

LEG. FINANCE - BILLS 1977 - 1978 791

HB 720 thru CSHB 721



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James O. Smith
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2/23/90
Date

COMMITTEE REPORT
HOUSE

FURTHER: _____

3/1/78

Date: 3/24/78

Mr. Speaker:

The Committee on FINANCE has had HB 720
"An Act relating to homesites; eff. date."

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

() recommends it do pass () recommends it do not pass

() recommends it do pass with attached amendment(s)

(/) recommends it be replaced with CS for HB 720: Finance

and _____ () new title () same title

() AND attaches a Letter of Intent () New Fiscal Note

() reports it back without recommendation

() and recommends it be referred to the _____ Committee

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

Shale No Rec

Bob [Signature]
Chairman

Original sponsors: Bradley, Freeman,
Phillips and Cotten

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 720 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

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

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

9 * Section 1. It is the purpose of this Act to encourage the orderly
10 settlement of state land and the development of state resources by making
11 available state land for the private use of citizens of the state.

12 * Sec. 2. (a) The director of the division of lands in the Department of
13 Natural Resources shall, no later than November 1, 1978, designate 20,000
14 acres of state land for homesite entry in accordance with the procedures
15 established in AS 38.08.

16 (b) The director of the division of lands in the Department of Natural
17 Resources shall, no later than November 1, 1978, designate for sale by
18 lottery under the provisions of AS 38.05.042 enacted in sec. 4 of this Act a
19 minimum of 10,000 acres of state land which is otherwise vacant, unappropri-
20 ated and unreserved and is suitable for erection of residential dwellings to
21 use as a permanent abode. The land shall be sold in parcels not to exceed
22 five acres in reasonably compact form, with boundaries conforming as nearly
23 as practicable to natural geologic and topographic features.

24 (c) The director of the division of lands in the Department of Natural
25 Resources shall to the greatest extent possible, before November 1, 1978,
26 dispose of land that is surveyed or platted and classified as agricultural,
27 commercial, industrial, private recreation, residential, utility, or open-
28 to-entry.

29 (d) The provisions of AS 38.05.035(a)(14), 38.05.310, AS 38.08.080, and

1 AS 40.15.200 are inapplicable to the land disposals required in (a) - (c) of
2 this section. The director of the division of lands in the Department of
3 Natural Resources shall give public notice of the land disposals required in
4 (a) - (c) of this section in accordance with AS 38.05.345(b).

5 * Sec. 3. REDESIGNATION AND DISPOSAL OF MENTAL HEALTH LAND. (a) Land
6 granted to the state under the Mental Health Enabling Act of 1956, 70 Stat.
7 709, and patented to or approved for patent to the state on July 1, 1978 and
8 land designated as mental health land which was received in exchange for land
9 granted under that federal land grant is redesignated as unappropriated and
10 unreserved state land.

11 (b) Land redesignated as unappropriated and unreserved state land under
12 (a) of this section may be available for disposal under AS 38.05 or AS 38.08
13 if that land

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

16 (2) is unclassified or, if classified under AS 38.05.300, is
17 classified for agricultural, grazing, commercial, industrial, private recrea-
18 tional, residential, utility, or open-to-entry purposes.

19 (c) A municipality may select land redesignated under (a) of this sec-
20 tion and available for disposal under (b) of this section to satisfy its
21 entitlement to land under AS 29.18.190 - 29.18.200 if the governing body of
22 the municipality certifies to the director of the division of lands in the
23 Department of Natural Resources that not less than 30 per cent of the land
24 selected will be committed to disposal for private use or ownership.

25 (d) Mental health land which is leased for private use on July 1, 1978
26 remains subject to the terms of the lease then in effect until the natural
27 expiration of the terms of the lease or as may be mutually agreed between the
28 state and the lessee.

29 * Sec. 4. AS 38.05 is amended by adding new sections to read:

1 Sec. 38.05.041. AVAILABILITY OF LAND. (a) Beginning fiscal year
2 1980 and in each succeeding fiscal year, the director shall make avail-
3 able 70,000 acres of state land suitable for disposal for private use.
4 The acreage made available shall include at least 10,000 acres in each
5 of the following land disposal programs:

6 (1) land for sale with the purchase price determined at
7 public auction or by appraisal under AS 38.05.045 - 38.05.069; and

8 (2) land available for homesite entry under ch. 8 of this
9 title.

10 (b) The governor shall at the time of submitting the administra-
11 tion's budget also submit to the legislature the following three options
12 for the disposal of state land: an increased-level program, a current-
13 level program, and a reduced-level program. Each option submitted under
14 this subsection shall include at least 70,000 acres with the minimum
15 acreage specified in the programs required under (a)(1) and (2) of this
16 section.

17 (c) Land offered for disposal as required in (a) or (b) of this
18 section that is not sold or otherwise disposed of during a fiscal year
19 may be included in required offerings during succeeding fiscal years.

20 Sec. 38.05.042. LOTTERY SALES. (a) The director of the division
21 shall, during each fiscal year, make available for sale by lottery a
22 minimum of 10,000 acres of state land which is otherwise vacant, un-
23 appropriated and unreserved and is suitable for erection of residential
24 dwellings to use as a permanent abode. Land for sale under this section
25 shall, to the extent possible, be located in various locations across
26 the state so that eligible state residents will have the opportunity to
27 purchase conveniently located land.

28 (b) The purchase price of land sold by lottery may not be more
29 than the fair market value of the land. The lottery shall be conducted

1 in public by the director or his representative, and at the time of sale
2 a purchaser shall deposit with the person conducting the lottery an
3 amount equal to five per cent of the purchase price.

4 (c) To qualify for participation in a sale of land by lottery
5 under (a) of this section, a potential purchaser shall

6 (1) at the time of application have attained the age of 18;

7 (2) submit proof acceptable to the commissioner that he has
8 been a resident of the state for not less than three years immediately
9 before the date his application was submitted;

10 (3) satisfy all requirements imposed by regulations adopted
11 by the commissioner when land limited to use for agricultural purposes
12 is to be sold; and

13 (4) certify that he has not purchased land at a sale by
14 lottery in the state within 10 years immediately preceding the sale
15 date.

16 (d) To apply for participation in a lottery under this section an
17 applicant shall

18 (1) submit appropriate evidence as required by regulation
19 that he is eligible under (c) of this section; and

20 (2) pay a nonrefundable application fee of not more than \$10
21 for each application.

22 (e) The director shall accept applications to purchase particular
23 parcels under the following procedures and conditions:

24 (1) the application period may not be less than 60 days;

25 (2) no application may be accepted less than 45 days before
26 each lottery;

27 (3) notice of the application period and the date of the
28 lottery shall be given in accordance with sec. 345(b) of this chapter;
29 and

1 (4) the application shall be made on a form provided by the
2 department.

3 (f) Parcels of land available for sale by lottery under this sec-
4 tion shall be awarded by lot. The commissioner shall adopt regulations
5 under the Administrative Procedure Act (AS 44.62) which permit appli-
6 cants to designate the parcel or alternative parcels they wish to
7 purchase if they are selected by lottery.

8 (g) An aggrieved lottery participant may appeal to the commis-
9 sioner within five days after the lottery is conducted for a review of
10 the lottery procedures.

11 (h) The director may include in contracts for sale of land under
12 this section terms which

13 (1) require purchasers to use or occupy, or both, the land
14 purchased for a reasonable period of time after a sale;

15 (2) prohibit the resale of land purchased by the initial
16 purchaser until the requirements imposed under (1) of this subsection,
17 if any, are satisfied.

18 Sec. 38.05.043. LAND DISCOUNT PROGRAM. (a) The director shall
19 grant to eligible persons a discount on the purchase price of land
20 offered under sec. 41 of this chapter at the rate of five per cent of
21 the purchase price of the land purchased for each full year that the
22 purchaser is a resident of the state not to exceed 50 per cent of the
23 total purchase price of the land or a value of \$25,000, whichever amount
24 is greater.

25 (b) To be eligible for a discounted purchase price under (a) of
26 this section, a person shall

27 (1) have been physically present in the state for the 12-
28 month period before the sale, except for brief intervals, military
29 service, attendance at an educational or training institution or for

1 absence for good cause;

2 (2) maintain a place of residence in the state;

3 (3) be registered to vote in the state;

4 (4) not have claimed residence in any other state for any
5 purpose during the 12-month period immediately before the sale;

6 (5) show by all attending circumstance that his intent is to
7 make Alaska his continuous residence; and

8 (6) have attained the age of 18 at the date of sale.

9 (c) A person seeking to establish eligibility for a discount under
10 this section shall present proof meeting the criteria set out in (b) of
11 this section to the director. A person who submits information to the
12 director under this section knowing it to be false is guilty of a felony
13 and, upon conviction, is punishable by imprisonment for not more than
14 five years, or by a fine of not more than \$50,000, or by both.

15 (d) A person is entitled to not more than one discount on the pur-
16 chase price of land under this section in his lifetime. A discount
17 granted under this section may be applied to the acquisition of surface
18 rights to state land. A discount may not be applied to costs such as
19 survey costs, road development costs, utility assessments, or other
20 costs as determined by the director which are reimbursable to the state.
21 In all cases, a cash down payment of at least five per cent of the price
22 of the land shall be made at the time of acquisition.

23 (e) The commissioner may adopt regulations to impl ment the pro-
24 visions of this section.

25 * Sec. 5. AS 37 is amended by adding a new chapter to read:

26 CHAPTER 14. MENTAL HEALTH FUND.

27 Sec. 37.14.010. MENTAL HEALTH FUND ADVISORY BOARD CREATED. (a)

28 There is created in the Department of Revenue the Mental Health Fund
29 Advisory Board composed of the director of the division of mental

1 health, the chairman of the Mental Health Advisory Council, and the
2 commissioner of the Department of Revenue.

3 (b) The board shall elect a chairman from the membership of the
4 board. Members serve without compensation but are entitled to per diem
5 and travel expenses authorized by law for other boards.

6 Sec. 37.14.020. POWERS AND DUTIES OF BOARD. The board has the
7 following powers and duties:

8 (1) to hold regular meetings and special meetings considered
9 necessary;

10 (2) to have prepared an annual accounting of the total prin-
11 cipal and income of the mental health fund established in sec. 30 of
12 this chapter;

13 (3) to prepare long-range investment plans for the fund
14 established in sec. 30 of this chapter.

15 Sec. 37.14.030. MENTAL HEALTH FUND ESTABLISHED. (a) There is
16 established as a separate fund within the general fund the mental health
17 fund.

18 (b) The principal of the fund consists of sums transferred under
19 sec. 70 of this chapter.

20 (c) The income of the fund consists of the interest and dividends
21 earned from investments of the fund under sec. 60 of this chapter.

22 Sec. 37.14.040. DUTIES OF COMMISSIONER OF REVENUE. The commis-
23 sioner of revenue is the treasurer of the fund and shall

24 (1) act as official custodian of the cash and securities
25 belonging to the fund and provide adequate safe deposit facilities for
26 them;

27 (2) receive cash belonging to the fund;

28 (3) collect the principal on securities acquired for the fund
29 and deposit it in the fund;

1 (4) collect interest and dividends earned on investments of
2 the fund and credit the income account of the fund;

3 (5) invest and reinvest the principal of the fund in accor-
4 dance with sec. 60 of this chapter.

5 Sec. 37.14.050. FUND UTILIZATION. The principal of the fund shall
6 be retained in the fund for investment as specified in sec. 60 of this
7 chapter. The income of the fund may not be appropriated for a purpose
8 other than the support of the state mental health program.

