission and keeping open for public inspection the
13 tariff provisions which shall plainly indicate the time when the tariff
14 will go into effect. The commission may prescribe additional means of
15 giving notice. The commission, for good cause shown, may allow initial
16 tariffs to take effect on less than 90 days notice under conditions the
17 commission prescribes by order.

18 (b) No pipeline carrier may establish or place in effect any
19 revised rates, charges, rules, regulations, conditions of service or
20 practices except after 30 days notice to the commission and to the
21 public. Notice shall be given by filing with the commission and keeping
22 open for public inspection the revised tariff provisions which shall
23 plainly indicate the changes to be made in the schedules then in force
24 and the time when the changes will go into effect. The commission may
25 prescribe additional means of giving notice. The commission, for good
26 cause shown, may allow changes to take effect on less than 30 days
27 notice under conditions the commission prescribes by order.

28 (c) Initial and revised tariffs shall be filed in the manner
29 provided in sec. 350 of this chapter.

1 * Sec. 7. AS 42.06.400(a) is amended to read:

2 (a) When a tariff filing is made containing an initial [A NEW] or
3 revised rate, classification, rule, regulation, practice, or condition
4 of service the commission may, either upon written complaint or upon its
5 own motion, after reasonable notice, conduct a hearing to determine the
6 reasonableness and propriety of the filing. Pending a hearing the
7 commission may, by order stating the reasons for its action, suspend the
8 operation of the tariff filing for an initial period not longer than six
9 months beyond the time when it would otherwise go into effect. If good
10 cause is shown, the commission may suspend the operation of the tariff
11 filing for an additional period not to exceed one year following the end
12 of the initial suspension period.

13 * Sec. 8. AS 42.06.430(3) is amended to read:

14 (3) The commission may by regulation require a pipeline
15 carrier or affiliated interest to establish and maintain as part of its
16 system of accounts continuing property records showing, as to property
17 units in this state, the year of placement in service, original cost and
18 current location, and, as to a pipeline system, accounts and records in
19 a manner showing, on a current basis, the original cost of the system in
20 the state and related reserves for depreciation. From time to time the
21 commission shall determine the proper and adequate rates of depreciation
22 for each major class of property of an oil or gas pipeline facility.

23 * Sec. 9. AS 42.06.440 is amended to read:

24 Sec. AS 42.06.440. INSPECTION OF RECORDS. Subject to AS 31.05.-
25 035(c), the commission shall at all reasonable times have access to, and
26 may designate any of its employees, agents or consultants to inspect and
27 examine, the accounts, records, books, maps, inventories, appraisals,
28 valuations, or other reports and documents, kept by an oil or gas
29 pipeline carrier or its affiliated interests, or prepared or kept for

1 it by others, which relate to any contract or transaction between them.
2 The commission may require an oil or gas pipeline carrier or its affili-
3 ated interest to file with the commission copies of any or all of these
4 accounts, records, books, maps, inventories, appraisals, valuations, or
5 other reports and documents, or to maintain those materials at some
6 convenient location in the state specified by order. Costs incurred in
7 complying with a commission request to review the records referred to in
8 this section or to maintain these records in such a manner as to make
9 them conveniently available for the commission's review shall be borne
10 by the party controlling the records.

11 * Sec. 10. AS 42.06.450 is repealed and re-enacted to read:

12 Sec. 42.06.450. INVESTIGATIONS. The commission may investigate
13 any matter which affects the cost or quality of transportation of oil or
14 gas in this state by pipeline carriers or affiliated interests or of
15 related services and may ensure compliance by pipeline carriers and
16 their affiliated interests with the provisions of this chapter. Inves-
17 tigation may be public, nonpublic, or both. In conducting investiga-
18 tions, the commission may compel the attendance and testimony of wit-
19 nesses and the production of records and testimony before the commission
20 or its designee. In the course of a nonpublic investigation, the com-
21 mission shall exclude from attendance at the taking of investigative
22 testimony all persons except the person compelled to attend, his attor-
23 ney, members of the commission or the commission's staff, and a person
24 authorized to transcribe the proceedings. Following an investigation
25 and after providing reasonable notice and opportunity for hearing, the
26 commission may institute proceedings to determine whether unreasonable
27 practices have occurred, whether expenditures have been imprudently
28 incurred, the costs of those practices or expenditures, and whether a
29 pipeline carrier and its affiliated interests are in compliance with

1 this chapter. Following such a determination, the commission shall take
2 appropriate action to ensure that neither the direct nor indirect costs
3 of any unreasonable practices or imprudent expenditures are included in
4 any tariff or rate of a pipeline carrier or are borne by the public or
5 the State of Alaska.