9 Sec. 37.14.060. INVESTMENTS. (a) Subject to (b) of this section
10 and with the approval of the board, the commissioner of revenue may
11 invest the principal of the fund in

12 (1) bonds or other interest-bearing obligations and securi-
13 ties of (A) the United States or an agency of the United States, (B) a
14 state of the United States, or (C) a political subdivision of a state of
15 the United States, if the political subdivision has a population as
16 shown by the last federal census preceding the investment of not less
17 than 30,000 inhabitants; with respect to political subdivisions of this
18 state, no population limitation applies;

19 (2) first lien real estate mortgage securities insured by the
20 Federal Housing Administration under the National Housing Act of the
21 United States or held by the division of veterans' affairs under AS
22 26.15, or loans guaranteed by the division of veterans' affairs under AS
23 26.15.040(b);

24 (3) corporation bonds and preferred and common stocks as the
25 commissioner of revenue considers proper investments for the fund;

26 (4) first lien real estate mortgage securities held by the
27 Department of Natural Resources under AS 03.10;

28 (5) shares of federally chartered savings and loan associa-
29 tions in Alaska, to the extent that the investment is insured by the

1 federal government or an agency of it;

2 (6) deposits with mutual savings banks in Alaska, to the
3 extent that the investment is insured by the federal government or an
4 agency of it;

5 (7) deposits with state and national banks in Alaska to the
6 extent that the investment is insured by the federal government or an
7 agency of it;

8 (8) mutual funds;

9 (9) the guaranteed portion of Small Business Administration
10 loans;

11 (10) first lien real estate mortgages guaranteed by the feder-
12 al Veterans Administration;

13 (11) notes secured by mortgages of commercial or residential
14 real estate or other security if the mortgages are insured by a private
15 mortgage insurance corporation which is authorized to do business in
16 Alaska and has combined capital, surplus and reserves aggregating at
17 least \$20,000,000; however, (A) no mortgage insurance is necessary for
18 commercial loans having loan-to-value ratios of less than 50 per cent
19 and the minimum coverage of other commercial loans shall be 10 per cent
20 for those having a loan-to-value ratio of 50-60 per cent and 15 per cent
21 for those having a loan-to-value ratio greater than 60 per cent but no
22 more than 75 per cent, and (B) no mortgage insurance is necessary for
23 residential loans having a loan-to-value ratio of less than 70 per cent
24 and the minimum coverage of other residential loans shall be 10 per cent
25 for those having a loan-to-value ratio greater than 70 per cent but less
26 than 90 per cent and 20 per cent for those having a loan-to-value ratio
27 of 90 per cent;

28 (12) conventional residential mortgages if the originating
29 financial institution retains at least 25 per cent of the mortgage for a

1 minimum of two years;

2 (13) notes secured by mortgages of commercial real estate if
3 the originating financial institution retains at least 25 per cent of
4 the mortgage;

5 (14) FHA guaranteed portion of business and industrial loans
6 made under the Rural Development Act of 1972;

7 (15) guaranteed portion of loans made under the Federal Ship
8 Financing Act of 1972;

9 (16) bonds, debentures, notes, or other obligations issued,
10 guaranteed, or assumed as to both principal and interest by the govern-
11 ment of the Dominion of Canada, or by any province of Canada, or by any
12 municipality of Canada which has a population of not less than 150,000,
13 if (A) the full faith and credit of the issuer, guarantor, or assumer of
14 the bonds, debentures, notes, or other obligations is pledged for the
15 payment of principal and interest on them, (B) the principal and inter-
16 est on them is payable in United States currency, either unconditionally
17 or at the option of the holder, and (C) these obligations are rated A or
18 an equivalent quality by a nationally recognized rating organization;

19 (17) bankers' acceptances which are eligible for discount at
20 the Federal Reserve Bank and negotiable time certificates of deposit
21 issued by commercial banks.

22 (b) In making investments the commissioner of revenue shall exer-
23 cise the judgment and care under the circumstances then prevailing which
24 a man of ordinary prudence, discretion, and intelligence exercises in
25 the management of his own affairs not in regard to speculation but in
26 regard to the permanent disposition of his funds, considering the pro-
27 bable income from them as well as the probable safety of his capital.
28 However, no more than 50 per cent of the fund may be invested at a given
29 time in mutual funds and corporate stocks and bonds, nor may any more

1 than five per cent of the voting stock of one corporation be owned.
2 Stocks eligible for purchase are restricted to stocks which, except for
3 bank stocks, insurance stocks, and shares in mutual funds, are listed
4 upon an exchange registered with the Federal Securities and Exchange
5 Commission.

6 (c) Except as provided in this section, the commissioner of reve-
7 nue may

8 (1) invest and reinvest the principal of the fund;

9 (2) sell, exchange, convey, transfer, or otherwise dispose of
10 an investment of the fund by private contract or at public auction;

11 (3) vote upon a stock, bond, or other security; give a gener-
12 al or special proxy or power of attorney with or without power of sub-
13 stitution; exercise a conversion privilege, subscription right, or other
14 option and make payments incidental to it; consent to or participate in
15 a corporate reorganization or other change affecting corporate securi-
16 ties, delegate discretionary power, pay an assessment or charge in con-
17 nection with the delegation; and generally exercise any of the powers of
18 an owner with respect to stocks, bonds, securities, or other investments
19 held in the fund;

20 (4) make, execute, acknowledge, and deliver documents of
21 transfer and conveyance and instruments necessary or appropriate to
22 carry out the powers granted;

23 (5) register investments held in the fund in the name of the
24 board;

25 (6) do all acts whether or not expressly authorized which are
26 considered proper for the protection of the investments held in the
27 fund.

28 (d) To qualify as a mortgage which may be purchased under (a)(12)
29 and (13) of this section, it shall

1 (1) have as a mortgagor an Alaska resident;

2 (2) be certified by the originating financial institution
3 that the loan being sold has been made in compliance with the law and
4 that liens supporting the loan have been perfected;

5 (3) have been closed after July 1, 1978, and no loan may be
6 eligible for purchase that is held by the originating institution for a
7 period greater than 90 days.

8 (e) When more than one-half of one per cent of the aggregate of
9 all loans purchased from a financial institution becomes delinquent for
10 60 days, the fund shall discontinue purchasing loans from that financial
11 institution until the delinquency is reduced to less than one-half of
12 one per cent.

13 Sec. 37.14.070. CONTRIBUTIONS. During each fiscal year the com-
14 missioner of the Department of Revenue shall transfer to the fund a sum
15 equal to one and one-half per cent of the total revenue received by the
16 state for the sale, lease or other disposal of state land during that
17 fiscal year.

18 Sec. 37.14.080. DEFINITIONS. In this chapter,

19 (1) "board" means the Mental Health Fund Advisory Board;

20 (2) "fund" means the mental health fund established in sec.
21 30 of this chapter.

22 * Sec. 6. AS 38.05.055 is amended to read:

23 Sec. 38.05.055. SALE PROCEDURES. Except as provided in sec.
24 315(d) of this chapter, the sale shall be made at public auction to the
25 highest qualified bidder as determined by the director. An aggrieved
26 bidder may appeal to the commissioner within five days after the sale
27 for a review of the director's determination. The sale shall be con-
28 ducted by the director or his representative, and at the time of sale
29 the successful bidder shall deposit an amount equal to five per cent

1 [ONE-TENTH] of the purchase price. The director or his representative
2 shall immediately issue a receipt containing a description of the land
3 or property purchased, the price bid, and the terms of sale, which
4 receipt shall be acknowledged in writing by the bidder. A contract of
5 sale on a form approved by the attorney general shall be signed by the
6 purchaser and, after approval of the commissioner, the contract shall
7 also be signed by the director on behalf of the state.

8 * Sec. 7. AS 38.05.065 is amended to read:

9 Sec. 38.05.065. TERMS OF CONTRACT OF SALE. The contract of sale
10 shall require the remainder of the purchase price to be paid over a
11 period of not more than 20 years. Installment payments plus interest
12 shall be set on the level-payment basis. The interest rate to be
13 charged on installment payments is the prevailing rate on similar land
14 transactions at the time the contract is signed, as determined by the
15 director, but in no case may it be below five per cent a year or above
16 the current usury rate as set by AS 45.45.010(b) and (d) [IN ANNUAL
17 INSTALLMENTS OF NOT LESS THAN 10 PER CENT OF THE PURCHASE PRICE, WITH
18 INTEREST AT THE RATE OF NOT LESS THAN FIVE PER CENT A YEAR]. The
19 director, with the consent of the commissioner, may also impose condi-
20 tions, limitations and terms which he considers necessary and proper to
21 protect the interest of the state. Violations of any provision of this
22 chapter or the terms of the contract of sale subject the purchaser to
23 appropriate legal action, including a foreclosure action in accordance
24 with applicable state law.

25 * Sec. 8. AS 38.05.102 is amended by adding new subsections to read:

26 (b) If a lessee exercises the preference granted under (a) of this
27 section and purchases land offered for sale, he is entitled to apply as
28 a credit against the purchase price of the land amounts previously paid
29 for rent on that land. Credit granted under this section may not exceed

90 per cent of the total purchase price of the land.

(c) A lessee may request the director to offer land for sale which is included within his leasehold. The director shall review the request and determine whether conveyance of the land is in the best interests of the state. The director may hold public hearings in the general area of the leasehold to inform the public of the request and to determine what action, if any, to take in response to the request. Within 90 days after receiving a request for sale of leased land the director shall notify the requester of the action he intends to take in response to the request. The lessee has five days after notification to request a review by the commissioner of the director's action.

* Sec. 9. AS 38.05.180(a) is amended to read:

(a) All tide and submerged lands, [MENTAL HEALTH LANDS,] school lands, and university lands shall be leased by competitive bidding, and whenever oil or gas is [IN] discovered in commercial quantities, the commissioner shall determine the extent of the area of lands in addition to tide, submerged, [MENTAL HEALTH LANDS,] school, or university lands in the same general area of the discovery well which, by reason of the discovery, the commissioner reasonably believes to be capable of producing oil or gas, and the additional lands shall be leased to the highest responsible qualified bidder by competitive bidding under general regulations, in units of not exceeding 2,560 acres (except that tide and submerged lands shall be leased in units of not exceeding 5,760 acres), which shall be as nearly compact in form as possible, upon the payment by the lessee of such bonus as may be accepted by the commissioner and of such royalty as may be fixed in the lease which shall not be less than 12 1/2 per cent in amount or value of the production removed or sold from the lease. All lands other than those above provided to be leased by competitive bidding may be leased competitively or

1 noncompetitively as determined by the commissioner to be in the best
2 interests of the state. Noncompetitive leases shall be issued in units
3 of not exceeding 2,560 acres in any one lease. Noncompetitive leases
4 shall be conditioned upon the payment by the lessee of a royalty of 12
5 1/2 per cent in amount or value of the production removed or sold from
6 the lease. Competitive leases issued under this subsection shall be for
7 10 years except that in the Cook Inlet sedimentary basin, leases shall
8 be for a primary term of not more than 10 years and not less than five
9 years at the discretion of the commissioner, and shall continue so long
10 thereafter as oil or gas is produced in paying quantities. Noncompeti-
11 tive leases issued under this subsection shall be for a primary term of
12 five years and shall continue so long thereafter as oil or gas is pro-
13 duced in paying quantities. If drilling has commenced on the expiration
14 date of the primary term of the lease and is continued with reasonable
15 diligence, such operations to include redrilling, sidetracking or other
16 means necessary to reach the originally proposed bottom hole location,
17 the lease shall continue in effect until 90 days after drilling has
18 ceased and for so long thereafter as oil or gas is produced in paying
19 quantities. If all or part of the lands covered by the lease are lands
20 that have been selected by the state under laws of the United States
21 granting lands to the state and a patent has not been issued on them, a
22 conditional lease may be issued. However, no term extension may be
23 granted for the period during which the lease was conditional.

24 * Sec. 10. AS 38.08.010(a) is repealed and re-enacted to read:

25 (a) The director shall designate and make available for homesite
26 entry state land in amounts and at times as required in AS 38.05.041 or
27 as may otherwise be required by law.

28 * Sec. 11. AS 38.08.010 is amended by adding a new subsection to read:

29 (d) The director shall, to as great an extent as possible, classi-

1 fy land for homesite entry based upon the distribution of population in
2 the state.

3 * Sec. 12. AS 38.08.020 is amended to read:

4 Sec. 38.08.020. OFFERING OF LAND FOR HOMESITE ENTRY. [FOLLOWING
5 CLASSIFICATION OF LAND FOR HOMESITE ENTRY, OFFERINGS OF HOMESITE ENTRY
6 LAND SHALL BE MADE ON A ROTATING BASIS FROM AMONG THE FOUR JUDICIAL DIS-
7 TRICTS OF THE STATE.] The director shall publish notice of the avail-
8 ability of the land for at least three consecutive weeks through the
9 electronic media and in at least three newspapers of general circulation
10 in the state, at least one of which, if possible, shall be a newspaper
11 of general circulation in the vicinity of the available land.

12 * Sec. 13. AS 38.08.030(a)(2) is amended to read:

13 (2) submit proof acceptable to the commissioner that he is a
14 resident of the state at the time of application, and that he has been a
15 resident of the state for not less than three [SIX] years immediately
16 preceding the date his application was submitted, or that he has been a
17 resident for 20 years cumulatively;

18 * Sec. 14. AS 38.08.060(a)(2) is amended to read:

19 (2) erects a habitable, permanent, single-family dwelling on
20 the homesite, which meets all applicable state and local regulations,
21 within five [THREE] years of the date of issuance of the homesite entry
22 permit; for the purposes of this paragraph, mobile homes are not con-
23 sidered to be permanent dwellings unless they are placed on a permanent
24 foundation;

25 * Sec. 15. AS 38.08.070 is amended to read:

26 Sec. 38.08.070. LAND LOCATED WITHIN MUNICIPALITIES. No state land
27 which is located within the boundaries of an organized borough or city
28 may be designated [CLASSIFIED] for homesite entry under this chapter
29 until the proposed use of the land has been studied [AND APPROVED]

1 jointly by the director and the local planning authority. Nothing in
2 this section or AS 29.18.190 prevents the director from selecting and
3 classifying for homesite entry land which would otherwise be available
4 for borough or city selection under AS 29.18.190. If classified for
5 homesite entry, the land shall not be available for city or borough
6 selection.

7 * Sec. 16. AS 38.08.080 is amended by adding a new subsection to read:

8 (b) If the director classifies for homesite entry state land which
9 is located within the boundaries of a municipality which exercises
10 planning and zoning authority under AS 29 but which has not been zoned
11 for residential use only, the governing body of the municipality shall,
12 within a reasonable amount of time following the classification, decide
13 whether to zone the land for residential use only and notify the direc-
14 tor of its decision.

15 * Sec. 17. AS 38.08.110 is amended to read:

16 Sec. 38.08.110. REGULATIONS. Within 90 days after the effective
17 date of this Act, the [THE] commissioner shall adopt regulations in
18 accordance with AS 44.62.180 - 44.62.290 to carry out the purposes of
19 this chapter, including, but not limited to, regulations relating to
20 easements and access routes.

21 * Sec. 18. AS 38.50.040 is amended to read:

22 Sec. 38.50.040. LAND SUBJECT TO EXCHANGE. Except as otherwise
23 provided in this chapter, the director is authorized to convey for
24 purposes of exchange any state land or interest in land regardless of
25 the authority under which the land or interest was obtained by the
26 state. The conveyance of university land and school land shall be
27 approved in the manner prescribed in AS 38.05.030 [, AND THE CONVEYANCE
28 OF MENTAL HEALTH LAND SHALL BE APPROVED BY A BOARD COMPOSED OF THE
29 DIRECTOR OF THE DIVISION OF MENTAL HEALTH, THE CHAIRMAN OF THE MENTAL

HEALTH ADVISORY COUNCIL, AND THE COMMISSIONER OF REVENUE].

* Sec. 19. AS 38.50.110(a)(6) is amended to read:

(6) mail the notice to the appropriate board or other entity or person with approval authority as indicated in sec. 40 of this chapter and AS 38.05.030, when university land or [,] school land [, OR MENTAL HEALTH LAND] is involved in the proposed exchange;

* Sec. 20. AS 38.05.035(a)(13), 38.05.365(8) and AS 38.08.010(c)(1), (2), (3), (5) and (6) are repealed.

* Sec. 21. This Act takes effect July 1, 1978.

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A M E N D M E N T

Offered in the House Finance Committee

By ~~Heekins~~

TO: Proposed CSHB 720(Finance)

Page 16, lines 8 - 18: delete all of Sec. 15 and insert in its place:

* Sec. 15. AS 38.08.070 is repealed and re-enacted to read:

Sec. 38.08.070. LAND LOCATED WITHIN MUNICIPALITIES.

*20
modified*
The director, in consultation with the local planning authority of an organized borough or city, may designate or classify state land located within the city or borough for homesite entry consistent with established land use policies of the borough or city. Nothing in this section or other provisions of law which entitle an organized borough or city to select state land located within its boundaries prevents the director from selecting, designating, or classifying for homesite entry land which would otherwise be available for borough or city selection. If designated or classified for homesite entry, the land is not available for city or borough selection.

A M E N D M E N T

Offered in the House Finance Committee

By Meekins

TO: Proposed CSHB 720 (Finance)

Page 16, lines 8 - 18: delete all of Sec. 15 and insert in its place:

* Sec. 15. AS 38.08.070 is repealed and re-enacted to read:

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The director, in consultation with the local planning authority of an organized borough or city, may designate or classify state land located within the city or borough for homesite entry consistent with established land use policies of the borough or city. ^A Nothing in this section or other provisions of law which entitle an organized borough or city to select state land located within its boundaries prevents the director from selecting, designating, or classifying for homesite entry land which would otherwise be available for borough or city selection. If designated or classified for homesite entry, the land is not available for city or borough selection.

TESTIMONY BY
JIM ROLLE
ALASKA MUNICIPAL LEAGUE

before the
HOUSE FINANCE COMMITTEE
MAY 18, 1978

HOUSE FINANCE COMMITTEE

Mr. Chairman:

I would like to thank you for this further opportunity to testify on CSHB 720 (Finance).

Mr. Chairman, our concerns are very basic. We feel that this bill degradates the integrity of municipalities. While we do, in fact, see and agree with the need for the bill, we feel that the same product could be delivered without hurting municipalities.

Our first concern is that this bill is requiring the state to deliver 30,000 acres of land to the people by November 1, 1978. Mr. Chairman, that is only 120 days from the effective date of the bill. We are concerned that the state is going to take land that is the most accessible which, in our mind, will be land that is now within municipal boundaries or contiguous to municipalities. We just don't have a sufficient amount of time to plan for the impact that will occur, especially in light of Mental Health Lands being made available. Another problem we visualize with the time schedule is that we have hopes that this Legislature will pass the Municipal Land Selection Bill. For the most part, these lands are currently unknown. We feel that this bill would take prime land away the municipal land selection process. Mr. Chairman, municipalities have been trying to get this land since 1964.

Our next concern is with Section 2(D). This provides that the provisions of AS 38.05.035(A)(4), 38.05.310, AS 38.08.080 and AS 40.15.200 are inapplicable. Although our main concern is with 38.08.080 and 40.15.200, we believe that the provisions in the other two are important and should be maintained.

AS 38.08.080 says - No state land that is located within the boundaries of a municipality which excercises planning and zoning and zoning authority under AS 29 may be offered by the Director for homesite entry until the land has been zoned by the governing body of the municipality for residential use only.

By ignoring this section you are denying municipalities the opportunity to bear fruit from many long years of land use planning. Most municipalities have, or are in the process of comprehensive land use plans. This bill could totally destroy the rational behind these plans.

Section 40.15.200 says - All subdivisions of land made by the state, its agencies, instrumentalities and political subdivisions are subject to the provisions of this chapter and As 29.33.150, 29.33.240, Home Rule ordinances or regulations governing subdivisions and other local regulations adopted under this chapter and As 29.33.150, 29.33.240 or under Home Rule authority, IN THE SAME MANNER AND TO THE SAME EXTENT AS SUBDIVISIONS MADE BY OTHER LAND OWNERS. For a moment, Mr. Chairman, I would like to cite 29.33.150-240, which is as just referenced in Section 40.15.200.

These areas are of great concern, not only to municipalities, but to all of the citizens of the State of Alaska. These sections concern platting jurisdiction and power, procedures for platting boards, waiver in certain cases, information required, penalties, alteration of replat petition, hearing notices, hearing and determination procedures and title to vacated areas.

Mr. Chairman, laws were made to serve the best interest of the majority. I fear that what this bill is saying is that the laws made, the laws that the majority has had to follow, are now inappropriate for the few that will receive land under this bill. I just can't imagine that what we are really saying is that laws be damned. We are not just talking about one use, but for all land uses. Imagine for a moment that the land available under this bill, in a municipality, exceeds the amount of land in private ownership now. How would you suggest we deal with planning and zoning matters? There will be rebellion against local government. I would submit we have enough problems already.

Our next concerns are toward the end of the bill, section 15. This will amend section 38.08.070. The amendments are nothing more than further attempts to say that municipal regulations are to be ignored. This is seen on line 28, page 16, where we change the word "classified" to "designated", and on line 29, where we eliminate the words "and approved". Then on page 17, the bill goes on to say, lines 2-6, that this bill has right over the Municipal Land Selection bill. Mr. Chairman, municipal government is a good form of government and can be trusted to respond to the needs of its citizens.

Section 16 deals with an even different kind of problem. In section 2(D), it said that 38.08.080 is inapplicable. However, we find in section 16 that there is an amendment. We feel this totally inappropriate. We would hope that it is not the state's intentions to develop a time table for local zoning matters in all future land selections.

Our final section of concern is section 17. This will amend section 38.08.110. Our concern appears on page 17, line 19. You are adding language that says the state shall adopt regulations that effect land in municipalities that are not limited to regulations relating to easements and access routes. Mr. Chairman, we have enough problems with the Feds, and d(2) legislation. We would ask that you not impose further encroachments on us.

In conclusion, we would like to say that the Alaska Municipal League encourages a cooperative intergovernmental land use planning process that considers municipal, state and federal lands effected by the land selection process. Mr. Chairman, we hope the State Legislature shares our views and gives serious consideration to our testimony.

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, GOVERNOR

11TH FLOOR, STATE OFFICE BLDG.
POUCH M - JUNEAU 99811

May 19, 1978

The Honorable Oral Freeman
Vice Chairman, House Finance
Alaska House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Oral:

In response to your request for written comments on the proposed Committee Substitute for HB 720 (Finance) following are the views of this Department on policy matters addressed in this legislation and suggested amendments of both a substantive and a technical scope:

1. Section 2, subsection (d). This subsection abrogates the power of local municipalities to exercise zoning and platting authority within their boundaries on the disposal of 30,000 acres of state land. Sound land use management dictates a planning approach which in municipalities is exercised by the local government. In vesting this power at a local rather than a state level, it was envisioned that maximum local input on developmental matters is the best means to achieve sound land use plans. Many communities have already adopted municipal land use plans which would be valueless if disposals are mandated and inconsistent with those plans. The Department believes as a matter of public policy that the short range goals of HB 720 are not sufficient to override sound land use planning decisions.
2. Section 3. This section, as written, is confusing due to an abundance of superfluous language. In the interest of clarity, the same results can be achieved with the following amendment: On line 10, after the word "unreserved" delete "state land" and insert in lieu thereof "general grant land." Delete subsections (b) and (c) and renumber subsection (d) as subsection (b).
3. Section 38.05.041. The Department is unalterably opposed to a continuing mandate of disposal of 70,000 acres annually. Although subsection (b) appears to provide an annual option as was present in SB 562 and HB 904, when the section is read in its entirety, this option is obviously illusory. The section portends of a situation where the Legislature opts for a reduced level disposal program in the future,

yet the dictates of subsection (a) require the Department to dispose of 70,000 acres irrespective of the funding.

Furthermore, mandating minimum disposals within specific programs does not allow the necessary flexibility the Department would need in future years to meet the range of needs for land throughout the State. Suggested amendment: This section should be replaced with Sections 38.04.020 and 38.04.025 from CSSB 562 am.

4. Section 38.05.041 and 38.05.042. Taken together it would appear that in addition to the 70,000 acres made available for disposal under .041 and additional 10,000 acres should be made available for lottery sales under .042. To clarify the Committee's intent to have the lottery sales incorporated in the 70,000 acres disposed of under .041 on line 7, AS 38.05.045 should be changed to read AS 38.05.042.

5. Section 38.05.042(b) requires disposal of land at "fair market" value. As this term connotes a sale procedure, lottery sales should be made at "appraisal" value. (line 29)

6. Section 38.05.042(c)(2) requires residency of three years for participation in a lottery disposal. This provision is constitutionally suspect and the Department would like to caution the Committee in adopting such a provision as it may delay disposals under this program through legal action.

7. Section 38.05.042(c)(3) addresses lottery disposals on agricultural tracts. This section is more appropriately handled in a separate section (38.07).

8. Section 38.05.042(e). This section specifies the period of time for lottery disposals. As one of the major issues addressed by this legislation is the length of time required for disposal of state lands, mandating a 3 1/2 month period for a lottery disposal is counterproductive. The simultaneous filing period in (1) can be shortened to 30 days with no adverse effects, (this was the period utilized in the recent homesite disposal). The 45 day period after close of filing can likewise be shortened to 15 days.

9. Section 38.05.042(f). This subsection is redundant and should be deleted.

10. Section 38.05.043(a). If the discount program is intended to apply to lottery disposals, recommendation 4 needs to be adopted.

The Honorable
Oral Freeman

-3-

May 19, 1978

11. Section 38.05.043(a). The maximum level of discount is too high as most tracts will sell for less than \$25,000. This section should be amended by deleting all language after the word "state" on line 22 and inserting in lieu thereof: "to 50 percent of the total purchase price of the land not to exceed \$25,000."