6 * Sec. 11. AS 42.06.480(b) is amended to read:

7 (b) The [IF NO APPEAL IS TAKEN FROM A FINAL ORDER OF THE COMMIS-
8 SION, THE] commission may apply to the superior court for enforcement of
9 this chapter, the regulations adopted under it and the orders of the
10 commission. The court shall enforce the order by injunction or other
11 process.

12 * Sec. 12. AS 42.06.490(a) is amended to read:

13 (a) Any person (including a commissioner or employee of the
14 commission) may file a complaint with the commission under AS 44.62.360
15 alleging that a rate, price, service, practice or action of a pipeline
16 carrier or affiliated interest violates this chapter or regulations
17 adopted under it, or that a pipeline carrier or affiliated interest
18 has not complied with the certificate issued under this chapter.

19 * Sec. 13. AS 42.06.540(a) is amended to read:

20 (a) In addition to all other penalties and remedies provided by
21 law, every person subject to the provisions of this chapter, as well as
22 their officers, managers, agents or employees, that either violates or
23 procures, aids, or abets the violation of any provision of this chapter,
24 or of an order, rule, regulation or written requirement of the commis-
25 sion, or that fails to comply with a properly issued subpoena, is sub-
26 ject to a maximum penalty of \$500 for each violation.

27 * Sec. 14. AS 42.06.630(9) is amended to read:

28 (9) "pipeline" or "pipeline facility" means all the facili-
29 ties of a total system of pipe (whether owned or operated by a pipeline

1 carrier under a contract, agreement, or lease) in this state used by a
2 pipeline carrier for transportation, for hire and as a common carrier,
3 of oil, [OR] gas, coal, or other mineral slurry for delivery, storage,
4 or further transportation, and including all pipe, pump and compressor
5 stations, station equipment, and all other facilities used or necessary
6 for an integral line of pipe to effectuate the transportation from point
7 to point, excluding, however, gas processing plants, treaters and
8 separators;

9 * Sec. 15. AS 42.06.630(10) is amended to read:

10 (10) "pipeline carrier" means the owner, including corpora-
11 tions organized under the laws of the United States or of any state
12 [OTHER STATES], of any pipeline, as the term is defined in this section,
13 or any interest in it, or any person, including corporations organized
14 under the laws of the United States or of any state, authorized to con-
15 struct or extend pipeline facilities under sec. 240(a) of this chapter;

16 * Sec. 16. AS 42.06.630 is amended by adding a new paragraph to read:

17 (13) "affiliated interest" means any person or other entity

18 (A) which is controlled or owned, in whole or part, by a
19 pipeline carrier;

20 (B) which is controlled or owned, in whole or in part,
21 by an entity which controls or owns, in whole or in part, a pipe-
22 line carrier;

23 (C) which is an agent, employee, contractor, or sub-
24 contractor of a pipeline carrier or any entity controlled or owned,
25 in whole or in part, by a pipeline carrier; or

26 (D) which controls or owns, in whole or in part, a
27 pipeline carrier.

28 * Sec. 17. This Act takes effect immediately in accordance with AS 01.10.

29 070(c).

3/15/77 - APPROVED FOR RELEASE TO THE PUBLIC

MEMORANDUM

March 3, 1977

SUBJECT: House Bill No. 248 Concerning the Alaska Pipeline Commission
(W.O. #3560)

TO: The Honorable Sally Smith

FROM: Gregg K. Erickson
Director of Research

You requested that we analyze the above legislation and point out to you "any problems or unclear areas". In general, the governor's characterization of the legislation as an attempt to "tighten loopholes" appears to be a fair one. However, we note a technical drafting error in the bill and, in discussion with the Alaska Pipeline Commission, have determined that an amendment to the bill as currently drafted may also be appropriate to eliminate a language ambiguity. More specific points are as follows:

1. The first amendment on line 10 of page 1 would require permits for "connection and tie-in ...of any oil or gas pipeline facility... ." The proposal to add this language is probably the result of an apparent misunderstanding which developed concerning the pipeline connecting the North Pole refinery and adjacent electrical generating complex with the Alyeska Pipeline. Apparently construction was started on this connecting line without the requisite permit from the commission. GVEA and the others involved apparently accept the commission's assertion of jurisdiction. Nevertheless, the commission wants to eliminate any ambiguity.