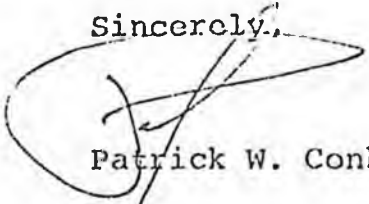
12. Section 38.05.043(d). This subsection should be clarified to illustrate that the application of the discount applies only to acquisition of an interest in surface rights to the land. To this end, on line 17, between the words "applied" and "to" insert "only".

13. Section 8. AS 38.05.102. These amendments to existing law would give existing leaseholders on state land a 90 percent credit towards the purchase price of that land based on prior lease rentals. As the mechanism for exercising preference rights on these lands gives converting leaseholders a major advantage, further credits as granted in this section would result in major windfalls for such leaseholders. The Department views the provision as a major rip-off of state interests and oppose enactment of the measure if this provision remains.

14. Section 17. AS 38.08.110. This section mandates adoption of regulations within 90 days after the effective date of this act. The 90 day provision is totally unrealistic in light of the dictates of AS 44.62 and suggest this period be lengthened to 180 days.

This concludes the Department's comments on H.B. 720. We appreciate the opportunity to present our comments and urge the Committee to consider our proposed amendments.

Sincerely,



Patrick W. Conheady

B. Program Summary

Personal Service

\$702,355

Southeast District:

| | |
|--------------------------------|-----------------|
| 1 - Land Management Officer II | \$28,313 |
| 1 - Land Management Officer I | 24,725 |
| TOTAL - 2 | <u>\$53,038</u> |

Southcentral District:

| | |
|--------------------------------|-----------------|
| 1 - Land Management Officer II | \$28,313 |
| 1 - Land Management Officer I | 24,725 |
| TOTAL - 2 | <u>\$53,038</u> |

Northcentral District:

| | |
|--------------------------------|-----------------|
| 1 - Land Management Officer II | \$30,030 |
| TOTAL - 1 | <u>\$30,030</u> |

Cadastral Engineering:

| | |
|----------------------------------|------------------|
| 4 - Cadastral Surveyer II | \$144,847 |
| 2 - Cadastral Surveyer I | 67,226 |
| 2 - Cartographer II | 53,933 |
| 2 - Land Management Technician I | 46,525 |
| 2 - Clerk III | 31,300 |
| TOTAL - 12 | <u>\$343,831</u> |

Classification:

| | |
|---------------------|-----------------|
| 1 - Senior Planner | \$34,799 |
| 1 - Cartographer II | 25,274 |
| TOTAL - 2 | <u>\$60,073</u> |

Land and Water Management:

| | |
|----------------------------------|------------------|
| 2 - Land Management Officer II | \$56,626 |
| 1 - Land Management Officer I | 24,725 |
| 1 - Clerk Typist III | 16,315 |
| 2 - Documents Processing Clerk I | 31,000 |
| TOTAL - 6 | <u>\$128,666</u> |

Management and Administration:

| | |
|-------------------------|-----------------|
| 1 - Accounting Clerk II | \$17,364 |
| 1 - Clerk III | 16,315 |
| TOTAL - 2 | <u>\$33,679</u> |

Travel:

\$ 47,000

| | |
|---------------------------|-----------------|
| Southeast District | \$5,000 |
| Southcentral District | 3,000 |
| Northcentral District | 4,000 |
| Cadastral Engineering | 30,000 |
| Classification | 3,000 |
| Land and Water Management | 2,000 |
| TOTAL | <u>\$47,000</u> |

Contractual

\$4,537,900

| | |
|-----------------------|--------------------|
| Southeast District | \$10,000 |
| Southcentral District | 8,000 |
| Northcentral District | 5,000 |
| Cadastral Engineering | 4,508,400 |
| Classification | 3,000 |
| Land and Water | 3,500 |
| TOTAL | <u>\$4,537,900</u> |

Comodities

\$4,300

| | |
|-------------------------------|----------------|
| Southeast District | \$500 |
| Southcentral District | 500 |
| Northcentral District | 300 |
| Cadastral Engineering | 1,200 |
| Classification | 200 |
| Land and Water Management | 1,200 |
| Management and Administration | 400 |
| TOTAL | <u>\$4,300</u> |

Equipment:

\$36,600

| | |
|-------------------------------|-----------------|
| Southeast District | \$1,000 |
| Southcentral District | 1,000 |
| Northcentral District | 500 |
| Cadastral Engineering | 25,000 |
| Classification | 1,500 |
| Land and Water Management | 5,600 |
| Management and Administration | 2,000 |
| TOTAL | <u>\$36,600</u> |

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No. 720
 Title An Act relating to Homesites
 Requested by Pat Conheady Date 2-6-78

HB 720
DEL

II. FISCAL DETAIL

Agency Affected Department of Natural Resources
 Program Category Affected Natural Resource Management
 Budget Request Unit(s) Affected District Operations, Cadastral Engineering, Classification, Land & Water Management, Management and Administration

EXPENDITURES (Thousands of Dollars)

| | FY 78 | FY 79 | FY 80 | FY 81 | FY 82 | FY 83 |
|--------------------------|-------|----------------|----------------|----------------|----------------|----------------|
| 100 PERSONAL SERVICES | | 702.4 | 744.0 | 789.0 | 836.0 | 886.0 |
| 200 TRAVEL | | 47.0 | 48.0 | 49.0 | 50.0 | 50.0 |
| 300 CONTRACTUAL | | 4,537.9 | 3,373.0 | 3,375.0 | 3,380.0 | 3,400.0 |
| 400 COMMODITIES | | 4.3 | 4.8 | 4.8 | 4.9 | 5.0 |
| 500 EQUIPMENT | | 36.6 | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | | 5,328.2 | 4,169.8 | 4,217.8 | 4,270.9 | 4,341.0 |

FUNDING (Thousands of Dollars)

| | FY 78 | FY 79 | FY 80 | FY 81 | FY 82 | FY 83 |
|-----------------|-------|---------|---------|---------|---------|---------|
| GENERAL FUND | | 5,328.2 | 4,169.8 | 4,217.8 | 4,270.9 | 4,341.0 |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify) | | | | | | |

POSITIONS

| | FY 78 | FY 79 | FY 80 | FY 81 | FY 82 | FY 83 |
|-----------|-------|-------|-------|-------|-------|-------|
| FULL TIME | | 27 | 27 | 27 | 27 | 27 |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

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

A. Assumptions:

* That sections 2 and 3 are requiring that a total of 35,000 acres be classified, surveyed and platted by June 30, 1979 and will therefore be the required amount for FY 79.

34,000 acres into five acre sites equal 6,800 sites times \$600.00 per site. Average cost = \$4,080.00. Cadastral rectangular survey of the 34,000 acres at \$11.72 per acre equals \$398,400. Total survey cost for FY 79 equals \$4,478,400.

Survey contract funds needed for each remaining year are:

25,000 acres into 5 acre sites equals 5,000 sites times \$600.00 per site equals \$3,000,000. Cadastral rectangular survey of the 25,000 acres at \$11.72 per acre equals \$293,000. Total survey cost per year \$3,293,000.

*Due to the problem of negotiating for survey contracts, even with immediate passage of the bill it is impossible to implement Section 2 during FY 78 and therefore has been combined with FY 79.

IV. DATE 2/17/78

PREPARED BY George K. Hollist
 AGENCY Natural Resources
 PHONE 279-5577

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

B. Program Summary

Personal Service

\$702,355

Southeast District:

1 - Land Management Officer II \$28,313
1 - Land Management Officer I 24,725
TOTAL - 2 \$53,038

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1 - Land Management Officer I 24,725
TOTAL - 2 \$53,038

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2 - Clerk III 31,300
TOTAL - 12 \$343,831

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TOTAL - 2 \$33,679

Travel:

\$ 47,000

Southeast District \$5,000
Southcentral District 3,000
Northcentral District 4,000
Cadastral Engineering 30,000
Classification 3,000
Land and Water Management 2,000
TOTAL \$47,000

| | | |
|-----------------------|--------------------|-------------|
| Contractual | | \$4,537,900 |
| Southeast District | \$10,000 | |
| Southcentral District | 8,000 | |
| Northcentral District | 5,000 | |
| Cadastral Engineering | 4,508,400 | |
| Classification | 3,000 | |
| Land and Water | 3,500 | |
| TOTAL | <u>\$4,537,900</u> | |

| | | |
|-------------------------------|----------------|---------|
| Comodities | | \$4,300 |
| Southeast District | \$500 | |
| Southcentral District | 500 | |
| Northcentral District | 300 | |
| Cadastral Engineering | 1,200 | |
| Classification | 200 | |
| Land and Water Management | 1,200 | |
| Management and Administration | 400 | |
| TOTAL | <u>\$4,300</u> | |

| | | |
|-------------------------------|-----------------|----------|
| Equipment: | | \$36,600 |
| Southeast District | \$1,000 | |
| Southcentral District | 1,000 | |
| Northcentral District | 500 | |
| Cadastral Engineering | 25,000 | |
| Classification | 1,500 | |
| Land and Water Management | 5,600 | |
| Management and Administration | 2,000 | |
| TOTAL | <u>\$36,600</u> | |

Original sponsors: Bradley, Freeman,
Phillips and Cotten

Offered: 3/1/78
Referred: Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 720

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to homesites; and providing for an
7 effective date."

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

9 * Section 1. It is the purpose of this Act to encourage the settlement of
10 state land and the development of state resources by making available to
11 citizens of the state 7,000,000 acres of state land for homesteading.

12 * Sec. 2. No later than November 1, 1978, the director of the division of
13 lands in the Department of Natural Resources shall classify, survey, and plat
14 10,000 acres of state land for homesite entry in accordance with the provi-
15 sions of AS 38.08.010 - 38.08.120.

16 * Sec. 3. AS 38.08.010(a) is amended to read:

17 (a) No later than June 30, 1979, and annually thereafter, the
18 [THE] director shall classify, survey, and plat for homesite entry
19 25,000 acres of state land which is otherwise vacant, unappropriated and
20 unreserved until 7,000,000 acres have been so classified, surveyed and
21 platted [AND IS SUITABLE FOR ERECTION OF RESIDENTIAL DWELLINGS TO USE AS
22 A PERMANENT ABODE].

23 * Sec. 4. AS 38.08.010 is amended by adding a new subsection to read:

24 (d) The director shall, to as great an extent as possible, classi-
25 fy land for homesite entry based upon the distribution of population in
26 the state.

27 * Sec. 5. AS 38.08.020 is amended to read:

28 Sec. 38.08.020. OFFERING OF LAND FOR HOMESITE ENTRY. [FOLLOWING
29 CLASSIFICATION OF LAND FOR HOMESITE ENTRY, OFFERINGS OF HOMESITE ENTRY

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* Sec. 9. AS 38.08.080 is amended by adding a new subsection to read:

(b) If the director classifies for homesite entry state land which is located within the boundaries of a municipality which exercises planning and zoning authority under AS 29 but which has not been zoned for residential use only, the governing body of the municipality shall, within a reasonable amount of time following the classification, decide whether to zone the land for residential use only and notify the director of its decision.

* Sec. 10. AS 38.08.110 is amended to read:

Sec. 38.08.110. REGULATIONS. Within 90 days after the effective date of this Act, the [THE] commissioner shall adopt regulations in accordance with AS 44.62.180 - 44.62.290 to carry out the purposes of this chapter, including, but not limited to, regulations relating to easements and access routes.

* Sec. 11. AS 38.08.010(c)(1), (2), (3), (5) and (6) are repealed.

* Sec. 12. This Act takes effect immediately in accordance with AS 01.-10.070(c).

#

CORRECTION

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

Original sponsors: Bradley, Freeman,
Phillips and Cotten

Offered: 3/1/78
Referred: Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 720

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to homesites; and providing for an
7 effective date."

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

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11 citizens of the state 7,000,000 acres of state land for homesteading.

12 * Sec. 2. No later than November 1, 1978, the director of the division of
13 lands in the Department of Natural Resources shall classify, survey, and plat
14 10,000 acres of state land for homesite entry in accordance with the provi-
15 sions of AS 38.08.010 - 38.08.120.

16 * Sec. 3. AS 38.08.010(a) is amended to read:

17 (a) No later than June 30, 1979, and annually thereafter, the
18 [THE] director shall classify, survey, and plat for homesite entry
19 25,000 acres of state land which is otherwise vacant, unappropriated and
20 unreserved until 7,000,000 acres have been so classified, surveyed and
21 platted [AND IS SUITABLE FOR ERECTION OF RESIDENTIAL DWELLINGS TO USE AS
22 A PERMANENT ABODE].

23 * Sec. 4. AS 38.08.010 is amended by adding a new subsection to read:

24 (d) The director shall, to as great an extent as possible, classi-
25 fy land for homesite entry based upon the distribution of population in
26 the state.

27 * Sec. 5. AS 38.08.020 is amended to read:

28 Sec. 38.08.020. OFFERING OF LAND FOR HOMESITE ENTRY. [FOLLOWING
29 CLASSIFICATION OF LAND FOR HOMESITE ENTRY, OFFERINGS OF HOMESITE ENTRY

1 LAND SHALL BE MADE ON A ROTATING BASIS FROM AMONG THE FOUR JUDICIAL DIS-
2 TRICTS OF THE STATE.] The director shall publish notice of the avail-
3 ability of the land for at least three consecutive weeks through the
4 electronic media and in at least three newspapers of general circulation
5 in the state, at least one of which, if possible, shall be a newspaper
6 of general circulation in the vicinity of the available land.

7 * Sec. 6. AS 38.08.030(a)(2) is amended to read:

8 (2) submit proof acceptable to the commissioner that he is a
9 resident of the state at the time of application, and that he has been a
10 resident of the state for not less than three [SIX] years immediately
11 preceding the date his application was submitted, or that he has been a
12 resident for 20 years cumulatively;

13 * Sec. 7. AS 38.08.060(a)(2) is amended to read:

14 (2) erects a habitable, permanent, single-family dwelling on
15 the homesite, which meets all applicable state and local regulations,
16 within five [THREE] years of the date of issuance of the homesite entry
17 permit; for the purposes of this paragraph, mobile homes are not con-
18 sidered to be permanent dwellings unless they are placed on a permanent
19 foundation;

20 * Sec. 8. AS 38.08.070 is amended to read:

21 Sec. 38.08.070. LAND LOCATED WITHIN MUNICIPALITIES. No state land
22 which is located within the boundaries of an organized borough or city
23 may be classified for homesite entry under this chapter until the pro-
24 posed use of the land has been studied [AND APPROVED] jointly by the
25 director and the local planning authority. Nothing in this section or
26 AS 29.18.190 prevents the director from selecting and classifying for
27 homesite entry land which would otherwise be available for borough or
28 city selection under AS 29.18.190. If classified for homesite entry,
29 the land shall not be available for city or borough selection.

1 * Sec. 9. AS 38.08.080 is amended by adding a new subsection to read:

2 (b) If the director classifies for homesite entry state land which
3 is located within the boundaries of a municipality which exercises
4 planning and zoning authority under AS 29 but which has not been zoned
5 for residential use only, the governing body of the municipality shall,
6 within a reasonable amount of time following the classification, decide
7 whether to zone the land for residential use only and notify the direc-
8 tor of its decision.

9 * Sec. 10. AS 38.08.110 is amended to read:

10 Sec. 38.08.110. REGULATIONS. Within 90 days after the effective
11 date of this Act, the [THE] commissioner shall adopt regulations in
12 accordance with AS 44.62.180 - 44.62.290 to carry out the purposes of
13 this chapter, including, but not limited to, regulations relating to
14 easements and access routes.

15 * Sec. 11. AS 38.08.010(c)(1), (2), (3), (5) and (6) are repealed.

16 * Sec. 12. This Act takes effect immediately in accordance with AS 01.-
17 10.070(c).

Freeman Version

5/1/78

Original sponsors: Bradley, Freeman,
Phillips and Cotten

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 720 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to disposal of state land for private
7 use and ownership; and providing for an effective
8 date."

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

10 * Section 1. It is the purpose of this Act to encourage the orderly
11 settlement of state land and the development of state resources by making
12 available state land for the private use of citizens of the state.

13 * Sec. 2. (a) Notwithstanding other provisions of law, the director of
14 the division of lands in the Department of Natural Resources shall, no later
15 than November 1, 1978, classify, survey, plat, and make available 20,000
16 acres of state land for homesite entry in accordance with the procedures
17 established in AS 38.08.

18 (b) Notwithstanding other provisions of law, the director of the
19 division of lands in the Department of Natural Resources shall, no later
20 than November 1, 1978, classify, survey, plat, and make available for
21 sale a minimum of 10,000 acres of state land which is otherwise vacant,
22 unappropriated and unreserved and is suitable for erection of residen-
23 tial dwellings to use as a permanent abode. The land shall be sold in
24 parcels not to exceed two and one-half acres in reasonably compact form,
25 with boundaries conforming as nearly as practicable to natural geologic
26 and topographic features.

27 * Sec. 3. AS 38 is amended by adding a new chapter to read:

28 CHAPTER 4. USE AND CLASSIFICATION OF
29 STATE LAND SURFACE.

1 ARTICLE 1. PUBLIC AND PRIVATE LAND USE POLICY.

2 Sec. 38.04.005. POLICY. (a) In order to provide for maximum use
3 of state land consistent with the public interest, it is the policy of
4 the State of Alaska to plan and manage state-owned land to establish a
5 balanced combination of land available for both public and private
6 purposes. The choice of land best suited for public and private use
7 shall be determined through the inventory, planning, and classification
8 processes set out in secs. 90 and 100 of this chapter.

9 (b) In classifying state land for private use and settlement
10 purposes, the director shall make adequate provision for public open
11 space which is accessible to communities so that natural areas are
12 easily reached from all communities and settled areas. The amount of
13 such land shall be sufficient to meet existing and projected needs for
14 accessible public recreation land. Special care shall be taken to
15 preserve public access to public water and to retain state ownership of
16 sufficient land which combine high value for recreation and other public
17 purposes with accessibility to settled areas. This classification for
18 public purposes does not constitute dedication to open space, but the
19 division's management of land so classified shall be in a manner to
20 preserve the identified values.

21 (c) In allocating land for private use and public retention, the
22 requirements of future generations shall be considered. To this end, a
23 supply of state land of a variety of types and locations shall be re-
24 served to provide an opportunity for future decisions.

25 (d) Private land use rights are integral to the material well-
26 being of the people of Alaska and our society.

27 (e) Involvement of local residents is essential in the decision-
28 making process which leads to making state land available for private
29 use.

1 Sec. 38.04.010. PUBLIC INTEREST IN MAKING LAND AVAILABLE FOR
2 PRIVATE USE. (a) The primary public interest in conveying rights to
3 state land surface to private parties is to make them available to
4 individuals and other persons for direct use in areas classified as
5 suitable for these purposes. In making state land available for private
6 use, the director shall, when feasible, seek to guide year-round settle-
7 ment to areas where public services already exist, or can be extended
8 with reasonable economy, or where development of a viable economic base
9 is probable.

10 (b) State land which is located beyond the range of existing
11 schools and other necessary public services, or which is located where
12 development of sources of employment is improbable, may be made avail-
13 able for seasonal recreational purposes or for low density settlement,
14 with sufficient separation between residences so that public services
15 will not be necessary or expected.

16 Sec. 38.04.015. PUBLIC INTEREST IN RETAINING STATE LAND IN PUBLIC
17 OWNERSHIP. The primary public interests in retaining areas of state
18 land surface in public ownership are:

19 (1) to make them available on a sustained-yield basis for a
20 variety of beneficial uses including subsistence, forestry, grazing,
21 sport hunting and fishing, hiking, snowmobiling, skiing, and other
22 activities of a type which can generally be made available to more
23 people and conducted more successfully if the land is in public rather
24 than private ownership;

25 (2) to facilitate mining and mineral leasing by managing
26 appropriate public land for surface uses which are compatible with
27 subsurface uses;

28 (3) to protect critical wildlife habitat and areas of special
29 scenic, recreational, scientific, or other environmental concern;

1 (4) to restrict development in floodplains, avalanche zones,
2 and other hazardous locations; and

3 (5) to guide the location of settlement and development to
4 minimize public costs and maximize social and economic benefits.

5 ARTICLE 2. LAND AVAILABILITY FOR PRIVATE USE.

6 Sec. 38.04.020. TIMING AND AMOUNT. (a) On an annual basis, the
7 director shall make available for private use an array of state land
8 suitable for a variety of uses. Beginning fiscal year 1980 and during
9 each succeeding fiscal year, the director shall make available for sale
10 a minimum of 10,000 acres in each of the following private land disposal
11 programs:

12 (1) land for sale with the purchase price determined at
13 public auction or by appraisal under AS 38.05.045 - 38.05.069; and

14 (2) land available for homesite entry under ch. 8 of this
15 title.

16 (b) Land offered for disposal as required under (a) of this sec-
17 tion that is not sold or otherwise disposed of during a fiscal year may
18 be included in required offerings during succeeding fiscal years.

19 Sec. 38.04.025. VARIETY OF USES. In making state land available
20 for private use, the director shall endeavor to accommodate persons with
21 a current need and anticipated use for the land. The director, based on
22 supply and demand for suitable land in different regions and locations
23 of the state and after taking into account the supply of available land
24 in private ownership, shall make land available in locations and under
25 programs suited to the differing needs of prospective users across the
26 state.

27 Sec. 38.04.030. RESIDENCY PREFERENCE. If more than one person is
28 eligible to purchase or enter upon a particular parcel offered under
29 sec. 20(a) of this chapter, the director shall sell or grant an entry

1 permit to the person showing proof of the longest residency in the
2 state.

3 Sec. 38.04.035. CRITERIA FOR PROGRAM SELECTION. In determining
4 which land availability program is appropriate for state land in dif-
5 ferent locations, the director shall be guided by the following cri-
6 teria:

7 (1) Conveyance of state land to private parties shall be at
8 fair market value except where otherwise authorized by statute or by
9 administrative regulation.

10 (2) Sale or lease programs shall be utilized where land is
11 readily accessible to a major community center or where, because of a
12 prime location on waterfront or a transportation route or some other
13 location characteristic, land has relatively high real estate value for
14 private use.

15 (3) Lease programs shall be utilized only

16 (A) where special land use controls are required;

17 (B) when the intended use is a temporary one;

18 (C) when a unique location with special public values is
19 involved, as in a deep water port; and

20 (D) where current demand for private use is high, but
21 projections suggest that, in the future, the land may be more
22 valuable for public use, as in accessible waterfront recreation
23 areas.

24 (4) Limited or conditional title may be granted when the
25 state's overriding interest so dictates. Title limitations may include
26 grants of agricultural interest only, retention of development rights,
27 and retention of scenic or other easements. A conditional title may be
28 made contingent on a development schedule or other standards of perfor-
29 mance.

1 Sec. 38.04.040. SURVEY AND SUBDIVISION. (a) State land to be
2 conveyed in fee simple or less than fee simple estate shall be sub-
3 divided so that lots and tracts are of a size which fits the require-
4 ments of individual users and reflects the physical characteristics of
5 the land, except that in locations where there is an inadequate margin
6 between the demand for and the supply of vacant land, the state may make
7 land available for private acquisition in parcels that are larger than
8 required for individual use.

9 (b) Before the conveyance of surface rights to state land, an
10 official cadastral survey shall be accomplished, unless a comparable,
11 acceptable survey exists. Where land is located within a municipality
12 with planning, platting, and zoning powers, plats for state subdivisions
13 shall comply with local ordinances and regulations in the same manner
14 and to the same extent as plats for subdivisions by other landowners.
15 State subdivisions shall be filed in the district recorder's office.
16 The requirements of this section do not apply to land made available
17 through material sales or a cabin permit system, or under short-term
18 leases.

19 Sec. 38.04.045. ACCESS TO PRIVATE USE AREAS. Wherever state land
20 is surveyed for purposes of private use, adequate rights-of-way and
21 easements shall be reserved as necessary for access and, where appro-
22 priate, for power and telephone service to each parcel of land. Where
23 necessary and appropriate for the use intended, the director shall
24 arrange for the development of surface access as part of the land avail-
25 ability program. The direct cost of local access development shall be
26 borne by the recipient of the land unless otherwise provided by state
27 statutes or regulations.

28 Sec. 38.04.050. ACCESS THROUGH PRIVATE USE AREAS. The director
29 shall reserve easements and rights-of-way on and across land which is

1 made available for private use under sec. 20(a) of this chapter as
2 necessary to reach or use public water and public and private land.

3 ARTICLE 3. INVENTORY, PLANNING, AND CLASSIFICATION.

4 Sec. 38.04.055. INVENTORY. (a) The commissioner shall prepare
5 and maintain on a continuing basis an inventory of all state land and
6 water and their resource and other values, giving priority to areas of
7 potential settlement and of critical environmental concern. This in-
8 ventory shall be kept current so as to reflect changes in conditions and
9 to identify new and emerging resource and other values.