Unfortunately, "tie-in" is a term of art used in welding. In order to avoid confusion, it would probably be appropriate to change the added language here to "connection and interconnection". In addition, since connections and interconnections are, of necessity, between two facilities, it would be appropriate to delete the comma in line 11 of page 1 and substitute therefor the words "or facilities,".

2. *Section 2 repealing and reenacting AS 42.06.305 (line 13, page 1) was drafted by the attorney generals's office in a manner that does not comply with the legislative rules. Instead of repealing and reenacting, the added language, "by

sale or lease of the certificate or by the sale of substantially all of the stock or assets of a pipeline carrier holding a certificate", should be underlined and inserted by amendment rather than reenaction.

3. With respect to the increased notice period from 30 to 90 days (line 23, page 1), the commission asserts that it simply needs more time to deal with the initial tariff filing. In comparison with other filing requirements before regulatory agencies, this would not appear to us to be unreasonable. The commission has indicated to us that they would be willing to have the 30 day filing period retained for revisions of existing rates, etc.
4. The addition of the words "by order" in the same section (line 2, page 2) simply means that the commission must act collegially and officially on each waiver of the notice period.

The change in *Section 4 (lines 12-14, page 2) is fairly self-evident in its effect and does not appear to be widely out of line with the procedures of other regulatory commissions. In effect, the commission will be able to suspend a filing for up to six months pending a hearing, and for an additional year thereafter if the commission's staff or an intervenor shows cause for such a suspension.

5. The amendment to AS 42.06.440 (lines 26-29 on page 2 and lines 1-3 on page 3) does not add a requirement that the records be maintained in Alaska, since that is already covered in AS 42.06.-430(5). What it does do is give the commission authority to require them to be maintained at a "convenient location", which would thereby preclude their being spread out among a great many different locations. In addition, the cost of maintaining the records in the appropriate form and providing them for review is to be borne by the party controlling the records. Thus, if a large pipeline corporation were to have its records in an incredible state of disorder the commission could, under this amended language, require the pipeline to put those records in order at its own expense. The commission probably already has this authority but the amendment would make this clear.
6. The addition of the words "or subpoena" in *Section 7 (line 16, page 3) has the effect of making clear what is probably already the case, since a "written requirement" would probably be interpreted by the court as a subpoena. However, the language here is clumsy and I would suggest you consider



substituting the following for the underlined material: "of the commission, or that fails to comply with a properly issued subpoena". If this change is adopted, the language on line 15 should go back to the original form, i.e., delete the comma and leave in the word "or".

7. The effect of *Section 8 is self-evident. Currently, there are no coal or mineral slurry pipelines in the state. Such pipelines are, however, regulated at the federal level if they are in interstate commerce.

If we can be of further assistance in regard to this bill, please let us know.

GKE:jm

HB 248

Strengthen out weak parts of
Alaska Pipeline Comm. act.

§1, 2, 4 - "affiliated ent." - Alaska
records are available but not the
carriers, or V/V.

§3 - GVEA pipeline to NP refinery.
Alaska - said connection would cost
2.5 M even tho cost 5-600,000.

§5 - N. Kiski Pipeline - Gulf Interstate
sold pt facility to Tesoro - Form
of financing has 2 direct bearing
on tariff rates.

§6 - Change §2 to 90-days notice
on tariff - not enough time (startup)

▼
§7 - 6-month period not sufficient.
Complex throughput studies.

§9 - Records not maintained in Alaska.

§10 - Enlarges scope - formerly just
"management practices", Depositions, etc.,
only through Civil Rule.

§11 - Dumber same -

§15 -

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

POUCH K - STATE CAPITOL
JUNEAU 99811

April 5, 1977

The Honorable Steve Cowper
Chairman
House Finance Committee
Alaska State Legislature

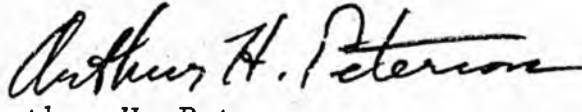
Re: HB 248 (Alaska Pipeline
Commission)
Our file no. J-77-177-77

Dear Representative Cowper:

As requested by your committee assistant, Jim Rhode, a re-revised version of the proposed committee substitute for this bill is attached. The attached version reflects changes in sec. 10.

Yours truly,

AVRUM M. GROSS
ATTORNEY GENERAL

By: 
Arthur H. Peterson
Assistant Attorney General

AHP:md

Attachment

December 30, 1976

✓ The Honorable Jay S. Hammond
Governor for the State of Alaska
Pouch AA
Juneau, AK 99811

Re: The Attached Legislative
Proposals

Dear Governor Hammond:

Attached is a bill amending some parts of AS 42.06; et al. which established the Alaska Pipeline Commission.

Changes proposed in Section 1 of the bill merely indicate that the Commission must issue permits dealing with connections and tie-ins of pipeline facilities.

The changes contained in Section 2 of the bill clarify the Commission's authority to supervise transfers of operating authority by making it clear that control of a pipeline facility cannot be transferred without the permission of the Commission, irrespective of whether the change is to be accomplished by a transfer of the certificate of public convenience and necessity itself or by a sale of the stock or assets of the pipeline carrier.

Section 3 provides for a 90-day pre-filing of tariffs. There is a clear need for this revision. The analysis of proposed tariffs and changes is so complex that the Commission cannot hope to complete its analysis or promulgate a final rate within a 30-day period. It is possible that even a 90-day period will not be enough, but at least this provides the Commission with a realistic opportunity to evaluate a company's tariff request and an attempt to provide a final rate determination in advance of the proposed effective day of the rate. It may remove the need for the establishment of interim rates.

The changes in Section 4 permit the Commission to extend the suspension period or rate for an additional one-year period. This will be essential in large cases where the large amount of data which the Commission must review makes it impossible for the Commission to complete its

Jay S. Hammond
Page 2
December 30, 1976

regulatory task within the six-month suspension period presently allowed. This section gives the Commission the authority in the appropriate cases to impose an additional one-year suspension.

The changes in Section 5 clarify the Commission's authority to require a company to maintain their records in such a manner so that they are conveniently accessible to the Commission.

The changes in Section 6 clarify the Commission's authority to apply to Superior Court for enforcement of the law, regulations adopted under it, and orders of the Commission.

The changes in paragraph 7 extend the penalties now contained in the law for violation of the Commission's orders, rules and regulations to encompass a wrongful refusal to comply with a Commission subpoena. We believe that this will give us a little more leverage in our efforts to deal with the oil companies and conduct investigations on the Trans-Alaska Pipeline.

Changes contained in paragraph 8 are intended to clarify the Commission's authority over products as well as crude oil pipelines.

Changes contained in paragraph 9 are intended to extend the Commission's jurisdiction to cover coal and mineral slurry pipelines. At the present time, there are no such pipelines in the State of Alaska, but we do have coal and other mineral resources, and it is conceivable that such pipelines will be established if these industries develop. This change will merely clarify the question of which regulatory agency is responsible for dealing with the rates set for the transportation through this medium.

I believe that the legislative changes that we are proposing are important to clarify the Commission's authority and will aid it in its regulatory task. I hope that you concur with our position and will sponsor this bill in the legislature.

Very truly yours,



Harry J. Donahue
Chairman

HJD:bjw

Attachments

MEMORANDUM

TO: Jim Rhode
Administrative Assistant

DATE: April 3, 1977

FROM: Richard Burnham *RMB*
Assistant Attorney General

SUBJECT: Proposed amendments to the Alaska
Pipeline Commission Act (AS42.06 et seq.)

As we discussed yesterday, attached is a suggested amendment to address a number of difficulties which have arisen with the present statute during the course of our investigation of cost overruns on the Trans-Alaska Pipeline.

Should there be any questions or if I may be of any assistance please contact me at the Pipeline Commission office in Anchorage - 279-0583. As you know, time is of the essence with respect to this amendment and the others previously submitted.

Thank you for your assistance.

Insert the following after last paragraph of Section
AS 42.06.630:

(13) "affiliated interest" or "affiliate" means any person or entity (a) which is controlled, or owned in material part, by a pipeline carrier, (b) which is controlled, or owned in material part, by an entity which controls, or owns in material part, a pipeline carrier, or (c) which controls, or owns in material part, a pipeline carrier.

Insert "or affiliated interest" after "pipeline carrier"
in the following Sections of Article 3, Chapter 42:

(a) 140(1), (4), and (10)

(b) 430(3)

(c) 490

*record keeping,
management practices*

Insert "90" in lieu of "30" in each place it appears in
AS 42.06.400

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