10 (b) The commissioner's inventory shall include land and water
11 under interagency assignment of land management authority and land and
12 water proposed for such an assignment. That land and water must be
13 reviewed at regular intervals to analyze current and proposed uses as
14 these uses relate to alternative uses for all or part of the land and to
15 determine the uses which best provide for the public interest.

16 (c) As funds and manpower are made available, the commissioner
17 shall provide local and federal governments and major private landowners
18 with data from the inventory for the purpose of planning and managing
19 the uses of land in proximity to state land.

20 Sec. 38.04.060. LAND USE PLANNING AND CLASSIFICATION. (a) The
21 commissioner shall, with local governmental and public involvement,
22 develop, maintain and, when appropriate, revise land use plans which
23 provide, by regions or areas, for the use of the state-owned land.

24 (b) In the development and revision of land use plans, the commis-
25 sioner shall

26 (1) use and observe the principles of multiple use and sus-
27 tained yield;

28 (2) use a systematic interdisciplinary approach to achieve
29 integrated consideration of physical, economic, and social factors

1 affecting the region or area;

2 (3) give priority to planning and classification in areas of
3 potential settlement and critical environmental concern;

4 (4) rely, to the extent that it is available, on the inven-
5 tory of the state land, its resources, and other values;

6 (5) consider present and potential uses of state land;

7 (6) consider the supply, resources, and present and potential
8 use of land under other ownership within the area or region of concern;

9 (7) weigh long-term benefits to the public against short-term
10 benefits;

11 (8) plan for compatible surface and mineral land use classi-
12 fications; and

13 (9) provide for meaningful participation in the planning
14 process by affected local governments, state and federal agencies,
15 adjacent landowners, and the general public.

16 (c) As a basis for more detailed land use planning and classifi-
17 cation, the commissioner shall develop regional land use plans for the
18 use of all state land. These regional plans shall identify and de-
19 lineate

20 (1) areas of settlement and settlement impact, where land
21 must be classified for various private uses and for public recreation,
22 open space, and other public uses desirable in and around settlement;
23 and

24 (2) areas which must be retained in state ownership and
25 planned and classified for various uses and purposes in accordance with
26 sec. 15 of this chapter.

27 (d) Official regional or area plans and subsequent amendments
28 adopted by the commissioner after public and local governmental parti-
29 cipation shall be signed and dated by the commissioner. Land classifi-

1 cations shall be made in accordance with these official plans.

2 (e) Land shall be classified before being made available for pri-
3 vate use or included in the management systems described in sec. 65 of
4 this chapter.

5 (f) Decisions about the location of easements and rights-of-way,
6 other than for minor access, shall be integrated with land use planning
7 and classification for the appropriate area or region.

8 (g) Land use plans adopted by the commissioner under this section
9 shall be consistent with local governmental land use plans to the maxi-
10 mum extent he determines to be consistent with the state interests and
11 the purposes of this chapter.

12 Sec. 38.04.065. MANAGEMENT SYSTEMS. (a) State land classified
13 for uses and purposes involving retention in public ownership may be
14 included in the following management systems:

15 (1) State Public Reserve System: areas of public land to be
16 managed for a wide variety of compatible uses and purposes in accordance
17 with the principles of multiple use and sustained yield; land designated
18 to this system may include, but need not be limited to, state forest
19 reserves and state wildlife reserves as well as land classified for
20 public purposes within settlement impact areas;

21 (2) State Park System: areas with special recreational,
22 scenic, cultural, historical, wilderness, or similar values, to be
23 managed primarily for the public use and enjoyment of these values;

24 (3) State Trail System: a system of public historic or
25 recreational trails;

26 (4) Wild and Scenic River Systems: a system of rivers with
27 special natural, scenic, and recreational values designated by the state
28 to be managed as part of the national system of wild and scenic rivers
29 in accordance with the federal Wild and Scenic Rivers Act (82 Stat. 906

1 16 U.S.C. 1271 et seq.);

2 (5) State Public Domain: land within areas designated on
3 regional plans as settlement and settlement impact which are not part of
4 the management systems listed in (1) - (4) of this subsection; through
5 classification, this land may be made available for private use, settle-
6 ment, and development as well as for public uses associated with settle-
7 ment and development.

8 (b) State land classified in accordance with sec. 60 of this
9 chapter may be included in the State Public Reserve System by procla-
10 mation of the governor.

11 (c) State land classified in accordance with sec. 60 of this
12 chapter may be included in the State Park System, State Trail System or
13 the Wild and Scenic River System by proclamation of the governor.
14 However, no state land, water, or combination of land and water may,
15 except by Act of the state legislature, be closed to multiple purpose
16 use if the area involved contains more than 640 acres.

17 ARTICLE 4. GENERAL PROVISIONS.

18 Sec. 38.04.900. REGULATIONS. The commissioner may adopt under the
19 Administrative Procedure Act (AS 44.62) regulations he believes are
20 necessary to carry out the purposes of this chapter. Within 60 days
21 after the effective date of this Act, the director shall submit to the
22 commissioner draft regulations implementing this chapter and revising
23 regulations in effect on the effective date of this Act pertaining to
24 planning, classification, management, and disposal of the state's sur-
25 face estate in land. New and revised regulations must be integrated in
26 a single comprehensive draft compatible with the structure of the Alaska
27 Administrative Code. In preparing this draft, the director shall seek
28 to simplify and clarify regulations governing land planning, classifi-
29 cation, management, and disposal.

1 Sec. 38.04.910. DEFINITIONS. In this chapter, unless the context
2 otherwise requires,

3 (1) "commissioner" means the commissioner of the Department
4 of Natural Resources;

5 (2) "director" means the director of the division of lands of
6 the Department of Natural Resources;

7 (3) "fair market value" means the price at which a willing
8 seller and a willing buyer will trade;

9 (4) "multiple use" means the management of state land and its
10 various resource values so that it is used in the combination that will
11 best meet the present and future needs of the people of Alaska, making
12 the most judicious use of the land for some or all of these resources or
13 related services over areas large enough to provide sufficient latitude
14 for periodic adjustments in use to conform to changing needs and condi-
15 tions; it includes

16 (A) the use of some land for less than all of the re-
17 sources, and

18 (B) a combination of balanced and diverse resource uses
19 that takes into account the short-term and long-term needs of
20 present and future generations for renewable and nonrenewable
21 resources, including, but not limited to, recreation, range, tim-
22 ber, minerals, watershed, wildlife and fish, and natural scenic,
23 scientific, and historic values;

24 (5) "official cadastral survey" means a United States public
25 land survey or a survey executed under survey instructions issued by the
26 division for the purpose of preparing a cadastral survey plat, and
27 approved and accepted by the division for the state's official records;

28 (6) "short-term lease" means a lease for a term of five years
29 or less;

1 (7) "state park" means an area of state land designated by
2 proclamation of the governor or by statute to be managed for public use
3 and enjoyment of recreational, scenic, cultural, historical, wilderness,
4 and similar values, including but not limited to areas designated under

5 (A) AS 41.20.050 - 41.20.060, roadside rests and recrea-
6 tional beaches;

7 (B) AS 41.20.130 - 41.20.160, 41.20.330 - 41.20.345, ch.
8 61 SLA 1966, and ch. 26 SLA 1967, state recreation areas;

9 (C) AS 41.20.170 - 41.20.320, state parks; and

10 (D) AS 41.35.030, state monuments and historic sites;

11 (8) "state trail" means an area designated by proclamation of
12 the governor or by statute to be managed as a public historic or recrea-
13 tional trail including but not limited to

14 (A) trails designated under AS 41.20.070 - 41.20.120,
15 wilderness trails and campsites; and

16 (B) trails and footpaths designated under AS 41.20.355 -
17 41.20.375;

18 (9) "state wild and scenic river" means any free-flowing
19 river or stream so designated by the state in accordance with the cri-
20 teria set out in the Federal Wild and Scenic Rivers Act (82 Stat. 906;
21 16 U.S.C, 1271-1287);

22 (10) "sustained yield" means the achievement and maintenance
23 in perpetuity of a high level annual or regular periodic output of the
24 various renewable resources of the state lands consistent with multiple
25 use.

26 * Sec. 4. AS 38.05.069(b) is amended to read:

27 (b) If more than one person is eligible for a first option under
28 (a) of this section, the director shall determine priority by granting
29 precedence first to the person who demonstrates the greatest need for

1 the unoccupied land in order to establish an economic unit and, second-
2 ly, to the eligible person who occupies land that is most readily
3 accessible to unoccupied land to be sold or leased. In the event that
4 two or more persons have approximately equal qualifications for priority
5 under this section, the director shall grant priority to that person who
6 shows proof of the longest residency in the state [IS A VETERAN. IF
7 MORE THAN ONE PERSON IS APPROXIMATELY EQUALLY WELL QUALIFIED UNDER THIS
8 SECTION, THE DIRECTOR SHALL DETERMINE PRIORITY BY LOT].

9 * Sec. 5. AS 38.05.102 is amended by adding new subsections to read:

10 (b) If a lessee exercises the preference granted under (a) of this
11 section and purchases land offered for sale, he is entitled to apply as
12 a credit against the purchase price of the land amounts previously paid
13 for rent on that land. Credit granted under this section may not exceed
14 90 per cent of the total purchase price of the land.

15 (c) A lessee may request the director to offer land for sale which
16 is included within his leasehold. The director shall review the request
17 and determine whether conveyance of the land is in the best interests of
18 the state. The director may hold public hearings in the general area of
19 the leasehold to inform the public of the request and to determine what
20 action, if any, to take in response to the request. Within 90 days
21 after receiving a request for sale of leased land the director shall
22 notify the requester of the action he intends to take in response to the
23 request. The lessee has five days after notification to request a
24 review by the commissioner of the director's action.

25 * Sec. 6. AS 38.08.010(a) is repealed and re-enacted to read:

26 (a) The director shall classify, survey, and plat for homesite
27 entry state land in amounts and at times as required in AS 38.04.020 or
28 as may otherwise be required by law.

29 * Sec. 7. AS 38.08.010 is amended by adding a new subsection to read:

1 (d) The director shall, to as great an extent as possible, classi-
2 fy land for homesite entry based upon the distribution of population in
3 the state.

4 * Sec. 8. AS 38.08.020 is amended to read:

5 Sec. 38.08.020. OFFERING OF LAND FOR HOMESITE ENTRY. [FOLLOWING
6 CLASSIFICATION OF LAND FOR HOMESITE ENTRY, OFFERINGS OF HOMESITE ENTRY
7 LAND SHALL BE MADE ON A ROTATING BASIS FROM AMONG THE FOUR JUDICIAL DIS-
8 TRICTS OF THE STATE.] The director shall publish notice of the avail-
9 ability of the land for at least three consecutive weeks through the
10 electronic media and in at least three newspapers of general circulation
11 in the state, at least one of which, if possible, shall be a newspaper
12 of general circulation in the vicinity of the available land.

13 * Sec. 9. AS 38.08.030(a)(2) is amended to read:

14 (2) submit proof acceptable to the commissioner that he is a
15 resident of the state at the time of application, and that he has been a
16 resident of the state for not less than three [SIX] years immediately
17 preceding the date his application was submitted, or that he has been a
18 resident for 20 years cumulatively;

19 * Sec. 10. AS 38.08.060(a)(2) is amended to read:

20 (2) erects a habitable, permanent, single-family dwelling on
21 the homesite, which meets all applicable state and local regulations,
22 within five [THREE] years of the date of issuance of the homesite entry
23 permit; for the purposes of this paragraph, mobile homes are not con-
24 sidered to be permanent dwellings unless they are placed on a permanent
25 foundation;

26 * Sec. 11. AS 38.08.070 is amended to read:

27 Sec. 38.08.070. LAND LOCATED WITHIN MUNICIPALITIES. No state land
28 which is located within the boundaries of an organized borough or city
29 may be classified for homesite entry under this chapter until the pro-

1 posed use of the land has been studied [AND APPROVED] jointly by the
2 director and the local planning authority. Nothing in this section or
3 AS 29.18.190 prevents the director from selecting and classifying for
4 homesite entry land which would otherwise be available for borough or
5 city selection under AS 29.18.190. If classified for homesite entry,
6 the land shall not be available for city or borough selection.

7 * Sec. 12. AS 38.08.080 is amended by adding a new subsection to read:

8 (b) If the director classifies for homesite entry state land which
9 is located within the boundaries of a municipality which exercises
10 planning and zoning authority under AS 29 but which has not been zoned
11 for residential use only, the governing body of the municipality shall,
12 within a reasonable amount of time following the classification, decide
13 whether to zone the land for residential use only and notify the direc-
14 tor of its decision.

15 * Sec. 13. AS 38.08.110 is amended to read:

16 Sec. 38.08.110. REGULATIONS. Within 90 days after the effective
17 date of this Act, the [THE] commissioner shall adopt regulations in
18 accordance with AS 44.62.180 - 44.62.290 to carry out the purposes of
19 this chapter, including, but not limited to, regulations relating to
20 easements and access routes.

21 * Sec. 14. AS 38.05.300 and AS 38.08.010(c)(1), (2), (3), (5) and (6) are
22 repealed.

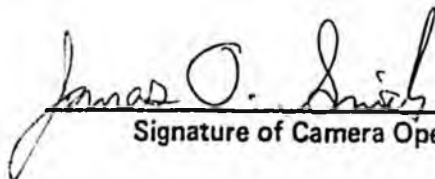
23 * Sec. 15. This Act takes effect immediately in accordance with AS 01.-
24 10.070(c).



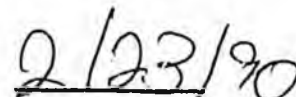
RECORDS CERTIFICATION



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



Signature of Camera Operator



Date

COMMITTEE REPORT
SENATE

6/15/78

FURTHER: NONE

Date: _____

Mr. President:

The Committee on FINANCE has had CSHB 721 supplemental appropriation to pay miscellaneous claims against the state

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

- recommends it do pass recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for _____

and _____ new title same title

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

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

Chairman

Baldwin

Original sponsor: Rules Committee by
request of the Governor

Offered: 6/13/78
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 721

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a supplemental appropriation to pay
7 miscellaneous claims against the state; 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 \$48,211.78 is appropriated from the general fund
11 to pay miscellaneous claims against the state, to be allocated as follows:

| Department | Amount |
|---|-----------|
| Office of the Governor | \$ 249.60 |
| Department of Health and Social Services | 13,192.83 |
| Department of Commerce and Economic Development | 2,665.00 |
| Department of Public Safety | 1,120.24 |
| Department of Administration | 1,160.94 |
| Department of Fish and Game | 186.63 |
| Department of Revenue | 2,485.73 |
| Department of Community and Regional Affairs | 1,254.00 |
| Department of Transportation and Public Facilities | 22,861.79 |
| Alaska Court System | 3,035.02 |

27 * Sec. 2. The sum of \$1,482.04 is appropriated from the working capital
28 fund to the Department of Transportation and Public Facilities to pay mis-
29 cellaneous claims against the state.

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* Sec. 3. This Act takes effect immediately in accordance with AS 01.-
10.070(c).

HB 721

February 1, 1978

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

Dear Mr. Speaker:

Under 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 a supplemental appropriation, in the amount of \$17,673.14, to be allocated among various departments, to pay miscellaneous claims against the state, arising from prior year obligations.

Fiscal information is attached.

Sincerely,

S/SSH

Jay S. Hammond
Governor

STATE
of ALASKA

MEMORANDUM

HB 72

TO: [Ronald B. Lind
Division of Budget and Management
Office of the Governor

DATE:

FILE NO:

TELEPHONE NO:

FROM: *Helen E. Beirne*
Helen E. Beirne
Commissioner
Department of Health and Social ServicesSUBJECT: Revised Request for
Miscellaneous Claims
Supplemental

The purpose of this memorandum is to submit a request for a revised amount for the FY78 supplemental for miscellaneous claims for the Department of Health and Social Services. The additional amount is for \$2,048.89 in medical bills for the Divisions of Public Health and Mental Health. The original supplemental request was for \$8,855.96. The revised total will be \$10,904.85.

The invoices referenced on this request are on file in the Department of Health and Social Services' Fiscal Office as certain information contained on the invoices is confidential.

Your assistance in this matter will be greatly appreciated.

Attachments

DEPARTMENT OF HEALTH AND SOCIAL SERVICES
 MISCELLANEOUS CLAIMS (REVISED)
 FOR
 LEGISLATIVE APPROVAL
 FOR
 FISCAL YEAR 1978

Submitted December 15, 1977

| <u>Division</u> | <u>Invoice #</u> | <u>Date of Service</u> | <u>Amount</u> | <u>Date Received</u> | <u>Code</u> | <u>Reason for Delay</u> |
|--|------------------|------------------------|---------------|----------------------|-----------------|-------------------------|
| <u>SOCIAL SERVICES</u> | | | | | | |
| *Deverux Foundation | - | 9/1-30/74 | 1,035.00 | 3/25/77 | 06-21-3-150-736 | Invoice not received |
| *Deverux Foundation | - | 12/1-31/74 | 1,035.00 | 3/25/77 | 06-21-3-150-736 | Invoice not received |
| <u>CORRECTIONS</u> | | | | | | |
| Stolt Electric Supply | 73362 | 12/28/74 | 586.50 | 5/3/77 | 06-66-4-202-456 | Invoice not received |
| Program Aids Inc. | E14080 | 7/22/74 | 375.43 | 8/26/77 | 06-66-4-115-482 | Invoice not received |
| Total General Bills | | | 3,031.93 | | | |
| *Medical Bills Previously | | | 5,824.03 | | | |
| *Additional Medical Bills | | | 2,048.89 | | | |
| *Total Medical Bills | | | 7,872.92 | | | |
| Total Department of Health and Social Services | | | 10,904.85 | | | |

*The invoices referenced on these pages are on file in the Department of Health and Social Services, Fiscal Section as the material is confidential in nature.

LEGISLATIVE MEDICAL BILLINGS FOR YEAR 1977/1978

| <u>DIVISION</u> | <u>INVOICE</u> | <u>DATE OF SERVICE</u> | <u>AMOUNT</u> | <u>DATE RECEIVED</u> | <u>CODE</u> | <u>REASON FOR DELAY</u> |
|---------------------------------|----------------|------------------------|---------------|----------------------|-----------------|-------------------------|
| <u>PUBLIC ASSISTANCE</u> | | | | | | |
| The Alaska Clinic | 67761 | 5/24/75 | 66.88 | 6/16/77 | 06-33-6-150-755 | Inv. not received |
| Delta Dental Plan | 109339 | 4/9/74 | 36.00 | 2/28/77 | " " " 172 " | " " " |
| " " " | 109338 | 12/17/74 | 297.00 | 2/28/77 | " " " " " | " " " |
| " " " | 109337 | 12/14/74 | 212.00 | 2/28/77 | " " " " " | " " " |
| " " " | 109336 | 12/17/74 | 237.00 | 2/28/77 | " " " " " | " " " |
| " " " | 123200 | 8/20/74 | 61.00 | 2/28/77 | " " " " " | " " " |
| " " " | 123199 | 8/14/74 | 72.00 | 2/28/77 | " " " " " | " " " |
| " " " | 123198 | 8/15/74 | 25.00 | 2/28/77 | " " " " " | " " " |
| " " " | 123196 | 8/13/74 | 50.00 | 2/28/77 | " " " " " | " " " |
| " " " | 123195 | 10/1/74 | 33.00 | 2/28/77 | " " " " " | " " " |
| " " " | 123197 | 10/28/74 | 40.00 | 2/28/77 | " " " " 400 " | " " " |
| " " " | 123194 | 2/27/75 | 90.00 | 2/28/77 | " " " " " | " " " |
| " " " | 123193 | 2/26/75 | 20.00 | 2/28/77 | " " " " " | " " " |
| J. J. McIntyre Inc. | 139713 | 7/2/74 | 885.00 | 2/29/77 | " " " 350 " | " " " |
| Michael H. Emmick MD | 321953 | 5/3/75 | 83.40 | 3/16/77 | " " " 150 " | " " " |
| AK Native Hosp. | 500048 | 12/23/74 | 102.00 | 3/21/77 | " " " " " | " " " |
| The Alaska Clinic | 74552 | 5/19/74 | 14.50 | 12/9/76 | " " " " " | " " " |
| " " " | 74553 | 5/18/74 | 118.00 | 12/9/76 | " " " " " | " " " |
| " " " | 55425 | 6/14/73 | 141.70 | 10/19/76 | " " " 350 " | " " " |
| Sherman Beacham MD | 185799 | 6/16/75 | 12.24 | 6/27/77 | " " " 150 " | " " " |
| The Alaska Clinic | 51667 | 6/30/75 | 19.60 | 6/27/77 | " " " " " | " " " |
| Sam DePalatis MD | 185800 | 6/10/75 | 4.26 | 6/27/77 | " " " " " | " " " |
| The Alaska Clinic | 94620 | 6/2/75 | 32.50 | 6/27/77 | " " " " " | " " " |
| " " " | N/A | 5/24/75 | 11.52 | 6/16/77 | " " " " " | " " " |
| " " " | N/A | 5/27/75 | 14.40 | 7/15/77 | " " " " " | " " " |
| John J. Eufemio MD | 165000 | 9/22/75 | 645.00 | 8/18/77 | " " " 350 " | " " " |
| AK Hospital & Medical Center | 566204 | 8/12/75 | 964.85 | 5/31/77 | " " " 310 " | " " " |
| Sitka Community Hosp. | 901139 | 3/21/75 | 457.28 | 4/1/77 | " " " 110 " | " " " |
| AK Treatment Center | 225475 | 2/26/75 | 62.40 | 6/16/77 | " " " 150 " | " " " |
| The Everett Clinic | 187415 | 3/5/75 | 31.75 | 2/24/77 | " " " " " | " " " |
| Pediatric Hematology Clinic | 525915 | 7/15/75 | 236.55 | 8/12/76 | " " " " " | " " " |

| <u>DIVISION</u> | <u>INVOICE</u> | <u>DATE OF SERVICE</u> | <u>AMOUNT</u> | <u>DATE RECEIVED</u> | <u>CODE</u> | <u>REASON FOR DELAY</u> |
|-------------------------------|----------------|------------------------|-----------------|----------------------|-----------------|-------------------------|
| <u>PUBLIC ASSISTANCE</u> | | | | | | |
| The Alaska Clinic | 94866 | 10/8/75 | 138.00 | 11/28/77 | 06-33-6-350-735 | Invoice not received |
| Physicians Optical | 231772 | 12/30/76 | 51.35 | | 06-33-6-175-735 | Invoice not received |
| Fernando Salgado M.D. | 198514 | 5/9/75 | 32.90 | | 06-33-6-150-735 | Invoice not received |
| The Alaska Clinic | 69880 | 3/28/75 | 38.92 | | 06-33-6-150-735 | Invoice not received |
| The Alaska Clinic | 67675 | 4/3/75 | 13.25 | | 06-33-6-150-735 | Invoice not received |
| T. Prindiville M.D. | 74818 | 3/29/75 | 23.60 | 11/2/77 | 06-33-6-150-735 | Invoice not received |
| <u>CORRECTIONS</u> | | | | | | |
| Providence Hospital | N/A | 5/22/75 | 28.00 | 11/11/77 | 06-66-4-241-384 | Invoice not received |
| <u>SOCIAL SERVICES</u> | | | | | | |
| Valley Medical Center | N/A | 4/4/75 | 15.00 | 4/21/77 | 06-21-3-601-385 | Invoice not received |
| <u>PUBLIC HEALTH</u> | | | | | | |
| Alaska Treatment Center | 247965 | 7/14/75 | 72.00 | 11/22/76 | 06-31-1-671-735 | Invoice not received |
| Alaska Treatment Center | 173904 | 5/20/75 | 60.34 | 6/15/77 | 06-31-1-671-735 | Invoice not received |
| Alaska Treatment Center | 247960 | 5/27/75 | 52.80 | 6/15/77 | 06-31-1-671-735 | Invoice not received |
| Alaska Treatment Center | 247958 | 6/5/75 | 62.64 | 6/15/77 | 06-31-1-671-735 | Invoice not received |
| Alaska Treatment Center | 247963 | 6/24/75 | 57.60 | 6/15/77 | 06-31-1-671-735 | Invoice not received |
| Alaska Treatment Center | 247962 | 6/17/75 | 62.40 | 6/15/77 | 06-31-1-671-735 | Invoice not received |
| Alaska Treatment Center | 247964 | 6/30/75 | 38.40 | 6/15/77 | 06-31-1-671-735 | Invoice not received |
| <u>Total Medical Billings</u> | | | <u>5,824.03</u> | | | |

REVISED REQUEST
FOR
LEGISLATIVE MEDICAL BILLINGS FOR FISCAL YEAR 1978

| <u>DIVISION</u> | <u>INVOICE</u> | <u>DATE OF SERVICE</u> | <u>AMOUNT</u> | <u>DATE RECEIVED</u> | <u>CODE</u> | <u>REASON FOR DELAY</u> |
|-----------------------------------|----------------|------------------------|---------------|----------------------|-----------------|-------------------------|
| <u>PUBLIC HEALTH</u> | | | | | | |
| Alaska Treatment Center | 186367 | 3/4/75 | 135.36 | 9/2/77 | 06-31-1-634-735 | Invoice not received |
| Alaska Treatment Center | 241558 | 3/4/75 | 175.20 | 8/22/77 | 06-31-1-634-735 | Invoice not received |
| Alaska Treatment Center | 241561 | 4/7/75 | 96.48 | 8/22/77 | 06-31-1-634-735 | Invoice not received |
| Kenneth J. Mears | 372461 | 7/1/74 | 75.00 | 10/27/77 | 06-31-1-634-735 | Invoice not received |
| <u>MENTAL HEALTH</u> | | | | | | |
| Kodiak Island Hosp. | 522188 | 1/19/74 | 68.10 | 6/15/77 | 06-31-2-654-735 | invoice not received |
| Kodiak Island Hosp. | 522290 | 11/15/74 | 662.25 | 6/15/77 | 06-32-2-654-735 | Invoice not received |
| Kodiak Island Hosp. | 522175 | 9/30/74 | <u>836.50</u> | 6/15/77 | 06-32-2-654-735 | Invoice not received |
| Total medical bills this request. | | | \$2,048.89 | | | |

ALASKA STATE LEGISLATURE

TENTH Legislature SECOND Session

HOUSE BILL NO. 721

By THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

"An Act making a supplemental appropriation to pay miscellaneous claims against the state; and providing for an effective date."

supp. approp. misc. claims against
Introduced in the House 2-1-78

HISTORY IN THE HOUSE

| | | | | | | | | | | | | | | |
|-----------------|----------------|--|-----------------|----------------|------|----------------|------|------|--------|--------|---------|---------|---------|---------|
| 19 78 | Feb. 1 | Read first time and referred to Committee on Finance | | | | | | | | | | | | |
| | Feb. 13 | Reported back with recommendation that | | | | | | | | | | | | |
| | Feb. 14 | Read second time and | | | | | | | | | | | | |
| | Feb. 17 | 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 | | | | | | | | | | | | | |
| Nays | Nays | | | | | | | | | | | | | |
| Absent | Absent | | | | | | | | | | | | | |
| Excused | Excused | | | | | | | | | | | | | |
| | | <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 |
| 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 78 | 6-15 | Read first time and referred to Committee on Finance | | | | | | | | | | | | |
| | | 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 | | | | | | | | | | | | | |
| Nays | Nays | | | | | | | | | | | | | |
| Absent | Absent | | | | | | | | | | | | | |
| Excused | Excused | | | | | | | | | | | | | |
| | | <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 |
| 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 I.A. Governor |
| | | Chapter No. |

Backup for HB 721

MEMORANDUM

RECEIVED
MAY 2 1978
BUDGET & MANAGEMENT

TO: [Ronald B. Lind, Director
Division of Budget & Management
Office of the Governor

DATE: May 2, 1978

FILE NO:

TELEPHONE NO:

FROM: Trygve R. Hermann, Director
Division of Administrative Services
Department of Public Safety

SUBJECT: Miscellaneous Claims Supplemental

The Department of Public Safety requests that you amend the Miscellaneous Claims Supplemental Appropriation currently being considered by the Legislature to include \$1,097.74 for an 11/28/75 payroll warrant which has been misplaced until discovered last week at the Public Safety Training Academy in Sitka. Officer John A. Taylor was at the Academy during the fall of 1975, but had to leave because his father died. Officer Taylor had to withdraw substantial amounts from personal savings for the out-of-state expenses associated with his father's death, and therefore, did not miss his paycheck. Payroll warrant number 981333 was delivered to him last week showing a net payment due him of \$1,097.74 which would have been paid during FY 76 or during FY 77 were it presented for payment at that time, since sufficient funds were lapsed in FY 76 to allow payment during FY 77 of a prior-year expense.

Even though AS 37.05.180 says that warrants over two years old are no longer valid obligations of the State, this request is made to appropriate funds to make this payment based upon the circumstances surrounding loss of this employee's paycheck.

Without action on this matter this session, the employee will have to wait about one year for his request to be considered by the Legislature. Your favorable consideration would be appreciated.



Alaska Court System

State of Alaska

OFFICE OF ADMINISTRATIVE DIRECTOR
303 K STREET
ANCHORAGE, ALASKA
99501

April 26, 1978

Dan Dawson
Budget Analyst
Division of Budget Management
Pouch AM
Juneau, Alaska 99811

Dear Dan:

I have enclosed two items for inclusion in this year's Miscellaneous Claims Supplemental Appropriation. The first item involves a number of jury service field warrants that were issued but not cashed by the recipients. The jurors were members of the U.S. Army, Alaska. Military personnel are required to turn in jury pay to their fiscal office. Apparently, the fiscal office failed to cash the checks within the required time. The stale dated warrants were returned to me along with a request for re-issue. This amounts to ~~\$1,552.50~~ *1522.50* *OP*

The other item involves an unpaid invoice from Yukon Office Supply. For some reason the invoice was not paid. However, through an analysis of our account, the invoice was discovered and the vendor is requesting payment. *= \$ 1512.52*

Both of these items are valid charges of the Court System and I am requesting that they be covered by the supplemental appropriation.

Sincerely,

Robert G. Fisher
Accounting Supervisor

~~Total 3035.02~~
Total 3035.02 *OP*

RGF/dkt



Yukon Office Supply, Inc.

935 GAMBELL STREET
ANCHORAGE, ALASKA 99501

51754
TELEPHONE: 277-1531

Sales • Service • Rentals

CUSTOMER P.O. NO. BID Waiver DATE 7-26-74

CUSTOMER Alaska Court System

ADDRESS 303 K Street

CITY City of Anchorage 5th Floor 277-5011

| | | | | | | | | |
|---------------------------|------|--------------------------------|--------|------------|------------|----------|---------|--|
| SOLD BY <u>Item 15</u> | CASH | CHARGE <u>Exchange Sale</u> | C.O.D. | ON ACCOUNT | MOSE. RET. | PAID OUT | PICK-UP | DELIVER <input checked="" type="checkbox"/> |
|---------------------------|------|--------------------------------|--------|------------|------------|----------|---------|--|

| QUANTITY | UNIT | R.O. | DESCRIPTION | UNIT PRICE | AMOUNT |
|----------|------|------|---|------------|-----------|
| 88 | ea | | HSE-1932 CONFERENCE CHAIRS #748 COPPER = | 259.39 | 20351.2 |
| 1 | ea | | WATSON 48120 Conference table delivered on 4-10-74 - A.C.55511 | | 466.40 |
| | | | | | 2561.52 |
| 1 | ea | | Alma 1923 Sofa & Gold leather returned 4-10-74 - 17055511 | | (1099.00) |
| | | | Pick up L.I.D. | | |
| 88 | ea | | Johnson 2075 w/F4/587 Green side chairs USED to Whse #1 | | (110.00) |

Deliv 7-30-74

7-31

SUB TOTAL 1512.52

A083450

RECEIVED BY
[Signature]

TAX
TOTAL 1512.52



DEPARTMENT OF THE ARMY
HEADQUARTERS, 172D INFANTRY BRIGADE (ALASKA)
FORT RICHARDSON, ALASKA 99505

RECEIVED
MAR 21 1978
9:00 AM

AFZT-FA-P

23 March 1978

Jury Clerk Office
ATTN: Mrs. Linda Reser
303 K Street
Anchorage, AK 99501

Dear Mrs. Reser:

In reference to our telephone conversation 23 March 1978, the enclosed jury checks have exceeded the ninety day period allowed for negotiation.

Request that your office issue a substitute check for the enclosed and forward it to: Finance and Accounting Office, ATTN: 1LT Tyson, Box 499, Ft Richardson, AK 99505.

Please acknowledge receipt of the checks by signing the attached listing and returning it to the above address.

2 Incl
as stated

B. T. Tyson
B. T. TYSON
1LT, FI
C, Pay & Exam Branch

BTT:alm

STATE
of ALASKA

MEMORANDUM

Department of Community and Regional Affairs

TO: Ron Lind
Director,
Division of Budget & Management

DATE: May 17, 1978

FILE NO:

TELEPHONE NO:

FROM: *DK*
Dan Kanouse
Administrative Officer

SUBJECT: Miscellaneous Claims Supplemental

The Department of Community and Regional Affairs is requesting a supplemental appropriation to the Municipal Services Revenue Sharing BRU in the amount of \$ 1254. These funds are requested for the reissue of a stale dated warrant.

In January of 1976 a check was made payable to the Kongiganak Volunteer Fire Department from Revenue Sharing funds. (copy attached) The Kongiganak Village Council found the warrant after lying in their files for over two years. They wish to have it reissued.

Your review and approval would be greatly appreciated.

This warrant will be deemed paid unless redeemed within two years after the date of issue per AS 37.05.180

TREASURY WARRANT
STATE OF ALASKA
JUNEAU, ALASKA

No. 818422

DATE OF ISSUE
01 20 76
MO. DAY YR

89-52
1252

State Date

PAY TO THE ORDER OF

DO NOT FOLD, SPINDLE OR MUTILATE

| DOLLARS | CENTS |
|--------------|-------|
| \$ ****1,254 | 00 |

Kuskokwim Branch
FIRST NATIONAL
BANK
3
of Anchorage

KONGIGANAK VOL FIRE DEPT
& POUCH RETURNED NOT PAID
JUNEAU AK by 89-00089811

Endorsement
Account Closed
Signature
Other State Date
Date 818422

[Handwritten Signature]
1,254.000000 25400

\$1,254.00

⑈ 8 18422 ⑈ ⑆ 1252 ⑆ 0052⑆

Koniginan Village Council
Koniginan, Alaska 99559
April 29, 1978

Ms. Betty Barton
Local Government Specialist
Department of Community and Regional Affairs
511 W. 4th Avenue
Anchorage, Alaska 99501

Dear Ms. Barton

Enclosed is a check amount of \$1,250.00 Check No. 818/22

We are requesting to renew or reissue us a new check for this State check that has been returned to us by our bank.

The reason it has been returned to us is the date has been outdated. These New Councils found out that this check was issued to them in the year 1976 and it has not been ~~AT (6/22/77)~~ deposit since that year.

So, we council signed and send it to deposit to our bank but it bounce back to us.

We Council of Koniginan would appreciated if this check is renewed and send to us to the above address.

Action toward this will be appreciated very much.

Thank-You
Sincerely Yours



Andrew Kiunya
Village Administrator
for Village Council

FORWARD TO
JIMMY - BRUCE
5/3/78

DEPT. OF COMMUNITY
AND REGIONAL AFFAIRS

RECEIVED
MAY 11 1978

RECEIVED

DEPT. OF COMM. & REG. AFFAIRS, LGAD
DATE MAY 3 1978

STATE
of ALASKA

MEMORANDUM

HAID CARRYTO: [Ronald Lind, Director
Division of Budget & Management
Room # 545 - Court Building

DATE May 18, 1978

FILE NO.

TELEPHONE NO.

FROM: Mary A. Notar *Mary A. Notar*
Treasury Cashier
Department of RevenueSUBJECT: Re: Request of April 4, 1978
Supplemental request of
Stale Dated Warrants Appropriation

This is to confirm my telephone conversation of today with Mike Maher of your office. It is understood that the following name will be added to this years request for "Stale Dated" warrants.

F.H. & N.G. Murkowski \$ 120.94


Supplemental Request for Miscellaneous Claims


For an Act Entitled: "An Act making a supplemental appropriation to the Department of Administration and providing for an effective date."

As indicated in the enclosed detailed support papers, these obligations were incurred during FY-73, FY-74, FY-75 and FY-76 but that the actual billing or invoicing to the State did not occur until FY-77 and FY-78.

As a result of the delay in receiving these bills and invoices the prior fiscal year balances were lapsed. It now becomes necessary to seek approval of a supplemental funding appropriation to pay these bills that are two (2) or more years old.

H.S. 721

Recommended:  2/8/78
V.L. Iverson, Director DATE
Division of Administrative Services

Concurrence:  2/9/78
Helen D. Beirne DATE
Commissioner, Department of
Health and Social Services